

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ Consent ☒ Discussion

**SUBJECT:**

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING

Bill No. 2007-2 - Levies Assessment for Special Improvement District No. 1505 – Sierra Oeste Neighborhood Streetlights. Sponsored by: Step Requirement

**Fiscal Impact**

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Amount: \$62,576.19

Funding Source: Capital Projects Fund - Special Assessments

Dept./Division: Public Works/SID

**PURPOSE/BACKGROUND:**

This Bill Levies the Assessment for the construction and installation of streetlights located within the Sierra Oeste subdivision south of Lake Mead Boulevard between Jones Boulevard and Torrey Pines Drive.

**RECOMMENDATION:**

ADOPTION at 2/7/2007 City Council meeting pursuant to the 1/17/2007 Recommending Committee

First Reading – 1/3/2007; First Publication – 1/26/2007

**BACKUP DOCUMENTATION:**

Bill No. 2007-2

Minutes:

Recommendation noted.

2/7/2007 Council Agenda

BILL NO. 2007-2

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

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1505 – SIERRA OESTE NEIGHBORHOOD STREETLIGHTS; PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

Summary: Levy Ordinance

WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) in the County of Clark and State of Nevada, has heretofore, pursuant to the requisite preliminary proceedings, created Las Vegas, Nevada, Special Improvement District No. 1505 – Sierra Oeste Neighborhood Streetlights (hereinafter the "District"), for the purpose of acquiring and improving local improvements (hereinafter the "Project") and has provided that a portion of the entire cost and expense of the Project shall be paid by special assessments, according to benefits, levied against the benefited lots, tracts and parcels of land in the District; and

WHEREAS, the District has been properly created by an ordinance heretofore adopted under the provisions of the Nevada Revised Statutes ("NRS") Chapter 271; and

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

WHEREAS, in accordance with NRS 271.360, the City Council has heretofore determined, and does hereby declare, that the net cost of all improvements in the District (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$62,576.19, of which, \$0.00 is available from other sources and of which \$62,576.19 is to be assessed upon the benefited lots, tracts and parcels of land in the District which the City Council has determined will receive special benefits (and corresponding market value increases) from the improvements of the Project; and

WHEREAS, the City Council, by resolution heretofore adopted and directed the City Engineer of the City (hereinafter the "City Engineer") to make out a final assessment roll; and



WHEREAS, after a determination of the portion of the costs of such work to be paid by the property specially benefited, the City Council, together with the City Engineer (with the assistance of the City Engineer Division) made out a final assessment roll containing, among other things, the names and addresses of the last known owners of the property to be assessed, a description of each lot, tract, or parcel of land to be assessed, and the amount of the assessment thereon. The City Engineer has reported the final assessment roll to the City Council and the City Engineer has filed the final assessment roll with the City Clerk; and

WHEREAS, the City Council thereupon fixed a time and place, to wit: Wednesday, December 20, 2006, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada, when all complaints, protests and objections to the final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District, by any person interested, and by any parties aggrieved by such assessments, would be heard and considered by the City Council; and

WHEREAS, the City Engineer (with the assistance of City Engineer Division) has, in accordance with the provisions of law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for improvements in the District should be filed with the City Clerk, and that the City Council would hear and consider any and all complaints, protests or objections on Wednesday, December 20, 2006, at 1:00 p.m., at the Las Vegas City Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada; and

WHEREAS, the City Council caused the final assessment roll ("Tabulation of Parcels") to be filed in the records of the office of the City Clerk on November 15, 2006. The City Clerk, by publication and by mail, gave the requisite notice of the time and place of such hearing, of the filing of the final assessment roll in her office, of the date of filing the same, and of the right of any such person to object specifically in writing and of the waiver of any objection in the absence of such objection; and

WHEREAS, at the time and place so designated, the City Council met to hear and determine all objections filed or made orally by any interested party; and

WHEREAS, all complaints, protests and objections, both written and oral, were found to be without sufficient merit and overruled, except as provided in the District No. 1505 Assessment Protest Resolution; and

WHEREAS, by the District No. 1505 Assessment Protest Resolution, the City Council modified, corrected and revised the final assessment roll and modified, corrected, revised and confirmed the final assessment roll to be in final form; and

WHEREAS, the assessments do not exceed the benefits to the property assessed nor that portion of the total cost of the Project payable from assessments as heretofore determined; and

WHEREAS, it is incumbent upon the City Council to provide when said assessments shall become due and penalties payable after any delinquency; and

WHEREAS, the City Council has determined, and does hereby determine, that the City shall pay the costs of the Project, with funds completely derived from the levy of assessments.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES ORDAIN AS FOLLOWS:

Section 1. This Ordinance shall be known as, and may be cited by, the short title "District No. 1505 Levy Ordinance" (hereinafter the "Ordinance").

Section 2. The City Council has heretofore determined, and does hereby declare, that each and every complaint, protest and objection made in connection with the District is without sufficient merit and the same be, and the same hereby is, overruled, and finally passed on by the City Council, except as provided in the District No. 1505 Assessment Protest Resolution.

Section 3. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Ordinance) concerning Special Improvement District No. 1505 – Sierra Oeste Neighborhood Streetlights, including, but not limited to, the creation of the District, the acquisition of the Project, the amount of the construction contract, the levy of assessments for those purposes, the determination that the tracts in the District will receive special benefits and market value increases, and the validation and confirmation of the final assessment roll and the assessments therein, be, and the same hereby is, ratified, approved and confirmed.

Section 4. For the purpose of paying of the costs and expenses of the Project, the amounts and assessments shown in the final assessment roll (as so filed, modified and confirmed) are hereby levied and assessed against the lots, tracts and parcels of land in the District (being all those specially benefited by said improvements) and described in the final assessment roll for the District, as filed in the office of the City Clerk on November 15, 2006, and as modified and confirmed by the District No. 1505 Assessment Protest Resolution duly adopted by the City Council on January 3, 2007.

Section 5. The assessments shall be due and payable at the office of the City Treasurer within 30 days after this Ordinance becomes effective, without interest and without demand, provided that all or any part of such assessments may, at the election of the owner, be paid in installments, with interest, as hereinafter provided. Failure to pay the whole assessment within said period of 30 days shall be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay in installments, the amount of the assessment then unpaid. In case of such election to pay in installments, the unpaid assessments shall be payable in ten (10) substantially equal semiannual installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of this Ordinance, at a rate or rates which shall not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District, both principal and interest on such assessments being payable semiannually at the office of the City Treasurer on April 1 and October 1 in each year, commencing on October 1, 2007. After the effective date of this Ordinance and before assessment bonds are issued (or if bonds are not issued), the City Director of Finance and Business Services shall fix the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, the rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds for the district. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three percent (3%) the "Index of Twenty Bonds", which is most recently published before the bids for such bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. If assessment bonds are not issued, such rate will not exceed 9%. Failure to pay any installment, whether of principal or interest, when due, shall cause the whole amount of the unpaid principal to become due and payable immediately, at the option of the City. The exercise of said option to

be indicated by the commencement of foreclosure proceedings by the City. The whole amount of the unpaid principal and accrued interest shall, after such delinquency, whether or not said option is exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid. At any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of said payment, with interest thereon, and all penalties accrued, and shall thereupon be restored to the right thereafter to pay in installments in the same manner as if default had not been suffered. The owner of any property assessed and not in default as to any installment or payment may at any time (at the option of such owner); pay the whole or any semiannual installment of the unpaid principal with interest accruing thereon to the next interest payment date. If such prepayment takes place after March 13, 2007, but before the rate of interest on deferred installments of assessments is fixed by the City Director of Finance and Business Services such interest accruing thereon to the next interest payment date shall be calculated at seven and 25/100 percent (7.25%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent).

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expire; (c) the property owner's application for renewal of the Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof.

Section 6. The amounts assessed shall be a lien upon the owner's lots, tracts and parcels of land from the effective date of this Ordinance (i.e. February 11, 2007) until paid. The lien shall be co-



equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general or other taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor. Such amounts shall continue to be a lien upon the lots, tracts and parcels of land assessed until paid in full (including all principal and the interest thereon, and any penalties and collection costs).

Section 7. Should any lot, tract or parcel of land within the District be divided after the effective date of this Ordinance and before the collection of all the assessment installments, or if any property in the District makes a request to do so, the City Treasurer may apportion, combine or reapportion the uncollected amounts upon the several parts of land so divided or combined in accordance with the provisions of NRS 271.425. The report of such an apportionment, combination or reapportionment, when approved, shall be conclusive on all the parties, and all assessments thereafter made upon the tracts shall thereafter be according to the subdivision. The report, when approved, shall be recorded in the office of the County Recorder of Clark County, Nevada, together with a statement that the current payment status of any of the assessments may be obtained from the City Treasurer. Neither the failure to record the report, nor any defect in the report as recorded, shall affect the validity of the assessments, the lien for the payment thereof or the priority of that lien.

Section 8. In case any lot, tract or parcel of land so assessed is delinquent in the payment of the assessment or any installment of principal or interest, the City Council shall forthwith cause the owner of such delinquent property, if known, to be immediately notified in writing of such delinquency, by first-class mail, postage prepaid, addressed to the addressee's last known address. If such delinquency is not paid within 10 days after such notice was given by deposit in the United States mail, then said assessment shall be enforced by the City Treasurer and other officers of the City, as provided in NRS 271.545 to NRS 271.630. Nothing herein shall be construed as preventing the City, at the direction of the governing body, from collecting any assessment by suit in the name of the governing body. The final assessment roll and the certified copy of this Ordinance shall be prima facie evidence of the regularity of the proceedings in making the assessment and of the right to recover judgment therefor. If a foreclosure is not promptly filed and prosecuted, then any bondholder may file and prosecute said foreclosure action in the name of the



City. Any bondholder may also proceed against the City to protect and enforce the rights of the bondholders under this Ordinance by suit, action or special proceedings in equity or at law, either for the appointment of a receiver or for the specific performance of any provision contained herein or in an award of execution of any power herein granted for the enforcement of any proper, legal or equitable remedy as such bondholder or bondholders may deem most effective to protect and enforce the rights aforesaid. All such proceedings, at law or in equity, shall be instituted, had and maintained for the equal benefit of all owners of the bonds then outstanding. The failure of the bondholders to foreclose such delinquent assessments or to proceed against the City shall not relieve the City or any of its officers, agents or employees of any liability for its failure to foreclose such delinquent assessments.

Section 9. The City Clerk is hereby directed to deliver to the City Treasurer a copy of the final assessment roll containing a description of the lots, tracts and parcels of land being assessed, with the amount of the assessment levied upon each and the name and address of the owner or owners against whom the assessment was made. The final assessment roll is to be recorded in the office of the County Recorder together with the statement that the current payment status of any assessment may be obtained from the City Treasurer. The City Treasurer is additionally directed to collect the several sums so assessed as a tax upon the several tracts to which they were assessed.

Section 10. In accordance with NRS 271.405(7) the City Clerk shall give notice by publication in the Las Vegas Review-Journal, a newspaper of general circulation in the City, and such notice to be published at least once a week, for three consecutive publications, by three weekly insertions, the first such publication to be at least 15 days prior to the end of the 30-day period stating that said assessments have been levied and are due and payable. The notice shall further state that payment must be made in full prior to the end of the 30 day period to avoid paying interest on the assessment. It shall not be necessary that the notice be published on the same day of the week, but not less than 14 days shall intervene between the first publication and the last publication. Service by publication shall be verified by the affidavit of the publisher and filed with the City Clerk of the City. In accordance with NRS 271.390(2), the City Clerk or Deputy City Clerk shall also give written notice of the levying of the assessments by mailing a copy of such notice, postage prepaid, at least 20 days prior to the end of said 30-day period, to the owner or owners of all property upon which the assessment was levied at his or her last known

address or addresses. Proof of such mailing shall be made by the affidavit of the City Clerk or Deputy City Clerk and such proof shall be filed with the City Clerk. Failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning the District. Proof of the publication and proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments and special assessment bonds issued (if such special assessment bonds are hereafter issued) shall have been paid in full, both principal and interest, or until any claim is barred by an appropriate statute of limitations. The City Council hereby determines that the manner of giving notice herein provided by publication and by mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levy of assessments which may directly and adversely affect their legally protected interests.

Section 11. The notice provided for in NRS 271.390(2) and NRS 271.405(7) and in Section 10 of this Ordinance shall be in substantially the following form:

(Form of Notice)

NOTICE TO PROPERTY OWNERS OF THE LEVY OF ASSESSMENTS FOR  
IMPROVEMENTS IN CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT  
DISTRICT NO. 1505 – SIERRA OESTE NEIGHBORHOOD STREETLIGHTS

NOTICE IS HEREBY GIVEN to the owners of all property upon which an assessment has been levied, and other interested persons, that District No. 1505 Levy Ordinance (hereinafter the "Levy Ordinance") was duly passed, adopted, signed and approved on February 7, 2007. The Levy Ordinance levied and assessed a portion of the cost and expense of such improvements against the lots, tracts and parcels of land specially benefited by the local improvements in what is commonly designated as "City of Las Vegas, Nevada, Special Improvement District No. 1505 – Sierra Oeste Neighborhood Streetlights," (said lots, tracts and parcels of land being more specifically described in the final assessment roll designated in the ordinance).

Assessments are due and payable at the office of the City Treasurer, in Las Vegas, Nevada, on or before March 13, 2007, being 30 days after the effective date of the Levy Ordinance, without interest and without demand, provided that all, or any part of such assessments may, at the election of the owner, be paid in installments, with interest as hereinafter provided. Failure to pay the whole assessment within the 30-day period will be conclusively considered and held an election on the part of all persons interested, whether under disability or otherwise, to pay the unpaid assessment in installments. In case of such election to pay in installments, the unpaid assessments will be payable in ten (10) substantially equal semi-annual installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from February 11, 2007 (i.e., the effective date of the Levy Ordinance) both principal and interest being payable semi-annually at the office of the City Treasurer, Las Vegas, Nevada, on April 1 and October 1 in each year, commencing on October 1, 2007. After the effective date of the Levy Ordinance and before assessment bonds are issued (or if bonds are not issued), the City Director of Finance and Business Services shall fix the rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, the rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds issued for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three percent (3%) the "Index of Twenty Bonds", which is most recently

published before the bids for such bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. If assessment bonds are not issued, such rate shall not exceed 9%. Failure to pay any assessment installment, whether principal or interest, when due will cause the whole of the unpaid principal of such assessment to become due and payable immediately at the City's option, and the whole amount of the unpaid principal and accrued interest will, after such delinquency, whether or not the City's option is exercised, bear penalty interest at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Treasurer) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, until the day of sale or until paid. At any time prior to the date of the sale, the owner may pay the amount of all delinquent installments originally becoming due on or before the date of payment, with the interest thereon and all penalties accrued, and will thereupon be restored the right, thereafter, to pay in installments in the same manner as if default had not been suffered. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any semi-annual installment of the unpaid principal with interest accruing thereon to the next interest payment date. If such prepayment takes place after March 13, 2007, but before the rate of interest on deferred installments of assessments is fixed by the City Director of Finance and Business Services, such interest accruing thereon to the next interest payment date shall be calculated at seven and 25/100 percent (7.25%) per annum (i.e., the presumed rate of interest on the assessment bonds for the District plus one percent).

Pursuant to NRS 271.357 and NRS 271.360, any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expires; (c) the property owner's application for renewal of a Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a



timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof.

Pursuant to NRS 271.395, within 15 days after the effective date of the Levy Ordinance, any person who has filed a complaint, protest or objection in writing, pursuant to NRS 271.380, shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, of the amount of special benefits and market value increases, and of the amount thereof levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation shall be perpetually barred.

The amounts assessed as aforesaid constitute a lien upon said lots, tracts and parcels of land from February 11, 2007 (i.e., the effective date of the Levy Ordinance), which lien shall be co-equal with the latest lien thereon to secure the payment of general taxes and prior and superior to all other liens, claims, encumbrances and titles (other than the liens of assessments and general taxes). The sale of any such lot, tract or parcel of land for general taxes shall not relieve such lot, tract or parcel of land from such assessment or the lien therefor.

Dated this February 7, 2007.

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BARBARA JO RONEMUS, City Clerk

(End of Form of Notice)

Section 12. The officers of the City be, and they hereby are, authorized and directed to take all action necessary and appropriate to effectuate the provisions of this Ordinance, including without limiting the generality of the foregoing, the preparation of all necessary documents, legal proceedings, the recording of the final assessment roll, and other items necessary or desirable for the completion of the levying of the assessments of the District and the issuance of the bonds therefor.

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

Section 14. That in accordance with Section 2.110 of the City Charter, this Ordinance when first proposed is to be read by title to the City Council, immediately after which an adequate number of copies of the proposed Ordinance are to be deposited with the office of the City Clerk for public examination and distribution upon request; thereafter, the City Clerk is authorized and directed to give notice of the deposit together with the title of the Ordinance by publication at least once in the Las Vegas Review-Journal, i.e., a newspaper published and having general circulation in the City, at least ten (10) days before the adoption of the Ordinance, i.e., at least ten (10) days before February 7, 2007, such publication to be in substantially the following form:

(FORM OF PUBLICATION OF NOTICE OF DEPOSIT OF AN ORDINANCE)

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

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1505 - SIERRA OESTE NEIGHBORHOOD STREETLIGHTS; PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-entitled proposed Ordinance were filed with and are available for public inspection and distribution at the office of the City Clerk of the City of Las Vegas, 400 Stewart Avenue, Las Vegas, Nevada, and that such ordinance was proposed on the 3<sup>rd</sup> day of January, 2007, and will be considered for adoption at the regular meeting of the City Council of the City of Las Vegas on the 7<sup>th</sup> day of February, 2007.

/s/ Barbara Jo Ronemus  
City Clerk

(End of Form)

Section 15. That this Ordinance shall be in effect on the day after its publication, as hereinafter provided. After this Ordinance is signed by the Mayor and attested and sealed by the City Clerk, this Ordinance shall be published by title only, together with the names of the City Council voting for or against its passage, and with a statement that typewritten copies of said Ordinance are available for inspection by all interested parties at the office of the City Clerk, such publication to be made in the Las Vegas Review-Journal, a newspaper published and having general circulation in the City, at least once, pursuant to Section 2.110 of the Charter and all laws thereunto enabling, such publication is to be in substantially the following form:



(Form for Publication After Final Adoption of Ordinance)

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

AN ORDINANCE CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1505 – SIERRA OESTE NEIGHBORHOOD STREETLIGHTS; PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF SAID IMPROVEMENTS; ASSESSING A PORTION OF THE COST OF SAID IMPROVEMENTS AGAINST THE ASSESSABLE LOTS, TRACTS, AND PARCELS OF LAND BENEFITED BY SAID IMPROVEMENTS; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN; PRESCRIBING DETAILS IN CONNECTION THEREWITH.

PUBLIC NOTICE IS HEREBY GIVEN that the above Ordinance was proposed on January 3, 2007, and was passed at a regular meeting held on February 7, 2007, by the following vote of the City Council of the City of Las Vegas, Nevada:

Those Voting Aye:

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

Those Voting Nay:

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

Those Absent:

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

This Ordinance shall be in full force and effect from and after February 11, 2007, i.e., the day after its publication by title only.

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

This \_\_\_\_\_ day of \_\_\_\_\_, 2007.

/s/ OSCAR B. GOODMAN  
Mayor  
City of Las Vegas, Nevada

(SEAL)

Attest:  
/s/ BARBARA JO RONEMUS  
City Clerk

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

Introduced January 3, 2007, PASSED, ADOPTED AND APPROVED February 7, 2007.

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

Attest:

\_\_\_\_\_  
BARBARA JO RONE MUS, City Clerk

Approved as to Form:

12-20-06 *Val Steel*  
\_\_\_\_\_  
Date Deputy City Attorney

STATE OF NEVADA            )  
                                      )  
COUNTY OF CLARK         ) SS  
                                      )  
CITY OF LAS VEGAS        )

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

1. The foregoing pages constitute a true, correct, complete and compared copy of an ordinance which was introduced at the meeting of the City Council on January 3, 2007, and finally adopted and approved on February 7, 2007.

2. The following members of the City Council were present at the January 3, 2007 Council meeting:

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

3. The foregoing Ordinance was first proposed and read by title to the City Council on January 3, 2007 and referred to a committee composed of \_\_\_\_\_ and \_\_\_\_\_ for recommendation; thereafter the said committee reported favorably on said Ordinance on February 7, 2007, which was a regular meeting of said City Council; that at said regular meeting, the proposed Ordinance was again read by title to the City Council and adopted. The following members of the City Council were present at the February 7, 2007 meeting and voted upon the adoption of the Ordinance as follows:

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

|                   |       |
|-------------------|-------|
| Those Voting Nay: | _____ |
|                   | _____ |

|               |       |
|---------------|-------|
| Those Absent: | _____ |
|               | _____ |

4. The original of the Ordinance has been approved and authenticated by the signatures of the Mayor of the City and myself, as Clerk of the City, and sealed with the seal of the City, and has been recorded in the journal of the City Council kept for that purpose in my office, which record has been duly signed by such officers and properly sealed.

5. All members of the City Council were given due and proper notice of the meetings held on January 3, and February 7, 2007. Pursuant to § 241.020, Nevada Revised Statutes, written notice of the meetings was given no later than 9:00 a.m. on the third working day before the meetings, including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice by 9:00 a.m. at least three (3) working days before the meetings at the principal office of the City Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the City Council, to wit:

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

; and

(b) By mailing a copy of the notice by 9:00 a.m. no later than three (3) working days before the meetings to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council.

6. A copy of such notice so given of the meeting of the City Council on January 3, 2007, is attached to this certificate as Exhibit A and a copy of the notice so given of the meeting of the City Council on February 7, 2007, is attached to this certificate as Exhibit B.

7. Upon request, the governing body provides, at no charge, at least one copy of the agenda for its public meetings, any proposed ordinance or regulation which will be discussed at the public meeting, and any other supporting materials provided to the members of the governing body for an item on the agenda, except for certain confidential materials and materials pertaining to the closed meetings, as provided by law.

