

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 11, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-18202 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-18203 AND VAR-18204 - PUBLIC HEARING - APPLICANT/OWNER: BRUCE R. NOBLE - Request for a Site Development Plan Review for a PROPOSED 3,997 SQUARE FOOT SHOPPING CENTER WITH A WAIVER OF THE PERIMETER LANDSCAPE BUFFER TO ALLOW NO PERIMETER LANDSCAPING ALONG THE EAST AND WEST PROPERTY LINES WHERE AN EIGHT FOOT WIDE BUFFER IS REQUIRED; TO ALLOW A THREE FOOT WIDE BUFFER ALONG THE NORTH PROPERTY LINE WHERE AN EIGHT FOOT WIDE BUFFER IS REQUIRED; AND TO ALLOW AN 11 FOOT WIDE BUFFER ALONG THE SOUTH PROPERTY LINE, WHERE A 15 FOOT WIDE BUFFER ADJACENT TO A PUBLIC RIGHT-OF-WAY IS REQUIRED on 0.44 acres on the north side of Owens Avenue, approximately 333 feet east of Martin L. King Boulevard (APN-139-21-804-008), R-3 (Medium Density Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly).

C.C.: 02/07/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – DENIED – Motion carried with DAVENPORT, EVANS and STEINMAN voting NO

To be heard by City Council on 02/07/2007

PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 25 – SDR-18202

MINUTES:

See Item 23 for related discussion.

(6:58 – 7:22)

1-1920

*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JANUARY 11, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-18202 - APPLICANT/OWNER: BRUCE R. NOBLE**

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

1. Conformance to the conditions for Rezoning (ZON-18203) and Variance (VAR-18204) if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 11/16/06, except as amended by conditions herein.
4. A Waiver from Title 19.12 is hereby approved, to allow an 11 foot wide buffer along Owens Avenue, a three foot wide buffer along the north property line, and no landscape buffers along the east and west property lines.
5. An Exception from Title 19.10J is hereby approved, to allow three parking lot trees where six are required.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: The provision of seven 24-inch box trees within the buffer zone along the north property line and the provision of five 24-inch box trees within the buffer zone along the south property line
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

SDR-18202 - Conditions Page Two
January 11, 2007 - Planning Commission Meeting

8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. 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.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. Complete any remaining construction of the two offsite driveways which service this site and provide sufficient asphalt concrete (AC) paving to allow two way traffic between this site and the two driveways.
16. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the west of this site prior to the issuance of any permits.
17. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

SDR-18202 - Conditions Page Three
January 11, 2007 - Planning Commission Meeting

18. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
19. Site development to comply with all applicable conditions of approval for ZON-18203 and all other site-related actions.

SDR-18202 - Staff Report Page One
January 11, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 3,997 square-foot shopping center with a waiver of the perimeter landscape buffer to allow no perimeter landscaping along the east and west property lines where an eight-foot wide buffer is required; to allow a three-foot wide buffer along the north property line where an eight foot wide buffer is required; and to allow an 11-foot wide buffer along the south property line, where a 15-foot wide buffer adjacent to a public right-of-way is required on 0.44 acres on the north side of Owens Avenue, approximately 333 feet east of Martin L. King Boulevard

The waivers and variance requested by the applicant will allow this property to have vehicular circulation with the commercial development to the east and west of this site, thereby creating a more orderly pattern of development. Staff recommends approval.

A related Rezoning ZON-18203 and a related Variance VAR-18204 will be considered concurrently.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
11/15/95	The City Council approved a rezoning of this site to C-1 (Limited Commercial) and a 12,000 square foot office building with one story at a height of 19 feet (Z-79-95).
<i>Pre-Application Meeting</i>	
10/02/06	Staff explained the requirements for a rezoning, site development plan review, and a variance.
<i>Neighborhood Meeting</i>	
12/14/06	Staff contacted the applicant and suggested a neighborhood meeting. The applicant stated that he had met with adjacent property owners, anticipated no opposition, and declined staff's suggestion.
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.44

SDR-18202 - Staff Report Page Two
January 11, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	C (Commercial)	R-3
North	Single family dwellings	L (Low Density Residential)	R-1
South	Retail shops/ single family dwellings	C (Commercial)	C-1 and R-1
East	Child care facility	C (Commercial)	R-3
West	Convenience store	C (Commercial)	C-1

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

DEVELOPMENT STANDARDS

Per Title 19.08, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6,500 sf	19,166 sf	Y
Min. Lot Width	N/A	137 feet	Y
Min. Setbacks • Front • East Side • West Side • Rear	• 20 feet • 5 feet • 5 feet • 20 feet	• 76 feet • 62 feet • 0 feet • 8 feet	• Y • Y • *N • *N
Max. Lot Coverage	N/A	21 %	Y
Max. Building Height	2 stories/35 feet	14 feet 6 inches along north property line; 18 feet in height along the south side of the building, adjacent to Owens Avenue	Y

AR

SDR-18202 - Staff Report Page Three
January 11, 2007 - Planning Commission Meeting

*The proposed building does not comply with the setback standards of the C-1 zoning district. This issue is addressed within the related Variance VAR-18204.

Per Title 19.08.060 the following standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	N/A	8 Feet	N/A
Adjacent development matching setback	N/A	8 Feet	N/A
Trash Enclosure	50 Feet	52 Feet	Y

The proximity slope and adjacent development matching setback standards do not apply to this application as the proposed building is less than 15 feet in height in the north portion of the site, and the portion of the building with a height of 18 feet is located 55 feet from residentially developed property.

Per Title 19.12 the following standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 tree/6 spaces	6 trees	3 trees	N
Buffer: Min. Trees				
South prop line	1 tree /30 linear feet	5 trees	4 trees	
North prop line	1 tree/20 linear feet	7 trees	5 trees	N
Min. Zone Width				
North prop line	8 feet		3 feet	N
South prop line	15 feet		11 feet	N
East prop line	8 feet		0 feet	N
West prop line	8 feet		0 feet	N

The applicant has requested an exception with the subject Site Development Plan Review (SDR-18202) to allow three parking lot trees where six are required. Since most of the parking spaces are adjacent to property line buffers, staff recommends approval of this waiver.

The applicant has requested a waiver to allow a reduction in the amount of trees to be provided along the north and south property lines. Staff finds that compliance with this portion of the landscape standards would only require the placement of one additional tree along the south property line and two additional trees along the north property line and does not support this waiver.

The applicant has also requested a waiver to allow reductions in the widths of the buffers along all property lines. Staff finds that these reductions would encourage circulation between this site and the properties to the east and west and recommends approval of this waiver.

SDR-18202 - Staff Report Page Four
January 11, 2007 - Planning Commission Meeting

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
General retail	1,750 sf	1/175 sf	10				
Barber shop	3 chairs	2 spaces per chair	6				
Office	1,200 sf	1/300 sf	4				
Restaurant seating area	500 sf	1/50 sf	10				
Restaurant non-customer areas	500 sf	1/250 sf	3				
TOTAL			33	2	34	2	Y

Waivers		
Request	Requirement	Staff Recommendation
Three parking lot trees	Six parking lot trees	Approval
Five trees along north property line	Seven trees along north property line	Denial – the buffer can accommodate two additional trees
Four trees along south property line	Five trees along south property line	Denial – the buffer can accommodate one additional tree
11 foot wide buffer along Owens Avenue	15 foot wide buffer along Owens Avenue	Approval
Three foot wide buffer along north property line	Eight foot wide buffer along north property line	Approval
No buffer along east property line	Eight foot wide buffer along east property line	Approval
No buffer along west property line	Eight foot wide buffer along west property line	Approval

These waivers will be considered in conjunction with the subject Site Development Plan Review (SDR-18202).

SDR-18202 - Staff Report Page Five
January 11, 2007 - Planning Commission Meeting

ANALYSIS

The applicant proposes to construct a 3,997 square foot commercial building on this undeveloped site. The narrowness of this site and the applicant's intent to allow vehicular circulation between this site and the existing commercial developments to the east and west has resulted in the following instances of non-compliance with city standards:

- 1) The placement of the building eight feet from the rear property line, where the C-1 zoning standards require 20 feet. This issue has been addressed in the related variance;
- 2) An 11 foot wide buffer along Owens Avenue where a 15 foot wide buffer is required. This issue has been addressed as a Waiver within the subject Site Development Plan Review;
- 3) A three foot wide buffer along the north property line where an eight foot wide buffer is required. This issue has also been addressed as a Waiver within the subject Site Development Plan Review; and
- 4) No landscape buffers along the east and west property lines where an eight foot wide buffer is required. This issue has also been addressed as a Waiver within the related Site Development Plan Review.

Staff finds that the submitted site plan is a reasonable attempt to address the issues associated with this parcel and has no objection to the related variance and the waivers.

Staff notes that the amount of trees proposed for the north buffer zone is deficient by two, and the amount proposed for the south buffer is deficient by one. Both of the buffers can accommodate the required amount of trees and staff has included a condition of approval which addresses this issue.

The elevations depict a stucco exterior with signification articulation along the sides and roof of the building.

FINDINGS

The following findings must be made for an SDR:

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

SDR-18202 - Staff Report Page Six
January 11, 2007 - Planning Commission Meeting

3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;
4. Building and landscape materials are appropriate for the area and for the City;
5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;
6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

In regard to "1": The uses allowed with the proposed C-1 (Limited Commercial) zoning district are compatible with the commercial uses to the east and west of this site.

In regard to "2": The proposed C-1 (Limited Commercial) zone would be in conformance with C (Commercial) General Plan designation.

The applicant has requested a waiver of Title 19 standards to allow three parking lot trees where six are required. Since most of the parking spaces are adjacent to property line buffers, staff recommends approval of this waiver.

The applicant has requested a waiver of Title 19 standards to allow a reduction in the amount of trees to be provided along the north and south property lines. Staff finds that compliance with this portion of the landscape standards would only require the placement of one additional tree along the south property line and two additional trees along the north property line and does not support this waiver.

The applicant has also requested a waiver of Title 19 standards to allow reductions in the widths of the buffers along all property lines. Staff finds that these reductions would encourage circulation between this site and the properties to the east and west and recommends approval of this waiver.

The applicant has also requested a related Variance (VAR-18204) to allow a proposed building zero feet from the side property line where 10 feet is the minimum setback required and eight feet from the rear property line where 20 feet is the minimum setback required.

Staff finds that the narrowness of this site and the applicant's intent to allow vehicular circulation between this site and the existing commercial developments to the east and west has resulted in the necessity of this Variance and recommends approval.

SDR-18202 - Staff Report Page Seven
January 11, 2007 - Planning Commission Meeting

In regard to "3": Owens Avenue is a 100 foot wide Primary Arterial which will not be adversely impacted by the proposed C-1 (Limited Commercial) zoning district.

In regard to "4": The building and landscape materials are appropriate for commercial development in this area of the city.

In regard to "5": The waivers and variance requested by the applicant will allow this property to have vehicular circulation with the commercial development to the east and west of this site, thereby creating a more orderly pattern of development.

In regard to "6": The proposed use will not compromise the public health, safety, and welfare because the use will be constructed in compliance with applicable city standards.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 196 (Mailed with ZON-18203 and VAR-18204)

APPROVALS 0

PROTESTS 0



Case Number: **SDR-18202** APN: 139-21-804-008

Name of Property Owner: Bruce Noble

Name of Applicant: Bruce Noble

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: Druse K. Holte

Print Name: Bruce R. Noble

Subscribed and sworn before me

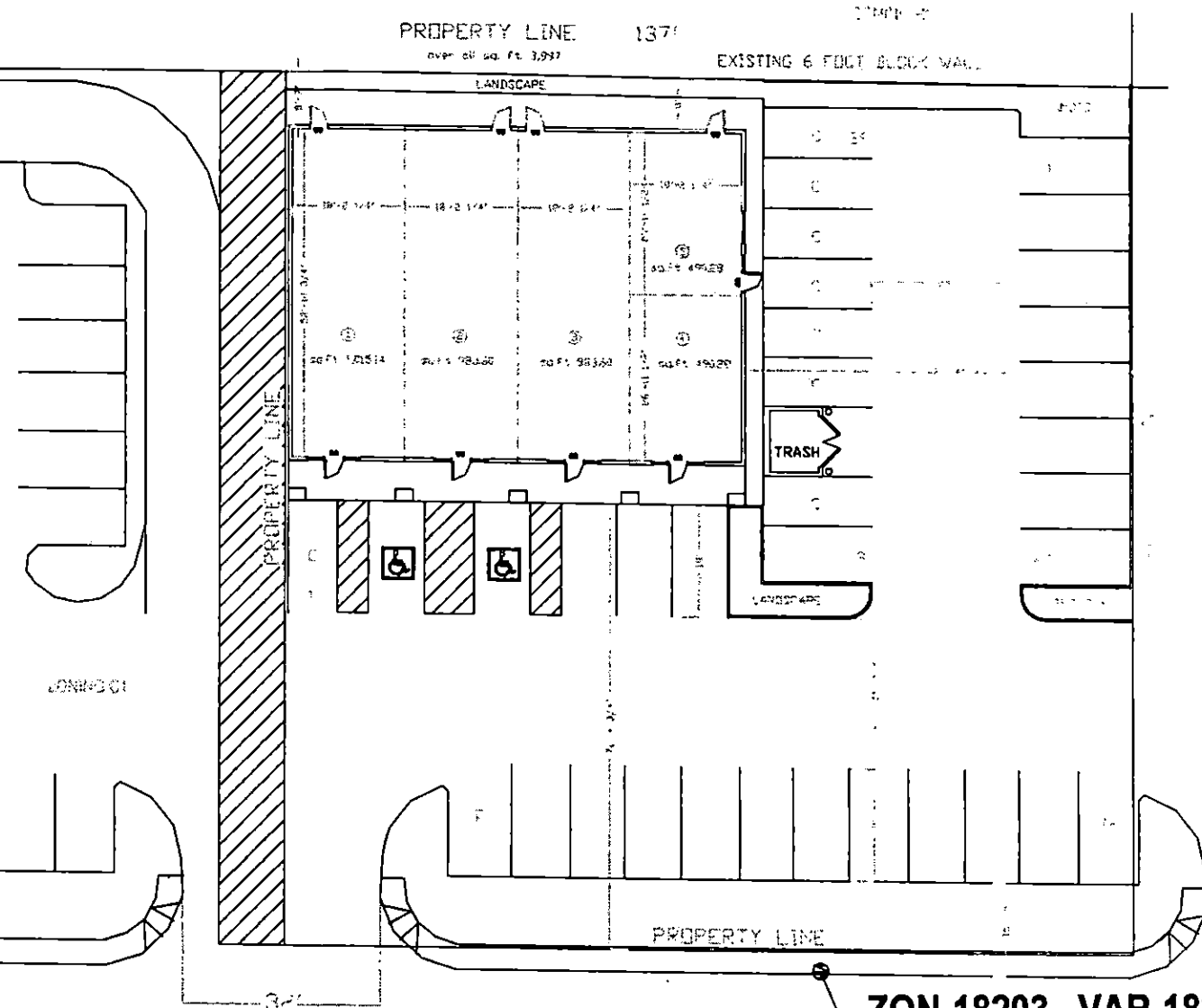
This 24th day of October, 20 06

Werna A. Marx
Notary Public in and for said County and State

PROPERTY LINE 137'
over all sq. ft. 3,937

EXISTING 6 FOOT BLOCK WALL

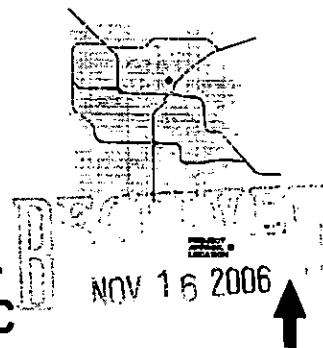
LANDSCAPE



OWENS AVENUE

ZON-18203 VAR-18204
SDR-18202 01/11/07 PC

EXT. STREET LIGHT



ZONING R1

PROPERTY LINE 137'

EXISTING 6 FOOT BLOCK WALL

ZONING R1
140-47-605



TRASH

PROPERTY LINE
1452'

PROPERTY LINE

ZONING R1

OWENS AVENUE

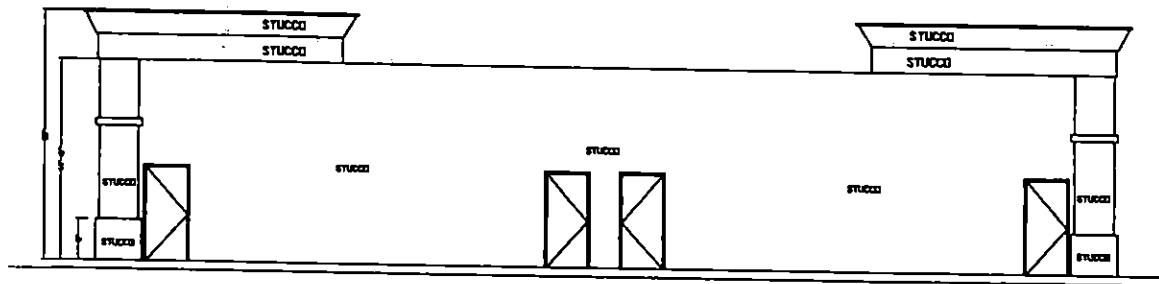
ZON-18203 VAR-18204
SDR-18202 01/11/07 PC
EXT. STREET LIGHT

NOV 16 2006

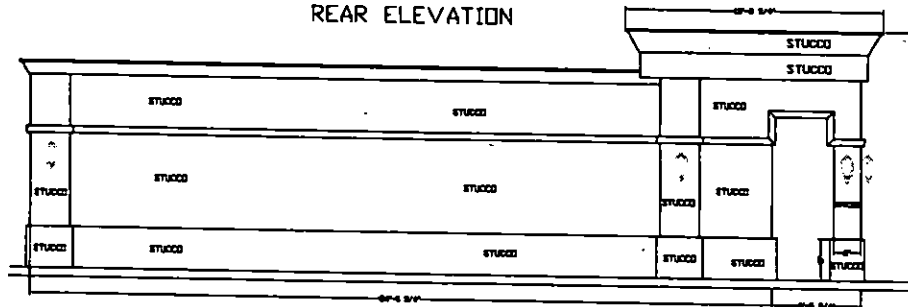
OWNER BUILDING

OWNER BUILDING

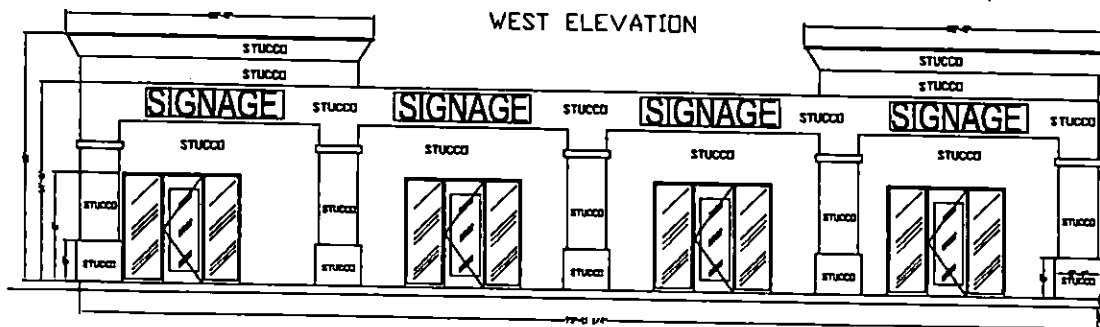
OWNER BUILDING



REAR ELEVATION



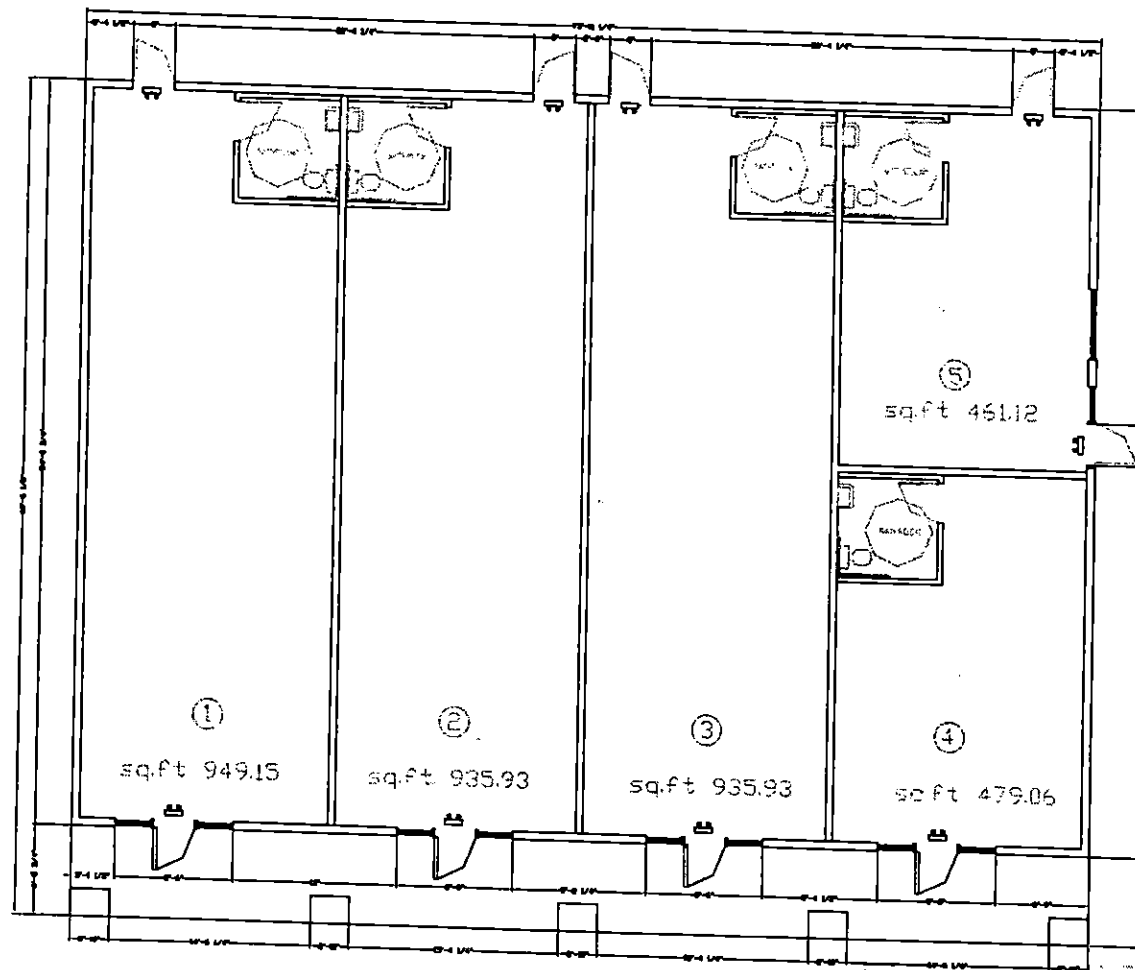
EAST ELEVATION



WEST ELEVATION

NOV 16 2006

ZON-18203 VAR-18204
SDR-18202 01/11/07 PC

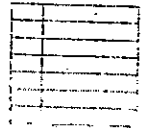


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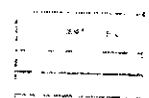
ZON-18203 VAR-18204
SDR-18202 01/11/07 PC

PROPOSED FLOOD PLANK

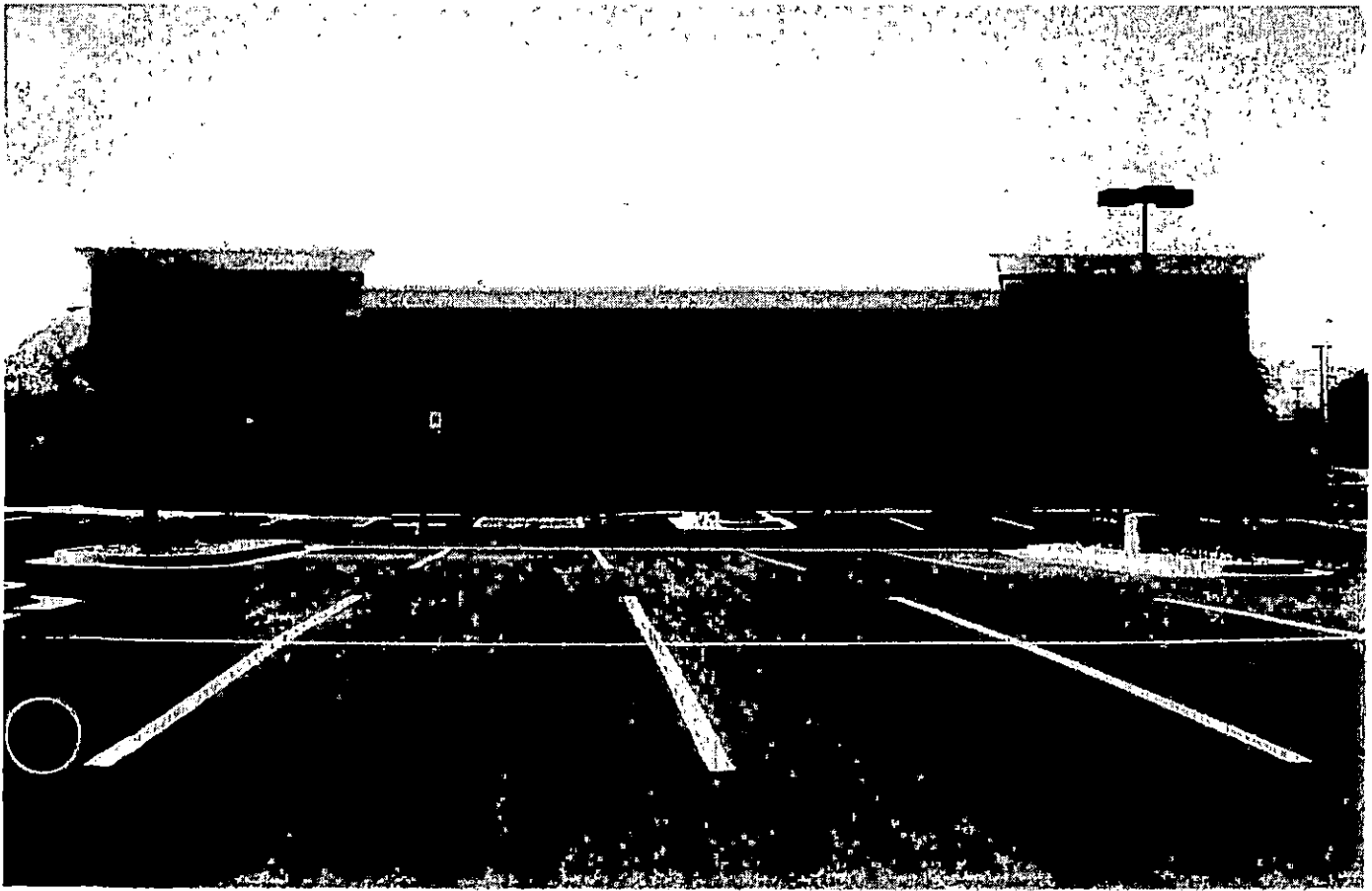


OWNER BUILDING

FLOOD PLAN



PLAN



RECEIVED
NOV 16 2006

ZON-18203 VAR-18204
SDR-18202 01/11/07 PC

SDR 18202				
Bruce R. Noble				
NS Owens, E of Martin L. King				
Proposed 3.997 thousand square foot retail development.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	3.997	42.94	172
AM Peak Hour			1.03	4
PM Peak Hour			3.75	15
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Owens Avenue				
Average Daily Traffic (ADT)	25,302			
PM Peak Hour	2024			
(heaviest 60 minutes)				
Martin L. King Boulevard				
Average Daily Traffic (ADT)	43,649			
PM Peak Hour	3492			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Owens Avenue	32585			
Martin L. King Boulevard	32585			
This project will add approximately 172 trips per day on Owens and Martin L. King. This will increase expected volumes by less than one percent on Owens and Martin L. King. Owens is at about 78 percent of capacity and Martin L. King is over capacity.				
Based on Peak Hour use, this development will add roughly 15 additional cars into the area; which works out to about one every four minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



ZON-18203, VAR-18204 AND SDR 18202 - APPLICANT/OWNER: BRUCE R. NOBLE
NORTH SIDE OF OWENS AVENUE, APPROXIMATELY 333 FEET EAST OF MARTIN L. KING BOULEVARD
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



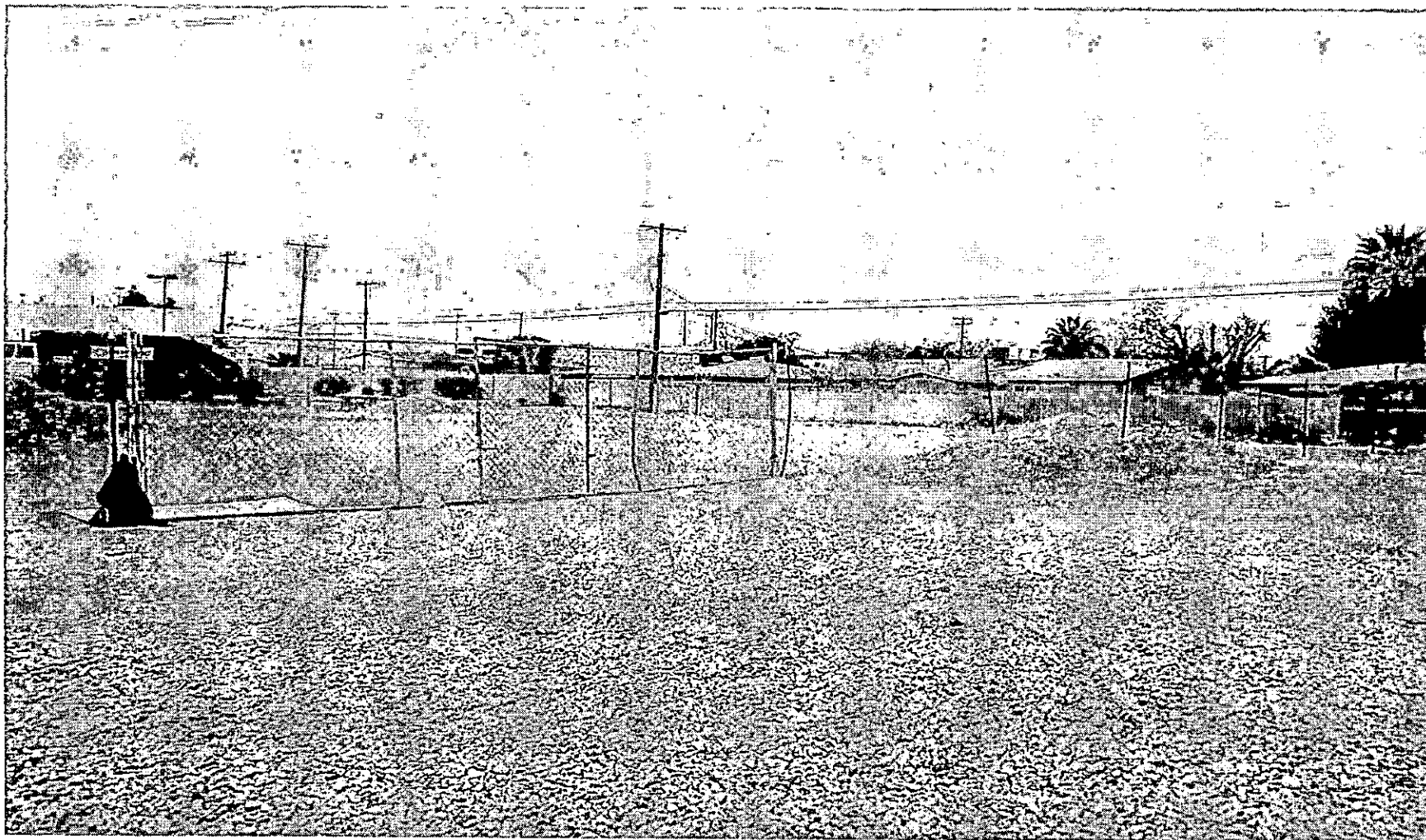
ZON-18203, VAR-18204 AND SDR 18202 - APPLICANT/OWNER: BRUCE R. NOBLE
NORTH SIDE OF OWENS AVENUE, APPROXIMATELY 333 FEET EAST OF MARTIN L. KING BOULEVARD
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



ZON-18203, VAR-18204 AND SDR 18202 - APPLICANT/OWNER: BRUCE R. NOBLE
NORTH SIDE OF OWENS AVENUE, APPROXIMATELY 333 FEET EAST OF MARTIN L. KING BOULEVARD
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



ZON-18203, VAR-18204 AND SDR 18202 - APPLICANT/OWNER: BRUCE R. NOBLE
NORTH SIDE OF OWENS AVENUE, APPROXIMATELY 333 FEET EAST OF MARTIN L. KING BOULEVARD
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06

Bruce R. Noble
3712 Valley Dr.
N. Las Vegas, NV. 89032
702-648-6765 (H)
702-266-5318 (C)

November 14, 2006

To Whom It May Concern,

I Bruce Noble, as owner of the property, would like to have it rezone to C-1 for light retail and office space use which co-inside with existing properties in the area. I would like to request a waiver regarding parking lot and perimeter landscaping because, on the eastside of property line there is a possibility for further pavement.

I would also like to request a variance on set back requirements to remain consistent with existing buildings, and to maintain adequate parking in the front and have a sufficient building design , the building height is of single story requirements and should not negatively impact the existing buildings in anyway.

Sincerely,

Signature

Bruce R Noble

ZON-18203 VAR-18204
SDR-18202 01/11/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 11, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-18299 - VARIANCE - PUBLIC HEARING - APPLICANT: GRITZ CAFÉ - OWNER: EXPERTISE SCHOOL OF BEAUTY LLC - Request for a Variance TO ALLOW 40 PARKING SPACES WHERE 48 SPACES ARE REQUIRED on 0.99 acres at 1911 Stella Lake Street, Number 150 (APN 139-21-313-012), C-PB (Planned Business Park) Zone, Ward 5 (Weekly).

C.C.: 02/07/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions – Motion carried with DUNNAM voting NO

To be heard by City Council on 02/07/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open for Item 26 [VAR-18299] and Item 27 [SUP-18298].

ANDY REED, Planning and Development Department, stated the applicant has created a self-imposed hardship by not providing sufficient parking for the proposed use and recommended denial.

GWEN BRAIMOH, owner of Expertise School of Beauty LLC, explained that the proposed cafe would only serve the school's students, staff and customers.

PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 26 – VAR-18299

MINUTES – Continued:

COMMISSIONER STEINMAN observed that the school is coping with a current parking issue and that the proposed café would depend largely on walk-in customers.

COMMISSIONER GOYNES agreed with MS. BRAIMOH'S explanation that this application would provide a cafeteria for the school. TRINA GILES, 8212 Fulton Ranch Street, the applicant, concurred.

CHAIRMAN DAVENPORT declared the Public Hearing closed for Item 26 [VAR-18299] and Item 27 [SUP-18298].

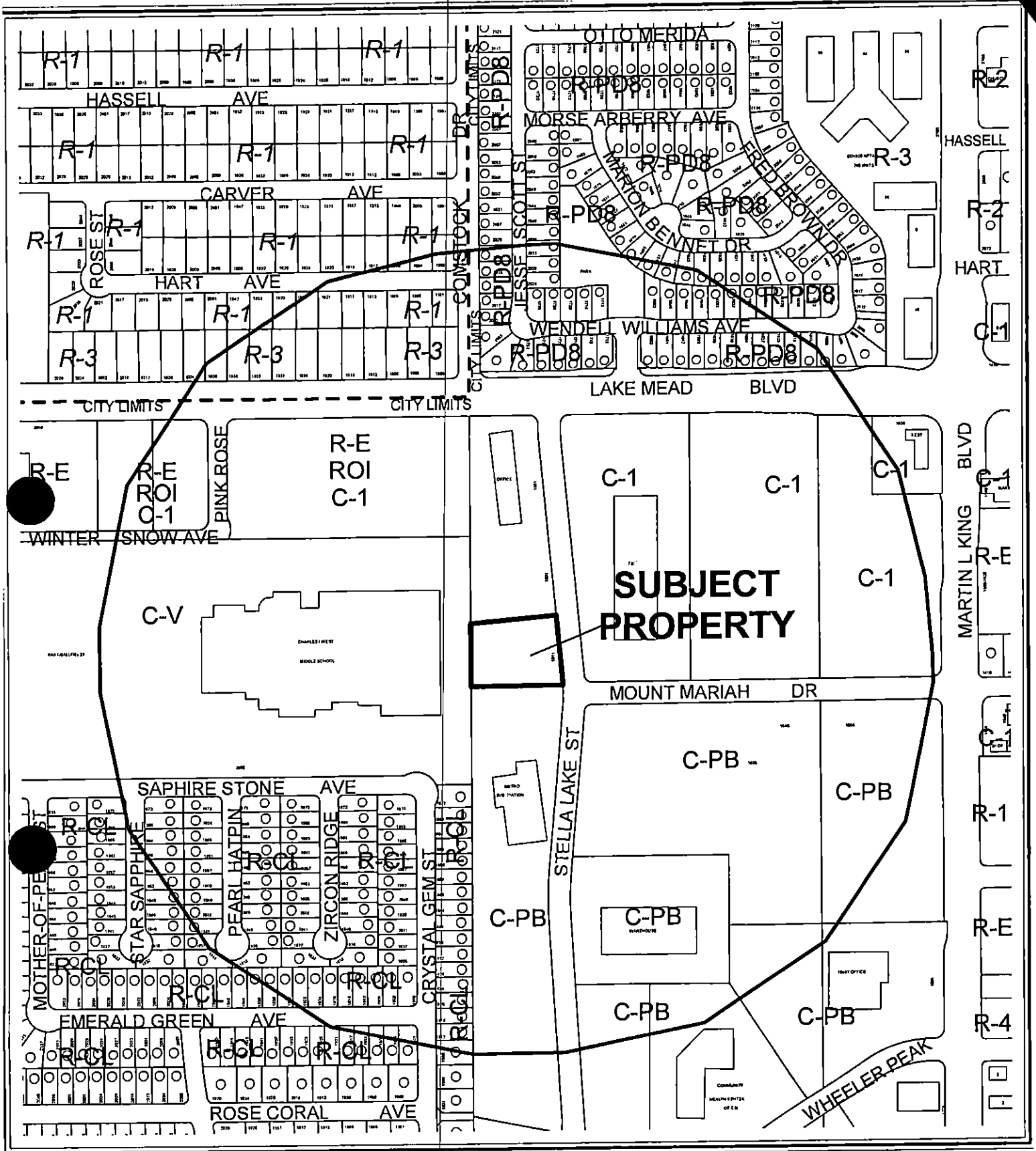
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1-3057

CONDITIONS:

Planning and Development

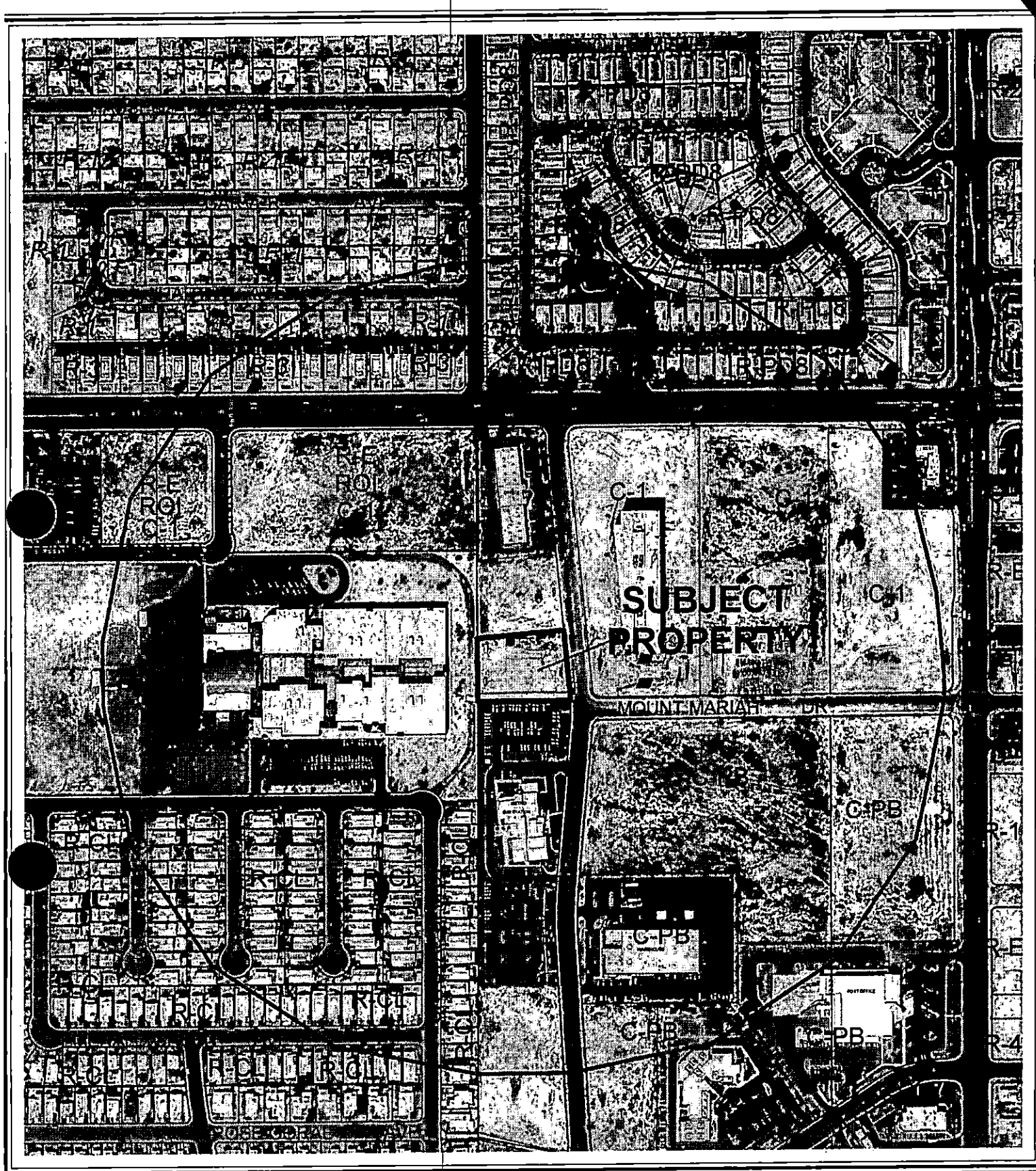
1. Conformance to the conditions for Rezoning (Z-136-94) and Site Development Plan Review (SDR-6140) if approved.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.



CASE: **VAR-18299**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-PB (PLANNED BUSINESS PARK)



CASE: **VAR-18299**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-PB (PLANNED BUSINESS PARK)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 11, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-18299 - APPLICANT: GRITZ CAFÉ - OWNER:
EXPERTISE SCHOOL OF BEAUTY LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (Z-136-94) and Site Development Plan Review (SDR-6140) if approved.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-18299 - Staff Report Page One
January 11, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow 40 parking spaces where 48 spaces are required on 0.99 acres at 1911 Stella Lake Street. A related Special Use Permit (SUP-18298) will also be considered on this agenda.

The request does not meet the criteria for the approval of variances, as the hardship is self-created and the applicant could change the amount of floor area dedicated to some of the uses proposed for this building in order to comply with parking requirements.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/94	The City Council approved a rezoning of the subject property from R-E (Residence Estates) to C-PB (Planned Business Park). The Planning Commission and staff recommended approval.
04/20/05	The City Council approved a Site Development Plan Review (SDR-6140) for a 13,107 square foot cosmetology school and waivers of building setback and perimeter landscaping requirements on the subject site. The Planning Commission and staff recommended approval.
11/16/05	A building permit was issued for this site.
05/26/06	A business license was issued for the beauty school.
<i>Pre-Application Meeting</i>	
11/14/06	The requirements for a Special Use Permit and a Variance were explained.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.99

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Business school (hair dressing)	LI/R (Light Industrial/Research)	C-PB (Planned Business Park)
North	Office/warehouse	LI/R (Light Industrial/Research)	C-PB (Planned Business Park)
South	Metro substation	PF (Public Facilities)	C-PB (Planned Business Park)
East	Undeveloped	LI/R (Light Industrial/Research)	C-1 (Limited Commercial)
West	Middle school	PF (Public Facilities)	C-V (Civic)

AR

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January 11, 2007 - Planning Commission Meeting

Special Districts/Zones	Yes	No	Compliance
Special Area Plan	X		
Las Vegas Enterprise Park	X		Y
West Las Vegas Plan	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts	X		
Downtown Redevelopment Area	X		Y
Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

West Las Vegas Plan and Downtown Redevelopment Area

The subject site is located within the West Las Vegas Plan and the Downtown Redevelopment Area on the Southeast Sector Plan Map of the General Plan. These special overlay districts contain standards for redevelopment that are intended to stimulate revitalization of the City's historic urban core.

Las Vegas Enterprise Park

The Las Vegas Enterprise Park is intended as a mixed-use business development under the City's zoning standards. The standards provide for an area exclusively for and conducive to the development and protection of modern administrative facilities, research institutions, and specialized manufacturing operations. The essence of the business park is to provide for an aesthetically attractive working environment.

DEVELOPMENT STANDARDS

Standards	Required	Approved per SDR-6140	Compliance
Min. Lot Width	100 feet	173 feet	Y
Min. Setbacks			
• Front	20 feet	21 feet	Y
• Side	10 feet	7 feet	N*
• Corner	20 feet	NA	N/A
• Rear	15 feet	74 feet	Y
Max. Lot Coverage	50 %	33%	Y
Max. Building Height	NA	1 Stories / 20 feet	N/A
Trash Enclosure	Screened with roof	Screened with roof	Y

A reduction of this side setback was approved as a waiver within SDR-6140.

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January 11, 2007 - Planning Commission Meeting

Standards	Required		Approved per Waiver within SDR-6140
	Ratio	Trees	
Parking Area	1 trees/6 spaces + 1/2 row ends	9 trees	5 trees
Buffer:	• 1 tree/20 linear feet (adjacent to ROW)	6 trees	5 trees
	• 1 tree/ 30 linear feet (adjacent to lot lines)	22 trees	13 trees
Min. zone width	15 feet (adjacent to ROW)/8 feet (sides)		15 feet/ 10 and 7 feet

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Business school (hair dressing)	10,725 sf	1 sp/staff; 1 sp/2 students	30				
Office	1,200 sf	1 sp/300 sf	4				
Restaurant – public areas	574 sf	1 sp/50 sf	11				
Restaurant - non-public areas	616 sf	1 sp/200 sf	3				
TOTAL			48	2	40	2	N
Percent Deviation					17 %		

ANALYSIS

The site plan illustrates a 13,107 square-foot building in the south portion of the 0.99-acre site. The previously approved Site Development Plan Review (SDR-6140) indicated that the cosmetology school would have 10,725 square feet and a parking requirement of 30 spaces, while the remaining 2,382 square feet of floor area would be used as office space and generate a parking requirement of eight spaces. Combined, the cosmetology school and office space had a parking requirement of 38 spaces, which was met by the 40 on-site spaces. The applicant now proposes to convert approximately half of the office space (1,190 square feet) to a restaurant. Per Title 19, a restaurant with less than 2,000 square feet is required to receive approval of a Special Use Permit when proposed for the C-PB (Planned Business Park) zoning district.

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Additionally, when combined with the existing school and office, this new use creates a parking requirement of 48 spaces, which is not met by the 40 on-site spaces and has led the applicant to request a related parking variance (VAR-18299) to allow a 17 % reduction in required parking.

Parking for the development is shown along the north and west sides of the property. Access is provided by Stella Lake Street.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by not providing the required number of parking spaces for the existing and proposed uses. The provision of additional parking spaces or a change in the amount of floor area dedicated to some of the uses proposed for this building would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

ASSEMBLY DISTRICT 7

SENATE DISTRICT 4

NOTICES MAILED 172 (Mailed with SUP-18298)

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-18299** APN: 139-21-313-012
Name of Property Owner: Expertise LLC, Gwen Braimoh
Name of Applicant: Gritz Cafe, Trina Sites

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

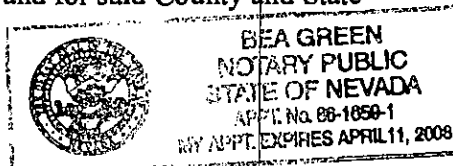
Print Name: _____

Subscribed and sworn before me

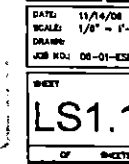
This 27th day of November, 2006

Bea Green

Notary Public in and for said County and State

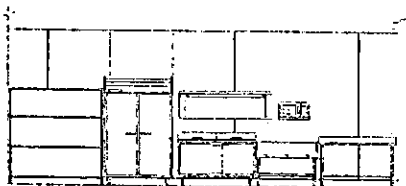


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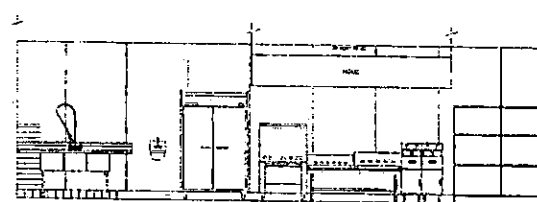


VAR-18299
SUP-18298
01/11/07 PC

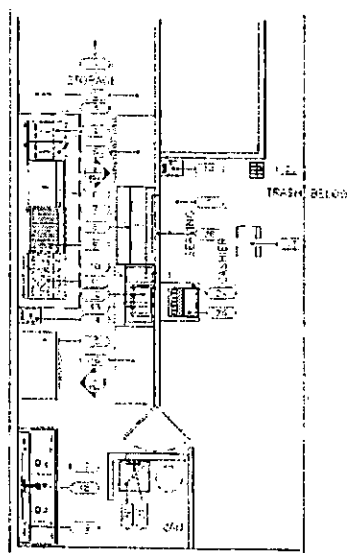
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KITCHEN INTERIOR ELEVATION - 2



KITCHEN INTERIOR ELEVATION - 1



KITCHEN FLOOR PLAN

[illegible]

VAR-18299
SUP-18298
01/11/07 PC

152 27 2005

Geographical No. 12



Bar & Restaurant Supply

No	REMARKS/USING	DATE

Clark County Bar & Restaurant Supply
1117 South Commerce St.
Las Vegas, NV 89102

Ph. - (702) 382-6762
Fax - (702) 382-7582

www.wediskitchen.com

For any inquiries, write to:

Translation Department for 18 Cate
End Volume 200

Page	1	Sheet	1
Date	11-14-06	FS.	
Author	NONE		

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TENTATIVE IMPROVEMENT—GRITZ CAFE
1911 STELLA LAKE STREET
LAS VEGAS, NEVADA

FLOOR PLAN

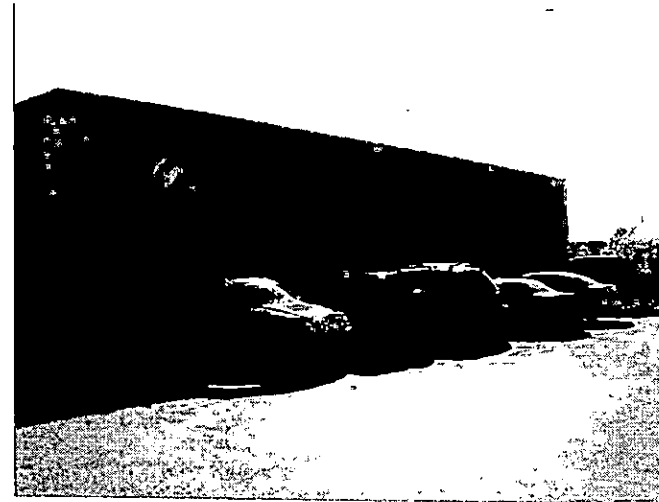
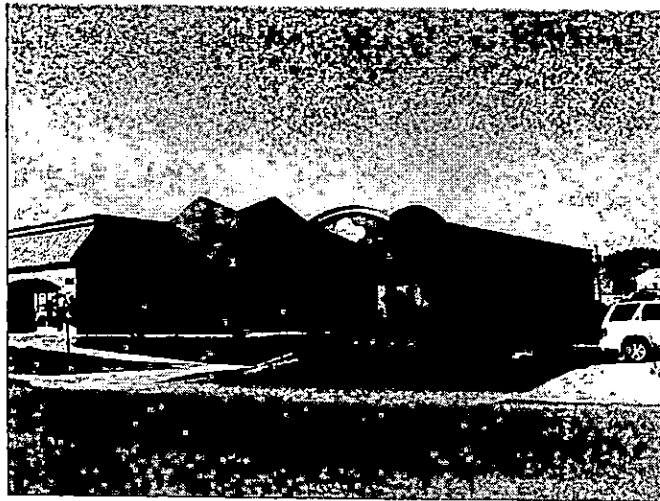
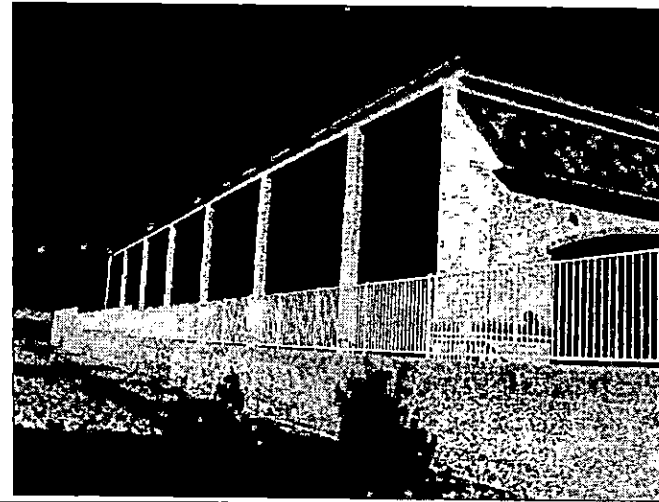
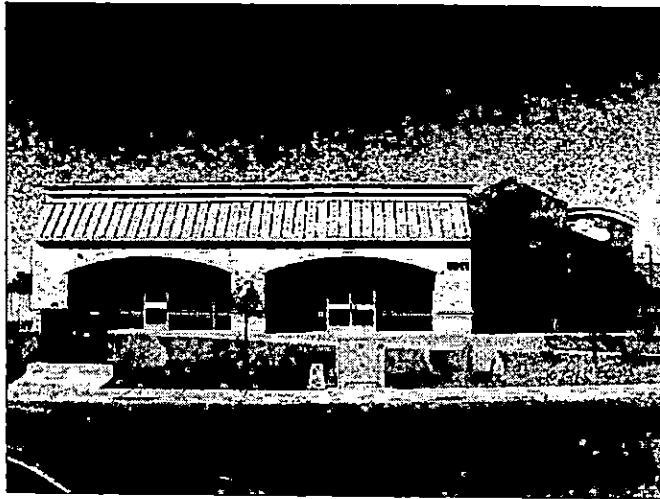
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INDEX
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FLOOR PLAN

VAR-18299
SUP-18298
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PROJECT:	VAR 4141 MUSEUM FOR LIFE
OWNER:	THE J. PAUL ROBERTSON FOUNDATION
ARCHITECT:	VAR 18299
DATE:	01/11/07
SCALE:	1/8" = 1'-0"
QUANTITY:	100
NO. OF SHEETS:	100
NO. OF EXTERIOR ELEVATIONS AND LANDSCAPING:	100

DATE:	01/11/07
SCALE:	1/8" = 1'-0"
QUANTITY:	100
NO. OF SHEETS:	100
NO. OF EXTERIOR ELEVATIONS AND LANDSCAPING:	100

VAR-18299
 SUP-18298
 01/11/07 PC

NOV 27 2006

A2.1

PARKING VARIANCE PROPOSAL

<u>Existing Use</u>	<u>Floor Area</u>	<u>Ratio</u>	<u>Required</u>	<u>Provided</u>
Trade School	10,725 sq ft	1/staff ½ students	30 (2) HC	40 (2) HC
Office	2,382 sq ft	1/300	8	
Total	13,107 sq ft		38 (2) HC	40

<u>Proposed Use</u>	<u>Floor Area</u>	<u>Ratio</u>	<u>Required</u>	<u>Provided</u>
Trade School	10,725 sq ft	1/staff ½ students	30 (2) HC	40 (2) HC
Office	1192 sq ft	1/300	4	
Restaurant > 2000 sq ft w/o drive thru	1190 sq ft	1/50 seating 14 1/200 remaining 574 Sq Ft Dining Area	14	6
Total	13,107 sq ft			40

REC
NOV 27 2006

VAR-18299
SUP-18298
01/11/07 PC



**1911 Stella Lake #150
Las Vegas, NV 89106
702-279-9910**

Justification Letter

October 30, 2006

To Whom It May Concern:

Gritz Café is requesting a Special Use Permit to open a restaurant, less than 2000 sq ft w/o a drive thru at 1911 Stella Lake St. #150, Las Vegas, NV 89106. Title 19 requires a Special Use Permit for this type of use in a C-PB zoning district.

Title 19 also requires 14 parking spaces for this type of use. The existing building, Expertise School of Beauty, provided 40 spaces where 38 were required. The 1190 sq ft TI space was originally called a future office space. The parking for the TI space was provided at 1/300 ratio. The proposed restaurant use has a parking ratio of 1/50 (seating) and 1/200 (remaining). Six parking spaces are currently available for the restaurant. We are requesting a parking variance for 6 spaces, where 14 are required. (Please see attached chart)

Gritz Café will staff no more than three employees at a time and provide 12 seats. We have identified our target customers as the staff, students, and clients of Expertise School of Beauty, for whom parking has already been considered. Gritz Café will be nestled within a business park community. We have projected that the employees of the future FBI headquarters, located directly across the street, will most probably walk to our establishment or have their breakfast and lunches delivered. Our hours of operation, 7am - 3pm Monday thru Saturday, have been tailored to meet the needs of our target customers. We predict a large percentage of our business volume will come from deliveries to the local businesses, which are also within walking distance of our establishment.

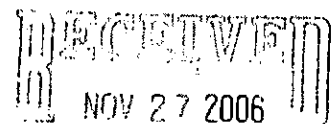
Currently, there are no Cafés located within the Enterprise Business Park. With your approval, Gritz Café will provide fresh, healthy breakfast and lunch choices for our growing business community.

It is our humble request that the Mayor, City Counsel, and Planning Commission approve a Special Use Permit and Parking Space Variance for Gritz Café.

Sincerely,

Trina Jiles
CEO, Gritz Cafe

**VAR-18299
SUP-18298
01/11/07 PC**



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 11, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

**SUP-18298 - SPECIAL USE PERMIT RELATED TO VAR-18299 - PUBLIC HEARING -
APPLICANT: GRITZ CAFÉ - OWNER: EXPERTISE SCHOOL OF BEAUTY LLC -
Request for a Special Use Permit FOR A RESTAURANT LESS THAN 2,000 SQUARE FEET
WITHOUT DRIVE-THROUGH on 0.99 acres at 1911 Stella Lake Street, Number 150 (APN
139-21-313-012), C-PB (Planned Business Park) Zone, Ward 5 (Weekly).**

C.C.: 02/07/07

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg. 0
City Council Meeting**

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg. 0
City Council Meeting**

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions – Motion carried with DUNNAM voting NO

To be heard by City Council on 02/07/2007

MINUTES:

See Item 26 for all related discussion.

(7:22 – 7:30)
1-3057

CONDITIONS:

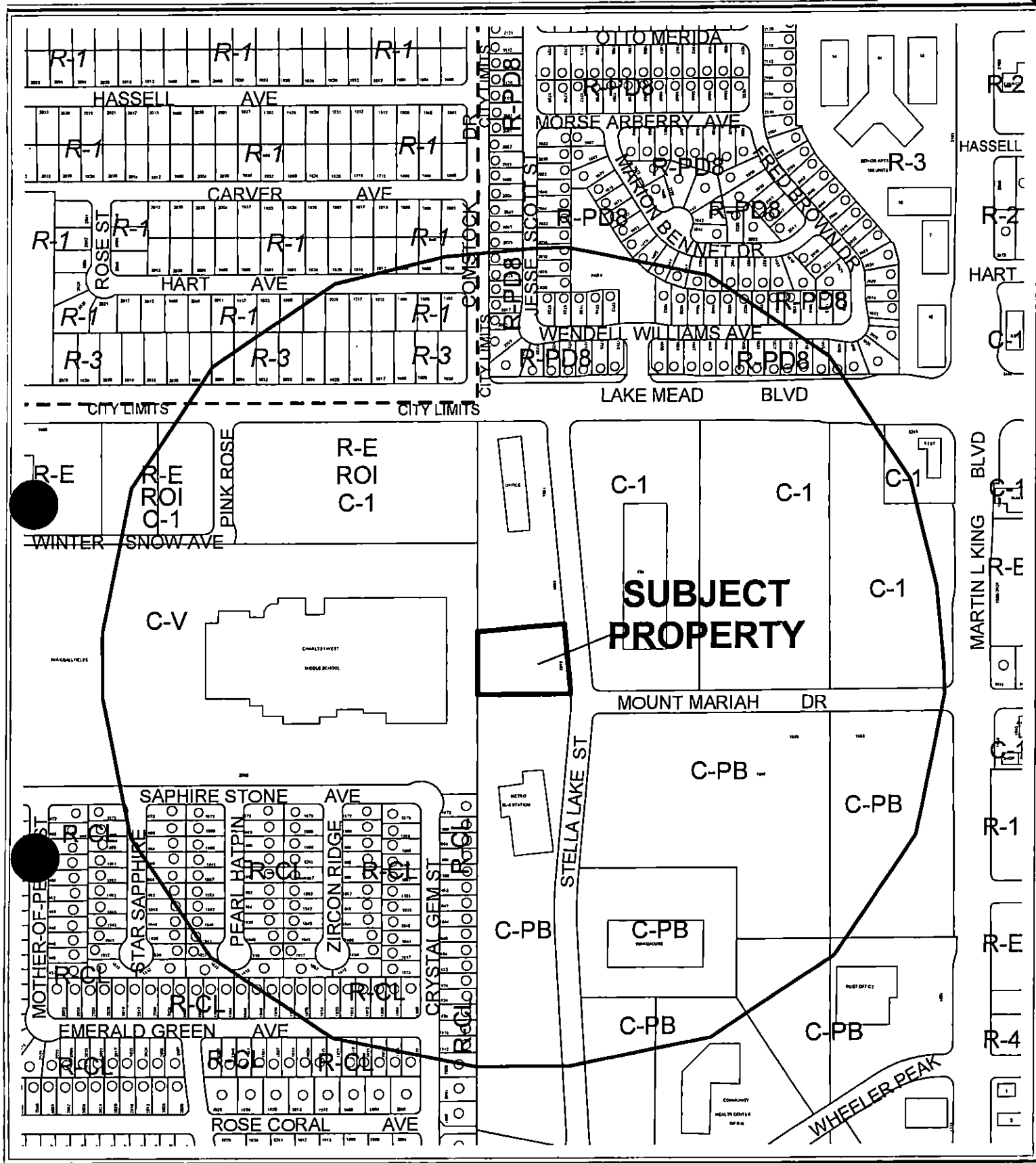
Planning and Development

1. Conformance to the conditions for Rezoning (Z-136-94) and Site Development Plan Review (SDR-6140) if approved.

PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 27 – SUP-18298

CONDITIONS – Continued:

2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.



CASE: **SUP-18298**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-PB (PLANNED BUSINESS PARK)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 11, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-18298 - APPLICANT: GRITZ CAFÉ - OWNER:
EXPERTISE SCHOOL OF BEAUTY LLC

**** CONDITIONS ****

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

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

SUP-18298 - Staff Report Page One
January 11, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a restaurant less than 2,000 square feet without drive-through on 0.99 acres at 1911 Stella Lake Street, Number 150. A related Variance (VAR-18299) will be considered concurrently.

Staff is unable to support this request because staff is recommending denial of the related variance (VAR-17299), which would allow a 17 % reduction in required parking.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/94	The City Council approved a rezoning of the subject property from R-E (Residence Estates) to C-PB (Planned Business Park). The Planning Commission and staff recommended approval.
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<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.99

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
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West	Middle school	PF (Public Facilities)	C-V (Civic)

AR

SUP-18298 - Staff Report Page Two
January 11, 2007 - Planning Commission Meeting

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

West Las Vegas Plan and Downtown Redevelopment Area

The subject site is located within the West Las Vegas Plan and the Downtown Redevelopment Area on the Southeast Sector Plan Map of the General Plan. These special overlay districts contain standards for redevelopment that are intended to stimulate revitalization of the City's historic urban core.

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Min. Setbacks			
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• Side	10 feet	7 feet	N*
• Corner	20 feet	NA	N/A
• Rear	15 feet	74 feet	Y
Max. Lot Coverage	50 %	33%	Y
Max. Building Height	NA	1 Stories / 20 feet	N/A
Trash Enclosure	Screened with roof	Screened with roof	Y

A reduction of this side setback was approved as a waiver within SDR-6140.

SUP-18298 - Staff Report Page Three
January 11, 2007 - Planning Commission Meeting

Standards	Required		Approved per Waiver within SDR-6140
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Parking Area	1 trees/6 spaces + 1/2 row ends	9 trees	5 trees
Buffer:	• 1 tree/20 linear feet (adjacent to ROW)	6 trees	5 trees
	• 1 tree/ 30 linear feet (adjacent to lot lines)	22 trees	13 trees
Min. zone width	15 feet (adjacent to ROW)/8 feet (sides)		15 feet/ 10 and 7 feet

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required Parking Ratio	Required Parking		Provided Parking		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Business school (hair dressing)	10,725 sf	1 sp/staff; 1 sp/2 students	30				
Office	1,200 sf	1 sp/300 sf	4				
Restaurant – public areas	574 sf	1 sp/50 sf	11				
Restaurant - non-public areas	616 sf	1 sp/200 sf	3				
TOTAL			48	2	40	2	N
Percent Deviation					17 %		

ANALYSIS

The site plan illustrates a 13,107 square-foot building in the south portion of the 0.99-acre site. The previously approved Site Development Plan Review (SDR-6140) indicated that the cosmetology school would have 10,725 square feet and a parking requirement of 30 spaces, while the remaining 2,382 square feet of floor area would be used as office space and generate a parking requirement of eight spaces. Combined, the cosmetology school and office space had a parking requirement of 38 spaces, which was met by the 40 on-site spaces. The applicant now proposes to convert approximately half of the office space (1,190 square feet) to a restaurant. Per Title 19, a restaurant with less than 2,000 square feet is required to receive approval of a Special Use Permit when proposed for the C-PB (Planned Business Park) zoning district.

SUP-18298 - Staff Report Page Four
January 11, 2007 - Planning Commission Meeting

Additionally, when combined with the existing school and office, this new use creates a parking requirement of 48 spaces, which is not met by the 40 on-site spaces and has led the applicant to request a related parking variance (VAR-18299) to allow a 17 % reduction in required parking.

Parking for the development is shown along the north and west sides of the property. Access is provided by Stella Lake Street.

FINDINGS

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

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

In regard to "1": The use is not compatible with the area because of the shortage of planned parking.

In regard to "2": The subject site is not large enough for the proposed uses and necessary parking.

In regard to "3": The site will have access to Stella Lake Street. This street is adequate to serve the proposed uses. The site access and on-site circulation will not negatively impact adjacent roadways or neighborhood traffic.

In regard to "4": The proposed use will be subject to inspection by the City and will not compromise the health safety and welfare of the general public.

SUP-18298 - Staff Report Page Five
January 11, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

ASSEMBLY DISTRICT 7

SENATE DISTRICT 4

NOTICES MAILED 172 (Mailed with VAR-18299)

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-18298 APN: 139-21-313-012

Name of Property Owner: Expertise LLC - Gwen Braimoh

Name of Applicant: Gritz Cafe - Trina Jiles

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: _____

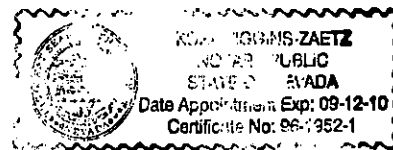
Signature of Property Owner: Gwen Braimoh

Print Name: Gwen Braimoh

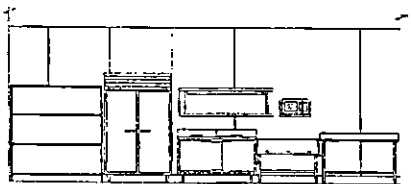
Subscribed and sworn before me

This 27th day of November, 2006

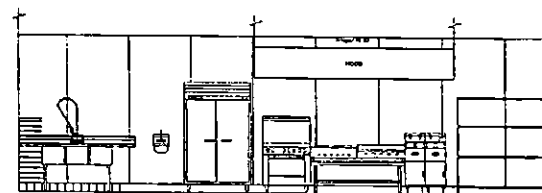
Ronald A. Zetz
Notary Public in and for said County and State



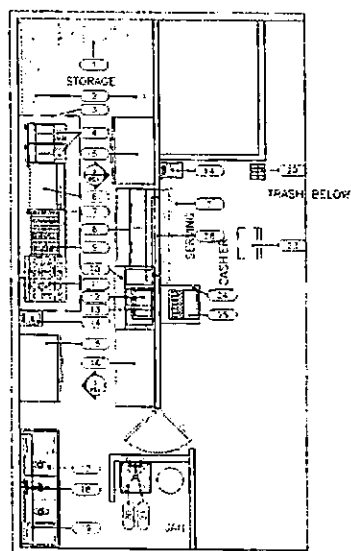
NOV 27 2006



KITCHEN INTERIOR ELEVATION - 2



KITCHEN INTERIOR ELEVATION - 1



KITCHEN FLOOR PLAN

EQUIPMENT SCHEDULE												
Item No.	Qty.	Equipment Category	Manufacturer	Model Number	Amps	Volts	KW	HP	Grind	Grind	Electrop	Cold Water
1	1	Shelving, wire	Eagle Group/Metal Masters	18022								
2	2	Shelving, wire	Eagle Group/Metal Masters	18722								
3	1	Mand. Exhaust	Copline Air	Deaton								
4	2	Pfizer, Deep Fat, Cook	Zeon	56420								
5	1	Freezer, Reach-In	Eveready-Air	EF485	12.8	115	0.75	1			4	78.5
6	1	Griddle, Gas	American Range	AP10-136								
7	1	Stnd. Equipment	Advance Tabco	EO-106								
8	1	Refrigerator, Sandwich/Solid Prep	Eveready-Air	SP60-18	6.5	115	0.25	1			1	12
9	1	Shower, Under-Feed/Gas	American Range	AEPE-26								
10	1	Table, Hot Food	Eagle Group/Metal Masters	WMT-250	12.5	208	3.3	1			1	22
11	1	Range, Restaurant, Gas	American Range	AP-6-2								
12	1	Shelf, Microwave	Panasonic	MT-1024	19.0	120	1.7	1				
13	1	Shelf, Microwave	Advance Tabco	MS-16-24								
14	2	Shelf, Hand, hot water	GSW	HS-1615W								
15	1	Wastewater, Reach-In	Eveready-Air	ER485	1.1	115	0.35	1			0.5	0.5
16	1	Table, Wash	Eagle Group/Metal Masters	123608								
17	1	Sink, 3 Compartments	NSJ	3-1824-10C								
18	1	Pre-Rinse Faucet, Hot Water	T & S Brass	B-0133-B								
19	1	Pre-Rinse, Hot Water	T & S Brass	PS-16-26								
20	1	Mop Sink, Floor Mount	GSW	SC-1225-10W								
21	1	Faucet, Urinal	GSW	AC1350-12								
22	1	Condiment Rack	Comet	2856-110								
23	1	POS System	B. Clinch	123368								
24	1	Table, Sink	Eagle Group/Metal Masters	123368								
25	1	Sink, Machine	B. Clinch	FD-60L	10.8	120	1.3	1				
26	1	Washer, Full Commercial	APF Wash	FD-60L								

RECEIVED
NOV 27 2006

VAR-18299
SUP-18298
01/11/07 PC

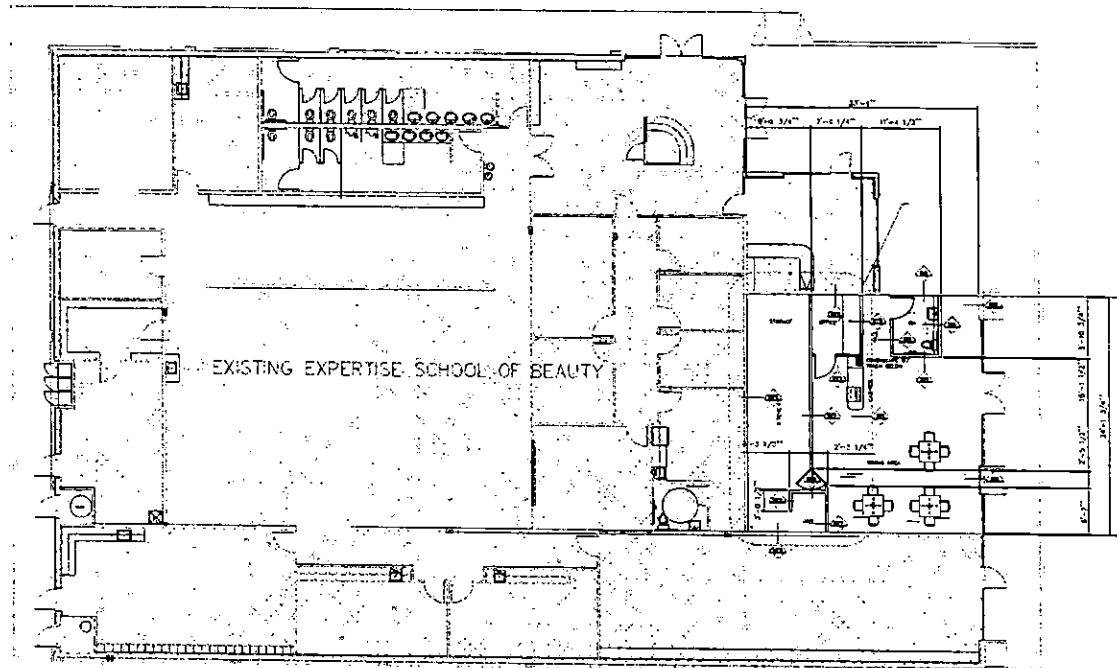
Clark County Bar & Restaurant Supply

Clark County Bar & Restaurant Supply
1117 South Commerce St.
Las Vegas, NV 89102

Ph: (702)382-8762
Fax: (702)382-7582

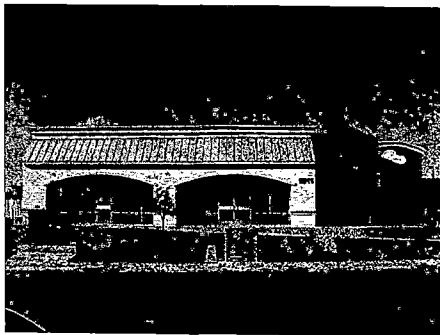
www.megasupply.com

FS.1

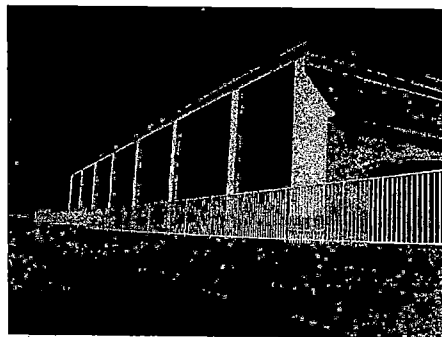
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VAR-18299
SUP-18298
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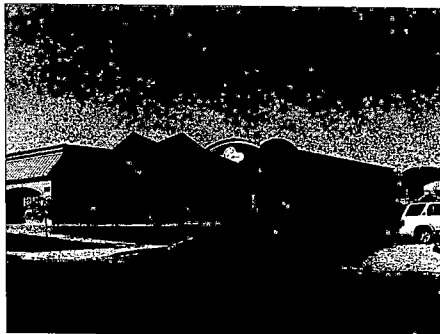
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NOV 27 2006



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24.

VAR-18299
SUP-18298
01/11/07 PC

RECEIVED
NOV 27 2006

PROJECT		PLANNING IMPROVEMENTS—GRIZZLY CANYON 1001 E. 10TH STREET LAS VEGAS, NEVADA	
DATE:	11-1-77	DRAWN BY:	W. J. B. / J. B.
SCALE:	AS SHOWN	CHECKED BY:	W. J. B. / J. B.
DESIGNED BY:	W. J. B. / J. B.	DATE:	11-1-77
JOB NO.:	11-1-77	BY:	W. J. B. / J. B.
SHEET		A2.1	
CONTRACTOR		MCCOY CONSTRUCTION CO., INC. 1001 E. 10TH STREET LAS VEGAS, NEVADA 89101	
OWNER		MCCOY CONSTRUCTION CO., INC. 1001 E. 10TH STREET LAS VEGAS, NEVADA 89101	
ARCHITECT		MCCOY CONSTRUCTION CO., INC. 1001 E. 10TH STREET LAS VEGAS, NEVADA 89101	
ENGINEER		MCCOY CONSTRUCTION CO., INC. 1001 E. 10TH STREET LAS VEGAS, NEVADA 89101	
LANDSCAPE ARCHITECT		MCCOY CONSTRUCTION CO., INC. 1001 E. 10TH STREET LAS VEGAS, NEVADA 89101	
SURVEYOR		MCCOY CONSTRUCTION CO., INC. 1001 E. 10TH STREET LAS VEGAS, NEVADA 89101	
CITY ENGINEER		MCCOY CONSTRUCTION CO., INC. 1001 E. 10TH STREET LAS VEGAS, NEVADA 89101	
COUNTY ENGINEER		MCCOY CONSTRUCTION CO., INC. 1001 E. 10TH STREET LAS VEGAS, NEVADA 89101	
STATE ENGINEER		MCCOY CONSTRUCTION CO., INC. 1001 E. 10TH STREET LAS VEGAS, NEVADA 89101	
FEDERAL ENGINEER		MCCOY CONSTRUCTION CO., INC. 1001 E. 10TH STREET LAS VEGAS, NEVADA 89101	
NATIONAL ENGINEER		MCCOY CONSTRUCTION CO., INC. 1001 E. 10TH STREET LAS VEGAS, NEVADA 89101	
INTERNATIONAL ENGINEER		MCCOY CONSTRUCTION CO., INC. 1001 E. 10TH STREET LAS VEGAS, NEVADA 89101	
OTHER		MCCOY CONSTRUCTION CO., INC. 1001 E. 10TH STREET LAS VEGAS, NEVADA 89101	

PARKING VARIANCE PROPOSAL

<u>Existing Use</u>	<u>Floor Area</u>	<u>Ratio</u>	<u>Required</u>	<u>Provided</u>
Trade School	10,725 sq ft	1/staff ½ students	30 (2) HC	40 (2) HC
Office	2,382 sq ft	1/300	8	
Total	13,107 sq ft		38 (2) HC	40

<u>Proposed Use</u>	<u>Floor Area</u>	<u>Ratio</u>	<u>Required</u>	<u>Provided</u>
Trade School	10,725 sq ft	1/staff ½ students	30 (2) HC	40 (2) HC
Office	1192 sq ft	1/300	4	
Restaurant > 2000 sq ft w/o drive thru	1190 sq ft	1/50 seating 1/200 remaining 574 Sq Ft Dining Area	14	6
Total	13,107 sq ft			40

VAR-18299
SUP-18298
01/11/07 PC

1200
FEB 07 2009



VAR-18299 AND SUP-18298 - APPLICANT: GRITZ CAFÉ - OWNER: EXPERTISE SCHOOL OF BEAUTY LLC

1911 STELLA LAKE STREET, NUMBER 150
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



VAR-18299 AND SUP-18298 - APPLICANT: GRITZ CAFÉ - OWNER: EXPERTISE SCHOOL OF BEAUTY
LLC
1911 STELLA LAKE STREET, NUMBER 150
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



**1911 Stella Lake #150
Las Vegas, NV 89106
702-279-9910**

Justification Letter

October 30, 2006

To Whom It May Concern:

Gritz Café is requesting a Special Use Permit to open a restaurant, less than 2000 sq ft w/o a drive thru at 1911 Stella Lake St. #150, Las Vegas, NV 89106. Title 19 requires a Special Use Permit for this type of use in a C-PB zoning district.

Title 19 also requires 14 parking spaces for this type of use. The existing building, Expertise School of Beauty, provided 40 spaces where 38 were required. The 1190 sq ft TI space was originally called a future office space. The parking for the TI space was provided at 1/300 ratio. The proposed restaurant use has a parking ratio of 1/50 (seating) and 1/200 (remaining). Six parking spaces are currently available for the restaurant. We are requesting a parking variance for 6 spaces, where 14 are required. (Please see attached chart)

Gritz Café will staff no more than three employees at a time and provide 12 seats. We have identified our target customers as the staff, students, and clients of Expertise School of Beauty, for whom parking has already been considered. Gritz Café will be nestled within a business park community. We have projected that the employees of the future FBI headquarters, located directly across the street, will most probably walk to our establishment or have their breakfast and lunches delivered. Our hours of operation, 7am - 3pm Monday thru Saturday, have been tailored to meet the needs of our target customers. We predict a large percentage of our business volume will come from deliveries to the local businesses, which are also within walking distance of our establishment.

Currently, there are no Cafés located within the Enterprise Business Park. With your approval, Gritz Café will provide fresh, healthy breakfast and lunch choices for our growing business community.

It is our humble request that the Mayor, City Counsel, and Planning Commission approve a Special Use Permit and Parking Space Variance for Gritz Café.

Sincerely,

Trina Jiles
CEO, Gritz Cafe

**VAR-18299
SUP-18298
01/11/07 PC**

11-30-2006
11-30-2006

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 11, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-18312 - VARIANCE - PUBLIC HEARING - APPLICANT: T-MOBILE USA, INC - OWNER: INTERNATIONAL CHURCH OF THE FOURSQUARE GOSPEL - Request for a Variance TO ALLOW A PROPOSED 80-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN TO BE A MINIMUM 184 FEET FROM RESIDENTIAL PROPERTY WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 240 FEET on 1.75 acres adjacent to the south side of Alexander Road, approximately 650 feet east of Cimarron Road (APN 138-09-501-003), C-V (Civic) Zone, Ward 4 (Brown).

IF APPROVED: C.C.: 02/07/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

14

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted at meeting – 14 opposition emails and one support email by Commission Steinman

MOTION:

TRUESDELL – APPROVED subject to conditions and adding the following condition –

- The approval of the Variance is for a wireless communication facility, stealth design, not to exceed a height of 60 feet.
- Motion carried with DUNNAM voting NO

To be heard by City Council on 02/07/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open for Item 28 [VAR-18312] and Item 29 [SUP-18314].

PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 28 – VAR-18312

MINUTES – Continued:

DOUG RANKIN, Planning and Development Department, stated the applicant is proposing a 24 percent deviation of the residential adjacency setback and is also requesting the lights of the stealth tower 10 feet higher than what the Code permits. He recommended denial.

MARGARET CEFALU, Spectrum Surveying & Engineering, 7351 West Charleston Boulevard, appeared on behalf of the applicant. She explained this tower is needed as customer demand has increased and that T-Mobile's goal was to have cell phone towers at one mile intervals. She stated the intent was to have the stealth light pole match the existing light poles.

COMMISSIONER TRUESDELL stated he could support the applications if the applicant would replace the existing light standard which is furthest from the residential area with the stealth light standard and if the lights remain at the same elevation as the existing lights. MS. CEFALU agreed to work with the landlord to meet those requests. COMMISSIONER TRUESDELL also requested the height of the tower be limited to 60 feet, but MS. CEFALU expressed her reluctance to agree to that limitation without meeting with the project's engineers. She further explained that fewer towers would be needed if the tower were permitted to be 80 feet high. COMMISSIONER TRUESDELL expressed his support for a 60 foot tower which would prevent another cell provider to share the tower.

COMMISSIONER STEINMAN noted he had receive several protest emails and one approval email, but observed that this proposal was a very innovative approach to stealth cell phone towers. He also acknowledged that the high use of cell phones along major traffic routes was pulling away service from the residential areas and created the need for cell towers in residential areas.

COMMISSIONER DUNNAM strongly encouraged the applicant to meet with the neighbors.

COMMISSIONER EVANS noted the strong demand for more cell phone coverage, but observed that staff is recommending denial because the proposed tower does not meet the Code requirements.

MARGO WHEELER, Director of Planning and Development Department, assisted COMMISSIONER TRUESDELL in the crafting of the additional conditions regarding the height and placement of the stealth cell tower.

COMMISSIONER TROWBRIDGE encouraged MS. CEFALU to seek innovative designs and locations for her future cell phone tower. COMMISSIONER EVANS concurred.

PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 28 – VAR-18312

MINUTES – Continued:

CHAIRMAN DAVENPORT declared the Public Hearing closed for Item 28 [VAR-18312] and Item 29 [SUP-18314].

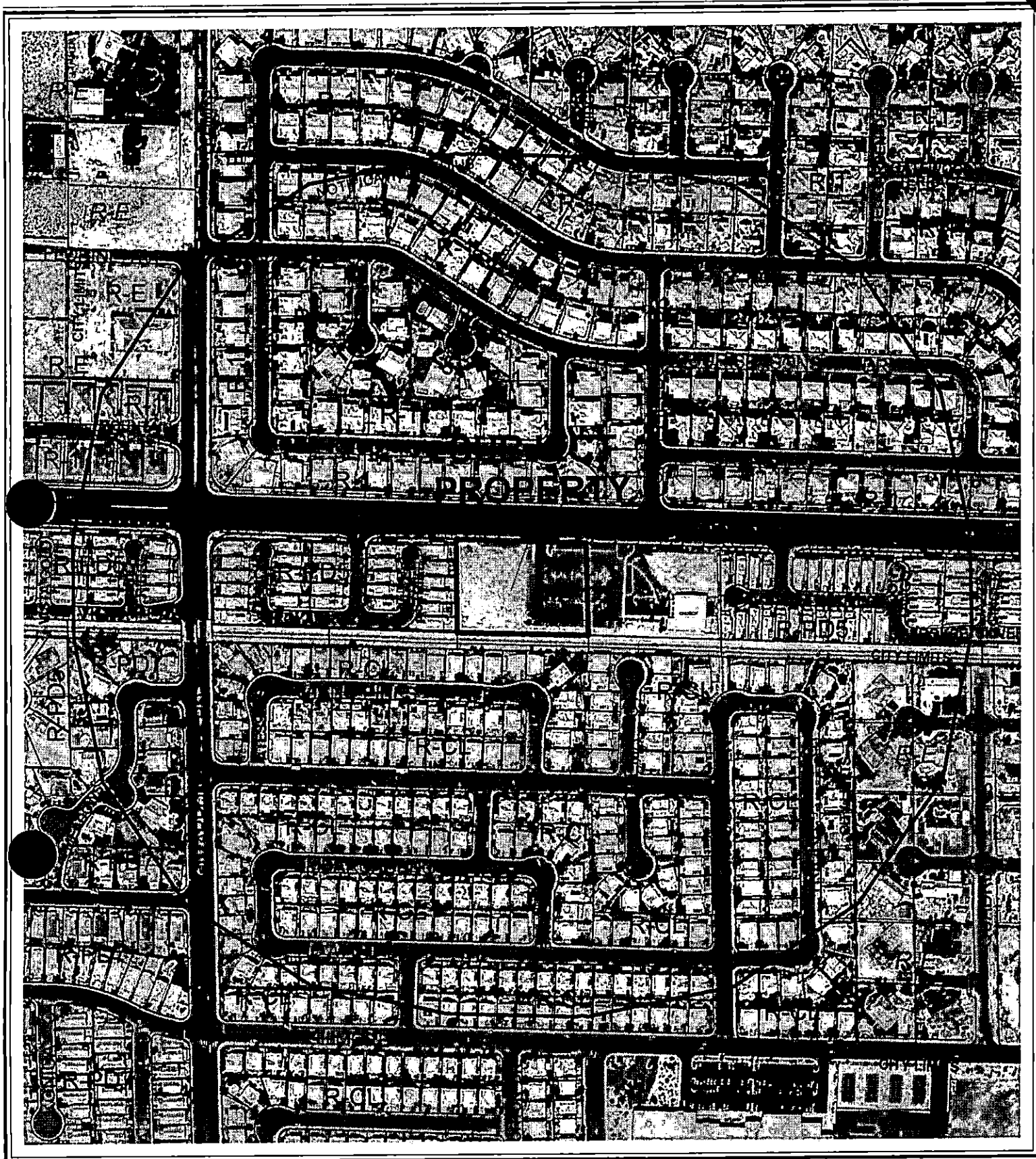
(7:30 – 7:51)

1-3485

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-18314) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.



CASE: **VAR-18312**
RADIUS: 1000 FT
ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 100200 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 11, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-18312 - APPLICANT: T-MOBILE USA, INC - OWNER:
INTERNATIONAL CHURCH OF THE FOURSQUARE GOSPEL

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-18314) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-18312 - Staff Report Page One
January 11, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow a wireless communications facility, stealth design, to have a minimum residential adjacency of 184 feet from the rear property line where a 240-foot minimum setback is required.

A companion Special Use Permit has been filed with this application as the proposal does not meet the minimum conditions for a wireless communications facility, stealth design.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/15/95	The City Council approved a General Plan Amendment (GPA-41-95) from L (Low Density Residential) and ML (Medium-Low Density Residential) to PF (Public Facility). The application expired.
11/15/95	The City Council approved a Rezoning (Z-74-95) from N-U (Non-Urban) to C-V (Civic) This application expired November 15, 1996.
5/26/98	The City Council approved a General Plan Amendment (GPA-8-98) from L (Low Density Residential) to PF (Public Facility). Planning Commission and Staff recommended approval.
5/26/98	The City Council approved the request for a Rezoning (Z-20-98) on property located on the south side of Alexander Road, approximately 680 feet east of Cimarron Road from U (Undeveloped) Zone. Planning Commission and Staff recommended approval. Planning Commission and Staff recommended approval.
<i>Related Building Permits/Business Licenses</i>	
NA	NA
<i>Pre-Application Meeting</i>	
11/06/06	Staff explained the requirements for this application as a Special Use Permit is required in addition to a Variance from Title 19.08 residential adjacency standards.
<i>Neighborhood Meeting</i>	
NA	A neighborhood meeting was not held nor was one required.
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.75 acres

VAR-18312 - Staff Report Page Two
January 11, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Church Parking Lot	P-F (Public Facilities)	C-V (Civic) Zone
North	Single Family Dwellings	L (Low Density)	R-1 (Single Family Residential) Zone
South	Single Family Dwellings	ML (Low Density)	R-CL (Residential-Compact Lot) Zone
East	Single Family Dwellings	L (Low Density)	R-PD5 (Residential-Planned Development, 5 Units per Acre) Zone
West	Single Family Dwellings	L (Low Density)	R-PD5 (Residential-Planned Development, 5 Units per Acre) Zone

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

C-V Civic District:

The existing parking lot and neighboring church are in compliance with the acceptable uses for the C-V Civic Zoned District. A wireless communications facility, stealth design, is a permitted use upon meeting the minimum conditions as listed by Title 19.04. Since this proposal does not meet the conditions for the residential adjacency setback, a Variance and Special Use Permit have been filed.

Trails:

A Multi-use Transportation Trail aligned with Alexander Road runs adjacent to the northern perimeter of the subject property. A wireless communications facility, stealth design will have little anticipated affect on the existing trail alignment.

VAR-18312 - Staff Report Page Three
January 11, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.060, the following standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	240 Feet	184 feet	N*
Adjacent development matching setback	10 Feet	184 feet	Y

ANALYSIS

The existing church is a permitted use in the C-V zoning district. The cell tower is a permitted use upon either an administrative approval or approval of a Special Use Permit. Because of the adjacent residential development and non-compliance with the residential adjacency standards, this proposed tower location was deemed to be unsuitable for an administrative approval, and the applicant was directed to file a Special Use Permit application and a Variance application related to residential adjacency.

The proposed stealth antenna is located on the southwest portion of the subject C-V zoned parcel. It is a "street lamp" design at a height of 80 feet to the top of the antenna. Title 19.08.060 states that a Wireless Communication Facility, Stealth Design, be separated from residential uses by proximity slope of 3:1. This requires the proposed 80-foot antennae to be located 240 feet from the adjoining R-1 (Single Family Residence) property. The submitted site plan indicates that a minimum setback of 184 feet is provided. This use is not compatible with the C-V and the single-family residential developments in the surrounding area; therefore, denial is recommended.

The parking lot lighting is shown on the provided elevations to be at 40 feet in height. Although the lighting appears to utilize downward-directed lights, the height of the light poles exceeds the 30-foot height limitation and is double the 20-foot height recommendation as established in Title 19.08.050(E)5e. Parking lot lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

FINDINGS

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

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

VAR-18312 - Staff Report Page Four
January 11, 2007 - Planning Commission Meeting

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has not created a self-imposed hardship by proposing an 80-foot tall wireless communication facility adjacent to single family residences. Alternative site selection or reduced antenna height would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

5

ASSEMBLY DISTRICT 37

SENATE DISTRICT 6

NOTICES MAILED 493 (Mailed with SUP-18314)

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

VAR-18312

Case Number: VAR-18312 APN: 138-09-501-003

Name of Property Owner: Foursquare Gospel Church

Name of Applicant: T-Mobile

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 95-1684062

Signature of Property Owner: _____

Jeffrey L. Bird, Chief Financial Officer

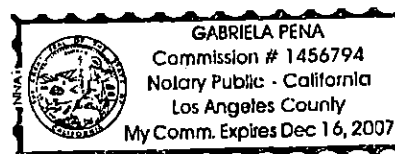
Witnessed By: _____

Tim J. Baskin, Asst. Secretary

Subscribed and sworn before me, by Jeffrey L. Bird and Tim J. Baskin, who are personally known to me.

This 21 day of August, 2006

Notary Public in and for said County and State





VAR-18312
SUP-18314
01/11/07 PC

LEGAL DESCRIPTION

THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN A GRANT, BARGAIN & SALE DEED RECORDED APRIL 5, 1993 IN BOOK 350405 AS INSTRUMENT NO. 00230 BY THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA LYING WITHIN THE NORTHWEST QUARTER (NW1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 8, TOWNSHIP 20 SOUTH, RANGE 88 EAST, N.D.M.

BASES OF BEARINGS

SOUTH 87°34'53" EAST, BEING THE NORTH LINE OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 8, TOWNSHIP 20 SOUTH, RANGE 88 EAST, N.D.M. AS SHOWN BY MAP THEREON ON FILE IN FILE 104, PAGE 90 OF PLATS IN CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA.

REMARKS

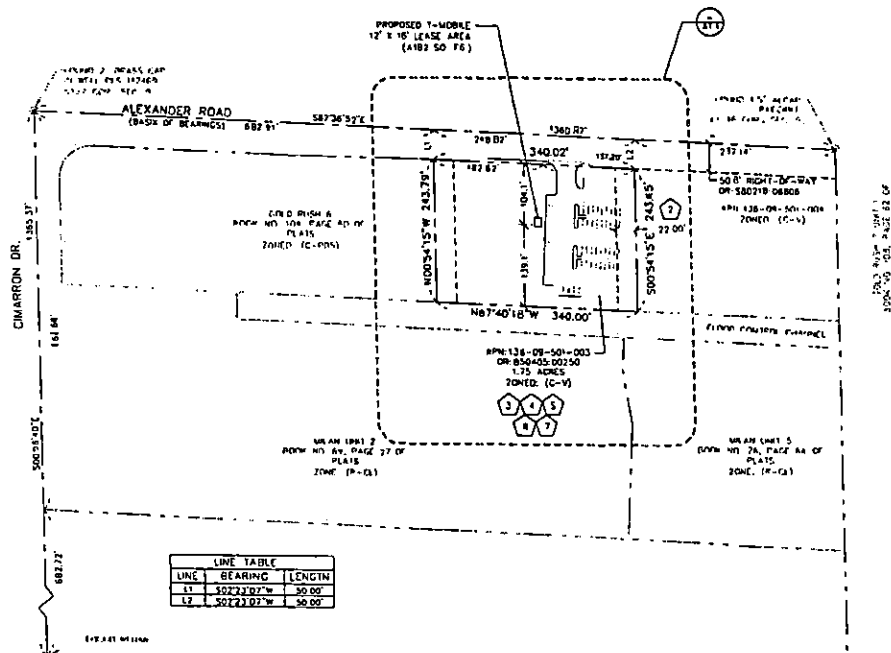
CITY OF LAS VEGAS VERTICAL CONTROL NO. 61508454 BEING A BENCHMARK PLATE IN TOP OF CURB AT NORTHEAST CORNER OF ALEXANDER AND CIMARRON.

ELEVATION 2289.71 FEET (NAVD 1983)
722.788 METERS (NAVD 1988)

NOTES & TITLE REPORT EXCEPTIONS

ONLY THOSE EXCEPTION LISTED IN TITLE REPORT NO. 08-05-0878-0001, DATED MAY 8, 2006, PREPARED BY NEVADA TITLE COMPANY, WHICH ARE NOT SOLELY FINANCIAL IN NATURE AND WHICH REFERENCE A DOCUMENT CONTAINING A SUFFICIENT LEGAL DESCRIPTION OF LANDS AFFECTED BY SAID DOCUMENT WERE CONSIDERED FOR THIS SURVEY AND ARE LISTED BELOW. ITEM NUMBERS CORRESPOND TO ITEM NUMBERS IN SAID TITLE REPORT.

- 1 RESERVATION AND EASEMENTS FROM USA ON 288 226468 AFFECTS ENTIRE SUBJECT PROPERTY
- 2 CLV FOR ORDINANCE NO. 3867, OR 850211-00553 AFFECTS ENTIRE SUBJECT PROPERTY
- 3 NRE FOR ELECTRIC LINES OR 850518-00736 AFFECTS ENTIRE SUBJECT PROPERTY EXCEPTING BUILDING OUTLINES
- 4 NOSC FOR DEED OF TRUST OR 20040828 R201 AFFECTS ENTIRE SUBJECT PROPERTY
- 5 NOSC FOR ASSIGNMENT OF RIGHTS OR 20040828 D2A2 AFFECTS ENTIRE SUBJECT PROPERTY



LINE TABLE		
LINE	BEARING	LENGTH
13	S02°22'07\"	50.00'
12	S01°22'07\"	50.00'

LEGEND

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

DOMINANT

T-Mobile
4775 S. MILE 50, STE. 101
LAS VEGAS, NV 89117

PROJECT INFORMATION

ALEXANDER &
CIMARRON
VG08392
7881 W. ALEXANDER ROAD
LAS VEGAS, NEVADA 89129

CURRENT ISSUE DATE:

08/14/06

ISSUED FOR:

ZONING

REV. DATE DESCRIPTION BY

REV.	DATE	DESCRIPTION	BY

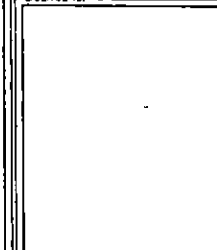
PLANS PREPARED BY:

SPECTRUM
SURVEYING & ENGINEERING
2251 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH: (702) 367-7705
FAX: (702) 387-8133

DRAWN BY: CHK. ADV.

J. CORTEZ M. CEFALU C. WENER

ENCLOSURE:



SHEET TITLE:

SITE PLAN

SHEET NUMBER REVISION:

A1

0

VG08392

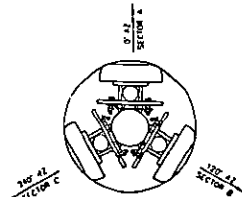
SITE PLAN

SCALE
1" = 100'

VAR-18312
SUP-18314
01/11/07 PC

RECEIVED
NOV 27 2006

RECEIVED
NOV 27 2006



	AZIMUTH	ANTENNA MAKE/MODEL	CABLE LENGTH	CABLE SIZE	COLOR CODE	RAD CENTER	TOP L	BOTTOM ANTER LENGTH	COMMENTS
SECTOR A	0°	RRS-18-220P5	100' x 2	7/8" COAX		76'	5'	5' (10' MAX)	
SECTOR B	120°	RRS-18-220P5	100' x 2	7/8" COAX		76'	5'	5' (10' MAX)	
SECTOR C	240°	RRS-18-220P5	100' x 2	7/8" COAX		76'	5'	5' (10' MAX)	
SECTOR D	0°	RRS-18-220P5	95' x 2	7/8" COAX		85'	5'	5' (10' MAX)	
SECTOR A	120°	RRS-18-220P5	95' x 2	7/8" COAX		80'	5'	5' (10' MAX)	
SECTOR C	240°	RRS-18-220P5	95' x 2	7/8" COAX		85'	5'	5' (10' MAX)	
GPS	N/A	TRUE POSITION	30' x 1	1/2" COAX		N/A	N/A	N/A	
LMV	N/A	TRUE POSITION	7' x 1	N/A		N/A	N/A	N/A	

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

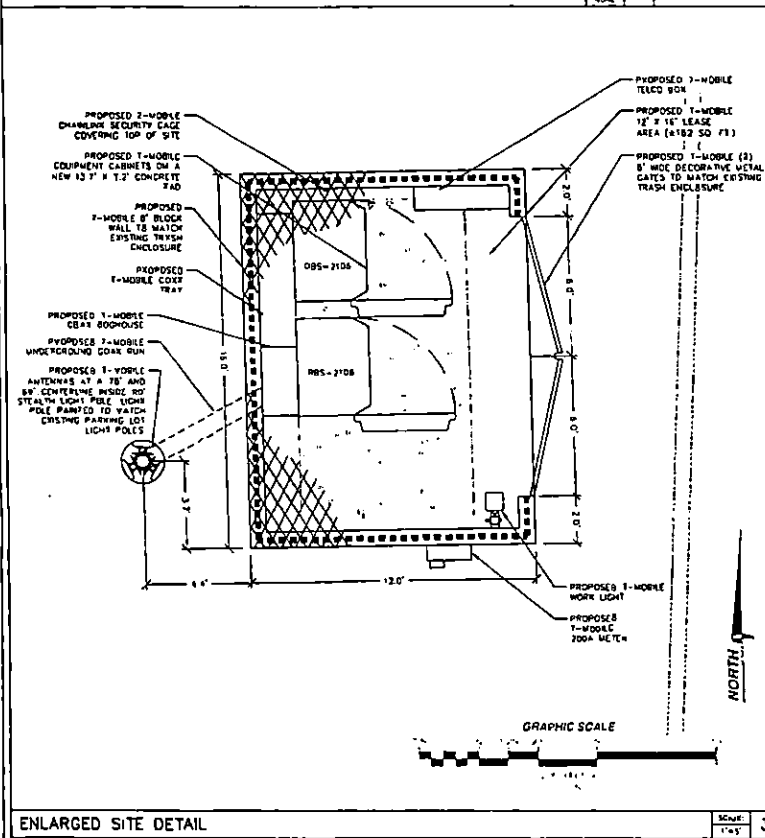
EQUIPMENT	QUANTITY	EQUIPMENT MAKE/MODEL	LATITUDE	LONGITUDE	LATITUDE	LONGITUDE	GROUND LEVEL	COMMENTS
EROSION	2	RRS-2106 (OUTDOOR)	N/A	N/A	N/A	N/A	2387.5	

ANTENNA LAYOUT

SCALE: 1"=4'

4 ANTENNA AND CABLE SCHEDULE

SCALE: 1"=4'



ENLARGED SITE DETAIL

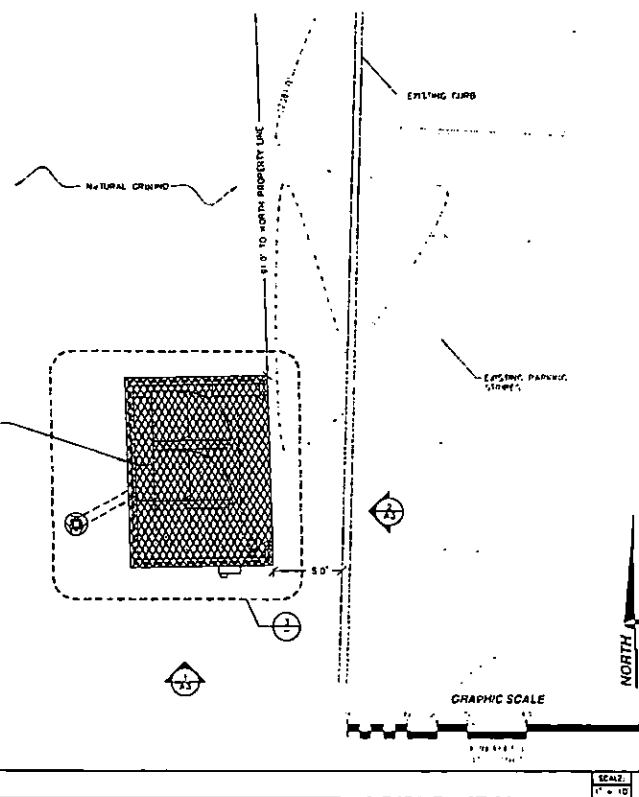
SCALE: 1"=4'

3 SITE DETAIL

LEGEND

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

PROPOSED 1-MOBILE
12' x 16' LEASE AREA
(A152 SQ FT)



SCALE: 1"=4'

WOMNPOINT
T-Mobile
4150 E. WILSON ST. STE. 100
LAS VEGAS, NV 89121

PROJECT INFORMATION
ALEXANDER & CIMARRON
VG08392
7801 W. ALEXANDER ROAD
LAS VEGAS, NEVADA 89129

CURRENT ISSUE DATE:
08/14/06

ISSUED FOR:
ZONING

REV. DATE DESCRIPTION BY:

08/14/06 X06 ZONING J.C.

PLANS PREPARED BY:
SPECTRUM
SURVEYING & ENGINEERING
7351 W. CHARLESTON BLVD. SUITE 128
LAS VEGAS, NEVADA 89117
PH: (702) 367-7305
FAX: (702) 367-9733

DRAWN BY: CHN. APV:
J. CORTES M. CEFALU C. WENEN

UCENSURE:

SHEET TITLE:
SITE DETAIL, ANTENNA & CABLE SCHEDULE AND ANTENNA LAYOUT

SHEET NUMBER: REVISION:
A3 0
VG08392

VAR-18312
SUP-18314
01/11/07 PC

RECEIVED
NOV 27 2006



7351 W. Charleston Blvd., Suite 120
Las Vegas, NV 89117
Phone: 702.367.7705
Fax: 702.367.8733

October 19th, 2006

Ben Sticka, Planner II
City of Las Vegas
Planning & Development
731 S. Fourth Street
Las Vegas, Nevada 89101-6706

Reference: VG08392 Alexander & Cimarron / T-Mobile
Justification Letter for being surrounded by a residential neighborhood
Proposed Communication Facility
7801 W. Alexander Road, APN # 138-09-501-003

Spectrum Surveying & Engineering on behalf of T-Mobile is proposing a stealth (parking light pole) wireless facility to be located on the property located at 7801 West Alexander Road, APN # 138-09-501-003. This parcel is currently zoned C-V, Civic District use and is 1.75 acres that is surrounded by residential zoned properties. As code permits, a Civic District zoned parcel is a permitted use for a communications facility, and with the proposed height and location of this parking light pole, it meets the 2:1 ratio of residential setbacks.

The proposed project includes the installation of a new 80' Stealth Parking Light Pole, antennas concealed within the pole, and the installation of outdoor equipment cabinets at base enclosed in a block walled compound to match existing trash enclosures on the property.

By placing a communications facility on this parcel and within this area, it will provide the necessary cellular coverage in this "dead" pocket. Without the tower at this location, T-Mobile's customers will continue to suffer with poor coverage.

The proposed antennas are required to provide adequate coverage to customers using wireless services in the area. Businesses, governments, emergency services and the general public are all users of cellular technology. The installation of this facility will enhance service coverage and reliability for users in the City of Las Vegas. The Federal Communications Commission determined the wireless system serves the national interest and directly and indirectly benefits all members of the public.

The approval of this project is consistent with the zoning code and requests upon waiver for being surrounded by a residential neighborhood. In addition, this project will not be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood, or injurious to property, resources, or improvements in the vicinity, nor will create any additional impact to the traffic system in the area.

Should you have any additional question or concerns please do not hesitate to call me at 702-367-7705 ext. 248.

Sincerely,
Spectrum Surveying and Engineering

Tiffany Chimaroke
Project Manager

VAR-18312
SUP-18314
01/11/07 PC

Laurie Kruse

From: Anna M. Messenheimer [amessenheimer@beckleylaw.com]
Sent: Thursday, January 11, 2007 2:05 PM
To: dwsteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: Re: Var-18312 and Sup-18314.

To Whom It May Concern

I am writing to you concerning the cell tower that T-Mobile USA, Inc. is proposing to install on the land owned by The Foursquare Gospel church. My Husband, Son and I live at 3979 Silver Strike Court and we object to this proposal.

Please include our objections in the record.

Sincerely,
Mark & Anna Messenheimer
mybabycomp@aol.com (home email)

Submitted at Planning Commission

Date 01/11/07 Item 28

Laurie Kruse

From: Patrick E. Jensen [jensepe@interact.ccsd.net]
Sent: Thursday, January 11, 2007 1:23 PM
To: dwsteinman@aol.com; lkruse@lasvegasnevada.gov
Subject: Objection to Cell Tower on Alexander (VAR-18312 & SUP-18314)

Dear Planning Commission:

The residents of Aviano Pines Ave. are undeniably opposed to this 80 ft. tower that is proposed for this residential community.

The church kept it's structure low and thus, not an eyesore for the residences surrounding the church area.

An 80 ft. commercial cell tower is utterly absurd to be placed in this area.

It will decrease home values, ruin the only decent view we have from our homes and, pose health risks from the emission of signals.

Let's stop this ludicrous proposal before it goes any further.

It's hard enough having decent aesthetics in our communities without something as atrocious as this. 80 feet ?! You have to be kidding.

Keep commercial ventures in commercial districts.

. Alexander in this area is NOT a commercial district !

Sincerely,

P. Jensen

7809 Aviano Pines Ave.

89129. phone: 575-2073, 258-1122

Laurie Kruse

From: Nick Sagnelli [sagne18@cox.net]
Sent: Wednesday, January 10, 2007 5:44 PM
To: dwsteinmam@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: VAR-18312 and SUP-18314

Ladies and Gentleman,

My home, just across the wash from the proposed cell tower installation is unacceptable. My family And I are located at 7876 Aviano Pines Ave directly across the wash from the church parking lot.

My daughter, Julia, who is six years old, sleeps in a bedroom in the north side of our home on the Second floor and this tower would be approximately ninety feet to the north of her room.

When we bought our home in 1997 and watched it being built, we could see nothing but mountains, Now, there are nothing but homes everywhere, Alexander Rd. is a speedway for high powered cars And motorcycles. At least once a week there is a Metropolitan Police Department helicopter flying overhead, with it's bright spot light aglow searching for some undesirable. It's become a toilet.

Now, a cell phone tower is a proposal of installation on land which was supposed to house a beautiful Church. During the last few years, I've had to write letters to the existing building which identifies itself As a church and complain about numerous offenses.

1. They have allowed trailer homes park on their property, for cash consideration I'm sure.
2. They have had classic car displays on their property, for cash consideration I'm sure.
3. They have stored huge amounts of trash, which was unacceptable to Republic Services to pick up and remained until I wrote to them.
4. Numerous Fourth of July fireworks displays during the course of my daughters infant years And experiencing unpleasanties due to the disrespectful crowds which gathered behind our home.

I am completely disgusted with the way this church has handled their affairs with their property. Now they Are willing to allow the installation of a cell tower, for cash considerations I'm sure, but completely oblivious To the "Radiation" which will be brought to the location right directly behind my home.

I **DO NOT WANT THIS TOWER TO BE INSTALLED NOW OR EVER!**

Nick Sagnelli
sagne18@cox.net

Laurie Kruse

From: Just Me [bigfatmink@yahoo.com]
Sent: Wednesday, January 10, 2007 5:52 PM
To: dwsteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: Objection to VAR-18312 & SUP-18314 (Cell Tower on W. Alexander)

To Whom It May Concern:

I am voicing my objection to the proposed cell towers to be placed on W. Alexander at the Foursquare Gospel Church parking lot. I am livid to think that this may take place. This will de-value my already decreasing home value and totally ruin the only view we have out our windows (we have a 2-story home on Aviano Pines right behind the gravel parking lot). There is also evidence of *serious* health risks from being so close to towers that emit electronic signals (that have been downplayed by corporations).

I hope this proposal is stopped before it ever gets to the City Council.
' is a neighborhood with a nice small church...not a commercial district.

This must be stopped!
Sincerely,
Leslie Negron-Perez
Aviano Pines Ave.

Do You Yahoo!?
Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

1/11/2007

Laurie Kruse

From: hairbykar1@aol.com
Sent: Wednesday, January 10, 2007 8:19 PM
To: DWSteinman@aol.com
Cc: LKRUSE@lasvegasnevada.gov; hairbykar1@aol.com
Subject: 80ft. Wireless Tower

Variance#18312, SUP#18314

To Whom it may concern;

This email is to OBJECT!!!! to the proposed 80ft. wireless tower to be built on the property on the other side of the water retention basin which is behind my home. I believe that the dialogue of communication of this proposal has a horrific edge not only of it's possible existence but the timing of the distribution. Most of us let's face it ,are recovering from the holiday's and the probability of paper work being lost in the shuffel of preparing to get back to the norm,I feel that most residents in our area will forget of this issue.

I'am concerned on many levels, first and formost, health issues, -depreciation of my home,visual objection and many other concerns. Perhaps if this is passed what will this mean for the future of the property surrounding this neighborhood??

There is the land just west of us (THE 215 highway) that has room more appropriate for this tower, I'am sure and pray that there are other on's that are more just for this tower. I hope that this email will be taken in consideration for my objection of the ss tower location proposal.

Sincerely; Mrs. Karin

Keplinger
 7916 Aviano Pines Ave.,Las Vegas,NV 89129 (Variance #18312-SUP#18314)

Laurie Kruse

From: OmnipresntG@aol.com
Sent: Wednesday, January 10, 2007 11:57 PM
To: DWSteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: cell tower VAR-18312 and SUP218314 OBJECTION

As a property ownner for 10 year's in this location i am stongly opposed to the building of an 80 foot eyesore in my own backyard, i want to voice my stong object- ion to VAR-18312 and SUP18314 . My wife and myself are long time register and active voters as are many of or friends, family, and congercation that reside in this vacinity and there is no need for a nother cell tower in this residential family area

I would like for my objection to be included in the record

Thank you
GREG HANDLEY
7764 monza ave

1/11/2007

Laurie Kruse

From: Aneeta764@aol.com
Sent: Wednesday, January 10, 2007 11:11 PM
To: lkruse@lasvegasnevada.gov
Subject: VAR-18312 & SUP-18314

To whom it may concern, I am writing in regards to the 80 foot tall communications facility. I feel it would be an eye sore for me everytime I look out my windows. My objection to this variance is strong. I feel it would effect my property value. I say NO! Please include my comments and objections for the record for VAR-18312 & SUP -18314.

Thank You,
Anita Handley
7764 Monza Ave.
LV,NV.89129

Laurie Kruse

From: Jeremy Olson [jeremy@lvpos.com]
Sent: Wednesday, January 10, 2007 9:59 PM
To: dwsteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: Kim Andersons' objection to VAR-18312 and SUP-18314

I object to VAR-18312 and SUP-18314. Please note my objection in the record.

Kim Anderson
7901 Aviano Pines
Las Vegas, NV 89129
702-858-3574

Laurie Kruse

From: Jeremy Olson [jeremy@lvpos.com]
Sent: Wednesday, January 10, 2007 9:56 PM
To: dwsteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: objection to VAR-18312 and SUP-18314

I object to VAR-18312 and SUP-18314. Please include my objections in the record.

Thanks,

Jeremy Olson
7901 Aviano Pines
Las Vegas, NV 89129
702-281-5754

Laurie Kruse

From: Bill vogel [bvogel144@cox.net]
Sent: Wednesday, January 10, 2007 6:01 PM
To: dwsteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: VAR-18312 & SUP-18314

This email is to inform you that I object to VAR- 18312 & SUP- 18314 and I additionally request that this objection be included in the records. Thank You

William A. Vogel & Hortensia Vogel
3901 Conough Lane
Las Vegas, NV. 89129
702 202-3345

Laurie Kruse

From: Pamela Tette [ptette@cox.net]
Sent: Wednesday, January 10, 2007 5:50 PM
To: dwsteinman@aol.com ✓
Cc: lkruse@lasvegasnevada.gov
Subject: VAR-18312 and SUP 18314

As a taxpayer and voter in the City of Las Vegas, I would like to voice my objections for VAR-18312 and SUP-18314, which calls for a cell tower to be erected virtually in my back yard. I am sure there is another, less inhabited area in which to locate this structure other than where it is being planned.

I wish to voice my objections to this being done, and I wish my objections and comments to be included in the record.

Laurie Kruse

From: christy perez [xbestgirl4ux@yahoo.com]
Sent: Wednesday, January 10, 2007 5:36 PM
To: dwsteinman@aol.com
Cc: lori
Subject: Objection to the Proposed Cell Tower

To Whom It May Concern:

I am writing to voice my STRONG objection to the proposed cell tower for the parking lot of the 4-Square Gospel Church on Alexander.

I live right behind the gravel parking lot on Aviano Pines in a two-story home that looks across that gravel lot towards the mountains to the North.

I am sickened to think that my view (and home value) will plummet because of the eyesore of an 80 ft. tower in the middle of a residential neighborhood. I am also very worried about the health of all residents because of the numerous issues regarding cell waves and health risks of living close to cell towers.

This must be stopped. It is hard enough to have nice neighborhoods with all of the cinder block walls and not much to look at outside your window but at least we have some mountains out our North windows, not to mention trying to sell my home with an ugly 80 ft. tower in your backyard.

Stop the Madness !
Sincerely,
Christy Perez
7908 Aviano Pines Ave.

Everyone is raving about [the all-new Yahoo! Mail beta](#).

Laurie Kruse

From: Denise R Duarte [duarte_denise@cox.net]
Sent: Wednesday, January 10, 2007 1:46 PM
To: dwsteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: VAR-18312 & SUP-18314 - objection to wireless cell phone tower
Importance: High

I strongly urge you to vote NO on VAR-18312 & SUP-18314. This cell phone tower will be an eyesore for our neighborhood. We already have the flood channel to contend with, but at least that does not tower over our homes. If this cell phone tower is installed, at 80 feet, my neighborhood will resemble a urban area. It is my understanding that it will simply be painted brown with nothing to hide it. Even if it was a palm tree, it would still be an eyesore. I will not be able to ignore this tower since it will be visable from any of my windows in the back of my house and from my back yard.

I am also concerned regarding the health impacts on this transmission tower. This is a neighborhood filled with children.

Please vote no.

Denise R. Duarte
7920 Aviano Pines Avenue
phone: 372-3755
p.s. my wireless carrier is T-Mobile, but I still do not want this tower.

Laurie Kruse

From: marlene adrian [adrianmj@cox.net]
Sent: Wednesday, January 10, 2007 4:13 PM
To: dwsteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: cell phone tower VAR-18312 and SUP-18314

I forgot to include my address and telephone with my objection to the cell phone tower mentioned as follows:

I am opposed to VAR-18312 and SUP-18314. The proposed placement of a cell phone tower in the Foursquare Gospel Parking Lot is unacceptable. A cell phone tower should not be placed in our neighborhood because of aesthetic reasons and because of the possible radiation effects to the residents and to the proximity of the nearby schools. Conclusions of some studies are that there are dangers from cell phone tower radiation.

Marlene Adrian.
7920 Aviano Pines Avenue
655.2146

Laurie Kruse

From: marlene adrian [adrianmj@cox.net]
Sent: Wednesday, January 10, 2007 4:09 PM
To: dwsteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: cell phone tower

I am opposed to VAR-18312 and SUP-18314. The proposed placement of a cell phone tower in the Foursquare Gospel Parking Lot is unacceptable. A cell phone tower should not be placed in our neighborhood because of aesthetic reasons and because of the possible radiation effects to the residents and to the proximity of the nearby schools. Conclusions of studies are that there are dangers from cell phone tower radiation.
Marlene Adrian.

Laurie Kruse

From: DarbieAnna@aol.com
Sent: Wednesday, January 10, 2007 11:19 PM
To: DWSteinman@aol.com; lkruse@lasvegasnevada.gov
Subject: 80 foot cell phone tower

Although I can appreciate your dedication to how you feel regarding this cell phone tower being installed. In addition to the time you invested in going door to door and taping notes to homeowner's doors. I feel it is important that you hear both sides of the issue.

I have been a homeowner in this neighborhood for 3 years and in that time I have never been able to carry a conversation on my cell phone in my home. In addition to the frustration and added costs for having to use my land phone for all long distances calls is a very challenging problem.

I encourage the new cell tower and look forward to moving forward in the future. In addition I wish you well with your passion and hope there is a happy medium for all parties involved.

Sincerely,

A Homeowner



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 11, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-18314 - SPECIAL USE PERMIT RELATED TO VAR-18312 - PUBLIC HEARING
- APPLICANT: T-MOBILE USA, INC - OWNER: INTERNATIONAL CHURCH OF
THE FOURSQUARE GOSPEL - Request for a Special Use Permit FOR A PROPOSED 80-
FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN on 1.75 acres
adjacent to the south side of Alexander Road, approximately 650 feet east of Cimarron Road
(APN 138-09-501-003), C-V (Civic) Zone, Ward 4 (Brown).

IF APPROVED: C.C.: 02/07/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

14

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted at meeting – 14 opposition emails and one support email by Commission Steinman

MOTION:

TRUESDELL – APPROVED subject to conditions and adding the following conditions:

- The Use Permit reduced to 60-foot height, wireless communications facility.
- The facility shall be in the location of the northwest light standard in the existing parking facility with lights being at the vertical height equal to those of the existing lights and shielded.
- Motion carried with DUNNAM voting NO

To be heard by City Council on 02/07/2007

PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 29 – SUP-18314

MINUTES:

See Item 28 for all related discussion.

(7:30 – 7:51)

1-3485

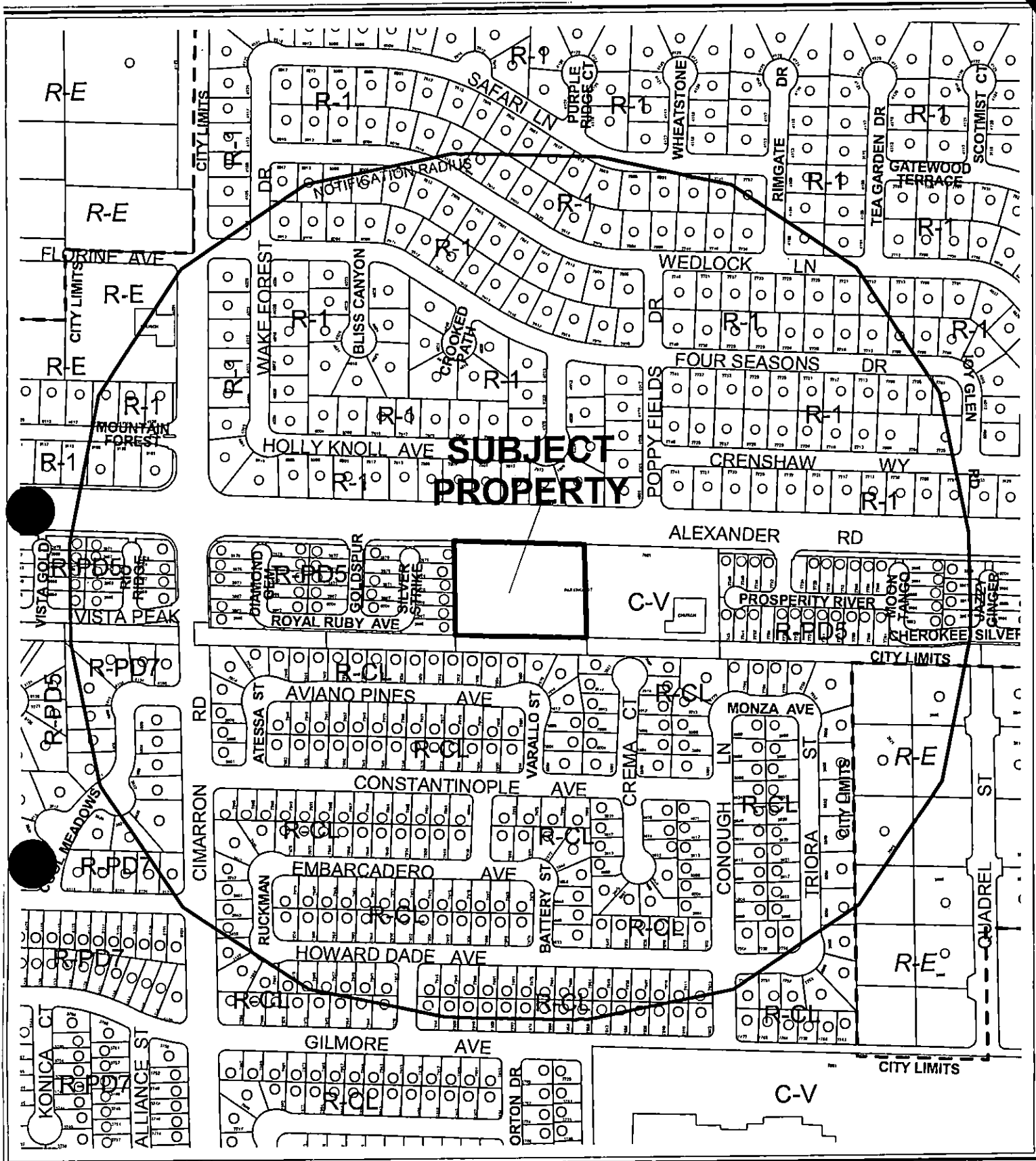
CONDITIONS:

Planning and Development

1. Conformance to the conditions for Rezoning Z-20-98 and Site Development Plan Review Z-20-98(1) if approved.
2. Approval of and conformance to the Conditions of Approval for Variance (VAR-18312) shall be required.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the structure on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. The communications monopole and its associated equipment and facility shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the communications monopole and its associated equipment and facility.
5. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

7. The proposed wireless communications tower shall not be located within the public right-of-way or interfere with Site Visibility Restriction Zones. The tower base shall not be located within existing or proposed public sewer or drainage easements.



CASE: **SUP-18314**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 100 200 Feet





CASE: **SUP-18314**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 100200 Feet



*City of Las Vegas***AGENDA MEMO**

PLANNING COMMISSION MEETING DATE: JANUARY 11, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-18314 - APPLICANT: T-MOBILE USA, INC - OWNER:
INTERNATIONAL CHURCH OF THE FOURSQUARE GOSPEL

**** CONDITIONS ******STAFF RECOMMENDATION:** DENIAL, If Approved, subject to:**Planning and Development**

1. Conformance to the conditions for Rezoning Z-20-98 and Site Development Plan Review Z-20-98(1) if approved.
2. Approval of and conformance to the Conditions of Approval for Variance (VAR-18312) shall be required.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the structure on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. The communications monopole and its associated equipment and facility shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the communications monopole and its associated equipment and facility.
5. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

7. The proposed wireless communications tower shall not be located within the public right-of-way or interfere with Site Visibility Restriction Zones. The tower base shall not be located within existing or proposed public sewer or drainage easements.

SUP-18314 - Staff Report Page One
January 11, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow a Wireless Communications Facility, Stealth design on 1.75 acres adjacent to the south side of Alexander Road, approximately 650 feet east of Cimarron Road. The applicant seeks to install an 80-foot tall antenna outfitted with a "street-light" stealth design adjacent to the western edge of the existing church parking lot on the vacant portion of the western parcel 138-09-501-003.

A companion Variance has been filed as the antenna does not meet the minimum residential adjacency of 184 feet from the rear property line where 240 feet is required.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/15/95	The City Council approved a General Plan Amendment (GPA-41-95) from L (Low Density Residential) and ML (Medium-Low Density Residential) to PF (Public Facility). The application expired.
11/15/95	The City Council approved a Rezoning (Z-74-95) from N-U (Non-Urban) to C-V (Civic) This application expired November 15, 1996.
5/26/98	The City Council approved a General Plan Amendment (GPA-8-98) from L (Low Density Residential) to PF (Public Facility). Planning Commission and Staff recommended approval.
5/26/98	The City Council approved the request for a Rezoning (Z-20-98) on property located on the south side of Alexander Road, approximately 680 feet east of Cimarron Road from U (Undeveloped) Zone. Planning Commission and Staff recommended approval. Planning Commission and Staff recommended approval.
<i>Related Building Permits/Business Licenses</i>	
NA	NA
<i>Pre-Application Meeting</i>	
11/06/06	Staff explained the requirements for this application as a Special Use Permit is required in addition to a Variance from Title 19.08 residential adjacency standards.
<i>Neighborhood Meeting</i>	
NA	A neighborhood meeting was not held nor was one required.
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.75 acres

SUP-18314 - Staff Report Page Two
January 11, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Church Parking Lot	P-F (Public Facilities)	C-V (Civic) Zone
North	Single Family Dwellings	L (Low Density)	R-1 (Single Family Residential) Zone
South	Single Family Dwellings	ML (Low Density)	R-CL (Residential-Compact Lot) Zone
East	Single Family Dwellings	L (Low Density)	R-PD5 (Residential-Planned Development, 5 Units per Acre) Zone
West	Single Family Dwellings	L (Low Density)	R-PD5 (Residential-Planned Development, 5 Units per Acre) Zone

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

C-V Civic District:

The existing parking lot and neighboring church are in compliance with the acceptable uses for the C-V Civic Zoned District. A wireless communications facility, stealth design, is a permitted use upon meeting the minimum conditions as listed by Title 19.04. Since this proposal does not meet the conditions for the residential adjacency setback, a Variance and Special Use Permit have been filed.

Trails:

A Multi-use Transportation Trail aligned with Alexander Road runs adjacent to the northern perimeter of the subject property. A wireless communications facility, stealth design will have little anticipated affect on the existing trail alignment.

SUP-18314 - Staff Report Page Three
January 11, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.060, the following standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	240 Feet	184 feet	N*
Adjacent development matching setback	10 Feet	184 feet	Y

* A companion Variance (VAR-18312) has been filed due to the residential adjacency standard not being met.

ANALYSIS

- General**

The proposed stealth antenna is located on the southwest portion of the subject C-V zoned parcel. It is a "street lamp" design with a total height of 80 feet. Title 19.08.060 states that a Wireless Communication Facility, Stealth Design, be separated from residential uses by the proximity slope of 3:1. This requires the proposed 80-foot antennae to be located 240 feet from the adjoining R-1 (Single Family Residence) property. The submitted site plan indicates that a setback of a minimum 184 feet is provided. This use is not compatible with the C-V and R-1 developments in the surrounding area; therefore, denial is recommended.

The parking lot lighting is shown on the provided elevations to be at 40 feet in height. Although the lighting appears to utilize downward-directed lights, the height of the light poles exceeds the 30-foot height limitation and is double the 20-foot height recommendation as established in Title 19.08.050(E)5e. Parking lot lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

- Use**

The existing church is a permitted use in the C-V zoning district. The cell tower is a permitted use upon either an administrative approval or approval of a Special Use Permit. Because of the adjacent residential development and non-compliance with the residential adjacency standards, this proposed tower location was deemed to be unsuitable for an administrative approval, and the applicant was directed to file a Special Use Permit application and a Variance application related to residential adjacency.

SUP-18314 - Staff Report Page Four
January 11, 2007 - Planning Commission Meeting

- **Conditions**

Per Title 19.04.040 Conditional Uses, the following conditions must be met for the administrative approval of a Wireless Communication Facility, Stealth Design [all districts]:

(1) The applicant must submit to the Department, for administrative review and approval, a site plan and an elevation drawing. The Director shall review the documents to determine if the proposed facility conforms to the conditions listed below for this use. If the Director, in his discretion:

(a) Approves the proposed facility to proceed as a conditional use, the Director shall provide written notice of approval to the applicant, with a copy to the office of the City Council. Within ten days after the notice is mailed or delivered, the applicant may proceed to apply for building permits, unless a member of the City Council files with the Director a written request for the Council to review the approval. If such request to review is filed, the application must first be reviewed and approved by the Council.

(b) Determines that the proposed facility does not conform to the conditions listed below, a Special Use Permit will be required for the use. Any determination by the Director that a Special Use Permit will be required is not subject to appeal.

(2) No residential use may exist on the property.

(3) The design must conform to the definition of the term "Wireless Communication Facility, Stealth Design," as set forth in Section 19.20.020 and as determined by the Director.

(4) Within an area designated as a Historic Preservation District, the proposed facility must first be reviewed by the Historic Preservation Commission before the Director considers granting approval as a conditional use.

(5) The design and location of the proposed facility must be deemed by the Director to be compatible with surrounding uses, and the facility must include appropriate screening and landscaping to ensure such compatibility.

(6) The frequencies used by the communication provider shall be in conformance with Federal Communications Commission standards, as certified by a competent professional (such as a radio frequency engineer).

Because the applicant has not satisfactorily met condition 1b, a Special Use Permit and companion Variance has been requested.

SUP-18314 - Staff Report Page Five
January 11, 2007 - Planning Commission Meeting

FINDINGS

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

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

In regard to "1":

Although the proposed tower is a "stealth-designed" light pole, the 80-foot height greatly hinders its compatibility with the adjacent existing residential development. In addition, the 40-foot parking lot light pole heights do not comply with the 30-foot maximum light pole height as listed in Title 19.08.050

In regard to "2":

The site is developed as a church and parking lot with remaining undeveloped area. Although the antenna and associated equipment is located on the vacant portion of the site and is suitable for the placement of a wireless communication facility the proposal, as shown, does not meet the 3:1 residential adjacency standards. Therefore, denial is recommended.

In regard to "3":

This requirement is not applicable because the wireless communication tower will not attract additional traffic to the site.

In regard to "4":

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

SUP-18314 - Staff Report Page Six
January 11, 2007 - Planning Commission Meeting

In regard to "5":

The proposed use does not meet all of the applicable conditions as listed in Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

ASSEMBLY DISTRICT 37

SENATE DISTRICT 6

NOTICES MAILED 493 (Mailed with VAR-18312)

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SUP-18314

Case Number: _____ APN: 138-09-501-003

Name of Property Owner: Foursquare Gospel Church

Name of Applicant: T-Mobile

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 95-1684062

Signature of Property Owner: _____

Jeffrey L. Bird, Chief Financial Officer

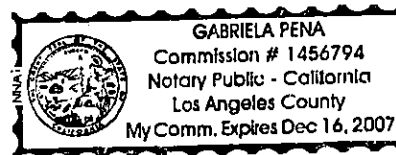
Print Name By: _____

Tim J. Baskin, Asst. Secretary

Subscribed and sworn before me, by Jeffrey L. Bird and Tim J. Baskin, who are personally known to me.

This 21 day of August, 2006

Notary Public in and for said County and State





RECEIVED
NOV 27 2006

LEGAL DESCRIPTION

THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN A GRANT, BARGAIN & SALE DEED RECORDED APRIL 5, 1993 IN BOOK 950405 AS INSTRUMENT NO. 00750 IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA, LYING WITHIN THE NORTHWEST QUARTER (NW1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 9, TOWNSHIP 20 SOUTH, RANGE 80 EAST, N.D.M.

BASIS OF BEARINGS

SOUTH 87°35'31" EAST, BEING THE NORTH LINE OF THE NORTHWEST QUARTER

(NW1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 9, TOWNSHIP 20 SOUTH, RANGE 80 EAST, N.D.M. AS SHOWN BY MAP THEREOF ON FILE IN FILE 104, PAGE 50 OF PLATS IN CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA.

RECORDMARK

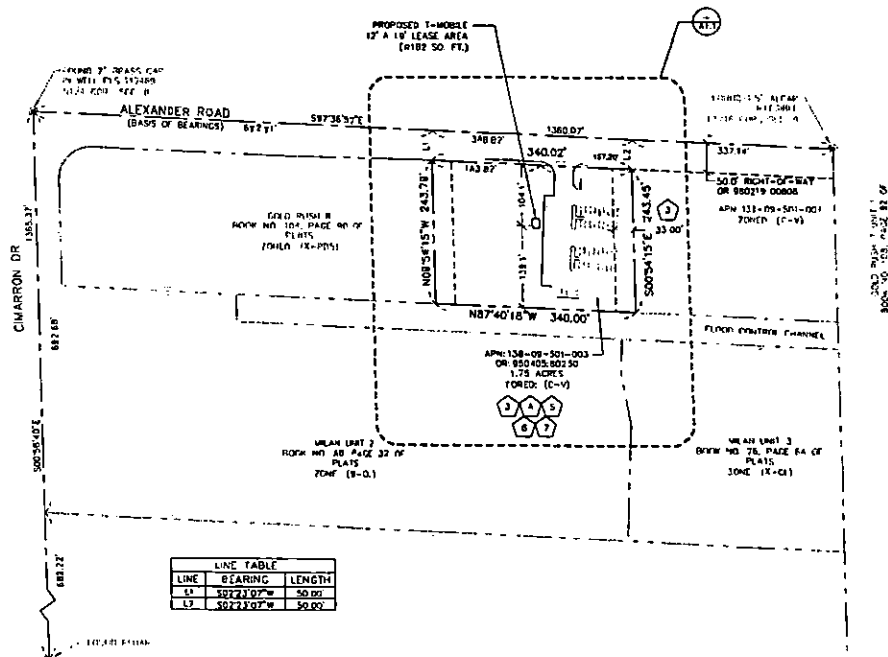
CITY OF LAS VEGAS VERTICAL CONTROL NO. BLV00454 BEING A RIMET AND PLATE IN TOP OF CURB AT NORTHEAST CORNER OF ALEXANDER AND CIMARRON.

ELEVATION: 2369.74 FEET (NAVD 1983)
722.299 METERS (NAVD 1983)

NOTES & TITLE REPORT EXCEPTIONS

ONLY THOSE EXCEPTION LISTED IN TITLE REPORT NO. 08-05-9878-WME, DATED MAY 8, 2006, PREPARED BY NEVADA TITLE COMPANY, WHICH ARE NOT SOLELY FINANCIAL IN NATURE AND WHICH REFERENCE A DOCUMENT CONTAINING A SUFFICIENT LEGAL DESCRIPTION OF AREAS AFFECTED BY SAID DOCUMENTS WERE CONSIDERED FOR THIS SURVEY AND RE-LISTED BELOW. ITEM NUMBERS CORRESPOND TO ITEM NUMBERS IN SAID TITLE REPORT.

- ① RESERVATION AND EASEMENTS FROM USA OR 200 220450 AFFECTS ENTIRE SUBJECT PROPERTY.
- ② CLY FOR ORDINANCE NO. 3887, OR 850511-00853 AFFECTS ENTIRE SUBJECT PROPERTY.
- ③ NPG FOR ELECTRICAL LINES OR 990519-00736 AFFECTS ENTIRE SUBJECT PROPERTY EXCEPTING BUILDING OUTLINES
- ④ IETSC FOR DEED OF TRUST OR 20040629-02911 AFFECTS ENTIRE SUBJECT PROPERTY
- ⑤ JDS6 FOR ASSIGNMENT OF RENTS OR 20040528-02912 AFFECTS ENTIRE SUBJECT PROPERTY



LINE TABLE		
LINE	BEARING	LENGTH
L1	S07°23'07\"W	50.00'
L3	S07°23'07\"W	50.00'

LEGEND

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

SIGNPOINT

T-Mobile
1775 S. RILEY ST., STE. 100
LAS VEGAS, NV 89101

PROJECT INFORMATION

ALEXANDER &
CIMARRON
VG08392
7801 W. ALEXANDER ROAD
LAS VEGAS, NEVADA 89129

CURRENT ISSUE DATE:

08/14/06

ISSUED FOR:

ZONING

REV: DATE: DESCRIPTION: BY:

REV	DATE	DESCRIPTION	BY
1	08/14/06	80% ZONING	J.C.

PLANS PREPARED BY:

SPECTRUM
SURVEYING & ENGINEERING
7351 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH: (702) 367-3705
FAX: (702) 367-3733

DRAWN BY: CHK: APV:

J. CORTEZ M. CEFALU C. WENGER

LICENSURE:

Blank space for licensure information.

SHEET TITLE:

SITE PLAN

SHEET NUMBER: REVISION:

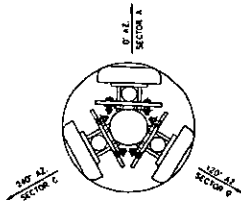
A1 0
VG08392

SITE PLAN

SCALE
1" = 200'

VAR-18312
SUP-18314
01/11/07 PC

RECEIVED
NOV 27 2006



ANTENNA SECTOR	AZIMUTH	ANTENNA MAKE/MODEL	CABLE LENGTH	CABLE SIZE	CABLE COLOR	RFS CENTER	BOTTOM JAMPER LENGTH	COMMENTS
SECTOR A	0°	RRS-1A-KXDP5	100' X 2	7/8" COAX		76'	5'	8' (10' MAX)
SECTOR B	120°	RRS-1B-KXDP5	100' X 2	7/8" COAX		76'	5'	8' (10' MAX)
SECTOR C	240°	RRS-1C-KXDP5	100' X 2	7/8" COAX		76'	5'	8' (10' MAX)
SECTOR	0°	RRS-1A-KXDP5	85' X 2	7/8" COAX		85'	5'	8' (10' MAX)
SECTOR	120°	RRS-1B-KXDP5	85' X 2	7/8" COAX		85'	5'	8' (10' MAX)
SECTOR	240°	RRS-1C-KXDP5	85' X 2	7/8" COAX		85'	5'	8' (10' MAX)
OPS	N/A	TRUE POSITION	30' X 1	1/2" COAX		N/A	N/A	
LMU	N/A	TRUE POSITION	N/A	N/A		N/A	N/A	

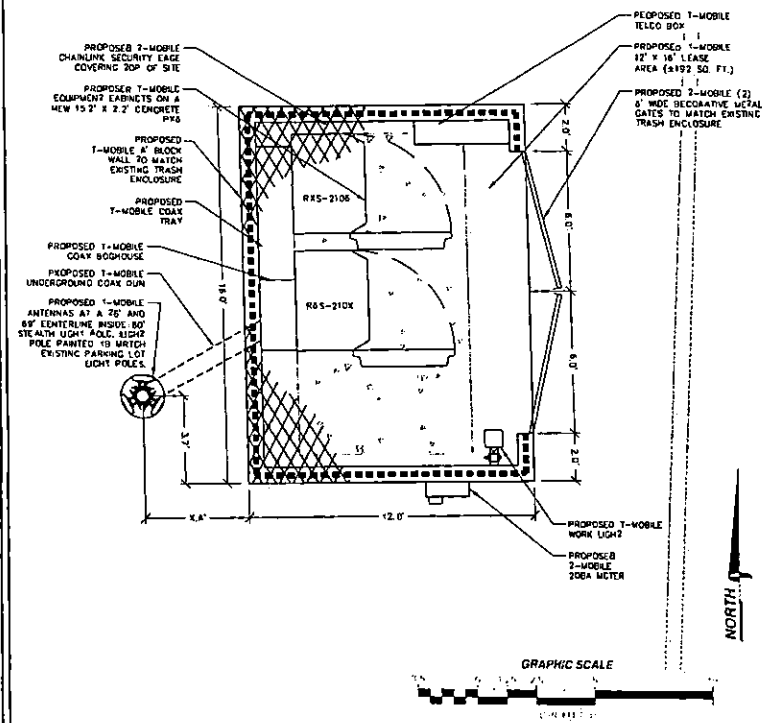
NOTE: CONTRACTOR TO FIELD VERIFY CABLE LENGTHS PRIOR TO ORDERING, FABRICATION, OR INSTALLATION OF CABLES

EQUIPMENT	QUANTITY	EQUIPMENT MAKE/MODEL	LATITUDE	LONGITUDE	LATITUDE	LONGITUDE	GROUND LEVEL	COMMENTS
ENCLOSURE	2	RRS-210K (OUTDOOR)	N/A	N/A	N/A	N/A	2361.5	

ANTENNA LAYOUT

4 ANTENNA AND CABLE SCHEDULE

SCALE: NONE 2



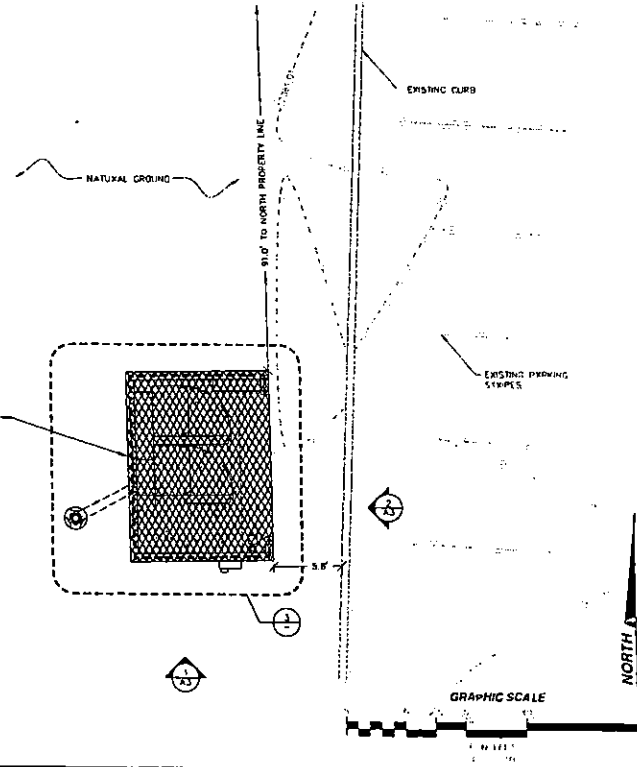
ENLARGED SITE DETAIL

3 SITE DETAIL

LEGEND

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

PROPOSED 2-MOBILE
12' X 16' LEASE AREA
(192 SQ. FT.)



GRAPHIC SCALE

COMMPOINT
T-Mobile
4115 S. REX BLVD., STE. 100
LAS VEGAS, NV 89117

PROJECT INFORMATION

ALEXANDER &
CIMARRON
V008392
7801 W. ALEXANDER ROAD
LAS VEGAS, NEVADA 89129

CURRENT ISSUE DATE:

08/14/06

ISSUED FOR:

ZONING

REV: DATE: DESCRIPTION: BY:

REV	DATE	DESCRIPTION	BY

PLANS PREPARED BY:

SPECTRUM
SURVEYING & ENGINEERING
735H W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH: (702) 767-7785
FAX: (702) 367-8733

DRAWN BY: EHK: A.P.Y.

J. CORREZ M. ECALUC WENER

LICENSURE:

SHEET TITLE:

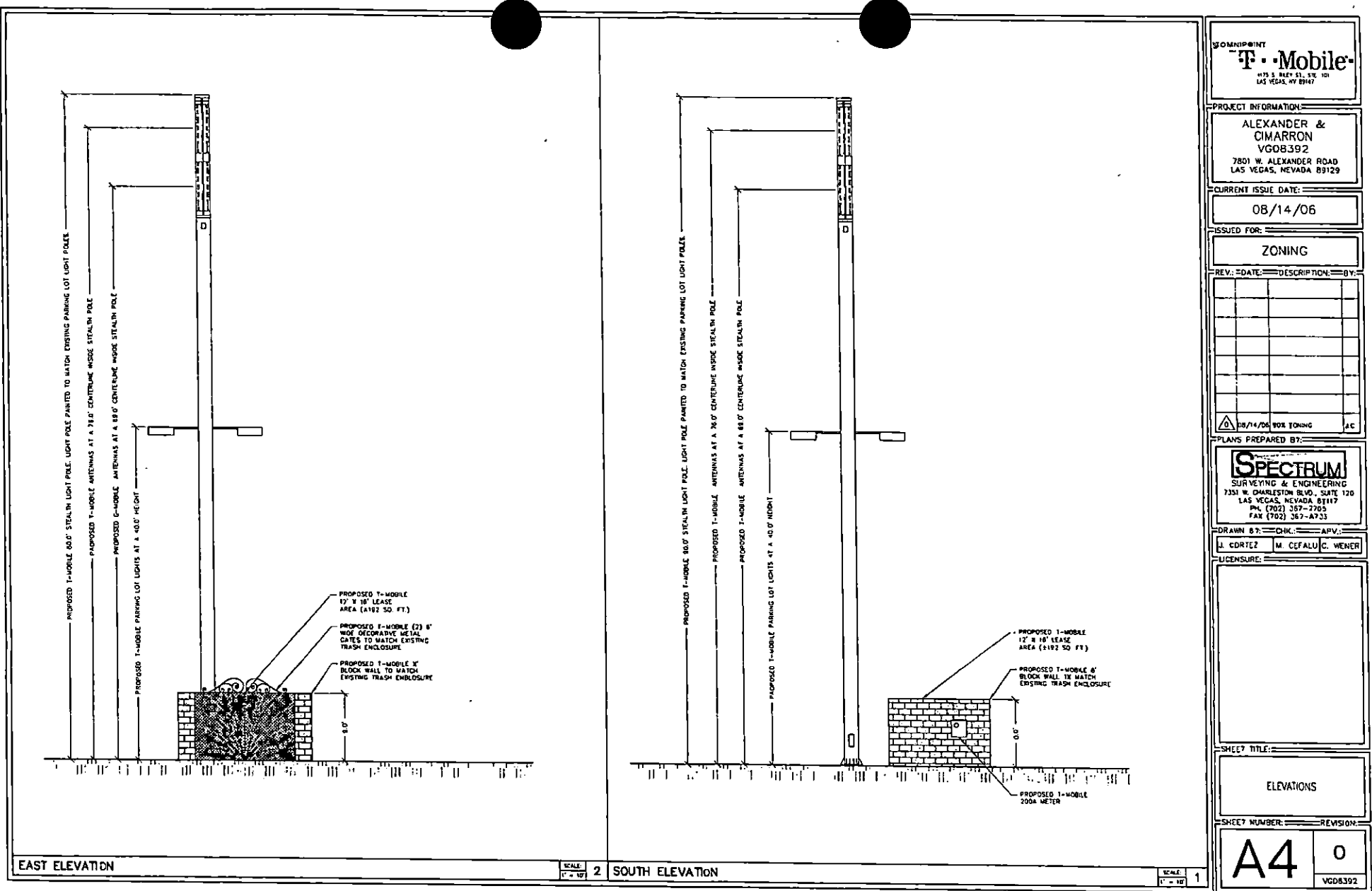
SITE DETAIL, ANTENNA &
CABLE SCHEDULE AND
ANTENNA LAYOUT

SHEET NUMBER: REVISION:

A3 0
V008392

VAR-18312
SUP-18314
01/11/07 PC

RECEIVED
NOV 27 2006



VAR-18312
SUP-18314
01/11/07 PC

RECEIVED
NOV 27 2006

EAST VIEW BEFORE T-MOBILE INSTALLATION



**T-MOBILE SITE VG08392 – Alexander & Cimarron
7801 W. Alexander Rd.**

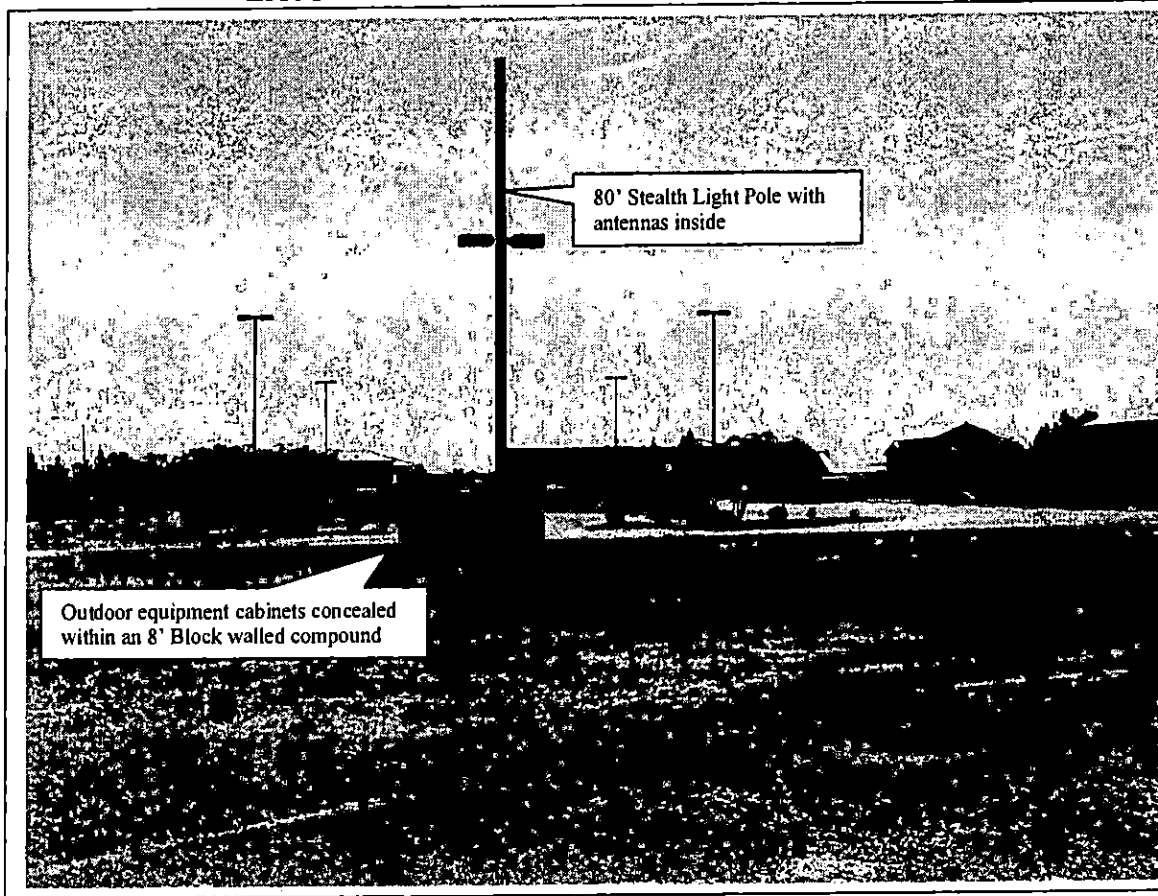
RECEIVED
NOV 27 2005

**VAR-18312
SUP-18314
01/11/07 PC**



7351 W. Charleston Blvd., Ste 120
Las Vegas, Nevada 89117, o-702.367.7705, f-702.367.8733

EAST VIEW AFTER T-MOBILE INSTALLATION

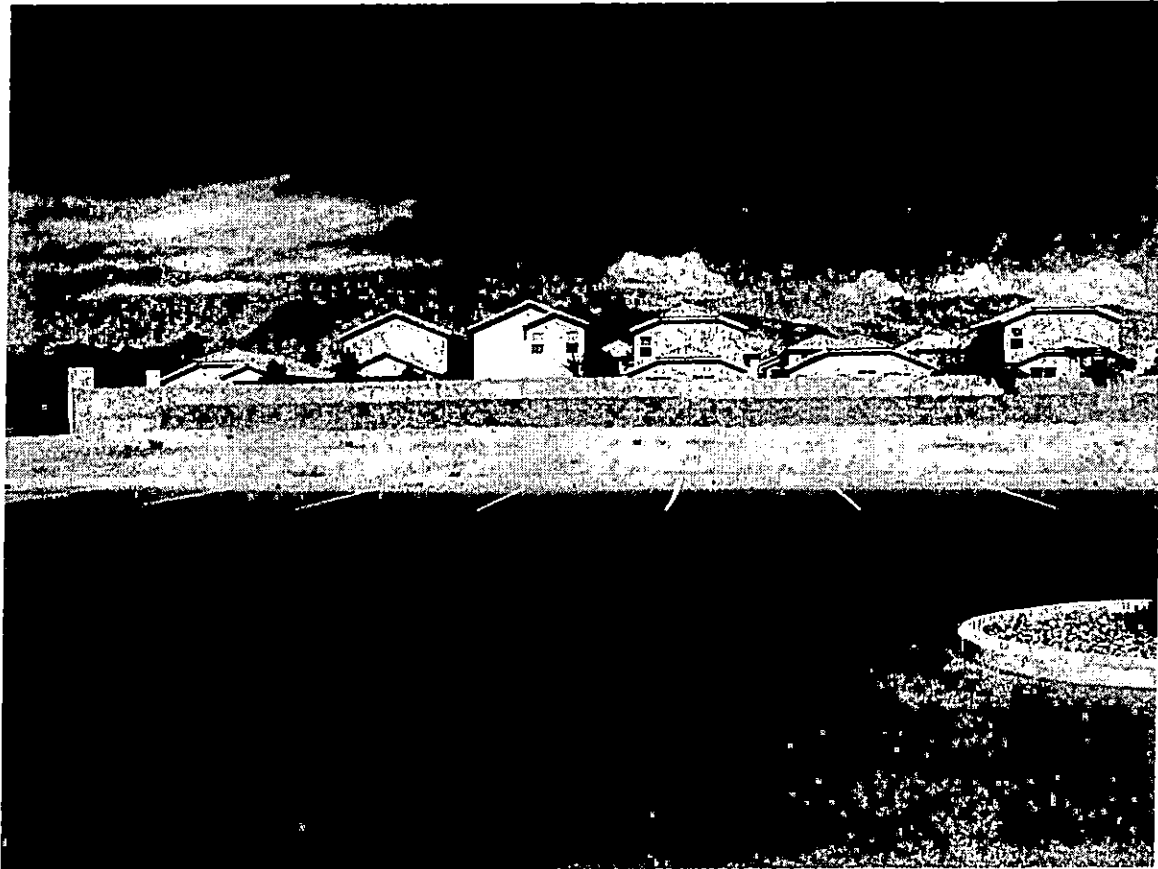


**T-MOBILE SITE VG08392 – Alexander & Cimarron
7801 W. Alexander Rd.**

RECEIVED
NOV 27 2006

**VAR-18312
SUP-18314
01/11/07 PC**

WEST VIEW BEFORE T-MOBILE INSTALLATION

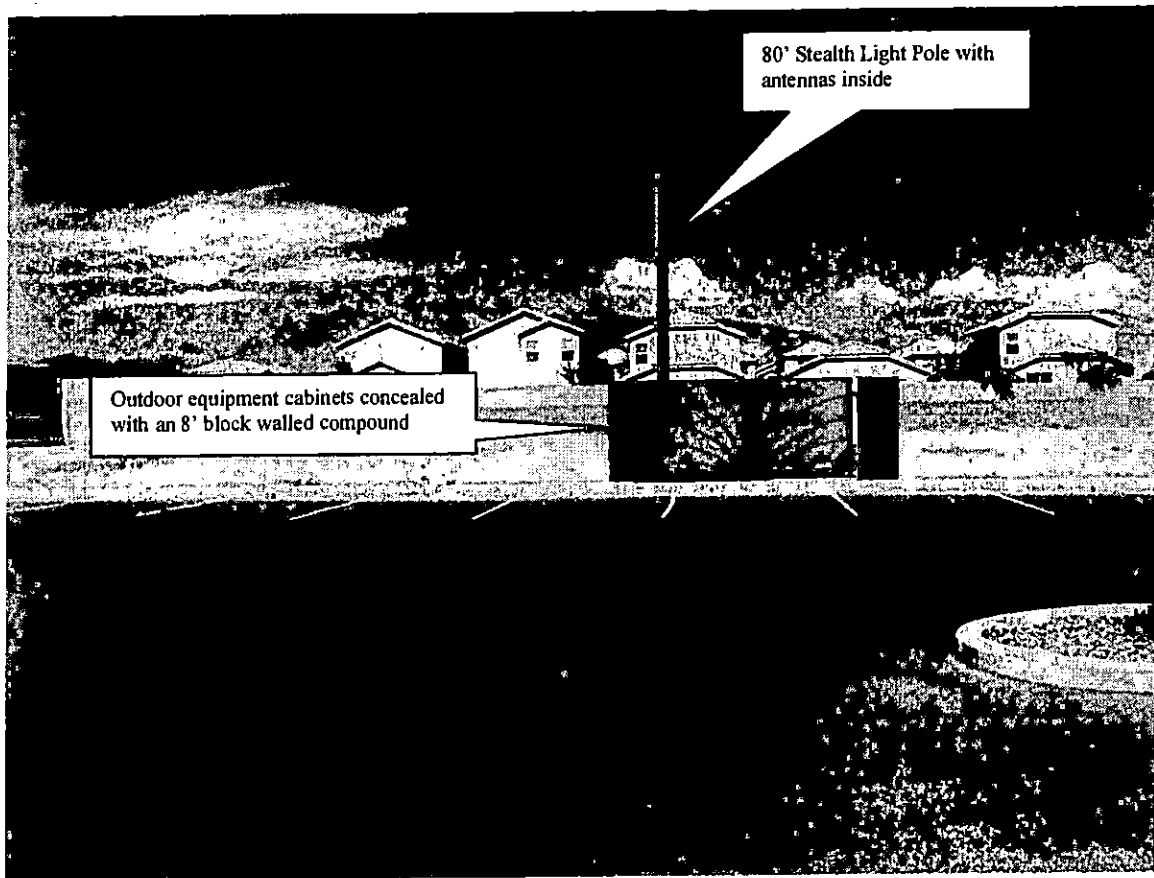


T-MOBILE SITE VG08392 – Alexander & Cimarron
7801 W. Alexander Rd.

RECEIVED
NOV 27 2006

VAR-18312
SUP-18314
01/11/07 PC

WEST VIEW AFTER T-MOBILE INSTALLATION



T-MOBILE SITE VG083952 – Alexander & Cimarron
7801 W. Alexander Rd.

RECEIVED
NOV 27 2006



7351 W. Charleston Blvd., Ste 120
Las Vegas, Nevada 89117, o-702.367.7705, f-702.367.8733

VAR-18312
SUP-18314
01/11/07 PC



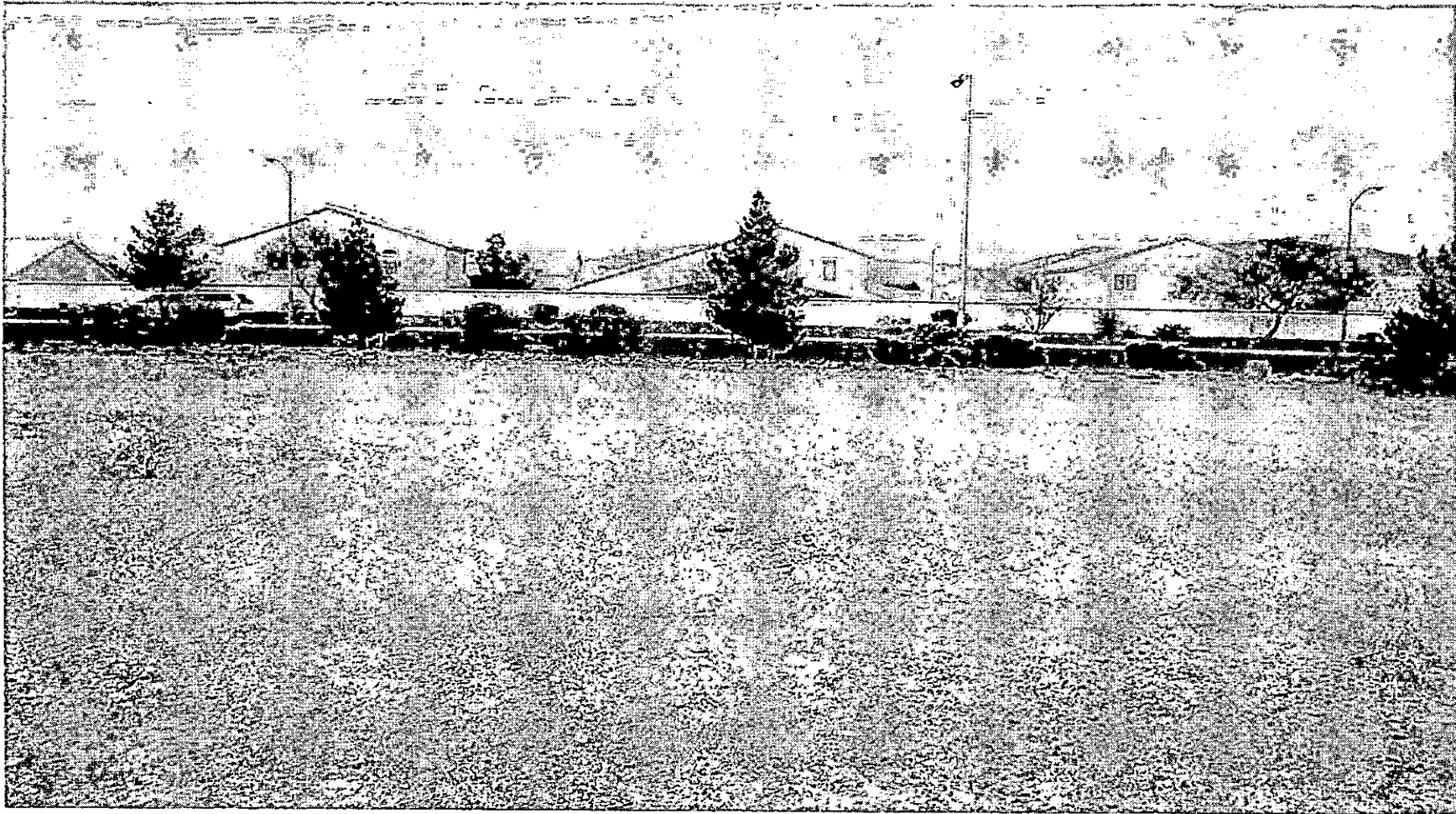
VAR-18312 AND SUP-18314 - APPLICANT: T-MOBILE USA, INC - OWNER: INTERNATIONAL
CHURCH OF THE FOURSQUARE GOSPEL
ADJACENT TO THE SOUTH SIDE OF ALEXANDER ROAD, APPROXIMATELY 650 FEET EAST OF
CIMARRON ROAD
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



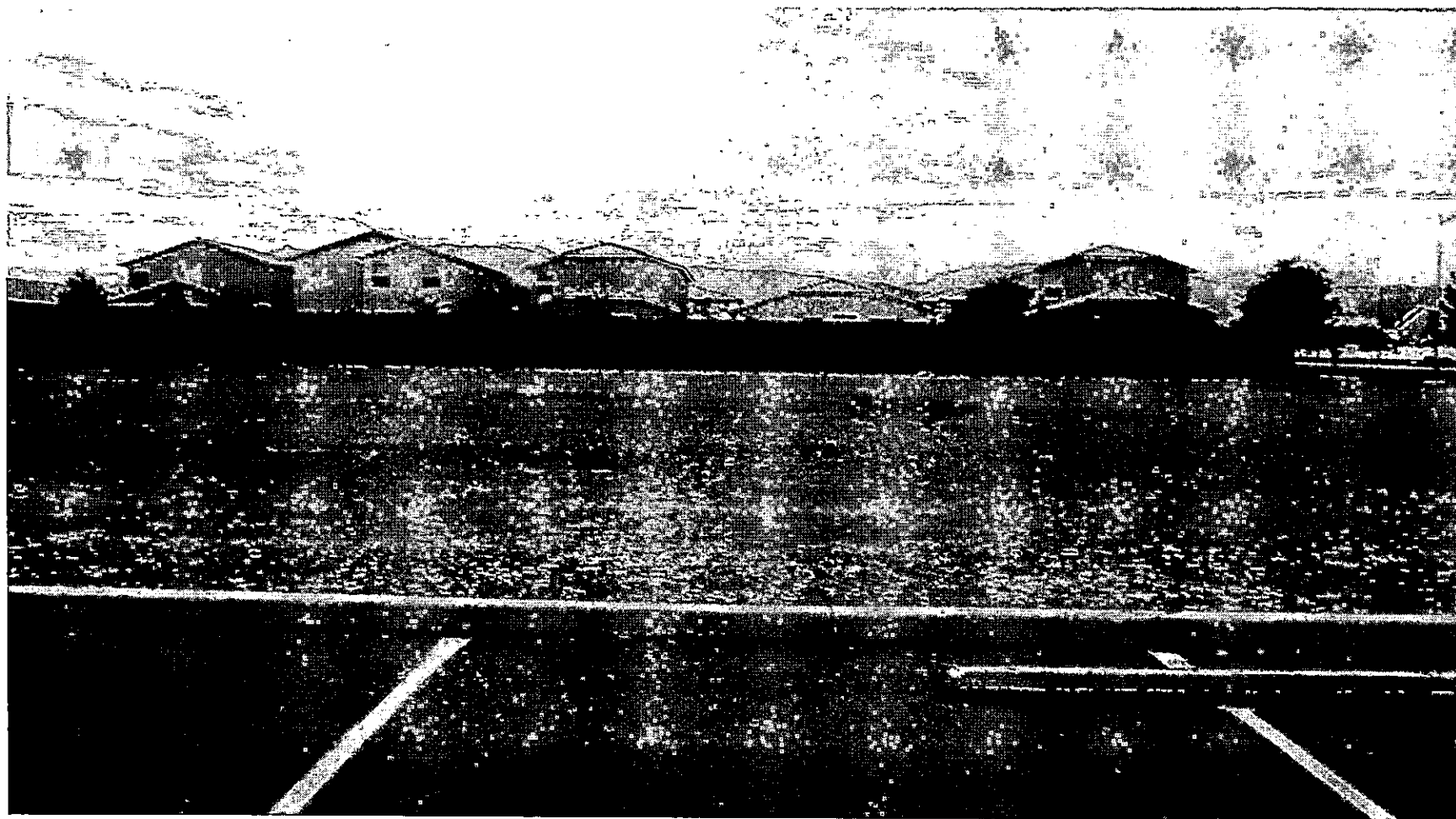
VAR-18312 AND SUP-18314 - APPLICANT: T-MOBILE USA, INC - OWNER: INTERNATIONAL
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12/12/06



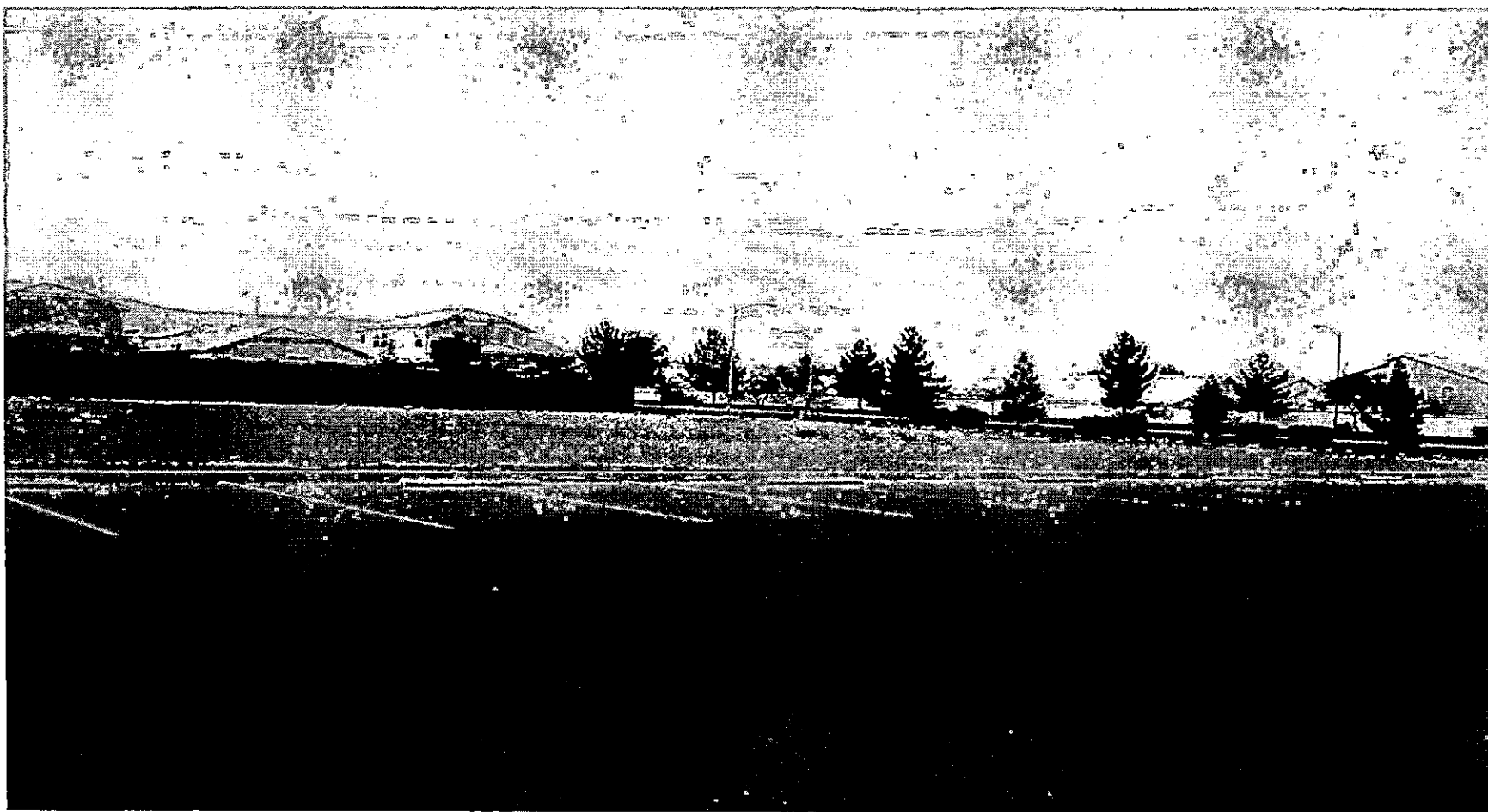
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VAR-18312 AND SUP-18314 - APPLICANT: T-MOBILE USA, INC - OWNER: INTERNATIONAL
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CIMARRON ROAD
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



7351 W. Charleston Blvd., Suite 120
Las Vegas, NV 89117
Phone: 702.367.7705
Fax: 702.367.8733

October 19th, 2006

Ben Sticka, Planner II
City of Las Vegas
Planning & Development
731 S. Fourth Street
Las Vegas, Nevada 89101-6706

Reference: VG08392 Alexander & Cimarron / T-Mobile
Justification Letter for being surrounded by a residential neighborhood
Proposed Communication Facility
7801 W. Alexander Road, APN # 138-09-501-003

Spectrum Surveying & Engineering on behalf of T-Mobile is proposing a stealth (parking light pole) wireless facility to be located on the property located at 7801 West Alexander Road, APN # 138-09-501-003. This parcel is currently zoned C-V, Civic District use and is 1.75 acres that is surrounded by residential zoned properties. As code permits, a Civic District zoned parcel is a permitted use for a communications facility, and with the proposed height and location of this parking light pole, it meets the 2:1 ratio of residential setbacks.

The proposed project includes the installation of a new 80' Stealth Parking Light Pole, antennas concealed within the pole, and the installation of outdoor equipment cabinets at base enclosed in a block walled compound to match existing trash enclosures on the property.

By placing a communications facility on this parcel and within this area, it will provide the necessary cellular coverage in this "dead" pocket. Without the tower at this location, T-Mobile's customers will continue to suffer with poor coverage.

The proposed antennas are required to provide adequate coverage to customers using wireless services in the area. Businesses, governments, emergency services and the general public are all users of cellular technology. The installation of this facility will enhance service coverage and reliability for users in the City of Las Vegas. The Federal Communications Commission determined the wireless system serves the national interest and directly and indirectly benefits all members of the public.

The approval of this project is consistent with the zoning code and requests upon waiver for being surrounded by a residential neighborhood. In addition, this project will not be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood, or injurious to property, resources, or improvements in the vicinity, nor will create any additional impact to the traffic system in the area.

Should you have any additional question or concerns please do not hesitate to call me at 702-367-7705 ext. 248.

Sincerely,
Spectrum Surveying and Engineering

Tiffany Chimaroke
Project Manager

VAR-18312
SUP-18314
01/11/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 11, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-18161 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: HENRY J. STAZENSKI, JR. AND CINDY K. STAZENSKI - Request for a Variance TO ALLOW A REAR SETBACK OF 12 FEET WHERE 15 FEET IS REQUIRED TO ENCLOSE AN EXISTING PATIO ON AN EXISTING SINGLE FAMILY RESIDENCE on 0.15 acres at 3941 Costa Mesa Avenue (APN-140-31-211-023), R-1 (Single Family Residential) Zone, Ward 3 (Reese).

C.C.: 02/07/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Approval Letter from Colm Ryan
6. Submitted at meeting – Letter of support from David and Candice Darling by Henry J. Stazenski

MOTION:

TROWBRIDGE – APPROVED subject to conditions, amending Condition 1 as follows:

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

And adding the following condition:

- A six-foot block wall along the rear property line.
- **UNANIMOUS**

To be heard by City Council on 02/07/2007

PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 30 – VAR-18161

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

JOHN KORKOSZ, Planning and Development Department, stated this application was a self-imposed hardship and recommended denial. He suggested amending Condition 1, if the application was approved, to state approval is for one year rather than two.

HENRY STAZENSKI explained he had replaced the screens which enclosed the patio with wood approximately eight years ago. He confirmed for CHAIRMAN DAVENPORT that his adjacent neighbors had no objections to his application and submitted a letter of support. He agreed to all conditions.

COMMISSIONER TROWBRIDGE complimented MR. STAZENSKI on the attractiveness of the enclosed patio and requested that he replace the existing chain link fence with a block wall.

MR. STAZENSKI stated he had plans for an eight foot block wall for his backyard, and MARGO WHEELER, Director of Planning and Development Department, explained that six feet was the maximum height permitted by Code.

MR. STAZENSKI assured COMMISSIONER EVANS that he had no intention of renting out his room addition.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

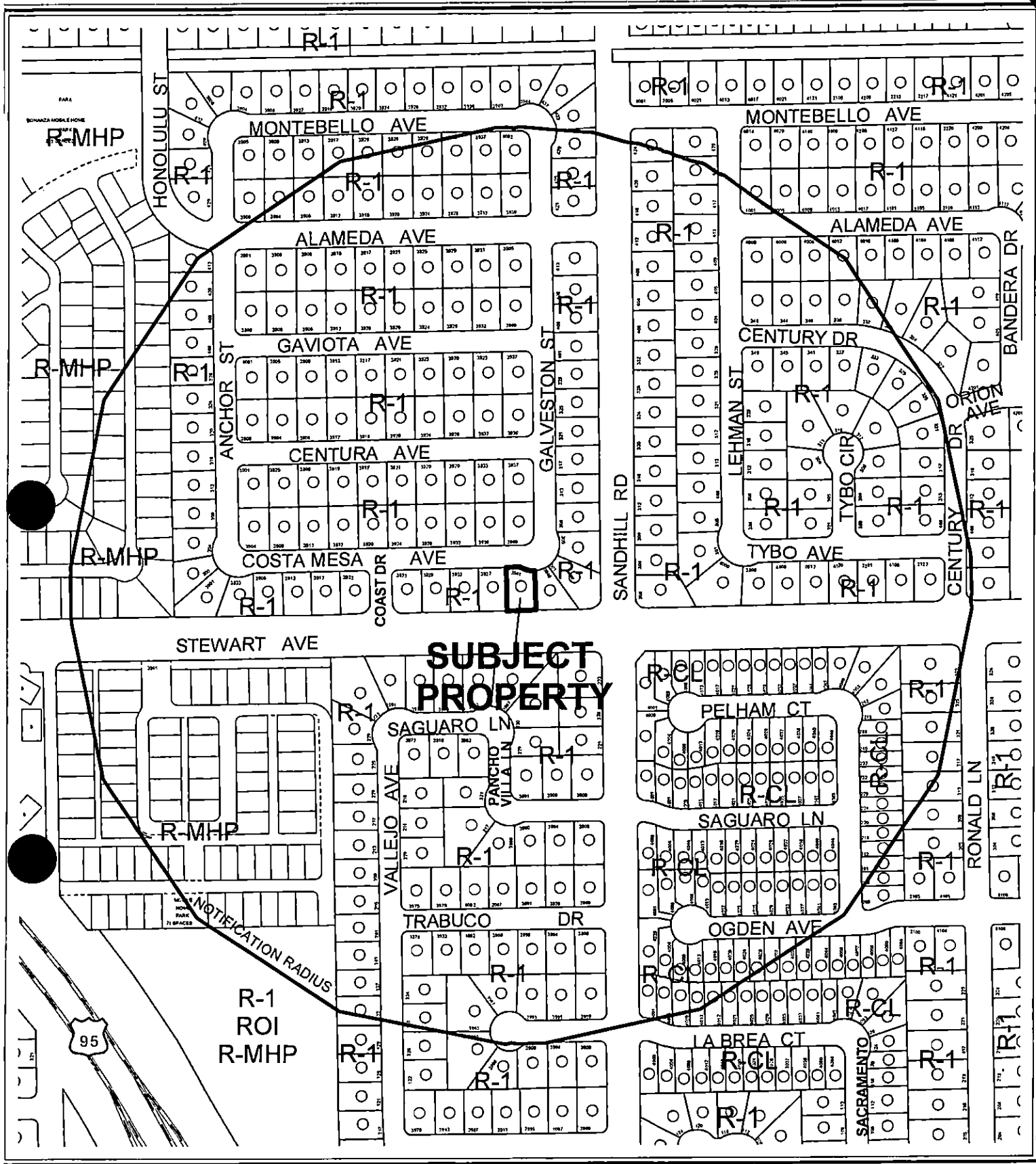
(7:51 – 7:55)

2-546

CONDITIONS:

Planning and Development

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



CASE: **VAR-18161**

RADIUS:

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



CASE: **VAR-18161**

RADIUS:

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



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 11, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-18161 - APPLICANT/OWNER: HENRY J. STAZENSKI,
JR. AND CINDY K. STAZENSKI

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

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

VAR-18161 - Staff Report Page One
January 11, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a Request for a Variance to allow a rear setback of 12 feet where 15 feet is required to enclose an existing patio on an existing single family residence at 3941 Costa Mesa Avenue.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/05/06	City of Las Vegas Code Enforcement opened a case regarding a non-permitted (Rear) Room Addition on the subject site. Applicant was informed that the addition must be permitted or removed by May 16. Code Enforcement personnel and the applicant remained in communication through the permitting process, and the case was closed upon application for this Variance.
<i>Related Building Permits/Business Licenses</i>	
No previous actions on the subject site	
<i>Pre-Application Meeting</i>	
11/13/06	A pre-application meeting was held to discuss the requirements of the Variance, conditions on the subject site and the rear yard setback requirements.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application, nor was one held.	

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

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

RL

VAR-18161 - Staff Report Page Two
January 11, 2007 - Planning Commission Meeting

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

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6,500 Square Feet	6,457 SF	N*
Min. Lot Width	65 Feet	68 Feet	Y
Min. Setbacks			
• Front	20 Feet	22 Feet	
• Side	5 Feet	5.5 Feet	
• Corner	N/A	N/A	
• Rear	15 Feet	12 Feet	N**
Max. Lot Coverage	50%	24%	Y

* Lot is a legal non-conforming use as constructed in 1973.

** Subject of this Variance.

ANALYSIS

While the proposed deviation from standards to allow a rear yard setback of 12 feet where 15 feet is the minimum required will not have a significant effect on adjacent properties, the deviation from standards is considered a self-imposed hardship. The existing patio was built with the original house in 1973, and is consistent with those of neighboring homes as evidenced in the aerial imagery of the Park Bonanza East subdivision of which the subject site is a part. The applicant/owner began framing the patio without proper permits. Code Enforcement opened case #40723 on 05/05/06 regarding a non-permitted extension. The applicant applied for a building permit on 05/30/06 and was informed that a Variance was needed for the rear setback. While the house on the subject site sits farther back on the property than other homes in the neighborhood in order to accommodate a knuckle in the street, this does not constitute a hardship as the encroachment of the existing patio, which is not enclosed into the rear setback is allowed. Enclosing the patio as proposed is an attempt to overbuild the site, and staff cannot recommend approval for this application.

VAR-18161 - Staff Report Page Three
January 11, 2007 - Planning Commission Meeting

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by enclosing a patio within the rear yard setback. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

5

ASSEMBLY DISTRICT 11

SENATE DISTRICT 10

NOTICES MAILED 444

APPROVALS 1

PROTESTS 0



Darling

COSTA MESA AVE.

N ↑

Project # 74964-R-86
4579.5 Sq. Ft. is complete yard
FRONT, side + Rear

RYAN →

COSTA MESA

Sandhill

STEWART

Driveway

← 10'6" →

20'2"

3905 Sq. Ft.
Garage

11'7"

23'10"

Bedroom

Bedroom

Bath Room

4'4"

Bath Room

Swi

32'6"

m.
Bedroom

Bedroom

Livingroom

1130.75 Sq. Ft.

Kitchen

5'10"

9'2"

E
→

Dining

14'

22'6"

26'10"

Patio Addition
377 Sq. Ft.

ALL WINDOWS 4X4

14'10"

26'

← 5'6" →

12'

VAR-18161

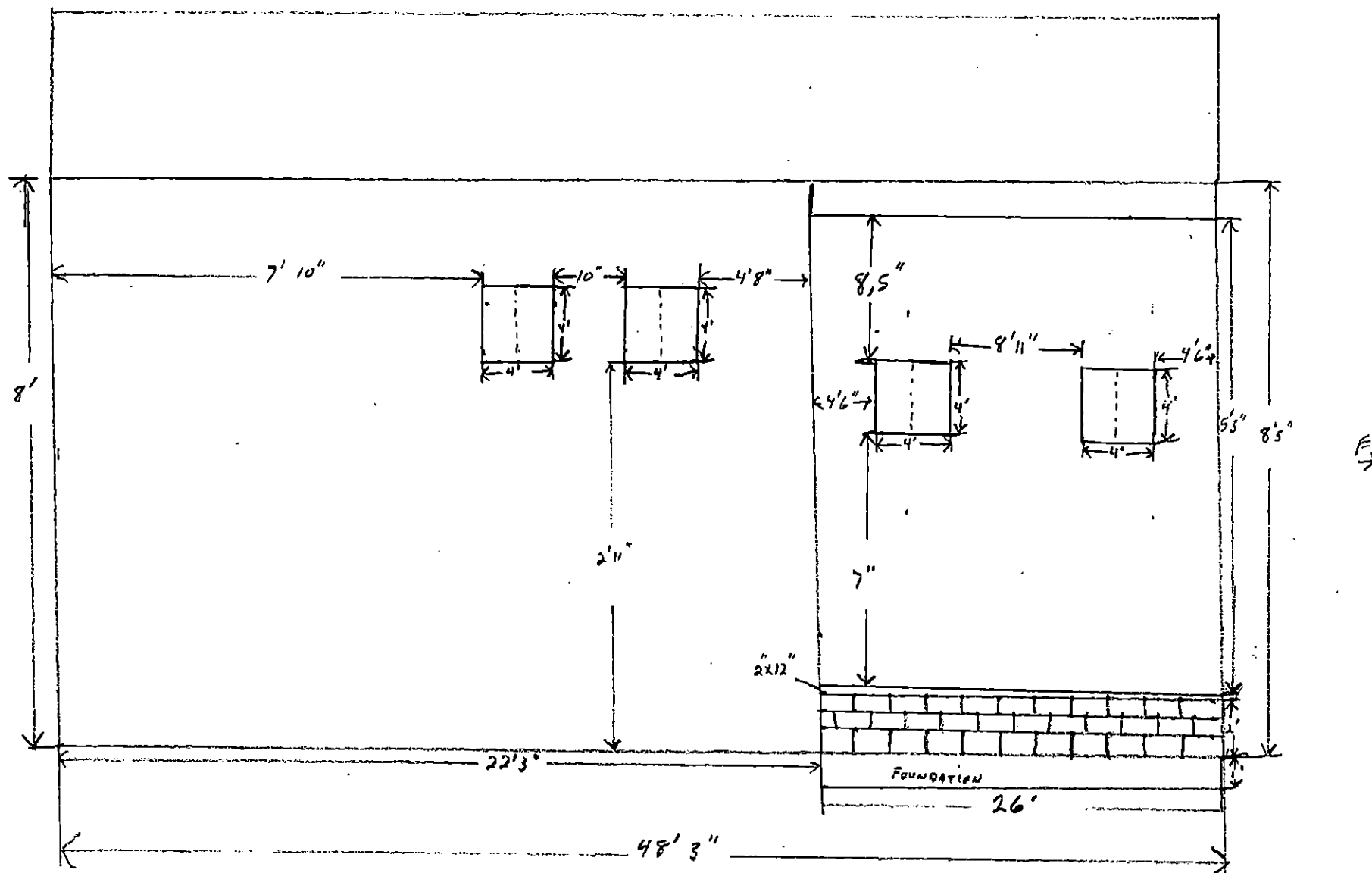
NOV 14 2006

01/11/07 PC

68'

100'

Looking From South To North



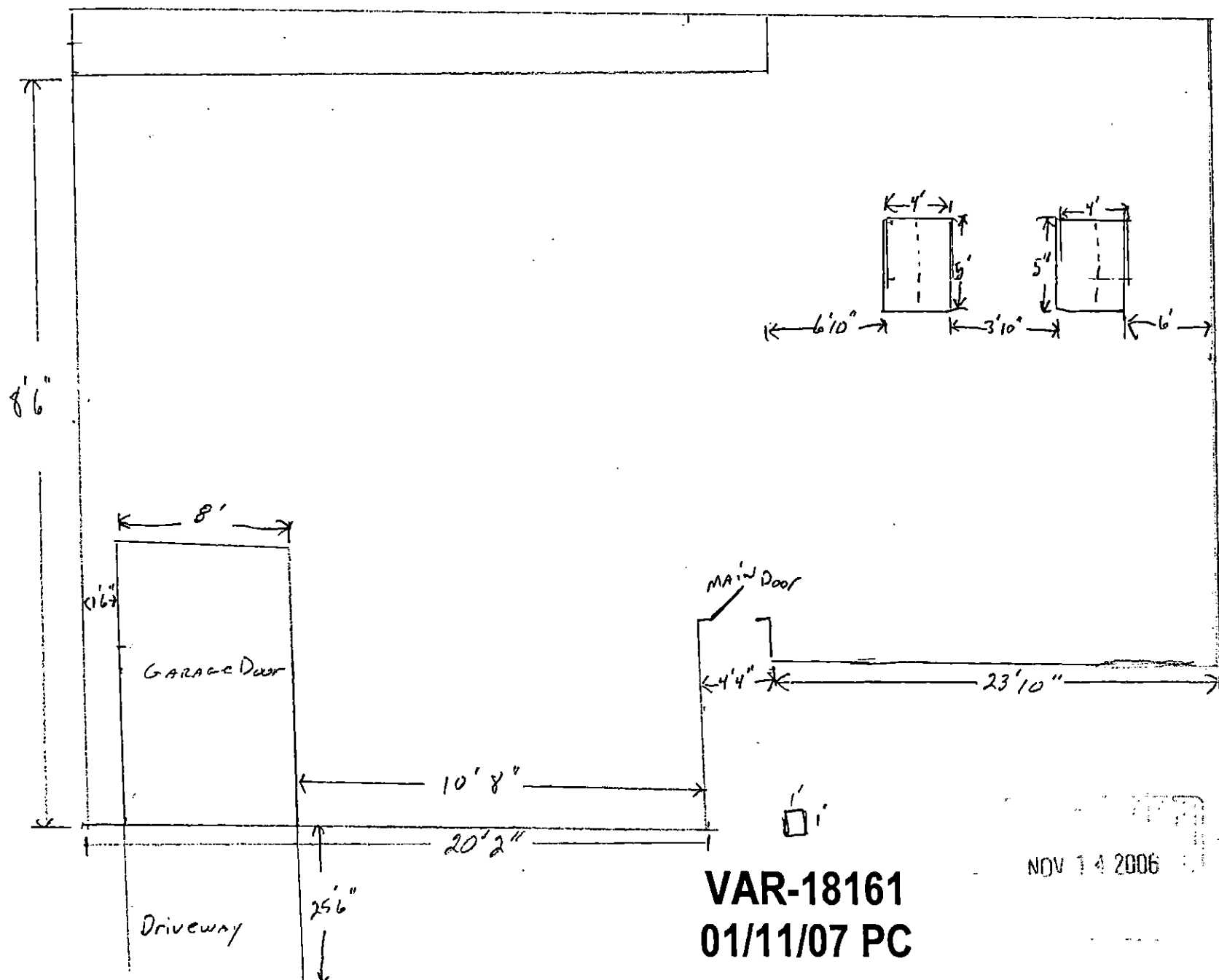
VAR-18161
01/11/07 PC

NOV 14 2006

Looking From North To South

NORTH

E



W →

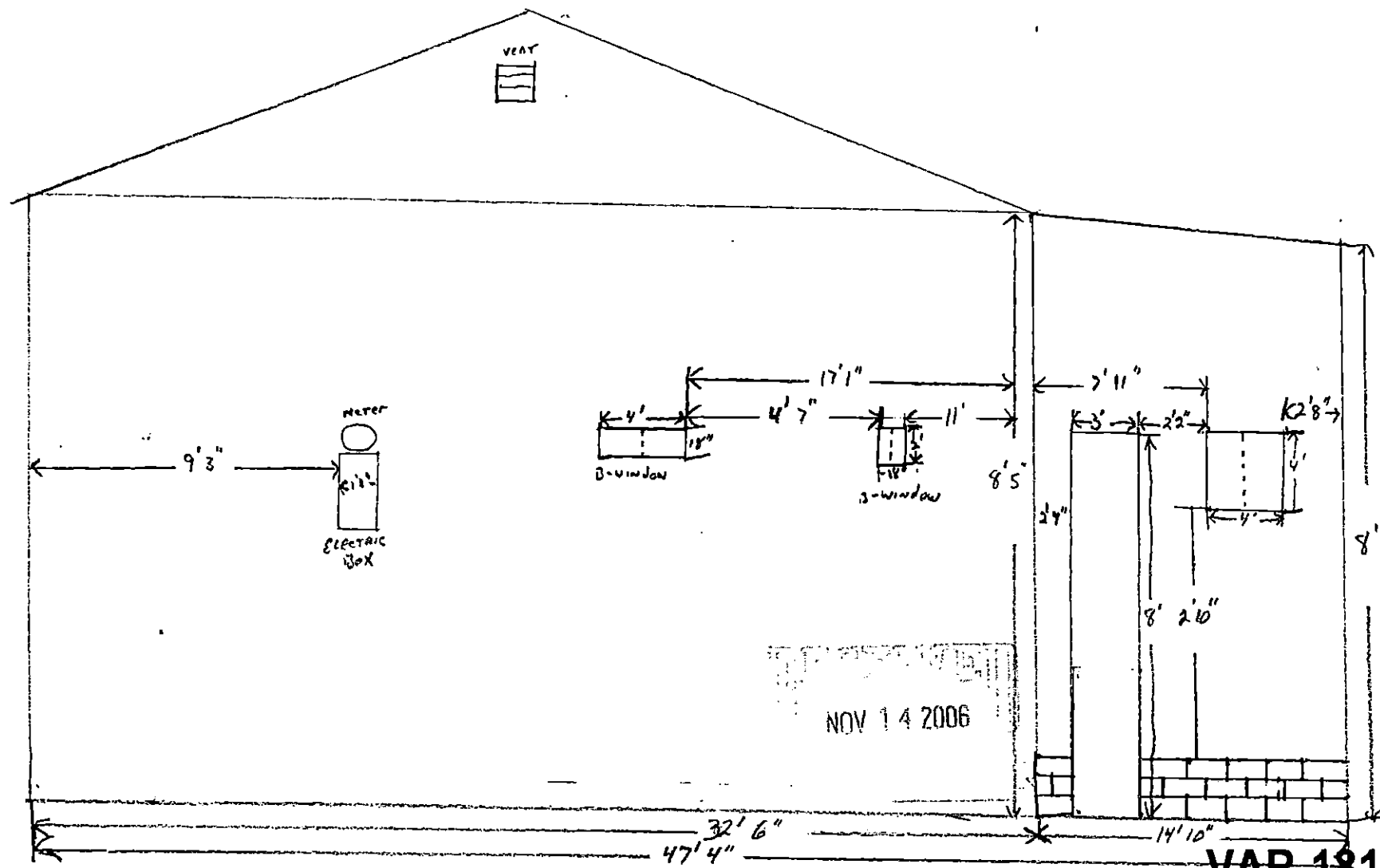
VAR-18161
01/11/07 PC

NOV 14 2006

Hand-drawn floor plan of a building with the following dimensions and features:

- Overall Dimensions:**
 - Left side: 8'
 - Top: 19' 10"
 - Right side: 8' 6"
 - Bottom: 54' 10"
- Internal Dimensions and Features:**
 - Top-left window: 4' wide, 4' high, 5' 4" from left wall.
 - Top-right window: 2' 7" wide, 3' 6" high, 13' 3" from left wall.
 - Bottom-left wall: 14' 10" long, 2' high, brick pattern.
 - Bottom-right wall: 4' high, 4' wide.
 - Bottom-right door: 3' 0" wide, 3' high.
 - Label "Kirchen window" near the bottom-right window.
 - Label "Door" near the bottom-right door.
- Other Labels:**
 - "To West" at the top left.
 - "Vent" at the top center.
 - "N" with an arrow pointing right.
 - "RECEIVED NOV 14 2006" stamp.
 - "VAR-18161" at the bottom right.