**IN WITNESS WHEREOF**, I have hereunto set my hand on this February 7, 2007.

---

BARBARA JO RONEMUS, City Clerk

(SEAL)



**EXHIBIT A**

**(Attach Copy of Notice of January 3, 2007 Meeting)**

**EXHIBIT B**

**(Attach Copy of Notice of February 7, 2007 Meeting)**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ Consent ☒ Discussion

**SUBJECT:**

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING

Bill No. 2007-3 – Annexation No. ANX-12215 – Property location: On the north and south sides of I-215 (Clark County Highway 215), between Shaumber Road and Fort Apache Road; Petitioned by Southwest Desert Equities, LLC, et al.; Acreage: Approximately 259 acres; Zoned: R-E and P-F (County zoning), U (R), U (RNP), U (L), U (P-F) and C-V (City equivalents). Sponsored by: Councilman Steven D. Ross

**Fiscal Impact**

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the north and south sides of I-215 (Clark County Highway 215), between Shaumber Road and Fort Apache Road. The annexation is at the request of certain property owners and the City, with a statement of non-objection having been filed by the Bureau of Land Management as an additional owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (February 16, 2007) is set by this ordinance.

**RECOMMENDATION:**

ADOPTION at 2/7/2007 City Council meeting pursuant to the 1/17/2007 Recommending Committee

First Reading – 1/3/2007; First Publication – 1/26/2007

**BACKUP DOCUMENTATION:**

1. Bill No. 2007-3
2. Protest letters from RL Homes

Minutes:

Recommendation noted.

2/7/2007 Council Agenda

1  
2  
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5  
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7  
8 **BILL NO. 2007-3**

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

10 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY  
11 DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE  
12 LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER  
RELATED MATTERS. (ANX-12215)

13 Sponsored by: Councilman Steven D. Ross

Summary: Annexes property described  
generally as located on the north and south sides  
of I-215 (Clark County Highway 215), between  
Shaumber Road and Fort Apache Road.

14  
15 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN  
16 AS FOLLOWS:

17 SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby  
18 extended to annex, include, and make a part of the City of Las Vegas, Nevada, the following described  
19 real property:

20 Those portions of the South Half (S 1/2) of Section 19, Township 19 South, Range 60  
21 East, M.D.M., and those portions of the South Half (S 1/2) of Section 24, Township  
22 19 South, Range 59 East, M.D.M., in the County of Clark, State of Nevada, including  
portions of Northern Beltway I-215 right of way, as shown on "RECORD OF  
SURVEY - ANNEXATION PLAT" recorded July 12, 2006 in File 158 of Surveys,  
Page 9 of Clark County, Nevada Records, described as follows:

23 BEGINNING at the southeast corner of said Section 24, also being the centerline  
24 intersection of CENTENNIAL PARKWAY and HUALAPAI WAY; thence along the  
25 south line of the Southeast Quarter (SE 1/4) of said Section 24, North 88°58'34" West  
2706.05 feet to the west line of said Southeast Quarter (SE 1/4); thence along said  
26 west line, North 00°04'23" East 669.08 feet; thence departing said west line, South  
88°58'09" West 339.09 feet; thence North 00°00'30" East 167.21 feet; thence North  
27 88°57'34" East 339.28 feet to the aforementioned west line; thence North 00°04'23"  
East 334.54 feet; thence departing said west line, North 88°56'02" East 338.65 feet;  
28 thence North 00°05'30" East 167.31 feet to the south line of the Northwest Quarter  
(NW 1/4) of the Southeast Quarter (SE 1/4) of said Section 24; thence along the south

1 line of said Northwest Quarter (NW 1/4), North 88°55'41" East 338.70 feet; thence  
2 departing said south line, North 00°06'42" East 167.23 feet; thence North 88°55'04"  
3 East 338.78 feet; thence South 00°08'10" West 167.29 feet to the south line of said  
4 Northwest Quarter (NW 1/4); thence along said south line, North 88°55'41" East  
5 338.70 feet to the southeast corner of said Northwest Quarter (NW 1/4); thence along  
6 the east line of said Northwest Quarter (NW 1/4), North 00°09'39" East 334.71 feet;  
7 thence departing said East line, North 88°53'41" East 1358.00 feet to the east line of  
8 the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of said Section 24;  
9 thence along the east line of said Northeast Quarter (NE 1/4), North 00°19'19" East  
10 1005.57 feet to the northwest corner of the Northwest Quarter (NW 1/4) of the  
11 Southwest Quarter (SW 1/4) of said Section 19; thence along the north line of said  
12 Northwest Quarter (NW 1/4) and the centerline of DEER SPRINGS WAY, South  
13 89°27'56" East 1344.49 feet to the northwest corner of the Northeast Quarter (NE 1/4)  
14 of the Southwest Quarter (SW 1/4) of said Section 19; thence continuing along said  
15 centerline, South 89°29'27" East 662.09 feet; thence departing said centerline South  
16 00°04'10" East 667.73 feet; thence South 89°33'36" East 331.41 feet; thence North  
17 00°06'06" West 667.33 feet returning to the centerline of said DEER SPRINGS WAY;  
18 thence South 89°29'27" East 331.04 feet to the center quarter corner of said Section 19,  
19 also being the centerline intersection of DEER SPRINGS WAY and GRAND  
20 CANYON DRIVE; thence along the centerline of said GRAND CANYON DRIVE  
21 and the east line of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4)  
22 of said Section 19, South 00°08'02" East 666.94 feet; thence departing said east line,  
23 North 89°33'36" West 331.41 feet; thence South 00°06'06" East 667.33 feet to a point  
24 hereinafter referred to as POINT "A"; thence South 89°37'45" East 331.79 feet to the  
25 northwest corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4)  
26 of said Section 19; thence along the west line of said Southwest Quarter (SW 1/4),  
27 South 00°07'26" East 666.75 feet to the southwest corner of the North Half (N 1/2) of  
28 the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 19;  
thence along the south line of said North Half (N 1/2), South 89°41'28" East 1328.72  
feet to the east line of said North Half (N 1/2); thence along said east line, North  
00°12'42" West 332.68 feet; thence departing the east line of said North Half (N 1/2),  
South 89°40'36" East 165.98 feet; thence South 00°13'34" East 332.60 feet; thence  
South 89°42'19" East 166.06 feet; thence South 00°14'27" East 665.03 feet to the south  
line of the Southeast Quarter (SE 1/4) of said Section 24; thence along said south line  
North 89°45'46" West 332.46 feet; thence continuing along said south line, North  
89°45'05" West 1329.72 feet to the south quarter corner of said Section 19; thence  
along the south line of the Southwest Quarter (SW 1/4) of said Section 19, North  
89°47'13" West 1329.78 feet; thence continuing along said south line, North 89°47'00"  
West 997.89 feet; thence departing said south line, North 00°06'13" East 669.94 feet;  
thence North 89°42'16" West 359.37 feet to the west line of the Southwest Quarter  
(SW 1/4) of said Section 19; thence along said west line, South 00°19'07" West 670.44  
feet to the POINT OF BEGINNING.

EXCEPT THEREFROM a parcel of land described as follows:

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

FURTHER EXCEPT THEREFROM another parcel of land described as follows:

COMMENCING at the aforementioned POINT "B"; thence North 89°32'44" West



1 331.31 feet to the POINT OF BEGINNING "B1; thence South 00°01'47" West 668.98  
2 feet; thence North 89°37'30" West 331.77 feet; thence North 00°04'00" East 532.84  
3 feet to the northerly right-of-way of the I-215 BELTWAY; thence along said northerly  
4 right-of-way, North 62°30'11" West 153.23 feet to the beginning of a curve, concave  
5 southwesterly, having a radius of 1120.00 feet; thence northwesterly along said curve  
6 and said right-of-way, through a central angle of 08°55'36" and an arc length of 174.50  
7 feet to a point of cusp; thence South 89°32'44" East 627.85 feet to the POINT OF  
8 BEGINNING "B1."

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

13 Prepared by:  
14 Brian Yu PLS  
15 Public Works, City of Las Vegas,  
16 731 S. Fourth Street,  
17 Las Vegas, NV 89101  
18 [byu@lasvegasnevada.gov](mailto:byu@lasvegasnevada.gov)

19 SECTION 2: The City Council hereby determines that the described territory meets  
20 the requirements provided by law for annexation to the City for the following reasons:

21 (A) The area to be annexed was contiguous to the City's boundaries at the time the  
22 annexation proceedings were instituted;

23 (B) More than one-eighth (1/8) of the aggregate external boundaries of the area are  
24 contiguous to the City;

25 (C) The territory proposed to be annexed is not included within the boundaries of  
26 another incorporated city or within the boundaries of any unincorporated town as those boundaries  
27 existed as of July 1, 1983;

28 (D) The territory in question is eligible to be annexed to the City because:

(1) With respect to territory not owned by a governmental entity, the owners  
of record of not less than 75 percent of the individual lots or parcels of land within the territory have  
petitioned the City to annex the territory.

(2) With respect to territory owned by a governmental entity, the City has  
received a written statement from the governmental entity indicating that it owns the territory and does  
not object to the City's annexation of the territory.

(E) In compliance with the procedural requirements of NRS Chapter 268, the City

1 is authorized to annex the territory in question because:

2 (1) In accordance with NRS 268.584, the City Council, on November 1,  
3 2006, adopted a resolution of intent to annex, along with the form of a notice of public hearing to be  
4 provided to property owners within the annexation area, and set a public hearing for December 20,  
5 2006.

6 (2) In accordance with NRS 268.578 and 268.588, the City Council, on  
7 November 15, 2006, approved an annexation report and made it available for inspection and copying  
8 thereafter.

9 (3) In accordance with NRS 268.586, the City mailed by certified mail,  
10 return receipt requested, a copy of the notice of public hearing to the owners of the property within  
11 the annexation area, as determined with reference to the records of the Clark County Assessor.

12 (4) In accordance with NRS 268.586, the City had the notice of public  
13 hearing published in a newspaper of general circulation within the territory to be annexed, on three  
14 separate occasions in compliance with the requirements of NRS 268.586.

15 (5) In accordance with NRS 268.590, the City Council held a public hearing  
16 on December 20, 2006, at which time persons who wished to be heard concerning the matter were  
17 given that opportunity. During the public hearing, and within the 15-day period following the public  
18 hearing, the number of persons who protested the annexation (zero) was less than a "majority of the  
19 property owners" as defined by NRS 268.574(3).

20 (6) In accordance with NRS 268.592, because less than a majority of the  
21 property owners protested the annexation, the territory may be annexed by the City.

22 SECTION 3: The City will provide police protection through the Las Vegas  
23 Metropolitan Police Department, fire protection, street maintenance, and library services immediately  
24 upon annexation. Garbage collection by the company franchised by the City will also be provided  
25 immediately. The City sanitary sewer system will serve the proposed annexation area. Any  
26 connection to or extension of this sewer line to serve the annexation area shall be at the expense of  
27 the landowners. Other services, such as participation in the City's recreational programs, special  
28 education classes and programs, public works planning, building inspections, and other City services

1 will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided  
2 by private utility companies and other services to the area will not be affected by annexation. Street  
3 paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation  
4 will be installed in the presently developed areas upon the request of the property owners and at their  
5 expense by means of special assessment districts. Such improvements will be extended into the  
6 undeveloped areas as development takes place and the need therefor arises, and will be located  
7 according to the needs of the area at that time. Such installations will also be made at the expense of  
8 the property owners, either by means of special assessment districts or as prerequisites to the approval  
9 of subdivision plats, building permits or other land use or development applications.

10 SECTION 4: The annexation of the described territory shall become effective on the  
11 16th of February, 2007, and on that date the City will have the funds appropriated in sufficient amount  
12 to finance the extension into the described territory of police protection, fire protection, street  
13 maintenance, street sweeping, and street lighting maintenance.

14 SECTION 5: The described territory, together with the inhabitants and property  
15 thereof, shall, from and after the 16th day of February, 2007, be subject to all debts, laws, ordinances  
16 and regulations in force in the City and shall be entitled to the same privileges and benefits as other  
17 parts of the City, and shall be subject to municipal taxes levied by the City.

18 SECTION 6: The City Engineer is hereby instructed to cause to be prepared an  
19 accurate map or plat of the described territory and to record the map or plat, together with a certified  
20 copy of this ordinance, in the office of the County Recorder of Clark County, Nevada, which recording  
21 shall be done prior to the 16th day of February, 2007.

22 SECTION 7: The described territory, which previously has been zoned in accordance  
23 with the County of Clark classifications described below, is hereby classified with the City of Las  
24 Vegas classifications that are set forth below, which are deemed to be the equivalents of the County  
25 classifications:

26 ...

27 ...

28 ...

| PROPERTY DESCRIPTION (BY APN)                                                                                                                                                                                                          | COUNTY CLASSIFICATION | CITY CLASSIFICATION |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|---------------------|
| 125-19-301-001<br>125-19-301-002<br>125-19-301-003<br>125-19-301-005<br>125-19-301-013<br>125-19-401-002<br>125-19-401-005<br>125-19-401-006<br>125-19-401-007<br>125-19-401-009<br>125-19-401-010<br>125-19-401-011<br>125-19-802-010 | R-E                   | U (R)               |
| 125-19-301-004<br>125-19-301-008                                                                                                                                                                                                       | R-E                   | U (RNP)             |
| 125-19-301-006<br>125-19-401-003                                                                                                                                                                                                       | R-E                   | U (P-F)             |
| 125-19-802-008<br>125-19-802-011                                                                                                                                                                                                       | R-E                   | U (L)               |
| 125-19-801-002<br>125-19-801-003<br>125-19-801-004<br>125-19-801-005                                                                                                                                                                   | P-F                   | C-V                 |

SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

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1                   SECTION 9: All ordinances or parts of ordinances or sections, subsections, phrases,  
2 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
3 1983 Edition, in conflict herewith are hereby repealed.

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

5                   APPROVED:

6  
7                   By \_\_\_\_\_  
8                   OSCAR B. GOODMAN, Mayor

9                   ATTEST:

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

12                  APPROVED AS TO FORM:

13                  Val Steed                  12-20-06  
14                                                  Date



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

8 VOTING "AYE": \_\_\_\_\_  
9 VOTING "NAY": \_\_\_\_\_  
10 ABSENT: \_\_\_\_\_

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APPROVED:

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

ATTEST:

BARBARA JO RONEMUS, City Clerk





2007 JAN -4 P 2:49

**RL Homes, LLC**  
1050 Indigo Drive Suite 110  
Attn: Shane Hambleton  
Las Vegas, Nevada 89145  
(702) 228-2081

January 2, 2006

City of Las Vegas  
Attn: City Council Member STEVEN ROSS  
400 Stewart Avenue  
Las Vegas, NV 89102

**WRITTEN PROTEST OF ANNEXATION**

City Council Meeting of December 20<sup>th</sup>, 2006

**RE: Written Protest to Agenda Item No: (90 – Public hearing on annexation report for the proposed annexation area generally located on the north and south sides of Clark County Highway 215, between Shaumber Road and Fort Apache Road (ANX-12215) – Ward 6 (Ross)**

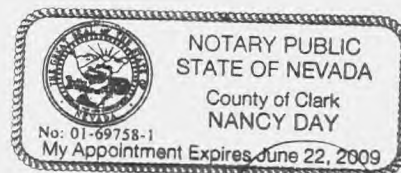
This document shall serve as a written protest to said annexation (ANX-12215) as noticed and heard at the December 20<sup>th</sup>, 2006 City Council Meeting (Agenda Item #90). This objection is being submitted within the (15) day objection period per the City Attorneys Office.

As property owner, (DARK, LLC APN#125-19-301-008 & 007), of whom has been made part of said annexation without consent, is making this objection. We believe such annexation and subsequent Bill No. 2007-3 in its present state adversely affects our property and additionally creates definite hardship as for future development of the property not to mention de-values the property.

On behalf of RL Homes, LLC and this matter please contact Shane Hambleton at 702-324-5652.

Sincerely,

Shane Hambleton  
Vice Present of Acquisitions  
RL Homes, LLC



cc: City Clerks Office

1-4-07



2007 JAN -4 P 2:49

**RL Homes, LLC**  
1050 Indigo Drive Suite 110  
Attn: Shane Hambleton  
Las Vegas, Nevada 89145  
(702) 228-2081

January 2, 2006

City of Las Vegas  
Attn: City Council Member STEVEN ROSS  
400 Stewart Avenue  
Las Vegas, NV 89102

**WRITTEN PROTEST OF ANNEXATION**

City Council Meeting of January 3, 2007

**RE: Written Protest to Agenda Item No: (77 – Bill No. 2007-3 – Annexation No. ANX-12215**

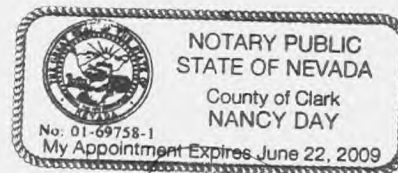
This document shall serve as a written protest to said Bill No. 2007-3 (ANX-12215) as noticed but not discussed at the January 3, 2007 City Council Meeting (Agenda Item #77). This objection should be forwarded to the Recommending Committee as well as Council Member in an effort to receive public testimony before final action on this matter.

As property owner, (DARK, LLC APN#125-19-301-008 & 007) of whom has been made part of said annexation without consent, is making this objection. We believe such annexation and subsequent Bill No. 2007-3 in its present state adversely affects our property and additionally creates definite hardship as for future development of the property not to mention de-values the property.

On behalf of RL Homes, LLC and this matter please contact Shane Hambleton at 702-324-5652.

Sincerely,

Shane Hambleton  
Vice Present of Acquisitions  
RL Homes, LLC



cc: City Clerks Office

*Nancy Day*  
1-4-07

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

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**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ Consent ☒ Discussion

**SUBJECT:**

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING

Bill No. 2007-4 – Clarifies and standardizes the provisions that govern the expiration and termination of zoning-related applications and approvals. Proposed by: M. Margo Wheeler, Director of Planning and Development

**Fiscal Impact**

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

Current zoning regulations contain an assortment of provisions that govern the expiration of zoning-related applications and approvals, including applications that have been tabled, and approved applications related to rezonings, site development reviews, special use permits and variances. This bill will standardize the expiration provisions and provide clarification where necessary.

**RECOMMENDATION:**

ADOPTION at 2/7/2007 City Council meeting pursuant to the 1/17/2007 Recommending Committee

First Reading – 1/3/2007; First Publication – 1/26/2007

**BACKUP DOCUMENTATION:**

Bill No. 2007-4

Minutes:

Recommendation noted.

2/7/2007 Council Agenda

THE MORNING SESSION RECESSED AT 12:07 P.M.

1 BILL NO. 2007-4

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

3 AN ORDINANCE TO CLARIFY AND STANDARDIZE THE PROVISIONS THAT GOVERN THE  
4 EXPIRATION AND TERMINATION OF ZONING-RELATED APPLICATIONS AND  
APPROVALS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Proposed by: M. Margo Wheeler, Director of  
6 Planning and Development

Summary: Clarifies and standardizes the  
provisions that govern the expiration and  
7 termination of zoning-related applications and  
approvals.

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

10 SECTION 1: Title 19, Chapter 18, Section 10, of the Municipal Code of the City of  
11 Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new Subsection, designated  
12 as Subsection (G), reading as follows:

13 (G) Treatment of Certain Tabled Applications. Any application under this Chapter that requires  
14 a public hearing and that is tabled at the request of an applicant shall expire six months after the last  
15 announced public hearing date, unless:

16 (1) Within that period of time, the applicant has requested that the item be scheduled again  
17 for hearing; or

18 (2) The motion to table the application specified otherwise.

19 After an application has expired in accordance with this Subsection (G), the applicant must submit  
20 a new application.

21 SECTION 2: Title 19, Chapter 18, Section 40, Subsection (O), of the Municipal Code  
22 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

23 (O) Rezoning Procedures.

24 (1) Resolution of Intent. Before the City Council adopts an ordinance to effectuate a  
25 rezoning, the Council may adopt a Resolution of Intent to reflect the Council's approval of the  
26 rezoning. Such a Resolution of Intent is binding upon the City Council in accordance with its terms[.]  
27 and shall have a time limit not to exceed two years.

28 (2) Finalizing Rezoning by Ordinance. The final step in the rezoning process, whether or

1 not rezoning approval is by means of a Resolution of Intent, is the adoption of a rezoning ordinance  
2 in which the zoning classification of one or more parcels is formalized.

3 (3) Changes. No substantial change may be made to a development or to the rezoning  
4 approval which authorized that development without the approval of the City Council. This approval  
5 requirement applies to the rezoned parcel both before and after the adoption of an ordinance rezoning  
6 that parcel.

7 (4) Termination of Rezoning [Approval Without Time Limit.] Approvals Subject to a  
8 Resolution of Intent.

9 (a) Approvals Not Subject to Time Limit. If development does not occur in a  
10 timely manner or if conditions in the area change subsequent to the original approval of a rezoning  
11 that is not subject to a time limit, the City Council may schedule a hearing to reconsider the Resolution  
12 of Intent. At such time, the Council may rescind the Resolution of Intent or may change the conditions  
13 of approval. In addition, if such a rezoning approval no longer conforms to the use and density  
14 classification of the General Plan, the City may notify the property owner that the rezoning must be  
15 exercised within one year. [If, within that period, the zoning approval is not exercised by means of the  
16 recordation of a final subdivision map or by the commencement of actual construction, the approval  
17 terminates.] Thereafter, the approval shall be treated as an approval subject to a time limit in  
18 accordance with Subparagraph (b) below.

19 (b) Approvals Subject to Time Limit. Except as otherwise provided in Paragraph  
20 (5) below, a rezoning approval which is not exercised within the time limit established for or by the  
21 Resolution of Intent shall be void.

22 (c) Methods for Exercising Rezoning Approvals. For purposes of this Paragraph  
23 (4), a rezoning approval is exercised as follows:

24 (i) For applications that require the creation of a residential subdivision,  
25 upon the recordation of a final subdivision map;

26 (ii) For applications that require the construction of a one or more new  
27 structures, but do not require the creation of a residential subdivision map, upon the issuance of a  
28 building permit for the new construction;



1                   (iii) For all other applications, upon the issuance of a certificate of  
2 occupancy or approval of a final inspection, whichever is applicable.