Looking From West To East



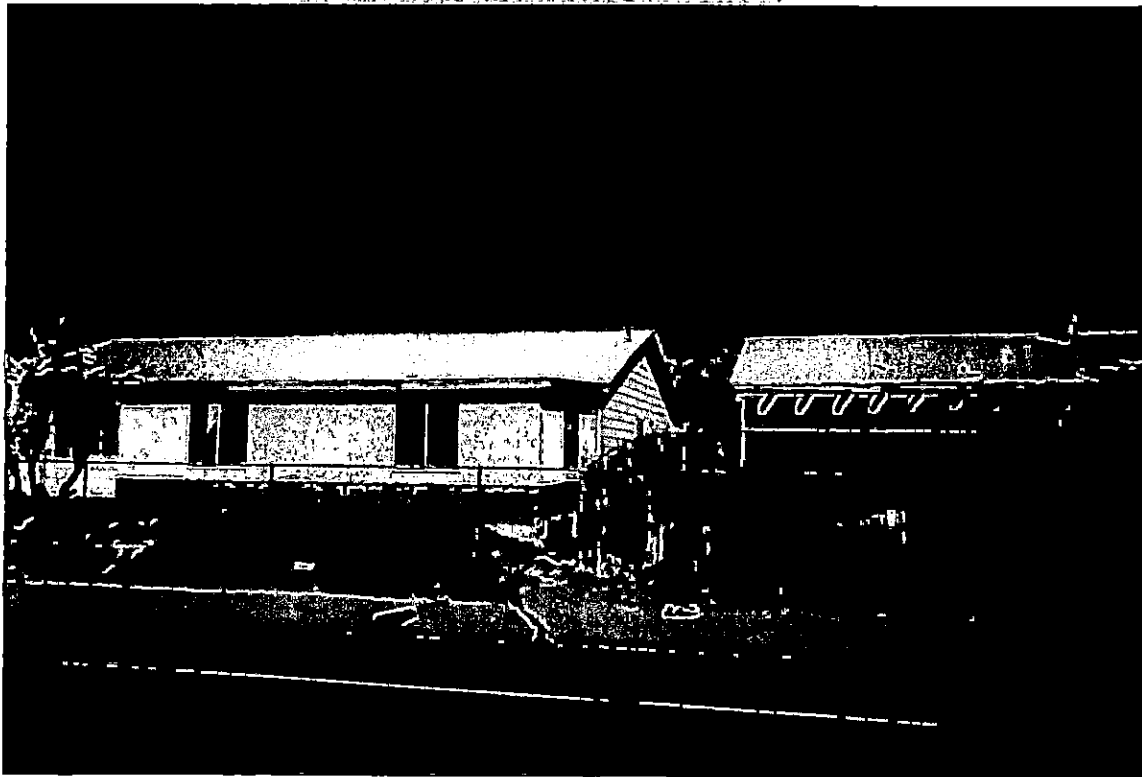
VAR-18161

01/11/07 PC



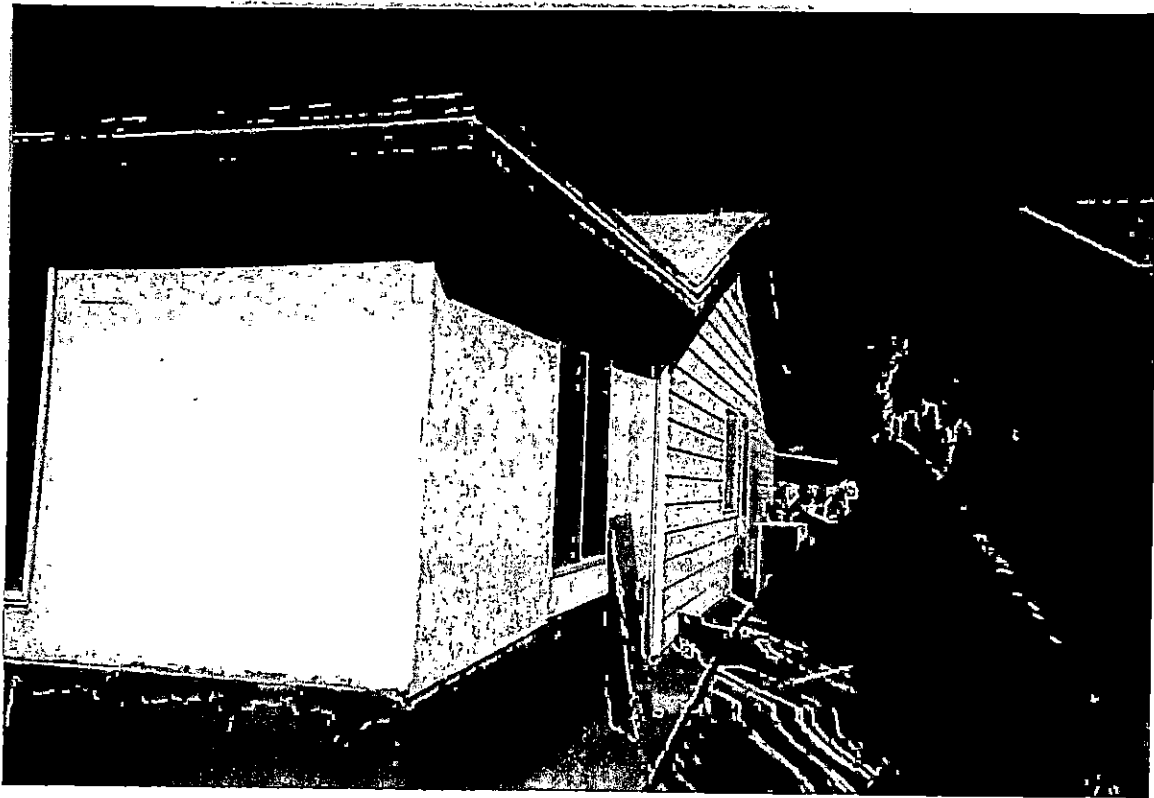
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DEC 27 2006

VAR-18161
01/11/07 PC



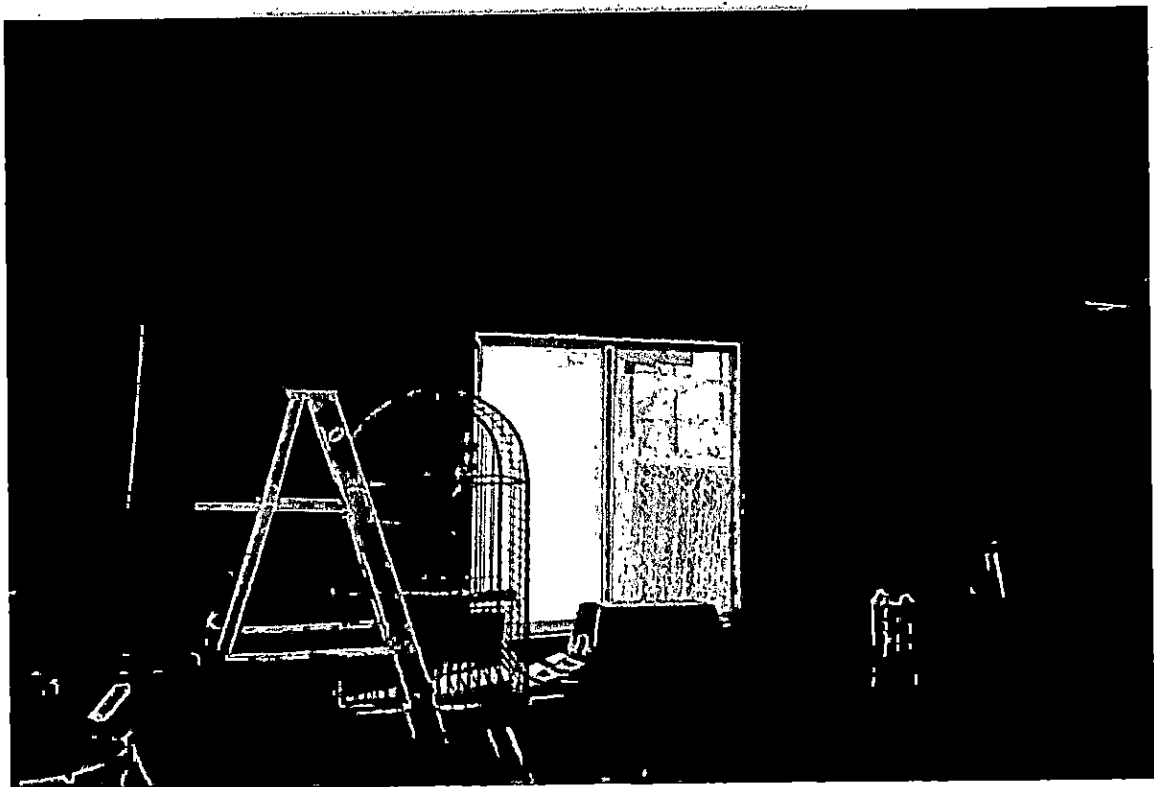
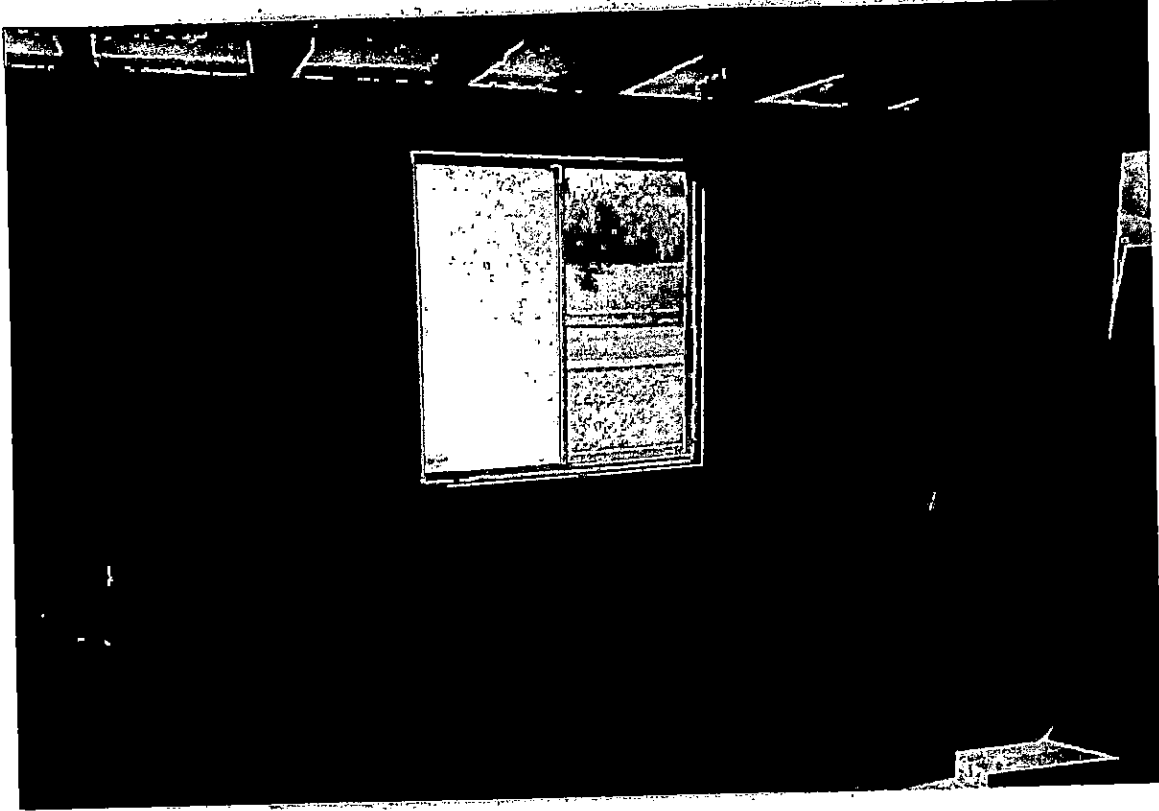
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DEC 27 2006

VAR-18161
01/11/07 PC



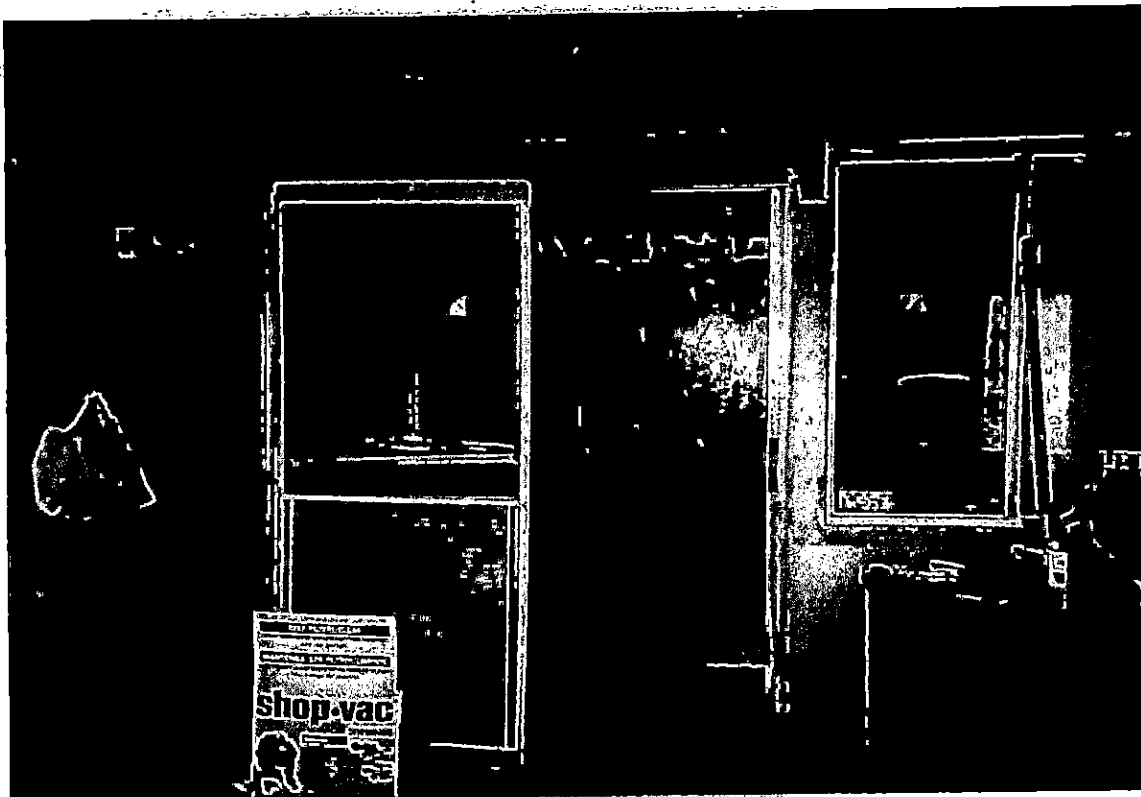
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DEC '27 2006

VAR-18161
01/11/07 PC



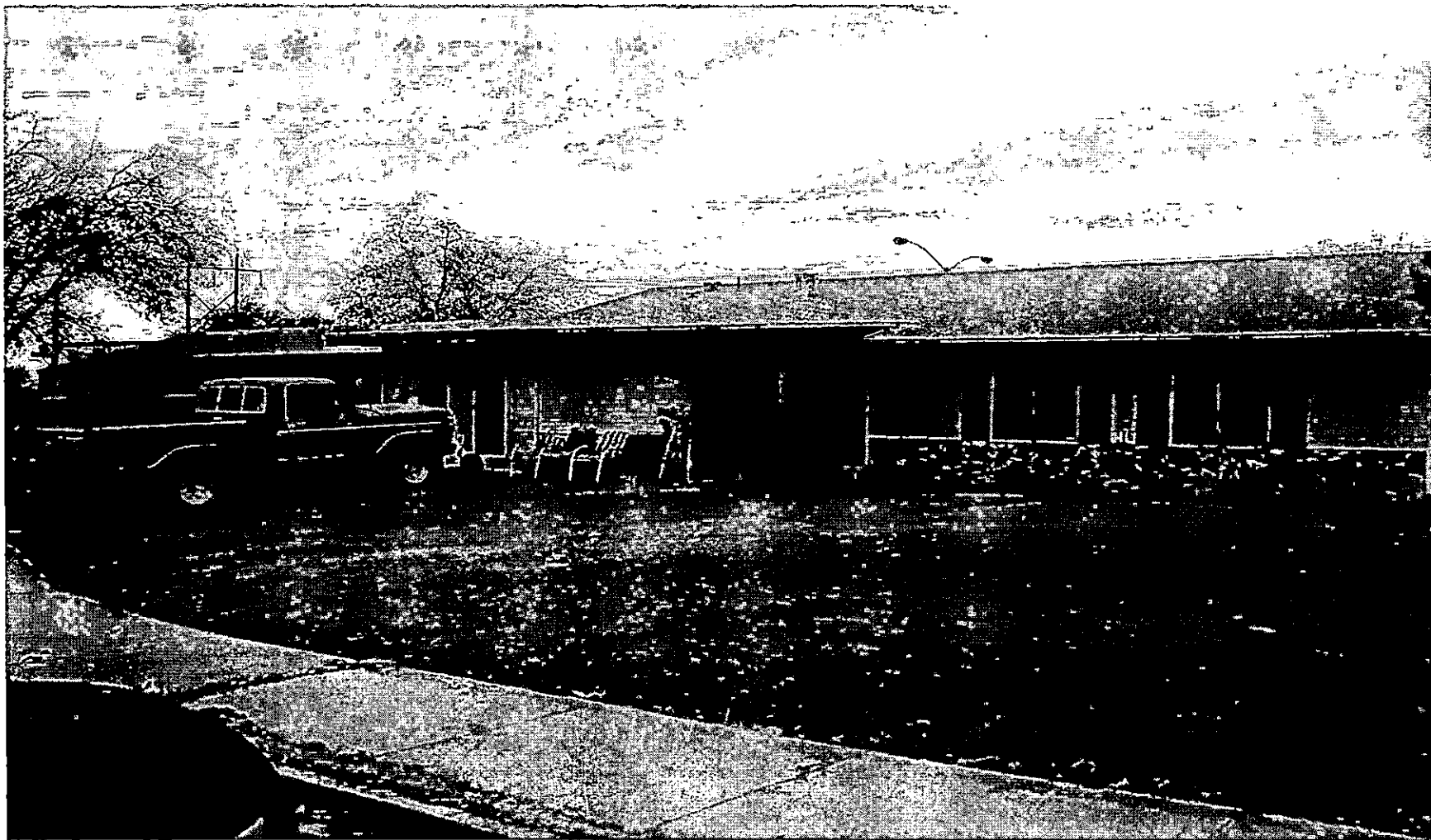
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DEC 27 2006

VAR-18161
01/11/07 PC



RECEIVED
DEC 27 2006

VAR-18161
01/11/07 PC



VAR-18161 - APPLICANT/OWNER: HENRY J. STAZENSKI, JR. AND CINDY K. STAZENSKI
3941 COSTA MESA AVENUE
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



VAR-18161 - APPLICANT/OWNER: HENRY J. STAZENSKI, JR. AND CINDY K. STAZENSKI
3941 COSTA MESA AVENUE
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



VAR-18161 - APPLICANT/OWNER: HENRY J. STAZENSKI, JR. AND CINDY K. STAZENSKI
3941 COSTA MESA AVENUE
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06

To Whom It May Concern:

Project# 74964-R-06

I {Henry J. Stazenski Jr.} Bought my house at 3941 Costa Mesa Ave. Las Vegas, Nv. 89110 about 20 years ago. It had a back porch already attached to the house and I would like to enclose it and make it part of my living room.

It is only 12 feet from the property line and the building permit dept. told me it is supposed to be 15 feet for my zone.

Also my house sets back about 9 feet 10 inches further than all the rest of the houses on my side of the street due to the arc in the front of my property.

i would like a varance to be able to enclose this porch and make it part of my living room.

Thank You

Henry J. Stazenski Jr.



11/14/06

VAR-18161
01/11/07 PC

December 10, 2006

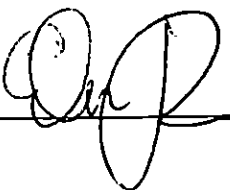
To Whom It May Concern:

I Colm M. Ryan property owner of 3945 Costa Mesa Ave.
next door neighbor of Henry J Stazenski Jr.
and Cindy K. Stazenski at 3941 Costa Mesa Ave. Las
Vegas, NV 89110.

I am writing in regards to their add-on porch enclosure
variance they need. We are not opposed to the addition and
think that they should get the variance so they can complete
their add-on to make the back of the house look as good as
the front.

I know that the variance means that they ate closer to the
property line that is allowed by law but we think it would be
alright.

Thank you,



ITEM # 30
CASE # VAE-18161
PC MTG 1-11-07

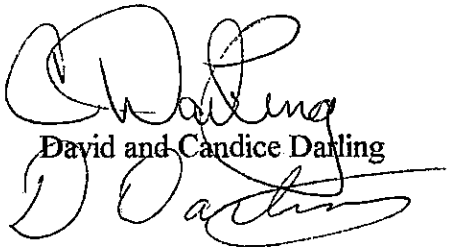
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January 11, 2007

To Whom it may concern:

My husband and I live at 3937 Costa Mesa Ave., we live just west of Joe and Cindy.
We have no problem with the 3 foot extension they need to be able to finish their porch enclosure.
It would be better to let them have the variance and be able to finish the project than for it to remain unfinished.

Thank you,



David and Candice Darling

Submitted at Planning Commission

Date 01/11/07 Item 30

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 11, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-18179 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: KAYLA J. WELLS - Request for a Variance TO ALLOW AN EXISTING CARPORT 10 FEET FROM THE FRONT PROPERTY LINE WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED on 0.14 acres at 345 Wisteria Avenue (APN-138-36-213-010), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 02/07/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

8

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Approval Letter from Hugh Jenkins
6. Submitted at meeting – Support petition with seven signatures by Kayla J. Wells and one support email by Councilwoman Tarkanian's office

MOTION:

STEINMAN – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council on 02/07/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

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

PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 31 – VAR-18179

MINUTES – Continued:

KAYLA WELLS submitted a support petition from her neighbors and explained she had not been aware that she needed a permit to install her existing carport. She emphasized that the carport did not cause any visibility problems for traffic, that she kept her property in good condition and that her neighbors had no objection to the carport.

DEBRA MURRAY, 344 Xavier Street, appeared in support and reiterated that MS. WELLS keeps her property in great condition and that the carport is not a problem. REYNALDO MENDOZA, 301 View Drive, also appeared in support because he would like to build a similar carport on his property.

COMMISSIONER EVANS noted that MS. WELLS had made every effort to mitigate the impact her carport has on her neighborhood. MS. WELLS informed COMMISSIONER EVANS that the company that had installed her carport had since gone out of business. COMMISSIONER EVANS observed that the reason many carports are not permitted is because they are not properly anchored and can become hazardous in windy conditions.

COMMISSIONER STEINMAN complimented MS. WELLS on the attractiveness of her carport, but noted her neighborhood also had great examples of unsafe and unattractive carports.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(7:55 – 8:06)

2-707

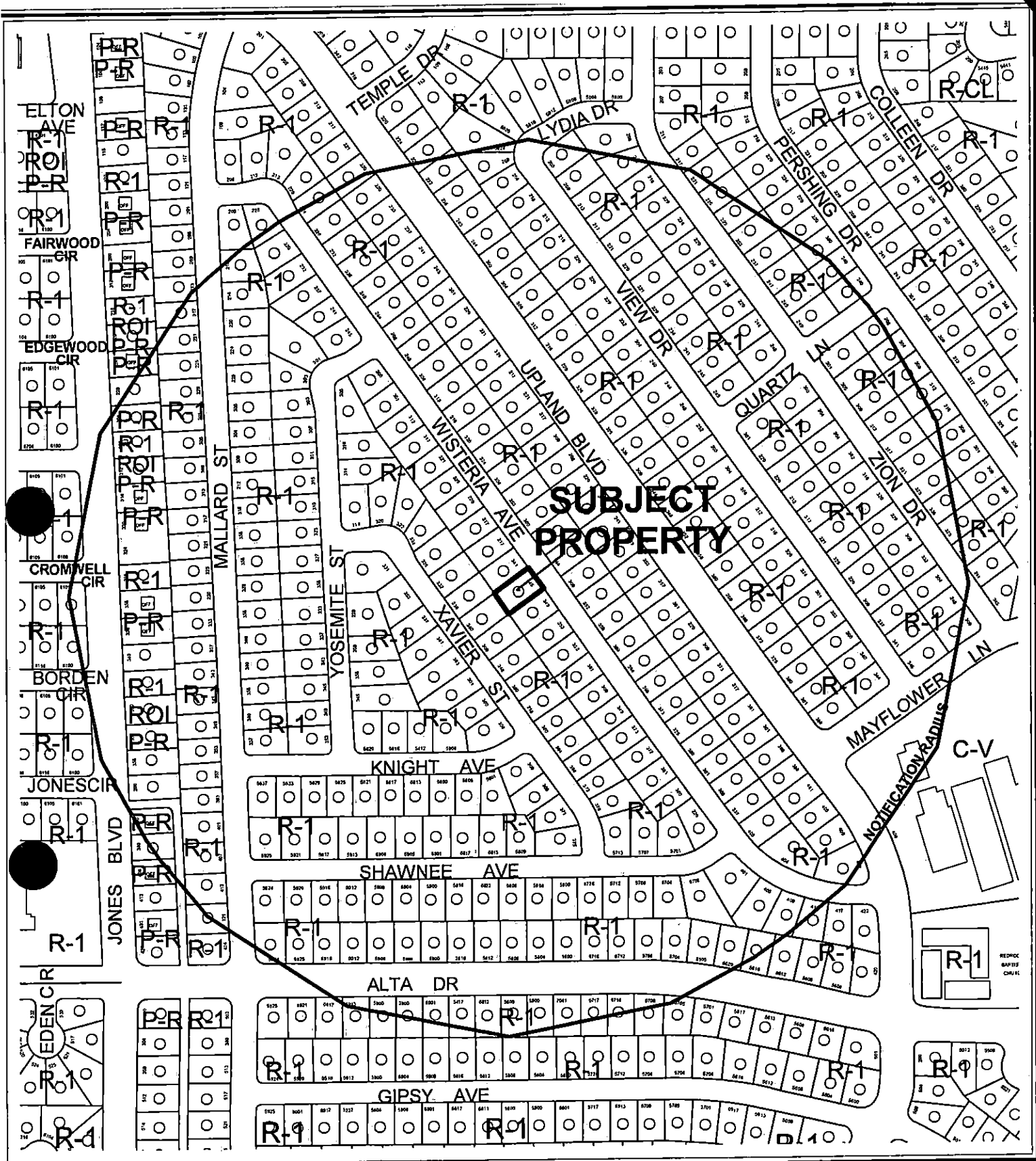
CONDITIONS:

Planning and Development

1. This approval shall be void one year from the date of final approval, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

Public Works

2. The existing carport must remain open on all sides such as not to create sight visibility problems.



CASE: **VAR-18179**

RADIUS: 1000

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

0 90 180 Feet





CASE: **VAR-18179**

RADIUS: 1000

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

0 90 180 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 11, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-18179 - APPLICANT/OWNER: KAYLA J. WELLS

**** CONDITIONS ****

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

Planning and Development

1. This approval shall be void one year from the date of final approval, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

Public Works

2. The existing carport must remain open on all sides such as not to create sight visibility problems.

VAR-18179 - Staff Report Page One
January 11, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Variance to allow a carport to be 10 feet from the front property line where 20 feet is the minimum setback allowed on an R-1 (Single Family Residential) Zoned property at 345 Wisteria Avenue. The applicant states that she had replaced the carport after the previous structure had been damaged from a windstorm. There is no record-of-date for the previous carport thus making it difficult to establish the existence of a non-conforming building.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
NA	There are no previous records filed against this property
<i>Related Building Permits/Business Licenses</i>	
1958	1206 square-foot single family dwelling constructed.
1967	441 square-foot conversion/addition.
2/17/04	Plan Check #M-979-04. Iron security bars. Permit expired 9/11/04.
8/16/06	Code Enforcement Citation #45580: Building carport w/o permits. Case open.
<i>Pre-Application Meeting</i>	
11/8/06	Planning staff met with the applicant regarding the request for a front-yard setback variance stemming from a Code Enforcement citation on an existing carport.
<i>Neighborhood Meeting</i>	
NA	A neighborhood meeting was not held nor was required.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.14 acres

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

MH

VAR-18179 - Staff Report Page Two
January 11, 2007 - Planning Commission Meeting

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

A-O Airport Overlay District

The request for a Variance to the Front Yard Setback has no affect on the established 175-foot Airport Overlay height restriction.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6,500 sq. ft.	6,124 sq. ft.	N
Min. Lot Width	65 feet	60 feet	N
Min. Setbacks			
• Front	20 feet	10 feet	N
• Side	5 feet	10 feet	Y
• Corner	NA	NA	NA
• Rear	15 feet	20 feet	Y
Max. Lot Coverage	50%	27%	Y
Max. Building Height	2 stories or 35 feet, whichever is less	Single story	Y

VAR-18179 - Staff Report Page Three
January 11, 2007 - Planning Commission Meeting

ANALYSIS

The applicant wishes to decrease the required front yard setback from 20 feet to 10 feet to allow the usage of a recently constructed carport located at the front of the property. The carport is made of an aluminum metal with a painted finish that aesthetically matches the house. The applicant states that the carport was a replacement from an existing carport that had been recently damaged during a windstorm.

During the installation of the replacement carport, the applicant was cited for a non-permitted structure. This led to the discovery of non-compliance at which the applicant requested a Variance from the front yard setback. Although the carport complies with the 5-foot side yard setback, the structure encroaches 10 feet into the 20-foot front yard setback as established by Title 19.08.040 for the R-1 (Single Family Residential) Zoning District.

The hardship is personal and self-created; therefore, Planning must recommend denial.

FINDINGS

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

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

Additionally, *Title 19.18.070L* states:

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

VAR-18179 - Staff Report Page Four
January 11, 2007 - Planning Commission Meeting

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has not created a self-imposed hardship installing a carport within the established front yard setback. An alternative arrangement of a five-foot carport would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

ASSEMBLY DISTRICT 3

SENATE DISTRICT 3

NOTICES MAILED 428

APPROVALS 1

PROTESTS 0

OWNER Wells, KAYLA

ADDRESS 345 WISTERIA

2V NV 89/07

PARCEL # 138-36-213-010

SEP 19 2006

SECRET

House

NO ELECTRONIC

DR. VERA

298887

15'

REPORT

DRIVEWAY

10'

FRONT

JOB

VAR-18179

~~01/11/07 PC~~

SIDEWALK

ST.

WISTERIA

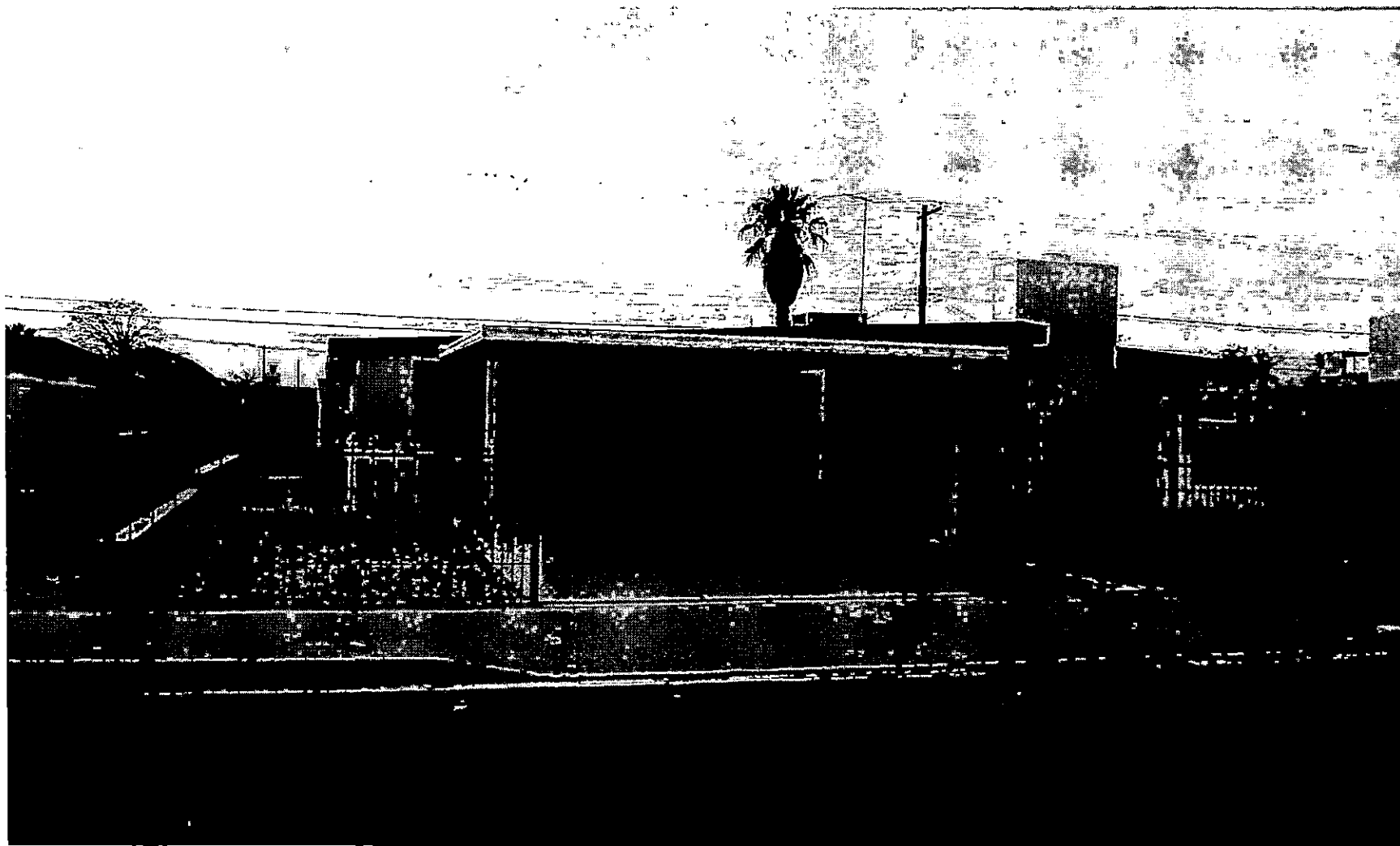
RECEIVED

NOV 15 2006



VAR-18179 - APPLICANT/OWNER: KAYLA J. WELLS
345 WISTERIA AVENUE
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



VAR-18179 - APPLICANT/OWNER: KAYLA J. WELLS
345 WISTERIA AVENUE
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



VAR-18179 - APPLICANT/OWNER: KAYLA J. WELLS
345 WISTERIA AVENUE
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06

JUSTIFICATION

I am requesting a permit to be able to retain my existing carport, which was recently replaced after sustaining wind damage on 7/18/06. The carport was originally installed approximately six years ago when I began caring for my disabled mom in my home. Because she was paralyzed on her left side, it was difficult and took quite some time, to transfer her in and out of the car several times per week for therapy and medical appointments, often times in inclement weather, and in unbearable heat during the summer months.

I am a single self-supporting senior, and the carport helps keep the front of my home, where I spend the majority of my time, much cooler, thus keeping my power bill lower; it provides shade for my car and my property and I have been told by many of my neighbors that, aesthetically, it is very attractive. Additionally, my grandchildren spend a considerable amount of time at my home, and they appreciate being able to play under the patio cover and carport during the hot summer months. As I am sure you can imagine, the carport and patio cover were very costly, and to have them simply torn down is exceedingly disheartening. I have been in this town for thirty one years, and am not in the habit of breaking the law. I was not aware, 6 years ago when I had the carport and patio cover installed, that permits were required. I was told, apparently erroneously, that as long as they were not permanent fixtures (i.e., made of stucco, etc.), and my neighbors did not object to them, permits were not required. My home is located in the middle of the block and my carport is not blocking anyone's view and therefore is not a detriment to anyone.

I am requesting your consideration for a permit for the existing carport at 345 Wisteria Avenue.

Respectfully submitted,

Kayla J. Wells

Kayla J. Wells

*345 Wisteria Ave
Las Vegas, NV. 89107*

RECEIVED

NOV 19 2006

VAR-18179

01/11/07 PC

VAR-18179

To Whom it May Concern,

I fully approve the request for a
Variance to allow an existing carport
10 feet from the front property line where
20 feet is the minimum Setback required
at 345 Wistaria Ave. (APN-138-36-213-010)
ward 1 (TARKANIAN)

Hugh L. Jenkins
Deon Jenkins



Mr. & Mrs. Hugh L. Jenkins
5620 Alta Dr
Las Vegas, NV 89107-3656

ITEM # 31
CASE # VAR-18179
PC MTG 1-11-07

A

October 2, 2006

City Of Las Vegas
731 So. Fourth Street
Las Vegas, Nevada 89107

Re: Property located at: 345 Wisteria Avenue
Las Vegas, Nevada 78107

To Whom it May Concern:

We the undersigned, as immediate neighbors of Kayla J. Wells, whose home is located at 345 Wisteria Avenue, agree to, and approve of, the carport and patio covers that are located on her property. This home is located in the middle of block, the carport and patio covers are not obstructing anyone's view, and they are not a nuisance to any of us in any way. Quite the contrary, the covers are an enhancement to the property, and therefore, an enhancement to the neighborhood. Please feel free to contact us if you have any questions or concerns.

Thank you for any consideration you may be able to give to Ms. Wells in an effort to resolve this matter.

David B Chandler David B Chandler 340 XAVIER ST. 288-8679

Suzanne Riddle Jugenne Riddle 344 Wisteria 349-8450

HARLAND Noel Harland Noel 344 Wisteria 349-8450

Juanita Wiest 348 Wisteria 878-1821

JELEANA Dairymple 348 Wisteria 878-1821

Kayla Baglien 333 Wisteria 307-3175

Frank Kell 348 Wisteria 303-9993

Robt. Phillips 340 Wisteria 258-8785

Thomasina Phillips 340 Wisteria 258-8785

Debra R. Jurney 344 Xavier 355-8976

Gregg 341 Wisteria 376-9605

Submitted at Planning Commission
Date 01/11/07 Item 31

From: SXR@CO.CLARK.NV.US [mailto:SXR@CO.CLARK.NV.US]
Sent: Thursday, January 11, 2007 12:50 PM
To: councilwoman-ltarkanian@LasVegasNevada.gov
Subject: Internet Submission - 345 WISTERIA AVE

Citizen Name: SUZANNE RIDDLE

Email: SXR@CO.CLARK.NV.US

Comments: Kayla Wells is going in front of the Planning Commission tonight regarding the carport installed on her property. I am unable to make the meeting tonight so I thought I'd send a message. As a neighbor that lives directly across the street (344 Wisteria) I have no problem with Ms. Wells keeping her carport. It not only adds value to her home and the community but it also is appealing to our neighborhood. It is not an obstruction of traffic in anyway. She continually maintains and takes pride in her property as well as the neighborhood. I would hope that you all agree with me and allow her to keep the carport. Thank you for your time.

Sincerely,

Suzanne Riddle

Please forward this to the property agency if I sent this to you in error.

344 Wisteria Ave

Date: 1/11/2007 12:49:30 PM

Support

Submitted after final agenda

Date 1/11/07 Item #31

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 11, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-18325 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ONE + ONE FOUNDATION, INC. - Request for a Variance TO ALLOW A PROPOSED EIGHT-FOOT HIGH BLOCK WALL IN THE FRONT YARD WHERE FIVE FEET IS THE MAXIMUM HEIGHT ALLOWED AND TO ALLOW A PORTION OF THE TOP THREE FEET TO BE SOLID WHERE NOT PERMITTED on 0.25 acres at 1506 5th Place (APN 162-03-213-032), R-1 (Single Family Residential) Zone, Ward 3 (Reese).

C.C.: 02/07/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Three Approval Letters
6. One Telephonic Approval
7. Submitted after final agenda – Protest letter by Diana Fountos

MOTION:

TRUESDELL – DENIED – UNANIMOUS

To be heard by City Council on 02/07/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

JOHN KORKOSZ, Planning and Development Department, stated this request is inconsistent with existing fencing in the area and recommended denial.

PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 32 – VAR-18325

MINUTES – Continued:

ARIELLE GAINSBURG, 1508 Houssels Avenue, appeared on behalf of the applicant and explained the fence was needed for security. She pointed out the neighbors would have called or written letters of approval and also noted the location of the fence and how it would be constructed.

TODD FARLOW, 240 North 19th Street, asked the Commissioners if a blind corner could result if this application is approved. THOMAS GOODS, 674 Oakey Boulevard, appeared in opposition. He confirmed that this intersection would have a blind corner if this application is approved and noted that only five homes in the development have fences.

MS. GAINSBURG responded that the fence would be wrought iron at the corner and visibility would not be a problem.

In response to COMMISSIONER EVANS' request for clarification, MS. GAINSBURG explained the request was for a five foot solid block wall with three feet of wrought iron on top. COMMISSIONER EVANS noted the Code permits five foot walls with the top three feet of decorative iron and stated he could not support a solid block wall at this location since it would attract graffiti and create a traffic hazard. COMMISSIONER EVANS suggested a fence which did not exceed the Code's height restrictions and which would be made up of a combination of block and wrought iron as a compromise.

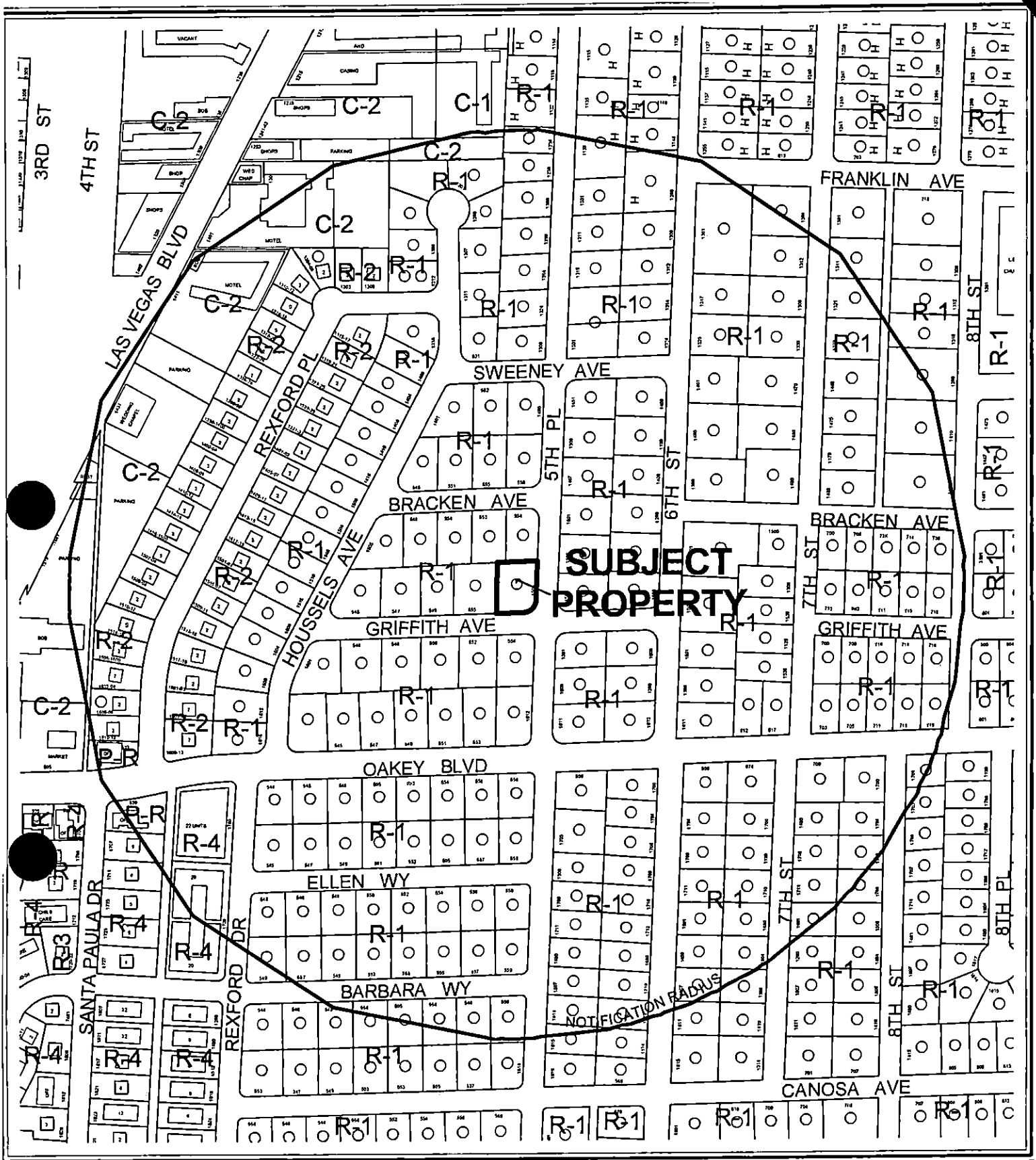
COMMISSIONER GOYNES expressed concern with the possibility that this residence is being used for non-profit business purposes.

COMMISSIONER TRUESDELL stated he could not support this application and expressed his support for staff's findings.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(8:06 – 8:35)

2-1056



CASE: **VAR-18325**

RADIUS: 1000

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

0 60 120 Feet





CASE: **VAR-18325**

RADIUS: 1000

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

0 60120 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 11, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-18325 - APPLICANT/OWNER: ONE + ONE
FOUNDATION, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

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

Public Works

2. All site visibility restriction zones must conform to current City Site Visibility Restriction Zone Standards at roadway to roadway intersections and driveway to roadway intersections, or as otherwise approved by the City Traffic Engineer.

VAR-18325 - Staff Report Page One
January 11, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

Request for a Variance to allow a proposed eight-foot high block wall in the front yard where five feet is the maximum height allowed and to allow a portion of the top three feet to be solid where not permitted at 1506 5th Place.

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
No previous actions.	
<i>Related Building Permits/Business Licenses</i>	
06/24/02	Home Occupation Permit/Business License S20-4286104858 issued to Robert and Nedra Baron at Subject site for Second Hand Dealer Class IV, out of business effective 06/05/06.
<i>Pre-Application Meeting</i>	
11/14/06	A pre-application meeting was held and the requirements for a variance as well as the design standards for front yard walls were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.21

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

VAR-18325 - Staff Report Page Two
January 11, 2007 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	NA
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District 200 Foot Buffer	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Per Title 19.08

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6,500 SF	10,948 SF	Y
Min. Lot Width	65 Feet	93 Feet	Y
Min. Setbacks			
• Front	20 Feet	21.6 Feet	Y
• Side	5 Feet	9 Feet	Y
• Corner	15 Feet	15.4 Feet	Y
• Rear	15 Feet	33 Feet	Y
Max. Building Height	35 Feet	1 Story	Y
<i>Landscaping and Open Space Standards</i>			
<i>Standards</i>	<i>Maximum Height</i>	<i>Provided</i>	<i>Compliance</i>
Wall Height	5 feet maximum height, with top 3 feet open to permit visibility.	23-foot long, 8-foot wide fence, 49-foot long, 8-foot high block wall and 15-foot long, 8-foot wide fence	N*

* Subject of this variance

ANALYSIS

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

RL

VAR-18325 - Staff Report Page Three
January 11, 2007 - Planning Commission Meeting

Justification provided by the applicant for this variance refers to the threat of a stalker. In a Las Vegas Metropolitan Police Report provided by the applicant, a stalker had called and threatened individuals associated with the foundation. The report included indicated the address of 1508 Houssels Avenue as opposed to the subject site; however, the address indicated is the primary address of the One + One Foundation, owner of the subject site. The police report also indicates a different name than the justification letter as the target of the stalker.

The proposed wall has a height that far exceeds what is permitted by Title 19. However, a site visit showed that adjacent and nearby properties do have front yard walls and fences and corner side walls and fences up to six feet in height that would compliment the proposed wall. The property to the north has an eight foot wall in the rear which abuts the subject site and a six-foot corner side wall that runs along the sidewalk adjacent to the subject site. An eight foot decorative block wall runs along the interior side and rear yard property lines of the subject site, as confirmed by a site visit. The front yard wall would not block the view of the front of the house, as the structure faces the corner side and not the front yard property line. A proposed fence along the corner side yard requires no variance. As this is a self imposed hardship and is not compatible with adjacent development denial of this request is recommended.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a front yard wall and fence that exceed Title 19 standards. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

VAR-18325 - Staff Report Page Four
January 11, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 278

APPROVALS 4

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-18325** APN: 162-03-213-037

Name of Property Owner: ARIELLE GANSBURY / One & One Foundation

Name of Applicant: ARIELE GANSBURY

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: _____

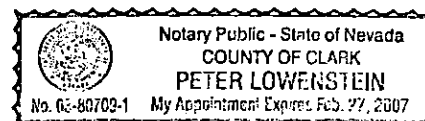
Signature of Property Owner

Print Name: _____

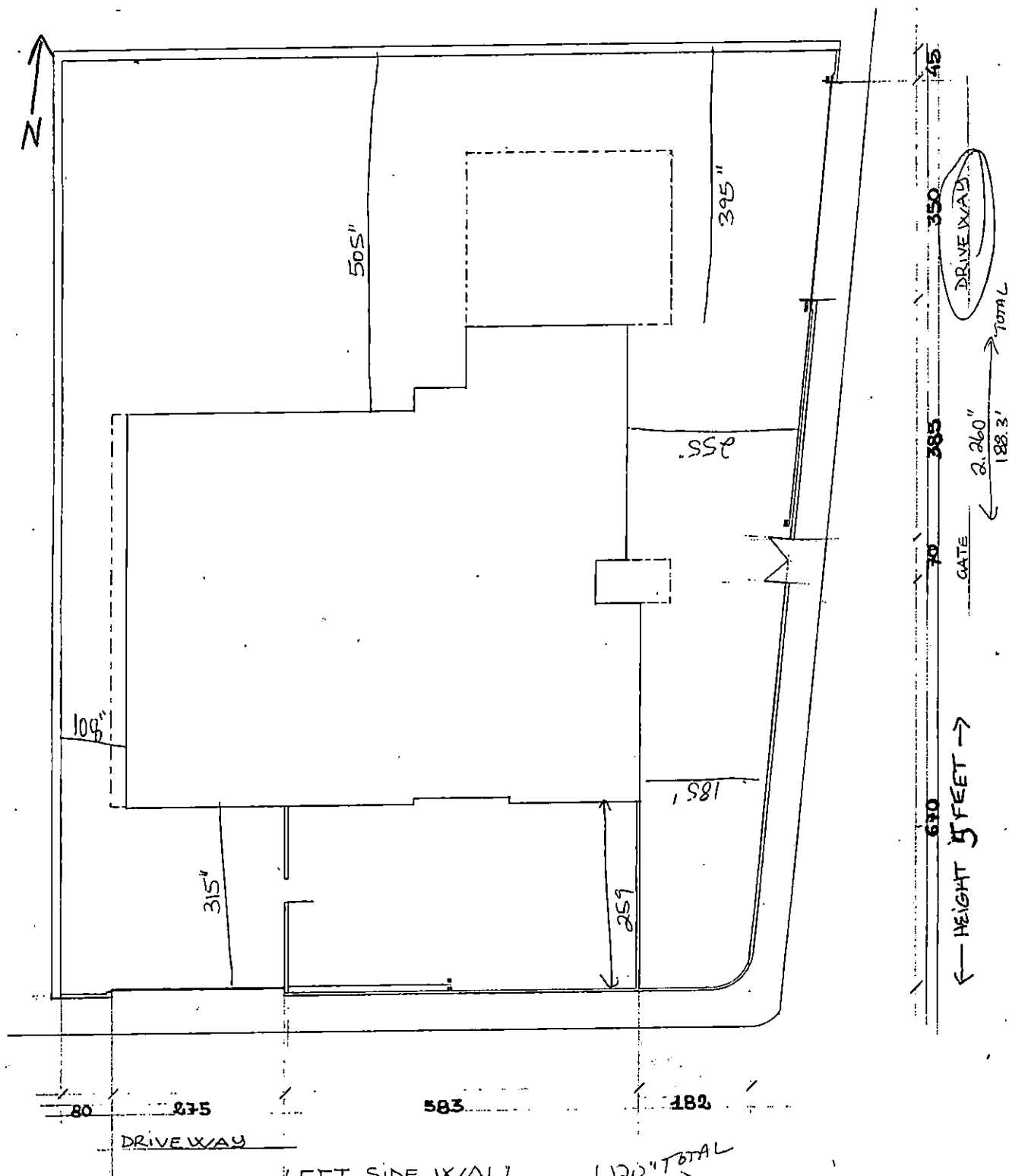
Subscribed and sworn before me

This 28th day of November, 2006

Notary Public in and for said County and State



007 2 2005



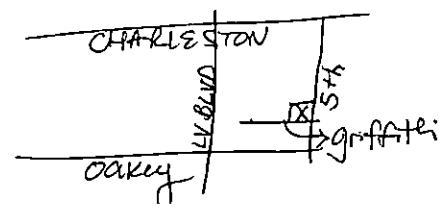
HEIGHT
8 FT
1/200
1 INCH
SCALE

LEFT SIDE WALL
← HEIGHT 8 FEET →
1,120" TOTAL
93.3'

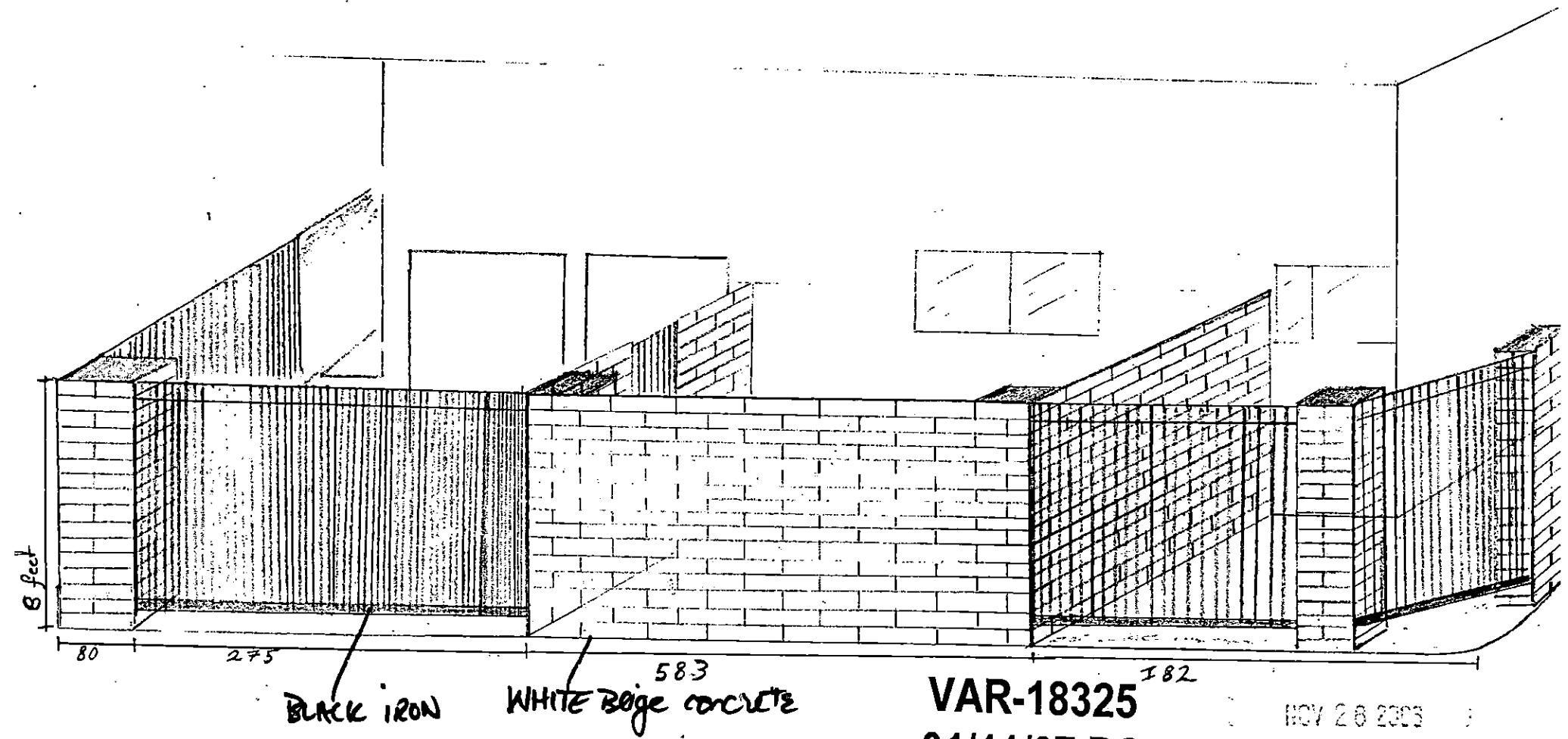
GRIFFITH ST.

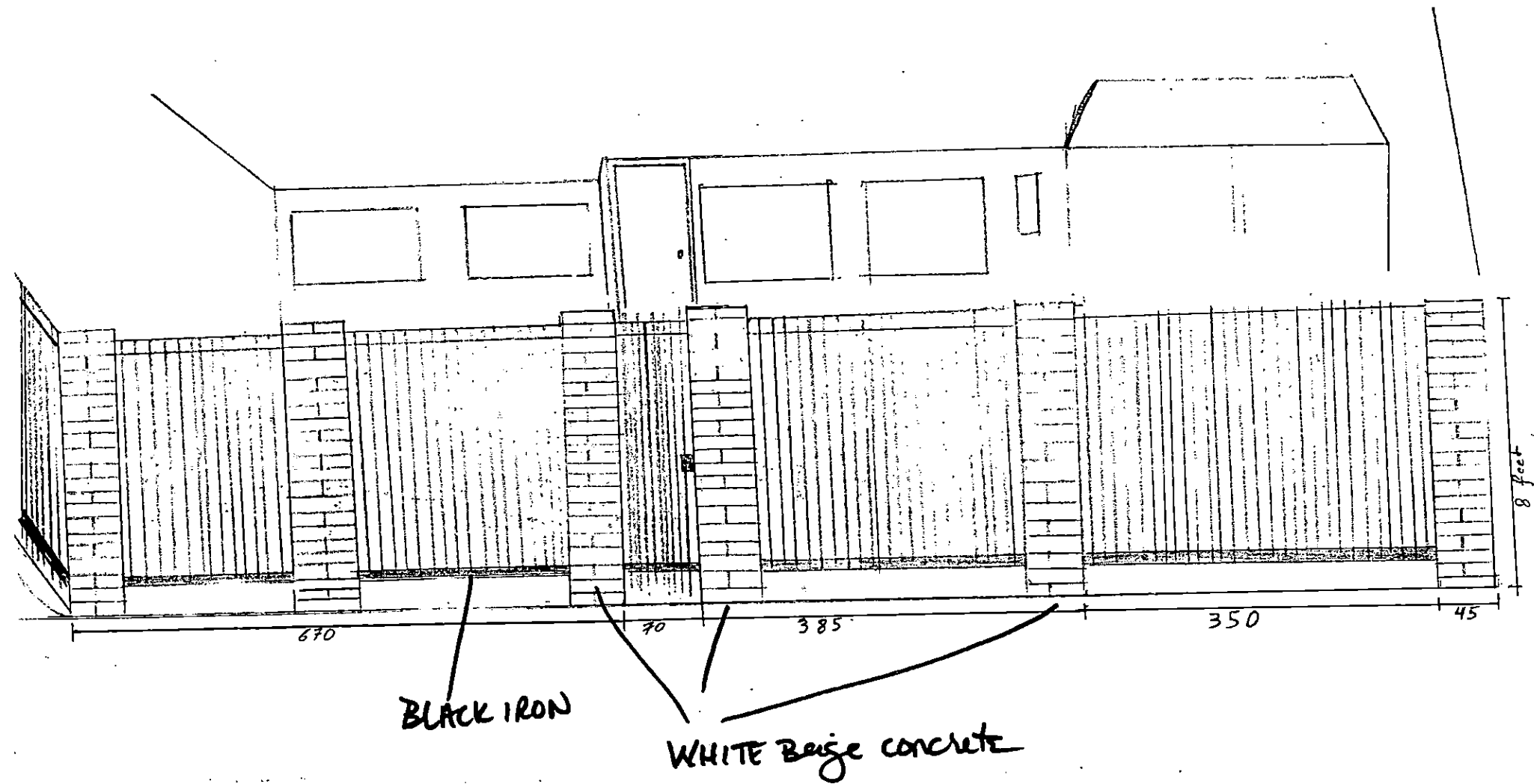
VAR-18325
01/11/07 PC

VICINITY MAP



NOV 20 2003

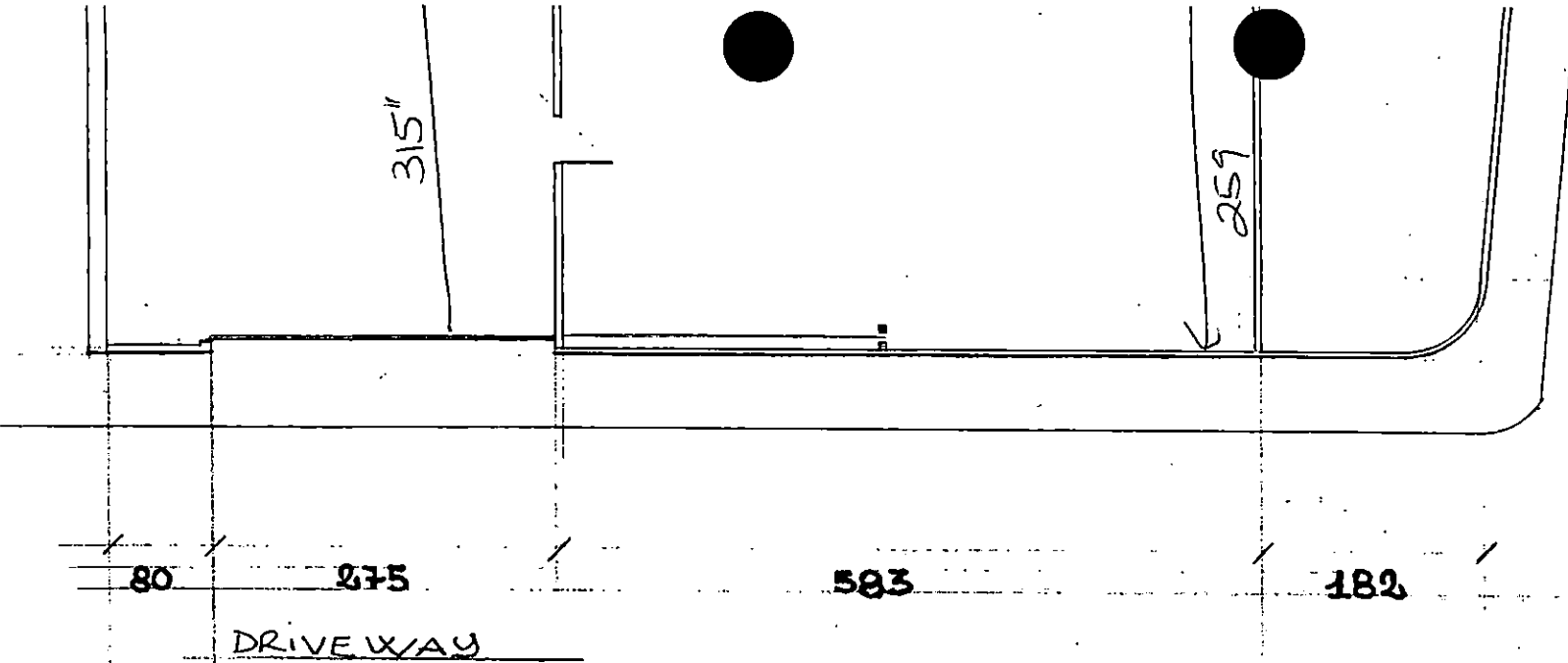




NOV 28 2003

VAR-18325
01/11/07 PC

5' HEIGHT
←



LEFT SIDE WALL
← HEIGHT 8 FEET
1,120" TOTAL
93.3' →

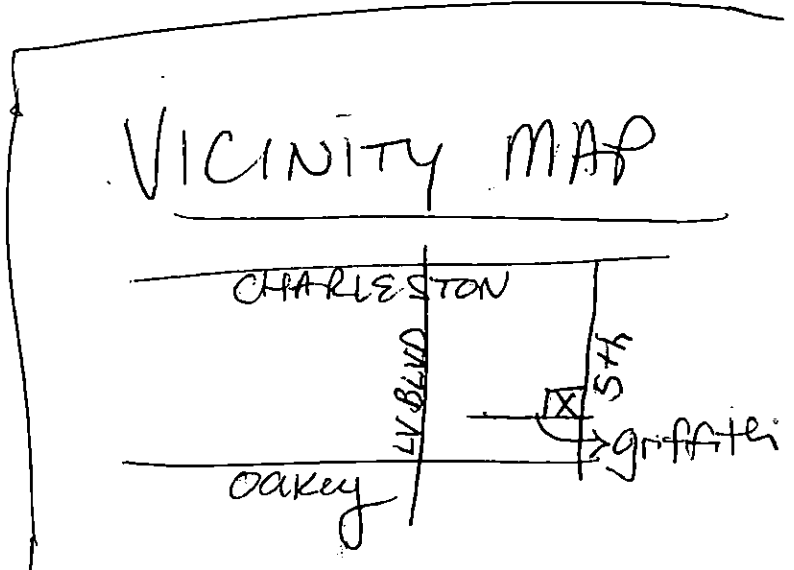
GRIFFITH ST.

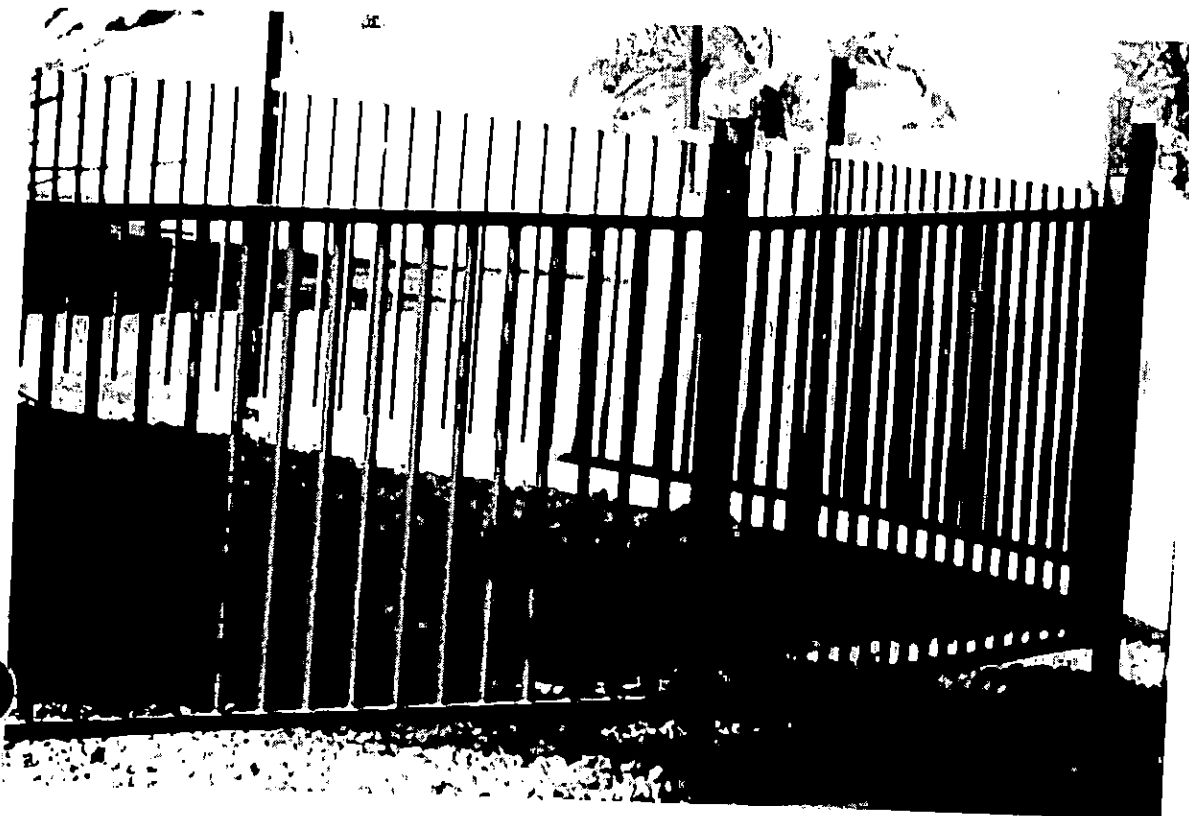
HEIGHT
8 FT

1/200
E 1 INCH
SCALE

VAR-18325
01/11/07 PC

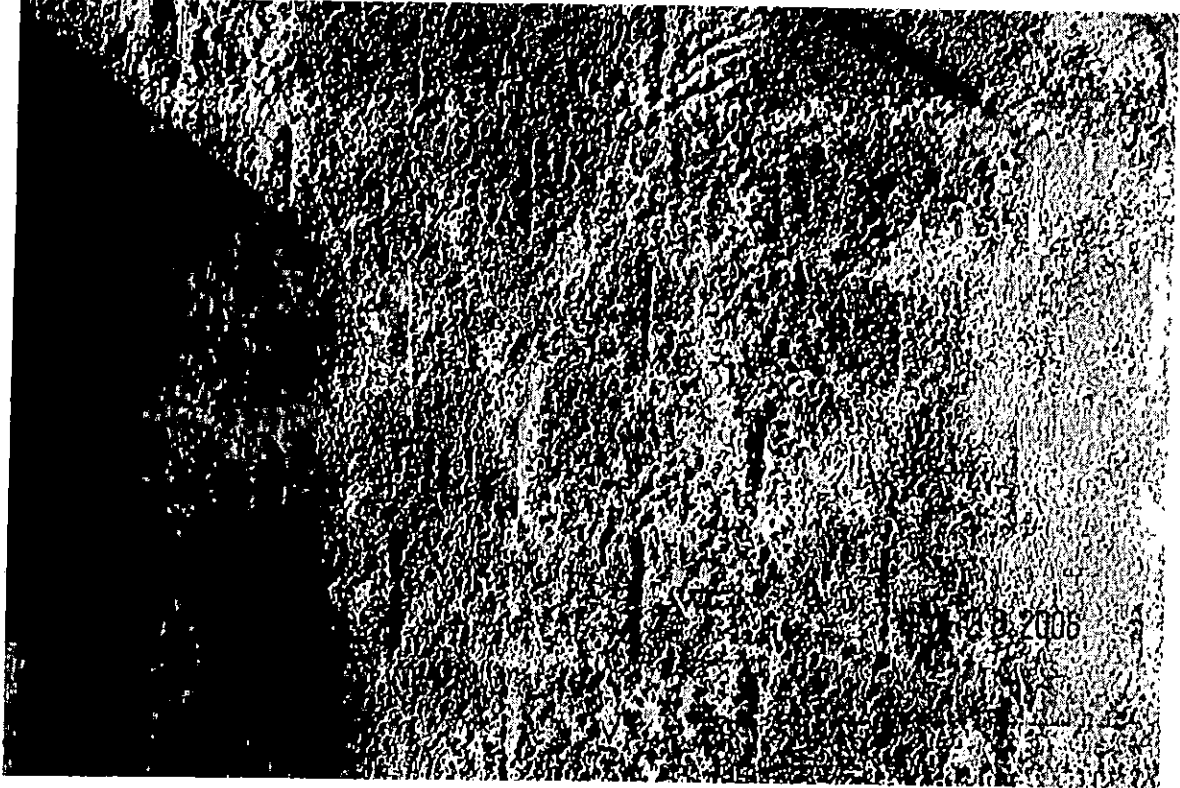
01/20/2010





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NOV 28 2006

VAR-18325
01/11/07 PC



RECEIVED
NOV 28 2006

VAR-18325
01/11/07 PC

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
LAS VEGAS, NV 89101
(702) 229-3111

Incident Number: LLV051219002374

Incident Summary

Incident Type: CRIMINAL INCIDENT
Inc Occurred Address: 1508 HOUSSELS AV LAS VEGAS, NV 89104
Inc Occurred Start: 12/19/2005 08:30 Inc Occurred End: 12/19/2005 12:00
Domestic: N Bias Motivation: UNKNOWN Gang Related: U
Contact Nature: Reported Date/Time: 12/19/2005 18:20:00
Reporting Officer: BINGAMAN, N 8468 Primary Assigned Officer: SACCO, D 1726
Case Status: OPEN Disposition: Disposition Date:

Offenses

Statute Code: THRE205.320 Enhancers:
Statute Desc: THREAT AGAINST A PERSON
Counts: 1 Statute Severity: MISDEMEANOR
Statute Code: TELE201.255C Enhancers:
Statute Desc: THREATENING TELEPHONE CALLS
Counts: 1 Statute Severity: MISDEMEANOR

Officers

Event Association	Emp#	Badge#	Name	Squad#
LEST REPORT TAKER	8468	8468	BINGAMAN, N 8468	REC3
SUPERVISOR	5004	5004	BUSHMAN, P 5004	REC3
	6878	6878	MENDOZA, S 6878	3DESK
PRIMARY ASSIGNED OFFICER	1726	1726	SACCO, D 1726	

Persons Involved

Person#: 0001 MNI: 4616488 Can ID Suspect: Yes
Event Association: VICTIM Contact Date/Time:
Name: GAINSBURG, ARIELLE
SSN: 140-74-1105 DOB: 09/08/1971 Age: 34 - 34 Sex: FEMALE Race: WHITE/CAUCASIAN
Height: 5' 8" - 5' 8" Weight: 145 - 145 lbs Eye Color: BROWN Hair Color: BROWN
Address: 1508 HOUSSEL ST LAS VEGAS, NEVADA USA 89104 Sector/Beat: C3/C3
Phone Type 1: CELLULAR Phone# 1: (702) 250-6040 Ext 1:
Phone Type 2: Phone# 2: Ext 2:
DL State: DL#: DL Exp Date:
Occupation: Employer/School: SELF EMPLOYED
Gang Name:

VAR-18325
01/11/07 PC

The Use and Dissemination of
this Record is regulated by Law.
Secondary Dissemination of any
kind is Prohibited and could
subject the offender to Criminal
and Civil Liability.

This Information Released To:

A. J. GAINSBURG
By: 000818 Date: 12-20-05
Las Vegas Metro Police Dept

NOV 28 2005

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
LAS VEGAS, NV 89101
(702) 229-3111

Incident Number: LLV051219002374

Modus Operandi

Against Persons:	Y
Against Property:	N
Occupied:	Y
General Premise 1:	NON-PROFIT ORGANIZATION
General Premise 2:	
Specific Premise:	ROOM
Surrounding Area 1:	
Surrounding Area 2:	
Surrounding Area 3:	
Relationship to Suspect 1:	
Relationship to Suspect 2:	
Weapon Type 1:	
Automatic:	N
Weapon Type 2:	
Automatic:	N
Weapon Type 3:	
Automatic:	N

Crime Against Property

# of Premises Entered:		Suspect Action 1:	
Entry Point:		Suspect Action 2:	
Exit Point:		Suspect Action 3:	
Entry Loc 1:		Suspect Action 4:	
Exit Loc 1:		Suspect Action 5:	
Entry Loc 2:		Additional Factor 1:	
Exit Loc 2:		Additional Factor 2:	
Entry Method 1:		Additional Factor 3:	
Exit Method 1:		Additional Factor 4:	
Entry Method 2:		Additional Factor 5:	
Exit Method 2:		Victim Location:	
Entry Tool 1:		Electronic Locks:	N
Exit Tool 1:		Video Surveillance:	N
Entry Tool 2:		Maid:	
Exit Tool 2:		Inspectress:	
Vehicle Entry:			
Safe Entry:			

Crime Against Persons

Pre-incident Contact 1:		Suspect Action 1:	
Pre-incident Contact 2:		Suspect Action 2:	
Pre-incident Contact 3:		Suspect Action 3:	
Victim Condition 1:		Suspect Action 4:	
Victim Condition 2:		Suspect Action 5:	
Victim Condition 3:		Sex Crime 1:	
Victim Condition 4:		Sex Crime 2:	
Victim Condition 5:		Sex Crime 3:	
Suspect Solicited 1:		Sex Crime 4:	
Suspect Solicited 2:		Sex Crime 5:	
Suspect Pretended to Be:		Vehicle Involvement 1:	
		Vehicle Involvement 2:	

VAR-18325
01/11/07 PC

NOV 20 2005

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
LAS VEGAS, NV 89101
(702) 229-3111

Incident Number: LLV051219002374

Persons Involved

Person#: 0002	MNI: 8026209	Can ID Suspect: No	
Event Association: SUSPECT	Contact Date/Time:		
Name: QUINN, TOMMY			
SSN:	DOB:	Age: 45 - 45	Sex: MALE
Height: 6' 2" - 6' 2"	Weight: 250 - 250 lbs	Eye Color: BROWN	Race: WHITE/CAUCASIAN
Address:			Hair Color: BLACK
Phone Type 1: RESIDENCE	Phone# 1: (407) 865-5952	Ext 1:	Sector/Beat:
Phone Type 2:	Phone# 2:	Ext 2:	
DL State:	DL#:	DL Exp Date:	
Occupation:		Employer/School:	
Gang Name:			

Characteristics

Characteristic Type:	Further Defined By:	Description:
PHYSICAL BUILD	MUSCULAR	BODY BUILDER
HAIR LENGTH	LONG	
HAIR STYLE	PONYTAIL	

NOV 20 2005

VAR-18325
01/11/07 PC

Incident Report

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 E STEWART
LAS VEGAS, NV 89101
(702) 229-3111

Incident Number: LLV051219002374

Narratives

Entered date/time: 12/19/2005 19:16

Narrative type: INCIDENT CRIME REPORT

Subject: THREATS TO A PERSON/THREATENING P Author: BINGAMAN, N 8468

ARIELLE GAINSBURG CAME TO THE LAS VEGAS METROPOLITAN POLICE DEPARTMENT PLAZA DESK TO REPORT THE FOLLOWING:

ARIELLE SAID ON 12/19/05 AROUND 0830 HOURS, SHE ANSWERED THE PHONE FOR ONE PLUS ONE, A NON-PROFIT ORGANIZATION, WHEN A MAN WHO IDENTIFIED HIMSELF AS TOMMY GANESH, CALLED AND DEMANDED TO SPEAK TO SWANI GANAPATI, WHO IS CURRENTLY STAYING WITH ARIELLE. ARIELLE SAID SHE INFORMED TOMMY THAT SHE COULD TAKE A MESSAGE AND GIVE IT TO SWANI. ARIELLE SAID THAT TOMMY STATED "I WILL SPEAK TO SWANI GANAPATI" AND IF SWANI DID NOT GET ON THE PHONE, TOMMY STATED HE WOULD GET LAS VEGAS POLICE AND SHOW UP TO THE RESIDENCE, GRAB SWANI'S BEARD, AND RIP HIS GUTS OUT AND KILL HIM.

ARIELLE SAID SHE CALLED THE PHONE NUMBER THAT SHOWED UP ON THE CALLER ID (407-865-5952) AND THE MESSAGE GAVE THE NAME OF THOMAS QUINN.

ARIELLE SAID TOMMY HAS CALLED HER RESIDENCE APPROXIMATELY 30-35 TIMES, AND EACH TIME TOMMY DEMANDS TO SPEAK TO SWANI AND THREATENS TO HARM MEMBERS OF THE ONE PLUS ONE HOME.

ARIELLE SAID THERE ARE A TOTAL OF FOUR (4) CHAPTERS OF ONE PLUS ONE AND THAT TOMMY HAS MADE THREATENING PHONE CALLS TO ALL FOUR (4) CHAPTERS. ARIELLE SAID EACH TIME TOMMY CALLS, HE CLAIMS TO BE A MEMBER OF THE POLICE DEPARTMENT AND DEMANDS TO SPEAK TO SWANI.

ARIELLE SAID SHE IS VERY CONCERNED FOR HER SAFETY, AS WELL AS SWANI, AS HE IS A RELIGIOUS FIGURE.

ARIELLE SAID THERE HAVE BEEN PREVIOUS ATTEMPTS MADE BY TOMMY IS YEARS PAST TO TRY AND GET TO SWANI.

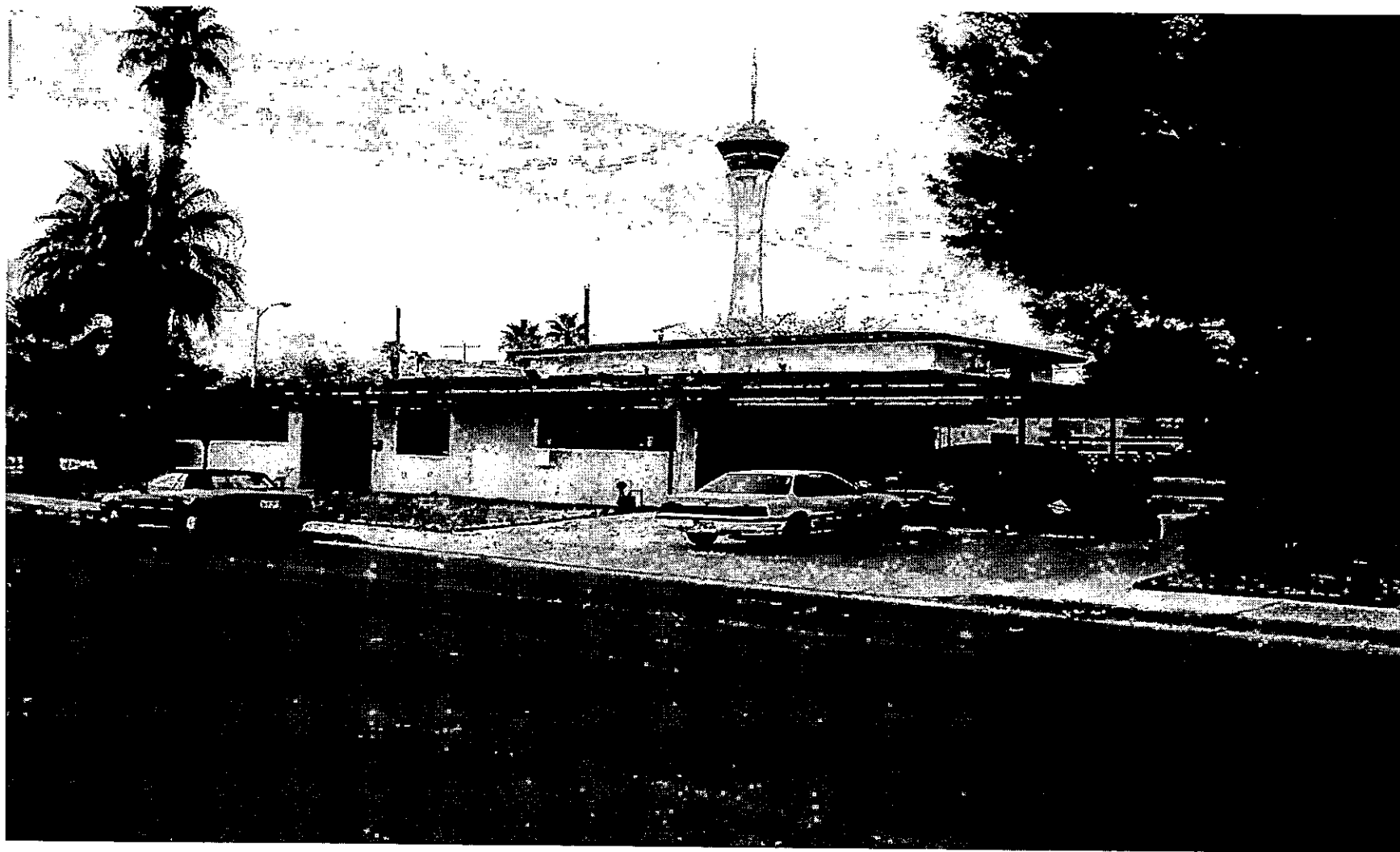
12/23

VAR-18325
01/11/07 PC



VAR-18325 - APPLICANT/OWNER: ONE + ONE FOUNDATION, INC.
1506 5TH PLACE
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



VAR-18325 - APPLICANT/OWNER: ONE + ONE FOUNDATION, INC.
1506 5TH PLACE
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



11/1/06

Planning and Development Department
City of Las Vegas

Re: 1506 5th Place, Las Vegas, NV 89104

Dear Sir or Madam:

My name is Arielle Gainsburg; I am the president of the One Plus One Foundation, a registered not-for-profit corporation and a resident of the above captioned property.

Our group is dedicated to philanthropic, spiritual and artistic pursuits in the United States and abroad. Presently we are filming a motion picture *All About Movies* in Las Vegas, Southern California and Belgium. The director of this film (and the moving force in our not-for-profit), Armondo Linus Acosta, is world-class artist/filmmaker, recognized teacher of meditation, and spiritual dignitary (appearances at the United Nations etc).

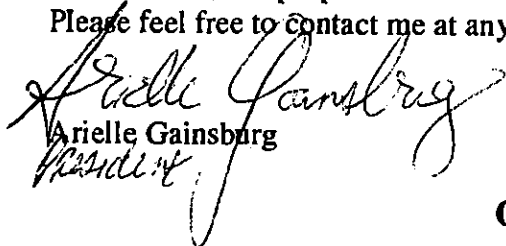
Unfortunately, this measure of fame has brought out certain regrettable consequences. Recently Mr. Acosta has been the victim of an aggravated stalker. The police in Las Vegas (and four other States) are well aware of the situation, and have done what little they can (as you may well know, law enforcement is more reactive and often can only take serious action, after a serious tragedy).

We are requesting that we be allowed to add a slightly higher level of privacy and safety to our present living situation. Mr. Acosta has spent much time here in Las Vegas these last years and of course we must make his safety our priority.

As you will be aware from the enclosed application, we are applying for the necessary permission to build a visually low profile, non-opaque, but secure and practical enclosure around our property. It has also come to our attention that the genuine front of our home is classified (perhaps incorrectly) as a side yard. We would like to discuss this as well.

We look forward to the pre-application meeting where we would more fully explain the nature of our situation, our proposal.

Please feel free to contact me at anytime.


Arielle Gainsburg
President

One + One Foundation, Inc.

2720 Vista Del Sembrado
Escondido, California 92025-7741
Tel: 760.745.0066 Fax: 760.432.9323

1508 Houssels Avenue
Las Vegas, Nevada 89104
Tel: 702.382.3909 Fax: 702.836.3223

VAR-18325

01/11/07 PC

NOV 20 2006

November 23, 2006

Clark County Planning and Development
City of Las Vegas

Re: 1506 5th Place, 89104

Dear Sir or Madam:

As a neighbor of 1506 5th Place I have been apprised by the owner(s) of their application to your department for a variance to build a visually low--profile, non-opaque, but secure and practical enclosure around their property, and I have inspected their conceptual drawing of same.

I agree that their request to add a slightly higher level of privacy and safety to their present living situation is certainly reasonable from a practical and aesthetic standpoint.

Regards.

San Phung / LAN PHUNG
(name)

555 Griffith Street, Las Vegas, NV
(address/phone) 89104

(signature)

VAR-18325
01/11/07 PC

NOV 20 2006

A

November 23, 2006

Clark County Planning and Development
City of Las Vegas

Re: 1506 5th Place, 89104

Dear Sir or Madam:

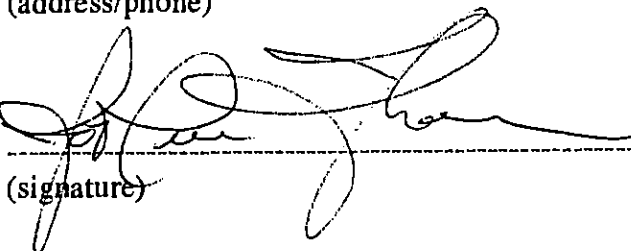
As a neighbor of 1506 5th Place I have been apprised by the owner(s) of their application to your department for a variance to build a visually low--profile, non-opaque, but secure and practical enclosure around their property, and I have inspected their conceptual drawing of same.

I agree that their request to add a slightly higher level of privacy and safety to their present living situation is certainly reasonable from a practical and aesthetic standpoint.

Regards.

JoNELL THOMAS
(name)

1509 SO 5TH PLACE
(address/phone)


(signature)

VAR-18325
01/11/07 PC

REV 2.0 2003

A

November 23, 2006

Clark County Planning and Development
City of Las Vegas

Re: 1506 5th Place, 89104

Dear Sir or Madam:

As a neighbor of 1506 5th Place I have been apprised by the owner(s) of their application to your department for a variance to build a visually low--profile, non-opaque, but secure and practical enclosure around their property, and I have inspected their conceptual drawing of same.

I agree that their request to add a slightly higher level of privacy and safety to their present living situation is certainly reasonable from a practical and aesthetic standpoint.

Regards.

Christ Durica
(name)

534 Griffith Ave Las Vegas NV
(address/phone)

Mike Durica
(signature)

VAR-18325
01/11/07 PC

NCV 28 2006

A

Telephone Protest/ Approval Log

Meeting Date: 1/11/07

Case Number: 18325

Date: 1/5/07
Name: Salvatore Vento
Address: 1314 S. 5th Place
LV, NV. 89104
Phone: 413-9976

☐ PROTEST ☒ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____

☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____

☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____

☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____

☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: ITEM # 32
CASE # 18325
PC MTG 1-11-07
Phone: _____

☐ PROTEST ☐ APPROVE

A

JANUARY 4, 2007

VAR-18325

TO
PLANNING COMMISSION -

I AM AGAINST THE VARIANCE TO ALLOW A
PROPOSED EIGHT-FOOT HIGH BLOCK WALL IN FRONT
YARD, BECAUSE IT CHANGES THE LOOK OF
THE NEIGHBORHOOD. ALSO, IT SETS A PRECEDENT..
TO GO OVER FIVE FEET ELSEWHERE!

THANK YOU.

DIANA FOUNTOS
1469 S. 7th St.

LAS VEGAS, NEVADA.
89104

RECEIVED
CITY CLERK

2007 JAN 10 P 1:42

Protest

Submitted after final eg.....

Date 1/10/07 Item #32

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 11, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-18345 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: WAGNER HOMES INC - Request for a Variance to ALLOW A 13.9 FOOT HIGH PERIMETER WALL WHERE 12 FEET IS THE MAXIMUM HEIGHT ALLOWED FOR AN APPROVED 57-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 0.36 acres adjacent to the southeast corner and southwest corner of Alexander Road and Campbell Road (APN: 138-08-116-020 and 021), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units Per Acre), Ward 4 (Brown).

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letter from Erin Heimgartner

MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 12 [ZON-17693], Item 13 [SDR-17694], Item 14 [VAR-17732], Item 15 [SDR-17730] and Item 33 [VAR-18345] to the 01/25/2007 Planning Commission Meeting; and Item 4 [VAR-18346], Item 34 [SUP-18347], Item 35 [SUP-18630] and Item 36 [SDR-18349] to the 02/08/2007 Planning Commission Meeting – UNANIMOUS

MINUTES:

JOHN KORKOSZ, Planning and Development Department, stated that the applicants had

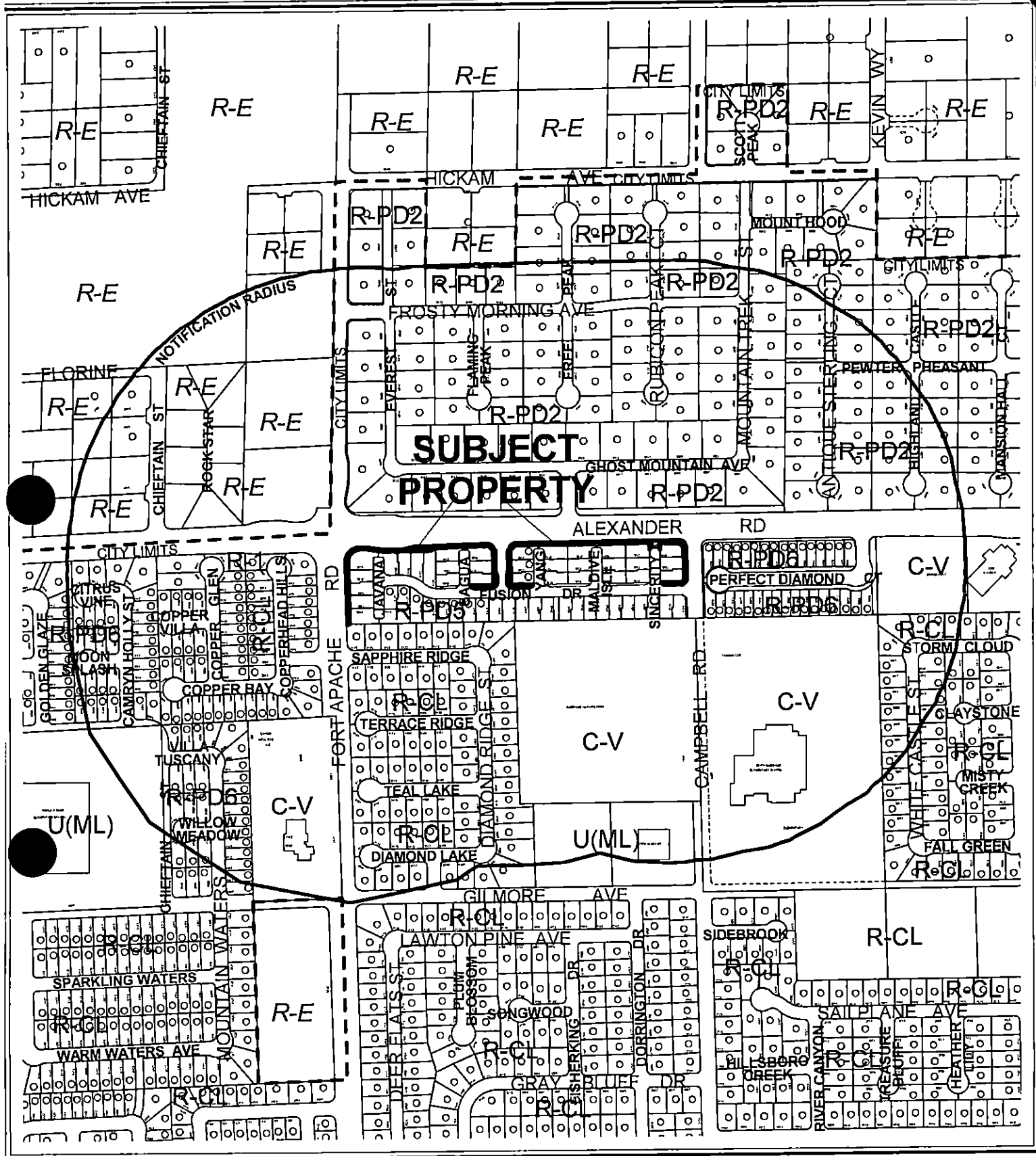
PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 33 – VAR-18345

CONDITIONS – Continued:

requested to hold Item 12 [ZON-17693], Item 13 [SDR-17694], Item 14 [VAR-17732], Item 15 [SDR-17730] and Item 33 [VAR-18345] to the 01/25/2007 Planning Commission Meeting.

(6:05 – 6:12)

1-81

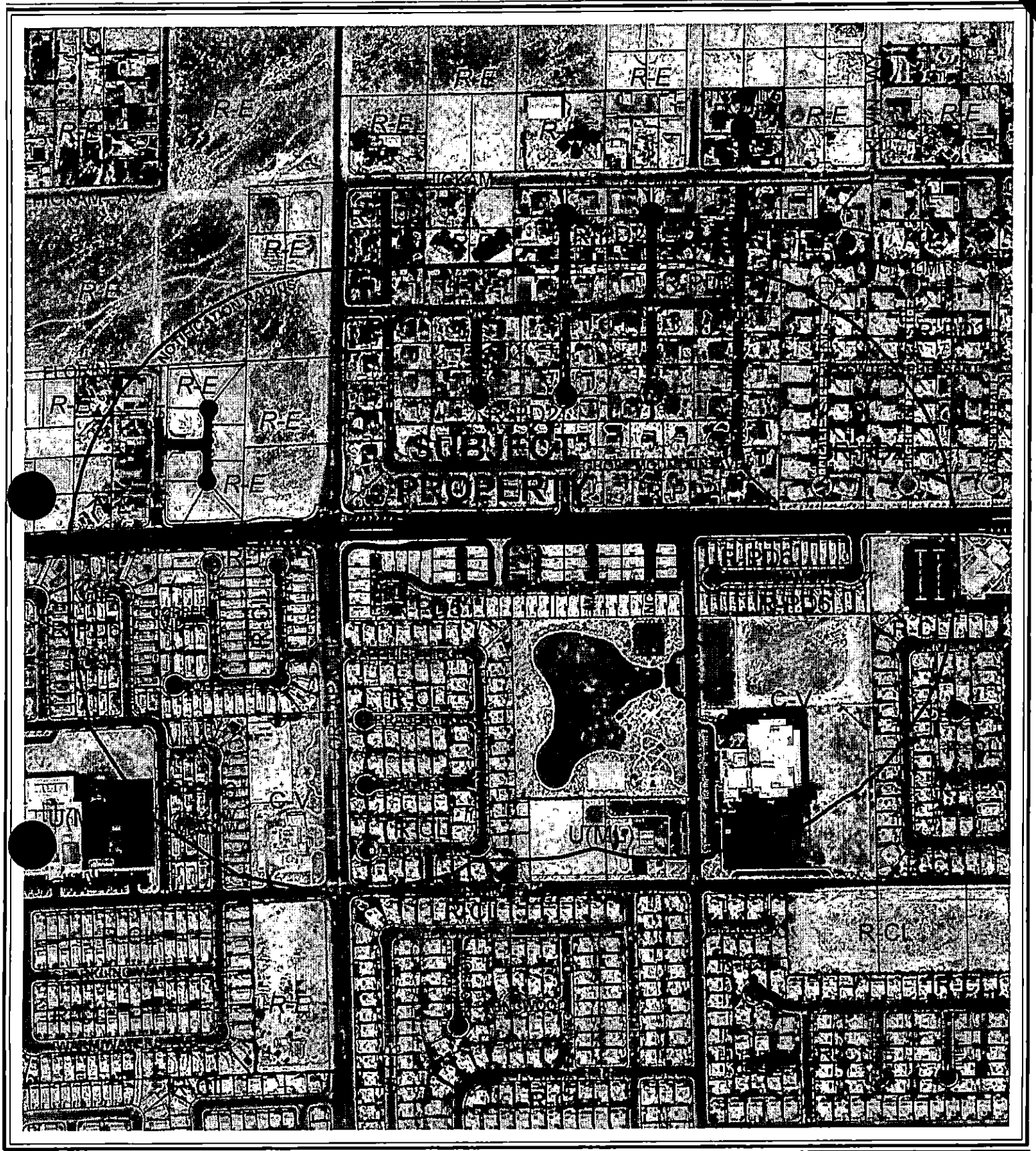


CASE: **VAR-18345**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT- 5 UNITS PER ACRE)



CASE: **VAR-18345**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT- 5 UNITS PER ACRE)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 11, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-18345 - APPLICANT/OWNER: WAGNER HOMES INC

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-2415), Site Development Plan Review (SDR-2418), Tentative Map (TMP-3068), and Review of Conditions (ROC-18431).
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

Public Works

3. 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 building permits for the block wall. Provide and improve all drainageways as recommended in the approved drainage plan/study.
4. Site development to comply with all applicable conditions of approval for ZON-2415 and all other applicable site-related actions.

VAR-18345 - Staff Report Page One
January 11, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request, for a Variance to allow a 13.9-foot high wall where a 12-foot retaining & screen wall is allowed, stems from an improper installation of the previously approved 10-foot perimeter walls. Although the applicant states that a Variance is sought in pursuit of a better design, the issue stems from non-compliance in the field during the wall installation.

BACKGROUND INFORMATION

<i>Related/Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
3/06/02	The City Council approved an annexation (A-0075-01) for a portion of this site with an effective date of March 15, 2002. The Planning Commission recommended approval.
6/11/03	The City Council approved an Annexation (ANX-2016) for a portion of this site. The Planning Commission recommended approval April 24, 2003. The annexation was recorded 6/11/03.
8/06/03	The City Council approved Rezoning (ZON-2415) to R-PD5 (Residential Planned Development – 5 Units Per Acre), Variance (VAR-2419) to allow no open space where 41,164 square of open space is required and Site Development Plan Review (SDR-2418) for a 57 lot single family residential development on this site. The Planning Commission recommended approval of a Rezoning on June 26, 2003 and approval of the Variance and Site Development Plan Review on July 10, 2003. Staff recommended denial.
10/23/03	The Planning Commission approved a Tentative Map (TMP-3068) for a 57 lot single-family residential subdivision on 8.01 acres adjacent to the southeast corner of Alexander Road and Fort Apache Road. Staff recommended approval.
1/11/07	The City Council held a request for a Review of Condition (ROC-18341) of an approved Site Development Plan Review (SDR-2418) to remove condition #11, requiring all perimeter walls, including a combination of retaining and screen walls, to not exceed eight feet in height, measured from the base of the retaining wall, without the appropriate setbacks for an approved residential subdivision. Staff recommended denial.
<i>Related Building Permits/Business Licenses</i>	
5/02/06	Permit # 63273: Engineered retaining and screen walls –perimeter, rear, side, and returns. Permits show a four-foot retaining wall with a 6-foot screen only.
7/26/06	Permit #70030: Engineered retaining & screen walls –perimeter only. Permits show a four-foot retaining wall with a 6-foot screen only.
8/29/06	Permit #69632: Automatic vehicle access gate

VAR-18345 - Staff Report Page Two
January 11, 2007 - Planning Commission Meeting

<i>Pre-Application Meeting</i>	
11/14/06	Description
<i>Neighborhood Meeting</i>	
NA	NA

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	10.8 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Homes	L (Low Density Residential)	R-PD5 (Residential-Planned Development-5 units per acre)
North	Single Family Homes	DR (Desert Rural Density Residential)	R-PD2 (Residential-Planned Development-2 units per acre)
South	Single Family Homes & City Park	ML (Medium-Low Density Residential and PF (Public Facilities)	R-CL (Single-Family Compact-Lot) and C-V (Civic)
East	Single Family Homes	ML (Medium-Low Density Residential)	R-PD6 (Residential-Planned Development-6 units per acre)
West	Single Family Homes	ML (Medium-Low Density Residential) and L (Low Density Residential)	R-CL (Single-Family Compact-Lot) and R-1 (Single-Family Residential)

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

VAR-18345 - Staff Report Page Three
January 11, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Standards	Required	Provided	Compliance
Max. wall height established by SDR-2418	8-foot maximum height	13.9 feet	N

ANALYSIS

The proposed Variance to allow a 13.9-foot high wall does not comply with the development standards set forth in 19.08.040, the approved Site Development Plan review (SDR-2418), the approved Tentative Map (TMP-3068), or the submitted building permits.

Site Development Plan Review (SDR-2418) specifically limited perimeter wall heights to no more than 8 feet, including the combination of retaining walls and screen walls as stated in condition #11. The applicant has submitted a Review of Condition (ROC-18341) to amend condition #11 so as to allow for the existing 13.9-foot wall to gain final approval.

From the previously approved Tentative Map (TMP-3068) the walls along the northern and western perimeter of the site depicted 6-foot screen walls atop retaining walls of varying heights. It was pointed out during the review of the Tentative Map that the varying retaining wall heights in addition to the submitted six-foot walls may present a wall face exceeding 8 feet in height. It was recommend that by splitting the retaining wall height across the required 6 foot wide landscape buffer, as the applicant proposed in the submittal; no single wall face would exceed 8 feet in height.

The current wall height standards for residential zoning districts do not place an inherent hardship on the applicant, nor prohibit him from making the highest and best use of the property. The originally-approved wall design should remain consistent with the standards, previous approvals, and submitted building permits. As permits have been issued and approved for 10-foot walls and the applicant has provided proof of walls under construction that now exceed the approved height, this hardship is entirely self-imposed and personal in nature. Therefore, staff must recommend denial.

FINDINGS

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

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

VAR-18345 - Staff Report Page Four
January 11, 2007 - Planning Commission Meeting

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has not created a self-imposed hardship by failing to abide to the approved heights as established by the Site Development Plan Review (SDR-2418), the Tentative Map (TMP-3068), or the issued building permits (#63273 & #70030). The alternative striking the excess courses of masonry would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 4

SENATE DISTRICT 6

NOTICES MAILED 395

APPROVALS 0

PROTESTS 1

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-18345** APN: 138-08-116-020 + 021

Name of Property Owner: Wayne Homes Inc

Name of Applicant: Wagner Homes

Name of Representative: Stephen Allan

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: _____

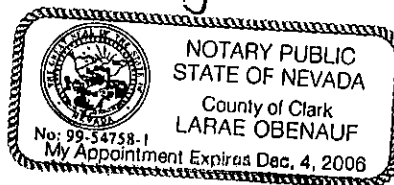
Signature of Property Owner: [Signature]

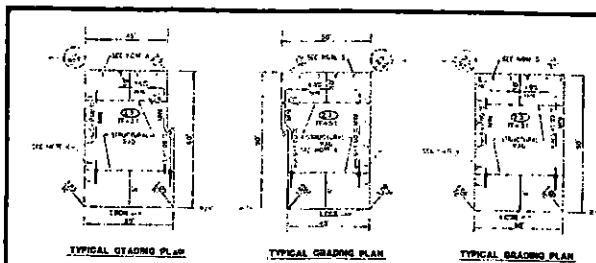
Print Name: Dr. Ad. Wagner

Subscribed and sworn before me .

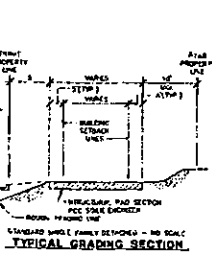
This 22nd day of November, 2006

Larae Chevanez
Notary Public in and for said County and State





1. TYPICAL GRADING PLAN SHALL BE SUBMITTED WITH THE GRADING PLAN.
2. TYPICAL GRADING SECTION SHALL BE SUBMITTED WITH THE GRADING PLAN.
3. TYPICAL GRADING SECTION SHALL BE SUBMITTED WITH THE GRADING PLAN.
4. TYPICAL GRADING SECTION SHALL BE SUBMITTED WITH THE GRADING PLAN.
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9. TYPICAL GRADING SECTION SHALL BE SUBMITTED WITH THE GRADING PLAN.
10. TYPICAL GRADING SECTION SHALL BE SUBMITTED WITH THE GRADING PLAN.



SIDEWALK RAMP TABLE

NO.	TYPE	WIDTH	LENGTH	AREA
1	1	10	10	100
2	2	10	10	100
3	3	10	10	100
4	4	10	10	100
5	5	10	10	100
6	6	10	10	100
7	7	10	10	100
8	8	10	10	100
9	9	10	10	100
10	10	10	10	100

PRIVATE STREET NOTE:
ALL PRIVATE STREETS AND ALLEYS SHALL BE GRADED TO THE FINISH GRADE SHOWN ON THE GRADING PLAN. ALL PRIVATE STREETS SHALL BE GRADED TO THE FINISH GRADE SHOWN ON THE GRADING PLAN.

ENGINEER'S DISCLAIMER NOTE:
THE ENGINEER'S RESPONSIBILITY IS TO PROVIDE THE GRADING PLAN AND SECTION TO THE OWNER. THE ENGINEER'S RESPONSIBILITY IS TO PROVIDE THE GRADING PLAN AND SECTION TO THE OWNER. THE ENGINEER'S RESPONSIBILITY IS TO PROVIDE THE GRADING PLAN AND SECTION TO THE OWNER.

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FOR ALL GRADING & STREET SECTIONS SEE SHEET 01.

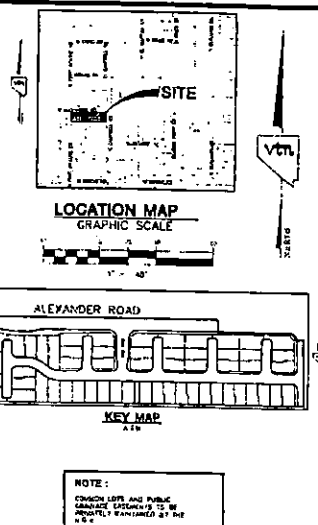
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Call before you Dig
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1-800-4-A-DIG

Call before you Dig
1-800-4-A-DIG
1-800-4-A-DIG

CONSTRUCTION NOTES:
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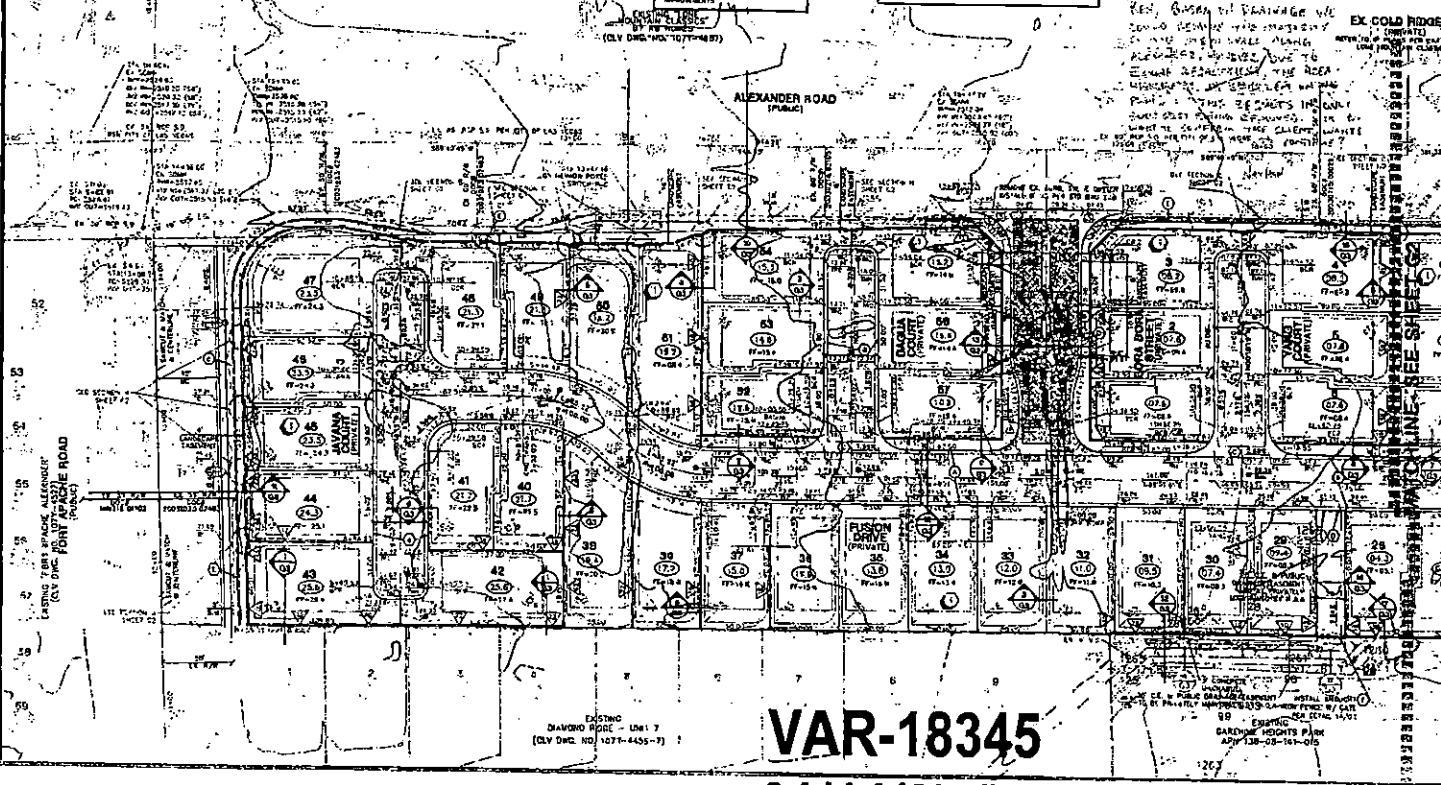
- GENERAL GRADING NOTES:**
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 10. ALL ELEVATIONS SHOWN HEREON SHALL BE GRADED TO THE FINISH GRADE SHOWN ON THE GRADING PLAN.



ENGINEER'S ESTIMATE OF PUBLIC FLOOD CONTROL REQUIRED QUANTITIES:

PUBLIC FLOOD CONTROL IMPROVEMENT	QUANTITY
1. COUNTY GRADED FLOOD WALL	100 LF
2. COUNTY GRADED FLOOD WALL	100 LF
3. COUNTY GRADED FLOOD WALL	100 LF

- LEGEND:**
- 1. ALL ELEVATIONS SHOWN HEREON SHALL BE GRADED TO THE FINISH GRADE SHOWN ON THE GRADING PLAN.
 - 2. ALL ELEVATIONS SHOWN HEREON SHALL BE GRADED TO THE FINISH GRADE SHOWN ON THE GRADING PLAN.
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 - 10. ALL ELEVATIONS SHOWN HEREON SHALL BE GRADED TO THE FINISH GRADE SHOWN ON THE GRADING PLAN.



VAR-18345
01/11/07 PC

NEVADA HOMES GROUP

CITY OF LAS VEGAS

GRADING PLAN 1

OAY DAWN FUSION

DESIGNED BY: [Signature]

CHECKED BY: [Signature]

DATE: 01/11/07

PROJECT NO: 01/11/07

SCALE: 1" = 10'

COURSE TABLE		
no	READING	TEACHING
1	103-23-17-1	1-17
2	201-23-49-1	2-24
3	202-23-35-2	1-13
4	202-23-27-8	2-28
5	400-23-17-1	1-17
6	401-23-49-1	2-24
7	101-23-17-1	1-17
8	102-23-27-8	2-28
9	101-23-49-1	2-24
10	401-23-17-1	1-17
11	500-23-35-2	3-13
12	501-23-49-1	4-24
13	101-23-17-1	1-17
14	401-23-49-1	2-24
15	501-23-17-1	2-24

[illegible]

UTILITY LOCATIONS SHOWN HEREIN ARE APPROXIMATELY
ONLY IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY
TO DETERMINE THE EXACT HORIZONTAL AND VERTICAL
LOCATION OF ALL EXISTING UNDERGROUND AND SURFACE
UTILITIES AND ADJUST THE DESIGN THEREAFTER
WHENEVER ANY DISCREPANCIES ARISE TO COMPLETED
CONSTRUCTION.

NO REPRESENTATION IS MADE THAT ALL EXISTING
UTILITIES ARE SHOWN HEREIN. THE ENGINEER ASSUMES
NO RESPONSIBILITY FOR UTILITIES NOT SHOWN OR UTILITIES
NOT SHOWN IN THE PROPER LOCATION.

Call
before you
Die
1-800-227-2600

Call before you
Underground
1-702-435-7531
4000 S. Las Vegas Blvd. Suite 200
Las Vegas, NV 89109
1-702-223-6611
147 YEARS AGO, A "UNDERGROUND" SERVICE Began

LOCATION MAP

GRAPHIC SCALE

ALEXANDER ROAD

EARTHWORKS
CUT- 16,748 CUBIC YARDS
FILL- 8,704 CUBIC YARDS

**ENGINEER'S ESTIMATE OF
PUBLIC FLOOD CONTROL REQUIRED
QUANTITIES:**

PUBLIC FLOOD CONTROL IMPROVEMENTS	QUANTITY
7 COURSE GRAVELLED FLOOD WALL	292 LF
3 COURSE GRAVELLED FLOOD WALL	880 LF
DRAINAGE (CULVERTS)	1800 SQ. FT.

PER DAY DRUG USE 1981			
Age	No. of	Sex	Cost
10	72	24.5	-
11	45	12.0	-
12	45	12.0	-
13	45	12.0	-
14	45	12.0	-
15	45	12.0	-
16	45	12.0	-
17	45	12.0	-
18	45	12.0	-
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99	45	12.0	-
100	45	12.0	-

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EXP. 1001	210 1001

PROFESSIONAL ENGINEER
KENNETH R. MOORE
CALIFORNIA
1958
8-2-2

VAR-18345
01/11/07 PC

RECEIVED

DEC 15 2006

VAR-18345

01/11/07 PC



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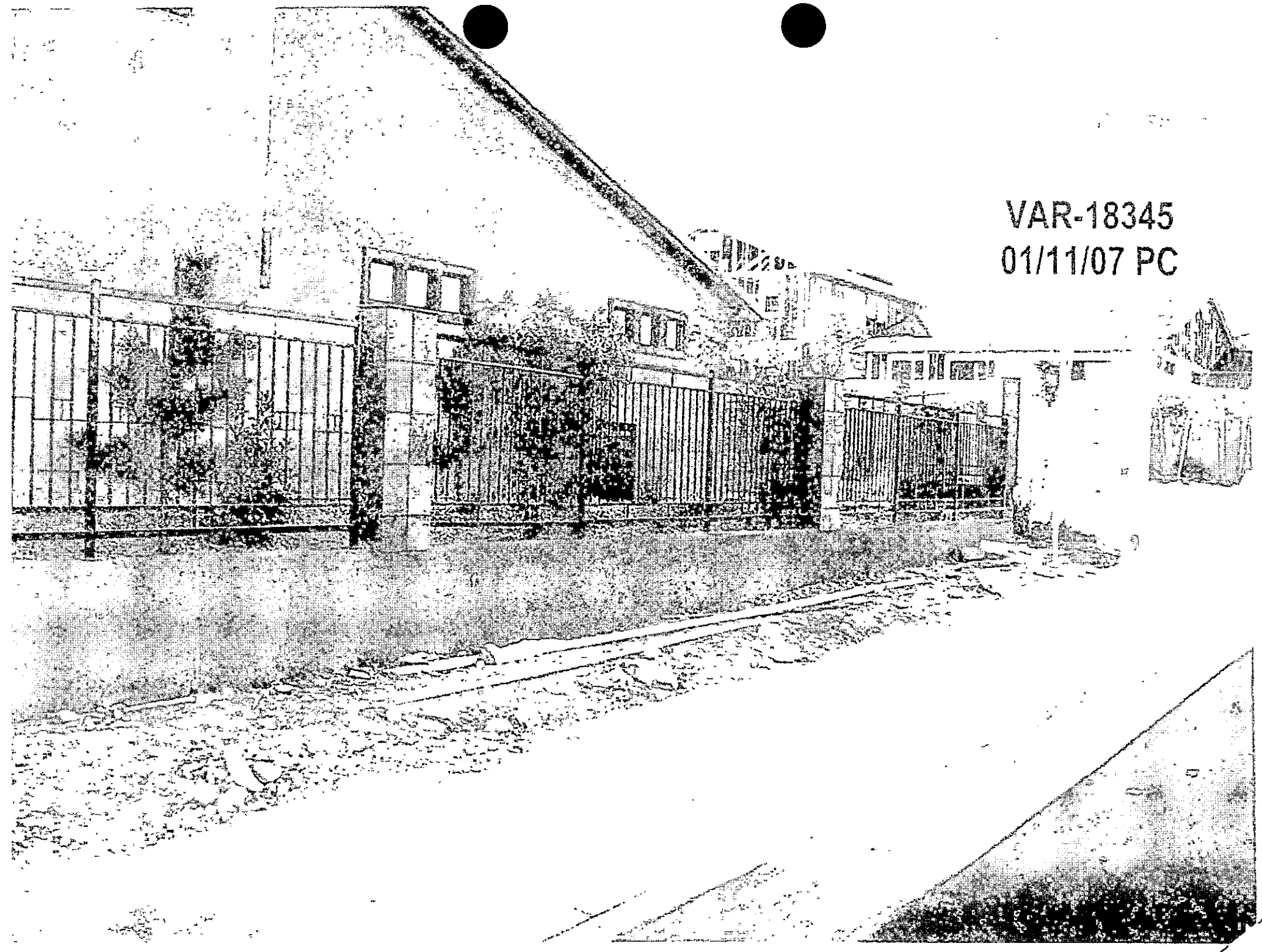
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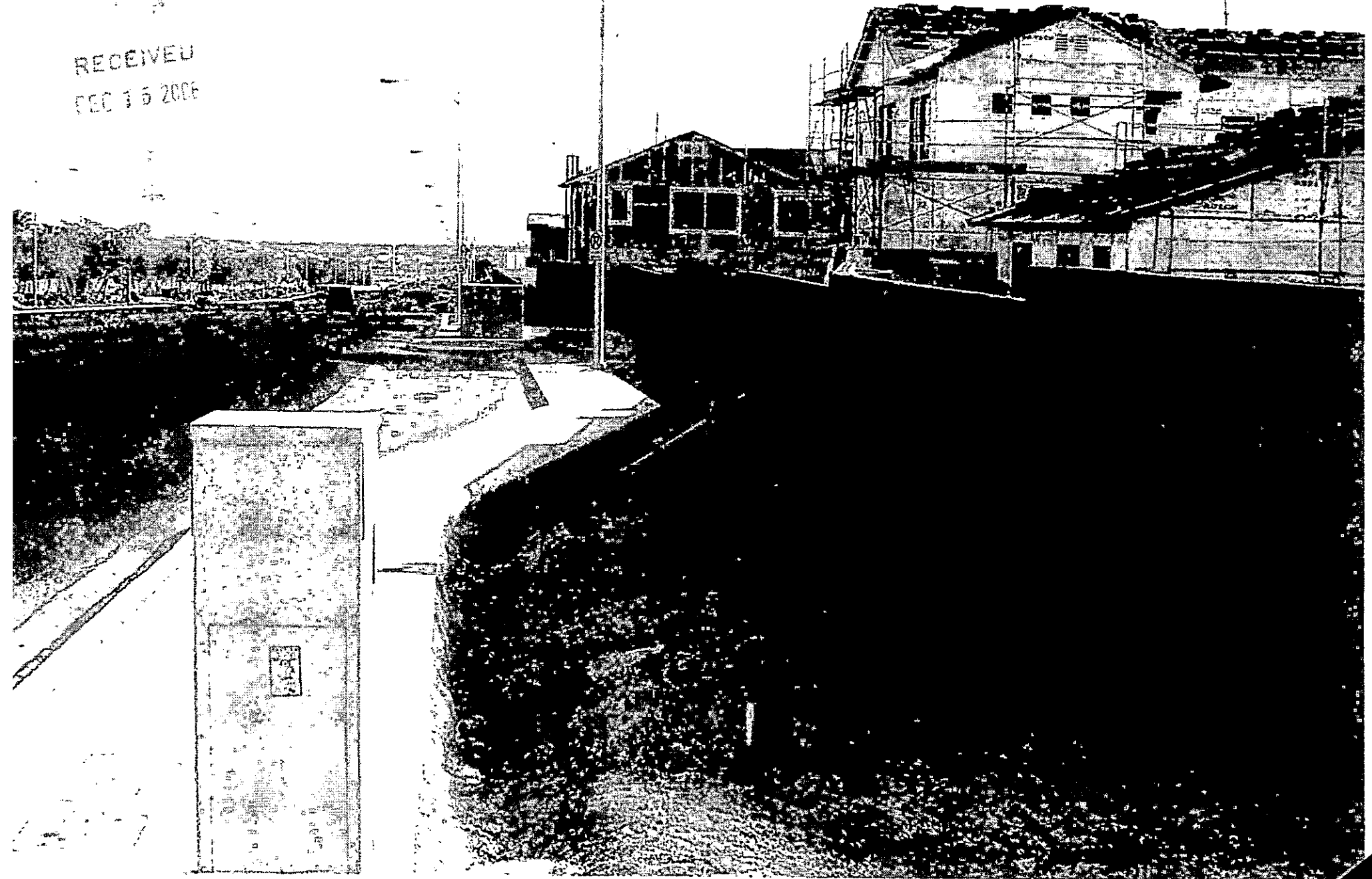


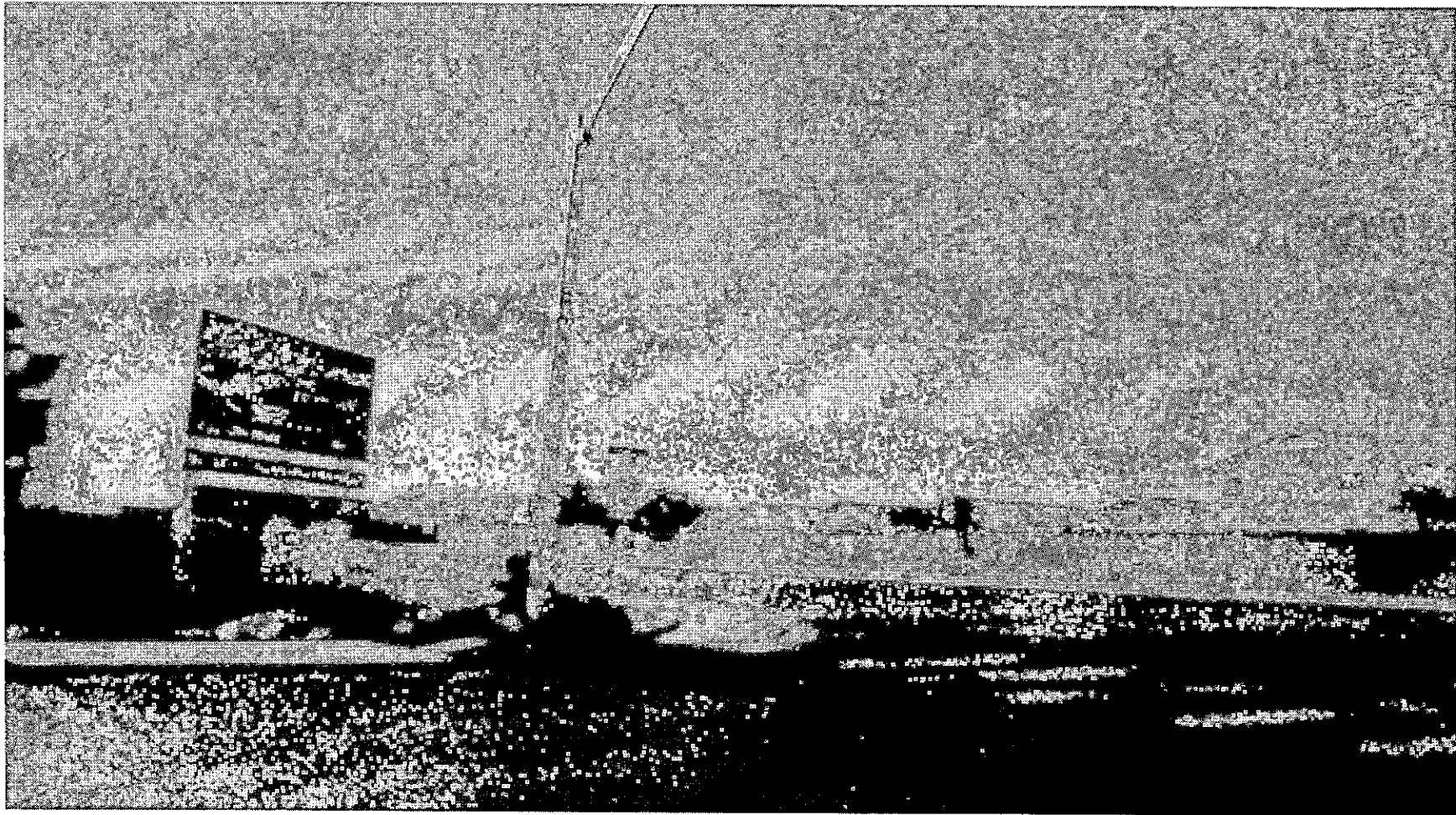
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01/11/07 PC



VAR-18345
01/11/07 PC

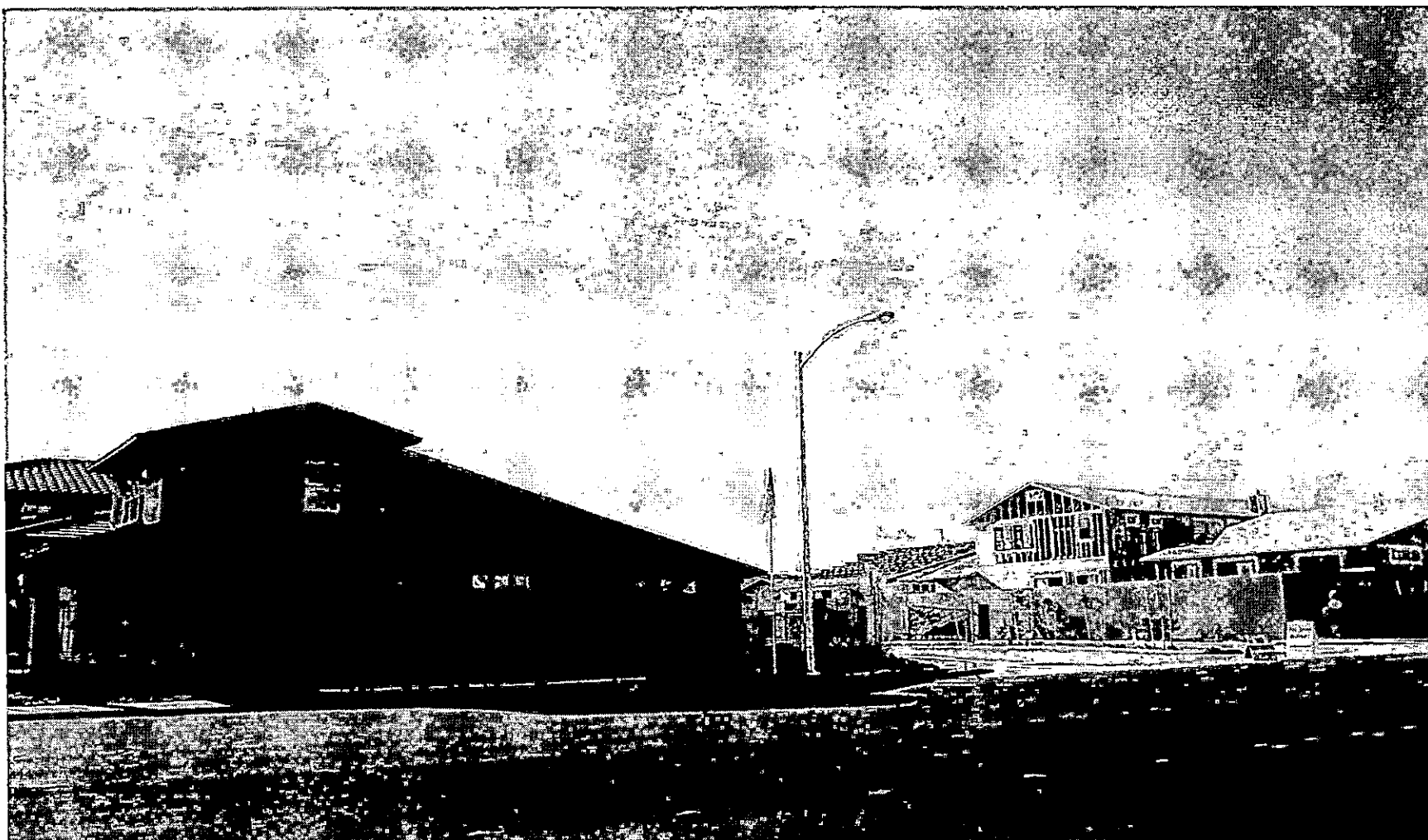
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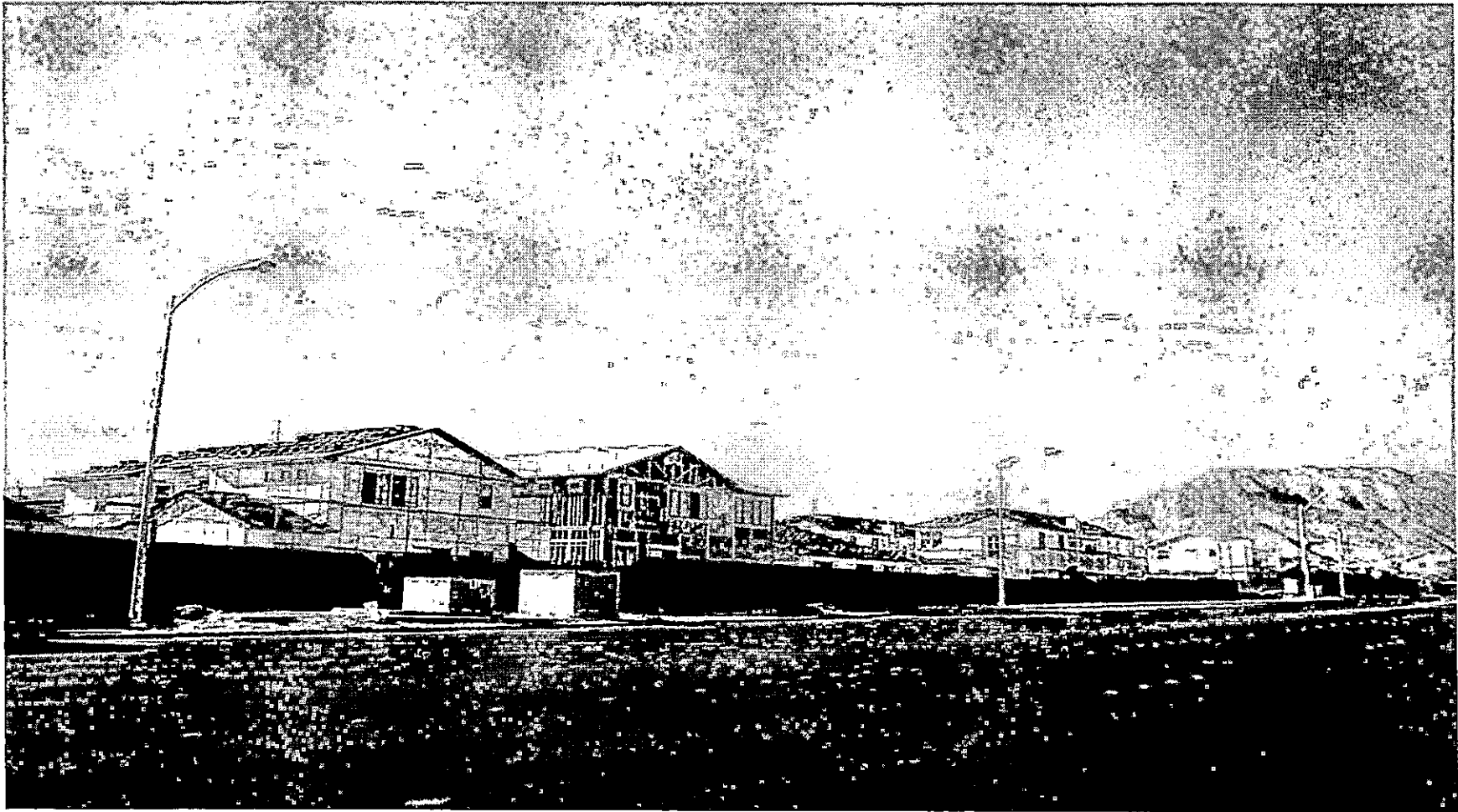
VAR-18345 - APPLICANT/OWNER: WAGNER HOMES INC
ADJACENT TO THE SOUTHEAST CORNER AND SOUTHWEST CORNER OF ALEXANDER ROAD AND
CAMPBELL ROAD
JANUARY 11, 2007 PLANNING COMMISSION

12/08/06



VAR-18345 - APPLICANT/OWNER: WAGNER HOMES INC
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JANUARY 11, 2007 PLANNING COMMISSION

12/08/06



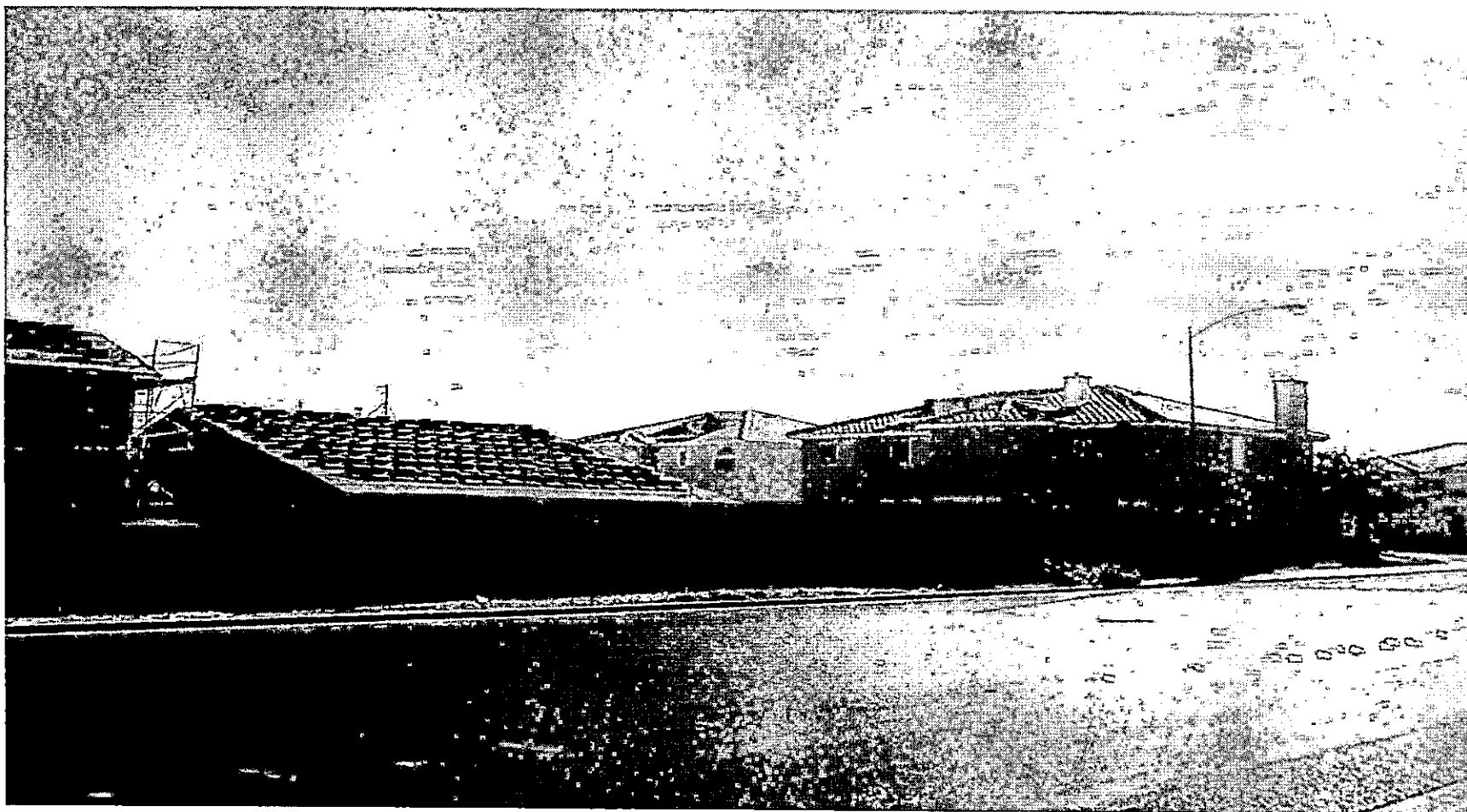
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JANUARY 11, 2007 PLANNING COMMISSION

12/08/06



CONSULTING ENGINEERS • PLANNERS • SURVEYORS

PROVIDING QUALITY PROFESSIONAL
SERVICES SINCE 1960

November 27, 2006
WO# 6194

City of Las Vegas
Planning and Development Department
731 South 4th Street
Las Vegas, NV 89101

DAY DAWN FUSION:
RE: Justification for a Variance & Review of Conditions

Planning Department,

On behalf of our client, Nevada Homes Group, VTN Nevada respectfully submits this letter and application for a Review of Condition and a Variance. Our client is requesting relief from condition # 11 of SDR-2418, stipulating in part, that perimeter walls shall not exceed eight feet in height. Amending this condition to permit a greater wall height would necessitate relief of Chapter 19.08.040 of Title 19, limiting wall height to eight feet.

The applicant is only requesting this relief for approximately 1,300 feet along Alexander Road. Basically, the request is restricted from the vicinity of the entry street east to Campbell Road

The applicant is proposing to build an enhanced, visually superior oriental themed wall that uses contrasting materials, color, as well as surface relief to provide visual relief of a monotonous wall that is typically so pervasive in the area.

The wall is currently designed in two sections that include a combination retaining/screen wall and an off-set, low retaining wall. The combined height of this wall section is 12.4 feet $\pm$. The applicant proposes to build an enhanced single wall approximately 13.9 feet $\pm$ in height in the aforementioned area. The grading of the landscape easement will reduce the total wall height by 1-foot.

The applicant believes the substantial cost of single, enhanced perimeter wall that enhances the visual theme justifies this request. Thank you for your consideration in this matter.

Sincerely,

VTN Nevada

Jeffrey Armstrong
Senior Planner

VAR-18345
01/11/07 PC

Attachments

2727 SOUTH RAINBOW BOULEVARD LAS VEGAS, NEVADA 89146-5148
TEL. (702) 873-7550 FAX: 362-2597

Dorothy Marsili

From: Doug Rankin
Sent: Monday, January 08, 2007 10:51 AM
To: John Korkosz; Dorothy Marsili
Subject: FW: City of LV - 01-11-07 PC Final Agenda

From: Heimgartner, Erin [mailto:eeheimgartner@centexhomes.com]
Sent: Monday, January 08, 2007 10:48 AM
To: drankin@lasvegasnevada.gov
Subject: City of LV - 01-11-07 PC Final Agenda

Re: Item #33 VAR-18345

What is purpose of increased height? Is it necessary for construction safety? Are driver site lines impacted? Is there an impact on flood water drainage?

If any of these items are of a negative factor to the community, I do not support the variance.

Thank you,

Erin E. Heimgartner

1/8/2007

ITEM # 33
CASE # VAR-18345
PC MTG 1-11-07

f

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 11, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-18347 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: GRAND TETON LODGE LAND LLC - Request for a Special Use Permit FOR A PROPOSED 800 SQUARE FOOT CAR WASH, FULL SERVICE on 2.71 acres on the northeast corner of Grand Teton Drive and Durango Drive (APN 125-09-401-031), U [(Undeveloped) Zone, SC (Service Commercial) General Plan Designation] Under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross).

IF APPROVED: C.C.: 02/07/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letter from Gary Kronenberg

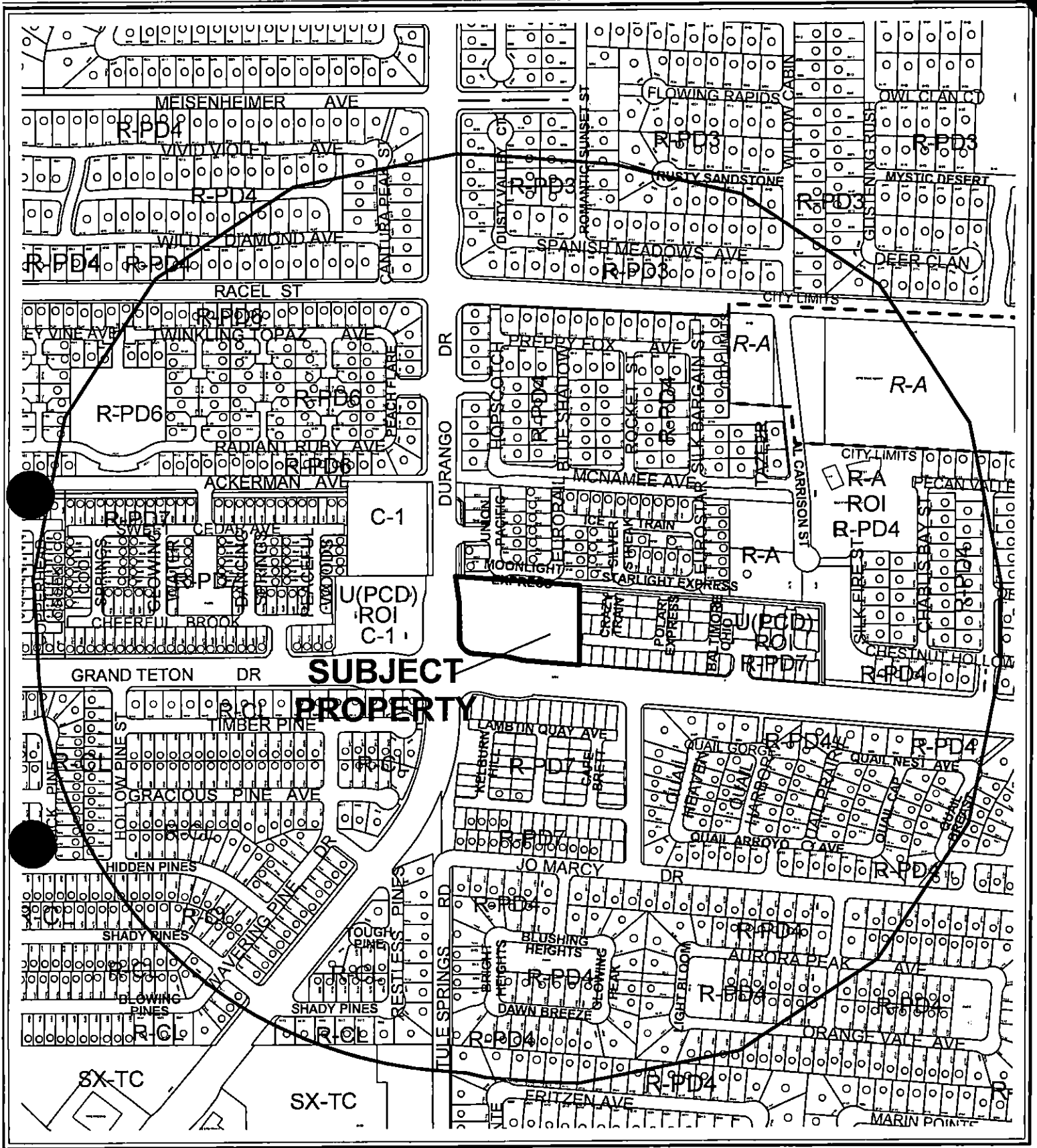
MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 12 [ZON-17693], Item 13 [SDR-17694], Item 14 [VAR-17732], Item 15 [SDR-17730] and Item 33 [VAR-18345] to the 01/25/2007 Planning Commission Meeting; and Item 4 [VAR-18346], Item 34 [SUP-18347], Item 35 [SUP-18630] and Item 36 [SDR-18349] to the 02/08/2007 Planning Commission Meeting – UNANIMOUS

MINUTES:

JOHN KORKOSZ, Planning and Development Department, stated Item 4 [VAR-18346], Item 34 [SUP-18347], Item 35 [SUP-18630] and Item 36 [SDR-18349] had been requested to be held in abeyance to the 02/08/2007 Planning Commission Meeting.

(6:05 – 6:12)

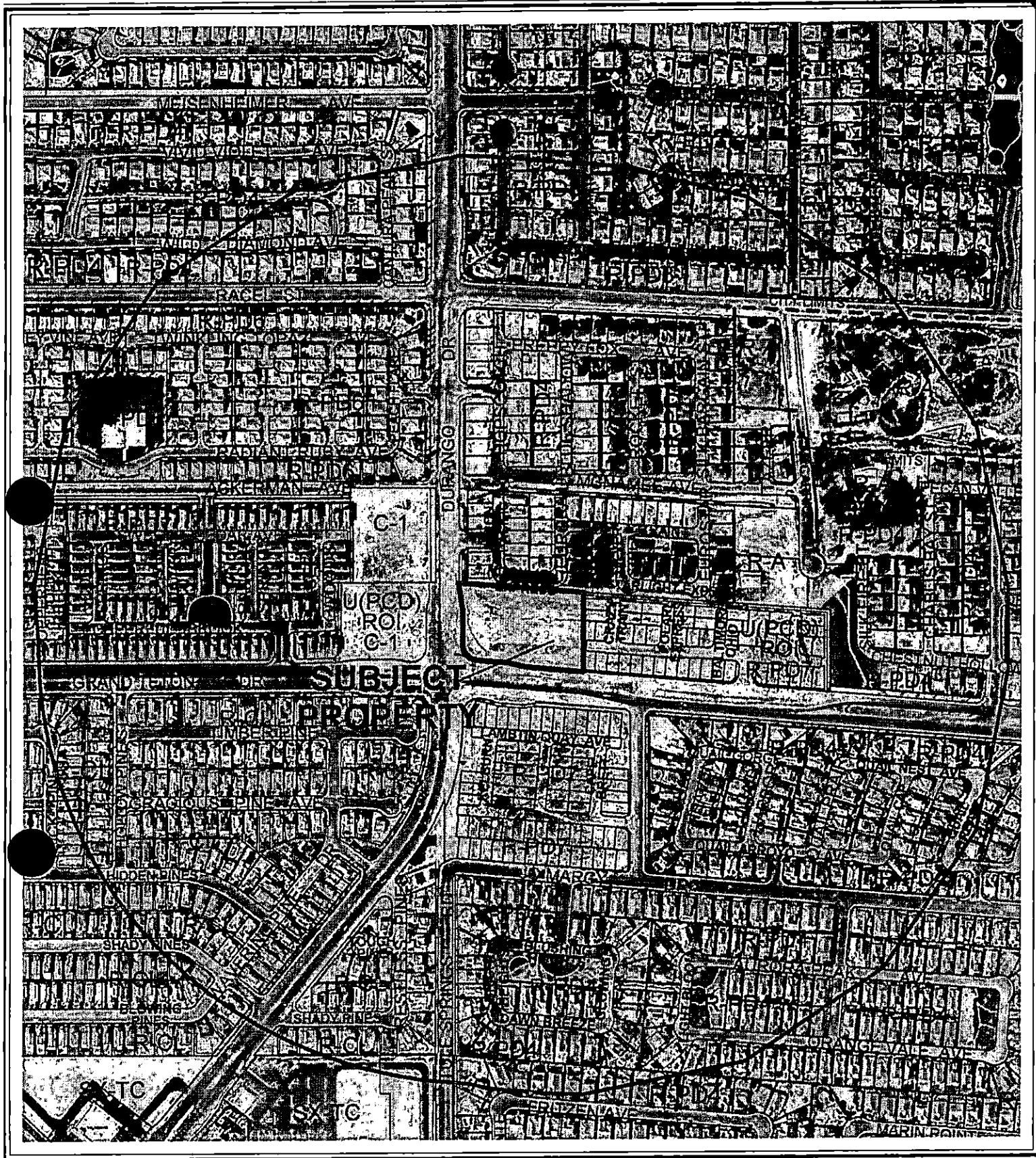


CASE: **SUP-18347**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)



CASE: **SUP-18347**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER
RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

0 300 600 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 11, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-18347 - APPLICANT/OWNER: GRAND TETON LODGE
LAND LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-18349) and Special Use Permit (SUP-18630) if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-18347 - Staff Report Page One
January 11, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Special Use Permit for a proposed 800 square foot Car Wash, Full Service at the northeast corner of Grand Teton Drive and Durango Drive. An accompanying Special Use Permit (SUP-18630) for a Beer/Wine/Cooler Off-sale Establishment and a Site Development Plan Review (SDR-18349) for the Car Wash, a Service Station without automotive repair and a fast-food restaurant will be considered. An approved tavern is under construction at the subject site as well.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
3/17/99	The Board of County Commissioners approved the rezoning (ZC-1702-98) of the northeast corner of Durango Drive and Grand Teton Drive.
6/08/99	The City Council approved the annexation [A-28-99(A)] of the subject site. The effective date of the annexation was September 24, 1999.
6/21/00	The City Council approved a Special use Permit (U-0011-00) for a tavern at the subject site. The Planning Commission and staff recommended approval.
7/17/02	The City Council approved of an Extension of Time [U-0011-00(1)] for the approved Tavern. The Planning Commission and staff recommended approval.
04/06/05	The City Council approved a Special Use Permit (SUP-5691) for a Tavern and a Waiver from the distance separation requirements from an existing park, a Variance (VAR-5694) to allow a 24-foot setback where residential adjacency standards require a minimum of 73 feet, a Variance (VAR-5693) a Variance to allow 132 parking spaces where 148 spaces are the minimum required, and a Site Development Plan Review (SDR-5689) for a 6,115 square-foot tavern and a Waiver of trash enclosure separation. The Planning Commission recommended approval on 03/10/05 and staff recommended denial.

SUP-18347 - Staff Report Page Two
January 11, 2007 - Planning Commission Meeting

<i>Related/Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/09/05	Business License L16-266-4-1214 issued for a Tavern issued to Tomfoolery, inactive effective 06/07/06.
06/07/06	Pending Business License requests created for The Lodge at Grand Teton including C05-96168-0-107791 for Tobacco Retailer, C08-96164-0-107791 for Coin Operated Amusements, C20-96167-7-850 for Convention Hall Gaming Tax, G01-96166-4-850 for Gaming-Restricted, and R09-96163-0-107791 for a Restaurant.
08/18/06	Building Permit C-0189-05 issued for a trash enclosure, on-site improvements and a Certificate of Occupancy for a tavern on the subject site.

<i>Pre-Application Meeting</i>	
11/13/06	At a Pre-application meeting, the applicant was told of the requirements for a site development plan review and the requirements for a special use permit. Additional detail was given regarding landscaping and parking requirements particular to the subject site.

<i>Neighborhood Meeting</i>	
01/02/06	A neighborhood meeting was held at the Silverstone Golf Club 8600 Cupp Drive at 6:00 p.m. Attendance included three members of the development team, nine members of the public and one member of the Planning & Development staff. The following concerns were brought up by members of the public: • Concerns about the speaker box of the fast food pad • Area over saturated by alcohol uses • Request for a family restaurant • No 24 hrs uses Concerns about Day Care use at 7955 Quail Heaven being too close to uses.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.71

SUP-18347 - Staff Report Page Three
January 11, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Tavern, Undeveloped	SC (Service Commercial)	U(SC) Undeveloped (Service Commercial) under Resolution of Intent to C-1 (Limited Commercial)
North	Single Family	PCD (Planned Community Development)	R-PD6 (Residential Planned Community – 6 Units per Acre)
South	Single Family (under construction)	PCD (Planned Community Development)	R-PD7 (Residential Planned Community – 7 Units per Acre)
East	Single Family (under construction)	PCD (Planned Community Development)	U(PCD) Undeveloped (Planned Community Development) under Resolution of Intent to R-PD7 (Residential Planned Community – 7 Units per Acre)
West	Undeveloped (proposed retail)	PCD (Planned Community Development)	U(PCD) Undeveloped (Planned Community Development) under Resolution of Intent to C-1 (Limited Commercial)

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

* The Trail Requirements related to the subject site are fully addressed in the companion application for Site Development Plan Review (SDR-18349).

DEVELOPMENT STANDARDS

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	115,730 Square Feet	Y
Min. Lot Width	100 Feet	220 Feet	Y
Min. Setbacks			
• Front	20 Feet	25 Feet	Y
• Side	10 Feet	16 Feet	Y
• Corner	15 Feet	24 Feet	Y
• Rear	20 Feet	80 Feet	Y
Max. Lot Coverage	50%	12%	Y

SUP-18347 - Staff Report Page Four
January 11, 2007 - Planning Commission Meeting

Max. Building Height	N/A	32.75 Feet	Y
Trash Enclosure	50 Feet from residential uses	62 Feet	Y
Mech. Equipment	Screened	Screened	Y
Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	79.5 Feet	105 Feet	Y
Adjacent development matching setback	10 Feet	80 Feet	Y
Trash Enclosure	50 Feet from residential uses	73 Feet	Y

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces 1 Finger/6 Spaces	22	23	Y N*
Buffer:				
Min. Trees				
North	1 Tree/20 Feet	21	20	N*
East	1 Tree/20 Feet	14	12	N*
South	1 Tree/30 Feet	13	18	Y
West	1 Tree/30 Feet	9	9	Y
TOTAL		79	82	Y
Min. Zone Width				
• East	15 Foot Buffer		15 Foot	Y
• North	8 Foot Buffer		10 Foot	Y
• West	8 Foot Buffer		8 Feet	Y
• South	15 Foot Buffer		20 Feet	Y

* Additional trees and parking lot fingers to be required by condition on related Site Development Plan Review (SDR-18349).

Standards	Required	Provided	Compliance
Wall Height			
East Property Line	Minimum 6 Feet, Maximum 8 Feet	8 Foot Block Wall	Y
North Property Line	Minimum 6 Feet, Maximum 8 Feet	8 Foot Block wall	Y

SUP-18347 - Staff Report Page Five
January 11, 2007 - Planning Commission Meeting

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi- capped	Regular	Handi- capped	
Tavern (Existing)	3,171 SF	1:50 SF	64				
	Public seating						
	3,204 SF	1:200 SF	16				
	Remainder						
Car Wash*	800 SF	NA	NA				
Service Station	4,056	1:250 SF	16				
Restaurant*	650 SF	1:50 SF	13				
	Public seating						
	2,050 SF	1:200 SF	10				
	Remainder						
Sub-Total			114	5	122	5	
TOTAL -Including Handicapped			119		127		Y

* The Restaurant Drive-Through and the Car Wash each provide six stacking spaces in addition to the above parking spaces provided.

ANALYSIS

- General

The subject site is located in the SC (Service Commercial) General Plan designation in the Centennial Hills Sector of the Las Vegas 2020 Master Plan. The proposed Car Wash, Full Service use is compatible with the SC designation. The proposed use will be in conjunction with a Service Station without automotive repair. In addition, the development includes a proposed fast food restaurant and an approved tavern. The combination of these uses, however, are too intense for the site and staff recommends denial.

- Zoning

The subject property is located in the C-1 zone. The C-1 zone is intended to provide for a variety of commercial, retail, restaurant and office uses including the proposed Car Wash, subject to the approval of a Special Use Permit.

SUP-18347 - Staff Report Page Six
January 11, 2007 - Planning Commission Meeting

- Use

Title 19.20 defines Car Wash (Full Service) as a car wash facility, typically operated in conjunction with a gas station, which customarily employs automatic or semiautomatic methods of cleaning. The proposed Car Wash, Full Service use is not compatible with the surrounding neighborhoods because of the type, intensity and number of uses proposed on this site, in combination with the approved tavern. Further, a condition of approval of a previously approved Site Development Plan Review (SDR-5689) read "No roll-up doors or drive-thru windows shall be allowed on this site." Therefore staff recommends denial.

- Conditions

The proposed Car Wash (Full Service) use meets the requirement below, as per Title 19.04; however, the use, particularly in concentration with the other uses at the subject site, is too intense for this location.

1. Each wash bay shall have a stacking lane that will accommodate at least six cars.

FINDINGS

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

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

The project is compatible with the General Plan land-use designation for the area and satisfies the requirements of the Zoning Code with respect to minimum separation distance requirements. The project, however, in combination with the other uses on this relatively small site is too intense for its location and not harmonious and compatible with the surrounding land uses. Therefore, staff recommends denial.

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

The intensity of the Car Wash, Full Service use, particularly in combination with the other proposed uses on this site are too intense in scope and number for the surrounding residential neighborhoods.

SUP-18347 - Staff Report Page Seven
January 11, 2007 - Planning Commission Meeting

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

The proposed Car Wash, Full Service use will be accessed from Durango Drive and Grand Teton Drive, identified on the Master Plan of Streets and Highways as a 100-foot Primary Arterials and a 120-Foot Parkway Arterial, respectively. While these roads have adequate capacity, the proposed uses are too intense for this intersection.

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

The proposed Car Wash, Full Service use in combination with the other proposed and approved uses is too intense for the location; and therefore, staff finds that approval of the Special Use Permit will be inconsistent with the public health, safety, and welfare as well as the overall objectives of the General Plan.

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

The subject site meets all applicable conditions for a Car Wash, Full Service as per the requirements of Title 19.04; however, for the aforementioned reasons, this use is not appropriate for the subject site.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 867 (Mailed with SUP-18630 and SDR-18349)

APPROVALS 0

PROTESTS 0

**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST**Case Number: **SUP-18347** APN: 125-09-401-031Name of Property Owner: GRAND TETON LODGE LAND, LLCName of Applicant: GRAND TETON LODGE LAND, LLCName of Representative: PACIFIC DESIGN CONCEPTS

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: _____

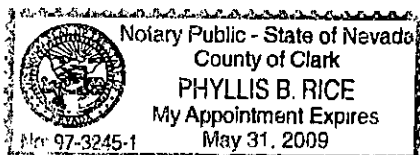
Signature of Property Owner: _____

Print Name: STUART APOLLO

Subscribed and sworn before me

This 21st day of NOV, 2006Phyllis B. Rice
Notary Public in and for said County and State

Revised 11-14-06



F:\depot\Application Packet\Statement of Financial Interest.pdf

PROJECT DATA:

APPLICATION:

DC-180-18

LEGAL DESCRIPTION:

THE SOUTH HALF (1/2) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 8, TOWNSHIP 19 SOUTH, RANGE 68 EAST, MOBILE, AL.

ADJACENT PARCEL NUMBER:

09-09-041-031

SITE AREA:

18,139 SF.
(0.42 ACRES)

CURRENT ZONING:

C1

LOT COVERAGE:

0%

MISCELLANEOUS:

FRONT,
SIDE,
REAR,
CORNER

EXISTING AREA:

CAR WASH
C-STORE
FAST FOOD RESTAURANT

EXISTING LODGE / TAVERN

REQUIRED:
10'-0"
10'-0"
10'-0"
10'-0"
10'-0"

PROVIDED:
10'-0"
10'-0"
10'-0"
10'-0"
10'-0"

13,331 SF.
800 SF.
4,856 SF.
7,700 SF.

63% SF.

PARKING CALCULATIONS REQUIRED:

CAR WASH 800 SF. 1.1 SP.
C-STORE 4,856 SF. 1.1 SP.

FAST FOOD RESTAURANT

PUBLIC SEATING AREA 600 SF. 1.1 SP.
REMAINING AREA 1,800 SF. 1.1 SP.

EXISTING TAVERN:

TAVERN 1,800 SF. PUBLIC SEATING (13,331 SF.)
1,200 SF. FOR REST (13,331 SF.)

TOTAL REQUIRED:

PROVIDED:

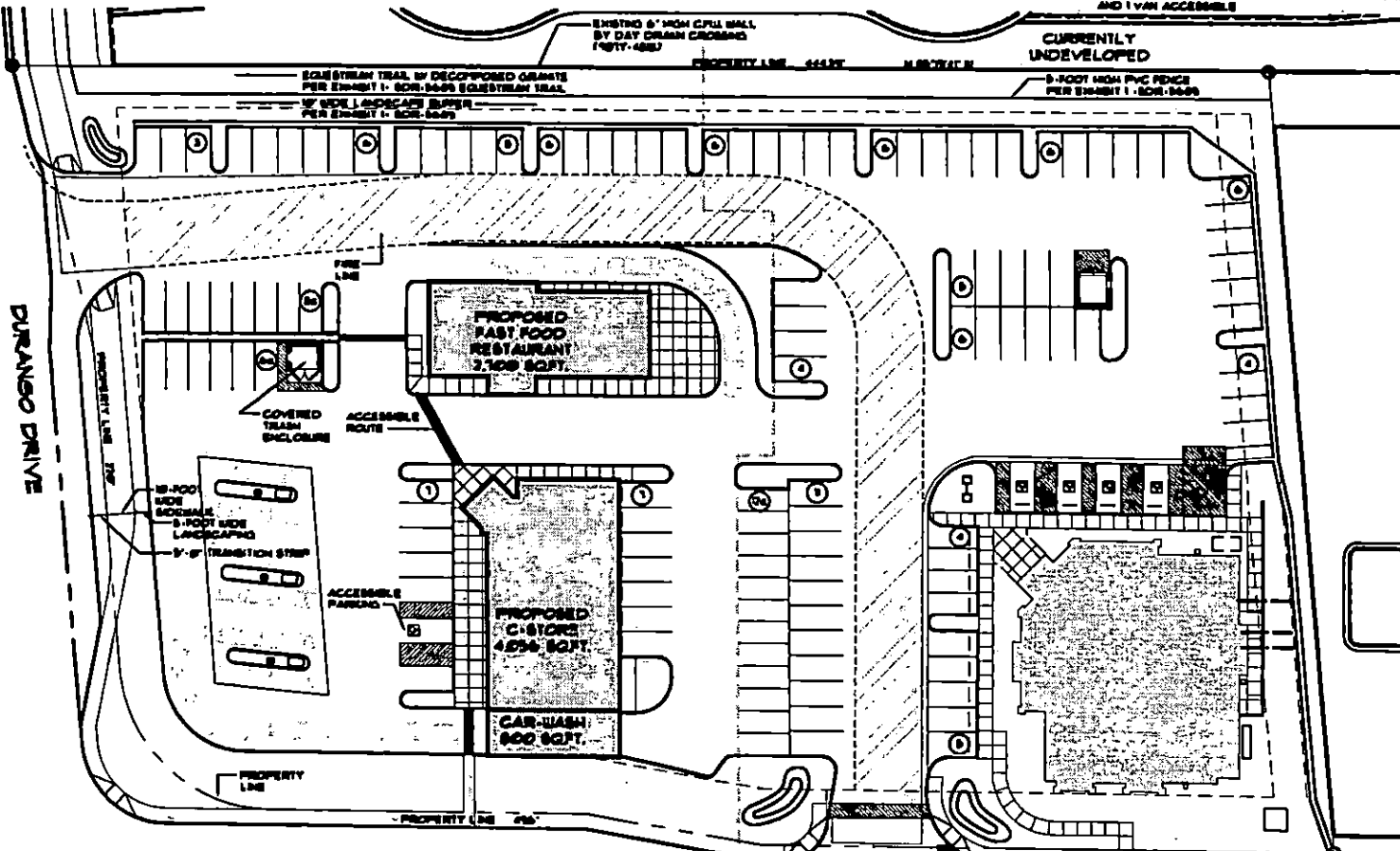
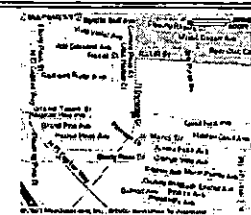
933 SPACES
1671 SPACES

13 SPACES
1671 SPACES

64 SPACES
16 SPACES

09 SPACES INCLUDED
09 ACCESSIBLE SPACES
01 SPACES INCLUDED
26 COMPACTS, 4
ACCESSIBLE SPACES
AND 1 VAN ACCESSIBLE

PROJECT LOCATION:



1 SITE PLAN
SCALE 1" = 20'-0"

GRAND TETON DRIVE

8.6418077 E

CENTER LINE / SECTION LINE

SUP-18347

SDR-18349

01/11/07 PC

RECEIVED

NOV 28 2006

pacific design concepts, llc
3005 W. HANZAN RIDGE PARKWAY, SUITE 200
NANDERSEN, NEVADA 89052
(702) 450-5842 fax (702) 450-7842

PROJECT SITE
C-STORE AT
GRAND TETON
GRAND TETON DR. DURANGO DR.
LAS VEGAS, NEVADA

PRELIMINARY
NOT FOR
CONSTRUCTION

ARCHITECTURAL SITE
PLAN
LAND USE SUBMITTAL

AS101

1. DIMENSIONS ON DRAWINGS ARE TO FACE OF SHOE AND/OR TO FACE OF CONCRETE UNLESS OTHERWISE NOTED.
2. FIELD VERIFY ALL DIMENSIONS, CONDITIONS AT JOB SITE AND REPORT ANY DISCREPANCIES TO ARCHITECT BEFORE BEGINNING WORK.
3. PROVIDE CORNER GUARDS FULL HEIGHT AT ALL INTERIOR CORNERS.

1. DIMENSIONS ON DRAWINGS ARE TO FACE OF STUDS AND/OR TO FACE OF CONCRETE UNLESS OTHERWISE NOTED.
2. FIELD VERIFY ALL DIMENSIONS, CONDITIONS AT JOB SITE AND REPORT ANY DISCREPANCIES TO ARCHITECT BEFORE BEGINNING WORK.
3. PROVIDE CORNER GUARDS, FULL HEIGHT AT ALL INTERIOR CORNERS.
4. PROVIDE TRANSITION STRIPS AT ALL DIFFERENT FLOOR FINISHES. PROVIDE SPECIAL STRIPS AT TILE AND CONCRETE.
5. PROVIDE SOUND ATTENUATION BARRIERS IN WALLS SEPARATING THE TOILET ROOMS AND OTHER ADJACENT ROOMS.
6. CONTRACTOR SHALL PROVIDE AND LOCATE ACCESS PANELS AS REQUIRED AFTER INSTALLATION OF MECHANICAL DUCTS, PLUMBING AND ELECTRICAL WORK.
7. ALL PARTITIONS ADJACENT TO OR LOCATED AT THE BACK OF PLUMBING FURNISHES SHALL BE CONSTRUCTED WITH FIRE-RESISTANT OUTFITTERS.



SUP-18347
SDR-18349
01/11/07 PC

NOV 28 2006

pacific design concepts, llc

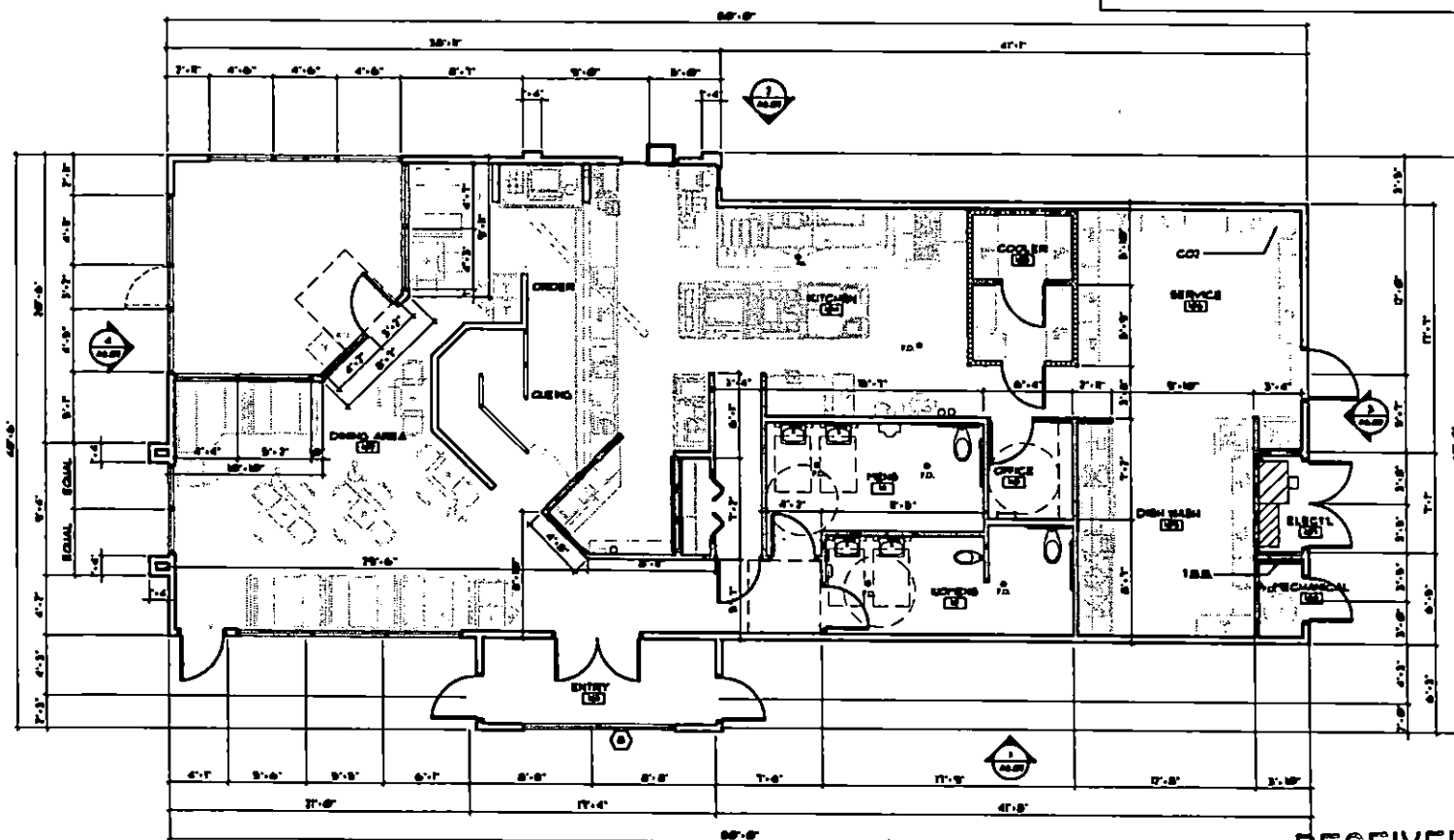
3005 W. Horizon Ridge Parkway, Suite 200
Henderson, Nevada 89052
(702) 454-5842 fax (702) 454-7842

**PROJECT 4116 •
C-STORE AT
GRAND TETON**

PRELIMINARY
NOT FOR
CONSTRUCTION

C-C-STORE FLOOR PLAN

A10



GENERAL NOTES

1. ALL DIMENSIONS ARE TO FACE OF STUDS AND CENTER LINE OF GIRDERS AND COLUMNS UNLESS NOTED OTHERWISE.
2. FOR DOOR/WINDOW TYPES AND SCHEDULES SEE SHEETS A201.
3. FOR ROOF FASH SCHEDULES SEE SHEET A201.
4. SEE DETAILS A201 FOR INTERIOR WALL FINISHING DETAILS.
5. USE MOISTURE RESISTANT GYPSUM BOARD AS REQUIRED AT SET LOCATIONS.
6. PROVIDE SOUND BATT INSULATION AT ALL FULL HEIGHT WALLS.
7. PROVIDE BACING AS REQUIRED FOR CEMENTWORK, GRAB BARS, ETC.
8. SEE EQUIPMENT PLAN ALAS FOR KITCHEN EQUIPMENT AND FIXTURE IDENTIFICATION.

1 FLOOR PLAN
AL01 SCALE 1/4"=1'-0"



SUP-18347
SDR-18349
01/11/07 PC

RECEIVED

NOV 28 2006

pacific design concepts, llc
3005 W. HORIZON RIDGE PARKWAY, SUITE 200
HENDERSON, NEVADA 89052
(702) 454-5842 FAX (702) 454-7842

PROJECT NAME:
C-STORE AT
GRAND TETON
ADDRESS:
LAS VEGAS, NEVADA

PRELIMINARY
NOT FOR
CONSTRUCTION

FAST FOOD
FLOOR PLAN
LAND USE SUBMITTAL

NOV 28 2006
AL02

pacific design concepts, llc

PDC

3005 w. horizon ridge pkwy., #200, henderson, nv 89052 (702) 454-5842 fax (702) 454-7842

November 21, 2006

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

Attn: Planner

**RE: C-STORE AT GRAND TETON
APN: 125-09-401-031
JUSTIFICATION LETTER**

PROJECT NO: 06-182

Dear Planner,

We respectfully request favorable consideration for the above referenced project for a Special Use Permit.

The proposed Special Use Permit is to allow an automated car wash facility in conjunction with a convenience store with gas pumps.

The proposed special use permit is appropriate based on the following findings of facts;

- A. The proposed use can be conducted in a manner. That is harmonious and compatible with existing surrounding land uses, and with future surrounding land use as projected by the General Plan;
- B. The subject site is physically suitable for the type and intensity of land use being proposed;
- C. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use;
- D. Approval of the Special Use Permit at the site in question will be consistent with or compromise the public health, safety and welfare or the overall objectives of the General Plan.

Should you have any questions or require additional information please contact our office.

Sincerely,



Richard C. Gallegos
Principal

RCG/mt

Cc: 06-182.js.lt.sup.clv.cstore.grand.teton

**SUP-18347
SDR-18349
01/11/07 PC**

NOTICE OF PUBLIC HEARING

Dec. 29, 06

1 note NO on

SUP-18347

Gary R. Kronenberg

12516110007
KRONENBERG GARY R
8316 BLUSHING HEIGHTS AVE
LAS VEGAS NV 89131-4610

Case: SUP-18347

SPECIAL USE PERMIT

MEETING: PLANNING COMMISSION
DATE: JANUARY 11, 2007
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-18347

APPLICANT/OWNER: GRAND TETON LODGE LAND LLC - REQUEST FOR A SPECIAL USE PERMIT FOR A PROPOSED 800 SQUARE FOOT CAR WASH, FULL SERVICE ON 2.71 ACRES ON THE NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE (APN 125-09-401-031), U [(UNDEVELOPED) ZONE, SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL), WARD 6 (ROSS).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S $\frac{1}{2}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION 09, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objection thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. This request may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after discussion of the item. You will receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>.



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

SEE LOCATION MAP ON REVERSE SIDE

ITEM # 34
CASE # SUP-18347
PC MTG 1-11-07

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 11, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-18630 - SPECIAL USE PERMIT RELATED TO SUP-18347 - PUBLIC HEARING
- APPLICANT/OWNER: GRAND TETON LODGE LAND LLC - Request for a Special Use Permit FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT IN A PROPOSED SERVICE STATION WITHOUT AUTOMOTIVE REPAIR on 2.71 acres on the northeast corner of Grand Teton Drive and Durango Drive (APN 125-09-401-031), U [(Undeveloped) Zone, SC (Service Commercial) General Plan Designation] Under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross).

IF APPROVED: C.C.: 02/07/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letter from Gary Kronenberg

MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 12 [ZON-17693], Item 13 [SDR-17694], Item 14 [VAR-17732], Item 15 [SDR-17730] and Item 33 [VAR-18345] to the 01/25/2007 Planning Commission Meeting; and Item 4 [VAR-18346], Item 34 [SUP-18347], Item 35 [SUP-18630] and Item 36 [SDR-18349] to the 02/08/2007 Planning Commission Meeting – UNANIMOUS

MINUTES:

JOHN KORKOSZ, Planning and Development Department, stated Item 4 [VAR-18346], Item 34

PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 35 – SUP-18630

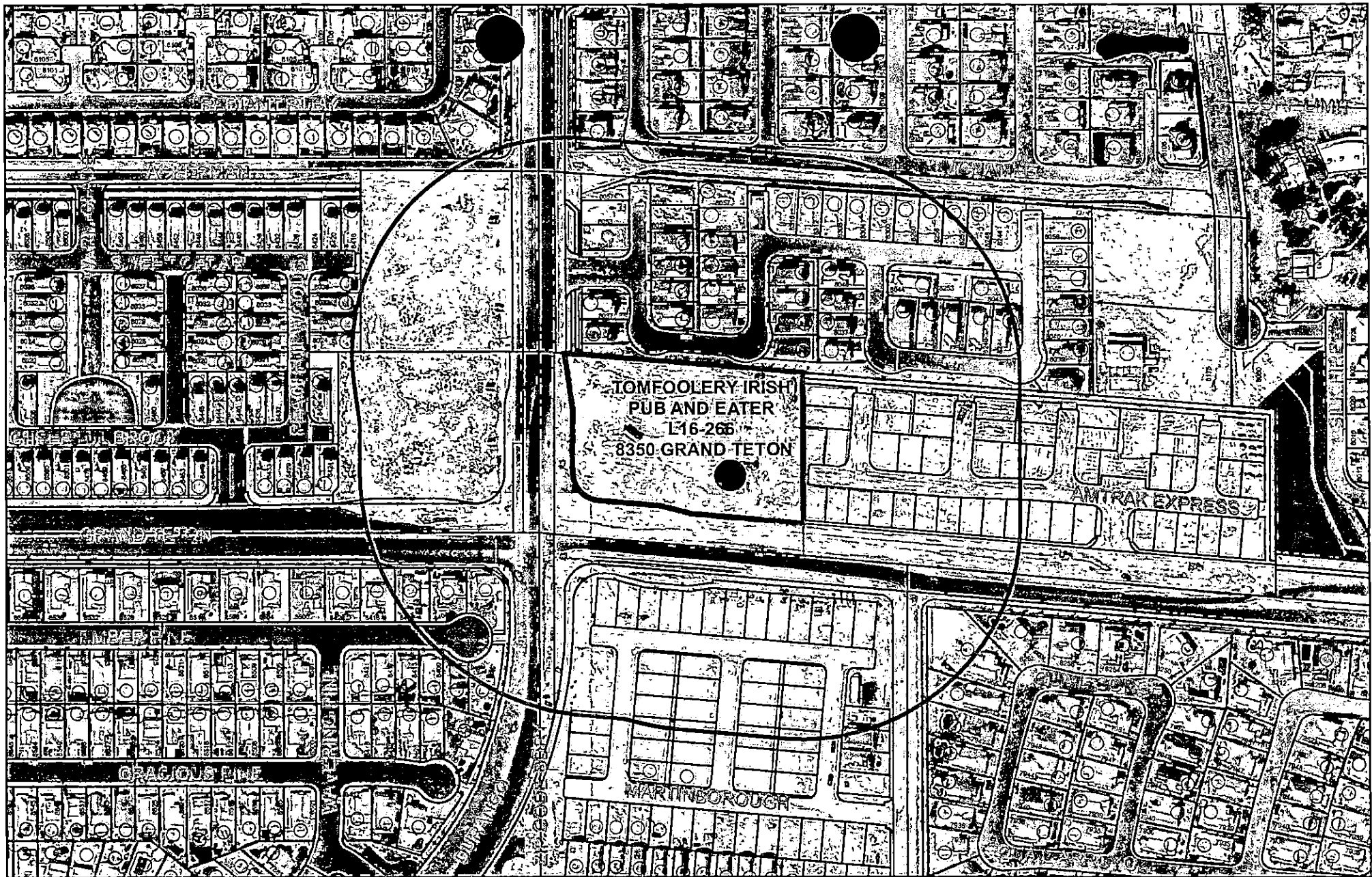
MINUTES – Continued:

[SUP-18347], Item 35 [SUP-18630] and Item 36 [SDR-18349] had been requested to be held in abeyance to the 02/08/2007 Planning Commission Meeting.

(6:05 – 6:12)

1-81





SUP-18630

BEER/WINE/COOLER OFF-SALE

Business Licenses

- Child Care/
Children Facility
- Tavern
- Supper Club/
Restaurant Service Bar
- Liquor on/off Sales

- RELIGIOUS
- CITY PARKS
- SCHOOLS

- Subject Property
- 400 foot buffer



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 11, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-18630 - APPLICANT/OWNER: GRAND TETON LODGE LAND LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-18349), 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. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. 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.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-18630 - Staff Report Page One
January 11, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Special Use Permit for a Beer/Wine/Cooler Off-Sale Establishment in a Proposed Service Station without Automotive Repair at the northeast corner of Grand Teton Drive and Durango Drive. This application is related to SUP-18347 and SDR-18349.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
3/17/99	The Board of County Commissioners approved the rezoning (ZC-1702-98) of the northeast corner of Durango Drive and Grand Teton Drive.
6/08/99	The City Council approved the annexation [A-28-99(A)] of the subject site. The effective date of the annexation was September 24, 1999.
6/21/00	The City Council approved a Special use Permit (U-0011-00) for a tavern at the subject site. The Planning Commission and staff recommended approval.
7/17/02	The City Council approved of an Extension of Time [U-0011-00(1)] for the approved Tavern. The Planning Commission and staff recommended approval.
04/06/05	The City Council approved a Special Use Permit (SUP-5691) for a Tavern and a Waiver from the distance separation requirements from an existing park, a Variance (VAR-5694) to allow a 24-foot setback where residential adjacency standards require a minimum of 73 feet, a Variance (VAR-5693) a Variance to allow 132 parking spaces where 148 spaces are the minimum required, and a Site Development Plan Review (SDR-5689) for a 6,115 square-foot tavern and a Waiver of trash enclosure separation. The Planning Commission recommended approval on 03/10/05 and staff recommended denial.
01/11/07	The Planning Commission will consider concurrently a Special Use Permit (SUP-18347) for a Car Wash, Full Service and a Site Development Plan Review (SDR-18349) for a proposed 4,056 square-foot Service Station without Automotive Repair, an 800 square-foot Car Wash, and a 2,700 square-foot Restaurant with Drive-Through.

SUP-18630 - Staff Report Page Two
January 11, 2007 - Planning Commission Meeting

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/09/05	Business License L16-266-4-1214 issued for a Tavern issued to Tomfoolery, inactive effective 06/07/06.
06/07/06	Pending Business License requests created for The Lodge at Grand Teton including C05-96168-0-107791 for Tobacco Retailer, C08-96164-0-107791 for Coin Operated Amusements, C20-96167-7-850 for Convention Hall Gaming Tax, G01-96166-4-850 for Gaming-Restricted, and R09-96163-0-107791 for a Restaurant.
08/18/06	Building Permit C-0189-05 issued for a trash enclosure, on-site improvements and a Certificate of Occupancy for a tavern on the subject site.

<i>Pre-Application Meeting</i>	
11/13/06	At a Pre-application meeting, the applicant was told of the requirements for a site development plan review and the requirements for a special use permit. Additional detail was given regarding landscaping and parking requirements particular to the subject site.

<i>Neighborhood Meeting</i>	
01/02/06	A neighborhood meeting was held at the Silverstone Golf Club 8600 Cupp Drive at 6:00 p.m. Attendance included three members of the development team, nine members of the public and one member of the Planning & Development staff. The following concerns were brought up by members of the public: • Concerns about the speaker box of the fast food pad • Area over saturated by alcohol uses • Request for a family restaurant • No 24 hrs uses Concerns about Day Care use at 7955 Quail Heaven being too close to uses.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.71

SUP-18630 - Staff Report Page Three
January 11, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Tavern, Undeveloped	SC (Service Commercial)	U(SC) Undeveloped (Service Commercial) under Resolution of Intent to C-1 (Limited Commercial)
North	Single Family	PCD (Planned Community Development)	R-PD6 (Residential Planned Community – 6 Units per Acre)
South	Single Family (under construction)	PCD (Planned Community Development)	R-PD7 (Residential Planned Community – 7 Units per Acre)
East	Single Family (under construction)	PCD (Planned Community Development)	U(PCD) Undeveloped (Planned Community Development) under Resolution of Intent to R-PD7 (Residential Planned Community – 7 Units per Acre)
West	Undeveloped (proposed retail)	PCD (Planned Community Development)	U(PCD) Undeveloped (Planned Community Development) under Resolution of Intent to C-1 (Limited Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts		X	N/A
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A

DEVELOPMENT STANDARDS

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	115,730 Square Feet	Y
Min. Lot Width	100 Feet	220 Feet	Y
Min. Setbacks			
• Front	20 Feet	25 Feet	Y
• Side	10 Feet	16 Feet	Y
• Corner	15 Feet	24 Feet	Y
• Rear	20 Feet	80 Feet	Y

SUP-18630 - Staff Report Page Four
January 11, 2007 - Planning Commission Meeting

Max. Lot Coverage	50%	12%	Y
Max. Building Height	N/A	32.75 Feet	Y
Trash Enclosure	50 Feet from residential uses	62 Feet	Y
Mech. Equipment	Screened	Screened	Y

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	79.5 Feet	105 Feet	Y
Adjacent development matching setback	10 Feet	80 Feet	Y
Trash Enclosure	50 Feet from residential uses	73 Feet	Y

<i>Parking Requirement</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required Parking</i>		<i>Provided Parking</i>		<i>Compliance</i>
			<i>Regular</i>	<i>Handi-capped</i>	<i>Regular</i>	<i>Handi-capped</i>	
Tavern (Existing)	3,171 SF	1:50 SF	64				
	Public seating						
	3,204 SF	1:200 SF	16				
	Remainder						
Car Wash*	800 SF	NA	NA				
Service Station	4,056	1:250 SF	16				
Restaurant*	650 SF	1:50 SF	13				
	Public seating						
	2,050 SF	1:200 SF	10				
	Remainder						
Sub-Total			114	5	122	5	
TOTAL -Including Handicapped			119		127		Y

* The Restaurant Drive-Through and the Car Wash each provide six stacking spaces in addition to the above parking spaces provided.

SUP-18630 - Staff Report Page Five
January 11, 2007 - Planning Commission Meeting

ANALYSIS

- **General Plan and Zoning**

The subject site is located in the Centennial Hills Sector of the General Plan with a land-use designation of SC (Service Commercial). This designation allows for a variety of commercial uses that serve primarily local area patrons, including the proposed use. The subject site is under a Resolution of Intent to the C-1 (Limited Commercial) zoning district, within which the proposed Beer/Wine/Cooler Off-Sale Establishment use is permissible with a Special Use Permit.

- **Use**

The sale of beer/wine/coolers for consumption off-premise in conjunction with a car wash is an allowed use within the C-1 (Limited Commercial) Zoning District with the approval of a Special Use Permit. The reason for a special use permit is to ensure that a proposed use conducted in a manner that is harmonious and compatible with uses located on the same or surrounding properties. The process recognizes that, within a given zoning district, certain uses may be appropriate and compatible in some locations but not in others.

The Special Use Permit process allows a site-specific inquiry into the compatibility of a proposed use at a particular location, taking into account: the characteristics of the site and the surroundings; the relevant zoning and planning principles; and the input of the Planning Commission, City Council and other interested parties. The proposed Beer/Wine/Cooler Off-Sale Establishment use is not compatible with the surrounding neighborhoods because of the type, intensity and number of uses proposed on this site, in combination with the approved tavern. Therefore staff recommends denial.

- **Conditions**

The submitted documents indicate that the proposed use meets all of the applicable requirements for this special use from Title 19.04 listed below; however, the Beer/Wine/Cooler Off-Sale Establishment use is not appropriate at this particular location because of the type, intensity and number of uses proposed on this site.

The following conditions apply to the proposed use:

1. Except as otherwise provided in this Chapter, no retail establishment with accessory package liquor off-sale (hereinafter "establishment") shall be located within four hundred feet of any church, synagogue, child care facility licensed for more than twelve children, or City park.