3           (5)     Extension of Time--General Requirements. If the approval of a Resolution of Intent  
4 is subject to a time limit, the approval expires at the end of that time limit unless the City Council  
5 extends the approval period. Extension of an approval period[, or reinstatement and extension,] may  
6 be granted only if:

7                   (a)     Application therefor is made [no later than six months after the approval has  
8 expired;] prior to the expiration of the time limit;

9                   (b)     The applicant demonstrates good cause; and

10                  (c)     The applicant conforms to the additional requirements set forth in [Subsection]  
11 Paragraph (6) below.

12           (6)     Extensions of Time-Additional Requirements. If a time-limited zoning approval that  
13 is sought to be extended [(or reinstated and extended)] continues to conform to the use and density  
14 classifications of the General Plan, the applicant must demonstrate that the rezoning remains  
15 consistent with the surrounding area and the pattern of development in the area. If the rezoning sought  
16 to be extended [(or reinstated and extended)] no longer conforms to the use and density classifications  
17 of the General Plan, the extension of time, if granted, shall be limited to a one-year period. If, within  
18 that period, the zoning approval is not exercised by means of the recordation of a final subdivision  
19 map or by the commencement of actual construction, the approval terminates.

20                         SECTION 3: Title 19, Chapter 18, Section 50, Subsection (J), of the Municipal Code  
21 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22           (J)     Expiration. Except as otherwise specified in connection with its approval, a Site Development  
23 Plan which is not exercised within two years after the date of approval shall be void, unless an  
24 extension of time is granted[.] upon a showing of good cause. An extension of time may be granted  
25 only if application therefor is made prior to the expiration of the two-year period (or such other time  
26 period as was specified in the approval). For purposes of this [Section] Subsection (J), a Site  
27 Development Plan is exercised upon the issuance of a building permit for the principal structure on  
28 the site.

SECTION 4: Title 19, Chapter 18, Section 60, Subsection (P), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

(P) Termination.

(1) Failure to Exercise.

(a) A Special Use Permit which cannot be exercised except upon construction of a new building, and which is not exercised within two years after approval, shall be void, unless the City Council grants an extension of time upon a showing of good cause. An extension of time may be granted only if application therefor is made prior to the expiration of the two-year period. For purposes of this Subparagraph (a), a Special Use Permit is exercised upon the issuance of a building permit for the new construction.

[(2)] (b) A Special Use Permit which does not require the construction of a new building in order to be exercised, and which is not exercised within one year after approval shall be void, unless the City Council grants an extension of time upon a showing of good cause. An extension of time may be granted only if application therefor is made prior to the expiration of the one-year period. For purposes of this Subparagraph (b), a Special Use Permit is exercised upon the approval of a business license to conduct the activity, if one is required, or otherwise, upon the issuance of a certificate of occupancy or approval of a final inspection.

[(3)] For any Special Use Permit approved before January 1, 2000, which expires before an extension is granted, the City Council may reinstate the approval within the six-month period following the expiration date and grant an extension of time if the Council is satisfied that there has not been a material change of circumstances such that the Special Use Permit is no longer warranted.]

[(4)] (2) Cessation of Use. A Special Use Permit shall be void without further action if:

(a) The Special Use Permit was issued for alcoholic beverage use and such use ceases for one hundred and eighty days or more; or

(b) The Special Use Permit was issued for a use other than alcoholic beverage use and such use ceases for twelve months or more.

[(5)] For purposes of this Subsection (P), a Special Use Permit is exercised upon approval of a business license to conduct the activity, if one is required, or, otherwise, upon the issuance of a

1 certificate of occupancy or approval of a final inspection.]

2 SECTION 5: Title 19, Chapter 18, Section 70, Subsection (O), of the Municipal Code  
3 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

4 (O) Termination.

5 (1) Failure to Exercise.

6 (a) A Variance which will require the construction of a new building and which  
7 is not exercised within two years after approval shall be void, unless the applicant obtains an extension  
8 of time upon a showing of good cause. Application for an extension shall be made to the Planning  
9 Commission or City Council, whichever body took final action to approve the Variance. An extension  
10 of time may be granted only if application therefor is made prior to the expiration of the two-year  
11 period. For purposes of this Subparagraph (a), a Variance is exercised upon the issuance of a building  
12 permit for the new construction.

13 [(2)] (b) A Variance which will not require the construction of a new building and which  
14 is not exercised within one year after approval shall be void, unless the applicant obtains an extension  
15 of time upon a showing of good cause. Application for an extension shall be made to the Planning  
16 Commission or City Council, whichever body took final action to approve the Variance. An extension  
17 of time may be granted only if application therefor is made prior to the expiration of the one-year  
18 period. For purposes of this Subparagraph (b), a Variance is exercised upon the approval of a business  
19 license to conduct the activity, if one is required, or otherwise, upon the issuance of a certificate of  
20 occupancy or approval of a final inspection.

21 [(3)] For any Variance approved before January 1, 2000, which expires before an extension  
22 is granted, the Planning Commission or City Council, as the case may be, may reinstate the approval  
23 within the six-month period following the expiration date and grant an extension of time if the  
24 Commission or Council is satisfied that there has not been a material change of circumstances such  
25 that the Variance is no longer warranted.]

26 (2) Cessation of Use. A Variance to allow a use that is not permitted in a particular zone  
27 shall be void without further action if the use approved by the Variance ceases for a period of twelve  
28 months or more.

1 [(5) For purposes of this Section (O), a Variance is exercised upon approval of a business  
2 license to conduct the activity, if one is required, or, otherwise, upon the issuance of a certificate of  
3 occupancy or approval of a final inspection.]

4 SECTION 6: For purposes of Section 2.100(3) of the City Charter, LVMC 19.18.010,  
5 19.18.040, 19.18.050, 19.18.060, and 19.18.070 are deemed to be subchapters rather than sections.

6 SECTION 7: If any section, subsection, subdivision, paragraph, sentence, clause or  
7 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or  
8 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or  
9 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the  
10 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,  
11 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,  
12 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,  
13 invalid or ineffective.

14 SECTION 8: All ordinances or parts of ordinances or sections, subsections, phrases,  
15 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,  
16 1983 Edition, in conflict herewith are hereby repealed.

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

18 APPROVED:

19 By \_\_\_\_\_  
20 OSCAR B. GOODMAN, Mayor

21 ATTEST:

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

24 APPROVED AS TO FORM:

25 Val Steed 12-20-06  
Date



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

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

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

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

11

12

APPROVED:

13

14

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

15 ATTEST:

16

17 BARBARA JO RONEMUS, City Clerk

18

19

20

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**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

---

**DEPARTMENT: CITY CLERK**

**DIRECTOR: BARBARA JO RONEMUS**

☐ Consent ☒ Discussion

**SUBJECT:**

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

Motion made by GARY REESE to Hold in Abeyance Item 92 [GPA-16511], Item 93 [ZON-16519], Item 94 [VAR-16525], Item 95 [SDR-16522], Item 101 [ZON-17740], Item 102 [VAR-17741], Item 103 [VAR-17742], Item 104 [VAR-17743], Item 105 [VAC-17744], Item 106 [SDR-17745], Item 116 [SDR-15747], Item 117 [ROC-18341] and Item 130 [SUP-17739] to 2/07/2007; Item 82 [1919 Fremont Street], Item 118 [ZON-16179], Item 119 [VAR-16181], Item 120 [VAR-17191], Item 121 [SDR-16180], Item 122 [ZON-17242], Item 123 [VAR-17244], Item 124 [SDR-17247], Item 131 [SUP-18037] and Item 132 [SDR-18034] to 2/21/2007

Subsequent to the meeting, it was determined that Item 131 [SUP-18037] and Item 132 [SDR-18034] should have been held in abeyance to 2/07/2007 rather than 2/21/2007. Renotification was mailed for both items as well as republished for public hearing on 2/07/2007.

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

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

Minutes:

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

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**DEPARTMENT: METROPOLITAN POLICE****DIRECTOR: AREA COMMAND**☐ Consent ☒ Discussion**SUBJECT:**

Hearing to consider the appeal regarding the Notice and Declaration of Chronic Nuisance located at 1919 Fremont Street. PROPERTY OWNER: JOSE E. & AZALEA PERAL - Ward 3 (Reese)

**Fiscal Impact**☒**No Impact**☐**Augmentation Required**☐**Budget Funds Available****Amount:****Funding Source:****Dept./Division:****PURPOSE/BACKGROUND:**

The subject property was determined to be a chronic nuisance as defined in Las Vegas Municipal Code, Title 9.04.010 and 9.040.020, dealing with nuisances. A Notice and Declaration of Chronic Nuisance was mailed to the property owners to correct the nuisance per Title 9.04.010 and 9.040.020. Today's hearing is to consider the Appeal to the Notice and Declaration of Chronic Nuisance filed by Azalea Peral, property owner and responsible party.

**RECOMMENDATION:**

That the City Council approve the Notice and Declaration of Chronic Nuisance.

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. Location Map
3. Notice and Declaration of Chronic Nuisance
4. Appeal Letter from Appellant
5. Notice of Appeal and Rescheduled Hearing Letters

Motion made by GARY REESE to Hold in Abeyance Item 92 [GPA-16511], Item 93 [ZON-16519], Item 94 [VAR-16525], Item 95 [SDR-16522], Item 101 [ZON-17740], Item 102 [VAR-17741], Item 103 [VAR-17742], Item 104 [VAR-17743], Item 105 [VAC-17744], Item 106 [SDR-17745], Item 116 [SDR-15747], Item 117 [ROC-18341] and Item 130 [SUP-17739] to 2/07/2007; Item 82 [1919 Fremont Street], Item 118 [ZON-16179], Item 119 [VAR-16181], Item 120 [VAR-17191], Item 121 [SDR-16180], Item 122 [ZON-17242], Item 123 [VAR-17244], Item 124 [SDR-17247], Item 131 [SUP-18037] and Item 132 [SDR-18034] to 2/21/2007

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

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

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE:** January 3, 2007

**DEPARTMENT:** Metropolitan Police

**ITEM DESCRIPTION:** Hearing to consider the appeal regarding the Notice and Declaration of Chronic Nuisance located at 1919 E. Fremont. **PROPERTY**

**OWNER:** - Ward 3 (Reese)

---

The subject property was deemed to be a public nuisance as defined in Las Vegas Municipal Code, Title 9.04.010 and 9.040.020, dealing with nuisances.

A Notice and Declaration of Chronic Nuisance was sent to the property owners requesting they correct the nuisance per Title 9.

Your property continues to be infested with criminal activity and it will no longer be tolerated. We request the following:

1. Hire more security guards and have them work on a 24-hour basis.
2. Provide proof that back ground checks are being conducted.
3. Take a more proactive role in reducing the calls for service which is a result of the enormous amount of criminal activity and poor management skills.
4. Comply with the IDL program.
5. Take a more proactive role in screening tenants.
6. Evict all problem tenants that security or LVMPD informs you of immediately.
7. Call LVMPD's Crime Prevention Specialist for assistance on reducing your property of criminal activity. (Pam Terry 828-4306)

This conduct constitutes a Chronic Nuisance as defined by Las Vegas Municipal Code 9.04.010. Pursuant to Las Vegas Municipal Code 9.040.020, every person who causes or maintains a public nuisance or chronic nuisance, or who wilfully omits or refuses to perform any legal duty relating to the abatement of such a nuisance.

- 1) Shall be guilty of a misdemeanor; or
- 2) Shall be liable civilly to the City and, upon such finding based upon substantial evidence, shall be responsible to pay civil penalties of not more than five hundred dollars per day for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation.

(B) Each day that a violation of this Section continues, whether pursued criminally or civilly, constitutes a separate violation for purposes of criminal prosecution or civil proceedings.

## *City of Las Vegas*

Today's hearing is to consider the appeal for the Notice and Declaration of Chronic Nuisance filed by Azalea Peral, property owner and responsible party.







BILL  
YOUNG,  
Sheriff

Las Vegas Metropolitan Police  
Department  
400 Stewart Avenue  
Las Vegas, Nevada 89101-2984  
(702) 795-3111

**NOTICE AND DECLARATION OF CHRONIC NUISANCE**

11-29-06

To: Peral Azalea  
1919 E. Fremont

In Response  
Please Reply To:  
Officer Minoletti  
Officer Humphrey  
Phone#229-8360

**PLEASE TAKE NOTICE** that there has been an increase of criminal activity occurring on the premises commonly known as the Zari Motel located at 1919 E. Fremont. Crime Analysis shows that there have been at least 16 nuisance activities that have occurred on your property in the last thirty days. Per Municipal Code 9.04.010, three or more nuisance activities on a single property constitutes a Chronic Nuisance. Your property continues to be infested with criminal activity and it will no longer be tolerated. We request the following:

- 1. Hire more security guards and have them work on a 24 hour basis.
- 2. Provide proof that back ground checks are being conducted.
- 1. Take a more proactive role in reducing the calls for service which is a result of the enormous amount of criminal activity and poor management skills.
- 3. Comply with the IDL program.
- 4. Take a more proactive role in screening tenants.
- 5. Evict all problem tenants that security or LVMPD informs you of immediately.
- 6. Call LVMPD's Crime Prevention Specialist for assistance on reducing your property of criminal activity. (Pam Terry 828-4306)

This conduct constitutes a Chronic Nuisance as defined by Las Vegas Municipal Code 9.04.010. Pursuant to Las Vegas Municipal Code 9.040.020, every person who causes or maintains a public nuisance or chronic nuisance, or who wilfully omits or refuses to perform any legal duty relating to the abatement of such a nuisance.

(1) Shall be guilty of a misdemeanor; or

(2) Shall be liable civilly to the City and, upon such finding based upon substantial evidence, shall be responsible to pay civil penalties of not more than five hundred dollars per day for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation.

(B) Each day that a violation of this Section continues, whether pursued criminally or civilly, constitutes a separate violation for purposes of criminal prosecution or civil proceedings.

1-PM





Las Vegas Metropolitan Police  
Department  
400 Stewart Avenue  
Las Vegas, Nevada 89101-2984  
(702) 795-3111

BILL  
YOUNG,  
Sheriff

## REQUEST FOR ABATEMENT

YOU ARE HEREBY requested to take any and all steps necessary to abate the above nuisance IMMEDIATELY. You have until 12-14-06 to correct and abate this nuisance. I can assist you with suggestions and alternatives that may help in abating this nuisance. Please contact me upon receipt of this notice so that the appropriate corrective actions can begin. Failure to abate this nuisance will result in the implementation of any and all remedial measures available to the City of Las Vegas under Title 9 of the Las Vegas Municipal Code, including civil fines and criminal prosecution. If you wish to appeal this notice, see Las Vegas Municipal Code 9.04.070, attached hereto.

Officer Giovanni Minoletti

cc Councilman Lawrence Weekly  
City Attorney



RECEIVED  
CITY CLERK

2006 DEC -6 P 3: 31

December 5, 2006  
Zari's Motel  
1919 Fremont St.  
Las Vegas NV. 89012

Re: Appeal

City Council:

In response to the notice of Chronic Nuisance posted on my door dated 11-29-06. After reading the requirements by Officer Minoletti I am appealing two items:

- 1- Hire more security guards and have them work on 24hr basis.
- 2- Take a more proactive role in reducing the calls for service which is a result of criminal activity and poor management skills. (Quoting from the letter)

I'm appealing these two items due to the fact that the criminal activity in the downtown area is not my fault or responsibility and I can provide you with my resume to prove that I am more than capable to manage a small 17 unit motel. We can't have more than one security guard because of the cost and need. I am at the property 10 - 12 hours a day, besides, I am paying someone to manage the property that lives there. He is covering the night shift. My husband is also at the property doing maintenance work and cleaning at least 8 hour a day. We can not reduce the calls to the police because they are made to implement the rules that will help us to reduce crime in the area, or because it's a real emergency. All the other items in the letter I'm already complying and even extra precautions had been taken like fencing the property, posting signs to avoid trespassers or visitors, security cameras in every angle of the property, etc...

I called Officer Minoletti to ask for help to prevent and abolish crime around my property, instead of assistance I got a letter of nuisance. I trust your judgment and consideration towards this matter, because I believe I am doing a lot more than expected from any property owner. In the past 15 years my job consisted in buying properties in distress and turned them around to a profitable clean properties and this is the first time I encounter someone blocking my efforts that supposed to be in my side.

  
Azalea Peral  
Property Owner  
(818) 268-8908 cell



December 21, 2006

CERTIFIED & REGULAR MAIL

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN  
MAYOR

GARY REESE  
MAYOR PRO TEM

LARRY BROWN  
LAWRENCE WEEKLY  
STEVE WOLFSON

JOE TARKANIAN  
TEVEN D. ROSS

DOUGLAS A. SELBY  
CITY MANAGER

Ms. Azalea Peral  
1919 East Fremont Street  
Las Vegas, Nevada 89012

Re: Notice of Appeal Hearing – Notice and Declaration of Chronic Nuisance on property located at 1919 East Fremont Street

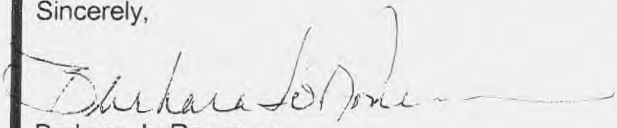
Dear Ms. Peral:

You are hereby notified that a hearing has been rescheduled before the Las Vegas City Council at 400 Stewart Avenue, Las Vegas, Nevada from the 3<sup>rd</sup> day of January, 2007, to the 17<sup>th</sup> day of January, 2007, at the hour of 1:00 p.m. This hearing is in response to the letter from you dated December 5, 2006 requesting the same, concerning the Notice and Declaration of Chronic Nuisance on property located at 1919 East Fremont Street.

You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of book, documents or other things by filing an affidavit therefore with the City Clerk on behalf of the Las Vegas City Council.

If you have any questions or need further information please do not hesitate to contact our office at 229-6311.

Sincerely,

  
Barbara Jo Ronemus  
City Clerk

BJR/vwd

cc: Stephen Harsin, Director, Neighborhood Services  
Devin Smith, Manager, Neighborhood Response, Neighborhood Services  
Tom Green, Deputy City Attorney  
Paul Wilkins, Director, Department of Building & Safety  
Ricki Barlow, Ward 5 Liaison  
Darcy Hayes, Ward 3 Liaison

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

VOICE 702.229.6011

TTY 702.386.9108

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

18112-001-06-05  
CLV 7009



095160

Cert # 7005 3110 00013040 2510





December 20, 2006

CERTIFIED & REGULAR MAIL

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN  
MAYOR

GARY REESE  
MAYOR PRO TEM

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

DOUGLAS A. SELBY  
CITY MANAGER

Ms. Azalea Peral  
1919 East Fremont Street  
Las Vegas, Nevada 89012

Re: Notice of Appeal Hearing – Notice and Declaration of Chronic Nuisance on property located at 1919 East Fremont Street

Dear Ms. Peral:

You are hereby notified that a hearing has been scheduled before the Las Vegas City Council at 400 Stewart Avenue, Las Vegas, Nevada on the 3<sup>rd</sup> day of January, 2007, at the hour of 1:00 p.m. This hearing is in response to the letter from you dated December 5, 2006 requesting the same, concerning the Notice and Declaration of Chronic Nuisance on property located at 1919 East Fremont Street.

You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of book, documents or other things by filing an affidavit therefore with the City Clerk on behalf of the Las Vegas City Council.

If you have any questions or need further information please do not hesitate to contact our office at 229-6311.

Sincerely,

  
Barbara Jo Ronemus  
City Clerk

BJR/vwd

cc: Stephen Harsin, Director, Neighborhood Services  
Devin Smith, Manager, Neighborhood Response, Neighborhood Services  
Tom Green, Deputy City Attorney  
Paul Wilkins, Director, Department of Building & Safety  
Ricki Barlow, Ward 5 Liaison

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

VOICE 702.229.6011

TTY 702.386.9108

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

18112-001-06-05  
CLV 7009

*Cert # 7005 3110 0002 6462 7433*





**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ms. Azalea Peral  
1919 East Fremont Street  
Las Vegas, Nevada 89012

2. Article Number

(Transfer from service label)

7005 3110 0001 3040 7510

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

Francisco Chueca

C. Date of Delivery

12-23-02

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail ☐ Express Mail☐ Registered ☐ Return Receipt for Merchandise☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

uisance/1919 E Fremont St

Ms. Azalea Peral  
1919 East Fremont Street  
Las Vegas, Nevada 89012

2. Article Number

(Transfer from service label)

7005 3110 0002 6462 7433

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

CITY CLERK

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail ☐ Express Mail☐ Registered ☐ Return Receipt for Merchandise☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

**DEPARTMENT: PUBLIC WORKS**

**DIRECTOR: CHARLIE KAJKOWSKI**

☐ Consent ☒ Discussion

**SUBJECT:**

Public hearing on local improvement district for Special Improvement District No. 1506 - Fremont Street Pedestrian Improvements (Las Vegas Boulevard to 8th Street) (\$1,970,000 - Capital Projects Fund/Special Assessments) - Ward 5 (Weekly)

**Fiscal Impact**

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Dept./Division: Public Works/SID

Amount: \$1,970,000

Funding Source: Capital Projects Fund/Special Assessments

**PURPOSE/BACKGROUND:**

Public hearing on the Final Assessment Roll for the construction of pedestrian enhancements which include sidewalk bulb-outs, mid-block pedestrian crossings with landscaping and decorative and directional signage, gateway arches, removal and installation of new curb, gutter, sidewalk, streetlights and related traffic signalization and drainage improvements.

**RECOMMENDATION:**

Public Hearing only; no action required.

**BACKUP DOCUMENTATION:**

1. Public hearing notice
2. Submitted after final agenda - Protest letter by John Kitchen

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

CHARLIE KAJKOWSKI, Director of Public Works Department, explained that this is the second and final public hearing. The assessment district is for \$1,970,000. The total project cost is \$5,506,000.