SUP-18630 - Staff Report Page Six
January 11, 2007 - Planning Commission Meeting

2. Except as otherwise provided in Paragraph 3 below, the distances referred to in Paragraph 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purpose of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:
 - a. Any leasehold parcel; or
 - b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Paragraph 1.
3. In the case of an establishment property to be located on a parcel of at least eighty acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:
 - a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or
 - b. In the case of a proposed establishment which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property lines of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.
4. When considering a Special Use Permit application for an establishment which also requires a waiver of the distance limitation in Paragraph 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.
5. The minimum distance requirements in Paragraph 1 do not apply to:
 - a. An establishment which has a nonrestricted gaming license in connection with a hotel having two hundred or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of two hundred guest rooms after July 1, 1992; or
 - b. A proposed establishment having more than fifty thousand square feet of retail floor space.
6. All businesses which sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.
7. The minimum distance requirements set forth in paragraph 1, which are otherwise nonwaivable under the provisions of this subdivision, maybe be waived:
 - a. In accordance with the provisions of Section 19.040.050(A)(4) for any establishment which is proposed to be located on a parcel within the Downtown Casino Overlay District;

SUP-18630 - Staff Report Page Seven
January 11, 2007 - Planning Commission Meeting

- b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any establishment which is proposed to be located within the T-C (Town Center) Zoning District and which is designated MS-TC (Main Street Mixed Use) in the Town Center Land Use Plan; or
- c. In connection with a retail establishment having less than twenty thousand square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or right-of-way with a width of at least one hundred feet.

FINDINGS

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

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

While the proposed project is compatible with the General Plan land-use designation for the area and satisfies the requirements of the Zoning Code with respect to minimum separation distance requirements, the intensity of a Beer/Wine/Cooler Off-sale Establishment use on this site in combination with an approved tavern is too intense to be harmonious and compatible with the surrounding area.

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

The intensity of the Beer/Wine/Cooler Off-Sale Establishment use, particularly in combination with the other proposed uses on this site are too intense in scope and number for the surrounding residential neighborhoods.

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

The proposed Beer/Wine/Cooler Off-Sale Establishment use will be accessed from Durango Drive and Grand Teton Drive, identified on the Master Plan of Streets and Highways as a 100-foot Primary Arterials and a 120-Foot Parkway Arterial, respectively. While these roads have adequate capacity, the proposed uses are too intense for this intersection.

SUP-18630 - Staff Report Page Eight
January 11, 2007 - Planning Commission Meeting

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

The proposed Beer/Wine/Cooler Off-Sale Establishment use in combination with the other proposed and approved uses is too intense for the location; and therefore, staff finds that approval of the Special Use Permit will be inconsistent with the public health, safety, and welfare as well as the overall objectives of the General Plan.

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

The subject site meets all applicable conditions for a Beer/Wine/Cooler Off-Sale Establishment as per the requirements of Title 19.04; however, for the aforementioned reasons, this use is not appropriate for the subject site.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 867 (Mailed with SUP-18347 and SDR-18349)

APPROVALS 0

PROTESTS 1

**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST**Case Number: **SUP-18630** APN: 125-09-401-031Name of Property Owner: Grand Teton Lodge Land, LLCName of Applicant: Grand Teton Lodge Land, LLC - Stuart ApolloName of Representative: Pacific Design Concepts, 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: _____

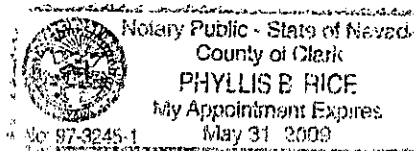
Partner(s): _____

APN: _____

Signature of Property Owner: _____

Print Name: STUART APOLLO

Subscribed and sworn before me

This 6th day of DEC, 20 06Phyllis B. Rice
Notary Public in and for said County and State

PROJECT DATA:

APPLICATION:

20-TOR-10

LEGAL DESCRIPTION:
THE SOUTH HALF (1/2) OF THE SOUTHWEST QUARTER (26W1/4) OF THE
SOUTHWEST QUARTER (26W1/4) OF THE SOUTHWEST QUARTER (26W1/4) OF
SECTION 9, TOWNSHIP 19 NORTH, RANGE 80 EAST, P10S, T19N, R80E

ADJACENT PARCELS, EASES:

99-09-00-071

STAKE:

10.750 AC.
71.55 ACRES

CURRENT ZONING:

D-2

LOCAL ORDINANCE:

SETBACKS:

FRONT:
SIDE:
REAR:
CORNER:

REQUIRED:
10'-0"
10'-0"
10'-0"
10'-0"

PROVIDED:
10'-0"
10'-0"
10'-0"
10'-0"

BUILDING AREA:

CAR-MAIN
C-STORE
FAST FOOD RESTAURANT

EXISTING LODGE / TAVERN

EXTERIOR CALCULATIONS:

REQUIRED

CAR PARKING AREA 1.1 AC.

CAR-MAIN, REAR, 1.1 AC.

FAST FOOD RESTAURANT

PUBLIC SEATING AREA 540 SF, 1.1 AC.

REAR PARKING AREA 1.1 AC, 1.1 AC.

EXISTING TAVERN

TAVERN 1.1 AC, 1.1 AC, 1.1 AC, 1.1 AC

TOTAL REQUIRED:

PROVIDED:

835 SPACES

837 SPACES

83 SPACES

837 SPACES

84 SPACES

84 SPACES

84 SPACES INCLUDING

8 ACCESSIBLE SPACES

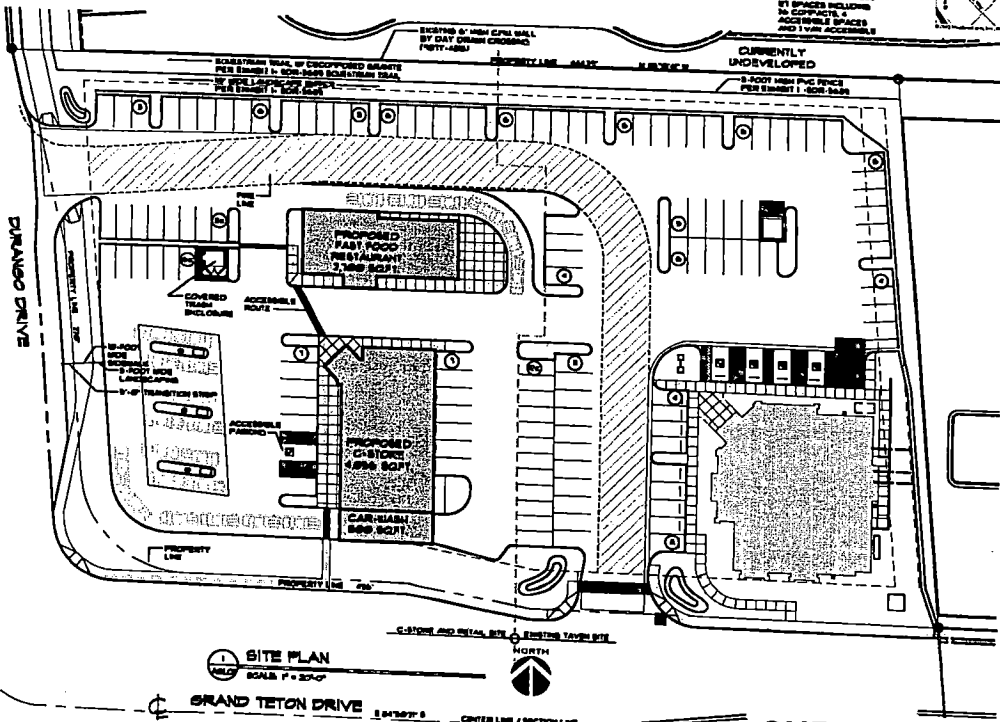
87 SPACES INCLUDING

84 COMPACTS, 1

ACCESSIBLE SPACES

AND 1 VAN ACCESSIBLE

PROJECT LOCATION:



SITE PLAN

SCALE: 1" = 30'-0"

GRAND TETON DRIVE

1:04750' 8

CENTERLINE / SECTION LINE

pacific design concepts, llc

3005 W. HOFFMAN RIDGE DRIVE, SUITE 200
TODD, IDAHO 83401
(208) 454-3842 Fax: (208) 454-7842

PRELIMINARY
NOT FOR
CONSTRUCTION

ARCHITECTURAL SITE
PLAN
LAND USE SUBMITTAL

RECEIVED

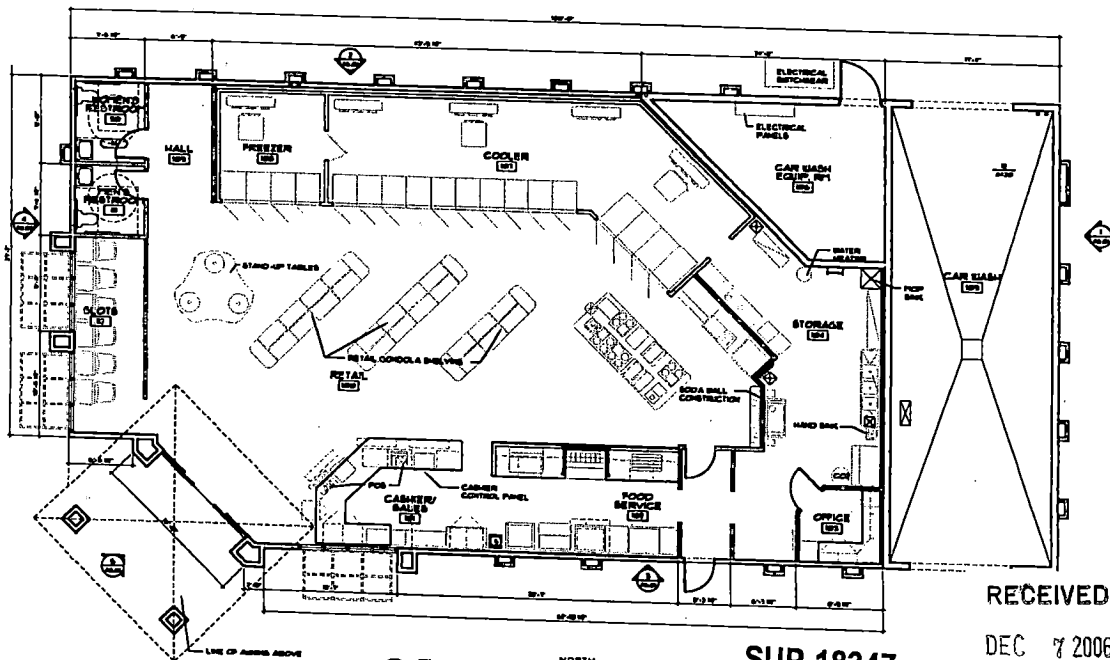
DEC 7 2006

SUP-18630
01/11/07 PC

AS101

GENERAL NOTES:

1. DIMENSIONS ON CHANGES ARE TO FACE OF BRICK UNLESS TO FACE OF CONCRETE UNLESS OTHERWISE NOTED.
2. FIELD VERIFY ALL DIMENSIONS, CONDITIONS AT JOB SITE AND REPORT ANY DISCREPANCIES TO ARCHITECT BEFORE BEGINNING WORK.
3. PROVIDE CORNER GUARDS, FULL HEIGHT AT ALL INTERIOR CORNERS.
4. PROVIDE TRANSITION STEPS AT ALL DIFFERENT FLOOR FINISHS, PROVIDE CONCRETE.
5. PROVIDE SOUND ATTENUATION BARRIERS IN WALLS SEPARATING THE TOILET ROOMS AND OTHER ADJACENT ROOMS.
6. CONTRACTOR SHALL PROVIDE AND LOCATE ACCESS PANELS AS REQUIRED AFTER INSTALLATION OF MECHANICAL, DATA PLUMBING AND ELECTRICAL WORK.
7. ALL PARTITIONS ADJACENT TO OR LOCATED AT THE BACK OF PLUMBING FIXTURES SHALL BE CONSTRUCTED WITH FIRE RESISTANT STUDDED ROADS.



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



SUP-18347
SDR-18349
01/11/07 PC

SUP-18630

RECEIVED
DEC 7 2006

pacific design concepts, llc

2005 W. HORIZON RIDGE PARKWAY, SUITE 200
IRVINE, CALIF. 92614-5000
TEL: 949.251.1001 FAX: 949.251.7932

STORE AT
GRAND TETON

1400 S. 1000 E.
JANESVILLE, WY 83101

PRELIMINARY
CONSTRUCTION

C-STORE FLOOR PLAN
LAND USE SUBMITTAL

A101

pacific design concepts, llc

3005 w. horizon ridge pkwy., #200, henderson, nv 89052 (702) 454-5842 fax (702) 454-7842

PDC

December 1, 2006

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

Attn: Planner

**RE: C-STORE AT GRAND TETON
APN: 125-09-401-031
JUSTIFICATION LETTER**

PROJECT NO: 06-182

Dear Staff,

We respectfully request favorable consideration for the above referenced project for a Special Use Permit.

The proposed special use permit is to allow the sale of beer/wine/cooler off sale establishment in conjunction with a convenience store.

The proposed special use permit is appropriate based on the following findings of facts;

- A. The proposed use can be conducted in a manner. That is harmonious and compatible with existing surrounding land uses, and with future surrounding land use as projected by the General Plan;
- B. The subject site is physically suitable for the type and intensity of land use being proposed;
- C. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use;
- D. Approval of the Special Use Permit at the site in question will be consistent with or not compromise the public health, safety and welfare or the overall objectives of the General Plan.
- E. This use is common with a convenience store and all separation distances have been met.

Should you have any questions or require additional information please contact our office.

Sincerely,



Richard C. Gallegos
Principal

RCG/mt

Cc: 06-182.js.lt.sup.clv.cstore.grand.teton

**SUP-18630
01/11/07 PC**

NOTICE OF PUBLIC HEARING

Dec. 29, 06

SPECIAL USE PERMIT

1 note NO on

SUP-18630.

GARY R. KRONENBERG
8316 BRUSHING HTS. AVE.
LAS VEGAS, NV. 89131

MEETING: PLANNING COMMISSION
DATE: JANUARY 11, 2007
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-18630

APPLICANT/OWNER: GRAND TETON LODGE LAND LLC - REQUEST FOR A SPECIAL USE PERMIT FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT IN A PROPOSED SERVICE STATION WITHOUT AUTOMOTIVE REPAIR ON 2.71 ACRES ON THE NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE (APN 125-09-401-031), U [(UNDEVELOPED) ZONE, SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL), WARD 6 (ROSS).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S $\frac{1}{2}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION 09, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objection thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. This request may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after discussion of the item. You will receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>.



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

SEE LOCATION MAP ON REVERSE SIDE

ITEM # 35

CASE # SUP-18630

PC MTG 1-11-07

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 11, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-18349 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-18347 AND SUP-18630 - PUBLIC HEARING - APPLICANT/OWNER: GRAND TETON LODGE LLC - Request for a Major Amendment to an approved Site Development Plan Review FOR A PROPOSED 4,056 SQUARE-FOOT SERVICE STATION WITHOUT AUTOMOTIVE REPAIR, AN 800 SQUARE FOOT CAR WASH, FULL SERVICE, AND A 2,700 SQUARE FOOT RESTAURANT WITH DRIVE-THROUGH on 2.71 acres on the northeast corner of Grand Teton Drive and Durango Drive (APN 125-09-401-031), U [(Undeveloped) Zone, SC (Service Commercial) General Plan Designation] Under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross).

IF APPROVED: C.C.: 02/07/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 12 [ZON-17693], Item 13 [SDR-17694], Item 14 [VAR-17732], Item 15 [SDR-17730] and Item 33 [VAR-18345] to the 01/25/2007 Planning Commission Meeting; and Item 4 [VAR-18346], Item 34 [SUP-18347], Item 35 [SUP-18630] and Item 36 [SDR-18349] to the 02/08/2007 Planning Commission Meeting – UNANIMOUS

PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 36 – SDR-18349

MINUTES:

JOHN KORKOSZ, Planning and Development Department, stated Item 4 [VAR-18346], Item 34 [SUP-18347], Item 35 [SUP-18630] and Item 36 [SDR-18349] had been requested to be held in abeyance to the 02/08/2007 Planning Commission Meeting.

(6:05 – 6:12)

1-81



U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER
RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JANUARY 11, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-18349 - APPLICANT/OWNER: GRAND TETON LODGE LLC**

**** CONDITIONS ******STAFF RECOMMENDATION: DENIAL.** If Approved, subject to:**Planning and Development**

1. Conformance to the conditions for Special Use Permit (SUP-18347) and Special Use Permit (SUP-18630), if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 11/28/06, except as amended by conditions herein.
4. A revised landscape plan shall be submitted prior to the time an application is made for a building permit depicting a total of twenty-one 24-inch box trees spaced 20 feet on center in the landscape perimeter buffer along the north side of the property, fourteen 24-inch box trees spaced 20 feet on center in the landscape perimeter buffer along the east property line, and one parking lot landscape finger for every six parking spaces.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
7. 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).

RL

SDR-18349 - Conditions Page Two
January 11, 2007 - Planning Commission Meeting

8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

12. If not already constructed at time of development, construct half-street improvements on Durango Drive and Grand Teton Drive, including the widened median island on Grand Teton Drive, concurrent with development of this site. If applicable, 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.
13. The required equestrian trail along the north side of this site shall be deeded to the City of Las Vegas within one year of completion of construction. The trail shall be privately maintained prior to conveyance. Coordinate with the right-of-way section of the Department of Public Works regarding the appropriate method to convey the trail to the City of Las Vegas; a parcel map or other map may be required to create the legal trail parcel.
14. The required multi-use transportation trail along Durango Drive shall be granted to the City of Las Vegas prior to the issuance of any permits and shall be designated as a multi-use transportation trail easement over its entirety to be privately maintained; coordinate the right-of-way section of the Department of Public Works regarding document preparation.
15. 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.

SDR-18349 - Conditions Page Three
January 11, 2007 - Planning Commission Meeting

16. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. An update to the previously approved Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
18. 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 map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
19. Site development to comply with all applicable conditions of approval for ZON-3509 and all other applicable site-related actions.

SDR-18349 - Staff Report Page One
January 11, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is for a Site Development Plan Review for a proposed 4,056 square-foot Service Station without Automotive Repair, an 800 square-foot Car Wash, and a 2,700 square-foot Restaurant with Drive-Through on 2.71 acres on the northeast corner of Grand Teton Drive and Durango Drive.

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
3/17/99	The Board of County Commissioners approved the rezoning (ZC-1702-98) of the northeast corner of Durango Drive and Grand Teton Drive.
6/08/99	The City Council approved the annexation [A-28-99(A)] of the subject site. The effective date of the annexation was September 24, 1999.
6/21/00	The City Council approved a Special use Permit (U-0011-00) for a tavern at the subject site. The Planning Commission and staff recommended approval.
7/17/02	The City Council approved of an Extension of Time [U-0011-00(1)] for the approved Tavern. The Planning Commission and staff recommended approval.
04/06/05	The City Council approved a Special Use Permit (SUP-5691) for a Tavern and a Waiver from the distance separation requirements from an existing park, a Variance (VAR-5694) to allow a 24-foot setback where residential adjacency standards require a minimum of 73 feet, a Variance (VAR-5693) a Variance to allow 132 parking spaces where 148 spaces are the minimum required, and a Site Development Plan Review (SDR-5689) for a 6,115 square-foot tavern and a Waiver of trash enclosure separation. The Planning Commission recommended approval on 03/10/05 and staff recommended denial.

SDR-18349 - Staff Report Page Two
January 11, 2007 - Planning Commission Meeting

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/09/05	Business License L16-266-4-1214 issued for a Tavern issued to Tomfoolery, inactive effective 06/07/06.
06/07/06	Pending Business License requests created for The Lodge at Grand Teton including C05-96168-0-107791 for Tobacco Retailer, C08-96164-0-107791 for Coin Operated Amusements, C20-96167-7-850 for Convention Hall Gaming Tax, G01-96166-4-850 for Gaming-Restricted, and R09-96163-0-107791 for a Restaurant.
08/18/06	Building Permit C-0189-05 issued for a trash enclosure, on-site improvements and a Certificate of Occupancy for a tavern on the subject site.

<i>Pre-Application Meeting</i>	
11/13/06	At a Pre-application meeting, the applicant was told of the requirements for a site development plan review and the requirements for a special use permit. Additional detail was given regarding landscaping and parking requirements particular to the subject site.

<i>Neighborhood Meeting</i>	
01/02/06	A neighborhood meeting was held at the Silverstone Golf Club 8600 Cupp Drive at 6:00 p.m. Attendance included three members of the development team, nine members of the public and one member of the Planning & Development staff. The following concerns were brought up by members of the public: • Concerns about the speaker box of the fast food pad • Area over saturated by alcohol uses • Request for a family restaurant • No 24 hrs uses Concerns about Day Care use at 7955 Quail Heaven being too close to uses.

<i>Details of Application Request</i>			
<i>Site Area</i>			
Gross Acres	2.71		
Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Tavern, Undeveloped	SC (Service Commercial)	U(SC) Undeveloped (Service Commercial) under Resolution of Intent to C-1 (Limited Commercial)
North	Single Family	PCD (Planned Community Development)	R-PD6 (Residential Planned Community – 6 Units per Acre)
South	Single Family (under construction)	PCD (Planned Community Development)	R-PD7 (Residential Planned Community – 7 Units per Acre)

SDR-18349 - Staff Report Page Three
January 11, 2007 - Planning Commission Meeting

East	Single Family (under construction)	PCD (Planned Community Development)	U(PCD) Undeveloped (Planned Community Development) under Resolution of Intent to R-PD7 (Residential Planned Community – 7 Units per Acre)
West	Undeveloped (proposed retail)	PCD (Planned Community Development)	U(PCD) Undeveloped (Planned Community Development) under Resolution of Intent to C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	115,730 Square Feet	Y
Min. Lot Width	100 Feet	220 Feet	Y
Min. Setbacks			
• Front	20 Feet	25 Feet	Y
• Side	10 Feet	16 Feet	Y
• Corner	15 Feet	24 Feet	Y
• Rear	20 Feet	80 Feet	Y
Max. Lot Coverage	50%	12%	Y
Max. Building Height	N/A	32.75 Feet	Y
Trash Enclosure	50 Feet from residential uses	62 Feet	Y
Mech. Equipment	Screened	Screened	Y

SDR-18349 - Staff Report Page Four
January 11, 2007 - Planning Commission Meeting

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	79.5 Feet	105 Feet	Y
Adjacent development matching setback	10 Feet	80 Feet	Y
Trash Enclosure	50 Feet from residential uses	73 Feet	Y

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces 1 Finger/6 Spaces	22	23	Y N*
Buffer:				
Min. Trees				
North	1 Tree/20 Feet	21	20	N*
East	1 Tree/20 Feet	14	12	N*
South	1 Tree/30 Feet	13	18	Y
West	1 Tree/30 Feet	9	9	Y
TOTAL				
Min. Zone Width				
• East	15 Foot Buffer		15 Foot	Y
• North	8 Foot Buffer		10 Foot	Y
• West	8 Foot Buffer		8 Feet	Y
• South	15 Foot Buffer		20 Feet	Y
<i>Wall Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
Wall Height				
East Property Line	Minimum 6 Feet, Maximum 8 Feet		8 Foot Block Wall	Y
North Property Line			8 Foot Block wall	Y

** Additional trees to be required by Condition 4.

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January 11, 2007 - Planning Commission Meeting

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi- capped	Regular		Handi- capped
Tavern (Existing)	3,171 SF	1:50 SF	64				
	Public seating						
	3,204 SF	1:200 SF	16				
	Remainder						
Car Wash*	800 SF	NA	NA				
Service Station	4,056	1:250 SF	16				
Restaurant*	650 SF	1:50 SF	13				
	Public seating						
	2,050 SF Remainder	1:200 SF	10				
Sub-Total			114	5	122	5	
TOTAL -Including Handicapped			119		127		Y

* The Restaurant Drive-Through and the Car Wash each provide six stacking spaces in addition to the above parking spaces provided.

Waivers		
Request	Requirement	Staff Recommendation
Landscape Island at end of 100 Foot Aisle.	1 Landscape Finger every 6 parking spaces.	Denial

ANALYSIS

The subject site is located in a C-1 (Limited Commercial) zone in the SC (Service Commercial) Land Use designation area within the Centennial Hills Sector of the Las Vegas 2020 Master Plan. The C-1 zone is intended to provide most retail shopping and personal services. This district should be on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors, such as Grand Teton Drive and Durango Drive. The property is not located within any special plan areas or overlay districts. The proposed restaurant and convenience store is appropriate and conforming to C-1 zone and the SC designation; however the proposed site plan is too intense for the specific location. The proposed site plan includes a full service car wash and a fast food restaurant with a drive through; however, a previously approved Site Development Plan Review (SDR-5689) on the site was approved with a condition "no roll-up doors or drive-thru windows shall be allowed on this site."

RL

SDR-18349 - Staff Report Page Six
January 11, 2007 - Planning Commission Meeting

The proposed site plan depicts a proposed 2,700 square-foot fast food restaurant, a proposed 4,056 service station without automotive repair with an attached 800 square-foot full-service car wash, and an existing 6,375 square-foot tavern on a 115,730 square foot parcel. 127 parking spaces are provided where 125 are required. The site plan conforms to all Title 19 development standards including building setbacks, lot coverage, building height and screening. The proposed structures conform to the residential adjacency standards as required in Title 19 including proximity slope and residential equivalent setbacks. Both the tavern and the service station are oriented to the setback line at Grand Teton Drive, with the restaurant set behind the service station. Sufficient stacking for six vehicles is provided for both the car wash and for the restaurant drive-through. However, the combination of uses on this site is deemed too intense for the surrounding neighborhood, and staff, therefore, recommends denial.

A multi-use transportation trail runs along the west property line of the subject site along the Durango Drive right-of-way. Also, a multi-use equestrian trail runs along the north property line of the subject site. The latter is contained entirely in the subject site. The proposed site plan and landscape plan depict that the trails will be built to the standards as required by the Las Vegas 2020 Master Plan, as previously required by previously approved Site Development Plan Review (SDR-5689).

The perimeter landscape buffer widths comply with the Title 19 requirements; however, the plan shows a deficiency of one tree in the north buffer and two trees in the east buffer. The south buffer has five trees more than are required and a condition of approval has been added to require sufficient trees spaced 20 feet on center. The parking lot has a sufficient number of trees, but there are several spaces in which there are more than six spaces without a landscape finger or island. A condition has been added to provide a revised landscape plan prior to the issuance of building permits.

The elevations and floor plans depict structures which are consistent with Title 19 standards, and the colors and materials would be appropriate to the surrounding community at a more appropriate site.

FINDINGS

The following findings must be made for an SDR:

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

While the proposed project is compatible with the General Plan land-use designation for the area and satisfies the requirements of the Zoning Code with respect to minimum separation distance requirements, the intensity of a Car Wash, Full Service use on this site in combination with an approved tavern and other proposed development is too intense to be harmonious and compatible with the surrounding area.

SDR-18349 - Staff Report Page Seven
January 11, 2007 - Planning Commission Meeting

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

While the proposed uses are permitted under the General Plan, the proposed development on this lot, and the necessary Waiver of Parking Lot landscape standards, indicate that this request exceeds the intensity that is appropriate for the site and cannot be supported.

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

The site will be accessed from Durango Drive a (100-foot) Primary Arterial and Grand Teton Drive a (120-foot) Parkway Arterial as designated on the Master Plan of Streets and Highways. The on-site circulation is limited as a parking lot landscape waiver is necessary in order to accommodate the required number of parking spaces.

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

The intensity of the uses, including a drive-through adjacent to Grand Teton Drive, indicates an attempt to exceed the intensity appropriate for the site that cannot be overlooked even though the materials and architectural features may be of appropriate quality 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;**

The building elevations depict design characteristics and other architectural and aesthetic features which are attractive and conducive to the locality, but the buildings themselves are inappropriate for the subject site.

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

While, the proposed development will be subject to the Uniform Building Code, the intensity of the proposed development may compromise the public health, safety or welfare.

SDR-18349 - Staff Report Page Eight
January 11, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 867 (Mailed with SUP-18347 and SUP-18630)

APPROVALS 0

PROTESTS 0

**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST**

Case Number: **SDR-18349** APN: 125-09-401-031
Name of Property Owner: GRAND TETON LODGE LAND, LLC
Name of Applicant: GRAND TETON LODGE LAND, LLC
Name of Representative: PACIFIC DESIGN CONCEPTS

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: _____

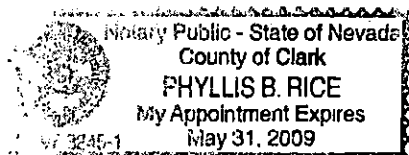
Print Name: STUART APOLLO

Subscribed and sworn before me

This 21st day of NOV, 2006

Phyllis B. Rice

Notary Public in and for said County and State



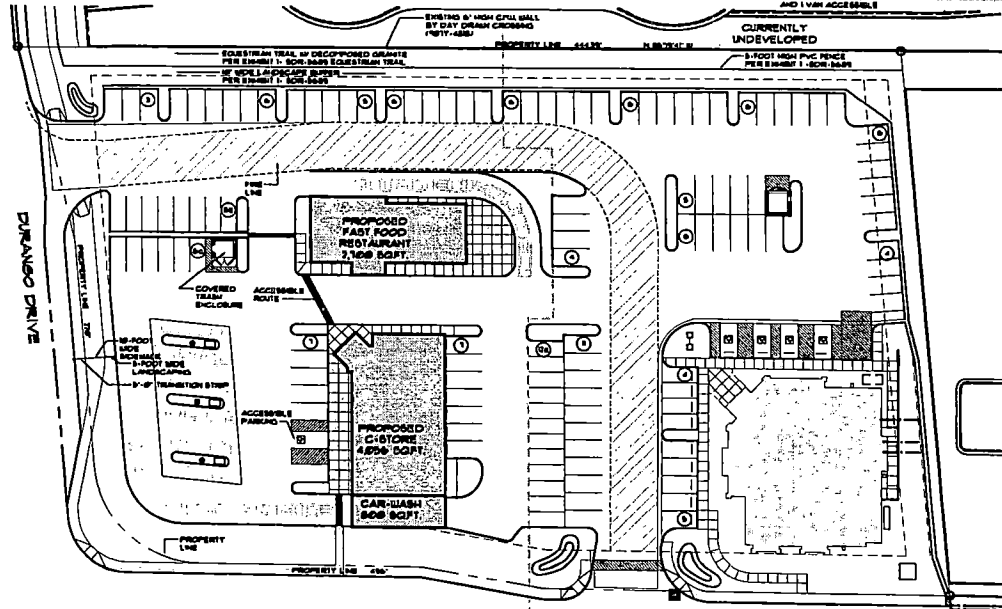
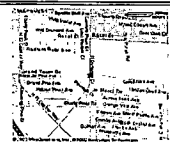
PROJECT DATA:

APPLICATION: DC-100-10
LEGAL DESCRIPTION: THE SOUTH HALF (1/2) OF THE SOUTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SECTION 16, TOWNSHIP 10 SOUTH, RANGE 10 EAST, N20E, 11N.
AMERICAN PARCEL NUMBER: 75-09-40-03
SITE AREA: 10,130 SF.
CURRENT ZONING: C1
LOT COVERAGE: 10%

IMPROVEMENTS:
FRONT: 10'-0"
REAR: 10'-0"
PLAN: 10'-0"
CORNER: 10'-0"
BUILDING AREA: 13,321 SF.
CAR-WASH: 800 SF.
C-STORE: 4,556 SF.
FAST FOOD RESTAURANT: 2,100 SF.
EXISTING LODGE / TAVERN: 6,370 SF.

PARKING CALCULATIONS:
REQUIRED: 533 SPACES
PROVIDED: 533 SPACES
CAR-WASH AREA 800 SF. 1 CAR.
C-STORE AREA 4,556 SF. 1 CAR.
FAST FOOD RESTAURANT:
PUBLIC SEATING AREA 600 SF. 100.
REMAINING AREA 2,100 SF. 100.
EXISTING TAVERN:
TAVERN 1 600 PUBLIC SEATING (3,700) 1 1
1 100 SF FOR REST (3,304) 100 1 1
TOTAL REQUIRED: 533 SPACES
PROVIDED: 533 SPACES

PROJECT LOCATION:



SITE PLAN
SCALE: 1" = 20'-0"



GRAND TETON DRIVE **3 84' 30" 11 E** **CENTER LINE / SECTION LINE**

pacific design concepts, llc
 3005 W. HENDERSON HIGHWAY, SUITE 200
 DENVER, COLORADO 80231
 (720) 554-5545 FAX (720) 454-7942

PROJECT NAME:
C-STORE AT
GRAND TETON
CONSTRUCTION

ARCHITECTURAL SITE
PLAN
LAND USE SUBMITTAL

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SDR-18349
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AB101

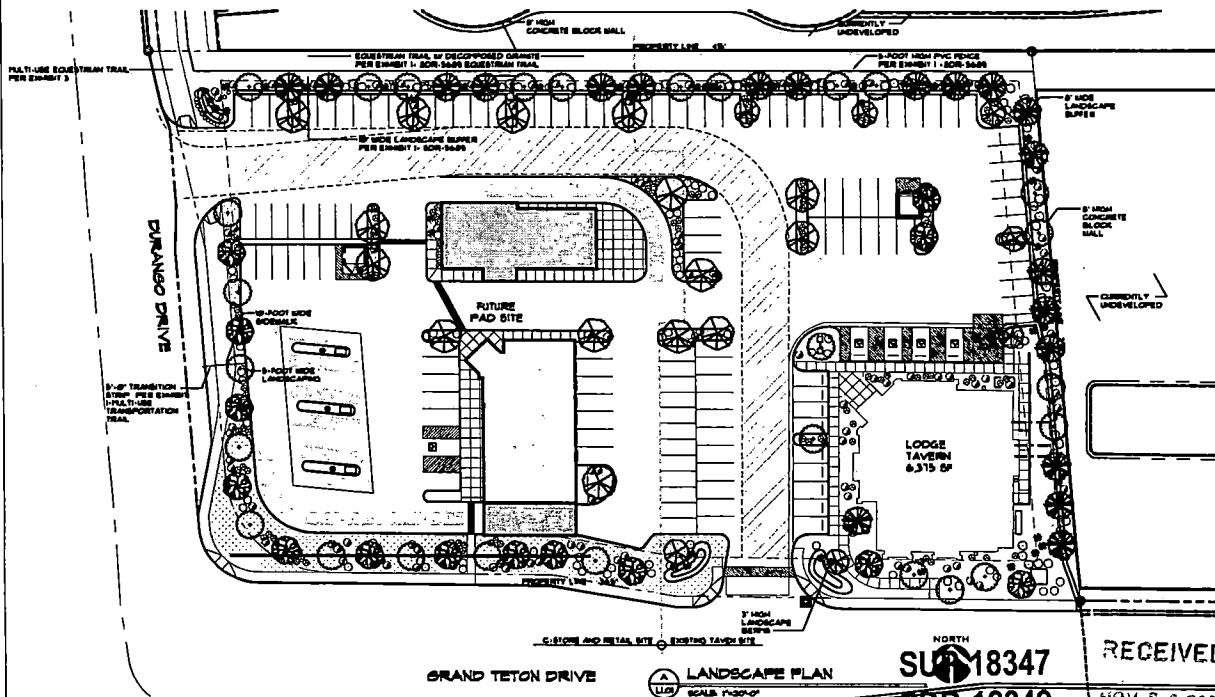
LANDSCAPE LEGEND

TREE	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
	PAVIA ELDMERCA	MONDEL PINE	24" BOX	STANDARD TREK
	PERAZIA VELUTINA	ARIZONA ASH	24" BOX	STANDARD TREK
	PROCEPUS GLANDULOSA	HONEY PESCATE	14" BOX	STANDARD TREK
	PAVIA LANCEA	AFRICAN BIRCH	24" BOX	STANDARD TREK

SHRUB	BOTANICAL NAME	COMMON NAME	SIZE
	BUNUS MICROPHYLLA J.	JAPANESE BOMBOO	9 GAL.
	NANDINA DOMESTICA	HEAVILY SANBOD	9 GAL.
	RAPUNZELUS INDICA	INDIA VARIATION	9 GAL.
	POINSETTIA RETICULATA	MOUNTAIN GRASS	9 GAL.
	XYLOPIA CONGESTA	XYLOPIA	9 GAL.
GROUND COVER / AGENT			
	HEPATICALUS PARVIFLORA	RED TUCCA	1 GAL.
	LANTANA MONTEVIDEOS	LANTANA	1 GAL.
	HYPOPHORUS PARVIFLORA	AUSTRALIAN RACER	1 GAL.

General Notes

- CONTRACTOR IS RESPONSIBLE TO VERIFY ALL PLANT QUANTITIES. PLANT LIST IS PRELIMINARY ONLY.
- LANDSCAPE ARCHITECT IS TO APPROVE ALL PLANT MATERIAL PRIOR TO INSTALLATION WITH PRIOR NOTICE OF 45 DAYS.
- PLANT PARTS IS TO HAVE IDENTIFICATION TAGS ON 50% OF TOTAL QUANTITY OF EACH SPECIES. SECOND GROWTH, SPECIAL VARIETY, ETC.
- PROVIDE MULCHING 4" DEEP OF LIME SHIPS SPECIES AS SHOWN ON DRAWING.
- 1/4" DECORATIVE ROCK COLOR TO BE SELECTED BY OWNER. 2" DEPTH TYP. IN ALL PLANTING BEDS.
- NOTE PLANTING SCHEDULE PLAN IS BASED ON TITLE 30 REQUIREMENTS.
- NOT TREE WITHIN 5'-6" OF A BOMBOO OR SMALL SHALL BE PLANTED BY A ROOT BARRIER DESIGNED TO DIRECT ROOT GROWTH DOWNWARD.



pacific design concepts, llc
3800S W. JOHNSON FREE BOULEVARD, SUITE 200
TAMPA, FL 33611
(727) 482-5842 Fax (727) 454-7552

PROJECT NO. C-STORE AT GRAND TETON
ADDRESS
LAS VEGAS, NEVADA

PRELIMINARY
CONSTRUCTION

LANDSCAPE PLAN
LAND USE SUBMITTAL

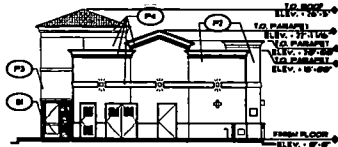
L101

PAINT LEGEND

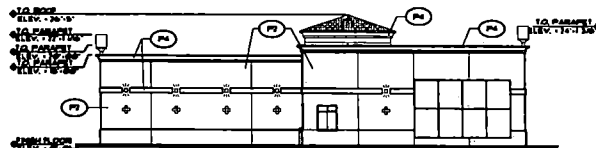
- (P1) PRIMARY COLOR
PRAZE 18726 - STRATA LIGHT OR EQUAL
- (P2) SECONDARY COLOR
PRAZE 18244 - TIGER CLAY OR EQUAL
- (P3) ACCENT COLOR
PRAZE 18844 - TOPHANE OR EQUAL
- (P4) DECORATIVE FAANGA COLOR
PRAZE 18844 - BOARD HEATH OR EQUAL
- (B) OILHED STONE - FOX VALLEY WEATHERED
LEOSTONE (CAY - 3893) OR EQUAL
- (B) POWDER LIFTE - CHARCOAL BROWN BLEND
OR EQUAL



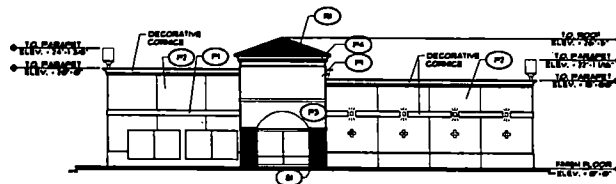
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SCALE: 1/8"=1'-0"



3 RIGHT ELEVATION
SCALE: 1/8"=1'-0"



2 NEAR ELEVATION
SCALE: 1/8"=1'-0"



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

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3005 w. horizon ridge Parkway, Suite 200
Las Vegas, NV 89119
(702) 454-2842 Fax (702) 454-7842

PROJECT NAME:
C-STORE AT
GRAND TETON
CHAMBOO DR
LAS VEGAS, NEVADA

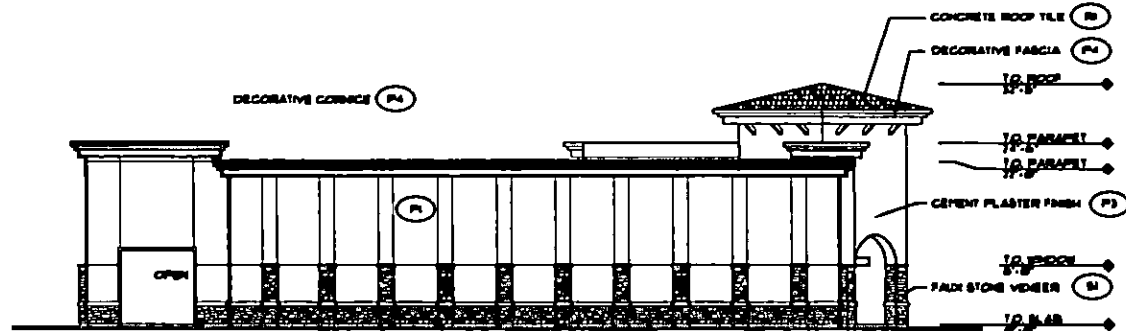
PRELIMINARY
CONSTRUCTION

FAST FOOD RESTAURANT
LAND USE SUBMITTAL

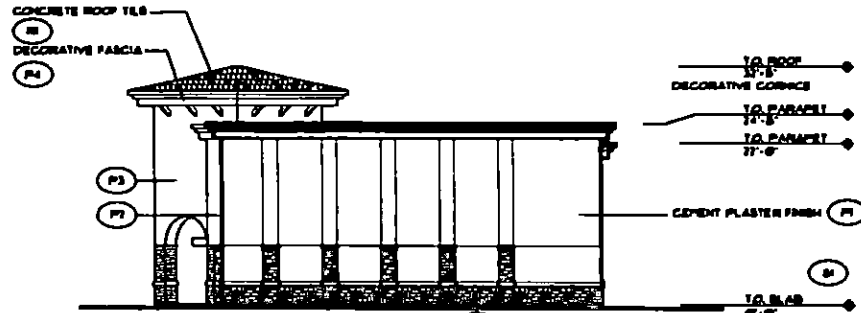
DATE: 11/11/07
DRAWN BY: J. L. LEE
CHECKED BY: J. L. LEE
APPROVED BY: J. L. LEE
SCALE: AS SHOWN
SHEET NO. 1 OF 1
A6.02

PAINT LEGEND

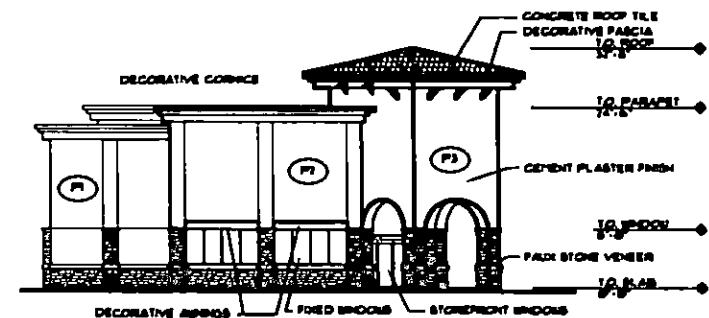
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- (P2) SECONDARY COLOR
PALETTE #3364D - TIGERSON CLAY OR EQUAL
- (P3) ACCENT COLOR
PALETTE #1886A - TOPHAMARK OR EQUAL
- (P4) DECORATIVE FASCIA COLOR
PALETTE #1689M - BOARDING HEARTY OR EQUAL
- (P5) ASHING COLOR
PALETTE #1686A - TOPHAMARK OR EQUAL
- (M1) CULTURED STONE - FOR VALLEY BEATHEREDGE
LEDGESTONE (CSV - 3677) OR EQUAL
- (M2) POWDER LIFESTYLE - CHARCOAL BROWN BLEND
OR EQUAL



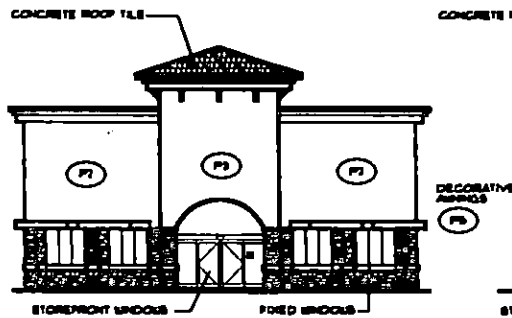
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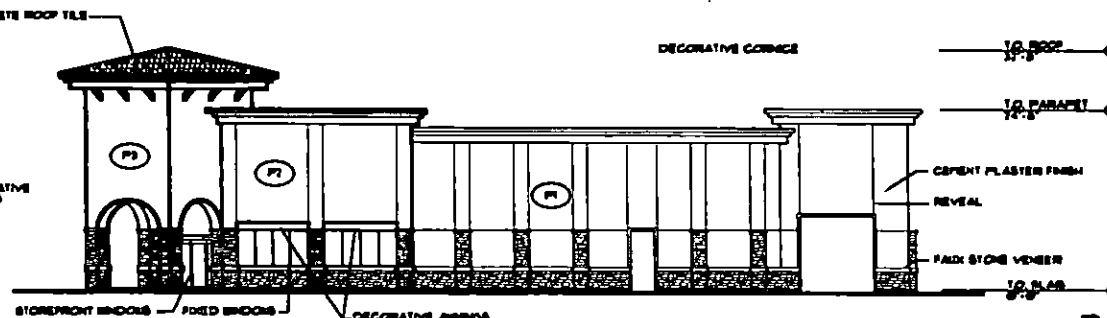
1 NORTH ELEVATION
SCALE 1/8"=1'-0"



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



3 ENTRANCE ELEVATION
SCALE 1/8"=1'-0"



5 WEST ELEVATION
SCALE 1/8"=1'-0"

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3005 W. HORIZON RIDGE PARKWAY, SUITE 200
HENDERSON, NEVADA 89052
(702) 454-5842 FAX (702) 454-7842

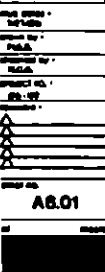
PROJECT USE -
C-STORE AT
GRAND TETON
ADDRESS
LAS VEGAS, NEVADA

PRELIMINARY
EXTERIOR ELEVATIONS
CONSTRUCTION

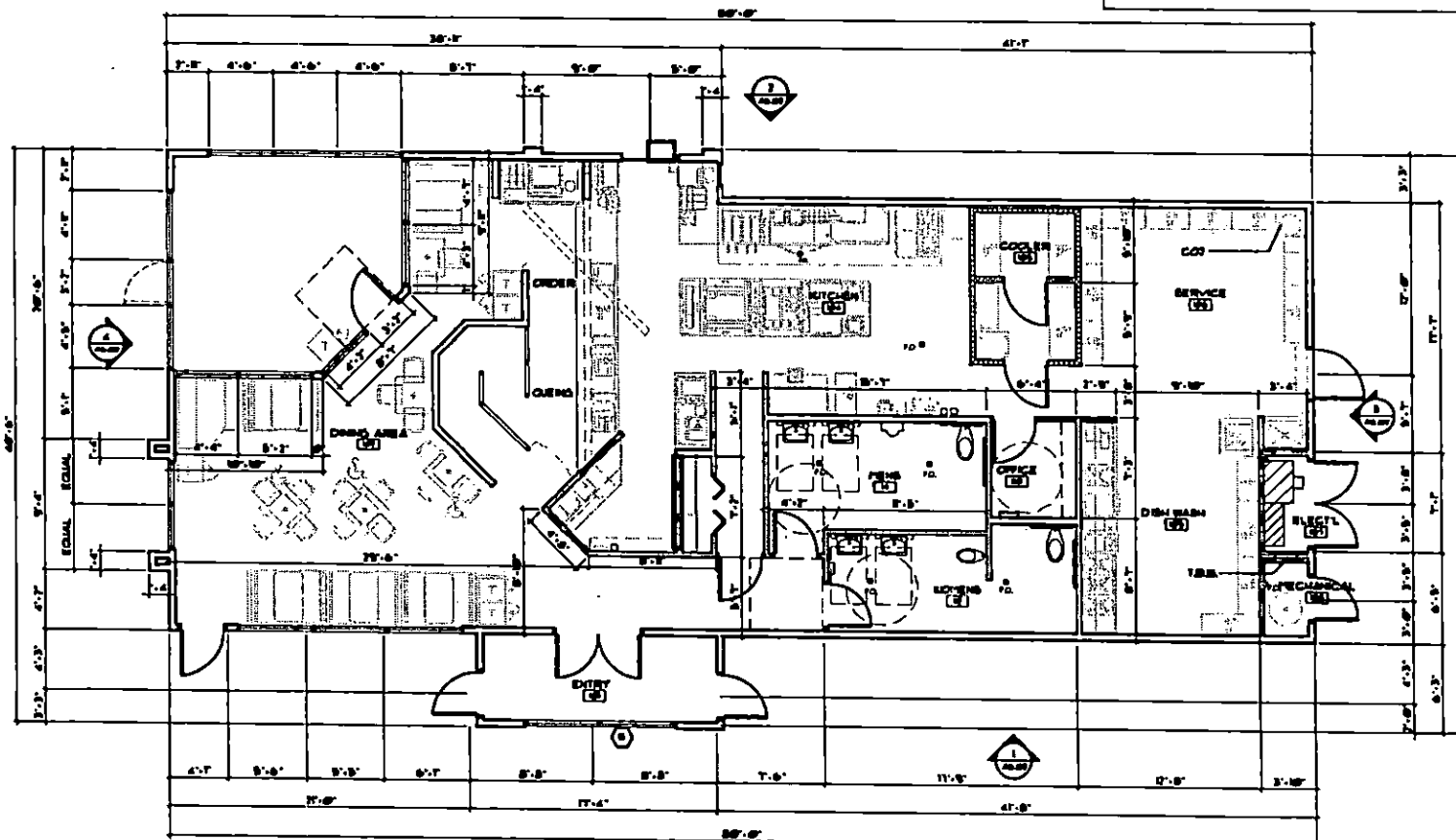
PRELIMINARY
EXTERIOR ELEVATIONS
C-STORE
LAND USE SUBMITTAL

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AS.01



FLOOR PLAN

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

5,280 S.F.



NORTH

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GENERAL NOTES

1. ALL DIMENSIONS ARE TO FACE OF STUDS AND CENTER LINE OF CURBS AND COLUMNS, UNLESS NOTED OTHERWISE.
2. FOR DOOR AND WINDOW TYPES AND SCHEDULES SEE SHEETS A101-A104.
3. FOR ROOM FINISH SCHEDULES SEE SHEET A105.
4. SEE DETAILS A201-A204 FOR INTERIOR WALL, PARTITION, AND CEILING DETAILS.
5. USE MOISTURE RESISTANT GYPSUM BOARD AS REQUIRED AT SET LOCATIONS.
6. PROVIDE SOUND BATT INSULATION AT ALL FULL HEIGHT WALLS.
7. PROVIDE BACKING AS REQUIRED FOR CABINETWORK, GRABS, BARS, ETC.
8. SEE EQUIPMENT PLAN A106 FOR KITCHEN EQUIPMENT AND FURNITURE IDENTIFICATION.

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 3005 W. HORIZON RIDGE PARKWAY, SUITE 200
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 (702) 454-5842 FAX (702) 454-7842

PRELIMINARY
NOT FOR
CONSTRUCTION

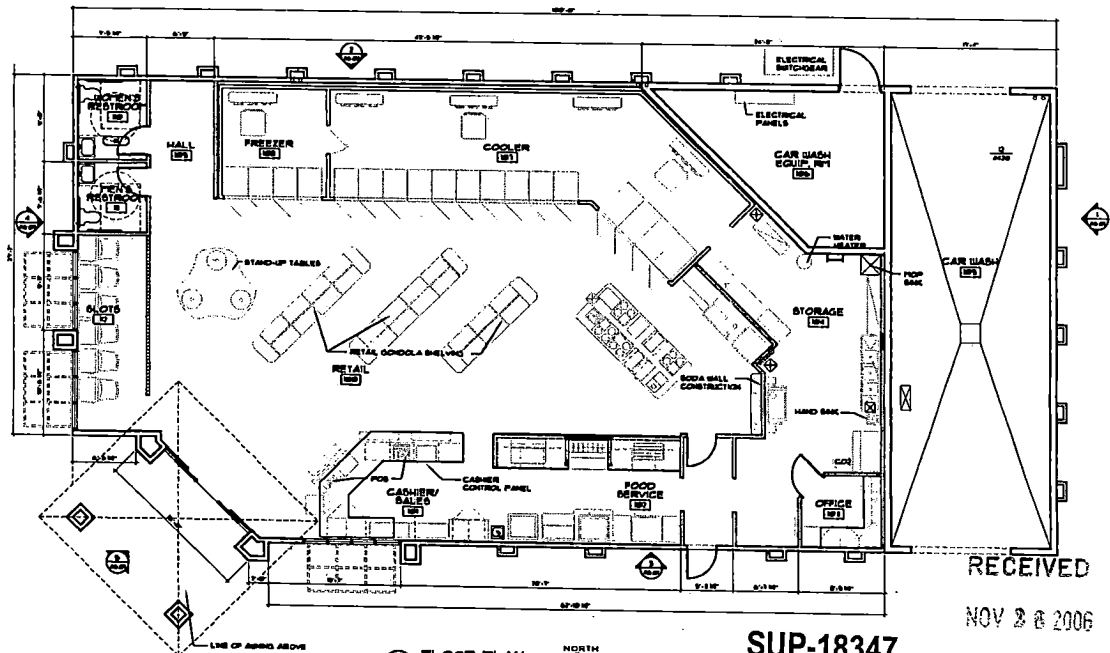
FAST FOOD
FLOOR PLAN
LAND USE SUBMITTAL

FAST FOOD
FLOOR PLAN
LAND USE SUBMITTAL

FAST FOOD
FLOOR PLAN
LAND USE SUBMITTAL

GENERAL NOTES:

1. DIMENSIONS ON DRAWINGS ARE TO FACE OF STUDY UNLESS TO FACE OF CONCRETE UNLESS OTHERWISE NOTED.
2. FIELD VERIFY ALL DIMENSIONS, CONDITIONS AT JOB SITE AND REPORT ANY DISCREPANCIES TO ARCHITECT BEFORE BEGINNING WORK.
3. PROVIDE CORNER GUARDS FULL HEIGHT AT ALL INTERIOR CORNERS.
4. PROVIDE TRANSITION STRIPS AT ALL DIFFERENT FLOOR FINISHES. PROVIDE SPECIAL STRIPS AT TILES AND CONCRETE.
5. PROVIDE SOUND ATTENUATION BARRIERS IN WALLS SEPARATING THE TOILET ROOMS AND OTHER ADJACENT ROOMS.
6. CONTRACTOR SHALL PROVIDE AND LOCATE ACCESS PANELS AS REQUIRED AFTER INSTALLATION OF MECHANICAL, DATA PUMPING AND ELECTRICAL WORK.
7. ALL PARTITIONS ADJACENT TO OR LOCATED AT THE BACK OF PLUMBING FIXTURES SHALL BE CONSTRUCTED WITH FIRE-RESISTANT GYPSUM BOARD.



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



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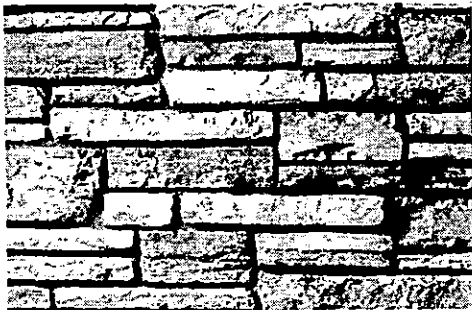
pacific design concepts, llc
3005 W. HORTON RIDGE PARKWAY, SUITE 200
LAS VEGAS, NEVADA 89119
(702) 554-5842 FAX (702) 454-7842

PROJECT: C-STORE AT GRAND TETON
ADDRESS: LAS VEGAS, NEVADA

PRELIMINARY
CONSTRUCTION

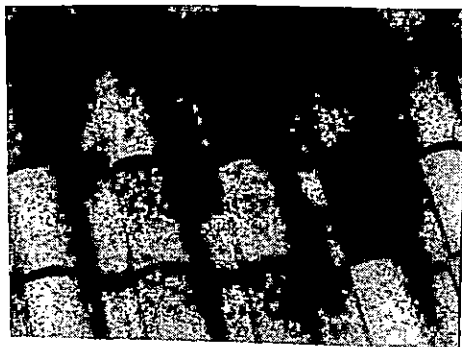
C-STORE FLOOR PLAN
LAND USE SUBMITTAL

NOV 28 2006
A101



CULTURED STONE

FOX VALLEY
WEATHEREDGE
LEDGESTONE(CSV-2022)
OR EQUAL.



MONIER LIFETILE

CHARCOAL BROWN BLEND
OR EQUAL

P-1 PRIMARY COLOR

FRAZEE® 8252W - STRATA
LIGHT OR EQUAL

P-2 SECONDARY COLOR

FRAZEE® 8264D - TUCSON
CLAY OR EQUAL

P-3 ACCENT COLOR

FRAZEE® 1856A -
TOMAHAWK OR EQUAL

P-4 DECORATIVE FACIA COLOR

FRAZEE® 1806N - ROARING
HEART OR EQUAL

SUP-18347

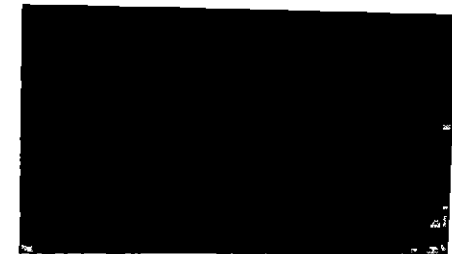
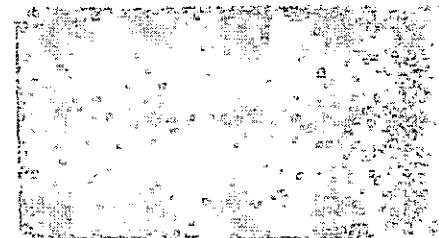
SDR-18349

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C—STORE AND RETAIL AT GRAND TETON AND DURANGO

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3005 w. horizon ridge parkway, suite 200 henderson, nevada 89052 ph. 454-5842

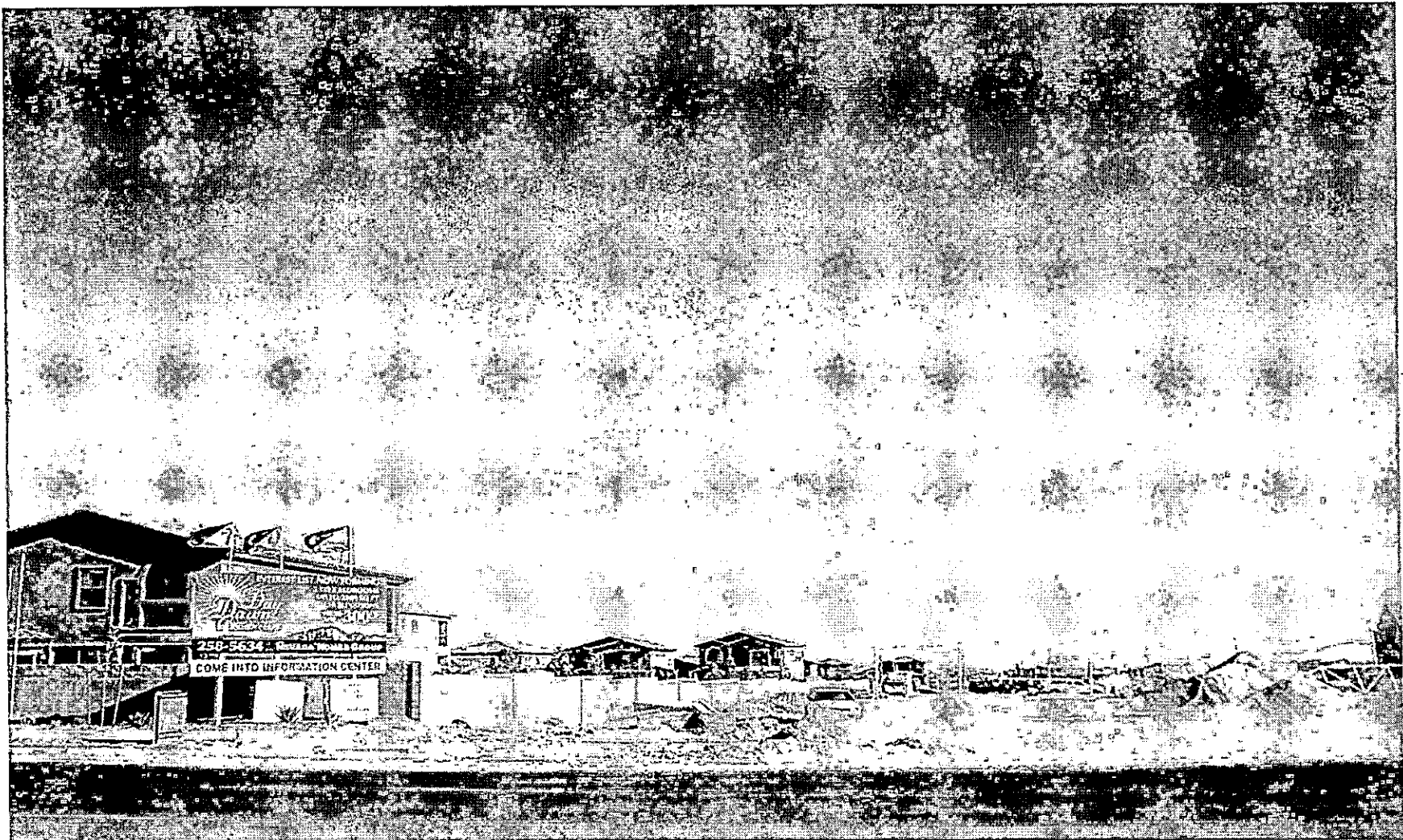


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SDR 18349				
Grand Teton Lodge LLC				
NEC Grand Teton & Durango				
Proposed 7.556 thousand square foot expansion of a commercial development.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	CONVENIENCE MARKET W/GAS [1000 SF]	4.856	845.60	4,106
AM Peak Hour			45.58	221
PM Peak Hour			60.61	294
(heaviest 60 minutes)				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	FAST-FOOD W/ DRIVE THRU [1000 SF]	2.7	496.12	1,340
AM Peak Hour			53.11	143
PM Peak Hour			34.64	94
(heaviest 60 minutes)				
Project Total	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	7.556		5,446
AM Peak Hour				365
PM Peak Hour				388
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Grand Teton Parkway				
Average Daily Traffic (ADT)	3,904			
PM Peak Hour	312			
(heaviest 60 minutes)				
Durango Drive				
Average Daily Traffic (ADT)	9,755			
PM Peak Hour	780			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			

	Capacity			
Grand Teton Parkway	51700			
Durango Drive	51700			
This project will add approximately 5,446 trips per day on Grand Teton and Durango. This will increase expected volumes by about one hundred fifty four percent on Grand Teton and about sixty two percent on Durango. Grand Teton is at about 8 percent of capacity and Durango is at about 19 percent of capacity.				
Based on Peak Hour use, this development will add roughly 388 additional cars into the area; which works out to about one every five minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



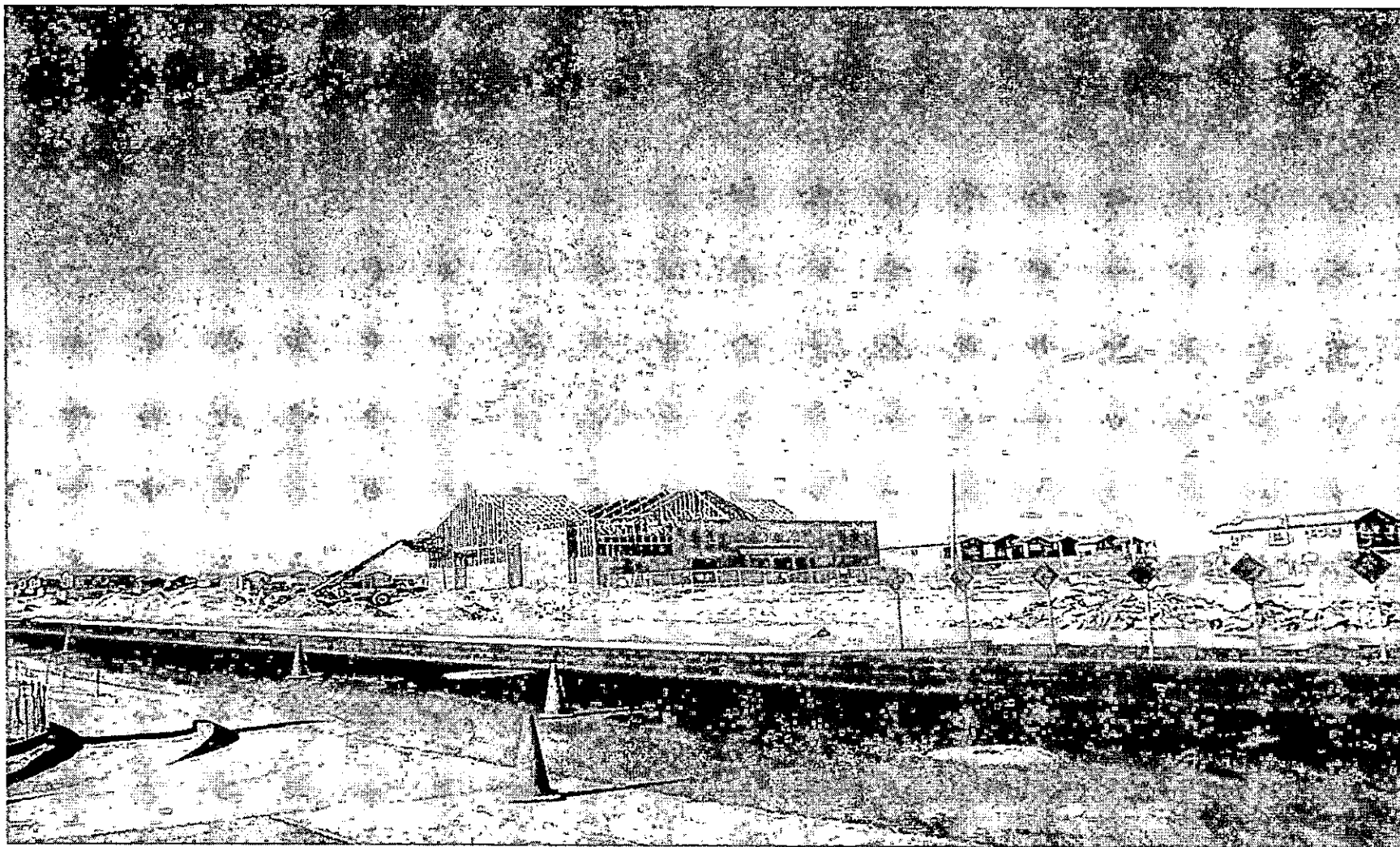
SUP-18347, SUP-18630 AND SDR-18349 - APPLICANT/OWNER: GRAND TETON LODGE LAND LLC
NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE
JANUARY 11, 2007 PLANNING COMMISSION

12/08/06



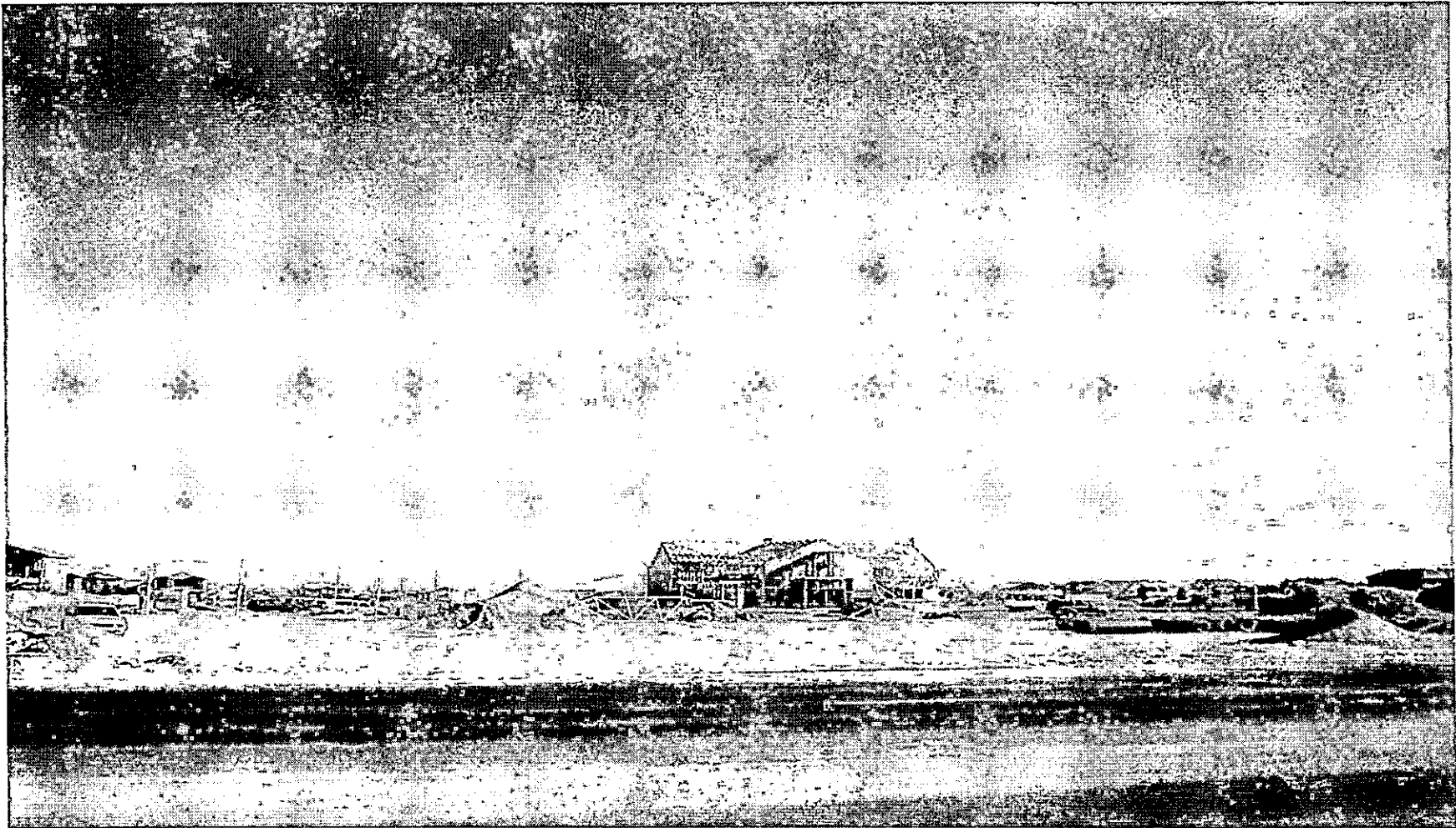
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JANUARY 11, 2007 PLANNING COMMISSION

12/08/06

pacific design concepts, llc

3005 w. horizon ridge pkwy., #200, henderson, nv 89052 (702) 454-5842 fax (702) 454-7842

PDC

November 21, 2006

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

Attn: Planner

**RE: C-STORE AT GRAND TETON
APN: 125-09-401-031
JUSTIFICATION LETTER**

PROJECT NO: 06-182

Dear Planner,

We respectfully request favorable consideration for the above referenced project for a Site Development Review.

The proposed special use permit is to allow a single story 2,700 sq. ft. fast food convenience restaurant with a drive-thru lane and a single story 4,000 sq. ft. convenience store with gas pumps and a car wash.

This request is appropriate based on the following finding of the facts;

1. The proposed development is compatible with adjacent development and development in the area.
2. The proposed development is consistent with the General Plan, Title 19 and the Design Standards Manual, the landscape, Wall and buffer Standards, and other duly-adopted city plans, policies and standards.
3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.
4. Building and landscape materials are appropriate for the area and for the city.
5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area.
6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

Should you have any questions or require additional information please contact our office.

Sincerely,



Richard C. Gallegos
Principal

RCG/mt

Cc: 06-182.js.ll.sdr.clv.cstore.grand.teton

**SUP-18347
SDR-18349
01/11/07 PC**

NOTICE OF PUBLIC HEARING

Dec 29, 06

SITE DEVELOPMENT PLAN REVIEW

I vote NO on

SDR-18349.

Gary R. Kronenberg
GARY R. KRONENBERG
8316 Blushing Hts. Ave.
Las Vegas, NV 89131

MEETING: PLANNING COMMISSION
DATE: JANUARY 11, 2007
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SDR-18349

APPLICANT/OWNER: GRAND TETON LODGE LLC - REQUEST FOR A MAJOR AMENDMENT TO AN APPROVED SITE DEVELOPMENT PLAN REVIEW FOR A PROPOSED 4,056 SQUARE-FOOT SERVICE STATION WITHOUT AUTOMOTIVE REPAIR, AN 800 SQUARE FOOT CAR WASH, FULL SERVICE, AND A 2,700 SQUARE FOOT RESTAURANT WITH DRIVE-THROUGH ON 2.71 ACRES ON THE NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE (APN 125-09-401-031), U [(UNDEVELOPED) ZONE, SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL), WARD 6 (ROSS).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S $\frac{1}{2}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION 09, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

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



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

SEE LOCATION MAP ON REVERSE SIDE

ITEM # 36

CASE # SDR-18349

PC MTG 1-11-07

P

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 11, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-18218 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: REDBRICK PIZZA #1303 - OWNER: VIRGIN TERRITORY, LLC - Request for a Special Use Permit FOR A BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN A PROPOSED RESTAURANT at 6020 West Craig Road, Suite #140 (APN 138-02-611-006), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 6 (Ross).

IF APPROVED: C.C.: 02/07/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

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

MOTION:

DUNNAM – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council on 02/07/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, stated there are no protected uses within 400 feet of this request and recommended approval. He also noted that the applicant had suggested limited hours of operation.

DEIRDRE BONNER, 6020 West Craig Road, Suite #140, appeared on behalf of the applicant, agreed to all condition and respectfully requested approval.

PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 37 – SUP-18218

MINUTES:

In response to COMMISSIONER DUNNAM'S inquiry, MS. BONNER stated that her restaurant is not equipped with a drive-through.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

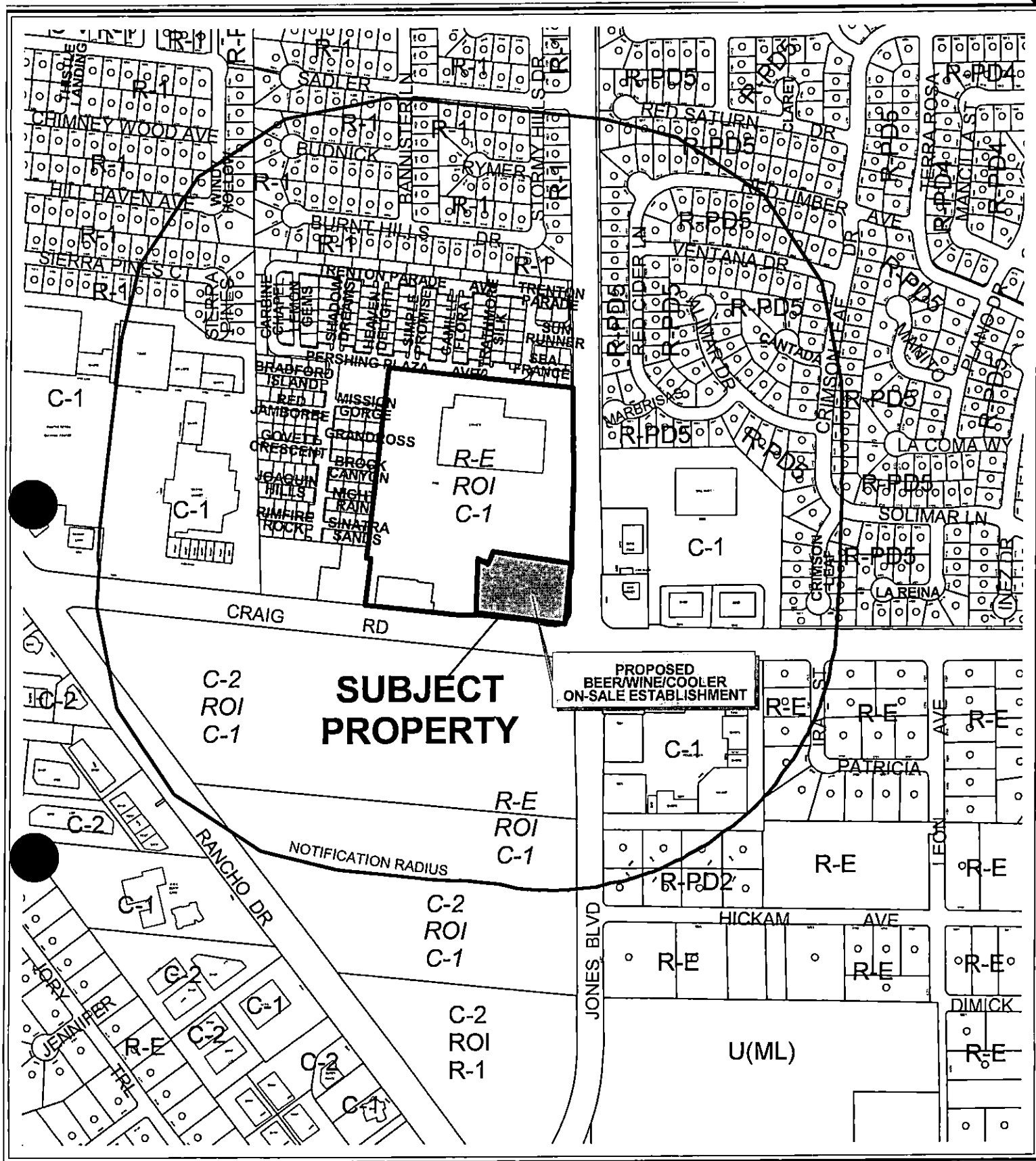
(8:35 – 8:38)

2-1637

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Rezoning (Z-0081-02), Site Development Plan Review (SDR-4995), and Master Sign Plan (MSP-5696).
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.



CASE: **SUP-18218**

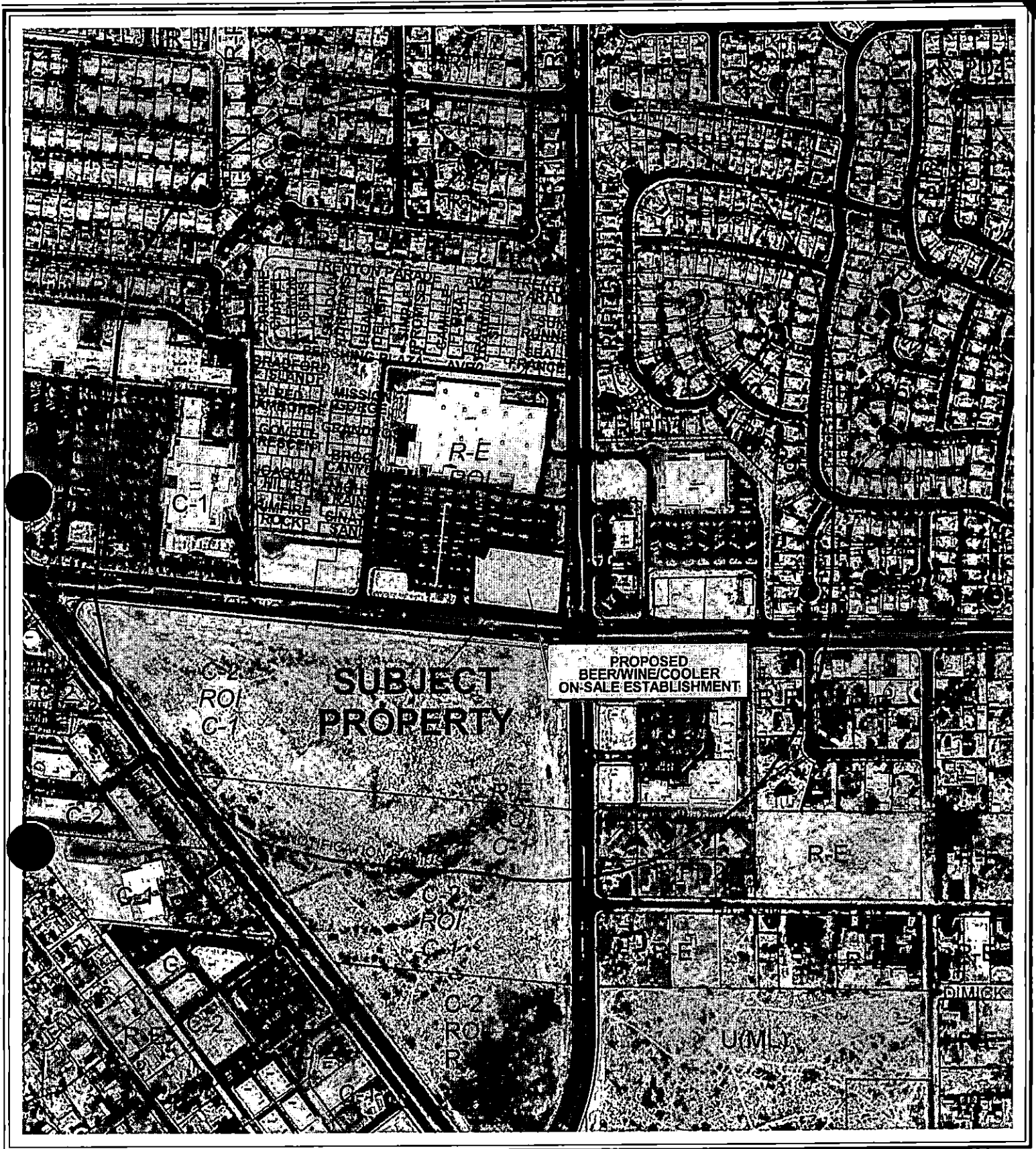
RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

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

010000 Feet





CASE: **SUP-18218**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

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

010000 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 11, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-18218 - APPLICANT: REDBRICK PIZZA #1303 -
OWNER: VIRGIN TERRITORY, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (Z-0081-02), Site Development Plan Review (SDR-4995), and Master Sign Plan (MSP-5696).
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-18218 - Staff Report Page One
January 11, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Special Use Permit for a Beer/Wine/Cooler On-Sale Establishment in conjunction with a proposed restaurant on an 8,400 square foot pad (Pad D) within an approved 172,534 square foot shopping center (SDR-4995) at 6020 West Craig Road, Suite #140 in an R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
3/19/03	The City Council approved a General Plan Amendment (GPA-0035-02) to SC (Service Commercial) and a Rezoning (Z-0081-02) to C-1 (Limited Commercial) on this site. The Planning Commission recommended approval on 11/21/02. Staff recommended denial.
10/20/04	The City Council approved a Special Use Permit (SUP-4996) for a home improvement warehouse store and a Site Development Plan Review (SDR-4995) for a 204,193 square-foot commercial development and a waiver of the build-to-line standards on a portion of this site. The Planning Commission recommended approval on 09/23/04. Staff recommended approval.
1/13/05	The Planning Commission approved a Master Sign Plan (MSP-5696) and a Tentative Map for Lowe's Plaza at Craig & Jones (TMP-5698) for a one-lot commercial subdivision which includes the subject site. Staff recommended approval.
<i>Related Building Permits/Business Licenses</i>	
8/16/06	Plan Check #: L-3059-06 Tenant Improvements for Certificate of Completion at the subject site.
<i>Pre-Application Meeting</i>	
9/21/06	A pre-application meeting was held with the applicant at which time the requirements for a Special Use Permit for a Beer/Wine/Cooler On-Sale Establishment was discussed.
<i>Neighborhood Meeting</i>	
NA	A neighborhood meeting is not required for this application nor was one held
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.79 acres

SUP-18218 - Staff Report Page Two
January 11, 2007 - Planning Commission Meeting

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

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

A-O Airport Overlay District

The subject site is already constructed at a finished height of 29 feet, seven inches and is not affected by the 140-foot height restriction.

SUP-18218 - Staff Report Page Three
January 11, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required Parking		Provided Parking		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	177, 942 Square Feet	1:250 sq ft GFA	698	14	762	19	Y
TOTAL (including handicap)			698	14	762	19	Y

ANALYSIS

The subject site is located on a 1.79 acre parcel within a commercial subdivision, legally identified as Lowe's Plaza at Craig and Jones. Per Title 19.04, there is not a separation requirement for the proposed On-Sale Beer/Wine/Cooler establishment from an existing or approved On-Sale Beer/Wine/Cooler establishment. However, for informational purposes there is a recently-approved Restaurant with On-Sale Beer/Wine/Cooler (SUP-17551) located within the shopping center at 6010 West Craig Road, Ste # 110.

Per Title 19.20, a "Beer/Wine/Cooler On-and Off-Sale Sale Establishment" is defined as:

"...an establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers to consumers only and not for resale, in original sealed or corked containers, for consumption off the premises where the same are sold, and is operated in connection with a grocery store, drug store, convenience store or specialty merchandise store."

SUP-18218 - Staff Report Page Four
January 11, 2007 - Planning Commission Meeting

- General

The project location, 6020 West Craig Road, Suite #140, is a 1,500 square-foot (approximate) restaurant with 950 square feet (approximate) serving as public dining area and the remaining 550 square feet (approximate) as kitchen prep and service area. The proposed restaurant provides seating for 79 patrons, exceeding the 45-seat minimum conditional requirement for a Special Use Permit. Because the applicant meets or exceeds all requirements of this Special Use, staff recommends approval of this request.

The proposal is part of an approved 204,193 square foot commercial shopping center (SDR-4995). Pads "A" through "E" that front along Craig Road received administrative approval on 1/23/06 for minor elevation changes and the inclusion of a drive-through aisle for a Cafe. The proposed restaurant with on-premise beer/wine sales will not be affected as the changes in elevations have the retail entrances on the opposite side of the drive-through aisle.

- Zoning

The subject property is zoned C-1 and located within the Lowe's Plaza shopping center. The proposed Beer/Wine/Cooler On-Sale Establishment, with approval of a Special Use Permit, is a permissible use in the C-1 Zoning District.

- Conditions

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

Minimum Special Use Permit Requirements:

- (1) Except as otherwise provided in this Chapter, no beer/wine/cooler on-sale establishment (hereinafter "establishment") shall be located within 400 Feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park.
- (2) Except as otherwise provided in Requirement (3) below, the distances referred to in Requirement (1) shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

SUP-18218 - Staff Report Page Five
January 11, 2007 - Planning Commission Meeting

- (a) Any leasehold parcel; or
 - (b) Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Requirement (1).
- (3) In the case of an establishment proposed to be located on a parcel of at least eighty acres in size, the minimum distances referred to in Requirement (1) shall be measured in a straight line:
- (a) From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or
 - (b) In the case of a proposed establishment which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.
- (4) When considering a Special Use Permit application for an establishment which also requires a waiver of the distance limitation in Paragraph (1), the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.
- (5) The minimum distance requirements in Paragraph (1) do not apply to:
- (a) An establishment which has a non-restricted gaming license in connection with a hotel having two hundred or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of two hundred guest rooms after July 1, 1992; or
 - (b) A proposed establishment having more than fifty thousand square feet of retail floor space.
- (*6) All businesses which sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

SUP-18218 - Staff Report Page Six
January 11, 2007 - Planning Commission Meeting

The proposed use meets all of the distance separation requirements contained above. Further, as a Beer/Wine/Cooler On-Sale Establishment is defined as "An establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine, and coolers for consumption only in connection with a restaurant in which 45 or more people may be served with meals at any one time at tables or stools," it is noted that the floor plan depicts seating for 62 patrons.

FINDINGS

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

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

In regard to "1":

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

SUP-18218 - Staff Report Page Seven
January 11, 2007 - Planning Commission Meeting

In regard to "2":

With implementation of the proposed conditions, there is no evidence of any physical constraint to the location of the proposed Beer/Wine/Cooler On-Sale Establishment in conjunction with a 1,500 square foot restaurant on the subject site. The commercial shopping center received approval for an Administrative Review of the site plan involving minor revisions to the building elevations and in the inclusion of a drive-through aisle. The public entrances are located on the opposite side of the drive-through aisle and will have no affect on the proposed Beer/Wine/Cooler On-Sale Establishment.

In regard to "3":

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

In regard to "4":

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

In regard to "5":

The proposed use is in compliance with all conditions of Title 19.04. The site is not within 400 Feet of a church, synagogue, school, child care facility licensed for more than 12 children or a city park. The subject site is a proposed restaurant with seating for 79 patrons in a C-1 zone, which is allowed with an approved Special Use Permit.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

11

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 259

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-18218** APN: 13802611006

Name of Property Owner: VIRGIN TERRITORY LLC, C/O TERRITORY INC.

Name of Applicant: RED BRICK PIZZA

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:

Ben Shurn

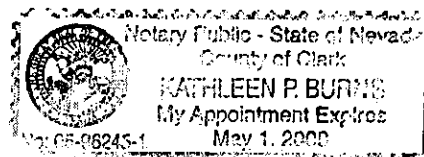
Print Name: TERRI STURM

Subscribed and sworn before me

This 15th day of November, 2006

Kathleen Burns
Notary Public in and for said County and State

STATE OF NEVADA
COUNTY OF CLARK



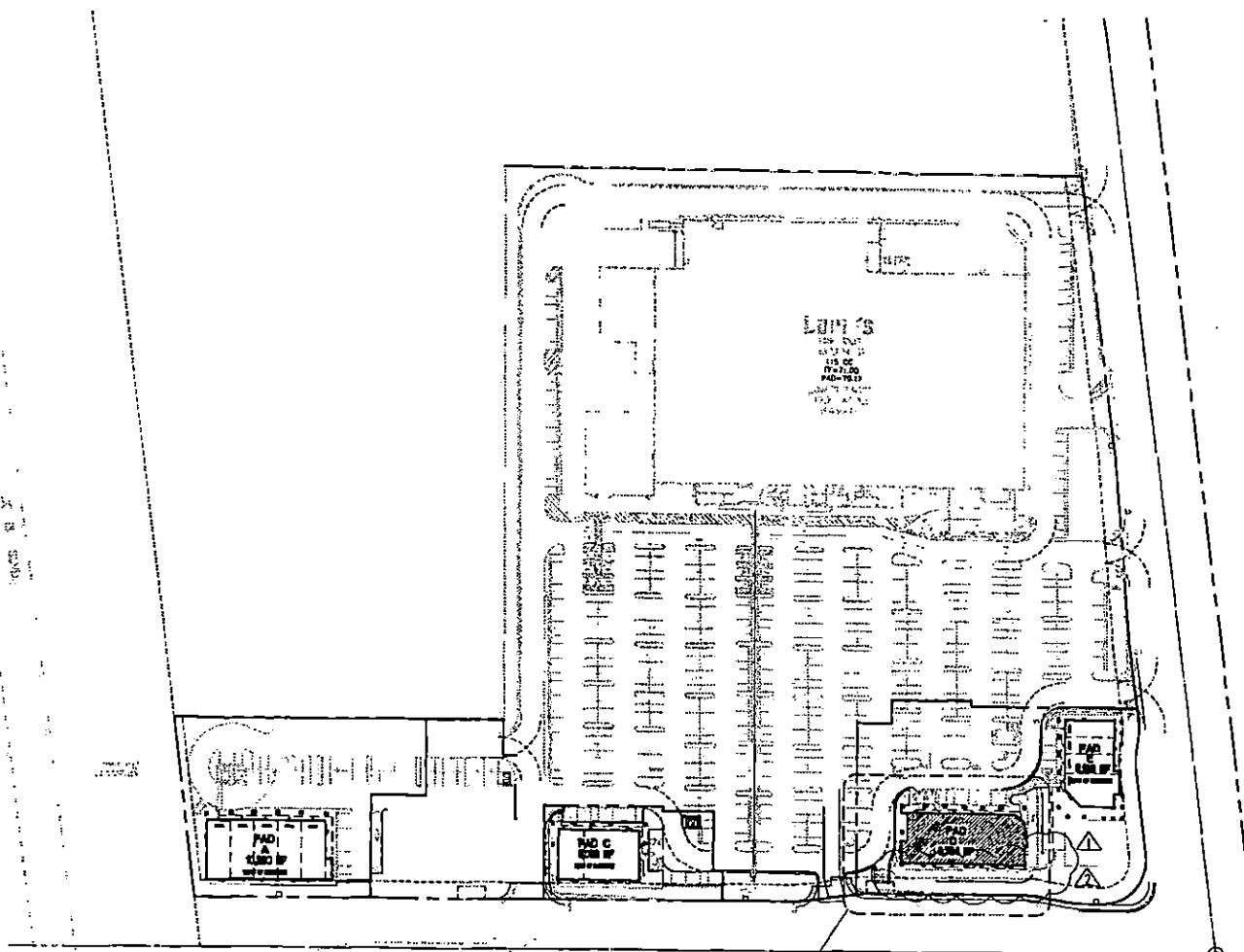
SANDBERG GROUP
ARCHITECTS
1271 Quince Lane, Suite 100
Westborough, MA 01581
(508) 852-1234 FAX (508) 852-1235
www.sbg.com

PAD 17 BUILDING
8 HIG. CHAS. AND JONES

SHEET 11P
SITE PLAN
DATE: 01/11/07
BY: [Signature]

REVISION	DATE
1	01/11/07
2	01/11/07

SHEET NAME: S470000
AS1.1
JOB NO. 01/11/07
SCALE: 1" = 50'-0"



SITE PLAN
SCALE: 1" = 50'-0"

SUP-18218
01/11/07 PC



NOV 17 2006

REVISION	BY
△	
△	
△	
△	
△	

THIS SET OF PLANS IS THE PROPERTY OF PACIFIC DESIGN GROUP, INC. AND IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF PACIFIC DESIGN GROUP, INC. ANY VIOLATION OF THIS NOTICE WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW.

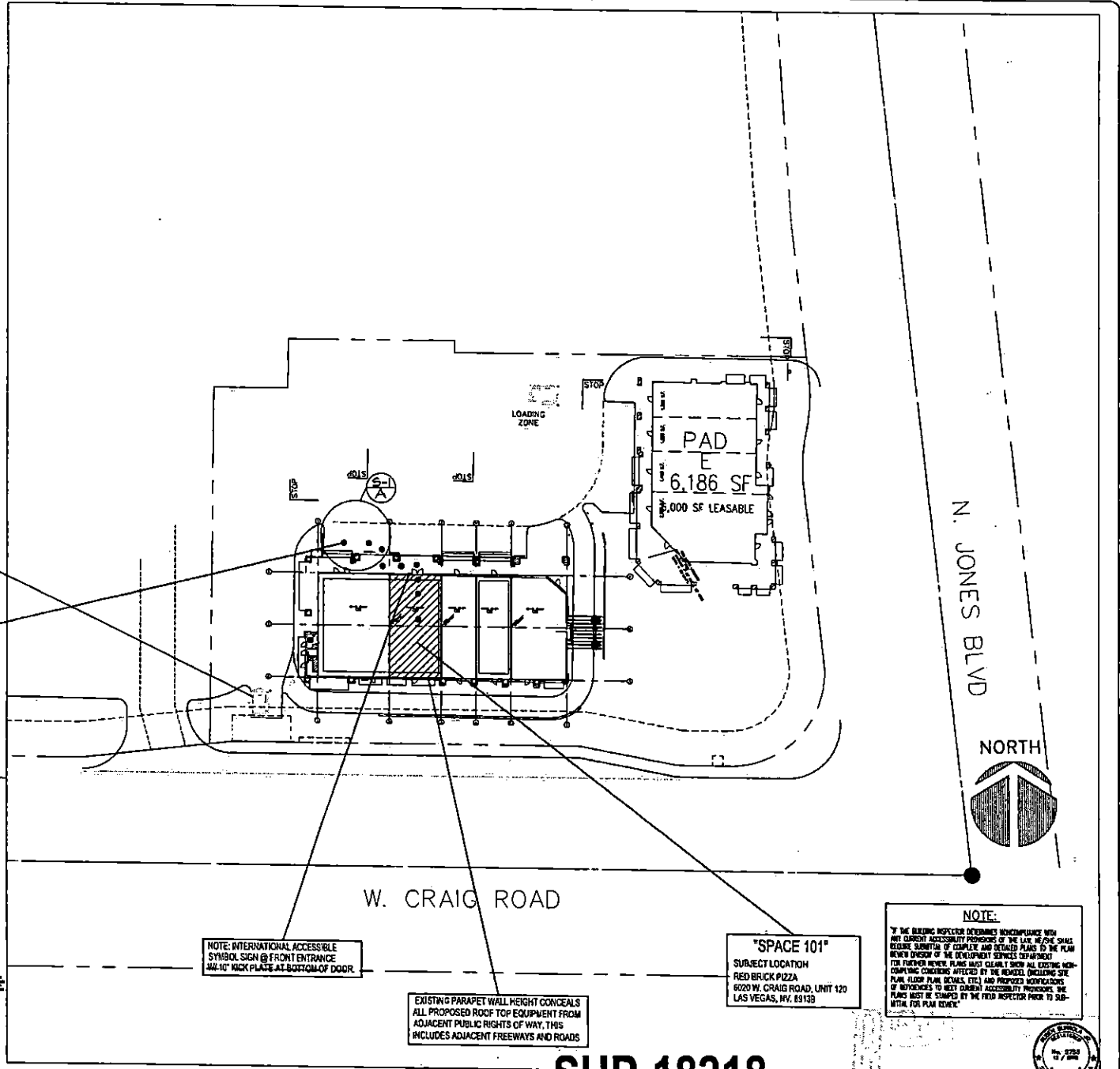
PACIFIC DESIGN GROUP



NEW RESTAURANT
TENANT IMPROVEMENT REMODEL
COVER SHEET

RED BRICK PIZZA
6020 W. CRAIG ROAD # 120
LAS VEGAS, NV, 89130

ABURROLA
CSS
10/19/06
N/S
06-125
S.I

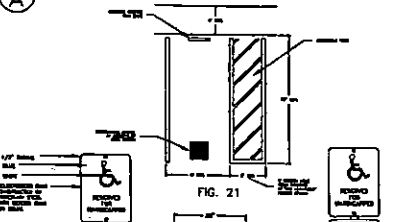


HEALTH NOTE: SHEET A-1
"EXISTING TRASH ENCLOSURE"
TRASH ENCLOSURE WALL AND FLOORS OF
THE DUMPSTER AREA MUST BE SMOOTH
TROWELED AND SEALED WITH AN APPROVED
EPOXY CEMENT/STUCCO SEALER.

DISABLE ACCESS PATH OF TRAVEL
DOTS REPRESENT HIC PATH OF TRAVEL
FROM EXISTING HIC PARKING.

4. SINGLE PARKING SPACE DESIGN

- A. 18' minimum length of each parking space. 11293.4.1 4.8.3 Fig.21
- B. 8' minimum width of each parking space. 11293.4.1 4.8.3 Fig.21
- C. Minimum 18" x 5' access aisle (maneuvering aisle). 11293.4.1 4.8.3 Fig.21
- D. Surface of the parking space(s) and access aisle(s) does not exceed 1:50 gradient (2.0%) in any direction. 11293.4.4 4.8.3 Fig.21



NOTE: INTERNATIONAL ACCESSIBLE
SYMBOL SIGN @ FRONT ENTRANCE
36" X 48" KICK PLATE AT BOTTOM OF DOOR.

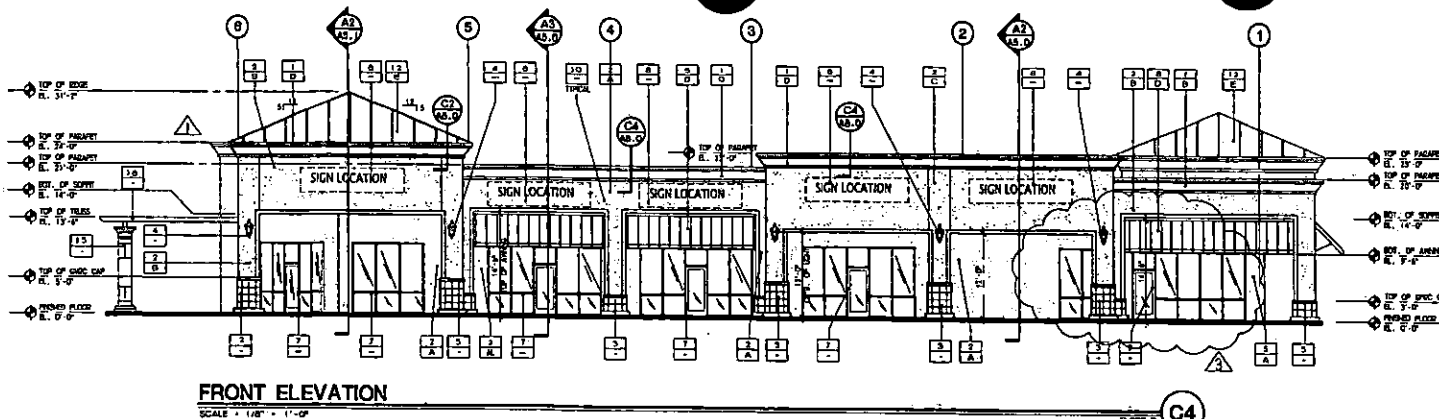
EXISTING PARAPET WALL HEIGHT CONCEALS
ALL PROPOSED ROOF TOP EQUIPMENT FROM
ADJACENT PUBLIC RIGHTS OF WAY, THIS
INCLUDES ADJACENT FREEWAYS AND ROADS

NOTE:
"IF THE BUILDING INSPECTOR DETERMINES NONCOMPLIANCE WITH
ANY CURRENT ACCESSIBILITY PROVISIONS OF THE LATEST IBC, THE
OWNER SHALL SUBMIT A LETTER OF CORRECTION TO THE PLAN
REVIEW DIVISION OF THE DEVELOPMENT SERVICES DEPARTMENT
FOR FURTHER REVIEW. PLANS MUST CLEARLY SHOW ALL EXISTING NON-
COMPLYING CONDITIONS IDENTIFIED BY THE REVIEWER, INCLUDING SITE
PLAN, FLOOR PLAN, DETAILS, ETC., AND PROPOSED MODIFICATIONS
OF IMPROVEMENTS TO MEET CURRENT ACCESSIBILITY PROVISIONS. THE
PLANS MUST BE STAMPED BY THE FIELD INSPECTOR PRIOR TO SUB-
MITTING FOR PLAN REVIEW."

SUP-18218
01/11/07 PC

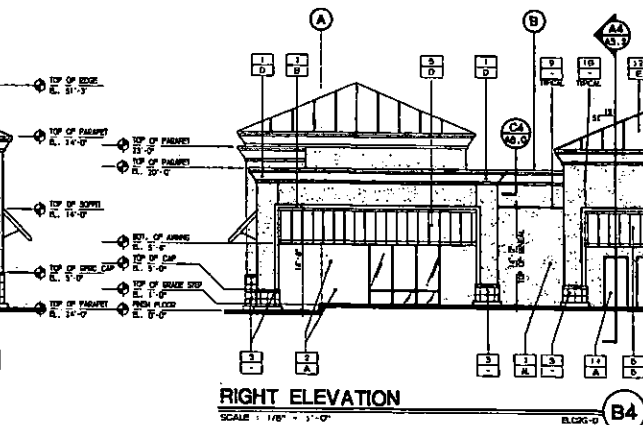
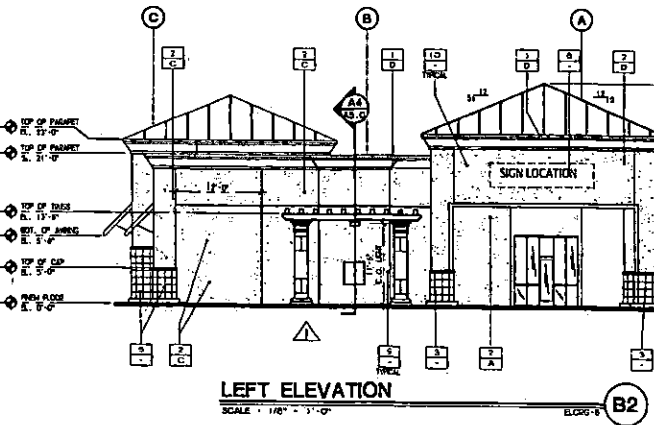
SITE PLAN

NOV 17 2006
SCALE: 1" = 20'-0"



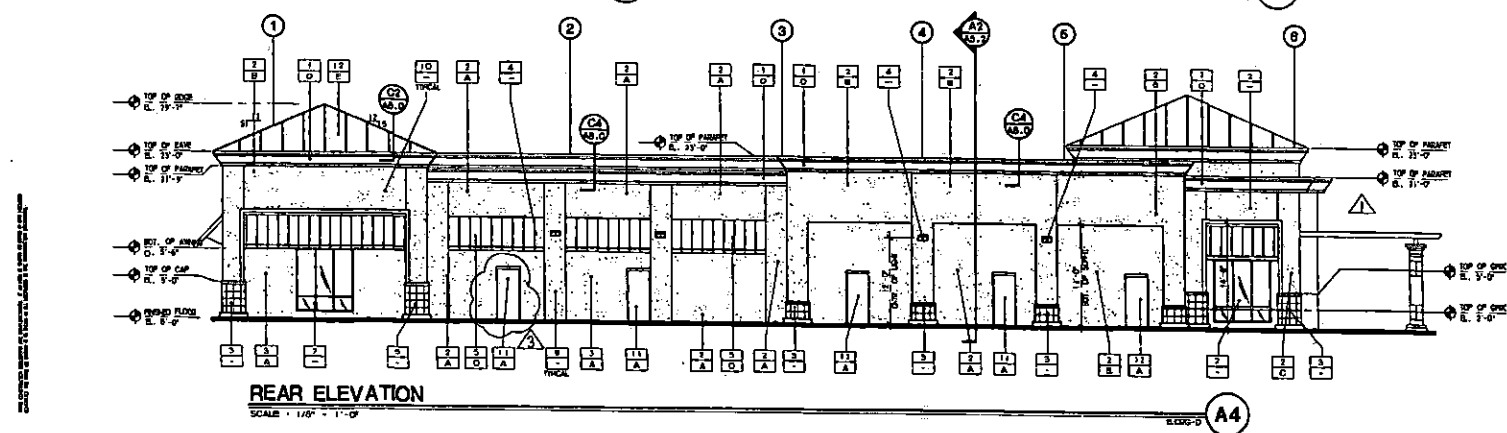
EXTERIOR MATERIALS	
1	EXTERIOR CONCRETE PLASTER OVER EPS FOAM COATED FOAM SMOOTH FINISH - SEE MOUNTING/DETAILS.
2	EXTERIOR CEILING PLASTER - FINE SAND PLANT FRESH IN EXTERIOR - SEE MOUNTING/DETAILS.
3	477117 WHITE TERRA AVONCA - BROAD TACK TILE
4	EXTERIOR LIGHT FIXTURE - SEE SPECIFICATIONS
5	METAL AWING
6	CONCRETE
7	BLACK BRONZE ANODIZED ALUMINUM STOREFRONT
8	1/2\"/>
9	PLASTER OVER CONCRETE - SEE DETAIL A30.1 TYPICAL AT VERTICAL SEAMS
10	PLASTER OVER CONCRETE - SEE DETAIL A30.1 TYPICAL AT VERTICAL SEAMS
11	METAL ROOF AND FLASHING
12	METAL ROOF FLASHING
13	ALUMINUM FINISHES
14	METAL TRAILS
15	TRUSSES
16	TRUSSES
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SANDBERG GROUP ARCHITECTS
 1001 California Drive, Suite 100
 Henderson, Nevada 89014
 702.433.4333 FAX 702.433.4334
 www.sandberg.com



EXTERIOR COLORS	
1	RENDERING COLOR: 7141-40 "ACORN YELLOW"
2	RENDERING COLOR: 7142-40 "SILVERED BEIGE SHD"
3	RENDERING COLOR: 7143-50 "TRAIL SHADERS"
4	RENDERING COLOR: 7048-10 "CELESTINE LAV"
5	PAINTS: 61553 "TRAIL COFFEE"

PAD OF BUILDING
 8 NEW ORANGE JONES



ELEVATION NOTES	
1.	CONTRACTOR SHALL CONFIRM THAT ALL EXTERIOR MATERIALS, COLORS, FINISHES ETC. ARE COORDINATE WITH THE BALANCE OF THE DESIGN. CONTACT THE ARCHITECTS IN ANY CASE OF DISCREPANCIES.
2.	FOR THE FINISH WORK APPLIED TO ANY PORTION OF THE BUILDING, THE CONTRACTOR SHALL FIRST A TEST SAMPLES AND APPROVED BY THE ARCHITECT AND OWNER.
3.	APPROVED ACCESS TO ROOFS IN A LEGAL AND WEARABLE LOCATION FOR LOCAL REGULATIONS.
4.	FOR ROOF ROOF SHALL BE Labeled IN MINIMUM OF 2" LETTERS PER U.F.C. 1001.6.
5.	PROVIDE NAME SERIES #1000 ROOF IN FIVE SEPARATE DEFLECTIVE ALERT BECAUSE AS PER U.F.C. 1001.6.

SHEET ELEVATIONS

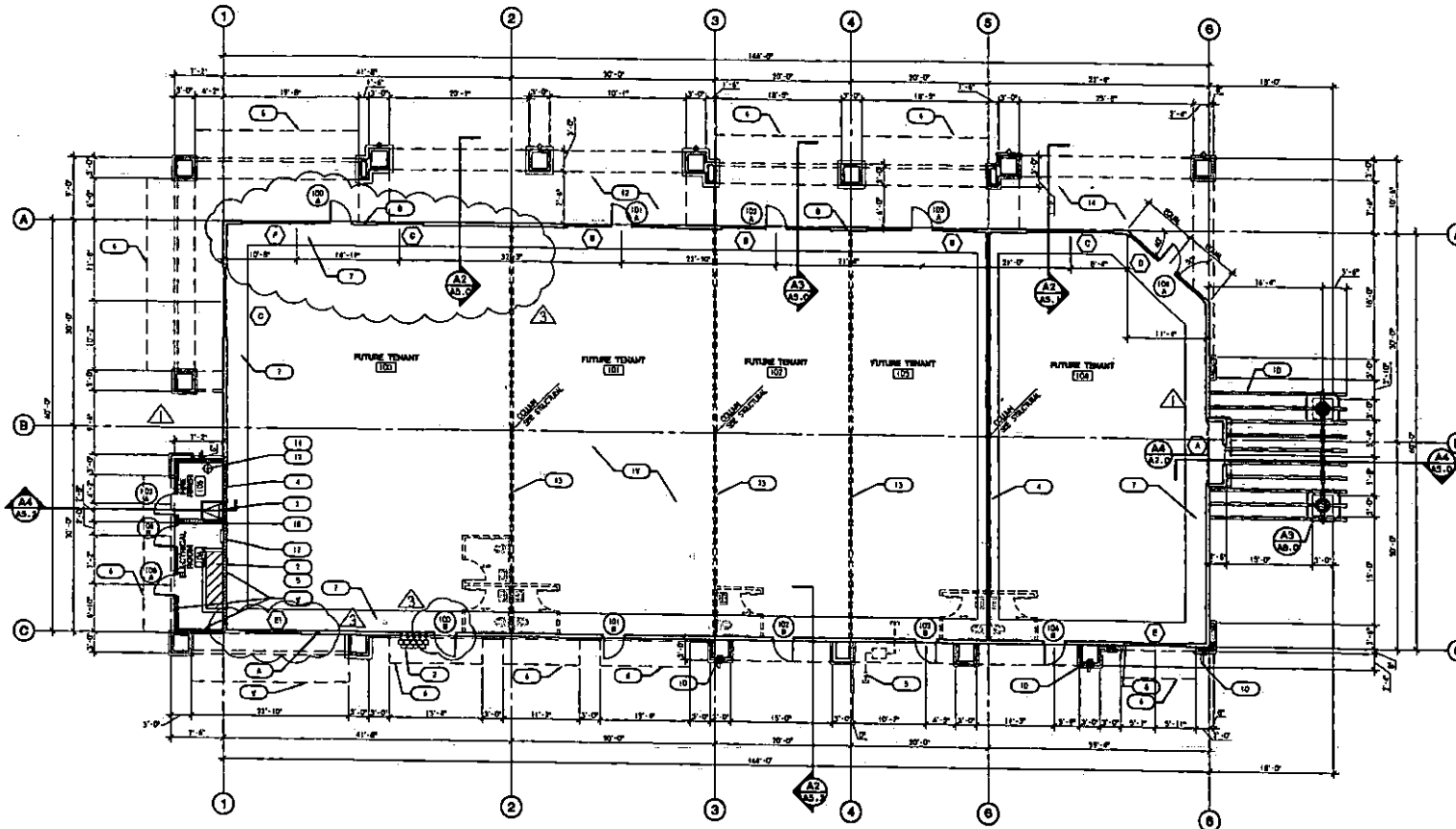
REVISION	DATE
1	01/11/07
2	01/11/07

SHEET NAME SHEETPAD
A4.0
 JOB NO. 18218
 DATE 01/11/07

SUP-18218
01/11/07 PC

NOV 17 2006

NOTE:
 CONSTRUCTION OF ALL EXTERIOR WALLS OF
 PART OF THE TOWNHOUSE PLANS.
 INSTALLATION OF ALL EXTERIOR WALLS SHALL
 BE PART OF THE TOWNHOUSE PLANS.
 THE WORK IS NOT PART OF THE BUILDING
 PERMIT U.S.A.



KEY NOTES

- 1 ROOF ACCESS LATCH, SEE DETAIL A2.1.1
- 2 GAS METERS, SEE PLUMBING DRAWINGS.
- 3 ELECTRICAL EQUIPMENT SEE ELECTRICAL DRAWINGS.
- 4 3/4" TYP. 1" O.P.S. BOARD BOTH SIDES OF 2" X 4" OR EQUAL STUDS + 1/4" O.C. TO DECK AND SEAL. ALL PENETRATIONS TO HAVE 1/4" FIRE PROTECTION TANK APPROVED METHODS.
- 5 4" HIGH BASED CONCRETE SLAB FOR ELECTRICAL EQUIPMENT.
- 6 METAL ANCHOR.
- 7 CONCRETE FLOOR STOP, 3'-4" WIDE U.S.A. SEE DETAIL A2.1.1.
- 8 INTERIOR WALL MOUNT, SEE DETAIL A2.1.1.
- 9 FOR DOMESTIC WATER LINE LOCATION SEE PLUMBING DRAWINGS.
- 10 ROOF DRAIN TO DRAINAGE AT FACE OF ROOF. OVERFLOW TO DRAINAGE AT BUILDING. SEE PLUMBING DRAWINGS.
- 11 AUTOMATIC SPRINKLER HEAD.
- 12 AUTOMATIC SPRINKLER HEAD FROM A.S.A. TO ON-SITE MAIN WATER LINE INCLUDING BUT NOT LIMITED TO P.I.V. CHECKING DEVICES, UNDERGROUND VALVE COMPLETE AS REQUIRED.
- 13 FUTURE EXISTING WALL (BY OTHERS)
- 14 EXISTING - SEE CHL. PLANS
- 15 EXPOSED GLASS
- 16 PLUMBING EQUIPMENT SEE ELECTRICAL DRAWINGS
- 17 FUTURE ELECTRICAL PANEL SEE ELECTRICAL DRAWINGS
- 18 METAL TRUSS, SEE SECTION A2.1.1

WALL LEGEND

NEW WALL	=====	▲
NEW 1/2" WALL	=====	
UL 0 JCS	=====	
SEE SHEET FPI.0		
NEW 1/2" WALL	=====	
UL 0 JCS	=====	
SEE SHEET FPI.0		
FUTURE INTERIOR WALL	=====	

NOTE:
 FOR TYPICAL 1/2" WALL PENETRATION, SEE SHEET FPI.0

PAD 'D' BUILDING
 9 MPC GRAB AND JOBS

SHEET TITLE:
FLOOR PLAN

FLOOR PLAN - PAD 'D'

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

PROJECT NO.



REVISION	DATE
▲	REVISION
▲	DATE

SHEET NAME: SUP-18218

A1.0

DATE: NOV 17 2006

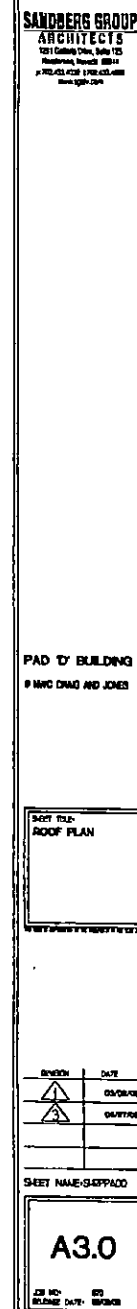
SUP-18218
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ROOF PLAN LEGEND

	• LOCAL ROOF TOP UNT. SEE DETAILS PG. 6 BAWLS
	• ROOF DRAIN SEE DETAIL A34A.2
	• ROOF ACCESS HATCH SEE DETAIL A34A.1

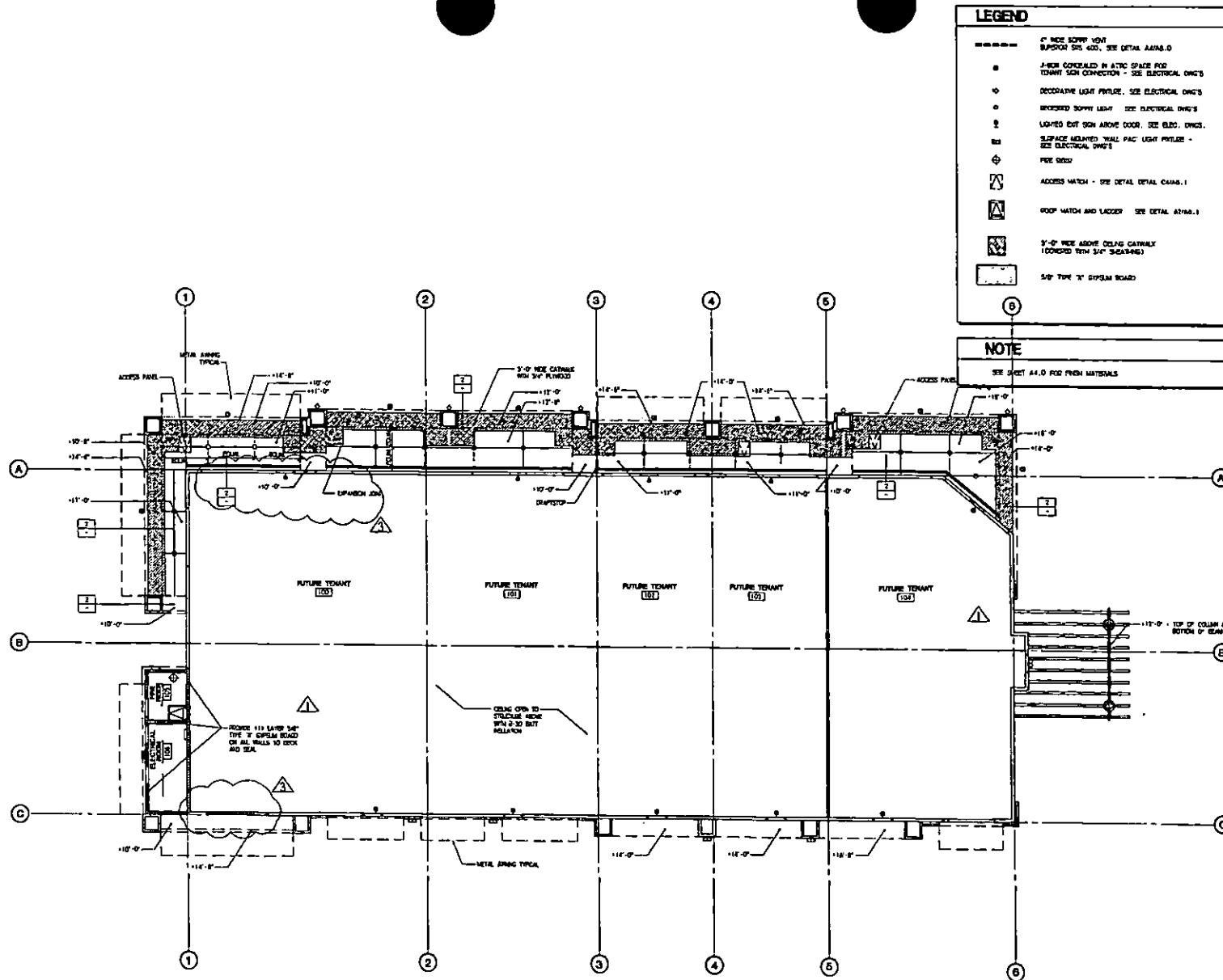
NOTE: FOR GENERAL ROOFING DETAILS SEE SH A6.2

GENERAL ROOF NOTES	
1. ALL ROOF RELATED EQUIPMENT (E.G. HOODS, AIR EXHAUSTING, ETC.) TO BE PAINTED WITH STEEL GRADE OR EQUIVALENT GRADE SINK-GLOSS PAINT. NOTIFY MAINTENANCE PERSONNEL OF STEEL GRADE SINK-GLOSS PAINT. NOTIFY MAINTENANCE PERSONNEL OF STEEL GRADE SINK-GLOSS PAINT.	2. ALL ROOF GUTTERS TO BE FORMED WITH ROOF INLETTER
3. MINIMUM MINIMUM SLOPE OF 3 IN/12 ON CONCRETE TILED ROOF SURFACES AS INDICATED ON PLANS.	3. CONDUCTOR SHALL COORDINATE EXACT LOCATION OF ROOF DRAIN SO AS TO PREVENT ANY STANDING WATER ON ROOF SURFACE. LEADERS SHALL BE LOCATED TO CLEAR ANY OBSTRUCTION AND SLOPE AS INDICATED BY APPLICABLE CODE.
4. MECHANICAL HELL ROOF TO HAVE A MINIMUM SLOPE OF 1/2 IN/12.	4. FLUSH DOWN BRICK AND ROOF SIZE OF PAVEMENT SHALL BE AS SHOWN
5. ALL ELEVATIONS SHALL BE PROVIDED FOR FINISH GRADE OF 100'-0".	5. ALL PLANT BED VERTICAL PENETRATION SHALL BE PROVIDED BY INHABITANT ABOVE ROOF SURFACE
6. DO NOT GET ANY EQUIPMENT, PLUMBING VENTS OR OTHER ROOF PENETRATIONS IN VALLEYS OR IN HOLES.	6. ROOF PLUMBING SHALL BE PROVIDED BY MECHANICAL PLUMBING
7. EXTEND ALL COORDINATE DRAIN TO ROOF DRAIN LINE.	7. MECHANICAL LINES SHOWN ON PLANS ARE TO BE INSTALLED BY MECHANICAL CONTRACTOR. PROVIDE FACTORY ROOF DRAIN, CAP AND SEAL. PROVIDE POWER AND GAS PROVIDING PER ELECTRICAL AND PLUMBING DRAWINGS. REFER TO MECHANICAL, PLUMBING AND ELECTRICAL DRAWINGS. ALL LINES TO BE LOCATED IN AREAS DESIGNATED FOR MECHANICAL PLUMBING.
8. VERIFY ALL SIZES AND LOCATIONS OF ROOF CHIMNEYS, PLUMBING, MECHANICAL, EQUIPMENT ETC. WITH RESPECTIVE CONTRACTORS.	8. PLUMBING VENTS SHALL NOT BE NEARER TO THE EDGE OF ROOF PENETRATIONS
9. TWO PLUMBING DETAILS OF ROOF PENETRATIONS AND EQUIPMENT ETC. SHOWING ALL DETAILS.	9. WHERE ROOFING SHALL NOT COINCIDE UNDER CAP PLUMBING, PART SIZE OF PLUMBING SHALL BE NEARER TO THE EDGE.
	10. COORDINATE WORK. CONTRACTOR SHALL NOTIFY ARCHITECT, OWNER AND ALL PARTIES INVOLVED ON THE SCHEDULED DATE AND TIME.
	11. THE MECHANICAL PLUMBING AREA SHALL NOT BE LESS THAN 1/16" OF THE AREA OF THE SPACE INVOLVED, WITH AN INCREASE OF 1/16" IN THE PLUMBING AREA PROVIDED BY PLUMBING LOCATED IN THE UPPER PORTION OF THE SPACE TO BE PLUMBING AT LEAST 1/16" ABOVE EACH OF COORDINATE VENTS WITH THE BALANCE OF THE REQUIRED VENTILATION PROVIDED BY EACH OF COORDINATE VENTS. 11/07/21 10/15 10/15 10/15
	12. ROOF TO BE FIVE INCHES "THICK" AT ALL PLACES OF PLUMBING.



SUP-18218
01/11/07 PC

NOV 17 2005



REFLECTED CEILING PLAN - PAD "D"
SCALE = 1/8" = 1'-0" PPC-2



SUP-18218
01/11/07 PC

NOV 17 2006

ACCESSIBILITY NOTES

- GENERAL NOTES:**
1. All equipment shall be supported on 6-inch tall road metal less or on casters or shall be completely sealed in position on a 4-inch covered island base or concrete curb to facilitate cleaning.
 2. All equipment shall be listed by an ANSI accredited sanitation-testing organization, e.g., NSF International, ITS, or UL's Sanitation Department. All used equipment is subject to approval as determined at the time of field inspection.
 3. Approved abrasive floorings shall be restricted to traffic areas only. Floorings under equipment, including shelving and at the floor/mall junction shall be completely smooth.
 4. Sanitizing method for mixer. Mixer item #12 is mobile on casters. 3 tub pre-rinse faucet shall serve as water source. Floor sink item #12 for rinse.
 5. If soft drink, ice or other dispensers are self-service, or if refills are provided they must be push button type, or lever type where the lever contacts the container at least one inch below the rim.
 6. Mop sink faucet will have a threaded outer lip for hose attachment and an approved backflow prevention device. No chemical dispensing systems or valves shall be attached to mop sink faucet outlet.
 7. Water supply to carbonators shall be protected by an approved reduced pressure principle backflow preventer. The relief valve shall drain indirectly to sewer with a legal air gap.
- DOORS:**
1. Existing and proposed doors shall be tested and found to be in compliance with the requirements of the Americans with Disabilities Act (ADA) and the International Building Code (IBC).
 2. All doors shall be tested and found to be in compliance with the requirements of the Americans with Disabilities Act (ADA) and the International Building Code (IBC).
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 9. All doors shall be tested and found to be in compliance with the requirements of the Americans with Disabilities Act (ADA) and the International Building Code (IBC).
 10. All doors shall be tested and found to be in compliance with the requirements of the Americans with Disabilities Act (ADA) and the International Building Code (IBC).

NO.	DESCRIPTION	NO.	DESCRIPTION	NO.	DESCRIPTION
1	6'0" x 2'0" SWGL	10	6'0" x 2'0" SWGL	19	6'0" x 2'0" SWGL
2	6'0" x 2'0" SWGL	11	6'0" x 2'0" SWGL	20	6'0" x 2'0" SWGL
3	6'0" x 2'0" SWGL	12	6'0" x 2'0" SWGL	21	6'0" x 2'0" SWGL
4	6'0" x 2'0" SWGL	13	6'0" x 2'0" SWGL	22	6'0" x 2'0" SWGL
5	6'0" x 2'0" SWGL	14	6'0" x 2'0" SWGL	23	6'0" x 2'0" SWGL
6	6'0" x 2'0" SWGL	15	6'0" x 2'0" SWGL	24	6'0" x 2'0" SWGL
7	6'0" x 2'0" SWGL	16	6'0" x 2'0" SWGL	25	6'0" x 2'0" SWGL
8	6'0" x 2'0" SWGL	17	6'0" x 2'0" SWGL	26	6'0" x 2'0" SWGL
9	6'0" x 2'0" SWGL	18	6'0" x 2'0" SWGL	27	6'0" x 2'0" SWGL

NOTE: EXISTING DOORS SHOULD BE A MINIMUM SIZE OF 1'0" BY 6'0" AND 1/2" CLEARANCE UNDER DOOR. IF A MINIMUM CLEARANCE UNDER DOOR IS 4'0".

NOTE: EVERY REQUIRED PASSAGE DOOR HAS A MINIMUM 30" CLEAR WIDTH.

NOTES:

ELEVATIONS AND SIGNS PROVIDED BY SIGN CONTRACTOR.

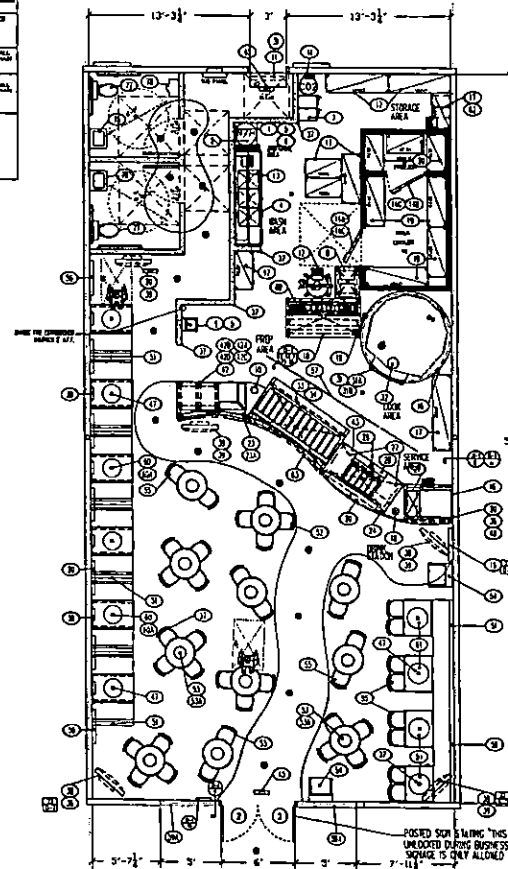
VERIFY EXISTING CONDITIONS. TENANTS SOLELY RESPONSIBLE FOR COORDINATIONS OF FIELD CONDITIONS.

NOTE: ALL EXITS ARE TO BE OPENABLE FROM INSIDE WITHOUT THE USE OF A KEY OR SPECIAL KNOWLEDGE IN LIEU OF GROUP B OCCUPANCY.

NOTE: REGARDLESS OF OCCUPANT LOAD, A FLOOR OR LANDING NOT MORE THAN 1/2" BELOW THE THRESHOLD IS REQUIRED ON EACH SIDE OF AN EXIT DOOR USED FOR DISABLED ACCESS (MAY BE 1" MAXIMUM WHERE NOT USED FOR DISABLED ACCESS).

HEALTH NOTES:

1. ALL EQUIPMENT INCLUDING SHELVING SHALL BE SUPPORTED ON 6-INCH TALL ROAD METAL LESS OR ON CASTERS OR SHALL BE COMPLETELY SEALED IN POSITION ON A 4-INCH COVERED ISLAND BASE OR CONCRETE CURB TO FACILITATE CLEANING.
2. ALL EQUIPMENT SHALL BE LISTED BY AN ANSI ACCREDITED SANITATION-TESTING ORGANIZATION, E.G., NSF INTERNATIONAL, ITS, OR UL'S SANITATION DEPARTMENT. ALL USED EQUIPMENT IS SUBJECT TO APPROVAL AS DETERMINED AT THE TIME OF FIELD INSPECTION.
3. APPROVED ABRASIVE FLOORINGS SHALL BE RESTRICTED TO TRAFFIC AREAS ONLY. FLOORINGS UNDER EQUIPMENT, INCLUDING SHELVING AND AT THE FLOOR/MALL JUNCTION SHALL BE COMPLETELY SMOOTH.
4. SANITIZING METHOD FOR MIXER. MIXER ITEM #12 IS MOBILE ON CASTERS. 3 TUB PRE RINSE FAUCET SHALL SERVE AS WATER SOURCE. FLOOR SINK ITEM #12 FOR RINSE.
5. IF SOFT DRINK, ICE OR OTHER DISPENSERS ARE SELF-SERVICE, OR IF REFILLS ARE PROVIDED THEY MUST BE PUSH BUTTON TYPE, OR LEVER TYPE WHERE THE LEVER CONTACTS THE CONTAINER AT LEAST ONE INCH BELOW THE RIM.
6. MOP SINK FAUCET WILL HAVE A THREADED OUTER LIP FOR HOSE ATTACHMENT AND AN APPROVED BACKFLOW PREVENTION DEVICE. NO CHEMICAL DISPENSING SYSTEMS OR VALVES SHALL BE ATTACHED TO MOP SINK FAUCET OUTLET.
7. WATER SUPPLY TO CARBONATORS SHALL BE PROTECTED BY AN APPROVED REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTER. THE RELIEF VALVE SHALL DRAIN INDIRECTLY TO SEWER WITH A LEGAL AIR GAP.



NOTE:

IF THE BUILDING INSPECTOR DETERMINES THAT THE BUILDING IS NOT IN COMPLIANCE WITH THE ADA, THE BUILDING OWNER SHALL BE RESPONSIBLE FOR CORRECTING THE VIOLATIONS. THE BUILDING OWNER SHALL BE RESPONSIBLE FOR CORRECTING THE VIOLATIONS. THE BUILDING OWNER SHALL BE RESPONSIBLE FOR CORRECTING THE VIOLATIONS.

NOTE:

FLOORING IS TO BE REFINISHED BY FIELD. CONTRACTOR TO REPAIR ALL FLOOR DAMAGE PRIOR TO START OF CONSTRUCTION.

WALL LEGEND

EXISTING WALL TO REMAIN

NEW WALK-IN COOLER/FREEZER WALLS (PRE-FABRICATED)

NEW FULL HT. WALL TO BE ADDED

NEW 60" AFF. LOW WALL TO BE ADDED

NOTE: MAXIMUM OCCUPANT LOAD SIGN MUST BE POSTED IN THE DINING ROOM, STATING "MAXIMUM OCCUPANT LOAD 50 PERSONS"

NOV 17 2006

TOTAL SEATING = 79

SUP-18218

01/11/07 PC

REVISION	BY
04-01-06	CA
7/26/06	CA

PACIFIC DESIGN GROUP
1000 N. LAS VEGAS BLVD.
SUITE 100
LAS VEGAS, NV 89101
702.735.1234
www.pacificdesigngroup.com

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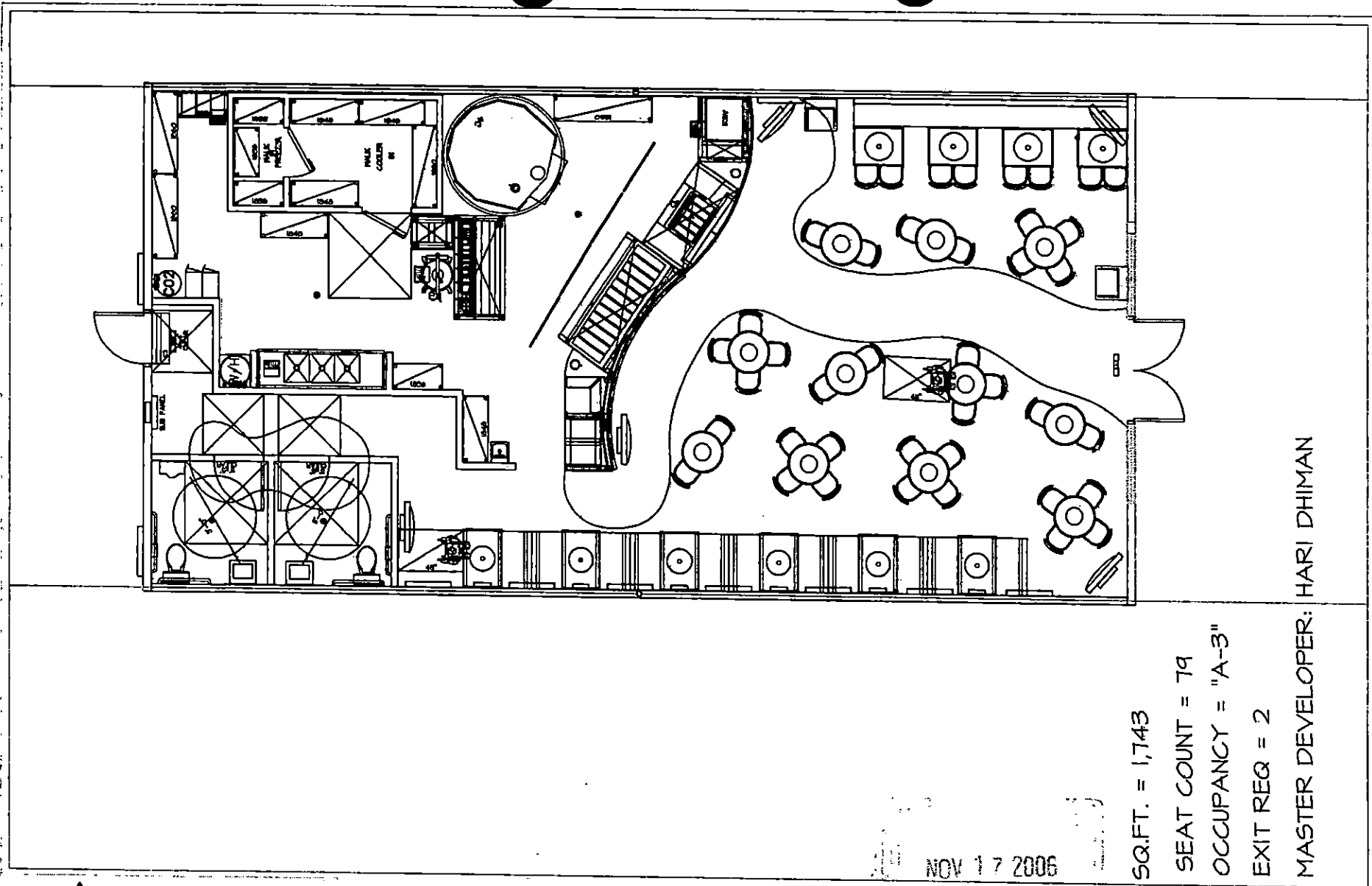
NEW RESTAURANT
TENANT IMPROVEMENT REMODEL
EQUIPMENT FLOOR PLAN & TITLE 24.

RED BRICK PIZZA
6030 W. CRAIG ROAD #120
LAS VEGAS, NV 89130

REVISION	BY
04-01-06	CA
7/26/06	CA

06-035

1



SQ.FT. = 1,743

SEAT COUNT = 79

OCCUPANCY = "A-3"

EXIT REQ = 2

MASTER DEVELOPER: HARI DHIMAN



PACIFIC DESIGN GROUP

Complete Restaurant
Design • Construction • Equipment
Site Selection

Alex Burrola

LIC. 631263-B

1747 S. Douglass Rd., Ste B
Anaheim, CA. 92806
Ph.: (714) 634-1148
Fax: (714) 634-1140
E-mail: pacificdesigngrp@msn.com

RED BRICK PIZZA / PRELIMINARY LAYOUT

LAS VEGAS, NV. #1303

APPROVAL SIGNATURE

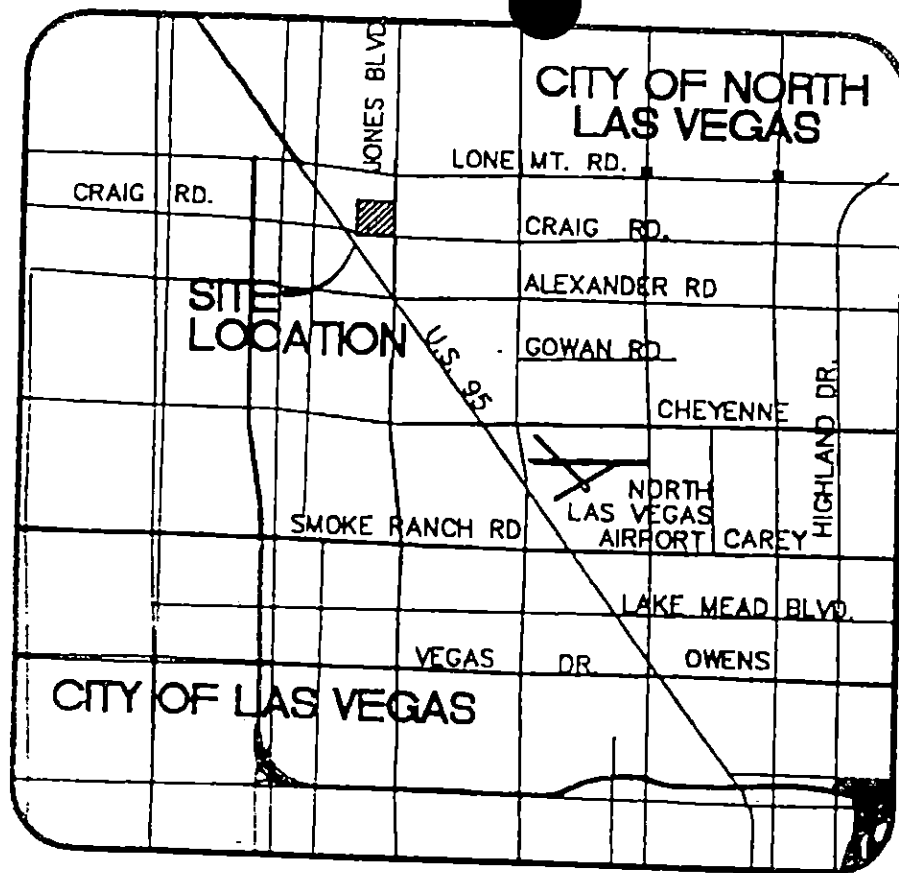
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01/11/07 PC

1/8" = 1'-0"

10/18/06

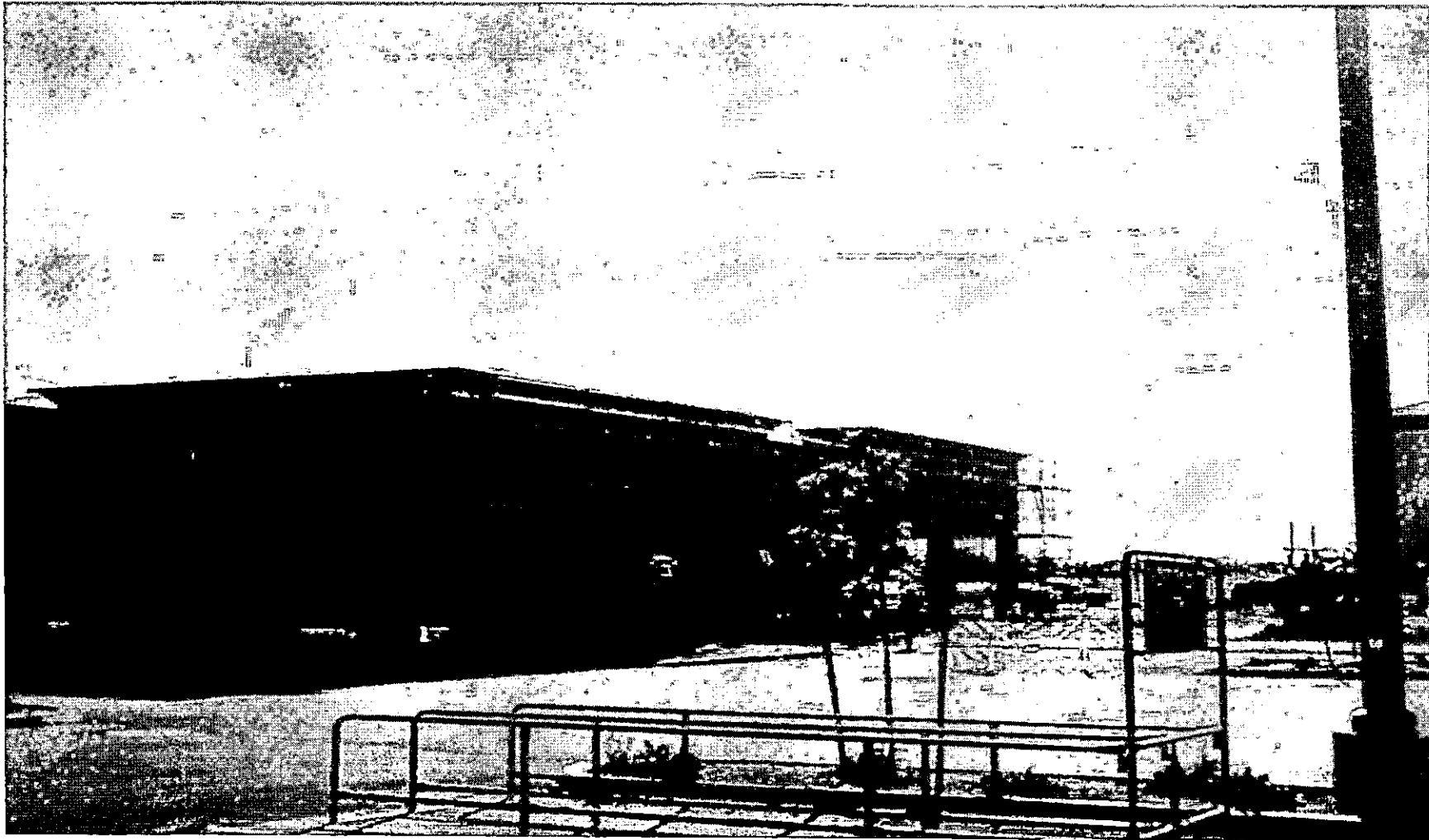
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VICINITY MAP
N. T. S.

SUP-18218
01/11/07 PC

RECEIVED
NOV 17 2006



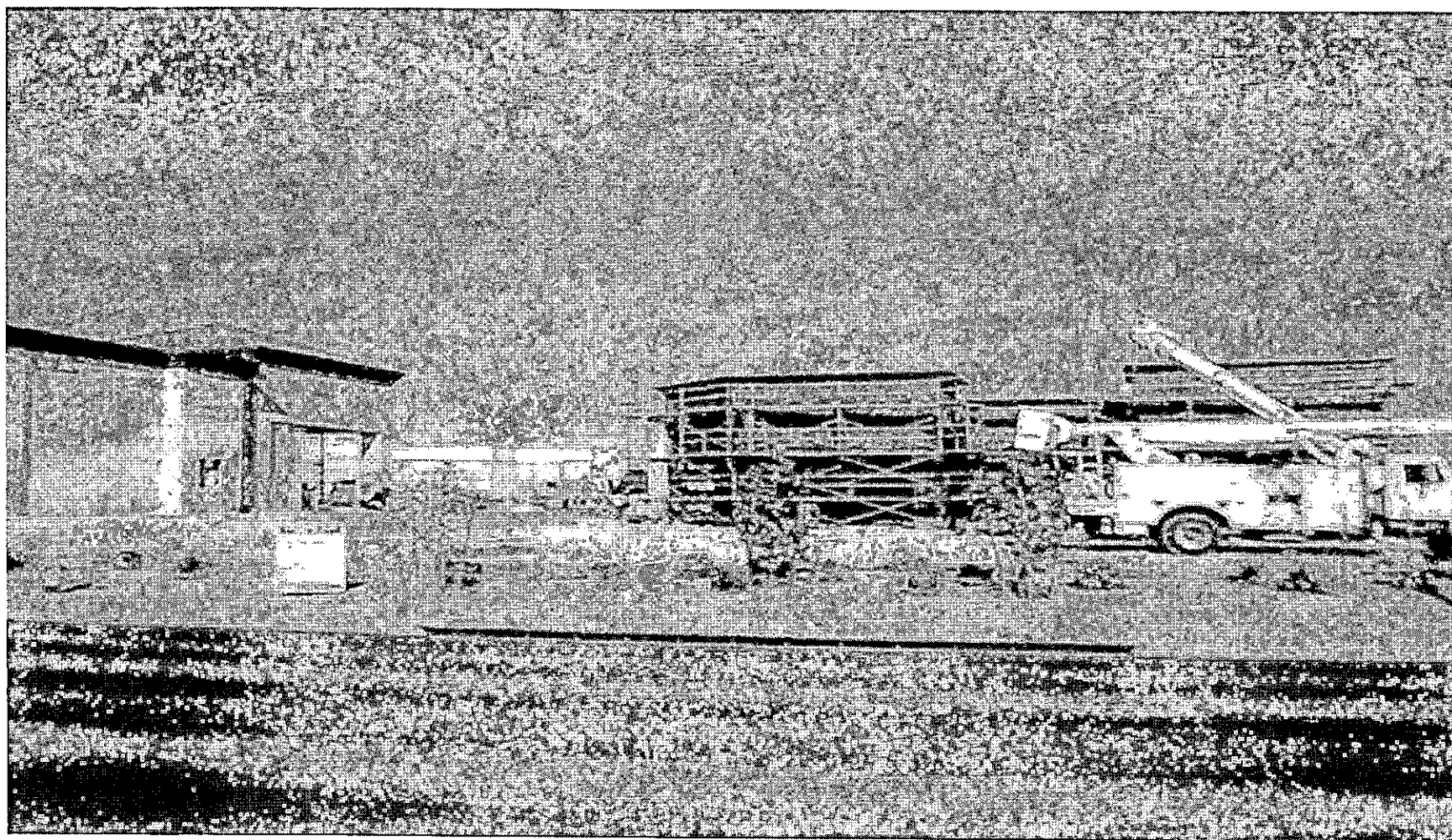
SUP-18218 - APPLICANT: REDBRICK PIZZA #1303 - OWNER: VIRGIN TERRITORY, LLC
6020 WEST CRAIG ROAD
JANUARY 11, 2007 PLANNING COMMISSION

12/08/06



SUP-18218 - APPLICANT: REDBRICK PIZZA #1303 - OWNER: VIRGIN TERRITORY, LLC
6020 WEST CRAIG ROAD
JANUARY 11, 2007 PLANNING COMMISSION

12/08/06



SUP-18218 - APPLICANT: REDBRICK PIZZA #1303 - OWNER: VIRGIN TERRITORY, LLC
6020 WEST CRAIG ROAD
JANUARY 11, 2007 PLANNING COMMISSION

12/08/06



SUP-18218 - APPLICANT: REDBRICK PIZZA #1303 - OWNER: VIRGIN TERRITORY, LLC
6020 WEST CRAIG ROAD
JANUARY 11, 2007 PLANNING COMMISSION

12/08/06

JUSTIFICATION LETTER

My name is Deirdre L. Bonner, and I am a franchisee of RedBrick Pizza Worldwide, Inc. I will be operating my RedBrick Pizza café in the Lowe's Plaza retail center located at 6020 W. Craig Road, Suite #101 Las Vegas, NV. 89130. My space will be leased out by Virgin Territory, LLC/Territory Incorporated, whom is permitting me to operate a fast casual and delivery pizza restaurant, for the preparation and sale of a product mix typical with a RedBrick Pizza Restaurant, which prepares and sells fire-roasted gourmet pizzas, pasta, fire-roasted fazhani pizza sandwiches, chopped salads, gelato, and bottled beer, wine, and juices, as well as fountain soft drinks for on and off premises consumption. In addition, the restaurant has mounted televisions on each booth that is controlled by the patron who will be able to view a wide range of channels linked to DirectTV. There will also be three ceiling mounted 42" televisions (controlled by the employees) for the other customers who are not seated at a booth, but rather at a table situated in between the wall booths that will be programmed to a sports channel such as ESPN, a news channel such as CNN, and a cooking channel such as the Food Network. RedBrick Pizza is a family friendly restaurant with a warm ambience, and a nice mellow radio station programmed through Sirius Satellite that all customers will be able to listen to and enjoy. My leased space is 1800 square feet with a seating capacity of approximately seventy-nine. My operating hours will be Sunday-Thursday 11:00 am – 9:00 pm and Friday, Saturday 11:00 am – 10:00 pm, excluding Easter Sunday, Thanksgiving Day, Christmas Day and New Years Day or such other holidays as maybe recognized by the majority of other tenants in the Shopping Center. RedBrick Pizza is unique of its kind in the pizza establishment.

SUP-18218
01/11/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 11, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-18266 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CRAIG MCCALL - OWNER: PHILLIP E. HEMPLER AND JOSEPH P. LEPIRE - Request for a Special Use Permit FOR A PAWN SHOP AND A WAIVER TO ALLOW A ZERO FOOT SEPARATION FROM AN EXISTING FINANCIAL INSTITUTION, SPECIFIED WHERE A 1,000 FOOT DISTANCE SEPARATION IS REQUIRED at 6032 West Cheyenne Avenue (APN 138-12-416-006), C-1 (Limited Commercial) Zone [SC (Service Commercial) General Plan Designation], Ward 6 (Ross).

IF APPROVED: C.C.: 02/07/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letter from Felicia Mitchell

MOTION:

GOYNES – APPROVED subject to conditions – Motion carried with **DAVENPORT** and **DUNNAM** voting **NO** and **TRUESDELL** abstaining as he owns an interest in the adjacent shopping center

To be heard by City Council on 02/07/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 38 – SUP-18266

MINUTES – Continued:

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

ATTORNEY BILL CURRAN, 300 South 4th Street, appeared on behalf of CRAIG MCCALL, who was also present. ATTORNEY CURRAN noted the distance separation requirement was intended to prevent the over-saturation of payday loan stores rather than pawn shops and that there are no other pawn shops within a mile and a half of this location. He emphasized that pawn shops are highly regulated and that his client has operated several pawn shops without incident throughout the Las Vegas Valley. ATTORNEY CURRAN also pointed out the high-quality and up-scale nature of this pawn shop and stated this shop would replace an existing pawn shop. He suggested limited hours of operation and respectfully requested approval.

DONNA HOFMEISTER, 3093 Woods Drive, appeared in opposition. She pointed out that this location is inappropriate for this proposed use since the majority of pawn shops are located in highly commercialized area and there are already several pawn shops in the area. BRENDA LOVATO, 3316 Terra Bella Drive, concurred and noted that an existing used car dealership in the area is adding to the decline in quality of line in the area.

COMMISSIONER GOYNES suggested that Code Enforcement verify that the used car dealership is operating legally.

TODD FARLOW, 240 North 19th Street, appeared in support and observed that the applicant runs several well-maintained and well-managed pawnshops throughout the Las Vegas Valley. He also noted that this business could serve as a draw for other businesses in this shopping center.

ATTORNEY CURRAN stated his client intended to purchase, improve and manage this shopping center.

COMMISSIONER GOYNES expressed his support and concurred with MR. FARLOW'S statements. He observed that the majority of the applicant's revenue would be from retail jewelry sales and stated this proposal will enhance the area.

ATTORNEY CURRAN informed COMMISSIONER STEINMAN that MR. McCALL accepted firearms as collateral, but did not offer them for resale to the public. ATTORNEY CURRAN also stated that approximately 3 percent of his business was through payday loans, but noted that not offering that service would make his client less competitive. With regards to the Las Vegas Metropolitan Police Department, ATTORNEY CURRAN assured COMMISSIONER STEINMAN that MR. McCALL had their highest recommendation.

PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 38 – SUP-18266

MINUTES – Continued:

COMMISSIONER TROWBRIDGE expressed his support as he did not see this application presenting a saturation problem or as a detriment to the neighborhood.

COMMISSIONER DUNNAM informed MS. HOFMEISTER and MS. LOVATO that Code Enforcement was investigating the used car dealership. He disagreed with ATTORNEY CURRAN'S statement that not offering payday loans at this location would negatively impact MR. McCALL. He stated he could not support this application because it could be the beginning of a dangerous proliferation of these types of businesses in this area.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

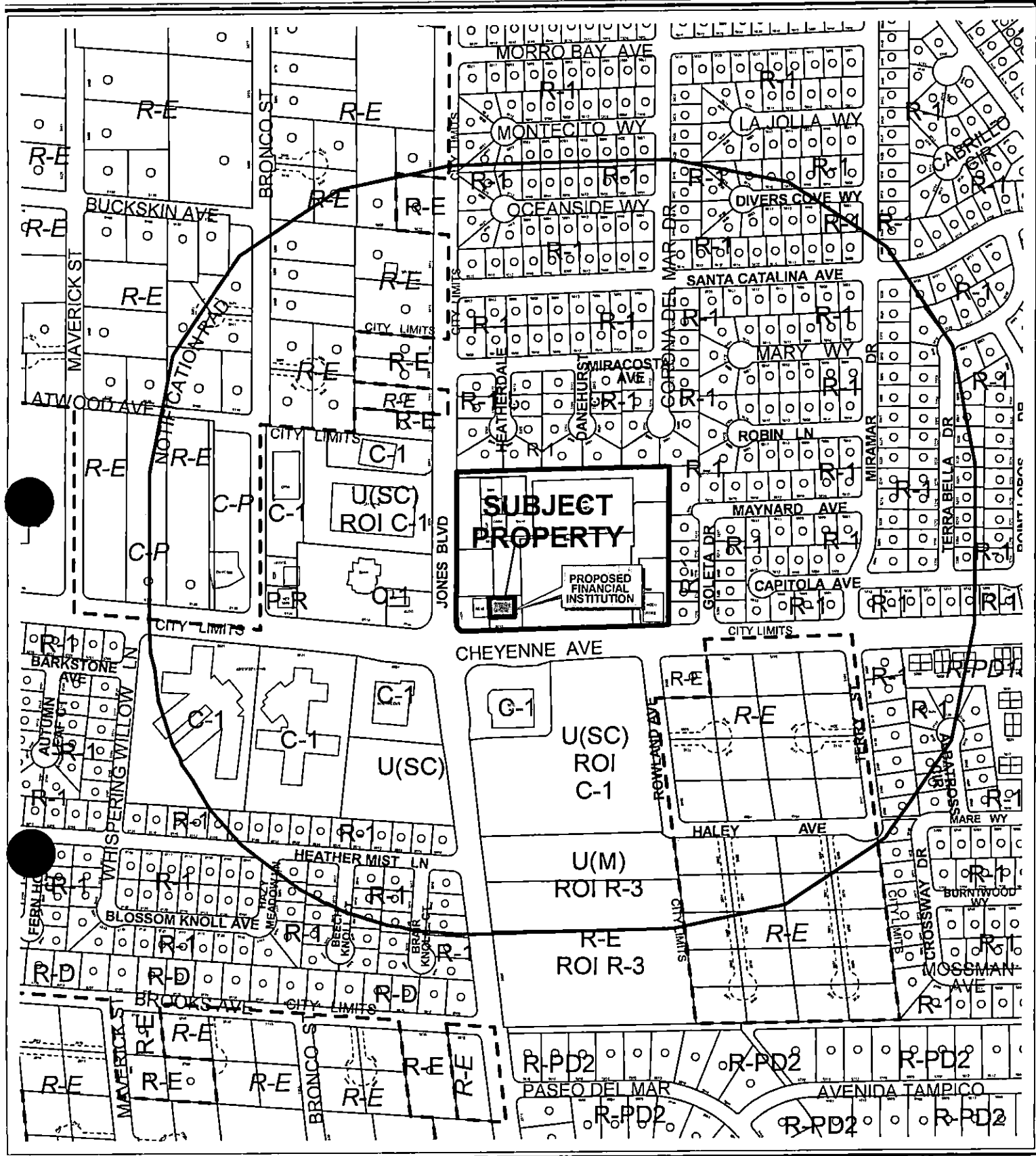
(8:38 – 9:00)

2-1724

CONDITIONS:

Planning and Development

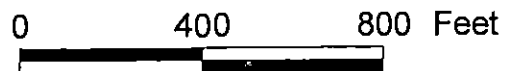
1. Conformance to the conditions for Rezoning (Z-0120-78), if approved.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

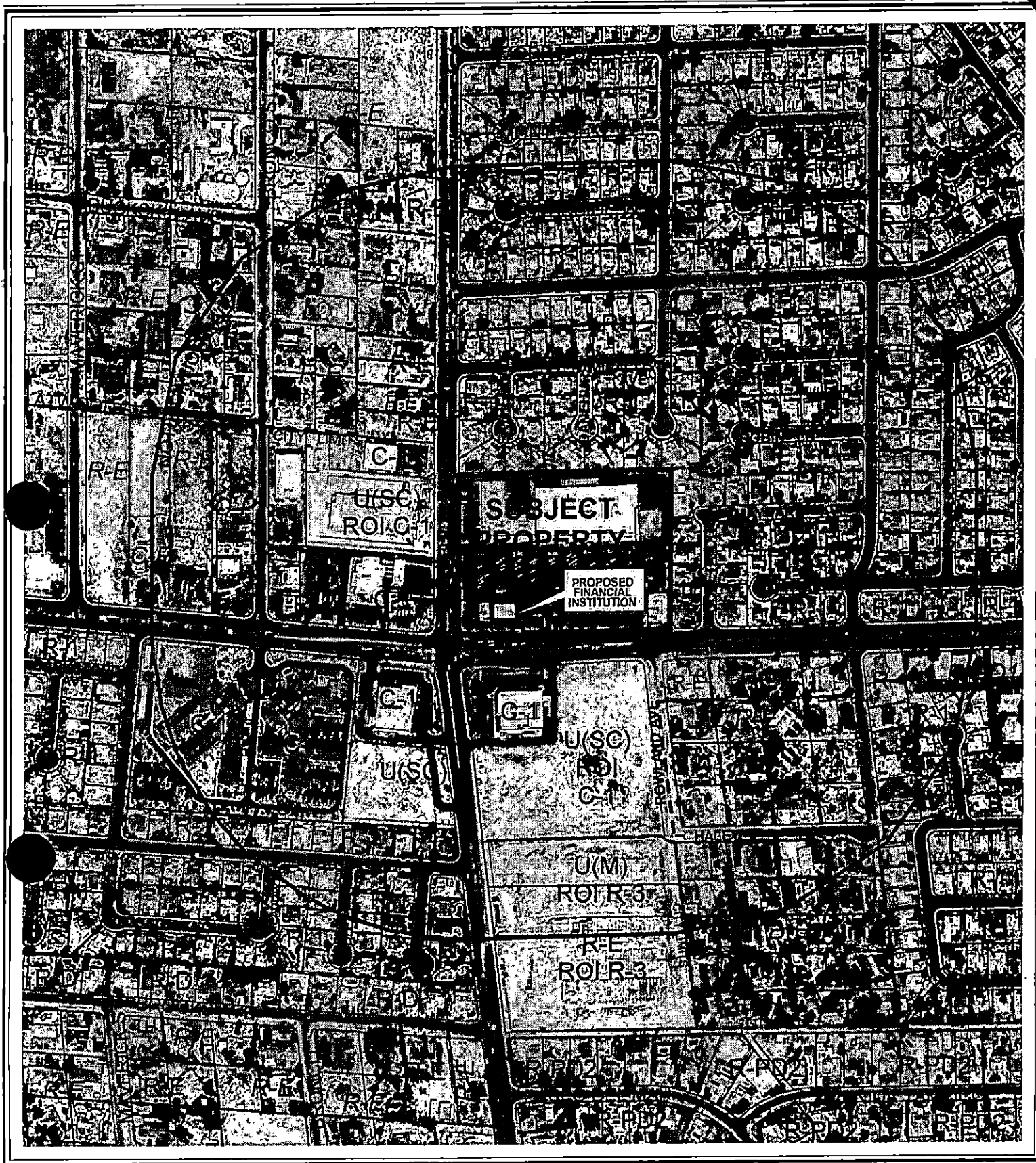


CASE: **SUP-18266**

RADIUS: 1000 FT

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





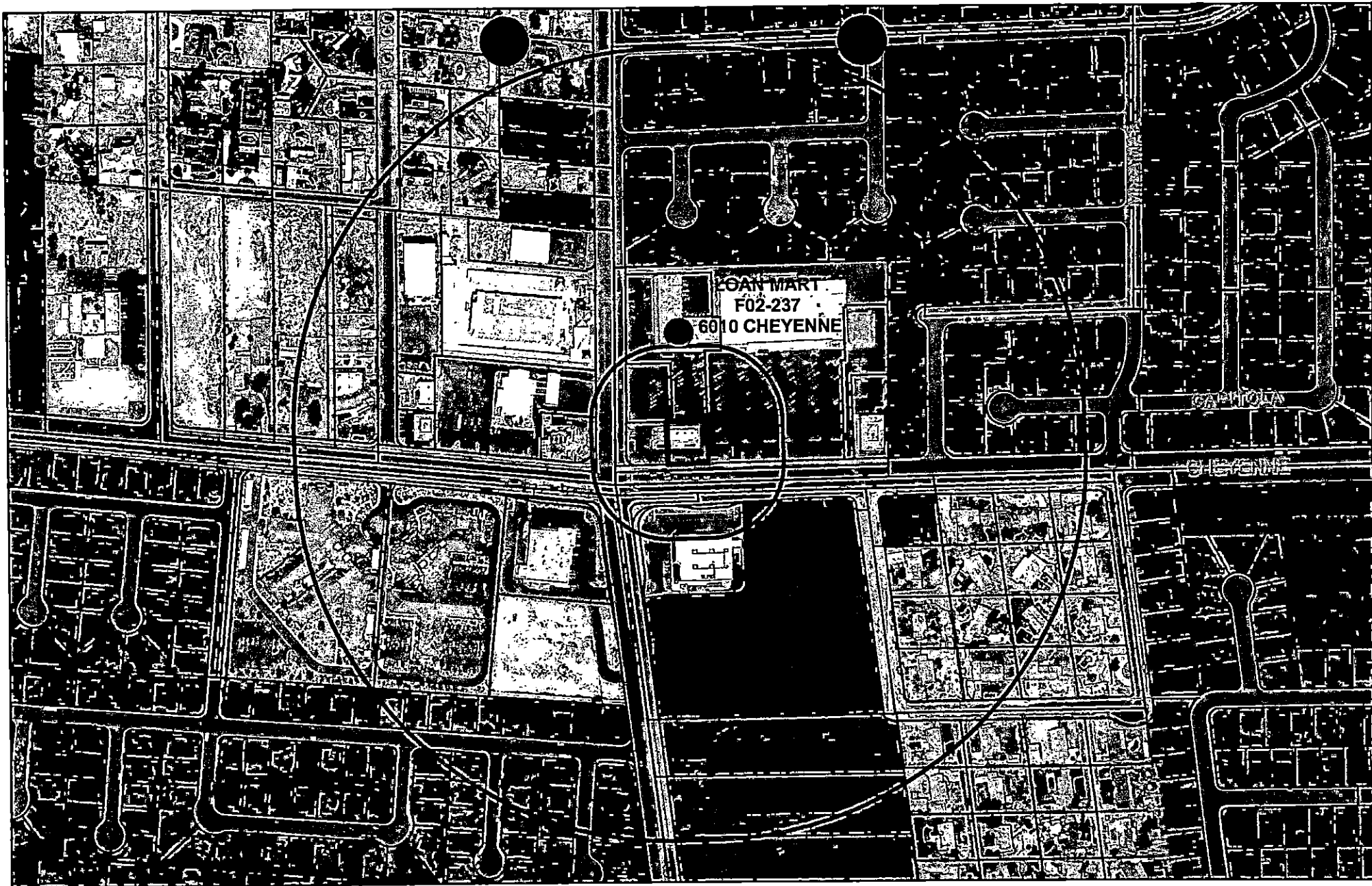
CASE: **SUP-18266**

RADIUS: 1000 FT

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

0 400 800 Feet





SUP-18266

Financial Business Locations

- Finance Company
- Financial Institution, Specified
(Check Cashing Service)
- Automobile Title Loan
- Financial Institution, Specified
(Check Cashing Service with Gross)
- Pawnbroker



Subject Property

Residential Property



Buffer



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 11, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-18266 - APPLICANT: CRAIG MCCALL - OWNER:
PHILLIP E. HEMPLER AND JOSEPH P. LEPIRE

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (Z-0120-78), if approved.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-18266 - Staff Report Page One
January 11, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request a request for a Special Use Permit for a Pawn Shop and a Waiver of the 1,000-foot distance separation requirement from an existing Financial Institution, Specified at 6032 West Cheyenne Avenue.

The applicant seeks to relocate a Pawn Shop to a separate commercial building within an existing shopping center on the northeast corner of Cheyenne Avenue and Jones Boulevard. The subject site does not meet the minimum 1000-foot separation requirement from an existing Financial Institution, Specified use as the parcel is next door to a Payday Loan Center located at 6010 West Cheyenne Avenue.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
	The City Council approved rezoning Z-120-78.
<i>Related Building Permits/Business Licenses</i>	
Month/date/year	Description
11/10/98	PC #L-5344-98: Plan Check for a tenant improvement for video store creating the address 6032 W. Cheyenne Avenue
7/16/04	Business License # F07-01873: "A Family Bed & Baby" Furniture Store. Out-of-business 9/28/06.
<i>Pre-Application Meeting</i>	
9/11/06	A pre-application meeting was held to discuss the requirements for a Special Use Permit for a pawn shop at the proposed location. In addition, the applicant was informed that this would require a waiver for the distance requirement from an existing Financial Institution, Specified.
<i>Neighborhood Meeting</i>	
NA	A neighborhood meeting was not required nor was one held.
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.28

SUP-18266 - Staff Report Page Two
January 11, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial Retail	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Pharmacy	SC (Service Commercial)	C-1 (Limited Commercial)
East	Commercial Retail	SC (Service Commercial)	C-1 (Limited Commercial)
West	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)

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

A-O Airport Overlay District

The proposed use of a Pawn Shop within an existing retail location will have no impact on the 70-foot height restrict set forth by the Airport Overlay District.

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required Parking</i>		<i>Provided Parking</i>		<i>Compliance</i>
			<i>Regular</i>	<i>Handi-capped</i>	<i>Regular</i>	<i>Handi-capped</i>	
Pawn Shop	4,000 GFA	1: 250 GFA	16	1	16	1	Y
TOTAL (including handicap)			16	1	16	1	Y

SUP-18266 - Staff Report Page Three
January 11, 2007 - Planning Commission Meeting

Waivers		
Request	Requirement	Staff Recommendation
To allow zero feet of separation from an established Financial Institution, Specified.	1,000 foot from an existing Financial Institution, Specified.	Denial

ANALYSIS

- Zoning

The existing zoning is C-1 (Limited Commercial). This zoning is appropriate for the General Plan Land Use designation of C (Commercial). The proposed Pawn Shop use is allowed under that designation with approval of a Special Use Permit.

- Use

Pawn Shop is defined as follows:

A facility (other than a bank, saving and loan or mortgage banking company) used for the business of lending money on the security of pledged goods or for the business of the purchase of tangible personal property on the condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.

The use, as proposed by the applicant, meets this definition as outlined in the Code, and is a permitted use in the C-1 (Limited Commercial) Zoning district with a Special Use Permit as sought by this application.

Although there is an established Financial Institution, Specified, within immediate proximity of the proposed Pawn Shop there are no other Pawn Shops within 1.5 miles of the subject site. The applicant seeks to highlight the difference in that the majority of the revenue from the pawn operation comes primarily from retail jewelry sales. The applicant has presented photographs of the previous establishment with the application showing a layout much in-line with a jewelry store. However; as the justification letter states that pawn-loans are provided on-site the use must be applied as such. Therefore staff recommends denial.

SUP-18266 - Staff Report Page Four
January 11, 2007 - Planning Commission Meeting

- **Conditions**

Pursuant to Title 19.04.050 the following conditions must be met for a Pawn Shop:

1. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.
2. No outdoor display, sales or storage of any merchandise shall be permitted
3. No pawn shop shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.
4. No pawn shop shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

Because it does not meet the minimum conditions as listed in Title 19.04, the proposed Pawn Shop will be incompatible with the adjacent commercial uses. The applicant is requesting a Waiver from the separation requirement of 1,000 feet from an established Financial Institution, Specified use. Staff recommends denial.

FINDINGS

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

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

In regard to "1":

The proposed Pawn Shop would be in a separate building within an existing shopping center subdivision that has an established Financial Institution, Specified. Therefore, the proposed use cannot meet the conditional requirements as set forth by Title 19.04.050. As a result of the failure to meet separation requirements on these many conflicts, staff cannot recommend approval for this Special Use Permit.

MH

SUP-18266 - Staff Report Page Five
January 11, 2007 - Planning Commission Meeting

In regard to "2":

The site is physical constrained due to the location of the existing Financial Institution, Specified within the 200-foot separation requirement from the proposed Pawn.

In regard to "3":

The primary access to the site is served via Cheyenne Avenue, designated as a (100-foot) Primary Arterial roadway on the Master Plan of Streets and Highways, which will adequately serve the proposed Pawn Shop use.

In regard to "4":

The Special Use Permit for a Pawn Shop requires separation from an established Financial Institution, Specified. As the subject site fails to meet this separation requirement, the public welfare protections required in Title 19 would be compromised.

In regard to "5":

The proposed relocation of a Pawn Shop requires separation from an established Financial Institution, Specified. As the subject site fails to meet this condition as set forth by Title 19.04.050, it is not in total compliance.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 340

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SUP-18266

Case Number: _____ APN: 138-12-416-006Name of Property Owner: JOSEPH P LEPIREName of Applicant: PAWN PLACE

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: _____

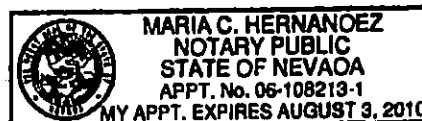
Partner(s): _____

APN _____

Signature of Property Owner: _____

Print Name: JOSEPH P. LEPIRE JR

Subscribed and sworn before me

This 21 day of November, 2006Maria C. Hernandez
Notary Public in and for said County and State



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-18266** APN: 138-12-416-006
 Name of Property Owner: PHILIP E. HEMPLER
 Name of Applicant: PAWN PLACE

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

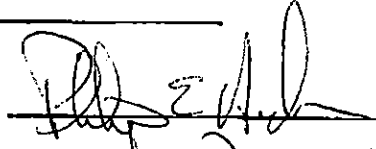
☒ No

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: _____

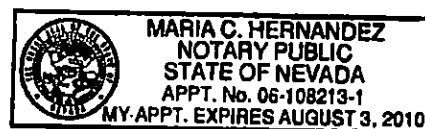
Signature of Property Owner: 

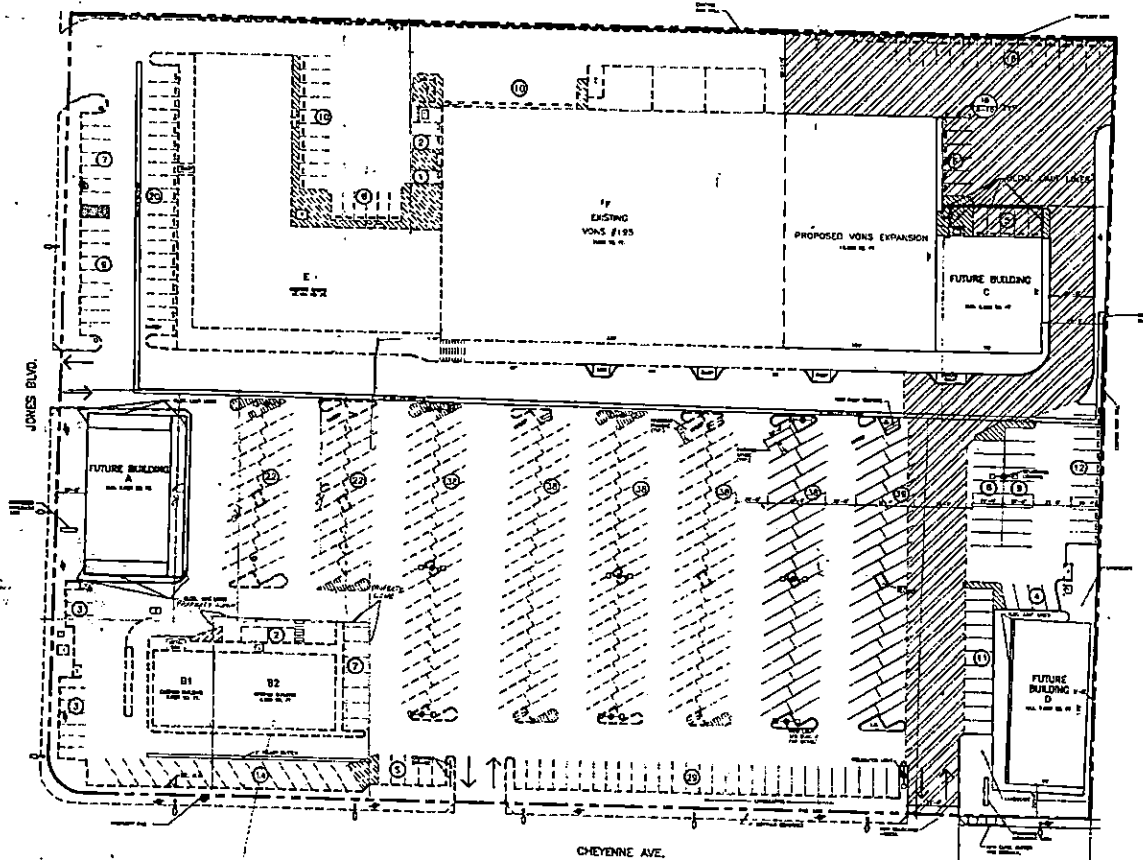
Print Name: PHILIP E. HEMPLER

Subscribed and sworn before me

This 21 day of November, 2006

Maria C. Hernandez
 Notary Public in and for said County and State





Legend
1. EXISTING BUILDING
2. PROPOSED BUILDING
3. FUTURE BUILDING
4. EXISTING PARKING
5. PROPOSED PARKING
6. FUTURE PARKING
7. EXISTING DRIVEWAY
8. PROPOSED DRIVEWAY
9. FUTURE DRIVEWAY
10. EXISTING SIDEWALK
11. PROPOSED SIDEWALK
12. FUTURE SIDEWALK
13. EXISTING LANDSCAPE
14. PROPOSED LANDSCAPE
15. FUTURE LANDSCAPE

TOWN OF LAS VEGAS, NEVADA
PLANNING DEPARTMENT

Parking Requirements	Notes
1. EXISTING BUILDING	1. EXISTING BUILDING
2. PROPOSED BUILDING	2. PROPOSED BUILDING
3. FUTURE BUILDING	3. FUTURE BUILDING
4. EXISTING PARKING	4. EXISTING PARKING
5. PROPOSED PARKING	5. PROPOSED PARKING
6. FUTURE PARKING	6. FUTURE PARKING
7. EXISTING DRIVEWAY	7. EXISTING DRIVEWAY
8. PROPOSED DRIVEWAY	8. PROPOSED DRIVEWAY
9. FUTURE DRIVEWAY	9. FUTURE DRIVEWAY
10. EXISTING SIDEWALK	10. EXISTING SIDEWALK
11. PROPOSED SIDEWALK	11. PROPOSED SIDEWALK
12. FUTURE SIDEWALK	12. FUTURE SIDEWALK
13. EXISTING LANDSCAPE	13. EXISTING LANDSCAPE
14. PROPOSED LANDSCAPE	14. PROPOSED LANDSCAPE
15. FUTURE LANDSCAPE	15. FUTURE LANDSCAPE

EXTERIOR GENERAL NOTES:

1. CONTRACTOR SHALL REPAIR/TOUCH-UP EXTERIOR FINISHES AS NEEDED AND PAINT ENTIRE EXTERIOR INCLUDING SOFFITS, RETURN AND BACK OF BUILDING. PAINT TRASH ENCLOSURE THROUGHOUT. PAINT ALL PIPE BOLLOCKS AND RIVETS.
2. SLURRY SEAL AND PAINT NEW PARKING STRIPES AS INDICATED. HAND-PAINT PARKING SPACES SHALL BE PAINTED BLUE.

APPROVED
[Signature]
 Planning Director

ALL AS CONSTRUCTION
 1. FOR TECHNICAL AND
 2. FOR ASAS 2021 AS
 3. FOR ASAS 2021 AS

ANY OTHER BUILDING SAFETY
 1. FOR TECHNICAL AND
 2. FOR ASAS 2021 AS
 3. FOR ASAS 2021 AS



SITE PLAN
 SCALE: 1" = 30'-0"

SUP-18266
01/11/07 PC

"VONS" #185 LAS VEGAS
 (EXPANSION)
 3000 WEST CHEYENNE AVENUE
 LAS VEGAS, NEVADA 89109

JIM L. ARSCOMBS, ARCHITECT
 708 YUCCA, SUITE A
 BOULDER CITY, NEVADA 89005
 (702)364-1786 FAX (702)364-1989

By Title Certificate No.
 THIS APPROVED
 1. FOR TECHNICAL AND
 2. FOR ASAS 2021 AS
 3. FOR ASAS 2021 AS

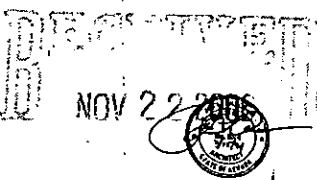
VONS

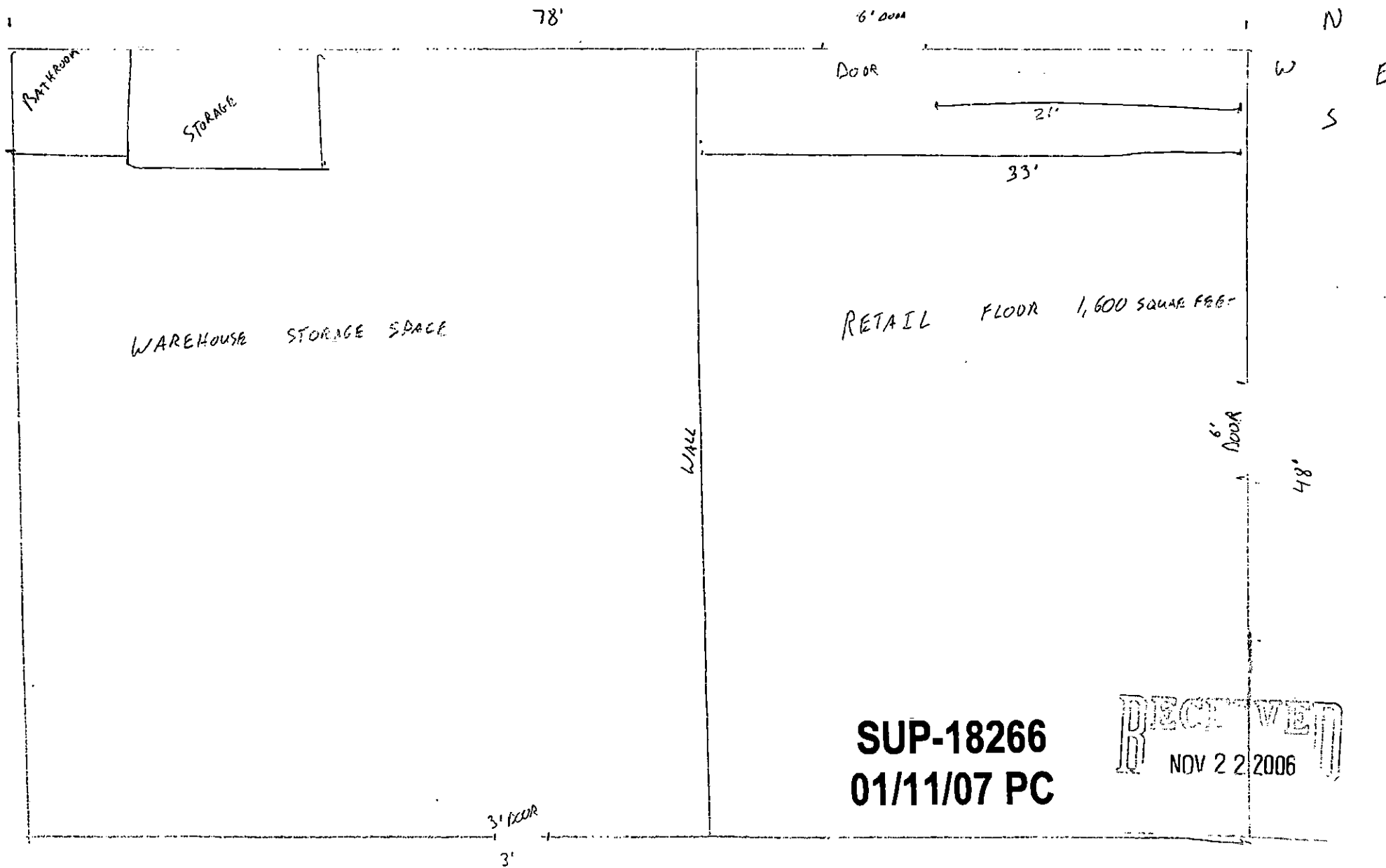
NO. 90-020

SITE PLAN

Scale: 1" = 30'-0"

Author: [Name]

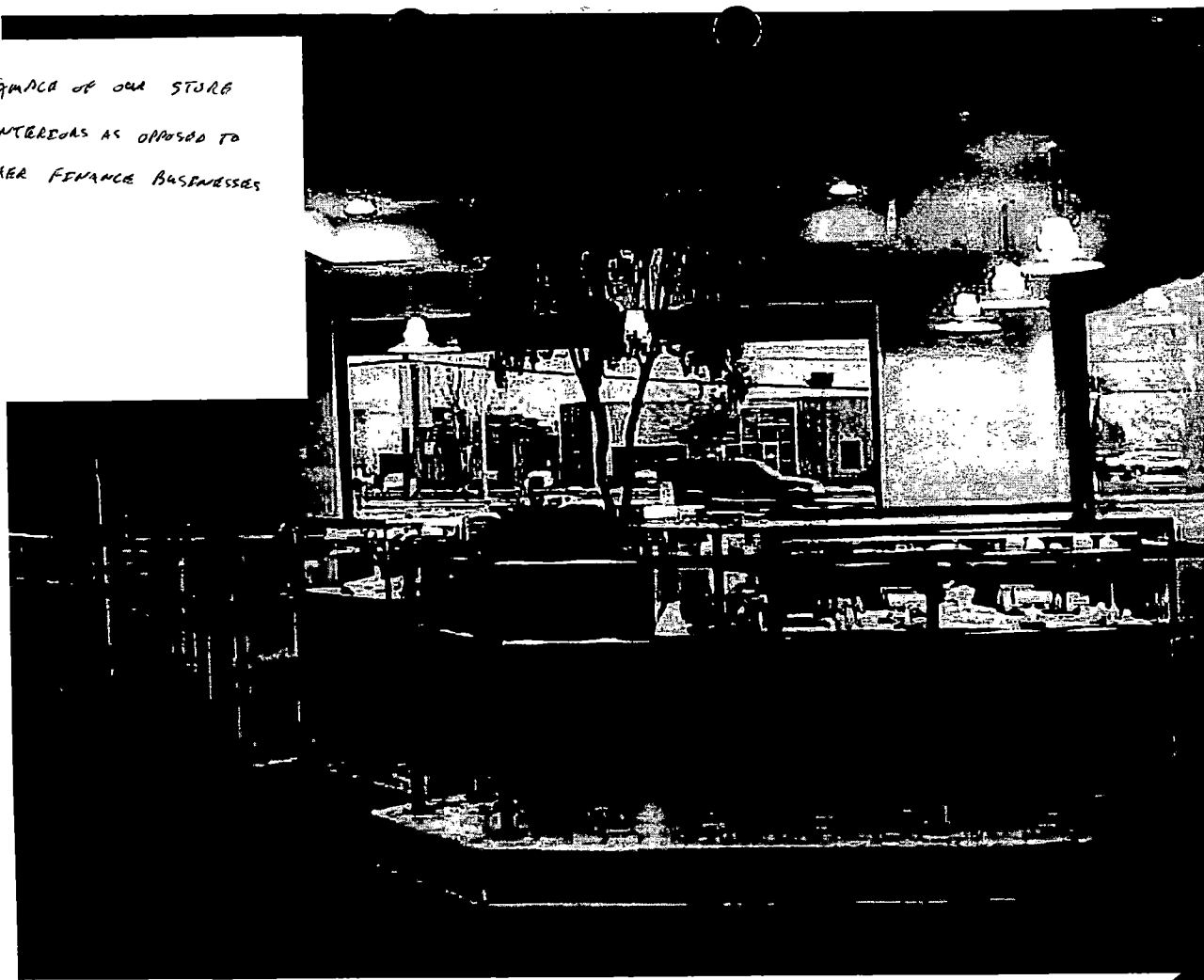




SUP-18266
01/11/07 PC

RECEIVED
NOV 22 2006

SIMPLE OF OUR STORE
INTERESTS AS OPPOSED TO
OTHER FINANCE BUSINESSES



FOR LEASE 735-0411

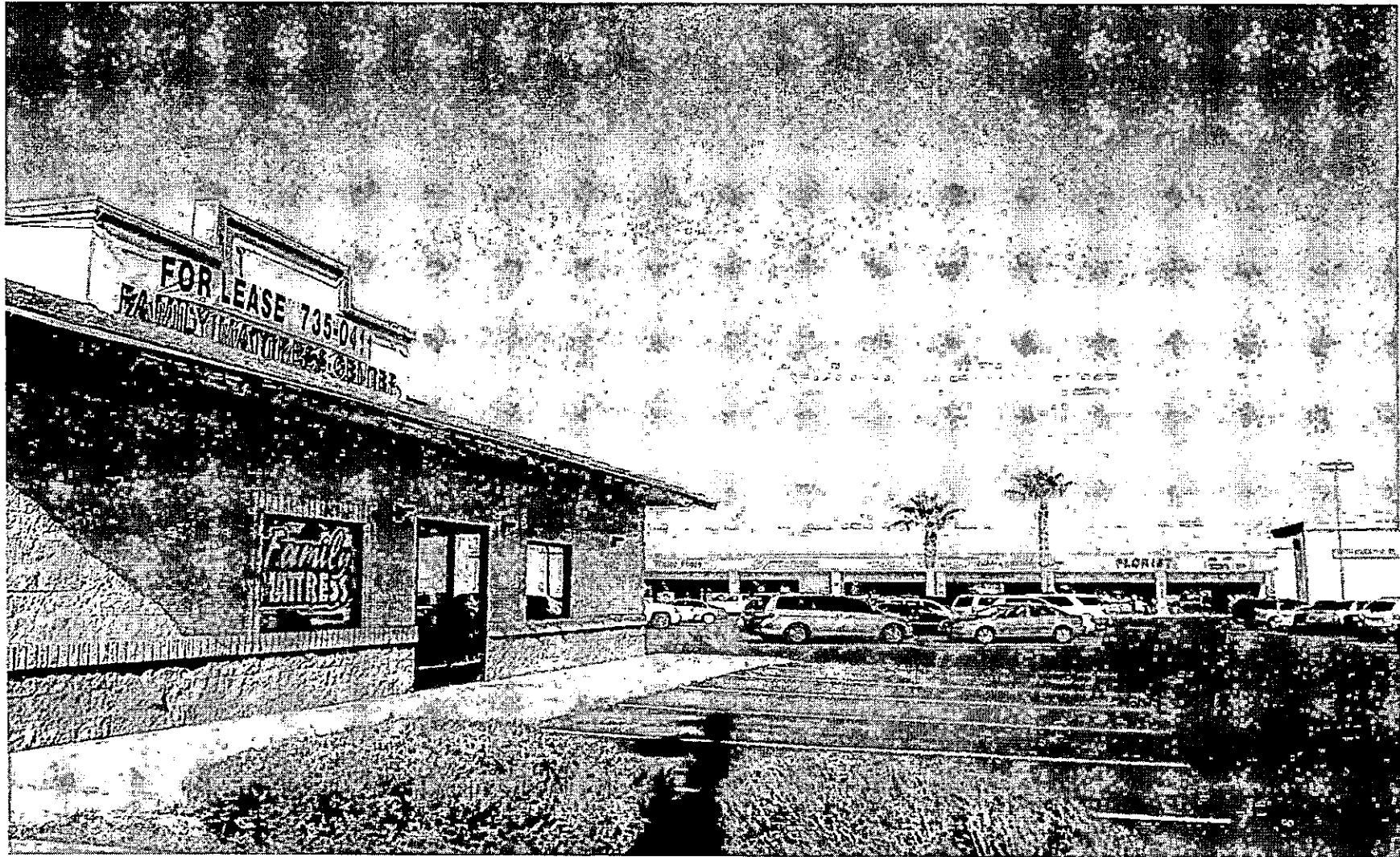
Family
MATTRESS

SUP



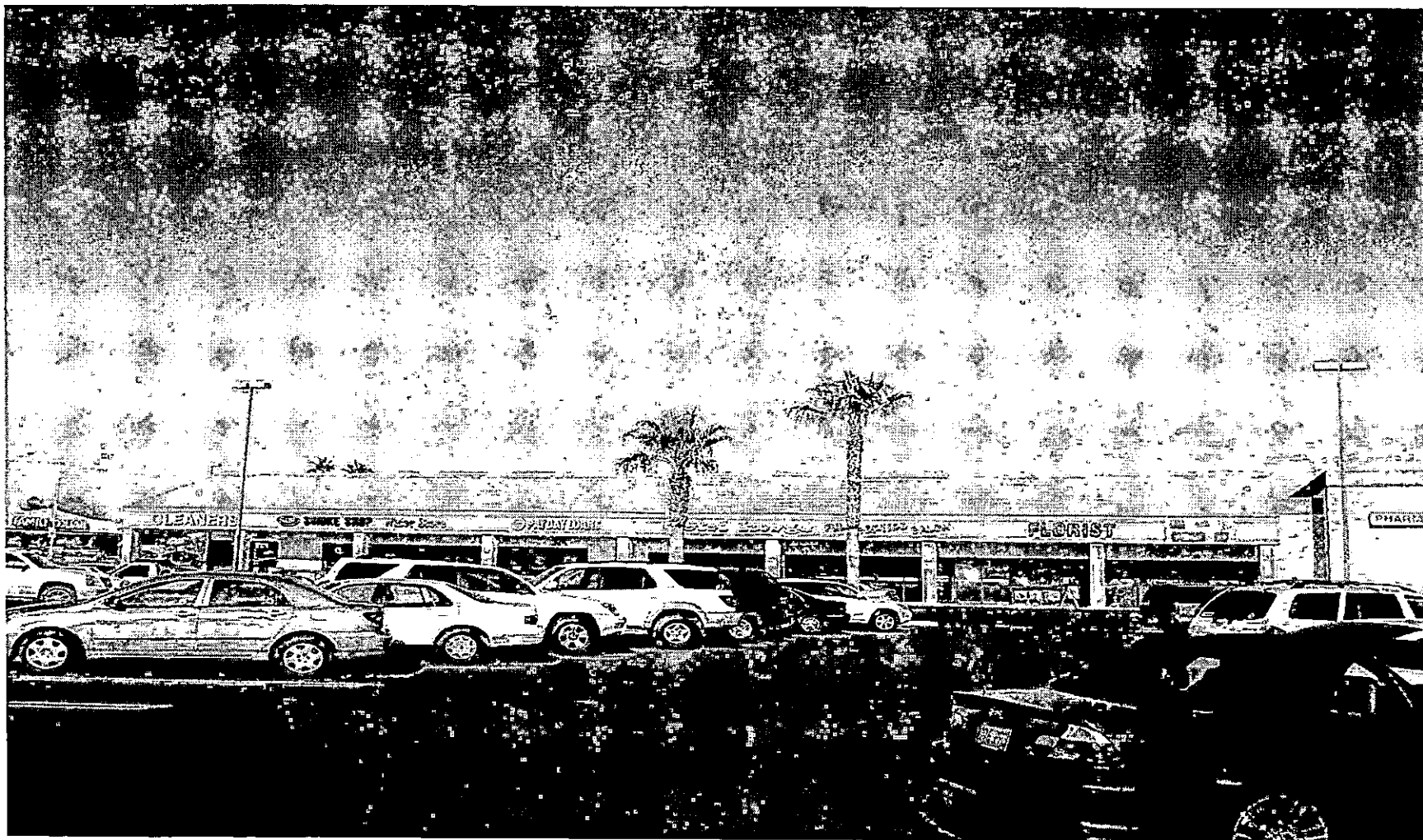
SUP-18266 - APPLICANT: CRAIG MCCALL - OWNER: PHILLIP E. HEMPLER AND JOSEPH P. LEPIRE
6032 WEST CHEYENNE AVENUE
JANUARY 11, 2007 PLANNING COMMISSION

12/08/06



SUP-18266 - APPLICANT: CRAIG MCCALL - OWNER: PHILLIP E. HEMPLER AND JOSEPH P. LEPIRE
6032 WEST CHEYENNE AVENUE
JANUARY 11, 2007 PLANNING COMMISSION

12/08/06



SUP-18266 - APPLICANT: CRAIG MCCALL - OWNER: PHILLIP E. HEMPLER AND JOSEPH P. LEPIRE
6032 WEST CHEYENNE AVENUE
JANUARY 11, 2007 PLANNING COMMISSION

12/08/06

**Pawn
Place**

**Pawn
Plus**

**ASAP
Pawn**

**USA
Pawn**

& JEWELRY COMPANY

November 20, 2006

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

RE: Special Use Permit for APN: 138-12-416-006

We are requesting a SUP for the relocation of an existing pawn shop to the 6032 W. Cheyenne Avenue location. We realize staff's recommendation for approval will require applying the waiver option to the separation requirement from other finance businesses. We believe the factors associated with this request provide ample justification and the type of scenario intended for applying the waiver of the separation requirement.