JOHN KITCHEN, 515 Fremont Street, appeared in opposition of this improvement district. He should not be held financially responsible for improvements that he feels will not improve his property, but rather destroy it. Before the improvements take place, he would like assurance that before the downtown business fails, the streets will be restored and meters will be reinstalled to make it a viable business district. He is to acquire legal counsel to pursue this matter further.

FRANK ELAM, 115 North 7th Street, President of the business owners association, KEVIN KELLY, 115 North Las Vegas Boulevard, Vice President Board of Directors, Streamline, JUSTIN MARTINEZ, 709 and 731 Fremont Street, and MIKE NOLAN, General Manager, El

**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

Cortez, 600 East Fremont Street, all appeared in support of the project.

MAYOR GOODMAN pointed out that the project will be monumentally good to what the City is trying to accomplish in the redevelopment area. It will create a three-block area that will pull the Fremont Street Experience and its casinos past the Neonopolis center into an area that will be full of vitality, life and entertainment all the way down to the El Cortez. The Streamline project will be beneficial as well and its residents will be able to enjoy an urban experience. It is a great partnership between the community and the City of Las Vegas where security and maintenance will be provided by the people who will be owning property in that area. He believes the project will not fail and that it will be a great success.

COUNCILMAN WEEKLY expressed his appreciation to staff and the association for their support of this project to bring in a new downtown. He hopes that MR. KITCHEN will get something positive from this project.

MAYOR GOODMAN declared the Public Hearing closed.

NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1506 – FREMONT STREET PEDESTRIAN IMPROVEMENTS (LAS VEGAS BOULEVARD TO 8TH STREET).

NOTICE IS HEREBY GIVEN, that the final assessment roll for the City of Las Vegas, Nevada, Special Improvement District No. 1506 – Fremont Street Pedestrian Improvements (Las Vegas Boulevard to 8th Street) (the "District") in and for the City of Las Vegas in the County of Clark, State of Nevada, which has been made out by the City Council of City of Las Vegas, together with the City Engineer, has been filed on December 20, 2006, in the office of the City Clerk and since such date, the final assessment roll has been, and now is available for examination by any interested person during regular office hours, Monday through Friday 8:00 a.m. until 5:00 p.m. The boundaries of the District are described in the Special Improvement District No. 1506 Creation Ordinance heretofore adopted (the "Creation Ordinance"). The street to be improved by the improvements is:

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

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

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

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

The City Council will meet to hear and consider all complaints, protests, and objections to said final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the Project. Any person interested and any parties aggrieved by such assessments may be heard on Wednesday, January 17, 2007, at 1:00 p. m. at the City of Las Vegas Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada. Any complaint, protest, or objection to the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount thereof levied on each lot, tract or parcel of land, shall be deemed waived unless filed in writing with the City Clerk, on or before Friday, January 12, 2007, i.e., at least three days prior to the date set for the assessment hearing.

At the time and place so designated for the hearing, the City Council shall hear and determine all complaints, protests, and objections to the regularity of the proceedings in making such



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

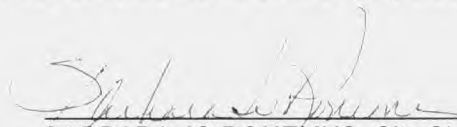
- (1) He is entitled to be represented by counsel at the hearing;
- (2) Any evidence he desires to present on these issues must be presented at the hearing; and
- (3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.395.

Assessments shall be due and payable at the office of the City Treasurer without interest and without demand within 30 days after the ordinance levying the assessments becomes effective. All or any part of such assessments may also, at the election of the owner, be paid thereafter in forty (40) substantially equal semi-annual installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of the assessment ordinance. The City Director of Finance and Business Services shall provide the rate of interest on unpaid installments of assessments, which will not exceed the maximum rate of interest permitted under the statutes of the State. If assessment bonds are issued, such rate will not exceed by more than 1% of the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than 3% the "Index of Twenty Bonds," which shall have been most recently published before the time bids for the bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. If assessment bonds are not issued, such rate shall not exceed 9%. Penalties (at a rate not exceeding two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Director of Finance and Business Services) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, shall be due for delinquencies. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any installment of the unpaid principal with interest accruing thereon to the next interest payment date and the payment of a penalty for such prepayment of up to three percent (3%) of the installment or installments of principal so prepaid. The City Council, in the ordinance levying the assessments, will establish a prepayment penalty or premium of up to three percent (3%) of the principal of deferred installments so prepaid.

Pursuant to NRS 271.357, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a hardship determination. A person whose application for a hardship determination has been approved by the City Council is entitled to have the principal amount of the assessment postponed, but is required to pay the interest on the unpaid balance of the assessment at the same rate and upon the same terms as established by the City Council for the assessments. A person desiring to apply for a hardship determination shall file an application no later than January 12, 2007, with the Clark County Department of Social Services (CCSS), 1600 Pinto Lane, Las Vegas, Nevada 89106. Please contact CCSS at (702) 455-8687 for a pre-qualification screening.

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

Dated this December 20, 2006.

  
BARBARA JO RONEMUS, City Clerk



16 JAN 2006

SID # 1566

TO WHOM IT MAY CONCERN

2007 JAN 16 P 4: 06

RECEIVED  
CITY CLERK

I OWN THE PROPERTY AT 515 PARMONT STREET.  
MY VIEWS ON THIS PROJECT ARE WELL KNOWN TO  
THE CITY COUNCIL AND ANYONE ELSE THAT HAS  
EVER ASKED ME ABOUT IT. ONCE AGAIN I STATE  
THAT THIS PROJECT IS OUTSIDE THE LAW BECAUSE  
I WAS NEVER NOTIFIED OF ANY ACTION ON THIS  
PROJECT AT ANY TIME BY ANY AGENCY. I FIND THE  
ENTIRE CONCEPT TO BE FOOLISH AND IRRESPONSIBLE.  
I FIND IT TOTALLY IRRESPONSIBLE TO ALLOW THIS

PROJECT TO GO FORWARD WITHOUT EVEN NOTIFYING ME  
OF ANY OF THE MANY ACTIONS THAT RAISED THIS ONE.  
IT IS EVEN MORE OFFENSIVE THAT I SHOULD BE ASKED  
TO PAY FOR THE DESTRUCTION OF MY BUSINESS PROPERTY.  
THIS SCHEME IS NOT AN IMPROVEMENT AT ALL BUT IS  
QUARTLY AND BLATANTLY DESTRUCTIVE TO THE ENVIRONMENT  
OF THIS BUSINESS DISTRICT. THE DOWNTOWN SUBSTANTIUM  
DISTRICT HAS ALREADY FAILED, IF YOU THINK OTHERWISE,  
ASK ANYONE THAT HAS BEEN FOOLISH ENOUGH TO INVEST  
ANYTHING ON PARMONT STREET SINCE THE WELL KNOWN

NEOHOPOLOIS DISASTER.

1/16/07 #63  
(OVER)

(2)

TO CATCH THE DOZENS OF FAILURES AND HANDSHIPS WOULD REQUIRE A GREAT DEAL OF RESEARCH AND WOULD ~~PROBABLY~~ NOT HAVE ANY EFFECT ON A GOVERNMENT GONE MAD. THE LIST OF SUCCESSSES WOULD NOT FILL A POSTAGE STAMP. DESTROYING MY STATE AND TURNING IT INTO A CANTON, IS NOT AN IMPROVEMENT. IT IS DESECRATION. THE EVIDENCE IS CRYSTAL CLEAR. PLEASE LOOK AT THE FIRST 10 YEARS AND STOP ANY FURTHER DESTRUCTION.

Sincerely/

JOHN KITCHEN

NATION WIDE CHECK SERVICE

515 PLYMOUTH ST.

L.V. N.Y. 89101

16 JANUARY 2007

SID # 1506

RECEIVED  
CITY CLERK

2007 JAN 16 P 4:06

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

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**DEPARTMENT: CITY ATTORNEY****DIRECTOR: BRADFORD R. JERBIC**☐ Consent ☒ Discussion**SUBJECT:**

Public hearing to determine the advisability of granting an electrical distribution service franchise to Nevada Power Company, pursuant to the purpose, character, term, time and conditions of the proposed franchise agreement - All Wards

**Fiscal Impact**☒**No Impact**☐**Augmentation Required**☐**Budget Funds Available****Amount:****Funding Source:****Dept./Division:****PURPOSE/BACKGROUND:**

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

**RECOMMENDATION:**

Public hearing only; no action required.

**BACKUP DOCUMENTATION:**

None

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

MARK VINCENT, Director of Finance and Business Services, explained that the last franchise granted in 1979 was due to expire in 2004 and a short extension was granted. The term of the franchise will be for 18 years and will be coterminous with the current franchise with Clark County. The five percent franchise fee will be unchanged. MR. VINCENT outlined some of the terms of the agreement, such as poles, pole attachments requirements, upgraded liquidated damages from \$100 a day to \$500 a day for right-of-way violations and \$250 for non right-of-way violations. In addition, bond requirements were increased.

EDGAR PATINO, Nevada Power, 6226 West Sahara, indicated that a lot of work went into this agreement. The City's residents and Nevada's customers will benefit in years to come.

MAYOR GOODMAN declared the Public Hearing closed.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: JANUARY 17, 2007****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☒ **Consent** ☐ **Discussion****SUBJECT:**

EXTENSION OF TIME - REZONING

EOT-18434 - APPLICANT: TANEY ENGINEERING - OWNER: ROBERT EHRLICH - Request for an Extension of Time of an approved Rezoning (ZON-4554) FROM R-E (RESIDENCE ESTATES) TO R-PD9 (RESIDENTIAL PLANNED DEVELOPMENT - 9 UNITS PER ACRE) on 15.89 acres adjacent to the south side of Owens Avenue, approximately 630 feet west of Lamb Boulevard (APN 140-30-503-001 and 002), Ward 3 (Reese). Staff recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

City Council Meeting

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

City Council Meeting

**RECOMMENDATION:**

Staff recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

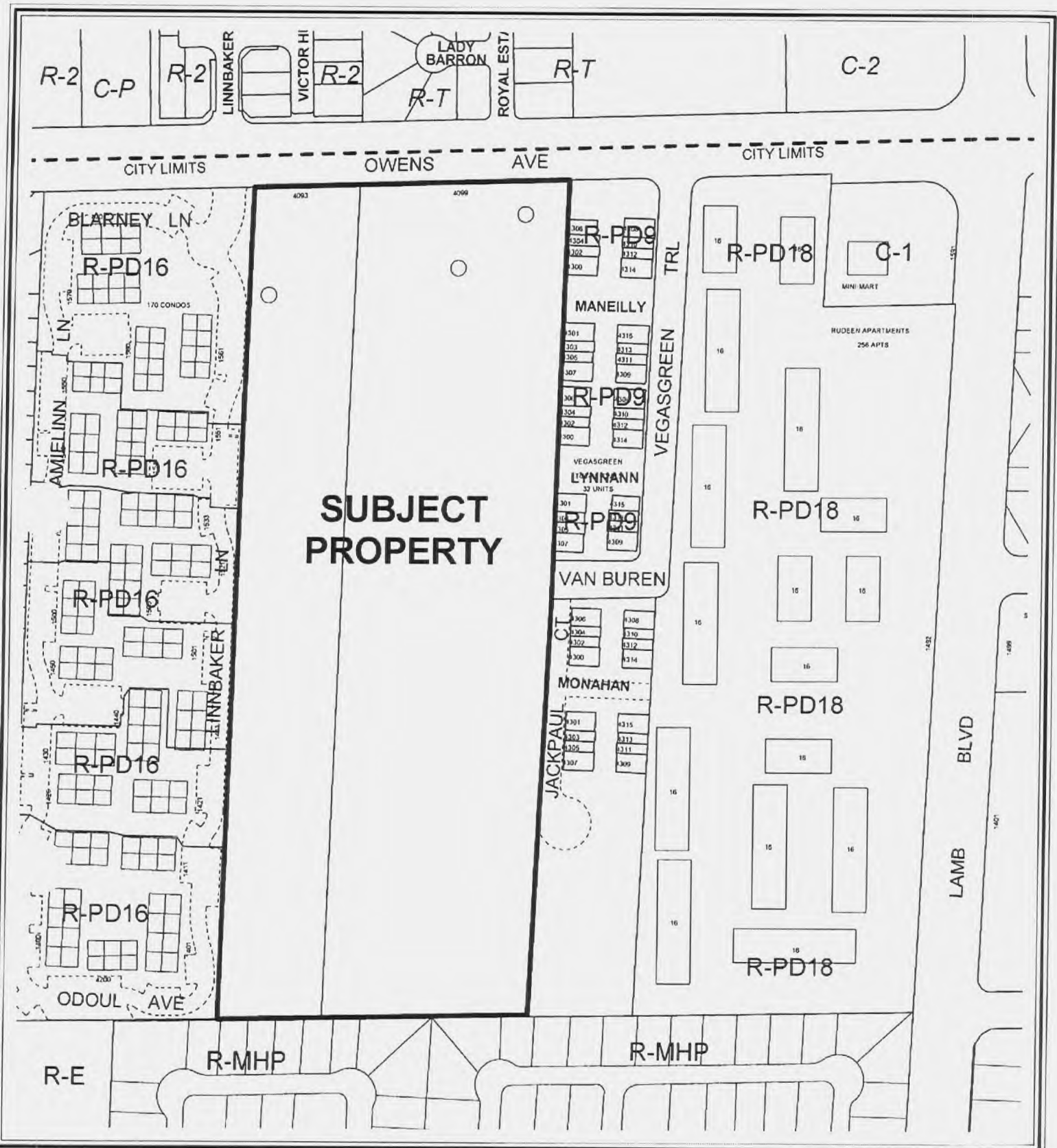
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for ZON-4554

Motion made by GARY REESE to Approve Subject to Conditions Item 85 [EOT-18434] and Item 86 [EOT-18350]

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

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





CASE: EOT-18434

**ZONING OF SUBJECT PROPERTY:**

R-E (RESIDENCE ESTATES) UNDER RESOLUTION ON INTENT TO R-PD9 (RESIDENTIAL PLANNED DEVELOPMENT - 9 UNITS PER ACRE)







**AGENDA MEMO**

CITY COUNCIL MEETING DATE: JANUARY 17, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-18434 - APPLICANT: TANEY ENGINEERING - OWNER:  
ROBERT EHRLICH

---

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

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

**Planning and Development**

1. This Extension of Time will expire on January 19, 2009 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Rezoning (ZON-4554) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for an Extension of Time of an approved Rezoning (ZON-4554) from R-E (Residence Estates) to R-PD9 (Residential Planned Development - 9 Units per Acre) on 17.89 acres adjacent to the south side of Owens Avenue, approximately 630 feet west of Lamb Boulevard.

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12/06/00                                                                  | The City Council accepted the applicant's request to Withdraw Without Prejudice a General Plan Amendment (GPA-0026-00) from ML (Medium-Low Density Residential) to M (Medium Density Residential) on 12.84 acres encompassing the area proposed for the current General Plan Amendment request. The Planning Commission and staff had recommended approval. The City Council also accepted the applicant's request to Withdraw Without Prejudice a Rezoning (Z-0080-00) from R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to R-PD9 (Residential Planned Development - 9 Units Per Acre) to R-3 (Medium Density Residential) and a Site Development Plan Review [Z-0080-00(1)] for a proposed 288-unit multi-family development on the same site. The Planning Commission and staff recommended approval.                                                           |
| 08/21/02                                                                  | The City Council voted to table a General Plan Amendment (GPA-0017-02) from ML (Medium-Low Density Residential) to M (Medium Density Residential) and a Rezoning (Z-0040-02) from R-E (Residence Estates) to R-3 (Medium Density Residential) on APN 140-30-503-002 in order for the applicant to revise the site plan, which included a proposed 224-unit multi-family residential development. The Planning Commission and staff recommended approval of the General Plan Amendment with the recommendation that the request be amended to MLA (Medium-Low Attached Density Residential). The Planning Commission and staff recommended denial of the Rezoning.                                                                                                                                                                                                                                    |
| 01/19/05                                                                  | The City Council approved a General Plan Amendment (GPA-4548) from M (Medium Density Residential) and ML (Medium-Low Density Residential) to MLA (Medium-Low Attached Density Residential); a Rezoning (ZON-4554) from R-E (Residence Estates) to R-PD9 (Residential Planned Development - 9 Units per Acre); a Variance (VAR-4677) to allow 1.57 acres of Open Space where 2.75 acres is the minimum required in conjunction with a proposed 166-unit single family residential development; and a Site Development Plan Review (SDR-4555) for a proposed 166-lot single-family residential development on 18.54 acres adjacent to the south side of Owens Avenue, approximately 630 feet west of Lamb Boulevard. The Planning Commission recommended approval of the General Plan Amendment, but recommended denial of the other related items. Staff recommended denial of all items on 12/16/04. |



|                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10/19/05                                                 | The City Council approved a Site Development Plan Review (SDR-8630) for a 161-lot single-family residential development; and a Variance (VAR-8631) to allow 61,000 square feet of open space where 115,724 square feet is the minimum amount of open space required in conjunction with a proposed 161-lot single-family residential development on 17.89 acres adjacent to the south side of Owens Avenue, approximately 460 feet west of Lamb Boulevard |
| 11/03/05                                                 | The Planning Commission approved a Tentative Map (TMP-9106) for a 161-lot single-family residential subdivision on 17.89 acres adjacent to the south side of Owens Avenue, approximately 460 feet west of Lamb Boulevard. Staff recommended approval of the request.                                                                                                                                                                                      |
| <b><i>Related Building Permits/Business Licenses</i></b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 12/08/05                                                 | Civil Improvement Plans (CIVIL-10623) were submitted on the indicated date, but have not been finalized.                                                                                                                                                                                                                                                                                                                                                  |
| 02/07/06                                                 | A Final Map (FMP-11725) was submitted on the indicated date, but has not been finalized.                                                                                                                                                                                                                                                                                                                                                                  |

|                                              |       |
|----------------------------------------------|-------|
| <b><i>Details of Application Request</i></b> |       |
| <b><i>Site Area</i></b>                      |       |
| Gross Acres                                  | 17.89 |

| <b>Surrounding Property</b> | <b>Existing Land Use</b>            | <b>Planned Land Use</b>                                            | <b>Existing Zoning</b>                                                                                                  |
|-----------------------------|-------------------------------------|--------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| Subject Property            | Undeveloped                         | MLA (Medium-Low Attached Density Residential)                      | R-E (Residence Estates under Resolution of Intent to R-PD9 (Residential Planned Development – 9 Units per Acre)         |
| North                       | Multi-family housing (Clark County) | ML (Medium Low Density Residential)/Clark County                   | Clark County                                                                                                            |
| South                       | Mobile home park                    | ML (Medium Low Density Residential)                                | R-MHP (Residential Mobile Home Park)                                                                                    |
| East                        | Multi-family housing                | ML (Medium Low Density Residential)/M (Medium Density Residential) | R-PD9 (Residential Planned Development – 9 Units per Acre)/R-PD18 (Residential Planned Development – 18 Units per Acre) |
| West                        | Multi-family housing                | M (Medium Density Residential)                                     | R-PD16 (Residential Planned Development – 16 Units per Acre)                                                            |

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

## ANALYSIS

This is the first Extension of Time for the subject Rezoning (ZON-4554) which was approved by the City Council on 01/19/05. A Rezoning is exercised by means of the recordation of a final subdivision map or by the commencement of actual construction. A final map (FMP-11725) was submitted on 02/07/06, but has not recorded. Therefore, the Rezoning has not been exercised by the recordation of a final map or commencement of actual construction. The Extension of Time can be supported to allow the applicant to record the final map.

## FINDINGS

Staff supports the subject Extension of Time for the approved Rezoning. The applicant has demonstrated that they are working towards the recordation of the final map. A condition of approval has been added, which recommends the extension be allowed for two years until such time as another Extension of Time application is approved.

## NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0





## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-18434 APN: 140-30-520-017 thru -033  
140-30-503-001 and -002  
Name of Property Owner: 1. Phoenix Gardens Ltd, 2. Creative Capital LLC, 3. Richard Ehrlich  
Name of Applicant: Taney Engineering

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

☐ Yes

☒ No

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

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

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

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

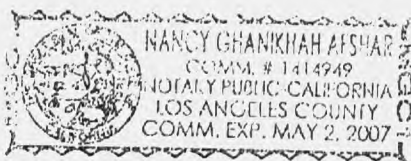
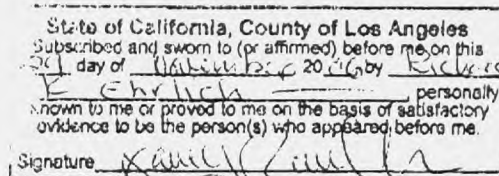
Signature of Property Owner: \_\_\_\_\_

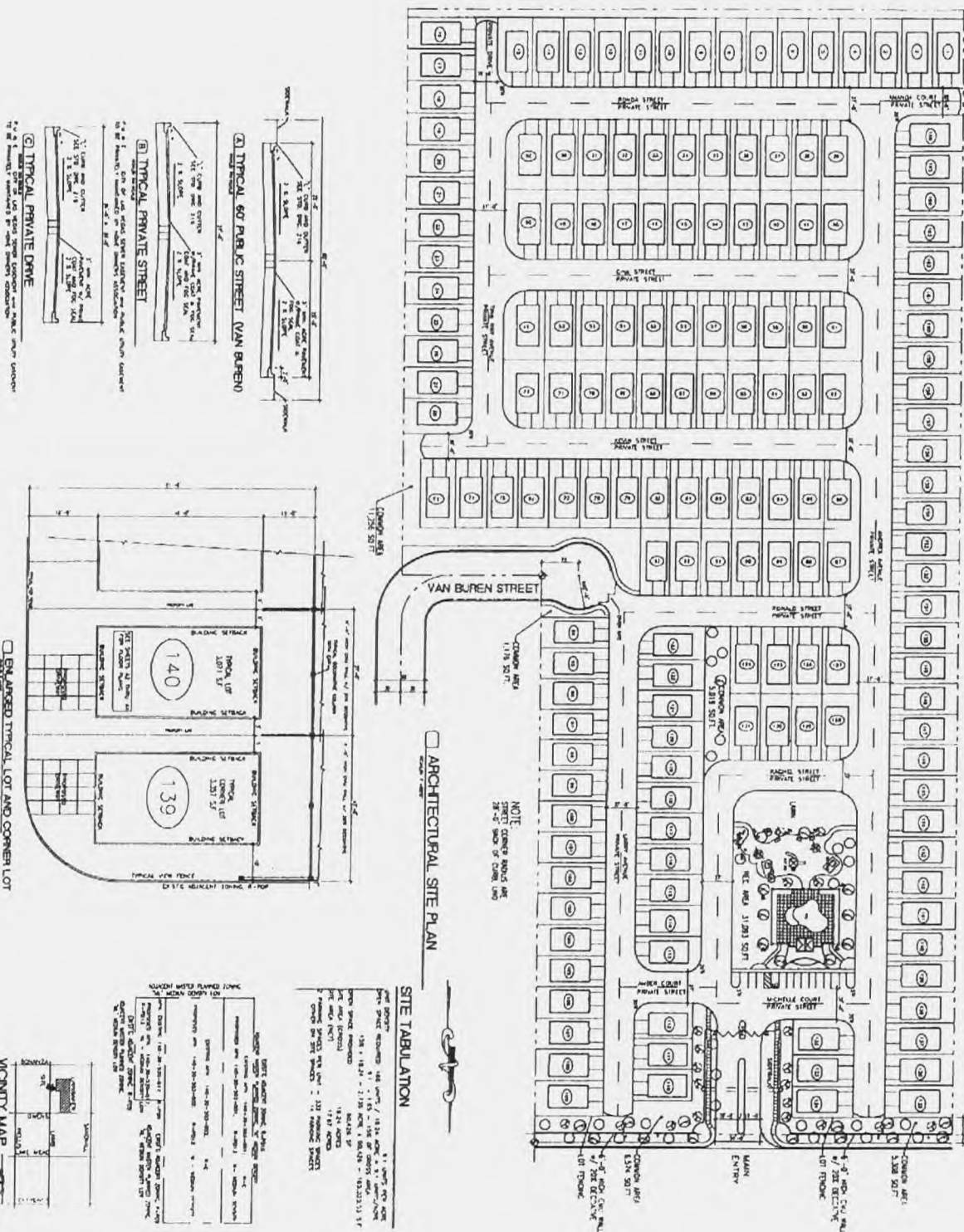
Print Name: Richard Ehrlich

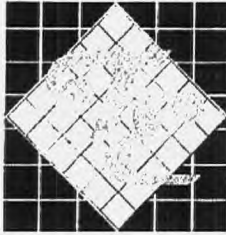
Subscribed and sworn before me

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Notary Public in and for said County and State







# TANEY ENGINEERING

4445 S. JONES #1

LAS VEGAS, NEVADA 89103

TELEPHONE: (702) 362-8844

FAX: (702) 362-5233

December 4, 2006

City of Las Vegas  
Comprehensive Planning  
731 S. 4<sup>th</sup> Street  
Las Vegas, NV 89101

**Re:     *Justification Letter for Extension of Time Submittal for ZON-4554  
Owens & Lamb, APN 140-30-503-001 and -002 and 140-30-520-017 thru -033***

To Whom It May Concern:

An Extension of Time Application is being submitted for application ZON-4554. We are requesting to extend the application due to the Final Map not being recorded within the expiration of the Rezoning application.

If you have any questions or additional information is needed, please feel free to contact me.

Sincerely,

TANEY ENGINEERING

Elena G. Villanueva  
Project Service Administrator

**EOT-18434  
01/17/06 CC**



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN  
MAYOR

GARY REESE  
MAYOR PRO TEM

LARRY BROWN  
LAWRENCE WEEKLY  
MICHAEL MACK  
STEVE WOLFSON  
LOIS TARKANIAN

DOUGLAS A. SELBY  
CITY MANAGER

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

VOICE 702.229.6011

TTY 702.386.9108

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

18112-001-1-05

CLV 7007

April 7, 2005

Mr. Richard Ehrlich  
16055 Ventura Boulevard  
Encino, California 91436

RE: ZON-4554 - REZONING  
CITY COUNCIL MEETING OF JANUARY 19, 2005  
Related to GPA-4548, VAR-4677 and SDR-4555

Dear Mr. Ehrlich:

The City Council at a regular meeting held January 19, 2005 APPROVED the request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD9 (RESIDENTIAL PLANNED DEVELOPMENT - 9 UNITS PER ACRE) on 15.89 acres adjacent to the south side of Owens Avenue, approximately 630 feet west of Lamb Boulevard (APN 140-30-503-001 and 002). The Notice of Final Action was filed with the Las Vegas City Clerk on January 20, 2005. This approval is subject to:

Planning and Development

1. The request would be for a maximum of 161 units.
2. A General Plan Amendment (GPA-4548) to a MLA (Medium-Low Attached Density Residential) land use designation, a Variance (VAR-4677) for a reduction in the amount of required open space, and a Site Development Plan Review application (SDR-4555) approved by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. A Resolution of Intent with a two-year time limit.

Public Works

4. Dedicate appropriate right-of-way to terminate Van Buren Avenue adjacent to this site in a cul-de-sac meeting current City Standards. Coordinate with the Department of Public Works to determine an appropriate cul-de-sac design for this site prior to submittal of a Tentative Map.
5. Construct appropriate public street improvements to terminate Van Buren Avenue adjacent to this site in a cul-de-sac meeting current City Standards concurrent with development of this site. Also, remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to occupancy of this site.

EOT-18434  
01/17/06 CC

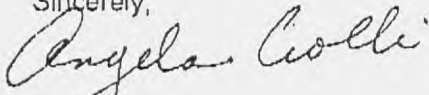




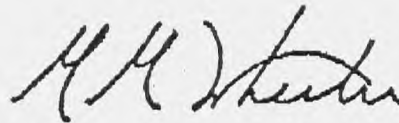
Mr. Richard Ehrlich  
ZON-4554 - Page Two  
April 7, 2005

6. Meet with the City Collection Systems Planning Section of the Department of Public Works to determine how sewer services will be provided to this site prior to the submittal of any sewer-related construction drawings. Site development shall comply with the recommendations of the Collection Systems Planning Section, and the developer shall construct appropriate offsite sanitary sewer relief project to service this site along an alignment and to a location acceptable to the City Engineer.
7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

Sincerely,



Angela Crolli  
Deputy City Clerk II for  
Barbara Jo Ronemus, City Clerk



M. Margo Wheeler, AICP  
Director  
Planning and Development Department

cc:

EOT-18434  
01/17/06 CC



Mr. Richard Ehrlich  
ZON-4554 – Page Three  
April 7, 2005

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

Ms. Ronda Young  
Chris Dyka  
3531 East Russell Road, Suite G  
Las Vegas, Nevada 89120

**EOT-18434**  
**01/17/06 CC**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☒ **Consent** ☐ **Discussion**

**SUBJECT:**

EXTENSION OF TIME - SPECIAL USE PERMIT

EOT-18350 - APPLICANT/OWNER: ARIZONA INVESTORS, LLC - Request for an Extension of Time of an approved Special Use Permit (SUP-5723) THAT ALLOWED A TAVERN at 7045 North Durango Drive (APN 125-20-114-007), T-C (Town Center) Zone, Ward 6 (Ross). Staff recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

0

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

0

**RECOMMENDATION:**

Staff recommends APPROVAL, subject to conditions.

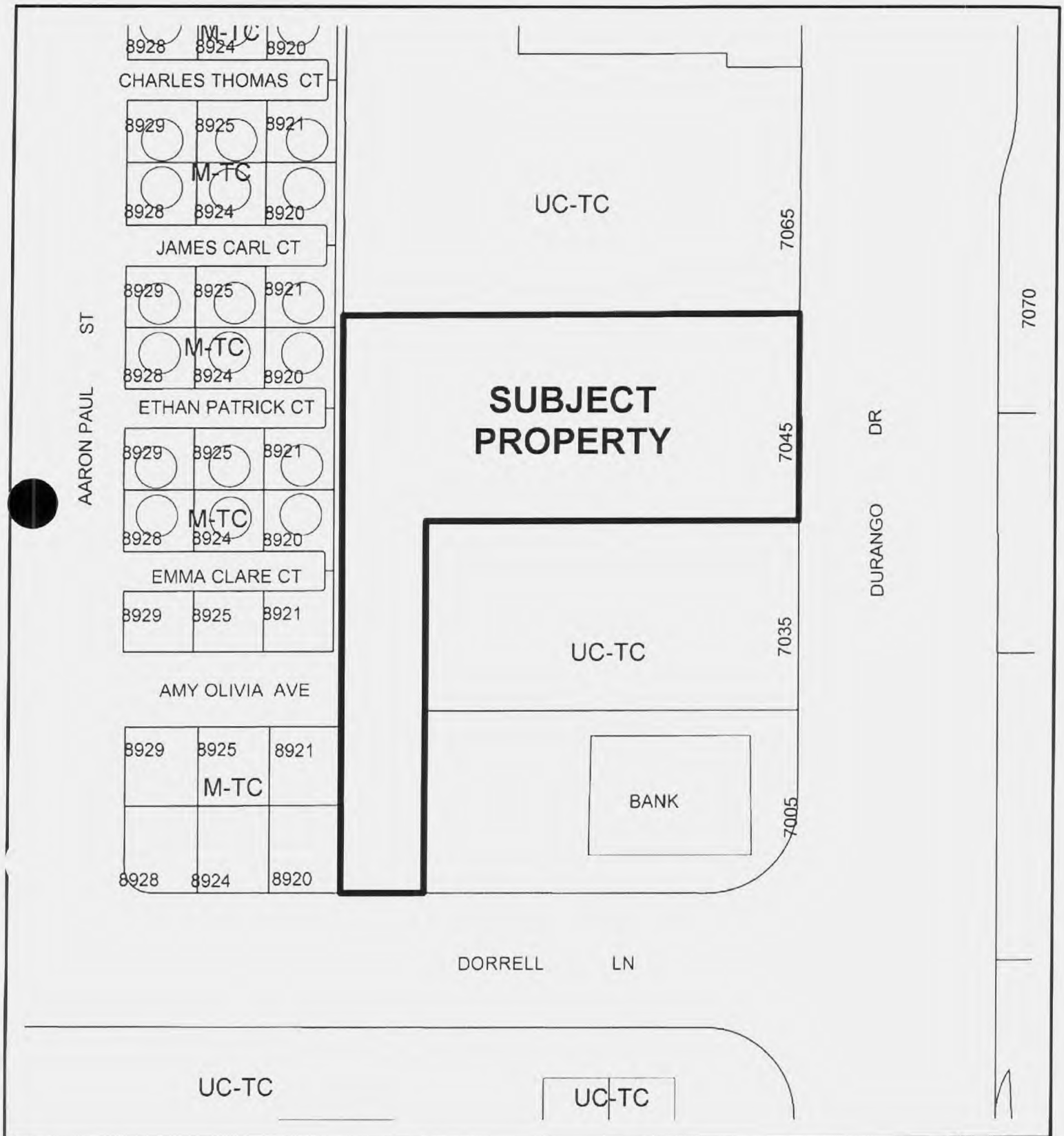
**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for SUP-5723

Motion made by GARY REESE to Approve Subject to Conditions Item 85 [EOT-18434] and Item 86 [EOT-18350]

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

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

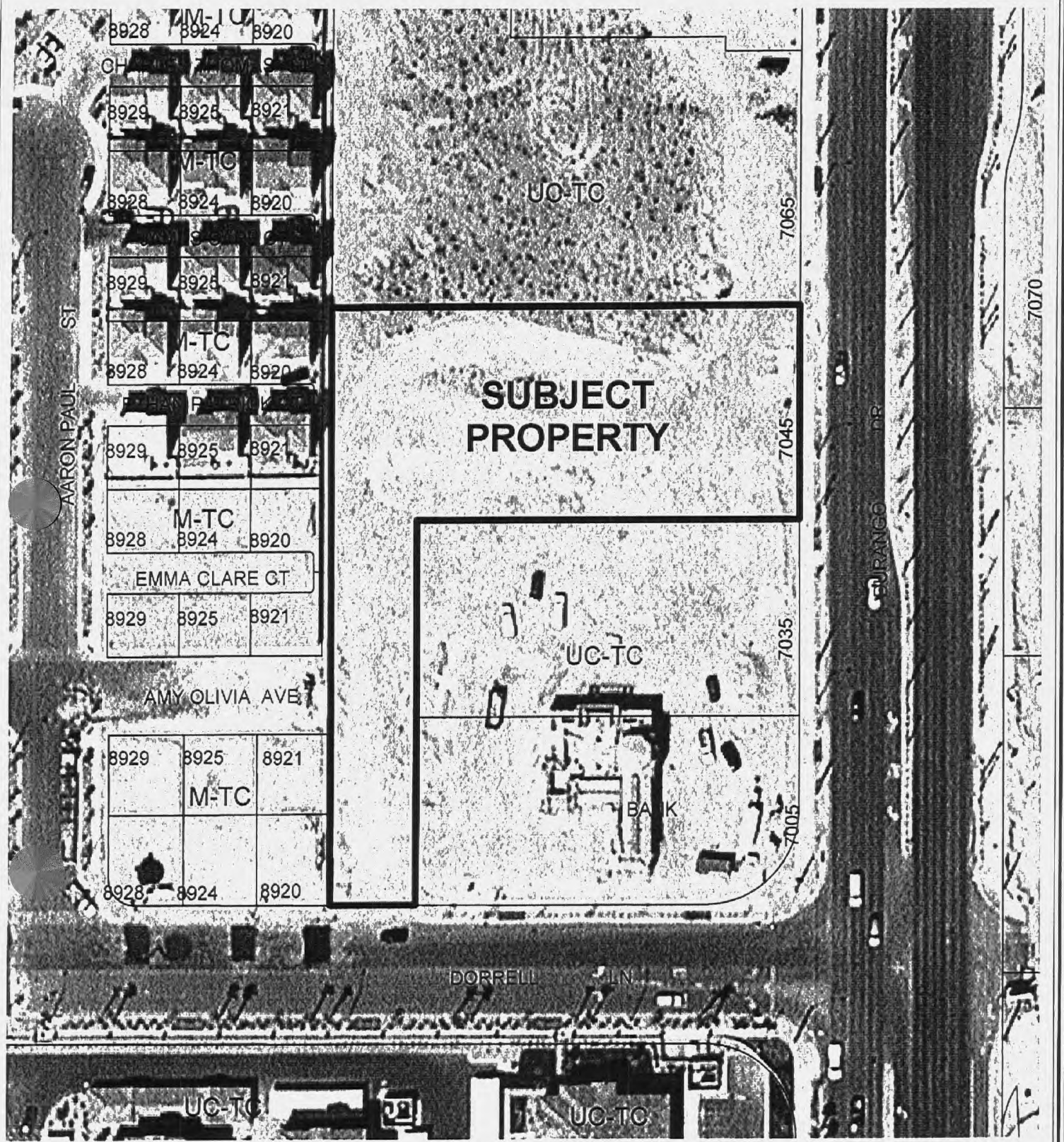


CASE: **EOT-18350**

**ZONING OF SUBJECT PROPERTY:**

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED-USE) SPECIAL LAND USE DESIGNATION]





0 100 200 Feet

CASE: EOT-18350

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [UC-TC (URBAN CENTER MIXED-USE) SPECIAL LAND USE DESIGNATION]



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JANUARY 17, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: EOT-18350 - APPLICANT/OWNER: ARIZONA INVESTORS, LLC**

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

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

**Planning and Development**

1. This Extension of Time will expire on February 16, 2009 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Special Use Permit (SUP-5723) and all other subsequent site related actions as required by the Planning and Development Department and Department of Public Works.



**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for an Extension of Time of an approved Special Use Permit (SUP-5723) that allowed a Tavern at 7045 North Durango Drive.

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 05/20/64                                                                  | The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the 40-acre easterly portion of the subject site. The effective date of this annexation was May 29, 1964.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 12/07/98                                                                  | The City Council approved a Rezoning (Z-0076-98) to TC (Town Center) of a 1,468-acre portion of the Northwest, including the easterly 40-acre portion of the overall subject site. The Planning Commission and staff recommended approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 01/17/01                                                                  | The City Council approved an annexation (A-0003-99) of land generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 615 acres, including the westerly five acres of the subject site. The effective date of this annexation was January 26, 2001. The Planning Commission and staff recommended approval on March 25, 1999.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 12/19/02                                                                  | The Planning Commission approved a request for a Tentative Map (TMP-1244) for a three-lot commercial subdivision on 80 acres on the east side of the El Capitan alignment (Durango Drive) between Elkhorn Road and Deer Springs Way. Staff recommended approval of the subject request.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 12/04/03                                                                  | The Planning Commission approved a request for a Site Development Plan Review (SDR-3267) for a proposed hospital on 40 acres adjacent to the northeast corner of Durango Drive and Deer Springs Way. Staff recommended approval of the request.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 04/07/04                                                                  | The City Council approved a Site Development Plan Review (SDR-3764) for a proposed 587,750 square-foot mixed-use commercial development on 45.6 acres in Montecito Town Center, adjacent to the southeast corner of Elkhorn Road and Durango Drive. Additionally, the following Special Use Permits were also approved: (SUP-3765) for liquor sales, (SUP-3767) for gaming (incidental), and (SUP-3769) for a drive-through facility on Pad A, (SUP-3770) for a drive-through facility on Pad O, (SDR-3771) for a tavern and (SUP-3773) for gaming (incidental) on Pad P, (SDR-3764) for gasoline sales, (SUP-3776) for a car wash, (SUP-3777) for gaming (incidental) and (SUP-3778) for liquor sales on Pad Q, (SUP-3779) for a tavern and (SUP-3780) for gaming (incidental) on Pad Z, (SUP-3781) for a drive-through on Pad F, (SUP-3783) for liquor sales, (SUP-3785) for gaming (incidental) and (SUP-3786) for a drive-through facility on Pad HH, (SUP-3788) for a drive-through facility on DD, and (SUP-3789) for a drive-through facility on EE. The Planning Commission and staff recommended approval on 03/11/04. |

|                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 05/13/04                                                 | The Planning Commission approved a Tentative Map (TMP-4150) for a one-lot commercial subdivision. Staff recommended approval of the request.                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 02/16/05                                                 | The City Council approved a Site Development Plan Review (SDR-5731) for a 380,000 square-foot commercial development; a Request for a Special Use Permit (SUP-5718) for a drive through on Pad P of the Montecito Marketplace Development; a Special Use Permit (SUP-5723) for a Liquor Establishment (Tavern); and a Special Use Permit (SUP-5722) for gaming in conjunction with a Tavern on Pad GG of the Montecito Marketplace Development adjacent to the northwest corner of Durango Drive and Dorrell Lane. The Planning Commission and staff recommended approval of all items on 01/13/05. |
| <b><i>Related Building Permits/Business Licenses</i></b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 11/07/06                                                 | Civil improvement plans (CIVIL-15412) were finalized on the indicated date.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 12/06/06                                                 | A building permit (C-0056-06) was issued on the indicated date.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

|                                              |      |
|----------------------------------------------|------|
| <b><i>Details of Application Request</i></b> |      |
| <b><i>Site Area</i></b>                      |      |
| Gross Acres                                  | 1.04 |

| <b>Surrounding Property</b> | <b>Existing Land Use</b> | <b>Planned Land Use</b>                      | <b>Existing Zoning</b> |
|-----------------------------|--------------------------|----------------------------------------------|------------------------|
| Subject Property            | Undeveloped              | UC-TC (Urban Center Mixed Use – Town Center) | T-C (Town Center)      |
| North                       | Undeveloped              | UC-TC (Urban Center Mixed Use – Town Center) | T-C (Town Center)      |
| South                       | Undeveloped              | UC-TC (Urban Center Mixed Use – Town Center) | T-C (Town Center)      |
| East                        | Undeveloped              | UC-TC (Urban Center Mixed Use – Town Center) | T-C (Town Center)      |
| West                        | Single Family Dwellings  | M-TC (Medium Residential – Town Center)      | T-C (Town Center)      |

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

## **ANALYSIS**

This is the first Extension of Time for the subject Special Use Permit (SUP-5723) which was approved by the City Council on 02/16/05. A Special Use Permit is exercised upon approval of a business license to conduct the activity, if one is required, or, otherwise, upon the issuance of a certificate of occupancy or approval of the final inspection. Civil improvement plans were finalized on 11/07/06 and building permits were issued on 12/06/06. The Extension of Time can be supported to allow the applicant sufficient time to construct the tavern.

## **FINDINGS**

Staff supports the subject Extension of Time for the approved Special Use Permit. The applicant has demonstrated that they are working towards the construction of the tavern. A condition of approval has been added, which recommends the extension be allowed for two years until such time as another Extension of Time application is approved.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** N/A

**ASSEMBLY DISTRICT** N/A

**SENATE DISTRICT** N/A

**NOTICES MAILED** N/A

**APPROVALS** 0

**PROTESTS** 0



## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-18350 APN: 125-20-114-007

Name of Property Owner: Arizona Investors, LLC

Name of Applicant: Arizona Investors, LLC

Name of Representative: Todd L. Kessler

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: Steven Mack-Manager, Arizona Investors, LLC

Subscribed and sworn before me

This 24 day of November, 2010

Sarah Starr Smith  
Notary Public in and for said County and State



[illegible]

TOTAL PARKING SPACES REQUIRED: 174  
TOTAL PARKING SPACES PROVIDED: 186

THESE ARE THE ONLY TWO COMPANIES THAT HAVE BEEN GRANTED A LICENSE TO OPERATE IN THE MARKET FOR THE SALE OF USED CARS.