We have put forth an extremely large amount of time trying to find a location that meets the City's separation requirements before presenting this location. It is very rare, if not impossible, to find a commercially zoned location with enough vacant space for a pawnshop with no finance business within 1000 feet. Our subject location has only one finance business within 1000 feet. There is not another pawn shop within approximately 1.5 miles of this location.

While pawn shops are grouped in with the finance businesses it needs to be understood that our business is quite different from the check cashing /payday loan business that is within 1000 feet of this parcel. A majority of the revenue from our pawn business comes from retail sales, primarily jewelry sales. Unlike payday loan/check cashing businesses, our pawn loan product is regulated by state statutes as far as the interest rate that can be charged. The payday loan /check cashing industry does not have caps on its interest rate. By allowing a pawn business to be located in an area the people living in the neighborhood have an alternative for loans at a lower and regulated interest rate. In addition our pawn stores offer below retail prices for merchandise that always comes with a warranty.

We have enclosed pictures of the interior of our recently opened stores to help clarify that our pawn stores are very different from the other businesses grouped under finance businesses. Our pawn stores are not only different due to the regulated interest rate and retail as the major business but also in the appearance and space requirements.

When we participated in the passing of the waiver ordinance and agreed to the inclusion of pawnshops among finance businesses in any separation requirements it was with the understanding that the waiver option would be available and applied when appropriate. It is situations like this where the waiver would be very appropriately applied.

**SUP-18266
01/11/07 PC**

It would create a significant hardship on our organization if we are not able to obtain approval for the relocation of an existing store from a location where the lease agreement is not being extended due to redevelopment in the area.

Our store hours will be from 9:00 a.m. to 7:00 p.m. Monday through Saturday and 10:00 a.m. to 5:00 p.m. on Sunday.

The enclosed site map displays the parking available for this business. We have included the CC&Rs for this center. Under Section 3 of the CC&R document it outlines the shared parking agreement. We are also enclosing pictures of the subject vacant building.

If you have any questions the best way to contact me is on my cellular phone. That number is 497-1226.

Sincerely,



Craig McCall

SUP-18266
01/11/07 PC

Dorothy Marsili

From: Doug Rankin
Sent: Monday, January 08, 2007 10:47 AM
To: Dorothy Marsili
Cc: Joni Johnson
Subject: FW: Internet Submission - SUP-18266

-----Original Message-----

From: Tina A. Past
Sent: Monday, January 08, 2007 10:43 AM
To: Joni Johnson
Cc: John Korkosz; Doug Rankin
Subject: FW: Internet Submission - SUP-18266

Will you please make sure that the proper recording of this opposition to this application is handled?

Thanks very much,

Tina Past
Public Information Officer
Direct: 702-229-2343
tpast@lasvegasnevada.gov
Planning & Development Department
City of Las Vegas
731 S. 4th Street
Las Vegas, NV 89101

-----Original Message-----

From: Nora Lares
Sent: Monday, January 08, 2007 10:35 AM
To: Tina A. Past
Subject: FW: Internet Submission - SUP-18266

-----Original Message-----

From: warlord49@msn.com [mailto:warlord49@msn.com]
Sent: Friday, January 05, 2007 7:27 AM
To: planning@LasVegasNevada.gov
Subject: Internet Submission - SUP-18266

Citizen Name: Felicia Mitchell

Email: warlord49@msn.com

Comments: I received a notice of a hearing for SUP-18266 to allow a Pawn Shop at 6032 West Cheyenne Ave. I own a home on Jones & Heather Mist and I am sending this e-mail to express my opposition to this request. I will not be able to attend the meeting on January 11, 2006; but I want to let you know I think allowing a Pawn Shop to do business in a residential area will not only attract the wrong kind of people to the neighborhood but it will also bring down the property values.

Thank you for your time.

Felicia A. Mitchell
3016 Briar Knoll Ct.
Las Vegas, NV 89108

ITEM # 38
CASE # SUP 18266
PC MTG 1-11-07

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 11, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-18279 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BIOMAT USA - OWNER: CIVIC CENTER PLAZA, LLC. - Request for a Special Use Permit FOR THE EXPANSION OF AN EXISTING BLOOD PLASMA DONOR CENTER at 611-623 Las Vegas Boulevard North (APN 139-27-812-005), C-2 (General Commercial) Zone, Ward 5 (Weekly).

IF APPROVED: C.C.: 02/07/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	4
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – DENIED – UNANIMOUS

This is Final Action

NOTE: COMMISSIONER EVANS disclosed that he is a City appointee to the Board of the Neon Museum which may be within the notice area; however, he did not have a financial interest in this matter and did not feel that it would compromise his vote and he would vote on this matter.

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 39 – SUP-18279

MINUTES – Continued:

JOHN KORKOSZ, Planning and Development Department, stated this is the second expansion to the blood plasma center. While he acknowledged existing concerns with the business, the business could operate in a harmonious and compatible manner with surrounding uses. He recommended approval.

MICHAEL GOLD, 2410 Lillyvale Avenue, Los Angeles, appeared on behalf of the applicant, agreed with all conditions and respectfully requested approval.

TODD FARLOW, 240 North 19th Street, appeared in opposition. He stated this area is in transition and the continued presence of the plasma center is having a negative impact on the neighborhood. MARILYN GILLESPIE, 900 Las Vegas Boulevard North, Director of the Las Vegas Natural History Museum, appeared on behalf of the Cultural Corridor. She stated her opposition because this use is inappropriate for and detrimental to the redevelopment of this area. DAN ROMANO, 733 10th Street, and STEVE FRANKLIN, 556 Ellen Way, concurred.

MR. GOLD explained the expansion was needed to provide a more comfortable waiting area for the center's donors and was not intended to increase business. He emphasized this expansion would benefit the neighborhood by preventing donors from congregating outside. He also added that the center has high requirements for people who wish to donate.

COMMISSIONER EVANS stated he could not support this application because expanding the plasma center would not enhance the general plan and is incompatible with the neighborhood. He argued the initial approval of the plasma center had been a bad zoning decision, that the request does not meet the parameters of a Special Use Permit and added that he would not support this application.

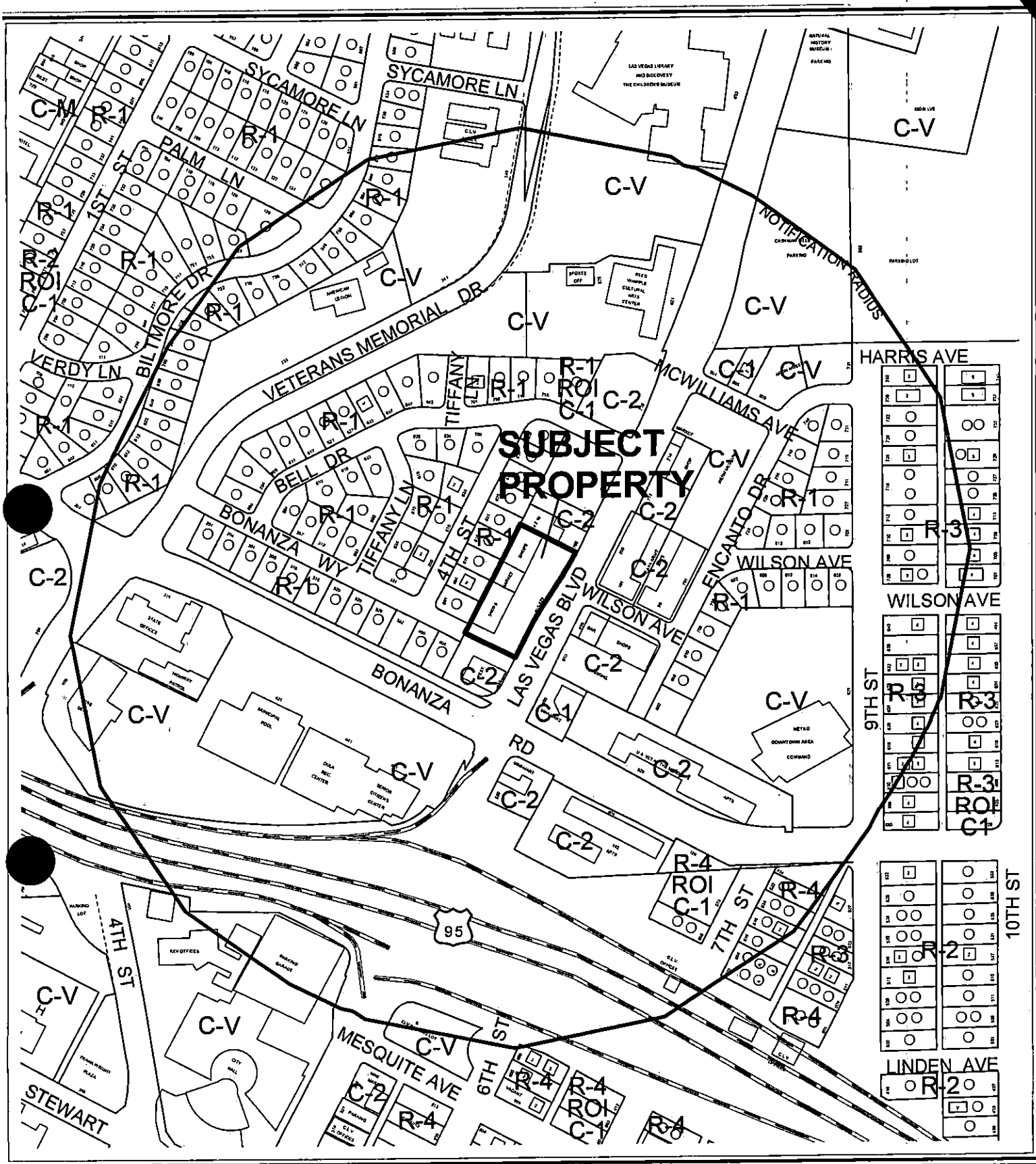
COMMISSIONER TRUESDELL commented that the presence of the plasma center contributed to the perception that there is no safe passage between Fremont Street and the Cultural Corridor. He stated denying this expansion could encourage the applicant to seek a more appropriate location for his expansion which, in turn, could lead to the development of more suitable businesses at this location.

COMMISSIONER GOYNES concurred with COMMISSIONER TRUESDELL and encouraged the applicant to investigate locations within the medical district.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(9:00 – 9:15)

2-2701



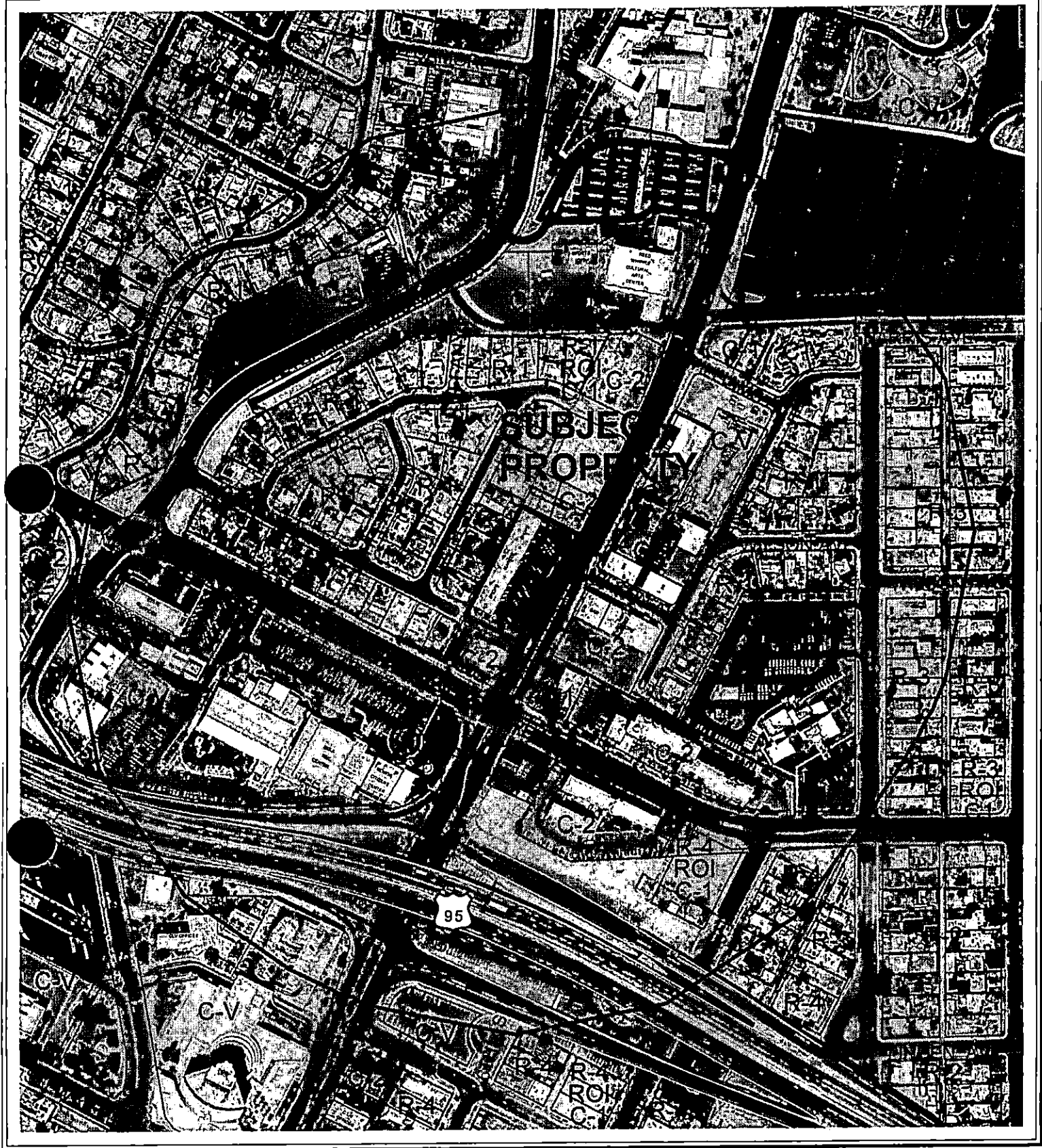
CASE: **SUP-18279**

RADIUS: 1000

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

0 80160 Feet





CASE: **SUP-18279**

RADIUS: 1000

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

0 80160 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 11, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-18279 - APPLICANT: BIOMAT USA - OWNER: CIVIC CENTER PLAZA, LLC.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-18279 - Staff Report Page One
January 11, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Special Use Permit for the 2,016 square-foot expansion of an existing 6,545 square-foot Blood Plasma Donor Center at 611 to 623 Las Vegas Boulevard North.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/27/98	A Special Use Permit (U-0006-98) for a 1,930 square-foot expansion of an existing 4,455 square-foot Blood Plasma Donor Center at the subject site.
12/18/06	The Department of Neighborhood Services indicates that there is no record of any issues on the subject site since 2002 related to the Blood Plasma Donor Center Use.
12/27/06	Las Vegas Metropolitan Police report 13 responses at the subject address in 2006 and 12 in 2005. None of these cases related to the Blood Plasma Donor Center Use.

<i>Related Building Permits/Business Licenses</i>	
12/30/02	Business License C08-11272-93934 for Coin Amusement and L01-1324-93934 for Coin Operated Laundromat issued to Blue Ribbon Laundromat & Cleaners.
07/02/03	Business License 14-73-6-18404 issued to BIOMAT USA Inc. for Clinic/Lab/X-ray/Imaging.

<i>Pre-Application Meeting</i>	
11/14/06	A pre-application meeting was held and the requirements of a Special Use Permit was discussed.

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

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

SUP-18279 - Staff Report Page Two
January 11, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Blood Plasma Donor Center, Service Commercial	MXU (Downtown Mixed Use)	C-2 (General Commercial)
North	Non-profit organization	MXU (Downtown Mixed Use)	C-2 (General Commercial)
South	Restaurant	MXU (Downtown Mixed Use)	C-2 (General Commercial)
East	Retail, Tavern	MXU (Downtown Mixed Use)	C-2 (General Commercial)
West	Single Family Residential, Duplex	MXU (Downtown Mixed Use)	R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown North Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown North District Mixed Use	X		Y
A-O Airport Overlay District 200 Foot Buffer	X		Y
Las Vegas Boulevard Scenic Byway Overlay District	X		Y
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	49,763 SF	NA
Min. Lot Width	100 Feet	160	Y
Min. Setbacks			
• Front	20 Feet	75 Feet	Y
• Side	10 Feet	0 Feet	N*
• Corner	15 Feet	NA	NA
• Rear	20 Feet	5 Feet	N*
Trash Enclosure	50 Foot separation from residential	Existing 32 foot separation	N**
Max. Lot Coverage	50%	29%	Y

* The subject building was constructed in 1964 and is a legal non-conforming building.

** Existing trash enclosure constructed as previously approved.

RL

SUP-18279 - Staff Report Page Three
January 11, 2007 - Planning Commission Meeting

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Barber Shop	1 chair (980 square feet)	2 per barber chair	2				
Video Rental	980 square feet	1 per 250 square feet	4				
Retail	2,734 square feet	1 per 175 square feet	16				
Blood Plasma Center	8,561 square feet	1 per 200 square feet	43				
SubTotal			62	3	65	3	
TOTAL	13,239 sq. ft.		65		68		Y*

* A site visit confirms that the parking spaces meet the minimum width and depth requirements of Title 19.10.010 J.

ANALYSIS

- General**

The subject site is located in the MXU (Downtown Mixed Use) General Plan designation in the Southeast Sector of the Las Vegas 2020 Master Plan and as Commercial or Mixed-Use in the Downtown North Land Use Plan. The subject site is further located within the Downtown Redevelopment Area of the Southeast General Plan. To stimulate revitalization of the City's historic, urban core, several special overlay districts have been adopted which contain unique standards for redevelopment.

The subject business was previously expanded to its existing size in 1998, and while the landscaping does not conform to current Title 19 standards, improvements were made to the parking lot landscaping through the addition of planters and the removal of 27 parking spaces as conditions of approved Special Use Permit (U-6-98) for that expansion. These improvements included the removal of 27 parking spaces and the addition of landscaping improvements including 11 palm trees.

In addition, the applicant provides security on the site and, despite past problems, the Neighborhood Services Department reports that there is no record of complaints at the site since prior to 2002.

SUP-18279 - Staff Report Page Four
January 11, 2007 - Planning Commission Meeting

- **Zoning**

The subject property is located in the C-2 zone, in which the Blood Plasma Donor Center is allowed with an approved Special Use Permit. The C-2 zone is designed to provide the broadest scope of compatible services for both the general and traveling public. This category allows retail, service, automotive, wholesale, office and other general business uses of an intense character, as well as mixed-use developments. This district should be located away from low and medium density residential development and may be used as a buffer between retail and industrial uses.

- **Use**

Title 19.20 defines Blood Plasma Donor Center as a building used for the collection of human blood plasma from plasma donors. This use does not include a facility for the provision of medical care or treatment. This use is permitted in the C-2 (General Commercial) zone with a Special Use Permit.

- **Conditions**

There are no special conditions required for the issuance of a special use permit for a Blood Plasma Donor Center except for the on-site parking requirements of one space for each 200 square feet of gross floor area. The subject site requires 42 parking spaces for the Blood Plasma Donor Center as well as an additional 26 spaces for the other businesses within the retail center. The required 68 spaces are provided on the site, and this has been confirmed by two site visits. In addition, located at the intersection of Bonanza Road and Las Vegas Boulevard, the subject site is served by two major transit lines with eight buses serving the site every hour. In addition, the subject site is within one half mile of high density residential and high intensity employment centers, allowing for easy walkability.

FINDINGS

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

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

While there are concerns about the proposed expansion, the proposed land use can be conducted in a manner that is harmonious and compatible with surrounding uses. The proposed expansion will increase the waiting area and decrease the impact on loitering outside the current facility. According to the Neighborhood Services Department, in the last four years, there is no record of neighborhood complaints nor code violations regarding the subject business.

SUP-18279 - Staff Report Page Five
January 11, 2007 - Planning Commission Meeting

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

The subject site is an existing retail center and the expansion of the existing Blood Plasma Donor Center into the former Laundromat location will not add undue burden to the subject site as the number of parking spaces is sufficient to meet the additional two parking spaces required by the change in use. As the expansion will take place within an existing vacant suite, no expansion to the square footage of the existing building is proposed. The parking lot includes 68 parking spaces that are 10 feet wide and 18 feet deep. An existing trash enclosure is installed on the south side of the building and conforms with

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

The subject site is served by Las Vegas Boulevard, a 100-foot Primary Arterial as designated on the Master Plan of Streets and Highways. This arterial is adequate to meet the increased demands associated with the expansion of this business. The subject site is further served by pedestrian infrastructure and two major mass transit routes, serving much of its clientele.

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

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

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

The proposed expansion of an existing Blood Plasma Donor Center meets all applicable conditions of Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 159

APPROVALS 0

PROTESTS 0

10-01-2006 09:03pm From:

1 702-552-5339

T-008 P.005/006 P-042



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-18279 APN: _____Name of Property Owner: Civic Centre Plaza LLCName of Applicant: HABITE - BOB CAMP

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: Steven Fazaras

Subscribed and sworn before me

This 21 day of Nov., 2006
Debrae Schon
 Notary Public in and for said County and State

State of Nevada
 County of Clark
 This instrument was acknowledged
 before me on Nov 21, 2006
 by Steven Fazaras

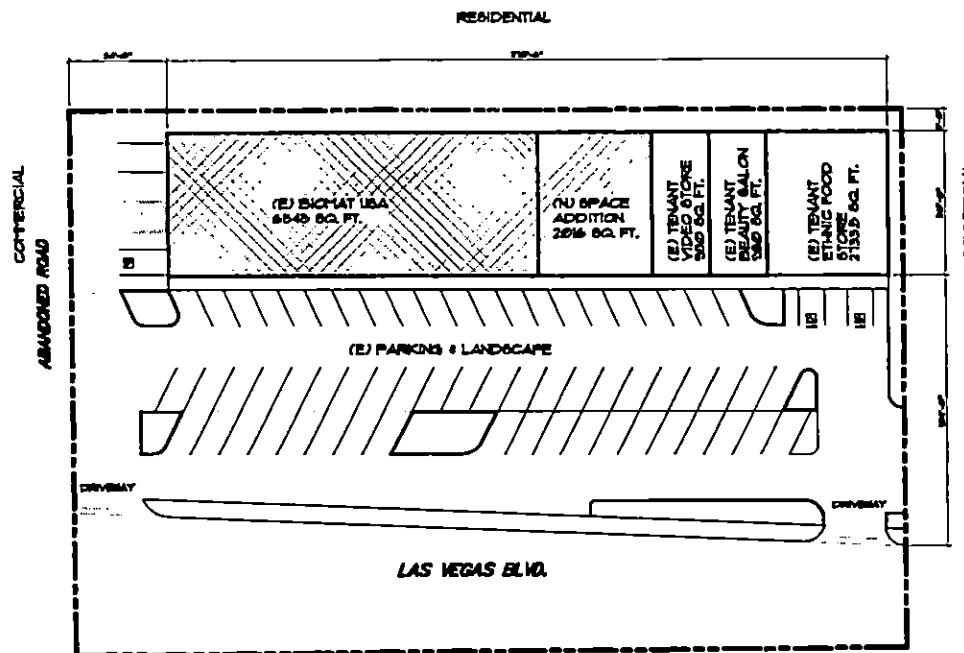
Debrae Schon
 Notary Signature

Support Application Packet Statement of Financial Interest.doc

Revised 12-01-04



Notary Public - State of Nevada
 COUNTY OF CLARK
 DESIRAE SCHON
 Date Appointment Exp: January 21, 2009
 Certificate No: 05-56985-1



SITE PLAN
SCALE: 1" = 30'

This sheet is issued for information only.
Tentative improvement work is to be located
in the interior of the building. All existing
parking and site lighting to remain.
NO WORK IS TO BE DONE TO THE
BUILDING EXTERIOR OR SITE.

THE DESIGN OF THIS PROJECT IS THE PROPERTY OF STEED CONSTRUCTION, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF STEED CONSTRUCTION, INC.

REVISIONS			
Rev.	Date	Name	By

STEED CONSTRUCTION
 Steed Construction, Inc.
 1250 E. Sun Bay Drive
 Suite 300
 Eagle, Idaho 83616
 Phone 208-378-2300
 Fax 208-378-7352

PROJECT:
 TENANT IMPROVEMENT FOR:
BIOMAT USA
 611 LAS VEGAS BLVD. NORTH
 LAS VEGAS NEVADA

habiteo
 ARCHITECTURE - PLANNING
 DESIGN
 1000 W. 10TH AVENUE, SUITE 100
 DENVER, CO 80202
 303-733-1000

SITE PLAN	

21 OCT 06	A1.1
AS NOTED	
EC	
60278-PLANS	

SUP-18279
REVISED
01/11/07 PC

RECEIVED
 DEC 21 2006



SUP-18279 - APPLICANT:BIOMAT USA - OWNER: CIVIC CENTER PLAZA, LLC.
611-623 LAS VEGAS BOULEVARD NORTH
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



SUP-18279 - APPLICANT:BIOMAT*USA - OWNER: CIVIC CENTER PLAZA, LLC.
611-623 LAS VEGAS BOULEVARD NORTH
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



November 2, 2006

Development Services Center
Planning & Development
731 S. 4th. Street
Las Vegas NV. 89101

RE: Justification Letter

Please find following our pre-application conference request form and required plans for the BioMat USA plasma donation center's special use permit. This existing plasma center would like to add the adjoining laundry mat space (2016 sq. ft.) to their facility (6545 sq. ft.) to create a more useful and efficient work environment for there employees and clients. BioMat feels that larger bathrooms and a much larger waiting room would greatly improve the operations of their center. Approximately a third of the existing space would also be remodeled and be included in the building permit for the adjoining space.

Sincerely submitted,



Bob Camp
Associate

SUP-18279
01/11/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 11, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-18377 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: KATHRYN EFFINGER - OWNER: ARTEMUS W. HAM III TRUST - Request for a Special Use Permit FOR A TAVERN, LIMITED ESTABLISHMENT at 512-514 Fremont Street (APN 139-34-611-007), C-2 (General Commercial) Zone, Ward 3 (Reese).

C.C.: 02/07/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

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

MOTION:

TROWBRIDGE – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council on 02/07/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

JOHN KORKOSZ, Planning and Development Department, stated this use is appropriate for the area and recommended approval.

CATHY EFFINGER, 512-514 Fremont Street, appeared on behalf of the applicant, agreed to all conditions and respectfully requested approval.

PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 40 – SUP-18377

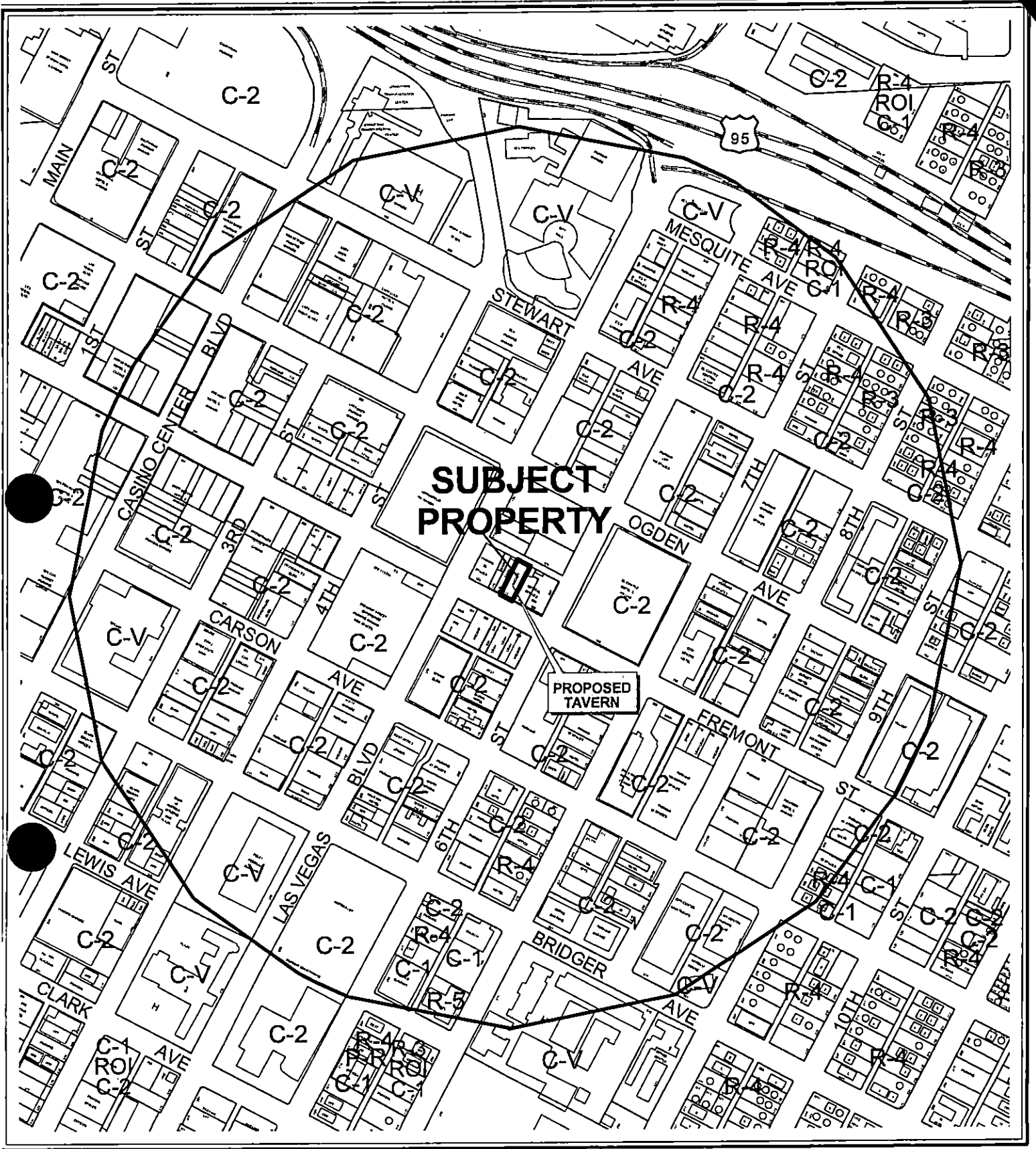
MINUTES – Continued:

CHAIRMAN DAVENPORT declared the Public Hearing closed.
(9:15 – 9:16)
2-3478

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
2. Approval of this Special Use Permit does not constitute approval of a liquor license.
3. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
4. Restricted Gaming shall be prohibited within this establishment pursuant to Title 6.40.155.
5. The property owner shall be required to participate in a proportionate share of the Entertainment District Streetscape Project, to be implemented and constructed by the City of Las Vegas.
6. Conformance to all Minimum Requirements of Title 19.06.120 and Title 6.50.
7. All City Code requirements and design standards of all City departments must be satisfied.



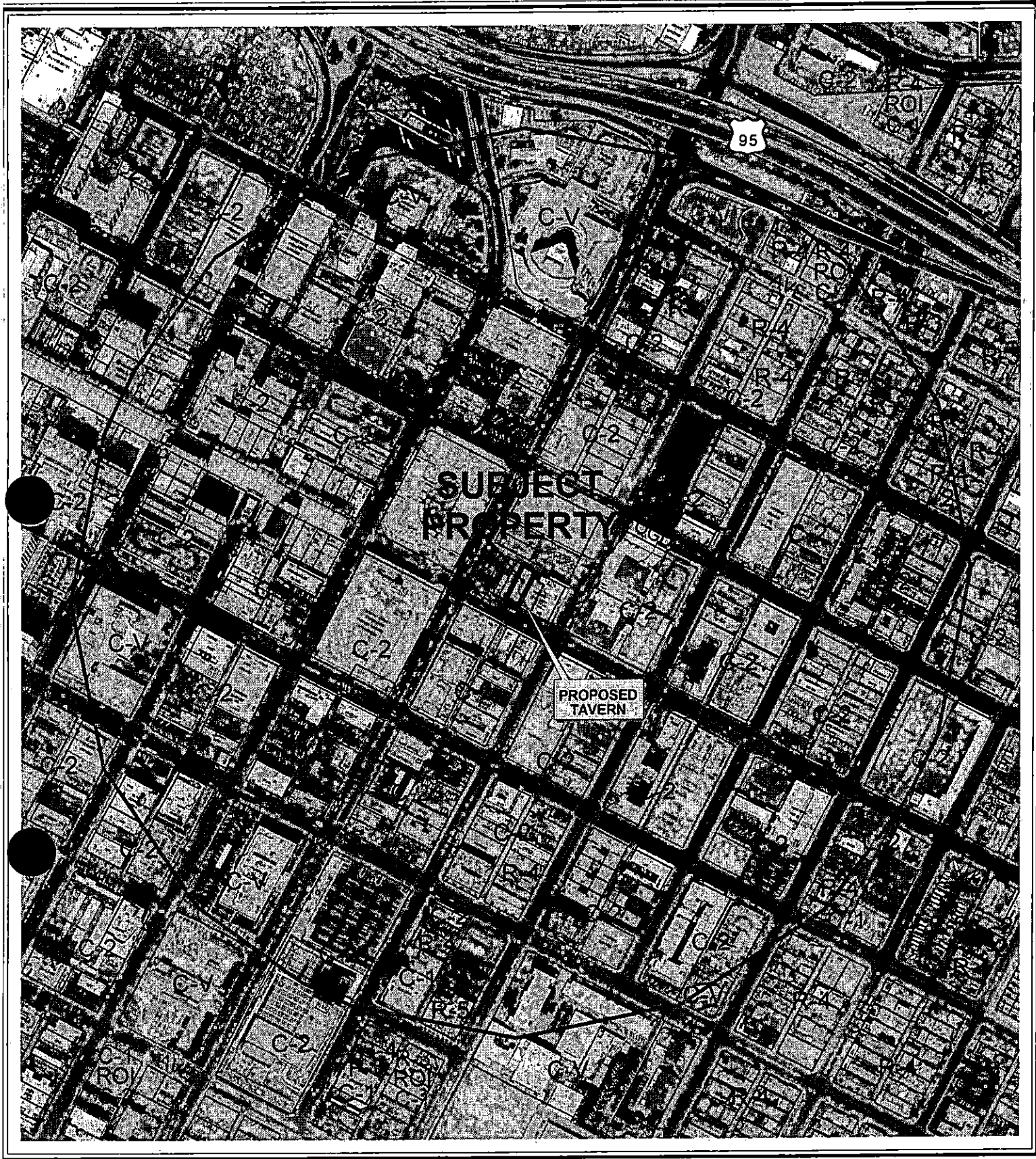
CASE: **SUP-18377**

RADIUS: 1500 FT

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

0 10 200 Feet





CASE: **SUP-18377**

RADIUS: 1500 FT

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

0 100 200 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 11, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-18377 - APPLICANT: KATHRYN EFFINGER - OWNER:
ARTEMUS W. HAM III TRUST

**** CONDITIONS ****

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

Planning and Development

1. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
2. Approval of this Special Use Permit does not constitute approval of a liquor license.
3. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
4. Restricted Gaming shall be prohibited within this establishment pursuant to Title 6.40.155.
5. The property owner shall be required to participate in a proportionate share of the Entertainment District Streetscape Project, to be implemented and constructed by the City of Las Vegas.
6. Conformance to all Minimum Requirements of Title 19.06.120 and Title 6.50.
7. All City Code requirements and design standards of all City departments must be satisfied.

SUP-18377 - Staff Report Page One
January 11, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Tavern Limited at 512 and 514 East Fremont Street in the Entertainment District. The project contains two distinct elements; a coffee house and entertainment/bar. The applicant states that the project is consistent with the plan to develop the Entertainment District, and that the lounge will assist in activating the district.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.			
12/16/64	City Council approved rezoning (Z-0100-64) to reclassify property in the downtown area from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).		
Pre-Application Meeting			
10/25/06	Staff reviewed the proposed project and informed that applicant that the DEOD-DRC would have to review and approve the exterior elevations and signage. The requirements for a Special Use Permit (SUP) were also reviewed with the applicant for the Tavern, Limited license.		
Neighborhood Meeting			
12/14/06	No meeting was required nor held for this project.		
Details of Application Request			
Site Area			
Gross Acres	6648 Sq. Ft. (.15 acres)		
Net Acres	6534 Sq. Ft. (.15 acres)		
Related Building Permits/Business Licenses			
03/16/99	Vegas Discount Outlet had an active retail w/tobacco sales license until 09/23/04. The retail license went inactive on 04/29/05.		
Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant	C (Commercial Use)	C-2 (General Comm.)
North	Parking lot	C (Commercial Use)	C-2 (General Comm.)
South	Tavern/Restaurant	C (Commercial Use)	C-2 (General Comm.)
East	Medical Office	C (Commercial Use)	C-2 (General Comm.)
West	Retail	C (Commercial Use)	C-2 (General Comm.)

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

YK

SUP-18377 - Staff Report Page Two
January 11, 2007 - Planning Commission Meeting

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

Downtown Centennial Plan

The parcel is within the Las Vegas Downtown Centennial Plan boundaries, and is located in the Casino Center District. The goals of the district include preserving and enhancing the appearance of "Glitter Gulch," as well as encouraging supporting entertainment uses, and maintaining the presence of public facilities.

Redevelopment Plan Area

As previously noted, the parcel is within the boundaries of the Las Vegas Redevelopment Area, with a C (Commercial) land use designation. The proposed use is in conformance with the Redevelopment Plan.

Downtown Entertainment Overlay District

The subject property is located within the Downtown Entertainment Overlay District, which sets forth sign requirements and allows waivers from the liquor establishment and restaurant service bar separation requirements.

Entertainment Trail

This project is located on the Entertainment Trail. This section of the trail will be installed by the Fremont East Special Improvement District.

ANALYSIS

A) Zoning Code Compliance

Parking and Traffic Standards

The following table details the parking figures for the proposed use:

SUP-18377 - Staff Report Page Three
January 11, 2007 - Planning Commission Meeting

Parking Requirement - Downtown							
Use	Gross Floor Area or Number of Units	Base Parking Requirement			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Tavern Area	4748 Sq Ft	1 per 50	95	4	0	0	Yes
Office/Storage	3115 Sq Ft	1 per 200	16	1	0	0	Yes
SubTotal	7863 Sq Ft		111	5	0	0	Yes
TOTAL	7863 Sq Ft		111	5	0	0	Yes

Pursuant to Title 19.06, properties within the Downtown Overlay District are exempt from the automatic application of standard parking requirements. There are two public parking garages within 500 feet that have over 2,000 parking spaces for this use. In addition, Las Vegas Boulevard is served by numerous public transit routes. Valet parking will be provided on Fremont Street as well. Staff has concluded that the parking needs for this project will be served by the existing options in the area.

Pursuant to Title 19.06.120, any liquor-serving establishment approved by means of a Special Use Permit for a parcel located within the Downtown Entertainment Overlay District shall not be subject to the distance separation requirements set forth in Title 19.04. The Special Use Permit approval may include conditions designed to mitigate any impacts related to distance separation. The nearest protected uses are the Las Vegas Academy of International Studies, Performing and Visual Arts, located at the southeast corner of Bridger Avenue and 7th Street, and Frank Wright Plaza, located at the northeast corner of Stewart Avenue and Fourth Street. The proposed use will have no measurable impact on either property.

ANALYSIS

- Zoning

The property is zoned C-2 (General Commercial); Liquor Establishments are permitted upon approval of a Special Use Permit. Nightclub/entertainment facilities are a permitted use in the district. The use will be housed within an existing commercial space, and no additional square footage will be added as part of this request. The signage for the property will be subject to the requirements of the Entertainment District Overlay, in addition to other standards that apply. Signage and any façade improvements are subject to review and approval by the Downtown Entertainment Overlay District Design Review Committee.

SUP-18377 - Staff Report Page Four
January 11, 2007 - Planning Commission Meeting

- Use

A Tavern-Limited Establishment, as defined by Title 19.20, is an establishment that is licensed with a tavern-limited business license in accordance with Title 6.50. This type of license:

- (1) Authorizes the sale of alcoholic beverages only for consumption on the premises where the same are sold.
- (2) May only be issued for premises located in the Downtown Entertainment Overlay District.
- (3) Is not transferable, except to a location within the same entertainment district and to an operator who has been approved by the City Council.

In addition, no Restricted Gaming (consisting of not more than fifteen slot machines, incidental to the primary business at the establishment, and no other game or gaming device at the establishment) shall be conducted, maintained, or operated within the Downtown Entertainment Overlay District, per Title 6.40.155.

The proposal is for a Tavern with entertainment to be located on the first floor within an existing 7863 square-foot commercial space. No changes are proposed to the exterior of the building at this point in time; the applicant has indicated that they will be seeking a façade improvement grant at a later date. Although some information has been provided relative to signage; all signage and façade improvements will need to be reviewed and approved by the Downtown Entertainment Overlay District Design Review Committee in accordance with the provisions of Title 19.06.120.

No parking is available on the site; patrons will have to use available spaces along Fremont and Sixth Streets or at the nearby parking garages for a fee. Live entertainment will be offered at least four nights per week in conformance to the Downtown Entertainment Overlay District standards.

The property would typically be subject to the streetscape standards of the Downtown Centennial Plan, which would require an 11 foot wide sidewalk and palm trees at 30 foot intervals. The Office of Business Development is in the process of working with the Entertainment District property owners to contribute to the costs of implementing streetscape improvements throughout the District. As this project is scheduled for implementation in the near future, the property owner shall be required to participate in a proportionate share of the streetscape treatment, rather than install the streetscape treatment as a condition of approval, as would typically be required.

SUP-18377 - Staff Report Page Five
January 11, 2007 - Planning Commission Meeting

- **Conditions**

There are no base conditions for approval of a Tavem Limited Establishment. The establishment need only comply with the regulations for a tavem-limited license and those provisions governing the Downtown Entertainment Overlay District.

FINDINGS (SUP)

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

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

The proposed Tavem-Limited Establishment is a permitted use in the C-2 (General Commercial) zoning district and is the type of use encouraged in the Downtown Entertainment Overlay District. It is surrounded by other parcels zoned for similar uses. No gaming machines will be incorporated into the use, as dictated by Title 6.50.

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

The existing building is suitable for the proposed Tavem-Limited Establishment. The proposed tavem will depend on off-site parking to support the use; on street parking and nearby parking garages will be more than adequate to support the expected demand.

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

Access to the site is provided by Las Vegas Boulevard, a Primary (100 foot) Arterial, and an alley connecting Las Vegas Boulevard and Sixth Street. Much of the expected traffic for this use will be by pedestrians; however, these rights-of-way are of an adequate size to support the proposed use.

SUP-18377 - Staff Report Page Six
January 11, 2007 - Planning Commission Meeting

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

The proposed Tavern-Limited Establishment will be subject to inspections for compliance with business licensing requirements and will not compromise the public health, safety and welfare. The proposed use is consistent with the redevelopment objectives of the Downtown Centennial Plan, Las Vegas Redevelopment Area, and the Downtown Entertainment Overlay District.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

19

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 187

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-18377** APN: 139-34-611-007
Name of Property Owner: A W Ham III Trust
Name of Applicant: KATHRYN EEFINGER

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: 139-34-611-007

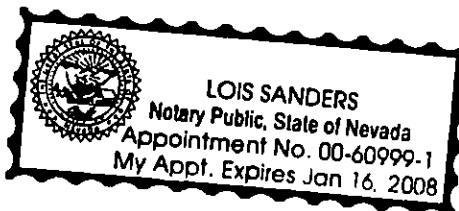
Signature of Property Owner: Artemus W. Ham III, Trustee

Print Name: ARTEMUS W. HAM III TRUSTEE

Subscribed and sworn before me

This 31st day of Oct, 2006

Lois Sanders
Notary Public in and for said County and State

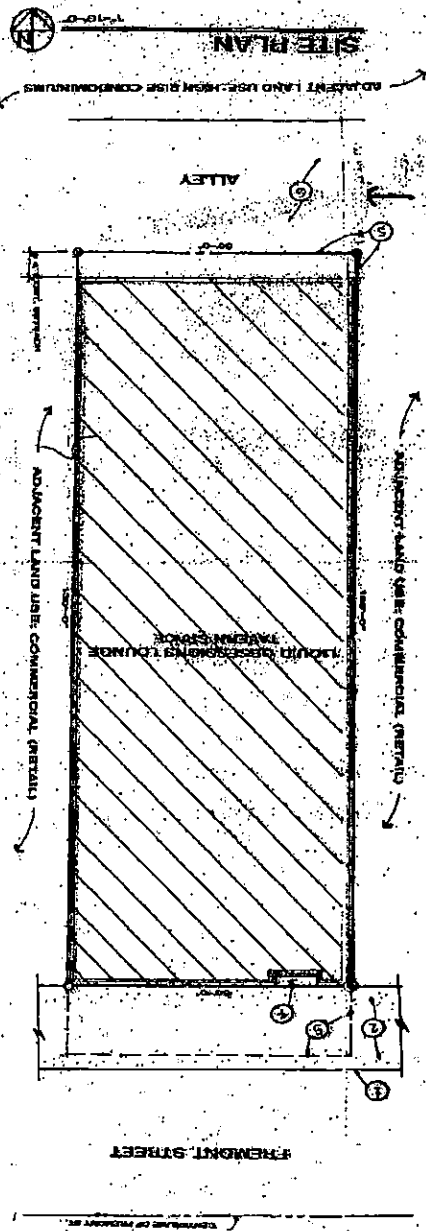


NOV 29 2006

LIQUID OBSESSIONS LOUNGE

INTERIOR REMODEL OF EXISTING RETAIL SPACE

512 E. FREMONT STREET
DOWNTOWN LAS VEGAS



NOV 29 2006
SUP-18377
01/11/07 PC

TABLE

REVISIONS

DATE

DESCRIPTION

1. 11/29/06

2. 12/01/06

3. 12/01/06

4. 12/01/06

5. 12/01/06

6. 12/01/06

7. 12/01/06

8. 12/01/06

9. 12/01/06

10. 12/01/06

KEYNOTES

1. EXISTING BUILDING

2. EXISTING ROOF

3. EXISTING FLOOR

4. EXISTING WALL

5. EXISTING DOOR

6. EXISTING WINDOW

7. EXISTING STAIR

8. EXISTING ELEVATOR

9. EXISTING MECHANICAL

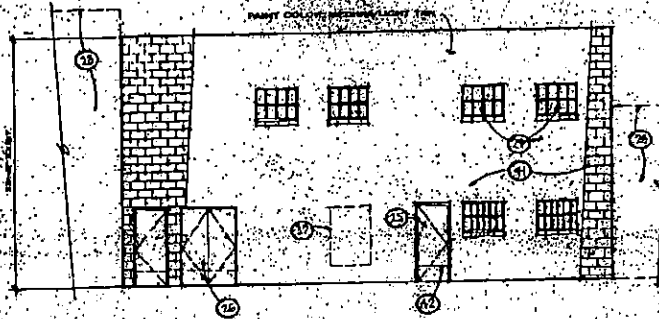
10. EXISTING ELECTRICAL

NO.	DATE	DESCRIPTION
1	11/29/06	1. EXISTING BUILDING
2	12/01/06	2. EXISTING ROOF
3	12/01/06	3. EXISTING FLOOR
4	12/01/06	4. EXISTING WALL
5	12/01/06	5. EXISTING DOOR
6	12/01/06	6. EXISTING WINDOW
7	12/01/06	7. EXISTING STAIR
8	12/01/06	8. EXISTING ELEVATOR
9	12/01/06	9. EXISTING MECHANICAL
10	12/01/06	10. EXISTING ELECTRICAL

LIQUID OBSESSIONS LOUNGE

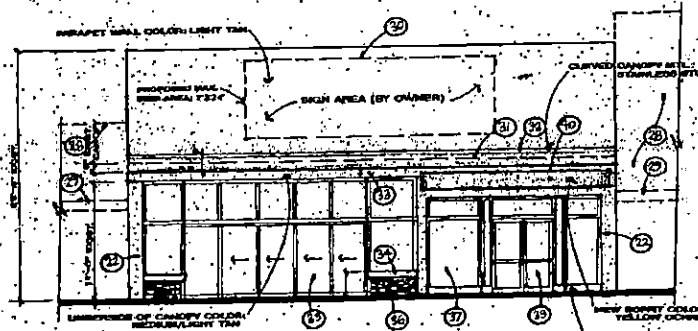
INTERIOR REMODEL OF EXISTING RETAIL SPACE

512 E. FREMONT STREET
DOWNTOWN LAS VEGAS



REAR ELEVATION
(FACING BACK ALLEY)

3/16"=1'-0"



FRONT ELEVATION
(FACING FREMONT ST.)

3/16"=1'-0"

* NOTE: ALL STUCCO TO BE SAND FINISH, COLORS AS NOTED

PAINT STONEFRONT COLOR: UNPAINTED ALUM.

NOV 20 2006

SUP-18377

01/11/07 PC

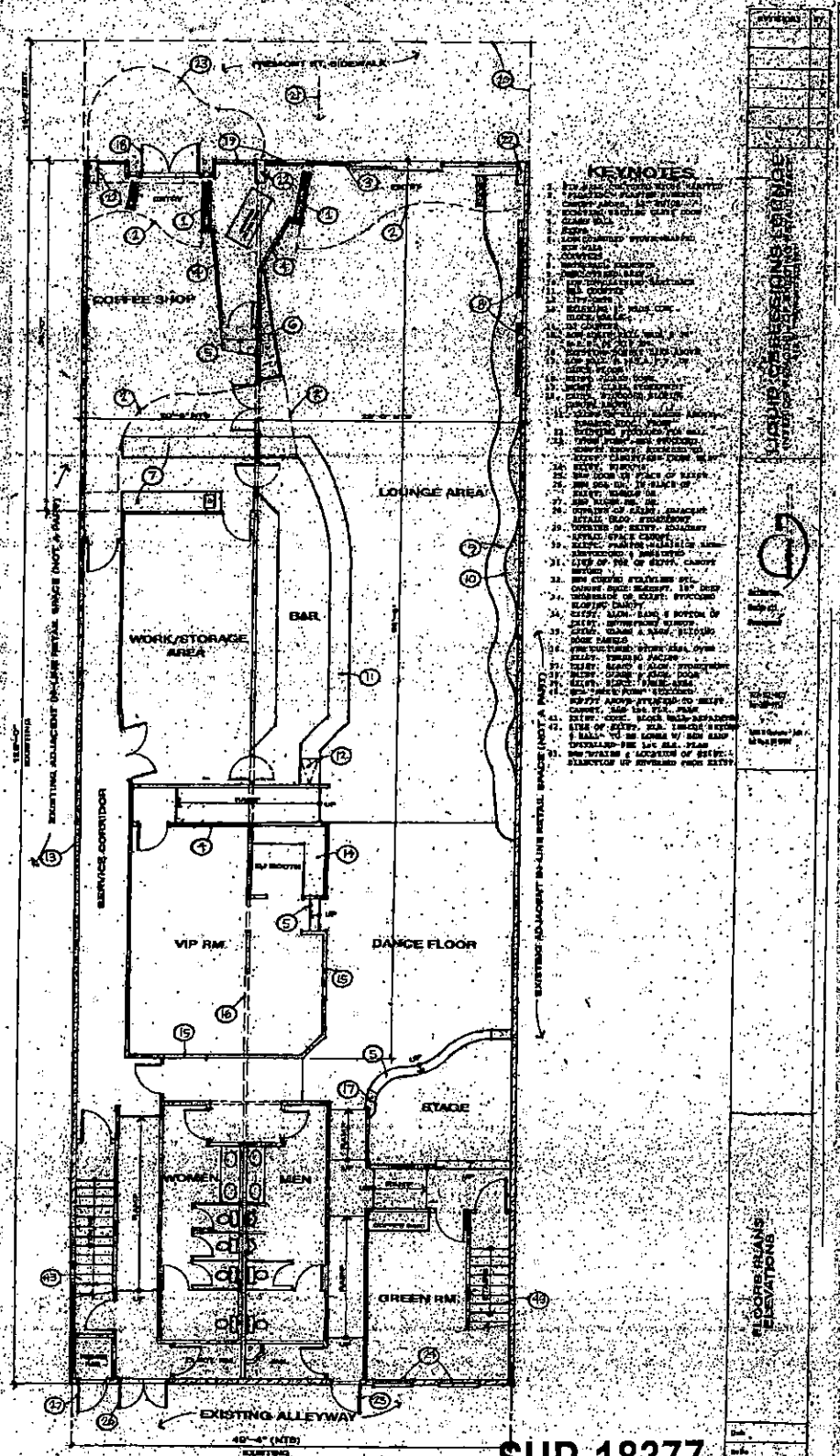
FLOOR PLANS
ELEVATIONS

2

LIQUID OBSESSIONS LOUNGE

INTERIOR REMODEL OF EXISTING RETAIL SPACE

512 E. FREMONT STREET
DOWNTOWN LAS VEGAS



NOV 20 2006

FIRST FLOOR PLAN

FIRST FLOOR= 6300 SQ. FT.
SECOND FLOOR= 1216 SQ. FT.
TOTAL SQ. FT.= 7516

OCCUPANT LOAD (PER I.B.C.)= 272

SUP-18377

01/11/07 PC

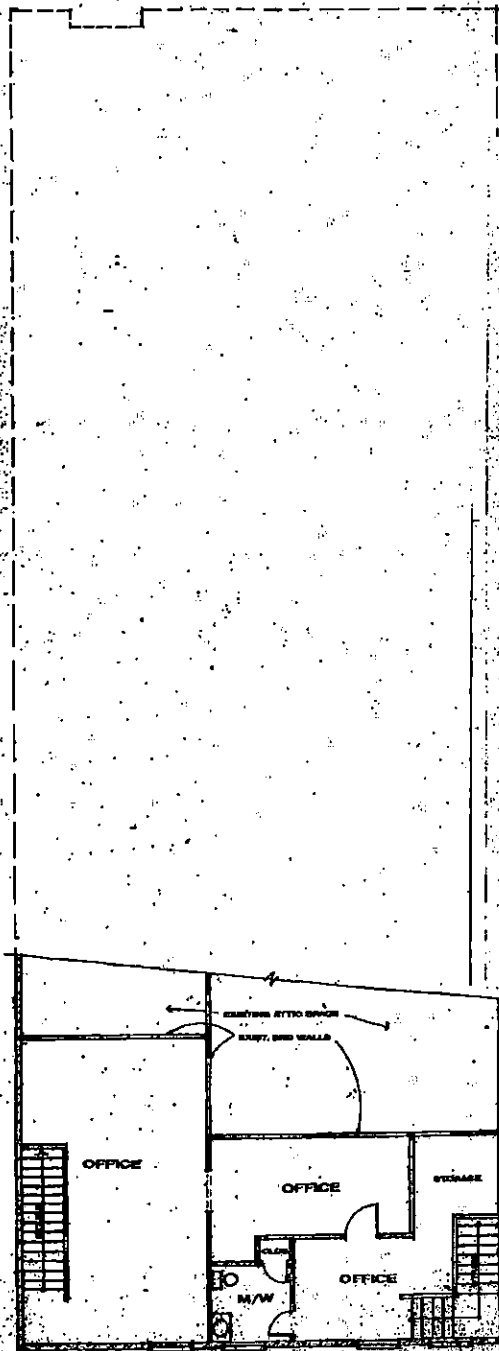
FLOOR PLANS
ELEVATIONS

4

LIQUID OBSESSIONS LOUNGE

INTERIOR REMODEL OF EXISTING RETAIL SPACE

512 E. FREMONT STREET



SECOND FLOOR PLAN

SUP-18377

NOV 20 2006

01/11/07 PC

PROJECT	LIQUID OBSESSIONS LOUNGE
DATE	11/11/07
BY	3
CHECKED	
APPROVED	
REVISIONS	
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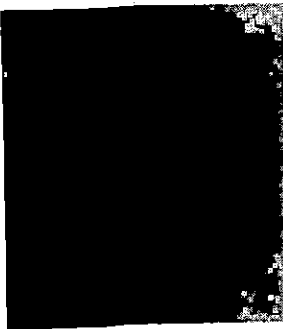
100011 CID 06 0017 AS
512 514 FREMONT STREET
NOV 28, 2006

EXTERIOR FINISH

A) BEHR. CONCRETE STAINS
THE FOLLOWING PAINT COLOR
Scheme is going to be
USED AS TRIM + BASE COLORS

1) Yellow Ochre
#834

834 GRAY



822 BERMUDA TAN

2) MEDIUM/LIGHT TAN
#822



Bucks County Country LedgeStone (CSV-368183)

B) OWENS CORNING
Cultured STONE
THE FOLLOWING STONE COLOR
will BE USED AS ACCENT ON
BRICKING FRONT.
3) Rocks Country Stone
CSV-368183

SUP-18377

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01/11/07 PC



SUP-18377 - APPLICANT: KATHRYN EFFINGER - OWNER: ARTEMUS W. HAM III TRUST
512-514 FREMONT STREET
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



SUP-18377 - APPLICANT: KATHRYN EFFINGER - OWNER: ARTEMUS W. HAM III TRUST
512-514 FREMONT STREET
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06

Fremont East Entertainment District

Entertainment District VIP Program

Location: *The project is located within the Downtown Entertainment Overlay District. The site is located at 512 and 514 Fremont St. The building offer 6,800 Square feet and a capacity of approximately 250 people.*

Business Description: *The corporation is currently filling a tavern-limited business license. Site control can also be demonstrated with a copy of the 5 year lease free from all mechanical liens at this time.*

Phase 1:

THE COFFE LOUNGE "Downtown Grounds"

Has a east entrance at 514 Fremont St. It will open for business at 6am. We will cater to both tourist and local business people.

Phase 2:

THE BAR "Liquid Obsessions"

The west entrance of 512 Fremont St. It will be open from 10am to 4am. We will cater to both tourist and local business people.

In the evening we plan to move from the café lounge to a Conversational lounge and cocktail atmosphere. Here we will provide a volume and style of entertainment that will allow individuals the opportunity to engage in conversation and socializing. Customers will be greeted by a welcoming environment based on the name Liquid Obsession. Water is the focal point, and the interior design will be sophisticated and relaxed.

Entertainment: *live music, dancing, Flair Bartenders and on site coffee manufacturing. We will offer our services 7 days a week from 6am to 4am. We feel we can generate a regular cliental of locals and a following of returning tourist business.*

Parking: *Although this location has no parking, we are located within walking distance from several parking garages. We have access to Fitzgerald's, Neonopolis, The Fremont Street Experience and several city lots.*

We are dedicated to establishing a business in the cities newest hotspot, and are willing to embrace the cities excitement and dedication to the Entertainment District. we can and will provided an eclectic and thriving business to the district.

SUP-18377

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PLATINUM

CB Richard Ellis
Cox Communications
Marnell Properties
Southwest Gas Corporation
Sprint

GOLD

Bank of America Nevada
Centra Properties, LLC
EJM Development Co.
Majestic Realty Co.
Plise Companies, LLC
Roel Construction Company, Inc.
Thomas & Mack Development Group

SILVER

American Nevada Company
Colliers International
Community Bank of Nevada
DP Partners
Glen, Smith & Glen Development
Jackson Shaw Company
JMA Architecture Studios
LM Construction Co., Inc.
LaPour Partners, Inc.
Lee & Associates
Marcus & Millichap
Olympia Development Corporation
Shea Commercial
Stanley Consultants, Inc.
Summit Builders of Nevada
Switch Communications Group
Tradewinds Construction
TWC Construction, Inc.
United Construction Company
Voit Commercial Brokerage
Wells Fargo Bank

BRONZE

Affordable Concepts, Inc.
BankWest of Nevada
Bergelectric Corporation
Burke & Associates, Inc.
Carson Taylor Harvey, Inc.
Centra Construction, LLC
Dekker / Perich / Sabatini, Ltd.
Fidelity National Title Agency of Nevada, Inc.
G.C. Wallace, Inc.
GMAC Commercial Mortgage Corporation
Grubb & Ellis | Las Vegas
Harsch Investment Properties, LLC
Helix Electric
IPG Commercial Real Estate
Jaynes Corporation
Juliet Property Company
KKE/HFTA Architects, Inc.
The Korte Company
Lee & Sakahara Architects
Martin & Martin Civil Engineers and Surveyors
Martin-Harris Construction Co.
The Molasky Group of Companies
Nevada Power Company
Nevada Real Estate Group LLC
Nevada Title Company
Opulence Studios Inc.
Panattoni Development Company
Perlman Architects, Inc.
ProLogis
Roche Constructors, Inc.
Southwest Engineering
SR Construction, Inc.
Stoltz Management
Terracon
Trammell Crow Company
WESTAR Architectural Group of Nevada, Inc.
WPH Architecture, Inc.
WRG Design, Inc.
XO Communications



October 5, 2006

Mr. Flinn Fagg, AICP
Urban Design Coordinator
Las Vegas Current Planning
731 S. Fourth Street
Las Vegas, NV 89101

Re: Proposed Mixed-Use / Transit Oriented Development
Title 19.02.040, 19.04.010, 19.04.050, 19.06.080, 19.08.030,
19.08050, and 19.20.020 Text Amendments

Dear Flinn,

Thank you for allowing NAIOP to be a member on the City of Las Vegas Mixed-Use Steering Committee. The participating members all contributed and you did an excellent job as committee chairman.

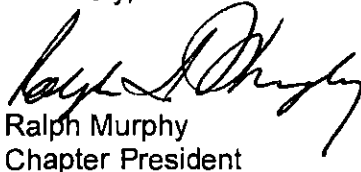
During the meetings, committee members gained invaluable insight into the City's concerns and challenges associated with mixed-use development. The committee's task of revisiting the City's mixed use regulations to address concerns that have arisen with recent applications and approvals of mixed-use projects resulted in numerous workable recommendations.

One common theme was the creation of an ordinance with guidelines to encourage quality mixed-use development while maintaining flexibility. Since it is impossible to anticipate and address every possible mixed-use scenario in the ordinance, flexibility was the key.

After receipt of the mixed-use text amendment and its distribution for comment, NAIOP believes the flexibility inherent in the 19.04.050 Special Use Permit application process should be codified to state: "The waiver of a Minimum Requirement for a Special Use Permit will be reviewed by staff and submitted to the Planning Commission and City Council for consideration if the applicant can demonstrate that unique conditions exist and the waiver would not materially impact the quality of the mixed-use development or surrounding neighborhood."

The City may draft similar alternate language allowing the City to exercise discretion when a desirable mixed-use development cannot meet all Minimum Requirements for the Special Use Permit. With this minor revision, NAIOP supports the proposed Title 19 text amendments for mixed-use / transit oriented development.

Sincerely,


Ralph Murphy
Chapter President


Bruce Barton
Government Affairs Committee

TXT-17570
01/11/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 11, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - TXT-17570 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT:
CITY OF LAS VEGAS - Discussion and possible action to amend Title 19 of the Las Vegas Municipal Code to revise the standards for Mixed-Use Development, institute Transit-Oriented Development standards, and to revise associated standards accordingly.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Conditions and Staff Report
2. Supporting Documentation

MOTION:

TRUESDELL – ABEYANCE to the 01/25/2007 Planning Commission Meeting – UNANIMOUS

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

FLINN FAGG, Planning and Development Department, noted two changes to this proposed text amendment. He stated that staff had decided to develop a separate text amendment related to mixed-use facilities and restricted gaming licenses and he pointed out changes to airport overlay regulations to have the City's site development plan review coincide with Clark County's review process.

GREG BORGEL, 300 South 4th Street, suggested two areas in need of further review. He expressed concern with the lack of accommodation for so-called "spectacular" mixed-use projects with gaming and emphasized those types of projects should be considered in conjunction with this ordinance, rather than separately as suggested by staff. Regarding the

PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 41 – TXT-17570

MINUTES – Continued:

changes to the airport overlay regulations, MR. BORGEL expressed concern because requiring the approval from the FAA be granted before the application is heard by the Planning Commission could result in delaying projects for several months to over a year. He pointed out the existing procedures sufficiently protected the public without causing undue delay to the developers.

In response to COMMISSIONER TRUESDELL'S request for clarification, MR. FAGG gave a brief description of the approval process and the documents the applicant would be required to submit before the application could be presented to the Commissioners. While MR. FAGG acknowledged the process would be more time-consuming, he pointed out the changes would ensure that the Commissioners would see the same project that would be presented to the City Council and that the public notice would accurately describe the project, reducing the risk of confusing the public.

MARGO WHEELER, Director of Planning and Development Department, further explained that the proof of FAA approval could be submitted at three different times: when the applicant applied for building permits, when the applicant appeared before the City Council, or when the applicant appeared before the Planning Commission. Under the current process, proof of FAA approval is submitted when the applicant applies for building permits. The changes to the process would require that proof be submitted when the applicant appears before the Planning Commission.

CHAIRMAN DAVENPORT concurred with staff's concern that the current process can be confusing for the public.

COMMISSIONER DUNNAM supported MR. BORGEL'S argument and emphasized the importance of allowing the various jurisdictions approval procedures to run parallel in order to speed the development process. He acknowledged staff's concerns, but stated he could not support additional delay in the process.

COMMISSIONER TRUESDELL requested any changes to the process be circulated to all interested parties so the Commissioners will be prepared to take action when this item is heard in two weeks.

In response to COMMISSIONER TRUESDELL'S inquiry, MR. FAGG explained staff had intended to create a separate Special Use Permit category for non-restricted gaming facilities with a mixed-use component. He reasoned that spectacular mixed-use projects are distinctive

PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 41 – TXT-17570

MINUTES – Continued:

enough to warrant a separate category. COMMISSIONER TRUESDELL observed that a separate category would limit the areas where those projects could be developed.

MS. WHEELER noted that any projects currently being considered would be allowed to move forward under the existing process. She also informed COMMISSIONER TRUESDELL that this ordinance would not go into effect until other related ordinances were finalized.

COMMISSIONER TROWBRIDGE commented that requiring the FAA approval before the building permits are issued is appropriate and noted that increased bureaucracy translated into increased cost to the developer and consumer. He encouraged allowing the processes to run concurrently, but suggested the developers acknowledge the restrictions on building height and develop accordingly.

In response to COMMISSIONER TROWBRIDGE'S request for clarification, MR. FAGG explained that credits would be given to developments built in close proximity to mass transit projects already identified by the Regional Transportation Commission of Southern Nevada.

COMMISSIONER STEINMAN stated additional delay in the process is unfair and expensive burden upon the applicants and expressed his support for allowing the existing process to remain. He also mentioned his disappointment that major mixed-use projects were not addressed in this text amendment.

COMMISSIONER EVANS acknowledged the high costs of development, but emphasized his concern for public safety. In his opinion, the existing process was backwards.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(9:16 – 9:48)

2-3567

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 11, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - TXT-17570 - APPLICANT: CITY OF LAS VEGAS

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

1. Title 19.02.040 is hereby amended as follows:

19.02.040 PURPOSE OF ZONING DISTRICTS

B. Commercial Districts

2. N-S Neighborhood Service District. The purpose of the N-S District is to provide for the development of convenience retail shopping, services, and professional offices principally serving neighborhood needs and compatible in scale, character and intensity with adjacent residential development. Limited mixed-use development may also be allowed as appropriate. This district is intended to be located at intersections of streets designated as collector or larger. The N-S District should also be used as a buffer between residential and more intense retail/commercial uses. The N-S District is consistent with the Service Commercial and Neighborhood Center categories of the General Plan.

2. Title 19.040.010 is hereby amended as follows:

TXT-17570 - Conditions Page Two
January 11, 2007 - Planning Commission Meeting

19.04.010 LAND USE TABLES

Table 2 – Land Use Table
Residential & Lodging

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
Condominium	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
							P	P	P	P			G	G	G	G	G	G			
	Description: A multi-family dwelling or a commercial building within which the occupied area is owned individually and the structure, land, common open space area and facilities are owned by all of the owners on a proportional, undivided basis. Conditional Use Regulations (for residential condominiums only): 1. The use is limited to the following area: The Downtown Las Vegas Redevelopment Area, as established by Ordinance Nos. 3218, 3339, 3637 and 4036. 2. The condominium use shall be developed only in connection with ground level nonresidential development, and, in the case of a multi floor structure, shall not itself be permitted on the ground floor, except for access and entryways. 3. Structures associated with the use shall comply with the following design criteria: a. The primary resident/guest entryway to the condominium use shall be independent of ground floor commercial uses, and shall be directly from and oriented to a street. b. The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and colors.																				
On-site Parking Requirement: Calculated by the capacity of each unit as described below, plus one additional guest space for every 6 units spread throughout the development. 1. Studio and One Bedroom Units – 1.25 spaces per unit. 2. Two Bedroom Units – 1.75 spaces per unit. 3. Three Bedroom and Above Units – Two spaces per unit.																					

TXT-17570 - Conditions Page Three
January 11, 2007 - Planning Commission Meeting

Table 2 – Land Use Table
Mixed Uses

USE	RESIDENTIAL										COMMERCIAL					INDUSTRIAL					
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Mixed-Use								S	S				S	S	S		S	S	S		
Description: A combination of certain residential and nonresidential uses on a single parcel, or a mix of certain residential and nonresidential uses within an area that is zoned for either residential or nonresidential use. The combination of a residential component and a commercial and/or civic component within a single building or within a single integrated development, where pedestrian access, vehicular access and or parking functions for the residential, commercial and civic uses are shared. Minimum Special Use Permit Requirements: - Residential uses permitted as of right in the R-3 and R-4 Zoning Districts may be permitted by means of Special Use Permit within a P-R, N-S, O, C-1, C-2, or C-PB Zoning District. - Nonresidential uses permitted as of right in the P-R, N-S, O, and C-1 Zoning Districts may be permitted by means of a Special Use Permit within an R-3 or R-4 Zoning District. - When residential and nonresidential uses are approved for a single parcel: - The nonresidential use shall be located at ground level fronting the primary public right-of-way, and the primary entryway to that use shall be directly from and oriented to a street; and - The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and colors. - Mixed-use developments shall have frontage on a minimum 100-foot wide Primary Arterial roadway as designated by the Master Plan of Streets and Highways. - Mixed-use developments shall have a net minimum parcel size of one acre (43,560 square feet). - Buildings within a mixed-use development shall be located directly at the front yard setback and corner side yard setback lines for a minimum of 60% of the frontage width. - Commercial businesses or civic uses shall be located at the ground level fronting the primary public rights-of-way, and shall have direct pedestrian access from the public sidewalks. - When located in a building that fronts on public rights-of-way, residential uses shall not be permitted on the ground floor, and shall be located at or above the second story of the building. Residential uses may be located on the ground floor of any building that is located at the interior of the development site and does not front on a perimeter street. - Surface parking lots shall be located to the side or the rear of the principal building(s) on the site, and shall be screened from view of the adjacent rights-of-way by the principal building(s) or a landscape buffer in conformance with the requirements of Title 19.10. Parking structures shall not be located along the street frontages of the development site, but shall be screened from view of the adjacent rights-of-way by the principal building(s). - A streetscape treatment shall be provided along all street frontages, and shall consist of a minimum ten-foot wide sidewalk and five-foot wide amenity zone located immediately behind the curb abutting the right-of-way. Shade trees shall be provided in the required amenity zone, with a maximum spacing of 30 feet on-center. The minimum tree size upon installation shall be a 24-inch box. - Landscape buffers shall be provided in accordance with the requirements of Title 19.12; however, where a mixed-use development immediately abuts a residential property, the minimum tree size required in the buffer areas shall be increased to a minimum 36-inch box at a maximum of 20 feet on-center. - Pedestrian open spaces and plazas shall be required for any mixed-use development with over 15,000 gross square feet of commercial area and/or 50 residential units. In addition to the requirements contained in Title 19.08, the following additional regulations shall apply: - The following features qualify as pedestrian open spaces and plazas: - Plazas. - Recreation space or usable green space. - Outdoor dining areas. - Courtyards. - Streetscape treatments and landscape buffer areas cannot be included as pedestrian open spaces or plazas. - Pedestrian open spaces and plazas shall be available to the general public, and shall be accessible from the public sidewalk abutting the property. - A minimum of 100 square feet of pedestrian open space area shall be required for each 10,000 square feet of net site area. The minimum size for any individual pedestrian open space feature shall be 250 square feet. On-site Parking Requirement: Parking requirements shall be in accordance with the standards for mixed-use and transit-oriented developments as contained in Title 19.10.																					

TXT-17570 - Conditions Page Four
January 11, 2007 - Planning Commission Meeting

USE	RESIDENTIAL												COMMERCIAL				INDUSTRIAL				
Transit-Oriented Development	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
																	S	S			
Description: A mixed-use development which is located in close proximity to a bus rapid transit (BRT) or light rail station. A transit-oriented development includes a residential component and a commercial and/or civic component within a single building or within a single integrated development, where pedestrian access, vehicular access and or parking functions for the residential, commercial and civic uses are shared.																					
Minimum Special Use Permit Requirements: <u>1. Transit-oriented developments shall be located on a parcel within 1,320 feet (1/4 mile) of an existing or planned bus rapid transit (BRT) or a light rail station. The distance shall be measured from the center point of the station structure to any point of the parcel to be developed as a transit-oriented development.</u> <u>2. Residential uses permitted as of right in the R-3 and R-4 Zoning Districts may be permitted by means of a Special Use Permit within the C-1 and C-2 Zoning District. The following use categories, as listed in Table 2 of Title 19.04, shall be prohibited in conjunction with a transit-oriented development:</u> <u>a. Rural & Animal Related uses;</u> <u>b. Auto & Marine-Related uses;</u> <u>c. Industrial & Manufacturing uses;</u> <u>d. Wholesale, Distribution & Storage uses.</u> <u>3. Mixed-use developments shall have a net minimum parcel size of two acres (87,120 square feet).</u> <u>4. Buildings within a transit-oriented development shall be located directly at the front yard setback and corner side yard setback lines for a minimum of 60% of the frontage width.</u> <u>5. Commercial businesses or civic uses shall be located at the ground level fronting the primary public rights-of-way, and shall have direct pedestrian access from the public sidewalks.</u> <u>6. When located in a building that fronts on public rights-of-way, residential uses shall not be permitted on the ground floor, and shall be located at or above the second story of the building. Residential uses may be located on the ground floor of any building that is located at the interior of the development site and does not front on a perimeter street.</u> <u>7. Surface parking lots shall be located to the side or the rear of the principal building(s) on the site, and shall be screened from view of the adjacent rights-of-way by the principal building(s) or a landscape buffer in conformance with the requirements of Title 19.10. Parking structures shall not be located along the street frontages of the development site, but shall be screened from view of the adjacent rights-of-way by the principal building(s).</u> <u>8. A streetscape treatment shall be provided along all street frontages, and shall consist of a minimum ten-foot wide sidewalk and five-foot wide amenity zone located immediately behind the curb abutting the right-of-way. Shade trees shall be provided in the required amenity zone, with a maximum spacing of 30 feet on-center. The minimum tree size upon installation shall be a 24-inch box.</u> <u>9. Landscape buffers shall be provided in accordance with the requirements of Title 19.12; however, where a transit-oriented development immediately abuts a residential property, the minimum tree size required in the buffer areas shall be increased to a minimum 36-inch box at a maximum of 20 feet on-center.</u> <u>10. Pedestrian open spaces and plazas shall be required for all transit-oriented development. In addition to the requirements contained in Title 19.08, the following additional regulations shall apply:</u> <u>a. The following features qualify as pedestrian open spaces and plazas:</u> <u>1) Plazas.</u> <u>2) Recreation space or usable green space.</u> <u>3) Outdoor dining areas.</u> <u>4) Courtyards.</u> <u>b. Streetscape treatments and landscape buffer areas cannot be included as pedestrian open spaces or plazas.</u> <u>c. Pedestrian open spaces and plazas shall be available to the general public, and shall be accessible from the public sidewalk abutting the property.</u> <u>d. A minimum of 100 square feet of pedestrian open space area shall be required for each 10,000 square feet of net site area. The minimum size for any individual pedestrian open space feature shall be 250 square feet.</u>																					
On-site Parking Requirement: Parking requirements shall be in accordance with the standards for mixed-use and transit-oriented developments as contained in Title 19.10.																					

3. Title 19.08.030 is hereby amended as follows:

19.06.080 A-O AIRPORT OVERLAY DISTRICT

H. Special Use Permit Site Development Plan Approval

1. Any person desiring to erect or increase the height of any structure, or to permit the growth of any tree, or otherwise use property in a manner which would exceed the limitations of this subchapter ~~may apply to the Planning Commission for a Special Use Permit~~ shall submit the request as part of a Site Development Plan Review application. The ~~Special Use Permit Site Development Plan Review~~ application shall be processed in accordance with the ~~Special Use Permit~~ procedures set forth in Subchapter 19.18-060, except that:
 - a. ~~The applicant shall notify the FAA regional office and the Clark County Department of Aviation of the application prior to the time of submission; and~~ The applicant shall provide evidence of having filed Form 7460-1, Notification of Proposed Construction, with the FAA prior to the submittal of the Site Development Plan Review application; and
 - b. Any approval by the Planning Commission must be referred automatically to the City Council for final disposition.
2. The Planning Commission shall not take any action on the Site Development Plan Review application until the applicant has provided a copy a Director's Permit from the Clark County Department of Aviation or a notice of approval of a Variance from the Airport Hazard Board of Adjustment.
3. Notwithstanding the preceding provisions of this subchapter, no ~~Special Use Permit Site Development Plan Review~~ shall be granted that would allow the establishment or creation of an obstruction or permit a non-conforming use, structure or tree to become a greater hazard to air navigation than it was on the effective date of this subchapter or any amendment thereto.

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4. Title 19.08.030 is hereby amended as follows:

19.08.030 GENERAL

~~C. Building Heights Along Streets Classified as Collector or Larger~~

~~Notwithstanding the maximum building heights established in this chapter, allowable building heights shall be further restricted along street classified as collector or larger, as designated in the Master Plan of Streets and Highways. Buildings may be constructed up to 35 feet in height at the front yard setback line. Any portion of a building over 35 feet in height shall be set back an additional 1 foot from each foot of height in excess of 35 feet, see Figure 2 below. However, the preceding restriction shall not apply to buildings in the Downtown Overlay District or buildings located adjacent to freeways.~~

~~FIGURE 2 BUILDING HEIGHTS ALONG MAJOR STREETS~~

(Renumber remaining sections accordingly)

5. Title 19.08.050 is hereby amended as follows:

19.08.050 COMMERCIAL AND INDUSTRIAL DISTRICT DEVELOPMENT STANDARDS

C. Minimum Standards for Commercial and Industrial Development

1. **General.** The standards set forth in Table 1 are minimum standards that shall apply to the various zoning districts as indicated.

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Table 1. Commercial and Industrial District Development Standards

STANDARD	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Minimum Site Area to Rezone	NA	NA	NA	NA	NA	NA	20 Ac.	NA	NA
Min. Lot Width (ft.) ⁴	60	100	100	100	100	100	100	100	100
Setbacks, Principal Structures									
Min. Front Yard Setback (ft.) ^{4,2}	20	25	25	25	20	20	20	10	10
Min. Side Yard Setback (ft.) ^{4,2}	5	10	10	10	10	10	10	10	10
Min. Corner Side Yard Setback (ft.) ^{4,2}	15 ³	15	15	15	15	15	20	10	10
Min. Rear Yard Setback (ft.) ^{4,2}	15	25	15	25	20	20	15	20	0
Setbacks, Accessory Structures									
Min. Front Yard Setback (ft.)	20	25	25	25	20	20	20	10	10
Min. Side Yard Setback (ft.)	5	8	8	8	8	8	8	8	0
Min. Corner Side Yard Setback (ft.)	15	15	15	15	15	15	20	10	10
Min. Rear Yard Setback (ft.)	8	8	8	8	8	8	8	8	0
Max. Lot Coverage ^{4,3}	50%	30%	30%	30%	50%	50%	50%	NA	NA
Max. Building Height ^{1,2,4,5}	2 stories or 35 feet, whichever is less				NA 3 stories or 45 feet, whichever is less			NA	NA

Notes:

1. ~~Rear Yard Setback, Building Heights. Rear yard setbacks and building heights may be affected by the Residential Adjacency standards set forth in LVMC 19.08.060.~~
2. ~~Height~~
 - a. ~~Non Residential Building Height When Adjacent to Residential. See Section 19.08.060(B).~~
 - b. ~~P-R and O Districts. The maximum building height in the P-R and O Districts is two stories or 35 feet, whichever is less.~~
 - c. ~~C-D District. Unless otherwise approved by the City Council in a Site Development Plan, building heights in the C-D District shall not exceed.~~

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- ~~(1) — One story or twenty feet, whichever is less, for parcels that front on Charleston Boulevard between Rancho Drive and Valley View Boulevard;~~
- ~~(2) — Two stories or thirty five feet, whichever is less, for all other parcels.~~
- ~~d. — C 1 and C 2 Districts. For parcels that are located within the C 1 and C 2 Districts, but are outside the Neighborhood Revitalization Area, the maximum building height for mixed use development is ten stories, or one hundred fifty feet, whichever is less. For purposes of the foregoing, development is ten stories, or one hundred fifty feet, whichever is less. For purposes of the foregoing, the "Neighborhood Revitalization Area" means the area so designated in the Las Vegas 2020 Master Plan adopted by Ordinance No. 5250, as the boundaries of that area may be amended from time to time.~~
- ~~e. — C PB District. The maximum building height in the C PB District is five stories or eighty five feet, whichever is less. For parcels of land located within a C PB Zoning District that are contiguous to or within two hundred feet of a freeway or expressway, the maximum building height for commercial developments shall be six stories or one hundred feet, whichever is less. The maximum height for mixed use developments within the C PB District is five stories and 55 feet. Notwithstanding the above, in the case of permitted commercial and retail uses, the maximum building height shall be two stories or thirty five feet, whichever is less.~~
- ~~f. — Exemptions. Chimney and vent stacks, roof structures for the use of elevators, stairs, tanks, ventilation, and similar necessary mechanical equipment, visual screens which surround mounted mechanical equipment, skylights, whip and mounted antennas and flag poles up to 40 feet in height may be erected above the required height limits. In no case shall structures above the permitted height limit be constructed for the purpose of providing additional floor space.~~
- ~~g. — Height along Certain Streets. For additional building height restrictions along streets classified as collector or larger, see Section 19.08.030(C).~~

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3. ~~P R District. A development in the P R District which is a conversion from an existing residential structure may maintain the existing setbacks. Any additions may also be constructed to the existing established corner setback.~~
4. ~~Downtown Overlay District. All structures in the Downtown Overlay District are exempted from the automatic application of the height limitations, required setbacks and lot coverage requirements specified in this chapter. However, the exemption does not prohibit the City Council from imposing similar or equivalent limitations in connection with the approval of a Site Development Plan in accordance with Subchapter 19.06.060.~~
5. ~~Gaming Enterprise Overlay District. All licensed gaming establishments within the Gaming Enterprise District are exempted from the automatic application of any height limitations specified in this chapter. However, the exemption does not prohibit the City Council from imposing a similar or equivalent height limitation in connection with the approval of a Site Development Plan.~~
6. ~~C 1 District. Senior citizen apartments and mixed use developments that exceed the permitted lot coverage limitation may be permitted upon approval of a Special Use Permit in accordance with Sections 19.04.050 and 19.18.060. In addition, a mixed use development shall be subject to all of the following requirements:~~
 - a. ~~The mixed used development must contain both residential and commercial uses in the same structure.~~
 - b. ~~Commercial uses shall be located at the front yard setback facing the public right of way; and~~
 - c. ~~The residential units shall be located at or above the second story of the mixed use structure.~~
7. ~~M District. Where a property in an M District is adjacent to, or across the street from a residential district, the minimum setback from the property line or street right of way line shall be fifty feet. The setback area shall be maintained free and clear of all buildings or industrial uses, except that this area may be used for parking. Such parking use may include parking for industrial equipment and vehicles if parking areas are completely screened from any residential view.~~

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1. Exceptions to Building Height.

- a. Residential Adjacency Standards. Building heights may be affected by the Residential Adjacency Standards set forth in LVMC 19.08.060.
- b. General Exemptions. The following architectural elements and structures may be erected above the required height limits: Chimney and vent stacks; roof structures for the use of elevators, stairs, tanks, ventilation, and similar necessary mechanical equipment; visual screens which surround mounted mechanical equipment; skylights; and whip and mounted antennas and flag poles up to forty feet in height. In no case shall structures above the permitted height limit be constructed for the purpose of providing additional floor space.
- c. Downtown Overlay District. All structures in the Downtown Overlay District are exempted from the automatic application of height limits; however, the exemption does not prohibit the City Council from imposing a similar or equivalent height limitation in connection with the approval of a Site Development Plan Review application.
- d. Gaming Enterprise Overlay District and Non-Restricted Licensed Properties. All licensed non-restricted gaming properties within the Gaming Enterprise Overlay District or non-restricted licensed resort hotel properties established prior to 16 July 1997 are exempted from the automatic application of any height limitations specified in this Chapter. However, the exemption does not prohibit the City Council from imposing a similar or equivalent height limitation in connection with the approval of a Site Development Plan Review application.
- e. C-D District. Unless otherwise approved by the City Council as part of a Site Development Plan Review application, building heights in the C-D District shall not exceed:
 - 1) One story or twenty feet, whichever is less, for parcels that front on Charleston Boulevard between Rancho Drive and Valley View Boulevard;
 - 2) Two stories or thirty-five feet, whichever is less, for all other parcels as indicated in Table 1 above.

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f. C-1, C-2 and C-PB Districts. Exceptions to the height limits listed in Table 1 above may be approved by City Council as part of a Site Development Plan Review application as follows:

- 1) Mixed-Use Developments. The maximum building height for mixed-use developments may be increased to five stories or 60 feet, whichever is less.
- 2) Transit-Oriented Developments. The maximum building height for transit-oriented developments may be increased to ten stories or 125 feet, whichever is less.
- 3) Parcels Adjacent to Freeways (C-PB District Only). For parcels of land located within a C-PB Zoning District that are contiguous to or within 200 feet of a freeway, the maximum building height shall be six stories or one hundred feet, whichever is less.

2. Exceptions to Setback Requirements.

- a. Residential Adjacency Standards. Building setbacks may be affected by the Residential Adjacency Standards set forth in LVMC 19.08.060.
- b. Downtown Overlay District. All structures in the Downtown Overlay District are exempted from the automatic application of required setbacks; however, the exemption does not prohibit the City Council from imposing a similar or equivalent setback limitation in connection with the approval of a Site Development Plan Review application.
- c. P-R District. A development in the P-R District which is a conversion from an existing residential structure may maintain the existing setbacks. For corner lots, any additions may be constructed to the existing established corner side yard setback.
- d. C-1, C-2 and C-PB Districts. Exceptions to the setback requirements listed in Table 1 above may be approved by City Council as part of a Site Development Plan Review application as follows:
 - 1) Mixed-Use Developments. Front and corner side yard setbacks for mixed-use developments may be reduced to 10 feet.

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- 2) Transit-Oriented Developments. Front and corner side yard setbacks for transit-oriented developments may be reduced to 10 feet.
 - e. M District. Where a property in an M District is adjacent to or across the street from a residential district, the minimum setback from the property line or street right-of-way line shall be fifty feet. The setback area shall be maintained free and clear of all buildings or industrial uses, except that this area may be used for parking. Such parking use may include parking for industrial equipment and vehicles if parking areas are completely screened from any residential view.
 3. Exceptions to Lot Coverage Requirements.
 - a. Downtown Overlay District. All structures in the Downtown Overlay District are exempted from the automatic application of lot coverage requirements; however, the exemption does not prohibit the City Council from imposing a similar or equivalent requirement in connection with the approval of a Site Development Plan Review application.
 - b. C-1, C-2 and C-PB Districts. Exceptions to the lot coverage requirements listed in Table 1 above may be approved by City Council as part of a Site Development Plan Review application as follows:
 - 1) Mixed-Use Developments. Lot coverage for mixed-use developments may be increased up to a maximum of 75% of the net lot area.
 - 2) Transit-Oriented Developments. Lot coverage for transit-oriented developments may be increased up to a maximum of 85% of the net lot area.
 - 3) Senior Citizen Apartments (C-1 District Only). Senior citizen apartments that exceed the permitted lot coverage may be permitted upon approval of a Special Use Permit in accordance with LVMC 19.04.

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6. Title 19.08.060(B)(5), "Residential Adjacency Standards," is hereby amended as follows:
5. **Waiver.** The requirements of this Section (B) may be waived by the City Council for:
- a. Any multi-family residential project that is intended to meet the affordable housing objectives of the General Plan if the City Council determines that the waiver is critical to the viability of the project and that the intent of this Section (B) can be achieved; ~~or.~~
- b. ~~Any mixed-use development that contains a significant residential element.~~

7. Title 19.10.010(H), "Parking Alternatives," is hereby amended as follows:

3. Mixed-Use and Transit-Oriented Development Parking Requirements. Mixed-use and transit-oriented developments, which are approved in accordance with the requirements of Title 19.04, may utilize the following table for determining parking requirements.

Table 3 Mixed-Use and Transit-Oriented Development Parking Requirements

General Land Use Classification	Weekdays			Weekends		
	Mid-7am	7am-6pm	6pm-Mid	Mid-7am	7am-6pm	6pm-Mid
Office	5%	100%	5%	0%	60%	10%
Retail & Personal Service	0%	100%	80%	0%	100%	60%
Residential	100%	55%	85%	100%	65%	75%
Restaurant	50%	70%	100%	45%	70%	100%
Hotel	100%	65%	90%	100%	65%	80%
Theaters	0%	70%	100%	5%	70%	100%

- a. Calculation of Parking Requirement. Calculate the number of spaces required for each use based on the gross square footage utilizing the minimum parking requirements contained in Title 19.04. Applying the general land use category listed above to each proposed use, utilize the percentages to calculate the number of parking spaces required for each time period (six time periods per use). Add the number of spaces required for all applicable land uses to obtain a total parking requirement for each time period. Select the time period with the highest total parking requirement, and utilize that total as the mixed-use or transit-oriented parking requirement.
- b. Additional Reductions for Transit-Oriented Development. Additional parking reductions for transit-oriented developments may be approved by City Council in conjunction with a Site Development Plan Review application as follows:

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- i. Dedication of an easement or right-of-way for a transit station or shelter: 5% reduction.
- ii. Provision of a Park and Ride facility with a minimum of 100 spaces dedicated solely to transit users: 10% reduction.

The reduction is calculated by determining the time period with the highest total parking requirement in Table 3, and then applying the qualifying percentage reduction listed above.

- c. Changes of Use. Any change in the commercial uses for an existing approved mixed-use development shall be reviewed by the Planning and Development Department for consistency with the parking requirements listed in the table above. Where the change of use increases the number of parking spaces required, the additional number of spaces shall be provided.
- 4. Parking Demand Analysis. Where the unique operation of a use results in a lesser parking requirement than the standards listed in Title 19.04, a parking reduction may be permitted in conjunction with the submittal of a Parking Demand Analysis. The Parking Demand Analysis shall be approved by way of a Special Use Permit, subject to the requirements listed in Title 19.18. The Parking Demand Analysis shall be signed and sealed by a professional traffic engineer, shall document the weekday and weekend peak parking demand for the proposed use(s) for the site, and shall provide justification for the alternate parking standard.

8. Title 19.18.050, "Site Development Plans," is hereby amended as follows:

D. Design Standards

All required Site Development Plans shall meet or exceed the minimum standards established in this Title. ~~In addition, the City's policy document entitled "landscape, Wall and Buffer Standards" is a resource for acceptable standards and design solutions. To the extent that such document establishes minimum requirements and standards and is formally adopted by the City Council, Site Development Plans must comply with that document.~~

E. Criteria for Review of Site Development Plans

The review of Site Development plans is intended to ensure that:

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

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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 procedures.
3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;
4. Building and landscape materials are appropriate for the area and for the City;
5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;
6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

F. Minor Review of Site Development Plans

1. Minor Review Decisions. Site Development Plans requiring Minor Reviews may be approved administratively by the Director.
2. Minor Review Process. A minor Development Review is initiated by the submission of a Site Development Plan Review application or an application for a Building Permit. If submitted as part of a Building Permit application, issuance of the Building Permit shall constitute approval of the Minor Review and no further action is required.
3. Review By City Council. The administrative approval of Site Development Plan pursuant to this Section (F) shall be final action unless, within 10 days following the approval, a member of the City Council files with the Director a written request for the Council to review the approval. In the event such a request is filed, the Council shall have final authority to approve, deny or modify the Site Development Plan.

G. Major Review of Site Development Plans

1. Major Review. A Major Review of a Site Development Plan is required if:

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- a. The Planning Commission or City Council, through prior action, has determined that the proposed project or improvement shall be processed as a Major Review;
- b. The proposed development contains a building which is four stories or greater in height;
- c. The Director determines that the proposed development could significantly impact the land uses on the site or on surrounding properties.

2. Major Review Process

- b. ~~Drawings, and Plans and Documents Required. Plans describing the proposed development of the property shall be submitted as required by the Director. Complete working drawings are not necessary; however, proposed structures (including building elevations), streets, driveways and access points, on site circulation and parking, walls, landscaping, building materials, dumpster locations and other improvements must be shown. Preliminary drawings must contain sufficient information to permit the determination of compliance with good planning practices, applicable standards and ordinances. Floor plans are not normally required. For any development site where 20% or more of the aggregate site has a slope of natural grade above 4%, a cross section must be submitted. Each cross section must extend a minimum of 100 feet beyond the limits of the project at each property line, showing the location and finish floor elevations of adjacent structures; the maximum grade differentials; and the elevations of existing and proposed conditions. The following drawings, plans and documents shall be submitted as required by the Director:~~

- 1) Schematic plans showing the location and setbacks of all buildings planned for the site, including driveways and access points, on-site circulation and parking, perimeter and retaining walls, landscaping, trash enclosures and service locations. Complete working drawings are not necessary.
- 2) Building elevations, showing all four elevations of all buildings planned for the site, including material and color selection information.