- 1 CHROME CAR WALL
- 2 8-4 HIGH CAR WALL, 4 BACK OF HOUSE
- 3 CHROME LIGHT PILE PICTURE
- 4 CHROME PILE SPURDIT
- 5 HIGH UNDISCIPED, SEE UNDISCIPED PLAN A.L.S.D
- 6 CHROME GLASS, SEE CAR, PLANS
- 7 HIGHT AND WIDED CHROME AC, SEE CAR, BRONZE
- 8 MOST ACCESSIBLE BRUP FOR CAR, DRIVING, SEE 4.30 REFLECT  
11 & 12 ON BRUP PLANS
- 9 CHROME LAMPPOST

**BRESLIN  
BUILDERS**

10000 S. DOWNEY BLVD. #100  
LAS VEGAS, NEVADA 89123-1000  
LAS VEGAS 89123-1000  
SUITE 100  
LAS VEGAS, NEVADA 89123-1000  
702/796-3811  
FAX: 702/796-3808  
www.bowlingball.com

TIMBERS AT  
 MONTECITO  
 DURANGO DRIVE/DORRE  
 LAKE  
 A.P.N. 125-20-114CJ7

## SITE PLAN

|             |          |             |         |
|-------------|----------|-------------|---------|
| Date        | 02/24/08 | Designed By | TAM/CAA |
| Project No. | 1305A    | Drawn By    | CA      |
| Submittal   |          | Checked By  | WTC     |
| Lot Name    |          |             |         |

AS1.00

EOT-18350  
01/17/06 CC







**N**

LANDSCAPE PLAN

1'-6" = 1'-0"

[illegible]









1990

01/17/06 CC

A1.03



# ARIZONA INVESTORS, LLC

November 28, 2006

**VIA HAND DELIVERY**

Douglas J. Rankin  
Planning Supervisor  
City of Las Vegas  
Planning & Development  
731 South Fourth Street  
Las Vegas, NV 89101

RE: SUP-5723

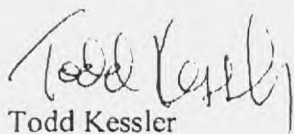
Dear Mr. Rankin;

Please accept this as our official justification letter for a request of an Extension of Time on the approved SUP-5723, for a Tavern at the property located at 7045 North Durango Drive, Las Vegas, NV 89149. (APN: 125-20-114-007).

Please note that we purchased the property on February 8, 2005 and have been diligently pursuing development plans ever since. In fact, our permit has been approved by all departments except Civil and we anticipate a permit by next week. We expect to open the Tavern no later than July 2007 and therefore, respectfully request a one year extension of time.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

  
Todd Kessler

Enclosures

**EOT-18350  
01/17/06 CC**



## LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN  
MAYORGARY REESE  
MAYOR PRO TEMLARRY BROWN  
LAWRENCE WEEKLY  
MICHAEL MACK  
STEVE WOLFSON  
LOIS TARKANIANDOUGLAS A. SELBY  
CITY MANAGER

February 17, 2005

Mr. Joe Gwerder  
Montecito Pads, LLC  
6600 West Charleston Boulevard, Suite #120  
Las Vegas, Nevada 89146RE: SUP-5723 - SPECIAL USE PERMIT  
CITY COUNCIL MEETING OF FEBRUARY 16, 2005  
Related to SUP-5718, SUP-5720, SUP-5722 and SDR-5731

Dear Mr. Gwerder:

The City Council at a regular meeting held February 16, 2005 APPROVED the request for a Special Use Permit FOR A PROPOSED LIQUOR ESTABLISHMENT (TAVERN) on Pad GG of the Montecito Marketplace Development adjacent to the northwest corner of Durango Drive and Dorrell Lane (APN 125-20-101-017), T-C (Town Center) Zone [UC-TC (Urban Center - Town Center) Special Land Use Designation]. The Notice of Final Action was filed with the Las Vegas City Clerk on February 17, 2005. This approval is subject to:

## Planning and Development

1. Conformance to all Minimum Requirements under Section 2.3 of the Montecito Town Center Development Agreement for a Liquor Sales use.
2. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-3763), Rezoning (ZON-3840) and Site Development Plan Review (SDR-5731) and [SDR-3764].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.

CITY OF LAS VEGAS  
400 STEWART AVENUE  
LAS VEGAS, NEVADA 89101E. J. J. J.  
J. J. J. J.  
J. J. J. J.  
J. J. J. J.  
J. J. J. J.EOT-18350  
01/17/06 CC

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

---

**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

WATER FEATURE EXEMPTION

DIR-18634 - APPLICANT: TRIPLE FIVE NEVADA DEVELOPMENT - OWNER: BOCA FASHION VILLAGE - Request TO ALLOW THE OPERATION OF FOUR WATER FEATURES WHICH TOTAL 1,354.9 SQUARE FEET at an existing retail development on 6.04 acres at 680 South Rampart Boulevard (APN 138-32-312-005 and 008), Ward 2 (Wolfson). Staff recommends APPROVAL

**PROTESTS RECEIVED BEFORE:****Planning Commission Mtg.****City Council Meeting****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****City Council Meeting****RECOMMENDATION:**

Staff recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

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

Motion made by STEVE WOLFSON to Approve Subject to Conditions

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

JAMES GRINDSTAFF, 9440 West Sahara Avenue, represented the applicant and concurred with the conditions as recommended. They coordinated with the Las Vegas Valley Water District on the type of landscaping and the area of turf to be removed. They have been able to increase the turf area to 12,000 square feet, which will be removed from the original 8,000 square feet. There are four fountains on the site; one large fountain sits on the main entry, one near the Cheesecake Factory, one in front of Wild Truffles, and another in front of a retail store.

**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

The removal of the turf is expected to be completed in a couple of weeks and the fountains should be operating at that time.

COUNCILMAN WOLFSON verified with MARGO WHEELER, Director of Planning and Development, that the request fully complies with Code.

MAYOR GOODMAN declared the Public Hearing closed.









CASE: DIR-18634

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JANUARY 17, 2007**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: DIR-18634 - APPLICANT: TRIPLE FIVE NEVADA**  
**DEVELOPMENT - OWNER: BOCA FASHION VILLAGE**

---

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

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

**Planning and Development**

1. The applicant shall pay a fee to the City through the Planning and Development Department of \$11,149.00 to operate the water feature through January 17, 2008. For subsequent years in which Drought Watch or Drought Alert is declared, an annual fee of \$250.00 shall be paid.
2. The applicant shall post a sign at the water feature to indicate an exemption has been received allowing its operation.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request to allow the operation of four water features which total 1,354.9 square feet at an existing retail development on 6.04 acres at 680 South Rampart Boulevard.

**EXECUTIVE SUMMARY**

The request from the applicant would allow the operation of four water features which total 1,354.9 square feet at an existing retail development. The 1,354.9 square foot calculation is derived from the surface area of the water features.

**ANALYSIS**

The applicant is proposing to re-activate four existing water features which total 1,354.9 square feet located at 680 South Rampart Boulevard. The applicant is converting approximately 12,000 square feet of turf to xeriscape in conjunction with the re-activation of the water feature. The removal of turf is credited as a savings of a 50-to-1 ratio. The conversion allows 50 square feet of turf removal to count as one square foot of the proposed water feature. The applicant is converting 12,000 square feet of turf, which equals a savings of 240 square feet. The 240 square feet is subtracted from the total water feature. Therefore, a fee of \$11,149.00 will be required to re-activate the fountain if the exemption is approved. The applicant has been advised of the fees associated with the re-activation, and has agreed to pay the fees if approved. Additionally, the applicant will be required to pay an additional yearly fee of \$250.00 when either the Drought Watch or Drought Alert is declared.

Pursuant to Title 14.11.190, the City Council may approve exemptions to allow the operation of water features during Drought Watch and Drought Alert as defined by the Southern Nevada Water Authority (SNWA). On sites where turf exists at the time of the exemption request, 50 square feet of turf shall be converted to drought tolerant landscaping (such as desert landscaping) to allow for each square foot of water feature area. In cases where there is not enough turf at the time of the request to meet this ratio, a fee of \$10 per square foot of surface area shall be paid for the remaining portion of the water feature area not covered by the turf conversion. In cases where there is no turf on the subject site, the \$10 per square foot of water area shall be applied.

The SNWA notes that there are no outstanding violations regarding this water feature.

Title 14.11.190 states: that a "water reduction plan" is required for exemption eligibility. The submitted plans for this site indicate that the subject water features contain 1,354.9 square feet of surface area. The applicant is proposing to convert 12,000 square feet of turf as part of this request. The applicant has mitigated the re-activation of the 1,354.9 square foot water features by removing 12,000 square feet of turf. Therefore, the amount of the fee the applicant shall be required to pay to allow the operation of the water feature during the current declaration Drought Alert is \$11,149.00

In subsequent years when either Drought Watch or Drought Alert is declared, the property owner shall pay an annual fee of \$250 to allow for the continued operation of the water feature.

In order to inform the public that an exemption has been received for the subject water feature, the applicant shall post a sign adjacent to the subject water feature indicating such. This is in conformance to Title 14.11.

## **FINDINGS**

The re-activation of the 1,354.9 square foot water feature is does not impose an undue hardship on the Southern Nevada Water Authority due to the removal of 12,000 square feet of turf. The removal of the turf mitigates the activation of the fountains. Therefore, staff can support the proposed water feature exemption as conditioned.

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**      N/A

**ASSEMBLY DISTRICT**      N/A

**SENATE DISTRICT**      N/A

**NOTICES MAILED**      N/A

**APPROVALS**      0

**PROTESTS**      0





## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: DIR-18634 APN: 138-32-312-005 & 008

Name of Property Owner: Boca Fashion Village LLC

Name of Applicant: Triple Five Development

Name of Representative: Gary Leobold

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: \_\_\_\_\_

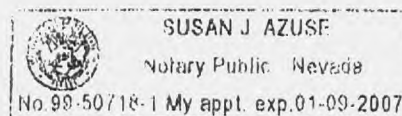
Signature of Property Owner: Martin H Walrath

Print Name: Martin H Walrath

Subscribed and sworn before me

This 5th day of December, 2006

Susan J. Azuse  
Notary Public in and for said County and State



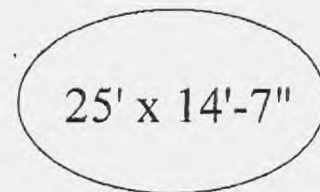


# Boca Park Fountain Dimensions

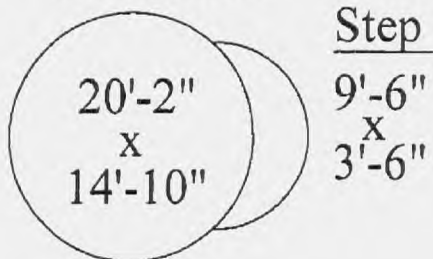
Fountain 1



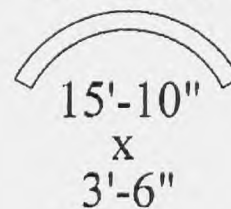
Fountain 3



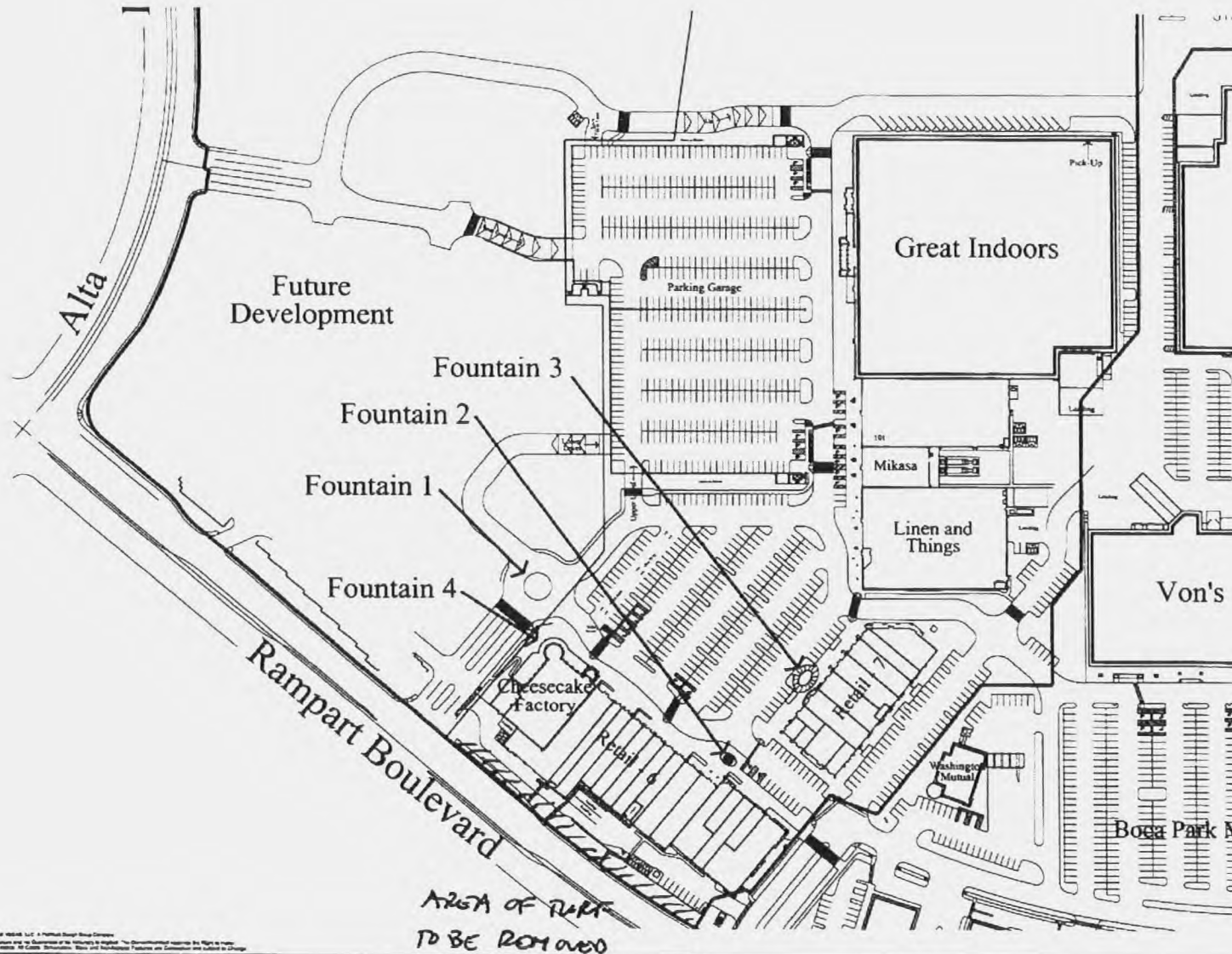
Fountain 2



Fountain 4



DIR-18634  
01-17-07 CC



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Scale: 1" = 150'  
PROJECT No 105150 December 08, 2006

SSS

DIR-18634  
01-17-07 CC

(8,600 SF) **The Shops at Boca Park**  
Las Vegas, Nevada



Perlman



December 8, 2006

CIVIL

STRUCTURAL

MECHANICAL

ELECTRICAL

PLUMBING

SURVEYING

LEED

City of Las Vegas Planning and Development Department  
731 S. 4<sup>th</sup> Street  
Las Vegas, Nevada 89101

Attention: Mr. Ben Sticka

Subject: **Water Feature Exemption Request**  
**Boca Park Fountains – Charleston Associates LLC (Acc't. #4866632962)**  
**and Triple Five Nevada Development Corporation (Acc't. #1772542962)**

Dear Mr. Sticka

Please accept this letter as justification for a request for a Water Feature Exemption on a portion of the Boca Park retail center. The portion of the center in question is the Boca Fashion Village, which is located on a 14.69-acre site (APNs 138-32-312-005 and 008) on the east side of Rampart Boulevard, south of Alta Drive. This commercial center has four existing fountain areas that were constructed as part of this commercial development a number of years ago. These fountains have been dry for some time, in conformance with Title 14 of the City of Las Vegas. The applicant now wishes to reactivate these fountains in accordance with Title 14 provisions.

The largest fountain is a circular structure located in a roundabout in the entrance drive from Rampart Boulevard next to the Cheesecake Factory (identified as Fountain 1 on the attached diagram). There is a small crescent-shaped fountain in the same vicinity, in front of the Cheesecake Factory (identified as Fountain 4 on the attached diagram). The other two fountains are located further south on the site in front of the retail outlets. One of these (Fountain 3) is elliptical in shape and the other (Fountain 2) has two levels, the upper one of which is circular, with a small crescent-shaped lower area.

Southern Nevada Water Authority (SNWA) staff has confirmed the measurements of these fountain areas (see attached e-mail dated 12/07/06) as containing a total surface area of 1,354.9 square feet. SNWA staff indicates that the required turf removal ratio of 50:1 (per Title 14) would require removal of 67,745 square feet of turf area.

The provisions of Title 14.11.190 require that a water use reduction plan be provided. This information is shown on the attached site plans, which illustrate that 8,000 square feet of turf area on the subject site will be removed by the applicant, and replaced with drought-tolerant landscaping, prior to City Council approval of this request. At a 50:1 ratio, this amount accounts for 160 square feet of fountain area. This leaves 1194.9 square feet of fountain area where required consumptive use savings cannot be achieved. Subsection D.4 of the above noted Title allows for a cash equivalent of \$10 for each such square foot of fountain area, for a total of \$11,949.00 to be paid by the applicant in order to reactivate these water features. The applicant is willing to pay this fee, as well as the prescribed annual fee, to allow reactivation of these fountains.

**DIR-18634**  
**01-17-07 CC**

7125 Peachtree  
Las Vegas, NV 89101  
tel 702 933-7000  
fax 702 933-7000  
800 933-7000  
wrightengineering.com

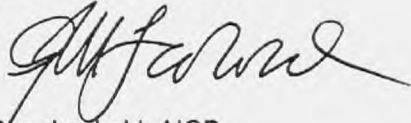
12/11/06  
12/11/06

Approval of this request will allow for the re-use of existing water features that contribute positively to the look and feel of this attractive urban development. Additionally, the money contributed will be used to fund the removal of turf by private residential owners in other areas of the Valley. The fees paid, at a 50:1 ratio, will fund the removal of a significant cumulative area of turf in the Valley, and will therefore contribute positively to water conservation efforts by the City and the SNWA. We therefore request your approval.

Thank you for your consideration.

Warm regards,

WRIGHT ENGINEERS



Gary Leobold, AICP  
Director of Planning

Enclosures: Exhibits  
Application and SOFI Forms  
Deed and Legal Information

c. James Grindstaff

**DIR-18634**  
**01-17-07 CC**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

**SUBJECT:**  
**VARIANCE**

VAR-17998 - PUBLIC HEARING - APPLICANT: LASCAL CORPORATION - OWNER: MARIA FERRA - Request for a Variance TO ALLOW 15 PARKING SPACES WHERE 23 SPACES ARE REQUIRED FOR A PROPOSED RESTAURANT WITH DRIVE-THROUGH on 0.52 acres at 4717 West Charleston Boulevard (APN 162-06-102-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**

0

**City Council Meeting**

0

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**

0

**City Council Meeting**

0

**RECOMMENDATION:**

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 12-21-06 Planning Commission Meeting Item 6

Motion made by LOIS TARKANIAN to Approve Subject to Conditions

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Item 88 [VAR-17998] and Item 89 [SDR-17999].

RON LABAR, Labar Architecture, 458 West 15th Avenue, Spokane, Washington, appeared on behalf of the applicant. They are proposing to tear down the existing Taco Bell at Charleston Boulevard and Decatur Boulevard and replace with a newer, smaller building. Originally they wanted to remodel the restaurant, but found out through the permit process that they would have



**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

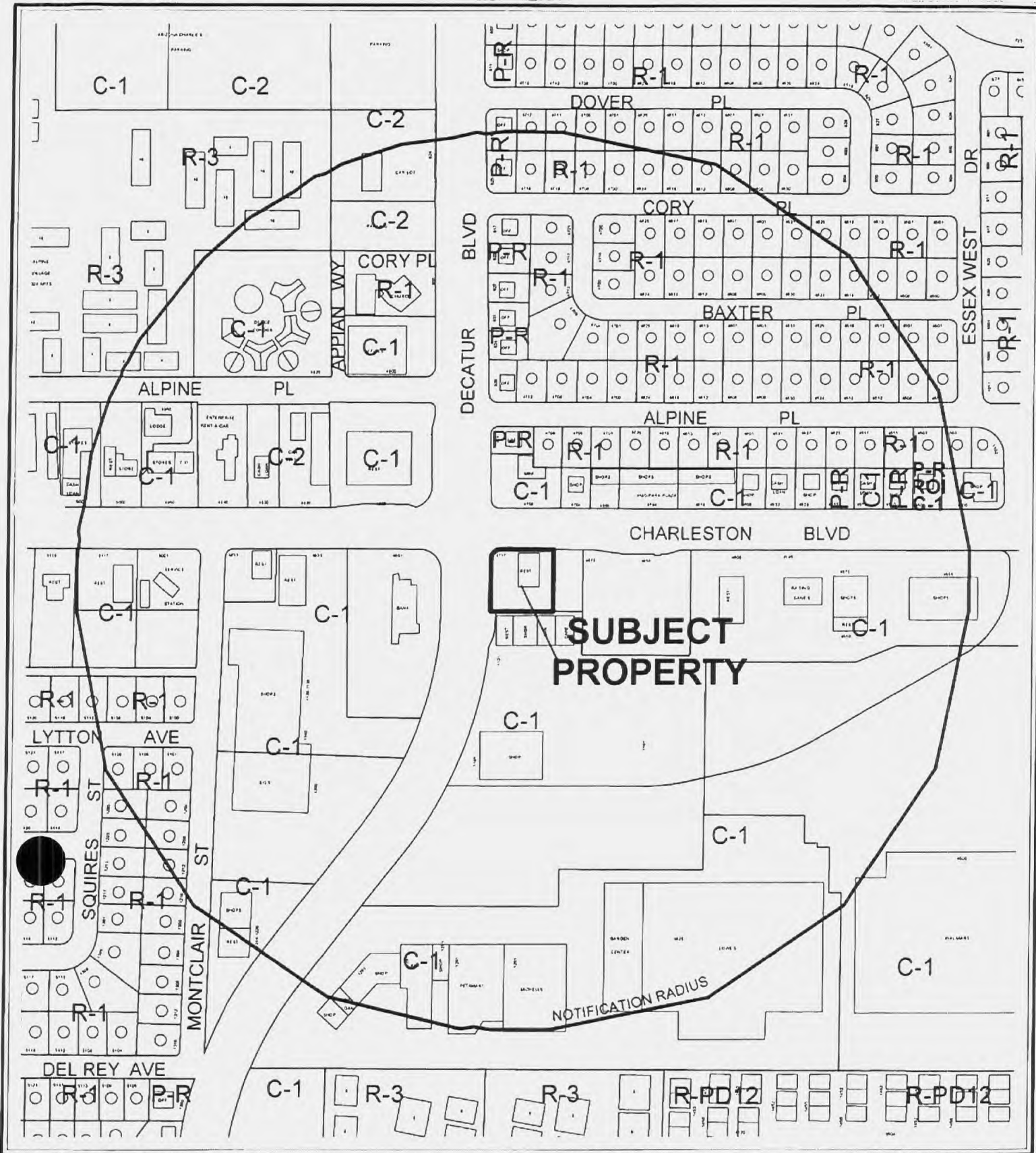
to dedicate a 10 foot right-of-way along Decatur Boulevard for a right-turn lane. By doing that, the existing site would not be feasible to use. They have worked with the Nevada Department of Transportation (NDOT) to address traffic concerns. The building will meet the needs for this area.