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- 3) Floor plans showing the use of all rooms, and ingress and egress from the structure.
- 4) For any development site where 20% or more of the aggregate site has a slope of natural grade above 4%, a cross section must be submitted. Each cross section must extend a minimum of 100 feet beyond the limits of the project at each property line, showing the location and finish floor elevations of adjacent structures; the maximum grade differentials, and the elevations of existing and proposed conditions.
- 5) A preliminary trip generation summary shall be required for any development that exceeds the following thresholds:
 - a) A multifamily residential development with 150 units or more;
 - b) A retail or general commercial development with 25,000 square feet of gross floor area or more;
 - c) An office development with 50,000 square feet of gross floor area or more; or
 - d) Any combination of the uses listed above which results in the generation of 100 peak hour trips or more.

The preliminary trip generation summary shall list all uses proposed for the site and the peak hour trip generation for each use.

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9. Title 19.20.020, "Words and Terms Defined," is hereby amended as follows:

Mixed-Use Development. ~~A combination of certain residential and nonresidential uses on a single parcel, or a mix of certain residential and nonresidential uses within an area that is zoned for either residential or nonresidential use.~~ The combination of a residential component and a commercial and/or civic component within a single building or within a single integrated development, where pedestrian access, vehicular access and/or parking functions for the commercial and residential uses are shared.

Transit-Oriented Development. A mixed-use development which is located in close proximity to a bus rapid transit (BRT) or light rail station. A transit-oriented development includes a residential component and a commercial and/or civic component within a single building or within a single integrated development, where pedestrian access, vehicular access and/or parking functions for the commercial and residential uses are shared.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The proposed text amendment will modify the existing mixed-use development regulations, adopt transit-oriented development regulations, and modify a number of associated development standards. The proposed text amendment does not apply to the following areas:

- The Downtown Centennial Plan area;
- The Las Vegas Medical District;
- Centennial Hills Town Center; or
- Master-planned communities.

BACKGROUND INFORMATION

<i>Related Actions</i>	
11/03/99	The City Council approved a text amendment (TA-0004-99) to allow mixed-use development within the boundaries of the Redevelopment Area. The Planning Commission recommended approval of the text amendment on 08/12/99.
01/24/04	The City Council approved a text amendment (TXT-3227), extending the mixed-use development area to be coterminous with the boundaries of the Neighborhood Revitalization Area. The Planning Commission recommended approval of the request on 11/06/03.
12/15/05	The City Council approved a text amendment (TXT-5260), allowing mixed-use development within all commercial districts within the city of Las Vegas. The Planning Commission
01/19/06	A workshop was held with the Planning Commission to discuss the mixed-use regulations. Staff was directed to prepare revisions to the existing regulations based on the concerns raised at the workshop.

A steering committee was assembled by the Planning and Development Department in May 2006 to assist in reviewing the existing and proposed regulations. The following individuals served on the steering committee:

- Alan Schachtman, The Fifield Companies
- Bruce Barton, Territory Incorporated
- Chuck Kubat, Kubat Consulting
- Craig Galati, Lucchesi Galati Architects
- Gary Congdon, Lee & Sakahara Architects
- Matt LaCroix, Clark County School District
- Mike Loghides, Clark County Department of Aviation
- Ric Truesdell, Cornerstone Company
- Terry Murphy, Strategic Solutions

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Meetings were held by the steering committee on 12 June 2006, 30 June 2006 and 13 July 2006. After receiving input from committee members, staff prepared a draft ordinance to address the concerns that had been raised by the Planning Commission. The draft was circulated to steering committee members in August for final comment; the proposed ordinance attached herewith reflects the input of the committee. Minor additions and corrections have been made since the committee reviewed the document in August in order to address questions of city staff and comments made by committee members.

In addition, the draft ordinance was provided to NAIOP (National Association of Industrial and Office Properties) in August for review and comment. A letter regarding the proposed ordinance has been provided by NAIOP, acknowledging participation in the process, and offering a request that the ordinance include additional flexibility in administering the standards for projects where unique conditions exist.

ANALYSIS

In a workshop with the Planning Commissioners held on 19 January 2006, the following issues and concerns were identified relative to mixed-use development and the City's existing regulations:

- Height
- Traffic
- Intensity/Density
- Parking
- Construction Staging
- Impacts to Established Residential Neighborhoods

Staff was tasked to address each of the issues listed above. A discussion of each of the issues is included in the following section of this report.

In addition to revising the existing mixed-use regulations, staff is proposing to add a Special Use Permit category for transit-oriented development. Transit-oriented development is defined as a mixed-use development that is in direct proximity to either BRT (bus rapid transit) or light rail stations. As the traffic impacts of transit-oriented development can be mitigated to a certain degree by transit, additional intensity of use may be appropriate. The Regional Transportation Commission (RTC) is in the process of developing a BRT line on Boulder Highway; additional lines are in the planning stages for Sahara Avenue, Rancho Drive, and Las Vegas Boulevard North/North Fifth Street. Adoption of the transit-oriented development will assist in coordinating development with the proposed transit lines.

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It should be noted that the proposed amendment does not apply to the Downtown Centennial Plan area, the Las Vegas Medical District, the Centennial Hills Town Center area, or any master-planned community. The applicable mixed-use regulations for those plan areas will remain as currently adopted. It is intended that minor modifications will be made to mixed-use development standards for the Downtown Centennial Plan area at a future date.

The issues addressed by the steering committee include the following:

Height

Mixed-use development is currently allowed in the P-R, N-S, O, C-1, C-2 and C-PB zoning districts. Per Title 19.08, height is limited to two stories in the P-R, N-S and O zoning districts, but no height limit is specified in the C-1, C-2 and C-PB zoning districts. The current version of the mixed-use ordinance limits height of mixed-use projects outside the Neighborhood Revitalization Area to a maximum of ten stories and 150 feet. The current Residential Adjacency Standards require additional setbacks from residential properties through the use of a 3:1 proximity slope, but the proximity slope requirement may be waived for any mixed-used development that contains a significant residential element.

In order to address the concerns relative to height, it is proposed that a base height limit of three stories and 45 feet be established for the C-1, C-2 and C-PB zoning districts, and that additional height be allowed for mixed-use and transit-oriented development. For mixed-use projects, height would be limited to five stories and 60 feet; for transit-oriented development, height would be limited to ten stories and 125 feet. At the advisement of the steering committee, the 3:1 proximity slope requirement of the Residential Adjacency Standards will apply to all commercial development.

The existing exemptions from height requirements for properties within Gaming Overlay Districts will still apply, and will be expanded to all non-restricted gaming facilities. No changes will be made to the height exemptions for properties within the Downtown Centennial Plan area. As there are a number of existing structures adjacent to freeways that currently exceed the proposed height limitations, language will be added to Title 19.08 to allow additional height for commercial development in proximity to freeways. Residential Adjacency Standards will still apply to all development outside of the Downtown Centennial Plan area.

Traffic

Title 19.18 does not currently require the submittal of a Traffic Impact Analysis in conjunction with Site Development Plan Review applications. The requirement for a Traffic Impact Analysis is placed as a condition of approval on Site Development Plan Review applications only when the project generates 100 peak hour trips or more (equivalent to approximately 190 residential units, 27,000 square feet of commercial space, or 64,000 square feet of office space). This presents problems for Planning Commission and City Council, in that traffic generation information is not available at

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January 11, 2007 - Planning Commission Meeting

the entitlement stage, and impacts are not known until the analysis is submitted later at the permitting stage of a project. Staff has recommended to applicants that an analysis be submitted with the Site Development Plan Review application for mixed-use projects; however, the request is voluntary as no section of the code currently requires the submittal of a Traffic Impact Analysis.

One of the concerns noted by applicants is the cost in preparing an analysis prior to obtaining approval for a development project. In order to address this issue, the steering committee recommended that preliminary traffic generation figures be submitted with Site Development Plan Review applications for projects that will generate more than 100 peak hour trips. As proposed by the ordinance, the applicant will be required to submit a preliminary trip generation summary, listing all uses proposed for the site and the peak hour trip generation for each use. Administratively, a worksheet will be prepared for applicants, which will explain how to obtain data from the ITE (Institute of Transportation Engineers) Trip Generation Manual and the format for submitting the information. This initial information will be adequate to identify impacts to existing roadways, which should be adequate for Planning Commission and City Council review, but will not identify mitigation requirements. A formal Traffic Impact Analysis will still be required prior to the issuance of permits for any development project that exceeds the threshold peak hour trips, and mitigation strategies (if required) will be determined at that time.

Intensity/Density

Title 19.08 does not limit commercial intensity through the use of F.A.R.'s (Floor Area Ratios), nor is a residential density specified for mixed-use projects in commercial zoning districts. The current regulations that ultimately assist in limiting the size of commercial developments include setback requirements, parking requirements, height limits (if applicable), Residential Adjacency Standards (if applicable), perimeter buffer requirements, and lot coverage requirements.

After reviewing solutions used in other communities to limit development intensity, the steering committee felt that the combination of development standards and application of residential protections standards were adequate to control the intensity of commercial development. As mixed-use development has less impact than standard commercial development of the same square footage due to reduced trip generation and economies that result from the sharing of services and infrastructure, a spectrum of development standards has been prepared to address the differing nature of development types and their associated impacts. Standard commercial development will have a three-story height limit and will be subject to the existing parking requirements, setback requirements, and lot coverage requirements as currently contained in Title 19.08. Mixed-use development will have a five-story height limit, with reduced parking, lot coverage and setback requirements; transit-oriented development will be allowed a ten-story height limit, also with reduced parking, lot coverage and setback requirements.

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Through a spectrum of allowable standards, intensity of development will be regulated by the impact of the development type.

Parking

Neither Title 19.04 nor Title 19.10 currently allows any reductions in parking requirements for mixed-use developments. Consequently, mixed-use developments are held to the same parking standards as single-use developments, and a number of Variance applications have been filed over the past year for mixed-use projects outside of the Downtown Centennial Plan area.

In reviewing mixed-use parking requirements that have been adopted by other municipalities, it was the opinion of the steering committee that the peak-hour parking model currently in use by Clark County was the most accurate method to determine the necessary parking for mixed-use developments. In addition, adoption of a common standard will assist to standardize regulations between the jurisdictional bodies in the Las Vegas Valley. The peak-hour parking tabulation requires the applicant to provide the maximum parking required for each use on the site, based on the percentage of occupancy for weekday and weekend time periods. The proposal includes further reductions for transit-oriented developments, as proximity to transit stations will likely reduce parking demand.

In conjunction with the adoption of a mixed-use parking standard, it is proposed that a parking demand analysis process also be established, allowing for alternatives to the parking requirements contained in Title 19.04 where a unique use or operation may result in a lesser parking requirement than identified in the code. The parking analysis would be required to be prepared by a registered traffic engineer, and would be approved through the Special Use Permit process.

Construction Staging

One of the concerns about mixed-use development is related to the staging of construction. Projects of this complexity often require lane closures on adjacent streets, off-site storage areas for materials, and other elements that impact adjacent properties and neighborhoods. The zoning code does not currently address construction staging requirements; approval of construction staging plans occurs as part of the building permit process.

In reviewing possible code amendments relative to construction staging, it was determined that construction staging information was difficult to provide during the entitlement process, as many elements related to construction are not finalized until construction documents are in process. As the impacts of construction staging can often be mitigated, it is recommended that construction staging requirements be placed upon projects as a condition of approval, rather than through an amendment to the zoning code.

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Impacts to Established Residential Neighborhoods

The Residential Adjacency Standards are the primary code requirements that currently assist in protecting residential neighborhoods. However, as previously indicated, the proximity slope requirements currently may be waived for mixed-use developments with a residential component. In addition, mixed-use development is currently allowed in the R-3 (Medium-Density Residential) and R-4 (High-Density Residential) zoning districts, which may impact residential areas.

The proposed ordinance removes the waiver from Residential Adjacency Standards for mixed-use developments, as the steering committee felt the 3:1 proximity slope was a preferable method for regulating the massing development adjacent to residential neighborhoods. The minimum standards for mixed-use development have been modified to require frontage on an arterial roadway; this way, development is directed towards areas where there is adequate roadway capacity and excluded from areas where there is insufficient capacity or ability to handle the traffic generated by the development type. It is also proposed that the landscape buffer requirements be modified for mixed-use developments to require larger trees in the buffer areas, so that additional screening will be provided. Finally, the amendment proposes to eliminate mixed-use development from the R-3 (Medium-Density Residential) and R-4 (High-Density Residential) zoning districts, so as to limit the impact to existing residential neighborhoods.

In addition to the changes described above, the following associated code elements are proposed for revision:

- Title 19.02.040: The description of the N-S (Neighborhood Service) District will be amended to include mixed-use development as a permitted development type.
- Title 19.04.010 – Condominiums: Condominiums are no longer allowed in commercial districts as a stand-alone use, but will continue to be allowed as part of a mixed-use or transit-oriented development.
- Title 19.04.010 – Minimum Standards for Mixed-Use Development: The minimum standards for mixed-use development will be expanded to require streetscape treatments, open space and/or recreational amenities, build-to requirements, and specific standards for parking lots and parking structures. The proposed minimum standards for transit-oriented development are similar to those required for mixed-use development.
- Title 19.04.010 – Height Exemption for Non-Restricted Gaming Facilities: The existing height exemption for properties within the Gaming Enterprise Overlay District will be extended to all non-restricted gaming properties in place prior to July 1997.
- Title 19.06.080: The Airport Overlay District regulations will be amended to require approval from the Clark County Department of Aviation prior to Planning Commission consideration of a Site Development Plan Review application for properties within the overlay areas; in addition, a Special Use Permit application will no longer be required.
- Title 19.08.030: The additional setback required for commercial development along Collector or Arterial streets will be deleted, as it proves contradictory to the proximity slope requirements listed in the Residential Adjacency Standards.

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- Title 19.08.050, Table 1 Notes: The notes section has been reorganized by category for ease of use. Redundant notes have been removed.
- Title 19.20.020: The definition for Mixed-Use Development has been revised, and a definition for Transit-Oriented Development has been added.

The following table summarizes all proposed changes:

Code Requirements	Existing Regulations	Proposed Regulations
Title 19.02.040 Purpose of Zoning Districts	• N-S (Neighborhood Service) Category: Does not currently reference mixed-use development	• N-S amended to allow mixed-use development
Title 19.04.010 Land Use Tables	• Condominiums allowed as a stand-alone use in commercial districts	• Condominiums allowed in commercial districts as part of a mixed-use or transit oriented development
	• Mixed-use development allowed in the R-3, R-4, P-R, N-S, O, C-1, C-2 and C-PB Districts	• Mixed-use development no longer allowed in the R-3, R-4, P-R and O Districts; transit-oriented development allowed in C-1, C-2 and C-PB Districts
	• Minimum standards for mixed-use development require non-residential uses at the ground floor and require architectural variation	• Minimum standards for mixed-use development have been expanded to require frontage on an arterial roadway; a minimum parcel size; a minimum building frontage requirement; parking lot and parking structure requirements; streetscape requirements; additional buffering requirements adjacent to residential; and open space and/or recreational amenity requirements (transit-oriented development standards are similar)
Title 19.06.080 Airport Overlay District	• Any structure over the height limits indicated on the overlay maps requires the submittal of a Special Use Permit application	• Structures that exceed the height limits shall be reviewed as part of a Site Development Plan Review application
	• Applicants required to notify the FAA and Clark County Department of Aviation prior to submittal of application to the City	• Applicants required to provide proof of approval prior to consideration by Planning Commission
Title 19.08.030 Building Heights Along Collectors and Arterials	• Additional front setback required for buildings over 35 feet in height	• Additional setback requirement deleted
Title 19.08.050 Commercial Development Standards	• No height limit in C-1, C-2, C-M and M zoning districts	• 3-story height limit for C-1, C-2 and C-PB district
	• 10 stories/150' height limit for mixed-use development	• 5 stories/55' height limit for mixed-use development, and 10 stories/125' height limit for transit-oriented development

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	• Properties within the Gaming Enterprise Overlay exempt from automatic application of height requirements	• Height exemption extended to include non-restricted licensed resort hotel properties established prior to 16 July 1997
Title 19.08.060 Residential Adjacency Standards	• 3:1 proximity slope may be waived for mixed-use developments	• 3:1 proximity slope waiver deleted
Title 19.10 Parking Alternatives	• No mixed-use parking standard in place	• New mixed-use parking standard , proposed; additional parking reductions allowed for transit-oriented development
	• No alternate parking standard provided for unique uses or operations	• Parking Demand Analysis allowed for unique uses or operations upon approval of a Special Use Permit
Title 19.18.050 Site Development Plan Review	• No traffic data required for Site Development Plan Review applications	• Preliminary trip generation required for projects that exceed established thresholds
Title 19.20.020 Definitions	• Definition does not clearly define the intent of the mixed-use regulations	• Definition for mixed-use development modified and expanded; definition for transit-oriented development added

FINDINGS

The proposed ordinance will accomplish the following:

- Revise the existing mixed-use regulations to focus mixed-use development in areas that are appropriate for the development type;
- Create a new use category for transit-oriented development to encourage the development of mass transit and to direct more intense development to areas along transit lines;
- Adopt new parking standards for mixed-use development that are based on specific uses within the development and the ability to share parking between uses;
- Require applicants to submit peak-hour traffic statistics in order to provide Planning Commission and City Council will adequate information to determine impacts of proposed development at the entitlement stage; and
- No longer allow Waivers from Residential Adjacency Standards in order to protect existing residential neighborhoods.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT

N/A

SENATE DISTRICT

N/A

NOTICES MAILED

NEWSPAPER ONLY

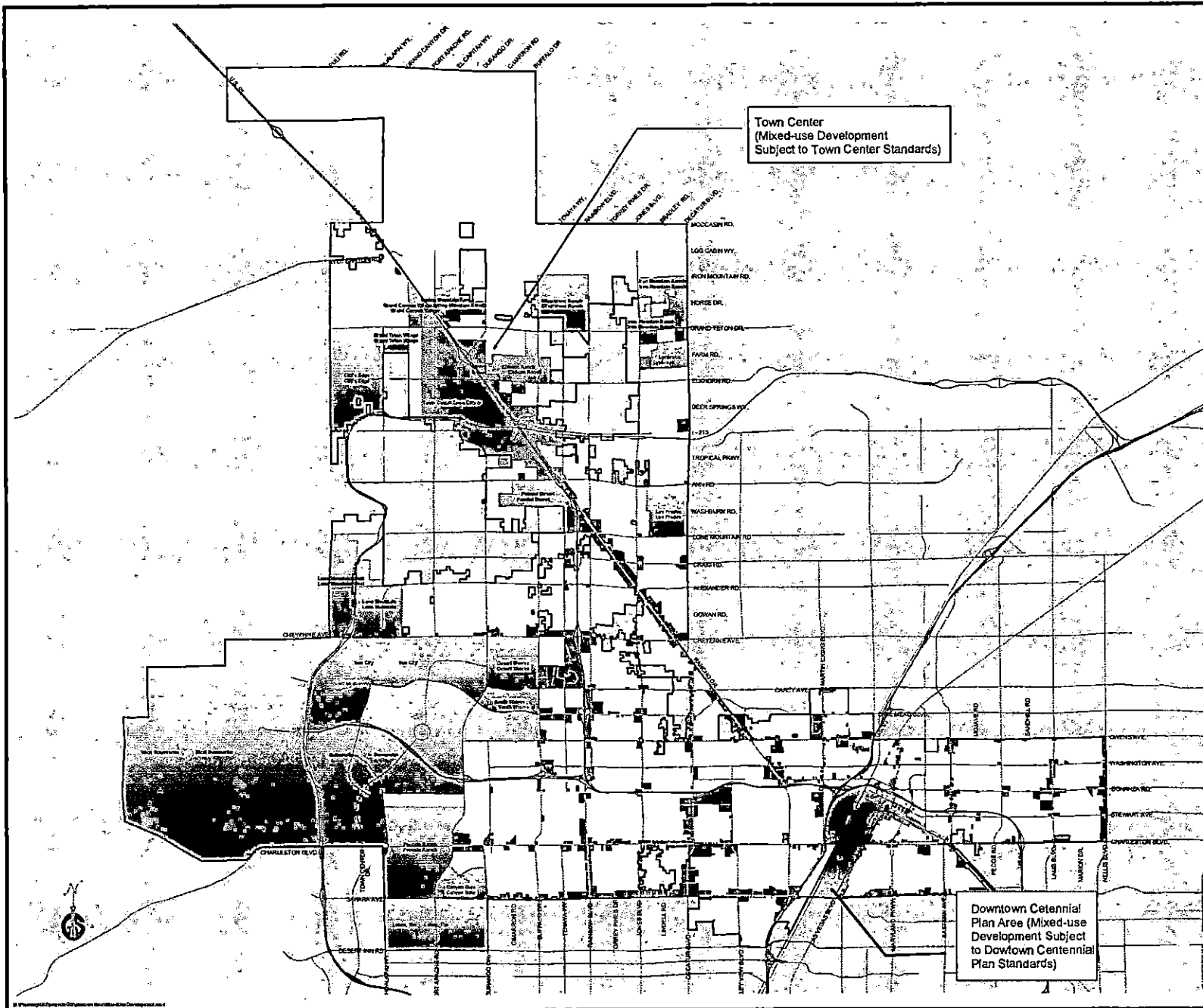
APPROVALS

0

PROTESTS

0

FF



City of Las Vegas Mixed Use Development

-  N-S - Neighborhood Services
-  C-1 - Limited Commercial
-  C-2 - General Commercial
-  C-PB - Planned Business Park
-  Las Vegas Downtown Centennial Plan
-  Town Center
-  Master Planned Communities

Mixed Use Development
Regulations Apply to the
N-S, C-1, C-2, And C-PB
Zoning Districts

TXT-17570
01/11/07 PC



GIS maps are routinely produced
only to meet the needs of the City.
Due to continuous site placement entry
this map is for reference only.
Geographic Information System
Planning & Development Dept.
702-225-6300



Printed: October 03, 2006

City of Las Vegas Transit Oriented Development

-  C-1 - Limited Commercial
-  C-2 - General Commercial
-  Las Vegas Downtown Centennial Plan
-  Town Center
-  Master Planned Communities

Potential BRT Corridors

-  5th Street Line
-  Boulder Highway Line
-  Rancho Line
-  Sahara Line

Transit Oriented Development
Regulations Apply to the
C-1 And C-2 Zoning Districts
Along Transit Lines

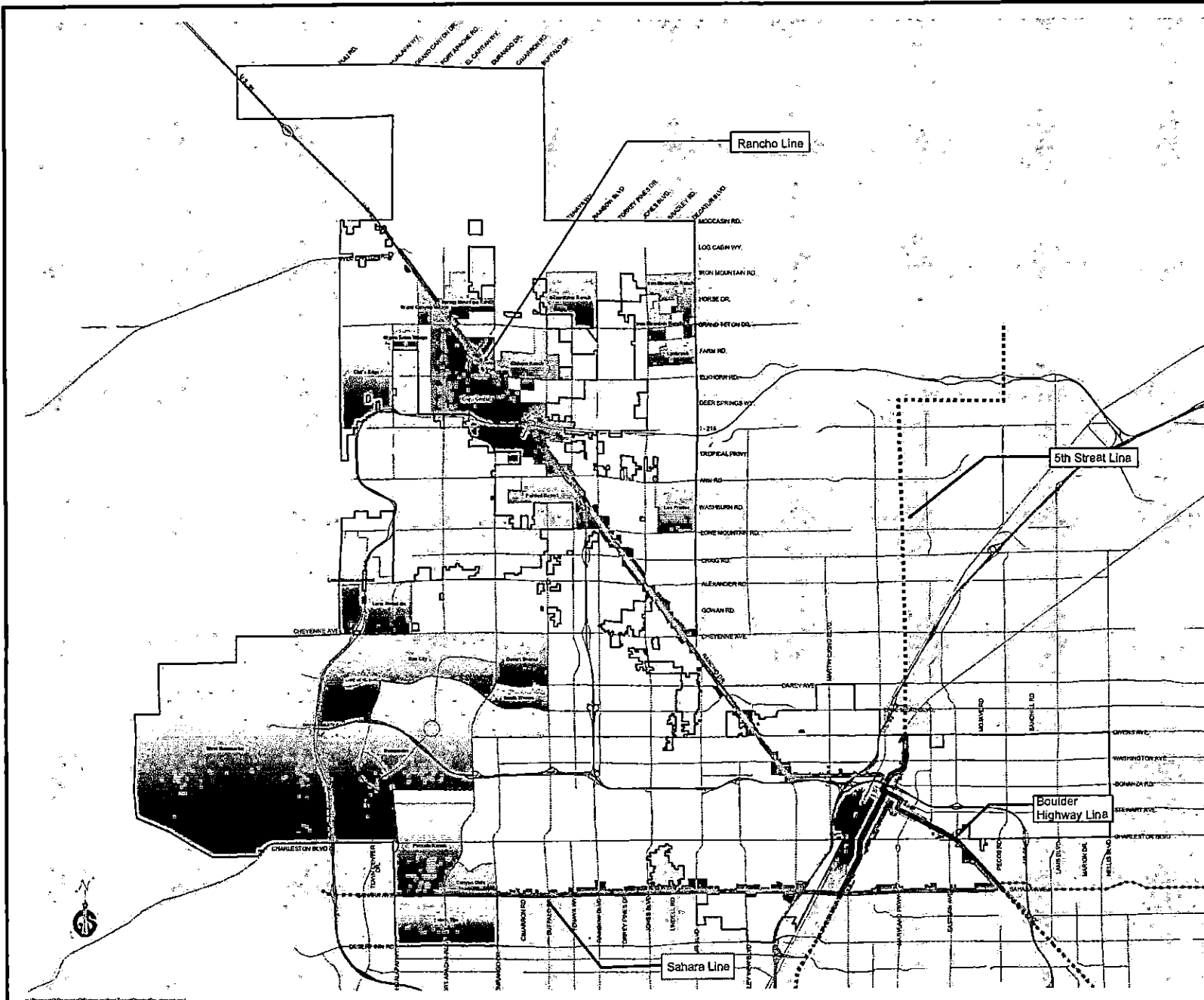
TXT-17570 01/11/07 PC



GIS maps are normally produced
only to meet the needs of the City.
Due to software development acts by
the state in the reference only.
Geographic Information System
Planning & Development Dept.
702.276.6301



Printed: October 03, 2006



MORE INTENSE

LESS INTENSE

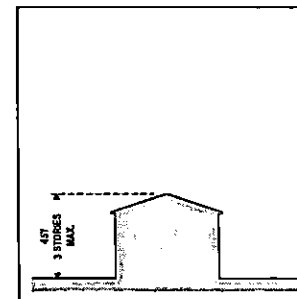
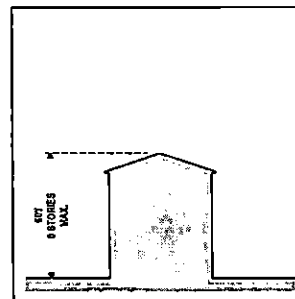
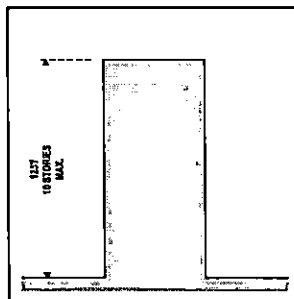
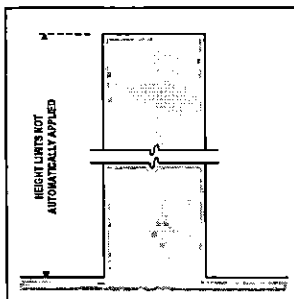
**DOWNTOWN
CENTENNIAL
PLAN AREA**

**TRANSIT-ORIENTED
DEVELOPMENT**

**MIXED-USE
DEVELOPMENT**

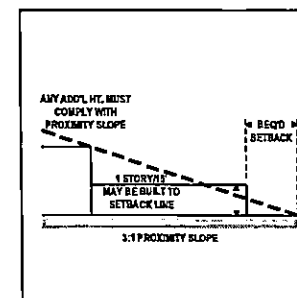
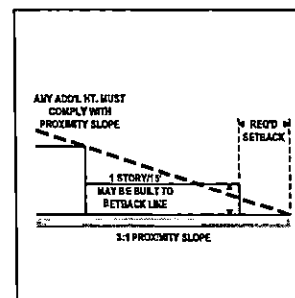
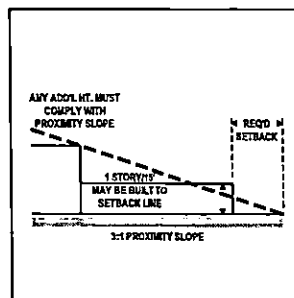
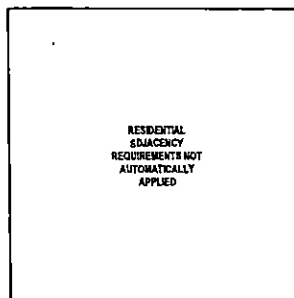
**ALL OTHER
COMMERCIAL
DEVELOPMENT**

HEIGHT



HEIGHT

RES. ADJACENCY



RES. ADJACENCY

ZONING DISTRICTS
LOCATION REQUIREMENTS
MINIMUM PARCEL SIZE
FRONT/CORNER SIDE SETBACK
BUILD-TO LINE REQUIREMENT
LOT COVERAGE
PEDESTRIAN OPEN SPACE/PLAZA
STREETSCAPE
LANDSCAPE BUFFER ADJ. TO RES.

PER CENTENNIAL PLAN
GENTENNIAL PLAN AREA
N/A
0'
80% OF FRONTAGE
UP TO 100%
(AS HEIGHT BONUS ONLY)
REQUIRED
N/A

C-1, C-2
WITHIN 660' OF BRT/LIGHT RAIL STATION
2 ACRES
10'
60% OF FRONTAGE
UP TO 85%
REQUIRED
REQUIRED
PER TITLE 19.12; ADD'L. REQUIREMENTS

M-S, C-1, C-2, C-PB
FRONTAGE ON PRIMARY ARTERIAL
1 ACRE
10' (C-1, C-2)
60% OF FRONTAGE
UP TO 75%
REQUIRED FOR CERTAIN THRESHOLDS
REQUIRED
PER TITLE 19.12; ADD'L. REQUIREMENTS

N/A
N/A
PER ZONING DISTRICT
PER ZONING DISTRICT
PER ZONING DISTRICT
PER ZONING DISTRICT
PER TITLE 19.08
N/A
PER TITLE 19.12

ZONING DISTRICTS
LOCATION REQUIREMENTS
MINIMUM PARCEL SIZE
FRONT/CORNER SIDE SETBACK
BUILD-TO LINE REQUIREMENT
LOT COVERAGE
PEDESTRIAN OPEN SPACE/PLAZAS
STREETSCAPE
LANDSCAPE BUFFER ADJ. TO RES.

TXT-17570

01/11/07 PC

**MIXED-USE/TRANSIT-ORIENTED DEVELOPMENT STANDARDS
(DRAFT #1)**

PLANNING & DEVELOPMENT DEPARTMENT
CITY OF LAS VEGAS
DECEMBER 2006

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 11, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - TXT-18023 - TEXT AMENDMENT - PUBLIC HEARING -
APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend The City of Las Vegas Subdivision Ordinance and the Las Vegas Zoning Code to update and revise various Title 18 and Title 19 requirements and make corrections and clarifications as appropriate.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

1. Conditions and Staff Report
2. Supporting Documentation

MOTION:

TRUESDELL – APPROVED subject to conditions – UNANIMOUS

To be forward to City Council in Ordinance Form

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

FLINN FAGG, Planning and Development Department, stated this proposed amendment is meant to correct portions to Title 18 related to mapping and the recording of maps. This amended to correct any invalid references within Title 18, to correct signature blocks related to final, reversionary and tentative maps and it would correct references to site visibility zones. He noted the latest revision was intended to correct any clerical errors

COMMISSIONER TRUESDELL observed these corrections would clarify the City's subdivision code and expressed his support.

PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 42 – TXT-18023

MINUTES – Continued:

CHAIRMAN DAVENPORT declared the Public Hearing closed.
(9:48 – 9:50)
3-968

CONDITIONS:

Planning and Development

1. Title 18.08.030(B), “Approval – Conformance With Zoning Requirements,” is hereby amended as follows:
 - (B) In cases where approval of a rezoning or a site development plan review is necessary before a tentative map can be approved:
 - (1) The Director ~~may~~ must withhold presentation of the tentative map to the Planning Commission until at least two weeks after the City Council’s final approval of the rezoning or site development plan review application, or both; and
 - (2) The Director may extend the time for reviewing the tentative map if the Council’s rezoning or site development plan approval requires that additional issues be addressed or changes made before map approval can occur; and
 - (3) In cases where a rezoning is unnecessary and Planning Commission has final approval of a site development plan review application, no tentative map application shall be accepted until the Planning Commission has approved the site development plan review application.
2. Title 18.08.100, “Tentative Map Requirements,” is hereby amended as follows:

18.08.100 TENTATIVE MAP REQUIREMENTS

A tentative map shall indicate, without limitation:

 - (A) Demonstration of compliance with the necessary streets, traffic circulation and access points, driveways, site visibility restriction zones, residential parking, walls, and landscaping requirements set forth in this Title, including compliance with Sections 18.12.204 and 18.12.300; preliminary drawings must contain sufficient information to demonstrate compliance

PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 42 – TXT-18023

CONDITIONS – Continued:

with good traffic control practices, applicable standards and ordinances as determined by the City Traffic Engineer. And

- (B) Any and all trails that are necessary to be provided in accordance with the City's Master Plan and ordinances.

3. Title 18.08.110(B)(3), "Proposed Perimeter Grades," is hereby amended as follows:

- (3) Shows the maximum grade differentials; [Note: This is for correction purposes only]

4. Title 18.08.160, "Recordation Time Limits," is hereby amended as follows:

18.08.100 TENTATIVE MAP REQUIREMENTS

- (A) If a final map is not approved and recorded within:

- (1) Two years following the date of approval of the tentative map; or
(2) One year following the date of approval of a previously-recorded final map covering a portion of the tentative map; or
~~(3) One year following an extension of time granted pursuant to Section 18.08.170, the tentative map application and approval shall lapse and a new tentative map shall be required. Tentative maps are not eligible for an extension of time.~~ An extension of time may be granted in accordance with Title 18.08.170 only if application therefor is made prior to the expiration of the approval.

- (B) For a phased project, the first of a series of final maps covering a portion of the approved tentative map must be approved and recorded within two years following the date of approval of the tentative map. Subsequent final maps must be approved and recorded within one year following the date of the approval of the previously recorded final map, unless an extension is granted pursuant to Section 18.08.170, or all further proceedings concerning the subdivision shall be terminated.

5. Title 18.08.170, "Recordation Extension of Time," is hereby amended as follows:

18.08.170 RECORDATION EXTENSION OF TIME

~~By delegation~~ Upon application, the Director may grant a single one-year extension of time within which to present and record a final map or any one of a series of final maps

PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 42 – TXT-18023

CONDITIONS – Continued:

- (B) Any and all trails that are necessary to be provided in accordance with the City's Master Plan and ordinances.
3. Title 18.08.110(B)(3), "Proposed Perimeter Grades," is hereby amended as follows:
- (3) Shows the maximum grade differentials; *[Note: This is for correction purposes only]*
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18.08.100 TENTATIVE MAP REQUIREMENTS

- (A) If a final map is not approved and recorded within:
 - (1) Two years following the date of approval of the tentative map; or
 - (2) One year following the date of approval of a previously-recorded final map covering a portion of the tentative map; or
 - (3) ~~One year following an extension of time granted pursuant to Section 18.08.170, the tentative map application and approval shall lapse and a new tentative map shall be required. Tentative maps are not eligible for an extension of time.~~ An extension of time may be granted in accordance with Title 18.08.170 only if application therefor is made prior to the expiration of the approval.
 - (B) For a phased project, the first of a series of final maps covering a portion of the approved tentative map must be approved and recorded within two years following the date of approval of the tentative map. Subsequent final maps must be approved and recorded within one year following the date of the approval of the previously recorded final map, unless an extension is granted pursuant to Section 18.08.170, or all further proceedings concerning the subdivision shall be terminated.
5. Title 18.08.170, "Recordation Extension of Time," is hereby amended as follows:
- 18.08.170 RECORDATION EXTENSION OF TIME**

~~By delegation~~ Upon application, the Director may grant a single one-year extension of time within which to present and record a final map or any one of a series of final maps.

PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 42 – TXT-18023

CONDITIONS – Continued:

covering a portion of the tentative map, ~~except that no extension may be granted if a final map, or the first in a series of final maps, is not recorded within two years following the date of approval of the tentative map.~~

6. Title 18.08.180, "Tentative Map Review Typical Process," is hereby amended to include a revised Figure 1.

Please see the revised chart attached to the end of this report.

7. Title 18.12.160, "Intersections – Length," is hereby amended as follows:

18.12.160 Intersections--Length.

Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred twenty feet, measured from centerline to centerline. Intersections of streets providing service internally within a subdivision, where they do not intersect arterial or major streets, shall be offset a minimum of one hundred twenty-five feet. The City Traffic Engineer may, at his discretion, allow separation distances different from those listed herein provided the applicant can demonstrate that the alternative design can safely accommodate traffic circulation.

8. Title 18.12.210, "Sight Clearance," is hereby amended as follows:

18.12.210 ~~SIGHT CLEARANCE~~ SIGHT VISIBILITY RESTRICTION ZONE (SVRZ).

A minimum sight visibility restriction zone ~~clearance for unobstructed vision~~ shall be provided at all intersections, including roadway with roadway and driveway with roadway intersections in accordance with the latest Uniform Standard Drawing Clark County Area 201.2 (U.S.D.C.C.A.) or the latest edition of American Association of State Highway and Transportation Officials (AASHTO). The areas of unobstructed vision shall be detailed on all plans that depict drainage, grading, fence layout, landscaping or other construction improvements. If required by the City Traffic Engineer, an additional exhibit detailing the SVRZ shall be recorded and a copy shall be submitted to the City plans library. The final map shall provide a general statement making reference to the latest approved construction improvement plan. If a separate SVRZ exhibit is required by the City Traffic Engineer, the final map shall make reference to this recorded document by book and instrument.

PLANNING COMMISSION MEETING OF JANUARY 11, 2007
Planning and Development Department
Item 42 – TXT-18023

CONDITIONS – Continued:

~~number City standards. The areas of unobstructed vision shall be detailed on the final map or included by reference, and shall be noted as areas where improvements are restricted by City standards. The requirement for unobstructed vision shall apply to the location of all public and private facilities and improvements as determined by the Director of Public Works. All plans regarding drainage, grading, fence layout and other construction shall reflect compliance with the unobstructed vision requirement.~~

9. Title 18.12.470, "Fire Hydrants – Location," is hereby amended as follows:

18.12.470 FIRE HYDRANTS – LOCATION.

Hydrants shall be located in conformance with applicable Standard Drawings and the Uniform Fire Code. No hydrant shall be located inside or within twenty feet of the required right-of-way radius of a cul-de-sac. Public fire hydrant easements shall be provided for all public fire hydrants not located within public street rights-of-way.

10. Title 18.24.010, "Adopted," is hereby amended as follows:

18.22.010 ADOPTED

There are adopted, as part of this Chapter, ~~five~~ seven appendices, designated as Appendices "A," "B," "C," "D", and ~~"E"~~, "F", and "G" which are attached to the ordinance codified in this Chapter and copies of which shall be maintained in the office of the City Clerk and the Department of Planning and Development.

11. Subsection C(1) and C(2) of Appendix A, "Parcel Map Application Checklist," are hereby amended as follows:

(C) Parcel Map Contents:

1. Certificate of ownership, granting of easements and dedication of and easement dedication, dedicating easements, alleys, streets, highways or other public ways as shown on the map (per Appendix ~~EE~~);
2. Certificate of land surveyor, signed and sealed by the professional land surveyor who was responsible for the survey (per Appendix ~~EE~~);

(No other changes to the remaining portions of Subsection C are proposed.)

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CONDITIONS – Continued:

12. Subsection A(8) of Appendix B, "Tentative Map Application Checklist," is hereby amended as follows:

(A) Tentative Map Contents

8. Existing and proposed lot lines and dimensions. Each proposed lot shall be numbered in sequence, ~~and each block shall be numbered or lettered.~~ Letters may be used to identify common lots.

13. Section A of Appendix C, "Final Map Contents," is hereby amended as follows:

(A) Final Map Contents

1. Name of proposed subdivision (which should include designation as a condominium, townhouse, residential planned development, ~~or commercial subdivision~~ or mixed use commercial/residential condominium, if applicable).

(There are no changes to sections 2, 3, and 4.)

5. Existing and proposed lot lines and dimensions, including the square footage of all proposed lots. Each lot shall be numbered in sequence, ~~and each block shall be numbered or lettered.~~ Letters may be used to identify common lots.

(There are no changes to sections 6 through 13.)

- ~~14. Areas of unobstructed vision at intersections, as described in Chapter 18.12.~~

- ~~14.15.~~ Note on the map whether streets, drainage corridors, sewer corridors, parks, trails, open spaces and schools are to be public or private.

- ~~15.16.~~ Note on the map that above ground utility boxes shall not be placed within trail corridors, if trail areas are designated on the map.

- ~~16.~~ Note on the map referring to the latest approved construction improvement plans regarding Sight Visibility Restriction Zones (SVRZ). If a separate exhibit is required by the City Traffic Engineer, reference to this recorded document shall be included on the final map.

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CONDITIONS – Continued:

14. Appendix E, "Required Certificates (Final Map)," is hereby deleted in its entirety and amended as follows:

APPENDIX E

REQUIRED CERTIFICATES (FINAL MAP)

A. Owner's Certificate

1. For residential subdivisions, the Owners Certificate shown on the final map shall be in substantially the following form, with necessary modifications consistent with project needs to be made by the owner or map applicant:

_____, does hereby certify that (I/we) am/are the owner(s) of the parcel of land which is shown upon the plat of _____, and does hereby consent to the preparation and recordation of this plat, and does hereby offer and dedicate to the City of Las Vegas all the streets (except private streets), and public rights-of-way as indicated and outlined hereon for the use of the public and hereby grants to the City of Las Vegas easements as indicated and outlined hereon, for the use of the public. No part of the parcels marked "Not a part of this subdivision" is offered for dedication.

Furthermore, the undersigned owner of the within platted lands, does hereby grant and convey to Nevada Power Company and Embark Corporation (jointly and severally), Southwest Gas Corporation, Las Vegas Valley Water District, Cox Communications Las Vegas, Inc., and _____ (any other utilities authorized to provide service) and to their respective successors and assigns: (i) a three-foot wide easement on all side property lines, exclusive of easements for drainage, sewer, trails, and all other public use easements; (ii) a three-foot wide easement from property line to meter panel to provide access for underground service; (iii) a five-foot wide easement on all property lines that abut public and

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CONDITIONS – Continued:

private streets, exclusive of easements for drainage, sewer, trails, and all other public use easements, to include access to above-ground transformer pads; and (iv) a two-foot wide easement around each transformer pad within the platted lands for the construction, maintenance, operation and final removal of street lights, fire hydrants, underground power, telephone, gas, water and cable television lines and appurtenances, together with the right of ingress thereto and egress therefrom.

Provided, however, that no above-ground utility vault that would substantially interfere with the intended use of a trail corridor shall be allowed within any easement, corridor, or common lot designated as a public multi-use trail easement area, and no such easement right shall be granted to the above listed utility companies, nor any other party, in conflict with this statement. (this paragraph to be used only if a trail is being granted and/or dedicated to City of Las Vegas.)

Further, the undersigned owner hereby grants and conveys to the City of Las Vegas and to its successors and assigns a five-foot wide easement adjacent to all property lines where lots or common areas abut public streets for purposes of placing public fire hydrants and public streetlights, traffic signals, conduits and appurtenances, and an additional easement of up to two feet in radius from each fire hydrant and streetlight, traffic signal, conduit and appurtenance to extend beyond the five-foot easement if necessary, together with the right of ingress to and egress from these easements.

Dated this _____ day of 20__.

2. For commercial subdivisions, planned unit developments and condominium developments, the Owners Certificate shown on the final map shall be in substantially the following form, with necessary modifications consistent with project needs to be made by the owner or map applicant:

_____, does hereby certify that (I/we)
am/are the owner(s) of the parcel of land which is shown upon the

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CONDITIONS – Continued:

plat of _____, and does hereby consent to the preparation and recordation of this plat, and does hereby offer and dedicate to the City of Las Vegas all the streets (except private streets), and public rights-of-way as indicated and outlined hereon for the use of the public and hereby grants to the City of Las Vegas easements as indicated and outlined hereon, for the use of the public. No part of the parcels marked "Not a part of this subdivision" is offered for dedication.

Furthermore, the undersigned owner of the within platted lands, does hereby grant and convey to Nevada Power Company and Embarq, Southwest Gas Corporation, Las Vegas Valley Water District, Cox Communications Las Vegas, Inc. and _____ (any other utilities authorized to provide service) jointly and severally, and to their respective successors and assigns, a permanent easement within the area shown hereon as private streets, common areas and all areas not occupied by any building for the construction, maintenance, operation and final removal of street lights, if any, and fire hydrants, underground power, telephone, gas, water and cable television lines and appurtenances, together with the right of ingress thereto and egress therefrom.

Provided, however, that no above-ground utility vault that would substantially interfere with the intended use of a trail corridor shall be allowed within any easement, corridor, or common lot designated as a public multi-use trail easement area, and no such easement right shall be granted to the above listed utility companies, nor any other party, in conflict with this statement. (This paragraph to be used only if a trail is being granted and/or dedicated to City of Las Vegas.)

Further, the undersigned owner hereby grants and conveys to the City of Las Vegas and to its successors and assigns a permanent easement within the area shown hereon as private streets, common areas and all areas not occupied by any building for the

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CONDITIONS – Continued:

construction, maintenance, operation and final removal of public street lights, if any, traffic signals, conduits and appurtenances, and public fire hydrants, together with the right of ingress to and egress therefrom.

3. For reversionary final maps, or reversions to acreage involving final maps, the Owner's Certificate shall be in substantially the following form:

_____, does hereby certify that (I/we) am/are the owner(s) of the parcel(s) of land which is/are shown within the boundary of this plat and does/do consent to the preparation and recordation of this plat for the purpose of reverting to acreage the parcel(s) of land delineated hereon.

B. Surveyor's Certificate

- (1.) Final Maps:

I, (name of surveyor), a Professional Land Surveyor licensed in the State of Nevada, certify that:

1. This plat represents the results of a survey conducted under my direct supervision at the instance of (owner or map applicant).
2. The lands surveyed lie within _____ (Section, Township, Range, Meridian and, if required by the City Surveyor, a description by metes and bounds for any subdivision which is divided into lots containing 5 acres in area or less), and the survey was completed on (date of survey).
3. This plat complies with the applicable state statutes and any local ordinances in effect on the date that the local government gave its final approval.
4. The monuments depicted on the plat are of the character shown, occupy the positions indicated and are of sufficient number and durability.

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CONDITIONS – Continued:

(Or)

- 4a. The monuments depicted on the plat will be of the character shown and occupy the positions indicated by (date to be determined by CLV personnel) and an appropriate financial guarantee will be posted with the City before recordation to assure the installation of the monuments.

_____ Name of Surveyor	_____ *License/Registration No. and Seal
*map must be stamped and sealed prior to submittal to a government agency per NAC 625.610(4)	

(2.) Reversionary Final Maps:

I, (name of surveyor), a Professional Land Surveyor licensed in the State of Nevada, certify that:

1. This plat represents the results of a survey conducted under my direct supervision at the instance of (owner or map applicant).
2. The lands surveyed lie within _____ (Section, Township, Range, Meridian).
3. This plat complies with the applicable state statutes and any local ordinances in effect on the date that the local government gave its final approval.
4. This map has been prepared from information shown on (list recording information for map or maps). No responsibility is assumed for the existence of the monuments or for correctness of other information shown on or copied from said map(s).

_____ Name of Surveyor	_____ *License/Registration No. and Seal
*map must be stamped and sealed prior to submittal to a government	

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CONDITIONS – Continued:

agency per NAC 625.610(4)

C. Certificate of City Surveyor

I, (name of current City Surveyor), City Surveyor of the City of Las Vegas, do hereby certify that I have examined the (Reversionary) Final Subdivision map of (name of subdivision) and am satisfied that the map is technically correct.

(If monuments have not been set, the certificate must include the following statement:)

Monuments have not been set, but a proper performance bond has been deposited to guarantee their setting on or before (date to be determined by CLV personnel).

(If a Reversionary Final Map, no monument statement is needed.)

City Surveyor, PLS

Date

D. Certificate of District Board of Health

This final map is approved by the Southern Nevada Health District. This approval concerns sewage disposal, water pollution, water quality and water supply facilities and is predicated upon plans for a (public, private) water supply and (a community system, individual systems) for disposal of sewage.

(Print name under signature)
Southern Nevada Health District

Date

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CONDITIONS – Continued:

E. Certificate of Division of Water Resources

This final map is approved by the Division of Water Resources of the Department of Conservation and Natural Resources concerning water quantity, subject to the review of approval on file in this office.

(Print name under signature)
Division of Water Resources

Date

F. Certificate of Director of Planning and Development

(1.) Final Maps:

I certify that this final map substantially complies with the tentative map and any approved alterations thereto; that the map complies with applicable statutory and ordinance provisions; that all conditions imposed upon the final map have been met; and that the map was approved and the parcels herein were accepted for dedication by the Director of Planning and Development on the ____ day of _____, 20__.

(Print name under signature)
Director of Planning and Development

Date

(2.) Reversionary Final Maps:

This is to certify that the Director of Planning and Development, City of Las Vegas, Clark County, Nevada, on this ____ day of _____, 20__, did approve for the purposes of reverting to acreage, this map in conformance with N.R.S. 278.010 through 278.630, inclusive.

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CONDITIONS – Continued:

_____	_____
	Date

Director of Planning and Development	
(Print name under signature)	

G. Certificate of Easement Recipients

We, the herein named easement recipients, approve the grant of the designated easements:

Southwest Gas Corporation

_____	_____
	Date

(Print name under signature)	

Nevada Power Company

_____	_____
	Date

(Print name under signature)	

Embarq Corporation

_____	_____
	Date

(Print name under signature)	

Cox Communications Las Vegas, Inc.

_____	_____

Date

(Print name under signature)

Las Vegas Valley Water District

Date

(Print name under signature)

City of Las Vegas, City Engineer

Date

(Print name under signature)

(Additional Authorized Utility, if any)

Date

(Print name under signature)

NOTE: Easement Recipients are not included on Reversionary Final Maps.

H. Certificate of Acknowledgment

1. The following certificate is sufficient for an acknowledgment in an individual capacity:

ACKNOWLEDGMENT

State of Nevada
County of Clark

This instrument was acknowledged before me on _____ (date)
by [name(s) of person(s)] .

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CONDITIONS – Continued:

(Signature of notarial officer)
(Seal, if any)

(Title and rank)
(My commission expires: _____)

2. The following certificate is sufficient for an acknowledgment in a corporate capacity:

ACKNOWLEDGMENT

State of Nevada
County of Clark

This instrument was acknowledged before me on _____ (date)
by [name(s) of person(s)] as (type of authority, e.g., officer,
trustee, etc.) of (name of party on behalf of whom instrument
was executed) _____.

(Signature of notarial officer)
(Seal, if any)

(Title and rank)
(My commission expires: _____)

NOTE: An appropriate Certificate for Attorney-in-Fact may be substituted for the Certificate of Acknowledgement if deemed equivalent by the Director of Public Works.

15. Appendix F, "Required Certificates (Parcel Map)," is hereby added as follows:

APPENDIX F

REQUIRED CERTIFICATES (PARCEL MAP)

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CONDITIONS – Continued:

A. Owner's Certificate

1. The Owners Certificate shown on the parcel map shall be in substantially the following form, with necessary modifications consistent with project needs to be made by the owner or map applicant:

_____, does hereby certify that being the owner of the land which is shown hereon, does consent to the preparation and recordation of this parcel map, and has caused the land to be surveyed and platted into parcels and does hereby offer and dedicate to the City of Las Vegas, Nevada, its successors and assigns, all public streets and rights-of-way to and for the use of the public, and grants easements as shown hereon.

Further, the undersigned owner hereby grants and conveys to the City of Las Vegas and to its successors and assigns a five-foot wide easement adjacent to all property lines where lots or common areas abut public streets for purposes of placing public fire hydrants and public streetlights, traffic signals, conduits and appurtenances, and an additional easement of up to two feet in radius from each fire hydrant and streetlight, traffic signal, conduit and appurtenance to extend beyond the five-foot easement if necessary, together with the right of ingress to and egress from these easements.

Provided, however, that no above-ground utility vaults that would substantially interfere with the intended use of the trail corridor shall be allowed within any easements, corridors, or common lots designated as public multi-use trail easement areas, and no such easement rights shall be granted to the above listed utility companies, nor any other parties, in conflict with this statement. (This paragraph to be used only if trails exist)

Dated this _____ day of 20__.

2. For reversionary parcel maps, or reversions to acreage involving parcel maps, the Owner's Certificate shall be in substantially the following form:

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CONDITIONS – Continued:

_____, does hereby certify that (I/we) am/are the owner(s) of the parcel(s) of land which is/are shown within the boundary of this map and does/do consent to the preparation and recordation of this map for the purpose of reverting to acreage the parcel(s) of land delineated hereon.

B. Surveyor's Certificate

(1.) Parcel Maps:

I, (name of surveyor), a Professional Land Surveyor licensed in the State of Nevada, certify that:

1. This map represents the results of a survey conducted under my direct supervision at the instance of (owner or map applicant).
2. The lands surveyed lie within _____ (Section, Township, Range, Meridian) and the survey was completed on (date of survey).
3. This plat complies with the applicable state statutes and any local ordinances in effect on the date that the local government gave its final approval.
4. The monuments depicted on the plat are of the character shown, occupy the positions indicated and are of sufficient number and durability.

(Or)

- 4a. The monuments depicted on the plat will be of the character shown and occupy the positions indicated by (date to be determined by CLV personnel) and an appropriate financial guarantee will be posted with the City before recordation to assure the installation of the monuments.

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CONDITIONS – Continued:

Name of Surveyor *License/Registration No. and Seal
*map must be stamped and sealed prior to submittal to a government
agency per NAC 625.610(4)

(2.) Reversionary Parcel Maps:

I, (name of surveyor) , a Professional Land Surveyor licensed in the
State of Nevada, certify that:

1. This map represents the results of a survey conducted under my
direct supervision at the instance of (owner or map
applicant) .
2. The lands surveyed lie within _____ (Section,
Township, Range, Meridian).
3. This map complies with the applicable state statutes and any local
ordinances in effect on the date that the local government gave its
final approval.
4. This map has been prepared from information shown on (list
recording information for map or maps). No responsibility is
assumed for the existence of the monuments or for correctness of
other information shown on or copied from said map(s).

Name of Surveyor *License/Registration No. and Seal
*map must be stamped and sealed prior to submittal to a government
agency per NAC 625.610(4)

C. Certificate of City Surveyor

I, (name of current City Surveyor) , City Surveyor of the City of Las
Vegas, do hereby certify that I have examined the (Reversionary) Parcel
Map and am satisfied that the map is technically correct.

(If monuments have not been set, the certificate must include the following
statement:)

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CONDITIONS – Continued:

Monuments have not been set, but a proper performance bond has been deposited to guarantee their setting on or before (date to be determined by CLV personnel) .

(If a Reversionary map, no monument statement is needed.)

City Surveyor, PLS

Date

D. Certificate of Director of Planning and Development

(1) Parcel Maps:

I certify that this parcel was approved and the parcels herein were accepted for dedication by the Director of Planning and Development on the ____ day of _____, 20__.

Date

(Print name under signature)

Director of Planning and Development

(2) Reversionary Parcel Maps:

This is to certify that the Director of Planning and Development, City of Las Vegas, Clark County, Nevada, on this ____ day of _____, 20__, did approve for the purposes of reverting to acreage, this map in conformance with N.R.S. 278.010 through 278.630, inclusive.

Date

Director of Planning and Development
(Print name under signature)

E. Certificate of Acknowledgment

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CONDITIONS – Continued:

1. The following certificate is sufficient for an acknowledgment in an individual capacity:

ACKNOWLEDGMENT

State of Nevada
County of Clark

This instrument was acknowledged before me on (date)
by [name(s) of person(s)].

(Signature of notarial officer)
(Seal, if any)

(Title and rank)
(My commission expires: _____)

2. The following certificate is sufficient for an acknowledgment in a corporate capacity:

ACKNOWLEDGMENT

State of Nevada
County of Clark

This instrument was acknowledged before me on (date)
by [name(s) of person(s)] as (type of authority, e.g., officer, trustee, etc.) of (name of party on behalf of whom instrument was executed).

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CONDITIONS – Continued:

(Signature of notarial officer)
(Seal, if any)

(Title and rank)
(My commission expires: _____)

NOTE: An appropriate Certificate for Attorney-in-Fact may be substituted for the Certificate of Acknowledgement if deemed equivalent by the Director of Public Works.

16. Appendix G, "Required Certificates (Record-of-Survey For Boundary Line Adjustment)," is hereby added as follows:

APPENDIX G

REQUIRED CERTIFICATES

(RECORD-OF-SURVEY FOR BOUNDARY LINE ADJUSTMENT)

A. Owner's Certificate

1. The Owners Certificate shown on the record-of-survey shall be in substantially the following form, with necessary modifications consistent with project needs to be made by the owner or map applicant:

_____, and _____ do hereby certify that being the owners of the lands as shown hereon have caused a Boundary Line Adjustment survey to be performed as indicated hereon, and that we have examined and approved this plat and consent to and authorize the recordation of the same. Further, we agree to prepare and execute the required documents creating any and all easements as shown hereon and to execute all required documentation abandoning any existing easements affecting the lands shown pursuant to the provisions of NRS 278.010 through 278.630, inclusive. All taxes on the lands shown hereon have been

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CONDITIONS – Continued:

paid and all lenders and/or impound account holders for payment of taxes have been notified of the adjustment of the boundary line or the transfer of the lands shown hereon.

Dated this _____ day of 20__.

B. Surveyor's Certificate

I, (name of surveyor), a Professional Land Surveyor licensed in the State of Nevada, certify that:

1. This map represents the results of a field survey conducted under my direct supervision at the instance of (owner or map applicant), and is sufficient to locate and identify properly the proposed boundary line adjustment.
2. The lands surveyed lie within _____ (Section, Township, Range, Meridian) and the survey was completed on (date of survey).
3. This map is not in conflict with the provisions of NRS 278.010 to 278.630 inclusive or any local ordinances in effect on the date that the local government gave its final approval.
4. All corners and angle points of the adjusted boundary line have been defined by monuments or will be otherwise defined on a document of record as required by NRS 625.340.

Name of Surveyor *License/Registration No. and Seal
*map must be stamped and sealed prior to submittal to a government agency per NAC 625.610(4)

C. City of Las Vegas Approval

This map has been approved for the purpose of Boundary Line Adjustment in accordance with the provisions of NRS 278.010 through 278.630, inclusive. This _____ day of _____, 20__.

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CONDITIONS – Continued:

Director of Planning and Development

Date

City Surveyor

Date

D. Certificate of Acknowledgement

1. The following certificate is sufficient for an acknowledgment in an individual capacity:

ACKNOWLEDGMENT

State of Nevada
County of Clark

This instrument was acknowledged before me on _____ (date)
by _____ [name(s) of person(s)] _____.

(Signature of notarial officer)
(Seal, if any)

(Title and rank)
(My commission expires: _____)

2. The following certificate is sufficient for an acknowledgment in a corporate capacity:

ACKNOWLEDGMENT

State of Nevada
County of Clark

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CONDITIONS – Continued:

This instrument was acknowledged before me on _____ (date)
by [name(s) of person(s)] as (type of authority, e.g., officer,
trustee, etc.) of (name of party on behalf of whom instrument
was executed).

(Signature of notarial officer)
(Seal, if any)

(Title and rank)
(My commission expires: _____)

NOTE: An appropriate Certificate for Attorney-in-Fact may be substituted for the Certificate of Acknowledgement if deemed equivalent by the Director of Public Works.

17. Title 19.08.030(B), "Vision Obstructions at Intersections," is hereby deleted in its entirety, as are the associated Figures 1 and 3. All following sections and figures shall be renumbered accordingly.

B. Vision Obstructions at Intersections

~~As illustrated in Figure 1 below, no structure or landscaping may be constructed or permitted between three and seven feet above grade within the sight distance setback established by Figure 3 and its accompanying table. However, this restriction shall not apply to lighting, sign posts, or tree trunks.~~

18. Title 19.12.030(A)(1), "Landscape Required," is hereby amended as follows:

(A) Landscape Required.

1. All required Site Development Plans shall meet or exceed the minimum standards, and shall comply with any restrictions, ~~established in this Chapter. Figures referred to in this Chapter are set forth in LVMC 19.12.080.~~ as set forth in LVMC 19.12.080, 18.12.210 and 13.48.040.

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CONDITIONS – Continued:

19. Title 19.12.030(D), "Maintenance," is hereby amended as follows:

(D) Maintenance.

Property owners shall maintain all walls in good structural and finish condition. All landscaping shall be maintained in a healthy and vigorous living condition. Dead vegetation shall be promptly replaced, in accordance with standard seasonal planting practices, with healthy, living plants. The property owner must maintain landscape in accordance with LVMC 18.12.210 and 13.48.040.

20. Title 19.18.050(G)(2)(b), "Drawings and Plans Required," is hereby amended as follows:

- b. Drawings and Plans Required.** Plans describing the proposed development of the property shall be submitted as required by the Director. Complete working drawings are not necessary; however, proposed structures (including building elevations), streets, driveways and access points, site visibility restriction zones, on-site circulation and parking, walls, landscaping, building materials, dumpster locations and other improvements must be shown. Preliminary drawings must contain sufficient information to permit the determination of compliance with good planning practices, applicable standards and ordinances. Floor plans are not normally required. For any development site where twenty percent or more of the aggregate site has a slope of natural grade above four percent, a cross section must be submitted. Each cross section must extend a minimum of one hundred feet beyond the limits of the project at each property line, showing the location and finish floor elevations of adjacent structures; the maximum grade differentials; and the elevations of existing and proposed conditions.

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 11, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - TXT-18023 - APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL

Planning and Development

1. Title 18.08.030(B), "Approval – Conformance With Zoning Requirements," is hereby amended as follows:
 - (B) In cases where approval of a rezoning or a site development plan review is necessary before a tentative map can be approved:
 - (1) The Director ~~may~~ must withhold presentation of the tentative map to the Planning Commission until at least two weeks after the City Council's final approval of the rezoning or site development plan review application, or both; and
 - (2) The Director may extend the time for reviewing the tentative map if the Council's rezoning or site development plan approval requires that additional issues be addressed or changes made before map approval can occur; and
 - (3) In cases where a rezoning is unnecessary and Planning Commission has final approval of a site development plan review application, no tentative map application shall be accepted until the Planning Commission has approved the site development plan review application.

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2. Title 18.08.100, "Tentative Map Requirements," is hereby amended as follows:

18.08.100 TENTATIVE MAP REQUIREMENTS

A tentative map shall indicate, without limitation:

- (A) Demonstration of compliance with the necessary streets, traffic circulation and access points, driveways, site visibility restriction zones, parking, walls, and landscaping requirements set forth in this Title, including compliance with Sections 18.12.204 and 18.12.300; preliminary drawings must contain sufficient information to demonstrate compliance with good traffic control practices, applicable standards and ordinances as determined by the City Traffic Engineer. and
- (B) Any and all trails that are necessary to be provided in accordance with the City's Master Plan and ordinances.

3. Title 18.08.110(B)(3), "Proposed Perimeter Grades," is hereby amended as follows:

- (3) Shows the maximum grade differentials; [Note: This is for correction purposes only]

4. Title 18.08.160, "Recordation Time Limits," is hereby amended as follows:

18.08.100 TENTATIVE MAP REQUIREMENTS

- (A) If a final map is not approved and recorded within:
 - (1) Two years following the date of approval of the tentative map; or
 - (2) One year following the date of approval of a previously-recorded final map covering a portion of the tentative map; or
 - (3) ~~One year following an extension of time granted pursuant to Section 18.08.170;~~ the tentative map application and approval shall lapse and a new tentative map shall be required. Tentative maps are not eligible for an extension of time. An extension of time may be granted in accordance with Title 18.08.170 only if application therefor is made prior to the expiration of the approval.

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- (B) For a phased project, the first of a series of final maps covering a portion of the approved tentative map must be approved and recorded within two years following the date of approval of the tentative map. Subsequent final maps must be approved and recorded within one year following the date of the approval of the previously recorded final map, unless an extension is granted pursuant to Section 18.08.170, or all further proceedings concerning the subdivision shall be terminated.

5. Title 18.08.170, "Recordation Extension of Time," is hereby amended as follows:

18.08.170 RECORDATION EXTENSION OF TIME

~~By delegation~~ Upon application, the Director may grant a single one-year extension of time within which to present and record a final map or any one of a series of final maps covering a portion of the tentative map, ~~except that no extension may be granted if a final map, or the first in a series of final maps, is not recorded within two years following the date of approval of the tentative map.~~

6. Title 18.08.180, "Tentative Map Review Typical Process," is hereby amended to include a revised Figure 1.

Please see the revised chart attached to the end of this report.

7. Title 18.12.160, "Intersections – Length," is hereby amended as follows:

18.12.160 Intersections--Length.

Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred twenty feet, measured from centerline to centerline. Intersections of streets providing service internally within a subdivision, where they do not intersect arterial or major streets, shall be offset a minimum of one hundred twenty-five feet. The City Traffic Engineer may, at his discretion, allow separation distances different from those listed herein provided the applicant can demonstrate that the alternative design can safely accommodate traffic circulation.

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8. Title 18.12.210, "Sight Clearance," is hereby amended as follows:

18.12.210 SIGHT CLEARANCE-SIGHT VISIBILITY RESTRICTION ZONE
(SVRZ).

A minimum sight visibility restriction zone clearance for unobstructed vision shall be provided at all intersections, including roadway with roadway and driveway with roadway intersections in accordance with the latest Uniform Standard Drawing Clark County Area 201.2 (U.S.D.C.C.A.) or the latest edition of American Association of State Highway and Transportation Officials (AASHTO). The areas of unobstructed vision shall be detailed on all plans that depict drainage, grading, fence layout, landscaping or other construction improvements. If required by the City Traffic Engineer, an additional exhibit detailing the SVRZ shall be recorded and a copy shall be submitted to the City plans library. The final map shall provide a general statement making reference to the latest approved construction improvement plan. If a separate SVRZ exhibit is required by the City Traffic Engineer, the final map shall make reference to this recorded document by book and instrument number City standards. The areas of unobstructed vision shall be detailed on the final map or included by reference, and shall be noted as areas where improvements are restricted by City standards. The requirement for unobstructed vision shall apply to the location of all public and private facilities and improvements as determined by the Director of Public Works. All plans regarding drainage, grading, fence layout and other construction shall reflect compliance with the unobstructed vision requirement.

9. Title 18.12.470, "Fire Hydrants – Location," is hereby amended as follows:

18.12.470 FIRE HYDRANTS – LOCATION.

Hydrants shall be located in conformance with applicable Standard Drawings and the Uniform Fire Code. No hydrant shall be located inside or within twenty feet of the required right-of-way radius of a cul-de-sac. Public fire hydrant easements shall be provided for all public fire hydrants not located within public street rights-of-way.

10. Title 18.24.010, "Adopted," is hereby amended as follows:

18.22.010 ADOPTED

There are adopted, as part of this Chapter, five seven appendices, designated as Appendices "A," "B," "C," "D", and "E", "F", and "G" which are attached to the ordinance codified in this Chapter and copies of which shall be maintained in the office of the City Clerk and the Department of Planning and Development.

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11. Subsection C(1) and C(2) of Appendix A, "Parcel Map Application Checklist," are hereby amended as follows:

(C) Parcel Map Contents:

1. Certificate of ownership, granting of easements and dedication of and easement dedication, dedicating easements, alleys, streets, highways or other public ways as shown on the map (per Appendix ~~EF~~);
2. Certificate of land surveyor, signed and sealed by the professional land surveyor who was responsible for the survey (per Appendix ~~EF~~);

(No other changes to the remaining portions of Subsection C are proposed.)

12. Subsection A(8) of Appendix B, "Tentative Map Application Checklist," is hereby amended as follows:

(A) Tentative Map Contents

8. Existing and proposed lot lines and dimensions. Each proposed lot shall be numbered in sequence, ~~and each block shall be numbered or lettered.~~ Letters may be used to identify common lots.

13. Section A of Appendix C, "Final Map Contents," is hereby amended as follows:

(A) Final Map Contents

1. Name of proposed subdivision (which should include designation as a condominium, townhouse, residential planned development, ~~or~~ commercial subdivision or mixed use commercial/residential condominium, if applicable).

(There are no changes to sections 2, 3, and 4.)

5. Existing and proposed lot lines and dimensions, including the square footage of all proposed lots. Each lot shall be numbered in sequence, ~~and each block shall be numbered or lettered.~~ Letters may be used to identify common lots.

(There are no changes to sections 6 through 13.)

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~~14. Areas of unobstructed vision at intersections, as described in Chapter 18.12.~~

~~14.15.~~ Note on the map whether streets, drainage corridors, sewer corridors, parks, trails, open spaces and schools are to be public or private.

~~15.16.~~ Note on the map that above ground utility boxes shall not be placed within trail corridors, if trail areas are designated on the map.

16. Note on the map referring to the latest approved construction improvement plans regarding Sight Visibility Restriction Zones (SVRZ). If a separate exhibit is required by the City Traffic Engineer, reference to this recorded document shall be included on the final map.

14. Appendix E, "Required Certificates (Final Map)," is hereby deleted in its entirety and amended as follows:

APPENDIX E

REQUIRED CERTIFICATES (FINAL MAP)

A. Owner's Certificate

1. The Owners Certificate shown on the final map shall be in substantially the following form, with necessary modifications consistent with project needs to be made by the owner or map applicant:

_____, does hereby certify that (I/we) am/are the owner(s) of the parcel of land which is shown upon the plat of _____, and does hereby consent to the preparation and recordation of this plat, and does hereby offer and dedicate to the City of Las Vegas all the streets (except private streets), and public rights-of-way as indicated and outlined hereon for the use of the public and hereby grants to the City of Las Vegas easements as indicated and outlined hereon, for the use of the public. No part of the parcels marked "Not a part of this subdivision" is offered for dedication.

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Furthermore, the undersigned owner of the within platted lands, does hereby grant and convey to Nevada Power Company and Embark Corporation (jointly and severally), Southwest Gas Corporation, Las Vegas Valley Water District, Cox Communications Las Vegas, Inc., and _____ (any other utilities authorized to provide service) and to their respective successors and assigns: (i) a three-foot wide easement on all side property lines, exclusive of easements for drainage, sewer, trails, and all other public use easements; (ii) a three-foot wide easement from property line to meter panel to provide access for underground service; (iii) a five-foot wide easement on all property lines that abut public and private streets, exclusive of easements for drainage, sewer, trails, and all other public use easements, to include access to above-ground transformer pads; and (iv) a two-foot wide easement around each transformer pad within the platted lands for the construction, maintenance, operation and final removal of street lights, fire hydrants, underground power, telephone, gas, water and cable television lines and appurtenances, together with the right of ingress thereto and egress therefrom.

Provided, however, that no above-ground utility vault that would substantially interfere with the intended use of a trail corridor shall be allowed within any easement, corridor, or common lot designated as a public multi-use trail easement area, and no such easement right shall be granted to the above listed utility companies, nor any other party, in conflict with this statement. (this paragraph to be used only if a trail is being granted and/or dedicated to City of Las Vegas.)

Further, the undersigned owner hereby grants and conveys to the City of Las Vegas and to its successors and assigns a five-foot wide easement adjacent to all property lines where lots or common areas abut public streets for purposes of placing public fire hydrants and public streetlights, traffic signals, conduits and appurtenances, and an additional easement of up to two feet in radius from each fire hydrant and streetlight, traffic signal, conduit and appurtenance to extend beyond the five-foot easement if necessary, together with the right of ingress to and egress from these easements. (If private roadways are utilized, this paragraph should be modified to refer to easements adjacent to "private" streets.)

Dated this _____ day of 20__.

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2. For commercial subdivisions, planned unit developments and condominium developments, the dedication of utility-type easements shall be in substantially the following form:

Furthermore, the undersigned owner of the within platted lands, does hereby grant and convey to Nevada Power Company and Embarq, Southwest Gas Corporation, Las Vegas Valley Water District, Cox Communications Las Vegas, Inc. and _____ (any other utilities authorized to provide service) jointly and severally, and to their respective successors and assigns, a permanent easement within the area shown hereon as private streets, common areas and all areas not occupied by any building for the construction, maintenance, operation and final removal of street lights, if any, and fire hydrants, underground power, telephone, gas, water and cable television lines and appurtenances, together with the right of ingress thereto and egress therefrom.

Provided, however, that no above-ground utility vault that would substantially interfere with the intended use of a trail corridor shall be allowed within any easement, corridor, or common lot designated as a public multi-use trail easement area, and no such easement right shall be granted to the above listed utility companies, nor any other party, in conflict with this statement. (This paragraph to be used only if a trail is being granted and/or dedicated to City of Las Vegas.)

Further, the undersigned owner hereby grants and conveys to the City of Las Vegas and to its successors and assigns a permanent easement within the area shown hereon as private streets, common areas and all areas not occupied by any building for the construction, maintenance, operation and final removal of public street lights, if any, traffic signals, conduits and appurtenances, and public fire hydrants, together with the right of ingress to and egress therefrom.

3. For reversionary final maps, or reversions to acreage involving final maps, the Owner's Certificate shall be in substantially the following form:

_____, does hereby certify that (I/we) am/are the owner(s) of the parcel(s) of land which is/are shown within the boundary of this plat and does/do consent to the preparation and recordation of this plat for the purpose of reverting to acreage the parcel(s) of land delineated hereon.

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B. Surveyor's Certificate

(1.) Final Maps:

I, (name of surveyor), a Professional Land Surveyor licensed in the State of Nevada, certify that:

1. This plat represents the results of a survey conducted under my direct supervision at the instance of (owner or map applicant).
2. The lands surveyed lie within _____ (Section, Township, Range, Meridian and, if required by the City Surveyor, a description by metes and bounds for any subdivision which is divided into lots containing 5 acres in area or less), and the survey was completed on (date of survey).
3. This plat complies with the applicable state statutes and any local ordinances in effect on the date that the local government gave its final approval.
4. The monuments depicted on the plat are of the character shown, occupy the positions indicated and are of sufficient number and durability.

(Or)

- 4a. The monuments depicted on the plat will be of the character shown and occupy the positions indicated by (date to be determined by CLV personnel) and an appropriate financial guarantee will be posted with the City before recordation to assure the installation of the monuments.

 Name of Surveyor

 *License/Registration No. and Seal

*map must be stamped and sealed prior to submittal to a government agency per NAC 625.610(4)

(2.) Reversionary Final Maps:

I, (name of surveyor), a Professional Land Surveyor licensed in the State of Nevada, certify that:

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Date

(Print name under signature)
 Southern Nevada Health District

E. Certificate of Division of Water Resources

This final map is approved by the Division of Water Resources of the Department of Conservation and Natural Resources concerning water quantity, subject to the review of approval on file in this office.

Date

(Print name under signature)
 Division of Water Resources

F. Certificate of Director of Planning and Development

(1.) Final Maps:

I certify that this final map substantially complies with the tentative map and any approved alterations thereto; that the map complies with applicable statutory and ordinance provisions; that all conditions imposed upon the final map have been met; and that the map was approved and the parcels herein were accepted for dedication by the Director of Planning and Development on the ____ day of _____, 20__.

Date

(Print name under signature)
 Director of Planning and Development

(2.) Reversionary Final Maps:

This is to certify that the Director of Planning and Development, City of Las Vegas, Clark County, Nevada, on this ____ day of _____, 20__, did approve for the purposes of reverting to acreage, this map in conformance with N.R.S. 278.010 through 278.630, inclusive.

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 Director of Planning and Development
 (Print name under signature)

 Date

G. Certificate of Easement Recipients

We, the herein named easement recipients, approve the grant of the designated easements:

Southwest Gas Corporation

 (Print name under signature)

 Date

Nevada Power Company

 (Print name under signature)

 Date

Embarq Corporation

 (Print name under signature)

 Date

Cox Communications Las Vegas, Inc.

 (Print name under signature)

 Date

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Las Vegas Valley Water District

Date

(Print name under signature)

City of Las Vegas, City Engineer

Date

(Print name under signature)

(Additional Authorized Utility, if any)

Date

(Print name under signature)

NOTE: Easement Recipients are not included on Reversionary Final Maps.

H. Certificate of Acknowledgment

1. The following certificate is sufficient for an acknowledgment in an individual capacity:

ACKNOWLEDGMENT

State of Nevada
County of Clark

This instrument was acknowledged before me on _____ (date)
by [name(s) of person(s)] .

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 (Signature of notarial officer)
 (Seal, if any)

 (Title and rank)
 (My commission expires: _____)

2. The following certificate is sufficient for an acknowledgment in a corporate capacity:

ACKNOWLEDGMENT

State of Nevada
 County of Clark

This instrument was acknowledged before me on _____ (date) _____
 by [name(s) of person(s)] as (type of authority, e.g., officer, trustee, etc.) of (name of party on behalf of whom instrument was executed) .

 (Signature of notarial officer)
 (Seal, if any)

 (Title and rank)
 (My commission expires: _____)

NOTE: An appropriate Certificate for Attorney-in-Fact may be substituted for the Certificate of Acknowledgement if deemed equivalent by the Director of Public Works.

15. Appendix F, "Required Certificates (Parcel Map)," is hereby added as follows:

APPENDIX F

REQUIRED CERTIFICATES (PARCEL MAP)

A. Owner's Certificate

1. The Owners Certificate shown on the parcel map shall be in substantially the following form, with necessary modifications consistent with project needs to be made by the owner or map applicant:

_____, does hereby certify that being the owner of the land which is shown hereon, does consent to the preparation and recordation of this parcel map, and has caused the land to be surveyed and platted into parcels and does hereby offer and dedicate to the City of Las Vegas, Nevada, its successors and assigns, all public streets and rights-of-way to and for the use of the public, and grants easements as shown hereon.

Further, the undersigned owner hereby grants and conveys to the City of Las Vegas and to its successors and assigns a five-foot wide easement adjacent to all property lines where lots or common areas abut public streets for purposes of placing public fire hydrants and public streetlights, traffic signals, conduits and appurtenances, and an additional easement of up to two feet in radius from each fire hydrant and streetlight, traffic signal, conduit and appurtenance to extend beyond the five-foot easement if necessary, together with the right of ingress to and egress from these easements.

Provided, however, that no above-ground utility vaults that would substantially interfere with the intended use of the trail corridor shall be allowed within any easements, corridors, or common lots designated as public multi-use trail easement areas, and no such easement rights shall be granted to the above listed utility companies, nor any other parties, in conflict with this statement. (This paragraph to be used only if trails exist)

Dated this _____ day of 20__.

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2. For reversionary parcel maps, or reversions to acreage involving parcel maps, the Owner's Certificate shall be in substantially the following form:

_____, does hereby certify that (I/we) am/are the owner(s) of the parcel(s) of land which is/are shown within the boundary of this map and does/do consent to the preparation and recordation of this map for the purpose of reverting to acreage the parcel(s) of land delineated hereon.

B. Surveyor's Certificate

- (1.) Parcel Maps:

I, (name of surveyor), a Professional Land Surveyor licensed in the State of Nevada, certify that:

1. This map represents the results of a survey conducted under my direct supervision at the instance of (owner or map applicant).
2. The lands surveyed lie within _____ (Section, Township, Range, Meridian) and the survey was completed on (date of survey).
3. This plat complies with the applicable state statutes and any local ordinances in effect on the date that the local government gave its final approval.
4. The monuments depicted on the plat are of the character shown, occupy the positions indicated and are of sufficient number and durability.

(Or)

- 4a. The monuments depicted on the plat will be of the character shown and occupy the positions indicated by (date to be determined by CLV personnel) and an appropriate financial guarantee will be posted with the City before recordation to assure the installation of the monuments.

 Name of Surveyor

 *License/Registration No. and Seal

*map must be stamped and sealed prior to submittal to a government agency per NAC 625.610(4)

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(2.) Reversionary Parcel Maps:

I, (name of surveyor), a Professional Land Surveyor licensed in the State of Nevada, certify that:

1. This map represents the results of a survey conducted under my direct supervision at the instance of (owner or map applicant).
2. The lands surveyed lie within _____ (Section, Township, Range, Meridian).
3. This map complies with the applicable state statutes and any local ordinances in effect on the date that the local government gave its final approval.
4. This map has been prepared from information shown on (list recording information for map or maps). No responsibility is assumed for the existence of the monuments or for correctness of other information shown on or copied from said map(s).

 Name of Surveyor

 *License/Registration No. and Seal

*map must be stamped and sealed prior to submittal to a government agency per NAC 625.610(4)

C. Certificate of City Surveyor

I, (name of current City Surveyor), City Surveyor of the City of Las Vegas, do hereby certify that I have examined the (Reversionary) Parcel Map and am satisfied that the map is technically correct.

(If monuments have not been set, the certificate must include the following statement:)

Monuments have not been set, but a proper performance bond has been deposited to guarantee their setting on or before (date to be determined by CLV personnel).

(If a Reversionary map, no monument statement is needed.)

 City Surveyor, PLS

 Date

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D. Certificate of Director of Planning and Development

(1) Parcel Maps:

I certify that this parcel was approved and the parcels herein were accepted for dedication by the Director of Planning and Development on the ____ day of _____, 20__.

Date

(Print name under signature)
Director of Planning and Development

(2) Reversionary Parcel Maps:

This is to certify that the Director of Planning and Development, City of Las Vegas, Clark County, Nevada, on this ____ day of _____, 20__, did approve for the purposes of reverting to acreage, this map in conformance with N.R.S. 278.010 through 278.630, inclusive.

Date

Director of Planning and Development
(Print name under signature)

E. Certificate of Acknowledgment

1. The following certificate is sufficient for an acknowledgment in an individual capacity:

ACKNOWLEDGMENT

State of Nevada
County of Clark

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This instrument was acknowledged before me on (date)
 by [name(s) of person(s)] .

 (Signature of notarial officer)
 (Seal, if any)

 (Title and rank)
 (My commission expires: _____)

2. The following certificate is sufficient for an acknowledgment in a corporate capacity:

ACKNOWLEDGMENT

State of Nevada
 County of Clark

This instrument was acknowledged before me on (date)
 by [name(s) of person(s)] as (type of authority, e.g., officer, trustee, etc.) of (name of party on behalf of whom instrument was executed) .

 (Signature of notarial officer)
 (Seal, if any)

 (Title and rank)
 (My commission expires: _____)

NOTE: An appropriate Certificate for Attorney-in-Fact may be substituted for the Certificate of Acknowledgement if deemed equivalent by the Director of Public Works.

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16. Appendix G, "Required Certificates (Record-of-Survey For Boundary Line Adjustment)," is hereby added as follows:

APPENDIX G

REQUIRED CERTIFICATES

(RECORD-OF-SURVEY FOR BOUNDARY LINE ADJUSTMENT)

A. Owner's Certificate

1. The Owners Certificate shown on the record-of-survey shall be in substantially the following form, with necessary modifications consistent with project needs to be made by the owner or map applicant:

_____, and _____ do hereby certify that being the owners of the lands as shown hereon have caused a Boundary Line Adjustment survey to be performed as indicated hereon, and that we have examined and approved this plat and consent to and authorize the recordation of the same. Further, we agree to prepare and execute the required documents creating any and all easements as shown hereon and to execute all required documentation abandoning any existing easements affecting the lands shown pursuant to the provisions of NRS 278.010 through 278.630, inclusive. All taxes on the lands shown hereon have been paid and all lenders and/or impound account holders for payment of taxes have been notified of the adjustment of the boundary line or the transfer of the lands shown hereon.

Dated this _____ day of 20__.

B. Surveyor's Certificate

I, (name of surveyor), a Professional Land Surveyor licensed in the State of Nevada, certify that:

1. This map represents the results of a field survey conducted under my direct supervision at the instance of (owner or map applicant) and is sufficient to locate and identify properly the proposed boundary line adjustment.

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2. The lands surveyed lie within _____ (Section, Township, Range, Meridian) and the survey was completed on (date of survey) .
3. This map is not in conflict with the provisions of NRS 278.010 to 278.630 inclusive or any local ordinances in effect on the date that the local government gave its final approval.
4. All corners and angle points of the adjusted boundary line have been defined by monuments or will be otherwise defined on a document of record as required by NRS 625.340.

_____ Name of Surveyor	_____ *License/Registration No. and Seal
*map must be stamped and sealed prior to submittal to a government agency per NAC 625.610(4)	

C. City of Las Vegas Approval

This map has been approved for the purpose of Boundary Line Adjustment in accordance with the provisions of NRS 278.010 through 278.630, inclusive. This _____ day of _____, 20__.

Director of Planning and Development

Date

City Surveyor

Date

D. Certificate of Acknowledgement

1. The following certificate is sufficient for an acknowledgment in an individual capacity:

ACKNOWLEDGMENT

State of Nevada
County of Clark

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This instrument was acknowledged before me on _____ (date) _____
 by [name(s) of person(s)] .

 (Signature of notarial officer)
 (Seal, if any)

 (Title and rank)
 (My commission expires: _____)

2. The following certificate is sufficient for an acknowledgment in a corporate capacity:

ACKNOWLEDGMENT

State of Nevada
 County of Clark

This instrument was acknowledged before me on _____ (date) _____
 by [name(s) of person(s)] as (type of authority, e.g., officer, trustee, etc.) of (name of party on behalf of whom instrument was executed) .

 (Signature of notarial officer)
 (Seal, if any)

 (Title and rank)
 (My commission expires: _____)

NOTE: An appropriate Certificate for Attorney-in-Fact may be substituted for the Certificate of Acknowledgement if deemed equivalent by the Director of Public Works.

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17. Title 19.08.030(B), "Vision Obstructions at Intersections," is hereby deleted in its entirety, as are the associated Figures 1 and 3. All following sections and figures shall be renumbered accordingly.

~~B. Vision Obstructions at Intersections~~

~~As illustrated in Figure 1 below, no structure or landscaping may be constructed or permitted between three and seven feet above grade within the sight distance setback established by Figure 3 and its accompanying table. However, this restriction shall not apply to lighting, sign posts, or tree trunks.~~

18. Title 19.12.030(A)(1), "Landscape Required," is hereby amended as follows:

(A) Landscape Required.

1. All required Site Development Plans shall meet or exceed the minimum standards, and shall comply with any restrictions, ~~established in this Chapter. Figures referred to in this Chapter are set forth in LVMC 19.12.080.~~ as set forth in LVMC 19.12.080, 18.12.210 and 13.48.040.

19. Title 19.12.030(D), "Maintenance," is hereby amended as follows:

(D) Maintenance.

Property owners shall maintain all walls in good structural and finish condition. All landscaping shall be maintained in a healthy and vigorous living condition. Dead vegetation shall be promptly replaced, in accordance with standard seasonal planting practices, with healthy, living plants. The property owner must maintain landscape in accordance with LVMC 18.12.210 and 13.48.040.

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20. Title 19.18.050(G)(2)(b), "Drawings and Plans Required," is hereby amended as follows:

- b. **Drawings and Plans Required.** Plans describing the proposed development of the property shall be submitted as required by the Director. Complete working drawings are not necessary; however, proposed structures (including building elevations), streets, driveways and access points, site visibility restriction zones, on-site circulation and parking, walls, landscaping, building materials, dumpster locations and other improvements must be shown. Preliminary drawings must contain sufficient information to permit the determination of compliance with good planning practices, applicable standards and ordinances. Floor plans are not normally required. For any development site where twenty percent or more of the aggregate site has a slope of natural grade above four percent, a cross section must be submitted. Each cross section must extend a minimum of one hundred feet beyond the limits of the project at each property line, showing the location and finish floor elevations of adjacent structures; the maximum grade differentials; and the elevations of existing and proposed conditions.

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**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to amend various portions of Title 18 and Title 19. Specific sections to be amended include Title 18.08.030; 18.08.100; 18.08.110; 18.08.160; 18.08.170; 18.08.180; 18.12.210; 18.12.470; 18.24.010 and Title 19.08.030; 19.12.030; 19.18.050.

ANALYSIS

The proposed changes to the Las Vegas Subdivision Ordinance and the City of Las Vegas Zoning Code will incorporate correct language, eliminate errors in the document, and reflect current policies and procedures related to various sections of Title 18 and Title 19. The changes have been proposed by the Survey Section of the Public Works Department, based on issues that have arisen in reviewing mapping applications. The proposed changes place Title 19 and Title 18 in agreement with one another where the Titles cross reference each other; additional changes include revisions to a procedures chart.

Title Section	Existing	Proposed Changes
18.08.030	The Director may withhold presentation of a Tentative Map until City Council action on the site plan.	The language has been changed to require the Director to hold an application until the site plan has been approved.
18.08.100	Language in this section is general and lacks specific detail.	Additions to text regarding new language that is more specific and references additional Code sections.
18.08.110	The word "Shows" is not spelled correctly. Currently is spelled "hows".	Spelling correction to "Shows".
18.08.160	Tentative Map approvals limited to two years; conflicting language regarding Extensions of Time.	Clarified to indicate that an extension of time may be approved.
18.08.170	Language in this section is contradictory regarding Extensions of Time for tentative map approvals.	Clarified to indicate that a one-year extension of time may be approved.
18.08.180	Old chart to be replaced.	Revised chart with new requirements.
18.12.210	Language in this section is general and lacks specific detail.	Deletion of general language regarding SVRZ. Additions to text regarding new language that is more specific and references additional Code sections.

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18.12.470	The word "Uniform" appears in reference to the Fire Code.	Deletion of the word "Uniform".
18.24.010	There are five appendices referenced.	Two new appendices are referenced, language has been adjusted accordingly.

Appendices		
A	References Appendix "E".	Replaced with references to Appendix "F".
B	Section Eight states that each block shall be numbered or lettered.	This language has been removed.
C	Reference is made to blocks being numbered or lettered as in Appendix B. Additionally, text regarding mixed-use development and trails is currently not included.	Deletion of non-relevant language and the addition of new text referencing SVRZ's and dealing with mixed-use development and trails.
E	Appendix E is being replaced.	Changes are significant and the new Appendices are shown in their entirety.
F	Appendix F is being replaced.	Changes are significant and the new Appendices are shown in their entirety.
G	Appendix G is being replaced.	Changes are significant and the new Appendices are shown in their entirety.
19.08.030	Currently covers vision obstructions at intersections.	Deleted, as the details of this section are now covered by other sections of Title 18 and 19.
19.12.030	Referenced Title 19.12.080.	Deletion of non-relevant language Addition of references to other sections of Code in lieu of Title 19.08.030
19.18.050	Did not reference sight visibility restriction zones.	Addition of references to sight visibility restriction zones.

The proposed changes to Title 18 and Title 19 will provide the City of Las Vegas with more thorough and concise documents to work with. The changes add necessary language, incorporate corrections, and include updates that reflect the current environment of the City. Approval of this Text Amendment is recommended.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

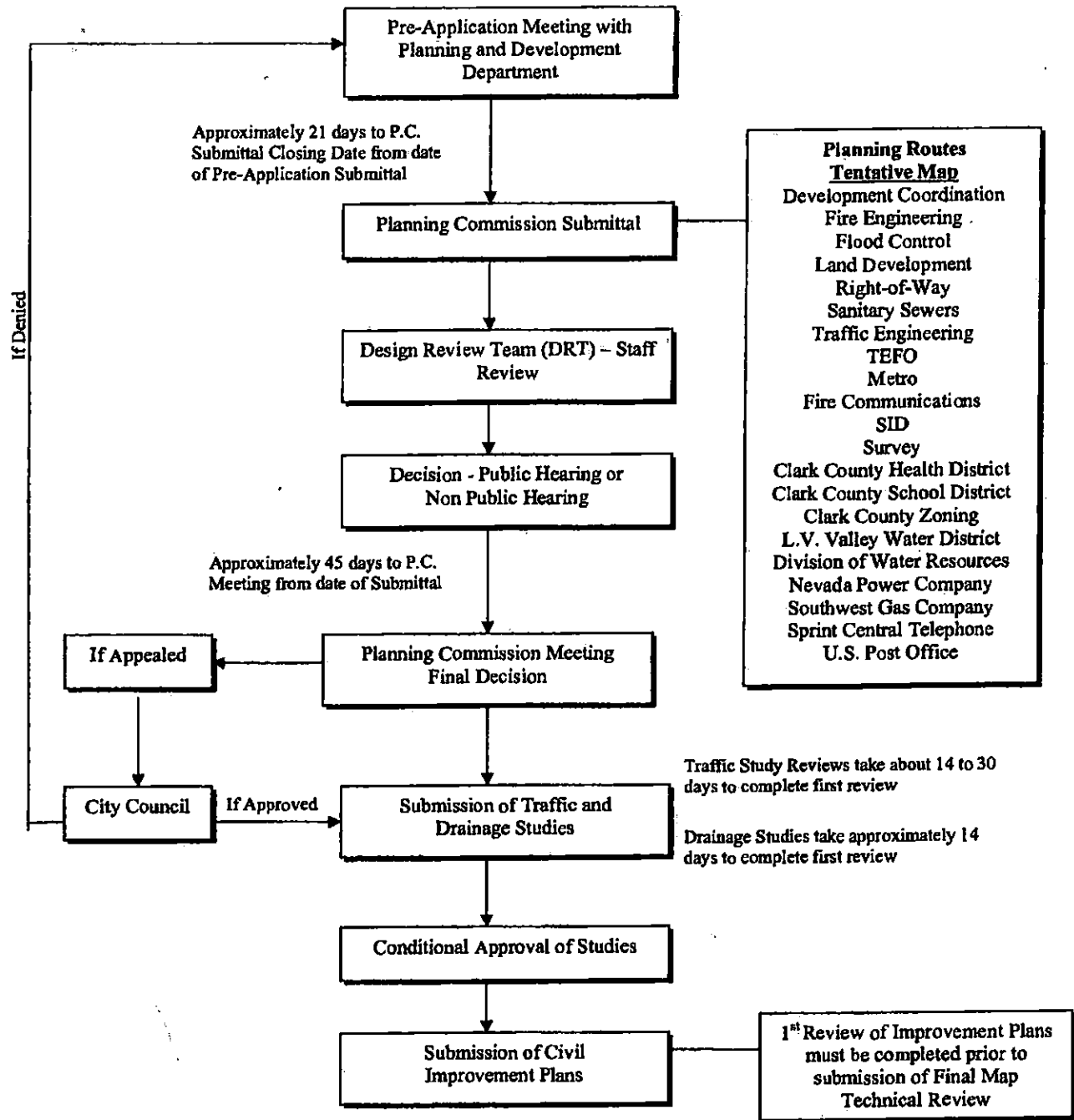
SENATE DISTRICT N/A

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas Tentative Map



City of Las Vegas

PLANNING COMMISSION AGENDA **PLANNING COMMISSION MEETING OF: JANUARY 11, 2007**

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

VINCENT JAMES WALTER RUSSELL, 1301 Sunset Road, Henderson, requested assistance as the City of Henderson was not helping him.

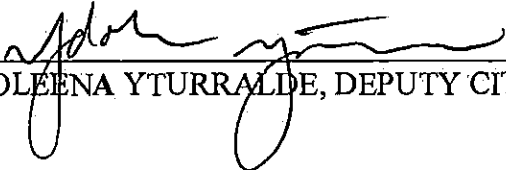
CHAIRMAN DAVENPORT explained the City of Las Vegas has no jurisdiction over the City of Henderson.

COMMISSIONER GOYNES suggested MR. RUSSELL seek assistance from his Congressional representatives since the Planning Commission had no authority to take action in his situation.

TODD FARLOW, 240 North 19th Street, emphasized the importance of sustainable growth and encouraged the Commissioners to read an article related to environmentally-friendly development. MARGO WHEELER, Director of Planning and Development Department, assured MR. FARLOW that she would provide copies of the article to the Commissioners.

MEETING ADJOURNED AT 10:00 P.M.

Respectfully submitted:



YDOLEENA YTURRALDE, DEPUTY CITY CLERK



CARMEL VIADO, DEPUTY CITY CLERK