MAYOR GOODMAN pointed out that this particular location was one of the most successful Taco Bell locations in the world. MR. LABAR added that it still does well, particularly with the super center.

COUNCILWOMAN TARKANIAN stated she is looking forward to the new Taco Bell.

MAYOR GOODMAN declared the Public Hearing closed for Item 88 [VAR-17998] and Item 89 [SDR-17999].





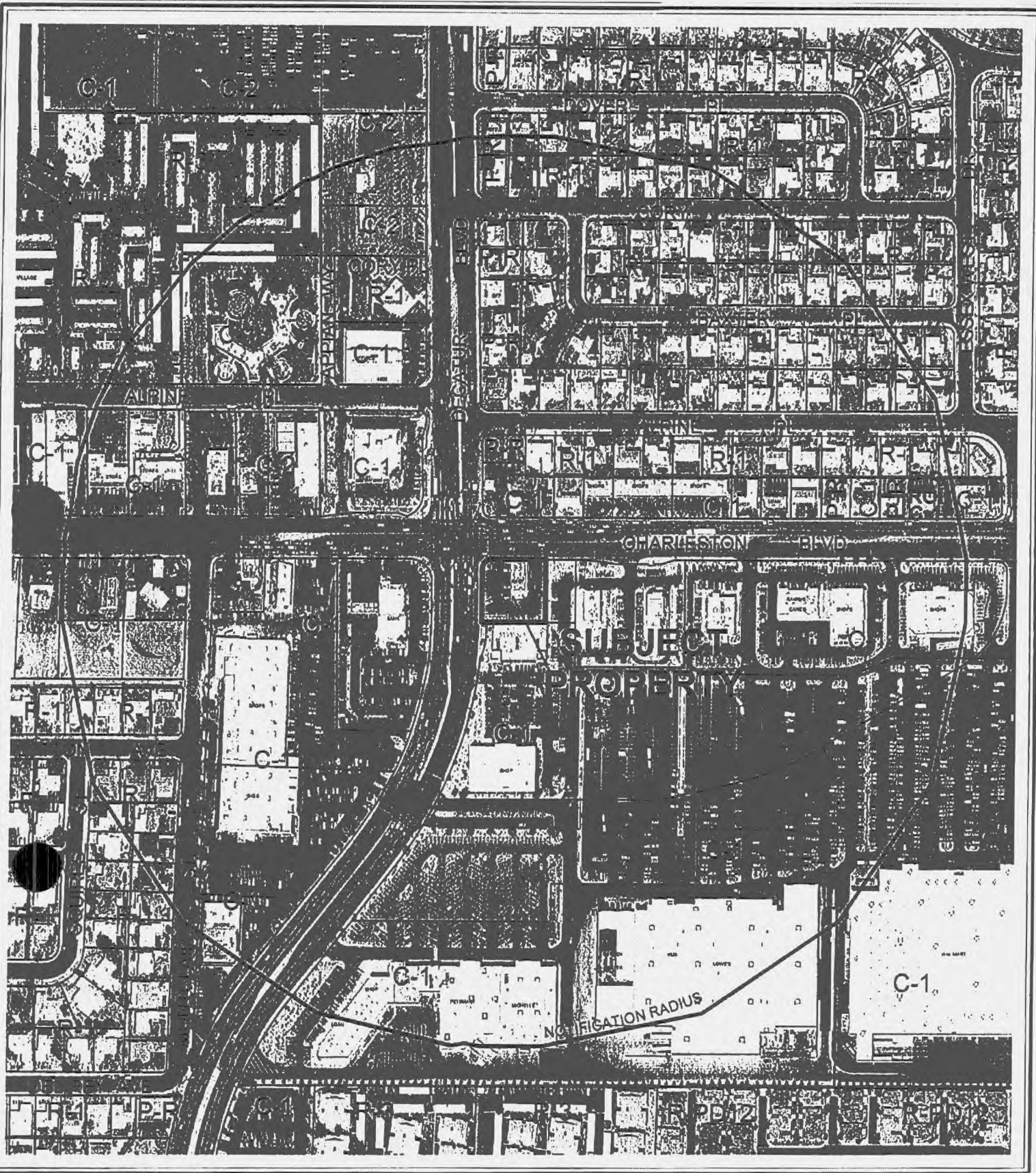
CASE: **VAR-17998**

RADIUS: 1000 FT

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

0 100 200 Feet





CASE: **VAR-17998**

RADIUS: 1000 FT

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

0 100 200 Feet



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JANUARY 17, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: VAR-17998 - APPLICANT: LASCAL CORPORATION -  
OWNER: MARIA FERRA**

---

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

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-17999) 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.
3. Prior to the issuance of the Building Permit, a revised site plan shall be submitted to the Planning and Development Department that depicts a 15-foot by 25-foot loading space consistent with Title 19 – Section 19.10 .020 On-Site Loading Parking Standards.



**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The project is a request for a Variance to allow 15 parking spaces where 23 spaces are the minimum number of parking spaces required for a proposed restaurant with drive-through on a 0.52 acre site located at 4717 West Charleston Boulevard, southeast corner of Decatur Road at West Charleston Boulevard. This request shall be considered concurrently with Site Development Plan Review (SDR-18051).

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b> |                                                                                                                                                                                                     |
|---------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12/21/06                                                                  | The Planning Commission recommended approval of companion item SDR-17999 concurrently with this application.<br><br>The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #6/ja). |

| <b><i>Pre-Application Meeting</i></b>                                                 |                                                                                                                                                                                                                           |
|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11/06/06                                                                              | A Pre-application meeting was held with the applicant. The applicant was informed of City Public Works requirement for a Right-of-Way (ROW) dedication. The applicant was informed of Title 19 parking standards as well. |
| <b><i>Neighborhood Meeting</i></b>                                                    |                                                                                                                                                                                                                           |
| A neighborhood meeting is not required for this type of application nor was one held. |                                                                                                                                                                                                                           |

***Details of Application Request:***

| <b><i>Site Area</i></b> |            |
|-------------------------|------------|
| Gross Acres             | 0.52 acres |

***Land Use and Zoning:***

| <b>Surrounding Property</b> | <b>Existing Land Use</b> | <b>Planned Land Use</b> | <b>Existing Zoning</b>    |
|-----------------------------|--------------------------|-------------------------|---------------------------|
| Subject Property            | Restaurant               | SC (Service Commercial) | C-1 (Limited Commercial ) |
| North                       | Commercial Retail        | SC (Service Commercial) | C-1 (Limited Commercial ) |
| South                       | Commercial Retail        | SC (Service Commercial) | C-1 (Limited Commercial ) |
| East                        | Commercial Retail        | SC (Service Commercial) | C-1 (Limited Commercial ) |
| West                        | Commercial Retail        | SC (Service Commercial) | C-1 (Limited Commercial ) |



*Area Plans and Special Districts/Overlays:*

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

**DEVELOPMENT STANDARDS**

*The following commercial development standards from Section 19.08.050 of Title 19 apply to the project site:*

| <b>Standard</b>      | <b>Required/Allowed</b> | <b>Provided</b> | <b>Compliance</b> |
|----------------------|-------------------------|-----------------|-------------------|
| Min. Lot Size        | NA                      | NA              | Y                 |
| Min. Lot Width       | 100 feet                | 103 feet        | Y                 |
| Min. Setbacks        |                         |                 |                   |
| • Front              | 20                      | 26 feet         | Y                 |
| • Side               | 10                      | 20 feet         | Y                 |
| • Corner             | 15                      | 100 feet        | Y                 |
| • Rear               | 20                      | 40 feet         | Y                 |
| Max. Lot Coverage    | 50 percent              | 10 percent      | Y                 |
| Max. Building Height | NA                      | 25 feet         | Y                 |
| Trash Enclosure      | 1                       | 1               | Y                 |

*Pursuant to Title 19.10, the following parking standards apply:*

pursuant to Title 17A, the following parking standards apply:

| Parking Requirement |                                     |                                       |          |              |          |              |            |
|---------------------|-------------------------------------|---------------------------------------|----------|--------------|----------|--------------|------------|
| Use                 | Gross Floor Area or Number of Units | Parking Ratio                         | Required |              | Provided |              | Compliance |
|                     |                                     |                                       | Parking  |              | Parking  |              |            |
|                     |                                     |                                       | Regular  | Handi-capped | Regular  | Handi-capped |            |
| Restaurant          | 2,227 square feet                   | 1/100 square feet of gross floor area | 23       | 1            | 15       | 1            | N          |

|                                         |                                   |    |  |            |  |   |
|-----------------------------------------|-----------------------------------|----|--|------------|--|---|
| <b>TOTAL</b><br>(including<br>handicap) |                                   | 23 |  | 15         |  | N |
| Loading<br>Spaces                       | 1 per<br>10,000<br>square<br>feet | 1  |  | 1          |  | Y |
| Percent<br>Deviation                    |                                   |    |  | 35 percent |  | N |

## ANALYSIS

The proposed restaurant use is required to dedicate 14-feet of Right-of-Way (ROW) along Decatur Road which will directly affect the ability of the project to meet Title 19 commercial development parking standards. The project will involve demolition of an existing freestanding restaurant with drive through to allow for construction of a new 2,227 square foot restaurant with drive through with associated hardscape and landscape improvements.

- **Parking**

The ROW dedication is required along Decatur Road for future construction of a right turn lane onto eastbound West Charleston Boulevard. The dedication will result in a reduction in developable land area that will constrain the ability of the project to meet required commercial parking. In accordance with Title 19 Commercial Development Parking Standards, a restaurant greater than 2,000 square feet with drive through service must provide 1 space for every 100 square feet of gross floor area. The proposed 2,227 square foot restaurant requires 23 parking spaces. The site plan indicates a total of 15 spaces which is 35 percent less than required. Staff recommends approval of the Variance request.

## 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.”

The required 14-foot Right-of-Way dedication along Decatur Road will limit the ability of the project to meet Title 19 Commercial Development Parking Standards. The resultant site constraint is not considered a self imposed hardship therefore staff recommends approval.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

17

**ASSEMBLY DISTRICT**      3

**SENATE DISTRICT**      11

**NOTICES MAILED**      138 by City Clerk

**APPROVALS**      0

**PROTESTS**      0



## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-17998** APN: 162-06-102-001

Name of Property Owner: \_\_\_\_\_

Name of Applicant: David Bonanni of Las Cal Corporation dba Taco Bell

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: Maria Serra, trustee

Print Name: Maria Serra, trustee

Subscribed and sworn before me

This 5th day of OCTOBER, 2006

Jana K. Turner, Cullman, Alabama

Notary Public in and for said County and State

JANA K. TURNER  
Notary Public, AL State at Large  
My Comm. Expires April 20, 2009

# CHARLESTON BLVD.

MENU BOARD & SPEAKER (TYP)  
EXISTING POLE SIGN RELOCATED 10' TO EAST  
EXISTING SIDEWALK, CURB & GUTTER TO BE REMOVED AS REQUIRED FOR NEW 10' WIDE RIGHT-TURN LANE

10' RIGHT TURN LANE DEDICATION

12' WIDE CONCRETE D/T LANE w/ 7 TO 8 CAR STACKING  
D/T WINDOW "REVERSE"

LANDSCAPE PLANTER w/ TREES ALONG STREETS (TYP)

EXISTING BILLBOARD TO BE REMOVED

12'x25' LOADING ZONE

CMU TRASH ENCLOSURE

FUTURE RIGHT TURN LANE TAPER

DECATUR RD.

589'34.09' 1778' 70'

LANDSCAPE

PROPOSED L-50 TACO BELL 1/- 2221 SF.

EXISTING COMMERCIAL DEVELOPMENT (C-1)

REMOVE & REPLACE IMPROVEMENTS ALONG CHARLESTON & DECATUR

MODIFIED ENTRY DRIVE w/ NEW RADIUS EA SIDE

ACCESSIBLE ACCESS FROM ROW

ACCESSIBLE PARKING SPACE w/ VAN & STANDARD SIDE ISLES

EX 2' HIGH CMU BLOCK WALL ALONG PROPERTY LINE

EXISTING COMMERCIAL DEVELOPMENT (C-1)

LANDSCAPE

MIN SETBACK

PROPOSED TRANSFORMER LOCATION

EX CMU 4' HIGH BLOCK WALL ALONG PROPERTY LINE

EXISTING BUILDING WALL

**NOTE:**  
This project is to remove & replace an existing Taco Bell, and provide a 10' right-turn lane along Decatur

Site Plan

Scale: 1" = 40'-0"

Taco Bell Restaurant @ Charleston & Decatur

## Site Data

ADDRESS: PARCEL NUMBER: 14PM1 163-06-100-001  
CURRENT ZONING: C-1  
SITE AREA: 73,328 SF + 1,300 SF + 30,808 SF + 1,161 SF  
BLOG FOOTPRINT: 2,221  
P.A.R.: 10.7%

## PARKING ANALYSIS:

TACO BELL: 2,221 SF  
PARKING REQUIRED: 25 SPACES

## PARKING PROVIDED: 25 SPACES

(INCLUDING 1 HC SPACE AND 4 COMPACT SPACES)  
4 COMPACT SPACES + 37% DRIVE-THRU STACK + 7 TO 8 CARB

- VARIANCE REQUIRED FOR REDUCTION OF 8 PARKING SPACES
- WAIVER REQUIRED FOR REDUCTION LANDSCAPE

## Owner / Developer

LAS-CAL CORPORATION 0000 TACO BELL  
3225-A RAINBOW BLVD. SUITE 102  
LAS VEGAS, NV 89146  
PH (702) 880-5818 FX (702) 880-5819  
DAVID BOHANN, VP OF DEVELOPMENT

## Vicinity Map



Note: This plan is Conceptual in Nature and No Guarantee of its accuracy is implied.

July 2006

Site Development Review

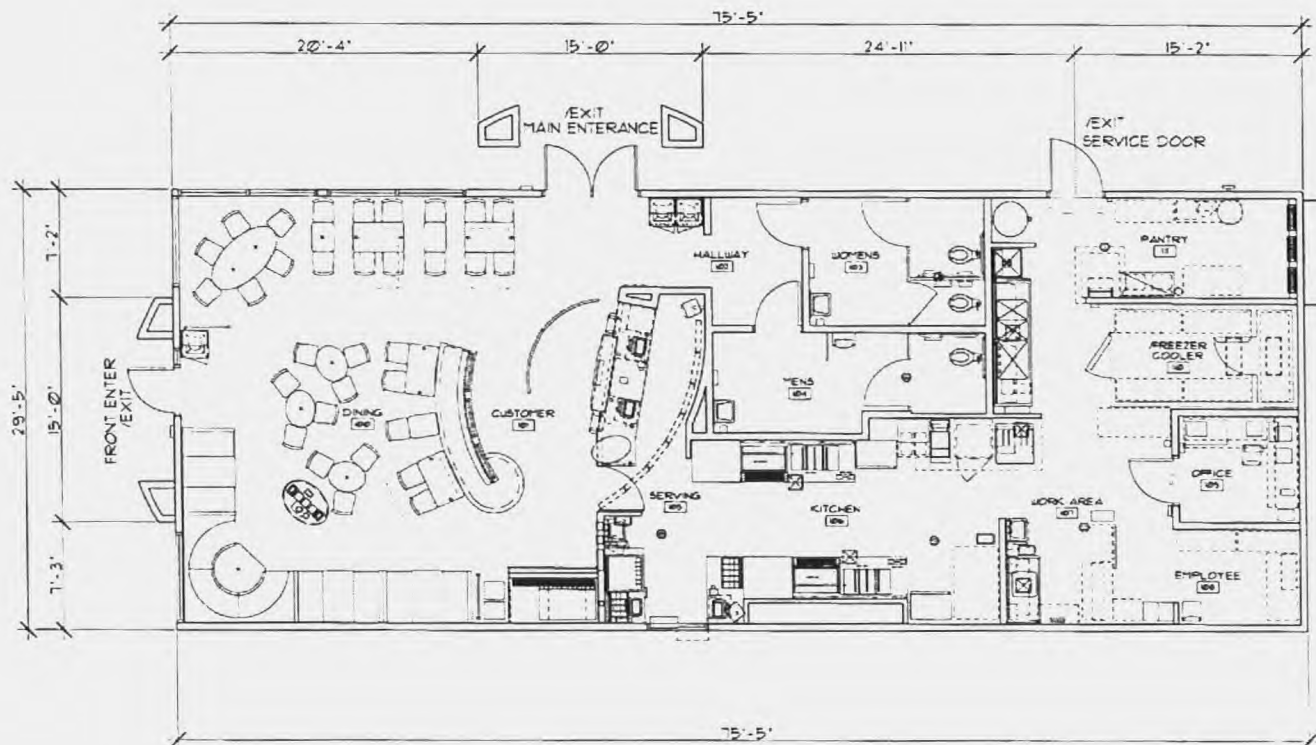
City of Las Vegas, Nevada

**VAR-17998**  
**12/21/06 PC**

RECEIVED  
NOV 06 2006

**LABAR**  
architecture, inc.  
architecture & design & planning  
458 WEST 15th AVENUE  
SPOKANE, WA 99203  
ph 509 363 0240 fx 509 363 0241





Floor Plan

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

BUILDING AREA: 2,227 SF

OCCUPANT LOAD : 67 PERSONS  
(2 EXITS REQ'D; 3 PROVIDED)

FIXED SEATS = 50

## Taco Bell Restaurant @ Charleston & Decatur

July 2006

Site Development Review

City of Las Vegas, Nevada

**LABAR**  
architecture, inc.

architects & design & planning  
458 WEST 15th AVENUE  
SPOKANE, WY 83403  
ph 509 383 0240 fx 509 383 0241

**VAR-17998**  
**12/21/06 PC**

RECEIVED  
NOV 06 2006



July 11, 2006

Ronald D. LaBar, AIA  
458 West 15<sup>th</sup> Avenue  
Spokane, WA 99203  
Ph: (702) 304-1660 or (509) 363-0240  
Fx: (509) 363-0241

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

Re: **Justification Letter – Taco Bell Restaurant @ W. Charleston & Decatur Blvd.**

To Whom It May Concern:

This letter is addressed to the City of Las Vegas, Planning & Development Department as required by the Title 19A: Site Development Plan Review Submittal Requirements. Assessor's Parcel Number(s) are **163-06-102-001**.

The site is currently an existing Taco Bell restaurant and is nearing the end of its life-cycle. For the past few years the franchisee has considered remodeling the restaurant but was informed that Public Works would require a right-turn lane dedication of 10' along Decatur as a condition of any building permit issuance. A direct result of losing 10' on an already tight site would have eliminated (7) parking stalls, but it also created a snowball affect for the redevelopment of the site. Along with the dedication, the entry drive on Charleston closest to the intersection would require a redesign to meet current standards...Charleston is under control of NDOT and Kent Sears of NDOT said they would not approve a design that has an entry drive that close to the intersection. They would only support a design that has one entry/exit drive as far as possible to the east property line on Charleston. NDOT has reviewed this proposed site design and will support it. The location of the Decatur entry/exit drive as far to the south property line is supported by Public Works. Along with the redesign of the entry drives the Development Code would require additional landscaping and a loading zone. It was determined that the only way to satisfy the requirements of the various agency having control over the site was to completely demolish the existing building and site improvements and start with a blank site. This includes eliminating the overhead billboard located in the southwest corner of the site along Decatur.

By completely redeveloping the site we are able to provide the 10' dedication for a right-turn lane along Decatur, provide drive locations as requested by NDOT and Public

**VAR-17998**  
**12/21/06 PC**

Works, and provide more landscaping, including a loading zone for Planning. The site also flows better than the prior design and the drive-thru lane has more stacking and is easier to access than before. The new Taco Bell building will be slightly smaller than the current building so the parking demand will not be increased, but due to all of the above conditions the parking provided for the site will be reduced. The Gross Area of the building is 2,227 SF, and at 1/100 SF that is 22.3 or rounded up to 23 required parking spaces were 15 parking spaces are provided, including (1) Accessible space and (4) compact spaces. We are requesting a Variance for the reduction of (8) parking spaces due to the hardship incurred to provide the right-turn dedication as requested by Public Works and the other related issues as mentioned above. The Taco Bell franchisee and YUM Brands! are comfortable with this site's reduced parking because there are several factors that will help mitigate the situation: (1) The drive-thru has been redesigned with more stacking and better site flow which will handle more customers than the current arrangement...as much as 70% of a stores business can be conducted through the drive-thru alone relieving the need for parking spaces; (2) The site's proximity to a large shopping center development with ample parking will allow patrons of the shopping center businesses to dine at Taco Bell without the need to park onsite; and (3) There is a large amount of pedestrian traffic in the area that will not require parking.

The landscaping in the proposed design is a significant improvement over, and more than doubles what is existing in the current development, but will still require a Waiver for Reduction of Landscape. We have provided a 10' landscape buffer along Decatur where 15' is required (5' is existing); Charleston requires a 15' buffer, which is provided, but the depth is reduced to 5' adjacent to the drive-thru lane (as little as 3' is existing). The south and east property lines require an 8' buffer where no landscape is provided on the existing site. There is a CMU wall along these property lines that is about 4' high on the south and 2' high on the east. We can provide a varying depth of landscape along the south ranging from 10' to 3' and on the east ranging from 25' to 6', both property lines will receive trees and various shrubs as indicated on the landscape plan.

The proposed use complies with the current approved and adjacent property uses, which are commercial. Again, this site is an existing Taco Bell restaurant that is proposed to be replaced with a new building and site development so there is no change of use.

With the exceptions noted above, the proposed facility complies with the provisions of the Development Code provided by the City of Las Vegas.

The proposed facility will not impose any new use impacts to the adjacent properties and neighborhood in general. This includes architectural aesthetics. This development will enhance the street landscape and site development.

Public Safety, transportation and utility services will be able to access and serve the proposed facility's property.

Maintenance of subject property and accompanying utilities/infrastructure will be assured.

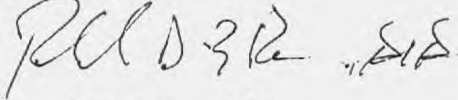
The natural environment surrounding the proposed facility will not be compromised in any fashion. Any potential conflicts would be mitigated. The proposed facility will not exceed the capacity of public services, which cannot be mitigated.

**VAR-17998**  
**12/21/06 PC**

In general, we request approval base on the above information and drawings provided.

If you have any questions or require further information regarding this request letter, please do not hesitate to contact me.

Regards,

A handwritten signature in dark ink, appearing to read "RDL 312" followed by a stylized flourish or initials.

Ronald D. LaBar, AIA

**VAR-17998**  
**12/21/06 PC**

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



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

12/18/06

**SUBJECT: VAR-17998 - APPLICANT: LASCAL CORPORATION - OWNER: MARIA FERRA**

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **December 21, 2006** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

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

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

RUD. 312, AIA

Signature

12/18/06

Date

RONALD D. LABAR, AIA

Please Print Name

LABAR ARCHITECTURE, INC.

Company Name

Sincerely,

Douglas J. Rankin, Planning Supervisor  
Current Planning Division

**RECEIVED**  
DEC 19 2006

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

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

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RUD. 312, AIA

Signature

12/18/06

Date

RONALD D. LABAR, AIA

Please Print Name

LABAR ARCHITECTURE, INC.

Company Name

Sincerely,

Douglas J. Rankin, Planning Supervisor  
Current Planning Division

**RECEIVED**  
**DEC 18 2006**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

**SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-17998

SDR-17999 - PUBLIC HEARING - APPLICANT: LASCAL CORPORATION - OWNER: MARIA FERRA - Request for a Site Development Plan Review FOR A PROPOSED 2,227 SQUARE-FOOT RESTAURANT WITH DRIVE-THROUGH AND A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG INTERIOR LOT LINES WHERE 8 FEET IS REQUIRED AND A 5-FOOT LANDSCAPE BUFFER WHERE 15 FEET IS REQUIRED ALONG PUBLIC RIGHT-OF-WAY on 0.52 acres at 4717 West Charleston Boulevard (APN 162-06-102-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

0

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

0

**RECOMMENDATION:**

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 12-21-06 Planning Commission Meeting Item 7

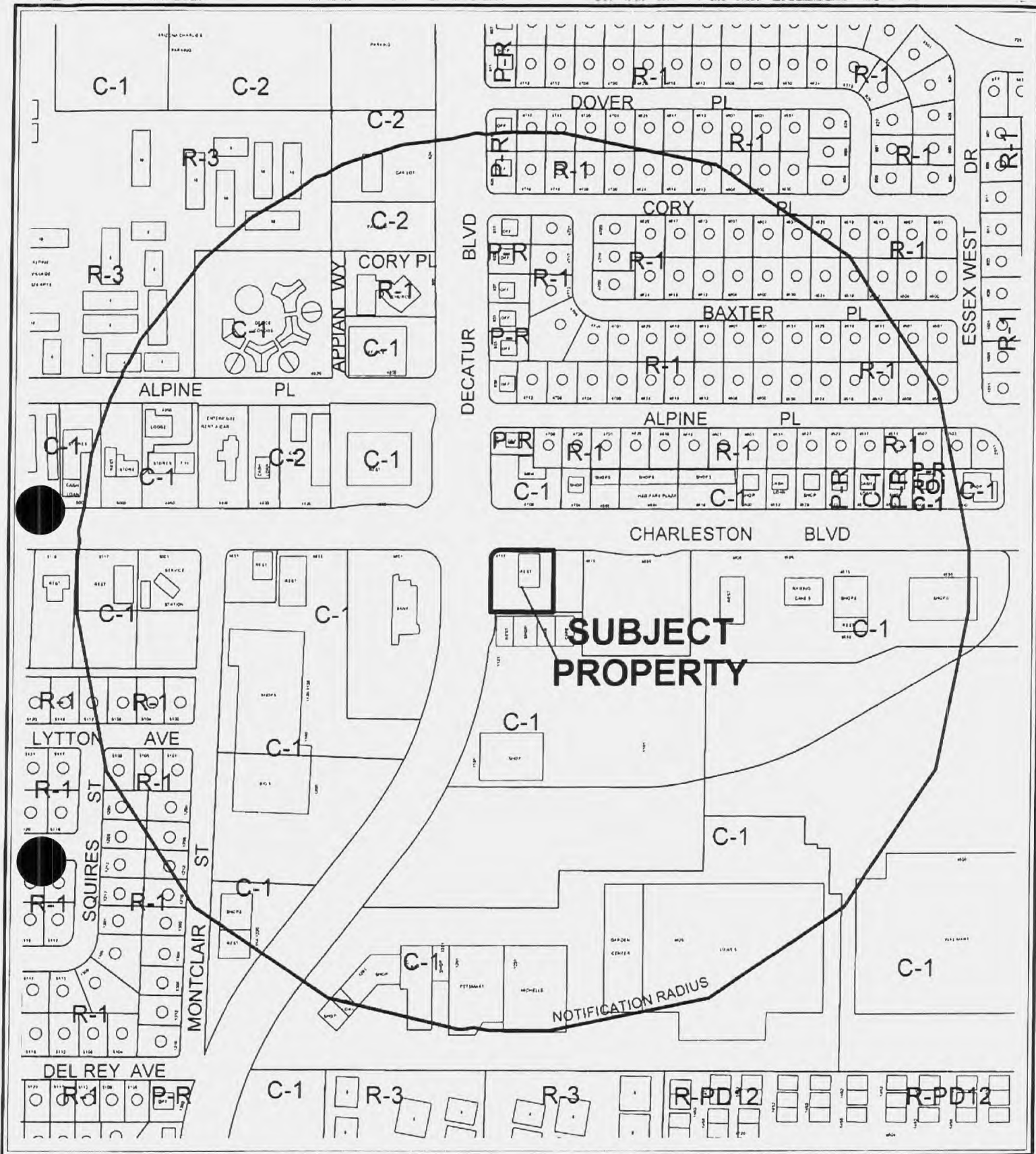
Motion made by LOIS TARKANIAN to Approve Subject to Conditions

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

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

Minutes:

See Item 88 for related discussion.



CASE: **SDR-17999**

RADIUS: 1000 FT

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

0 100 200 Feet





**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JANUARY 17, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SDR-17999 - APPLICANT: LASCAL CORPORATION -  
OWNER: LASCAL CORPORATION**

---

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

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

**Planning and Development**

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan date stamped 12/05/06, and landscape plan and building elevations date stamped 11/06/06, except as amended by conditions herein.
3. A Waiver of Title 19 – Section 19.12 Commercial Development landscape standards is hereby approved to allow a zero foot landscape buffer along interior lot lines where 8-feet is the required minimum, and a 5 foot landscape buffer where 15 feet is the required minimum along public right-of-way.
4. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for building permit to reflect the changes herein: Modify the site plan to provide a 15-foot by 25-foot loading parking space per Title 19 Commercial Development parking standards.
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. Prior to the issuance of the Building Permit, revised elevations shall be submitted to the Planning and Development Department to depict a screened and covered trash enclosure in accordance with Title 19 – Section 19.08.050 Commercial Development Standards.
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 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.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

14. Dedicate a 14 foot right turn lane along the east side of Decatur Boulevard adjacent to this site prior to the issuance of any permits.
15. Grant a Traffic Signal Chord Easement at the southeast corner of Charleston Boulevard and Decatur Boulevard prior to the issuance of any permits.
16. Coordinate the construction of any new improvements with the City Engineer's Section of the Department of Public Works.
17. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Driveways on Charleston Boulevard shall be designed, located and constructed in accordance with Standard Drawing #222a; Driveways on Decatur Boulevard shall meet the approval of the Nevada Department of Transportation (N.D.O.T.).

18. Landscape and maintain all unimproved rights-of-way, if any, on Charleston Boulevard and Decatur Boulevard adjacent to this site.
19. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.
20. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

The proposed project is a request for a Site Development Plan Review for a proposed 2,227 square-foot restaurant with drive-through and a Waiver to allow a zero foot landscape buffer along interior property lines where 8-feet is the required minimum and a 5 foot landscape buffer where 15 feet is the required minimum along public right-of-way. The project site is located on 0.52 acres at 4717 West Charleston Boulevard, southeast corner of Decatur Road at West Charleston Boulevard. A companion Variance (VAR-17998) for a reduction in required commercial parking shall be considered concurrently with this Site Development Plan Review.

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>             |                                                                                                                                                                                                                                                                                                        |
|---------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12/21/06                                                                              | The Planning Commission recommended approval of companion item VAR-17998 concurrently with this application.<br><br>The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #7/ja).                                                                                                    |
| <b><i>Pre-Application Meeting</i></b>                                                 |                                                                                                                                                                                                                                                                                                        |
| 06/23/06                                                                              | A Pre-application meeting was held with the applicant. The applicant was advised of Title 19 Commercial Development Standards related to parking, signage, and the requirement for a Waiver of perimeter landscaping. In addition, public works requires a Right-of-Way dedication along Decatur Road. |
| <b><i>Neighborhood Meeting</i></b>                                                    |                                                                                                                                                                                                                                                                                                        |
| A neighborhood meeting is not required for this type of application nor was one held. |                                                                                                                                                                                                                                                                                                        |

**Details of Application Request:**

| <b><i>Site Area</i></b> |            |
|-------------------------|------------|
| Gross Acres             | 0.52 acres |

**Land Use and Zoning:**

| <b>Surrounding Property</b> | <b>Existing Land Use</b>      | <b>Planned Land Use</b> | <b>Existing Zoning</b>   |
|-----------------------------|-------------------------------|-------------------------|--------------------------|
| Subject Property            | Restaurant with drive-through | SC (Service Commercial) | C-1 (Limited Commercial) |
| North                       | Commercial                    | SC (Service Commercial) | C-1 (Limited Commercial) |
| South                       | Commercial                    | SC (Service Commercial) | C-1 (Limited Commercial) |
| East                        | Commercial                    | SC (Service Commercial) | C-1 (Limited Commercial) |
| West                        | Commercial                    | SC (Service Commercial) | C-1 (Limited Commercial) |

**Area Plans and Special Districts/Overlays:**

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

**DEVELOPMENT STANDARDS**

*The following commercial development standards from Section 19.08.050 of Title 19 apply to the project site:*

| <b><i>Standard</i></b> | <b><i>Required/Allowed</i></b> | <b><i>Provided</i></b> | <b><i>Compliance</i></b> |
|------------------------|--------------------------------|------------------------|--------------------------|
| Min. Lot Width         | 100                            | 103                    | Y                        |
| Min. Setbacks          |                                |                        |                          |
| • Front                | 20                             | 26                     | Y                        |
| • Side                 | 10                             | 20                     | Y                        |
| • Corner               | 15                             | 100                    | Y                        |
| • Rear                 | 20                             | 40                     | Y                        |
| Max. Lot Coverage      | 50 percent                     | 10 percent             | Y                        |
| Max. Building Height   | NA                             | 25                     | Y                        |
| Trash Enclosure        | Y                              | Y                      | Y                        |

*In accordance with Title 19.10 and 19.12, the following landscape standards apply:*

| <b><i>Landscaping and Open Space Standards</i></b> |                                                               |                                   |                        |                          |
|----------------------------------------------------|---------------------------------------------------------------|-----------------------------------|------------------------|--------------------------|
| <b><i>Standards</i></b>                            | <b><i>Required</i></b>                                        |                                   | <b><i>Provided</i></b> | <b><i>Compliance</i></b> |
|                                                    | <b><i>Ratio</i></b>                                           | <b><i>Trees</i></b>               |                        |                          |
| Parking Area                                       | 1 Trees/6 Spaces                                              | 2 Trees                           | 2                      | Y                        |
| Buffer:                                            | 1 Trees/30 Linear Feet                                        | 4 trees along west property line  | 4                      | N                        |
| Min. Trees                                         |                                                               | 4 trees along north property line | 4                      |                          |
|                                                    |                                                               | 4 trees along east property line  | 4                      |                          |
|                                                    |                                                               | 4 trees along south property line | 3                      |                          |
|                                                    |                                                               |                                   |                        |                          |
| <b>TOTAL</b>                                       |                                                               | 18 trees                          | 17 trees               | N*                       |
| Min. Zone Width                                    | 15 Feet along Right-of-Way<br>8 Feet along interior lot lines |                                   | 20 Feet<br>0 Feet      | N*                       |
| Wall Height                                        | 8 feet maximum                                                |                                   | 4 feet                 | Y                        |

\*A Waiver to allow reduction in perimeter landscape buffering requirements is requested.

*Pursuant to Title 19.10, the following parking standards apply:*

| Parking Requirement          |                                     |                        |         |              |            |              |            |
|------------------------------|-------------------------------------|------------------------|---------|--------------|------------|--------------|------------|
| Use                          | Gross Floor Area or Number of Units | Required               |         |              | Provided   |              | Compliance |
|                              |                                     | Parking Ratio          | Parking |              | Parking    |              |            |
|                              |                                     |                        | Regular | Handi-capped | Regular    | Handi-capped |            |
| Service Commercial           | 2,227                               | 1/100 gross floor area | 23      | 1            | 15         | 1            | N*         |
| TOTAL (including handicap)   |                                     |                        | 23      |              | 15         |              | N          |
| Loading Spaces               |                                     | <10,000 square feet    | 1       |              | 1          |              | Y          |
| Percent Deviation (VAR only) |                                     |                        |         |              | 35 PERCENT |              | N          |

\*A companion Variance (VAR 17998) shall be considered with this request.

| <b>Waivers</b>                                 |                                                                        |                             |
|------------------------------------------------|------------------------------------------------------------------------|-----------------------------|
| <b>Request</b>                                 | <b>Requirement</b>                                                     | <b>Staff Recommendation</b> |
| Waiver of perimeter landscaping zone standards | 15 feet zone along Right- of-Way<br>8 feet zone for interior lot lines | Approve                     |

## ANALYSIS

The project proposes the demolition of an existing restaurant with drive-through to allow for construction of a new 2,227 square foot restaurant with drive-through.

- General Plan

The proposed restaurant is consistent with the SC (Service Commercial) use as designated in the General Plan.

- Zoning

The proposed restaurant will be located within the C-1 (Limited Commercial) zone. A restaurant 2,000 square feet and greater with drive-through is a permitted use with conditions.



- Site Plan

The proposal involves construction of a one story 2,275 square foot restaurant with drive through at the intersection of West Charleston and Decatur Road.

- Landscape and Parking Plan

City Public Works requires a 14-foot Right-of-Way (ROW) dedication on Decatur Road along the northern property line to allow for a right turn lane from Decatur Road onto eastbound West Charleston. The dedication will result in site constraints which will directly affect the ability of the project to meet Title 19 perimeter landscaping and parking standards. A Waiver of the commercial development landscape standards is requested to relieve the applicant from the requirement of a 15-foot landscape buffer zone for property lines abutting public Right-of-Way and an 8-foot zone along interior lot lines. Furthermore, Title 19 parking standards requires 1 space for every 100 square feet of gross floor area. The project proposes 15 parking spaces where 23 is the minimum required. A companion Variance (17998) shall be considered with this application to address the parking deficiency.

Additionally, the required loading parking space is not designed to Title 19 standards. A condition of approval will be incorporated into the project requiring the submission of revised parking plans showing a 15-foot by 25-foot loading space. The landscape Waiver will allow a zero setback along the loading space area.

- Elevations

The project elevations depict a modern architectural design featuring the use of earth tones, stucco finish with aluminum accents, and drystack stone. The new restaurant structure will be 25-feet at the highest point and includes wall and awning signage.

## FINDINGS

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

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

The proposed restaurant will complement existing commercial development surrounding the project site.

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

The project is consistent with the General Plan land use designation for SC (Service Commercial) development. In addition, the proposal will not meet the commercial development, landscaping, and parking standards of Title 19 therefore the applicant requests approval of a Waiver of perimeter landscape standards as well as a Variance to allow a reduction in required parking. A condition of approval will be included to address compliance with Title 19 Commercial loading space standard dimensions.

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

Access onto the project site will be made via driveway access from Decatur Road as well as West Charleston Boulevard. The project would not adversely affect traffic circulation along either corridor.

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

The building and landscape materials proposed will complement existing surrounding development.

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 project will implement a contemporary architectural design resulting in a building that blends well with surrounding structures and assists the city in meeting the intent of revitalization goals.

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

The proposal will not adversely affect human health and public safety.

#### **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

15

#### **ASSEMBLY DISTRICT** 3

SENATE DISTRICT 11

NOTICES MAILED 135 by Planning and Development Dept

APPROVALS 0

PROTESTS 0



## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-17999** APN: 162-06-102-001

Name of Property Owner: \_\_\_\_\_

Name of Applicant: David Bonanni of Las Cal Corporation dba Taco Bell

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: Maria Ferrera, Trustee

Print Name: Maria Ferrera, Trustee

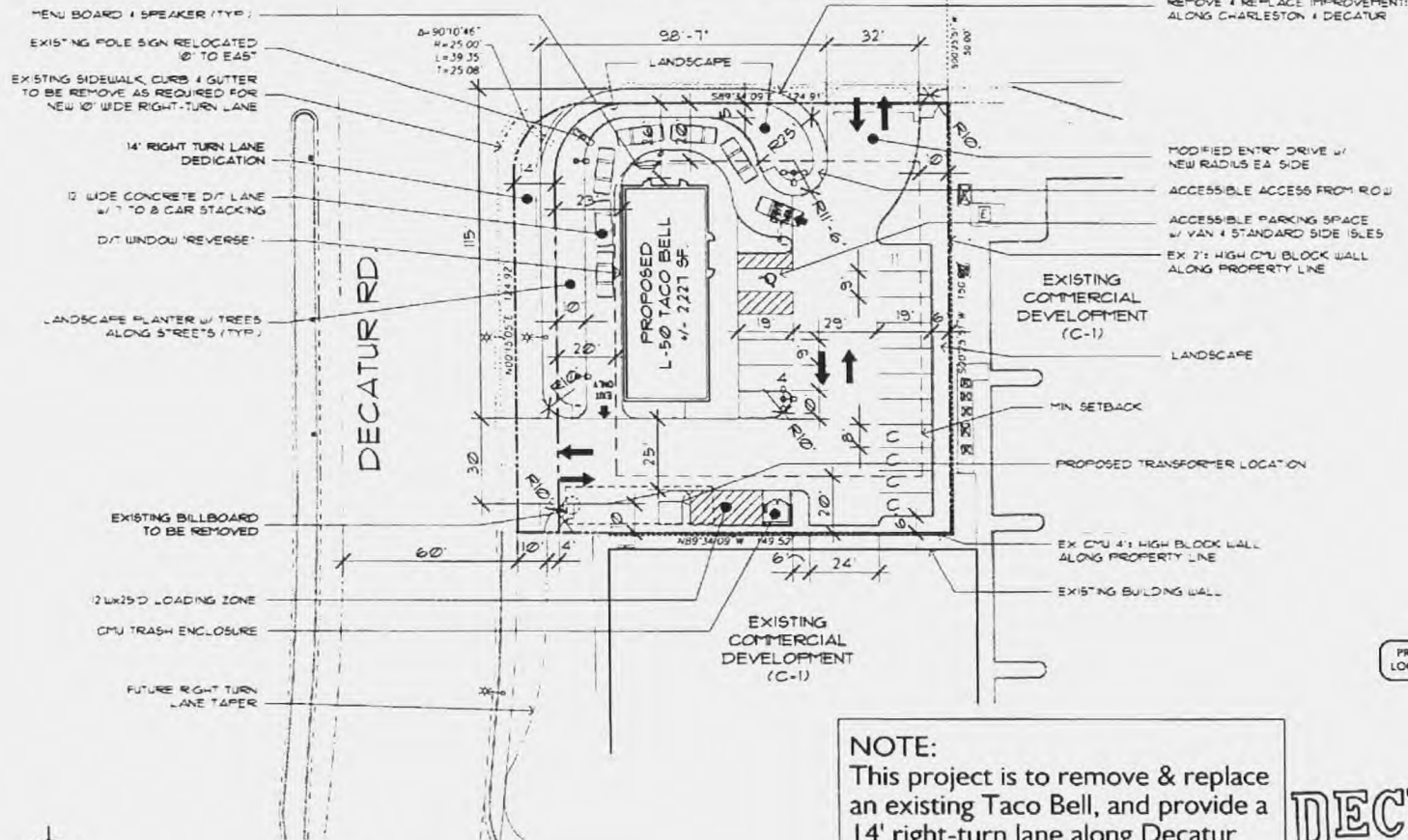
Subscribed and sworn before me

This 26<sup>th</sup> day of October, 2006

Jana K. Turner, Notary Public  
Notary Public in and for said County and State



# CHARLESTON BLVD.



## NOTE:

This project is to remove & replace an existing Taco Bell, and provide a 14' right-turn lane along Decatur

## Site Plan

Scale: 1" = 40'-0"



North

Note: This plan is Conceptual in Nature and No Guarantee of its accuracy is implied

## Taco Bell Restaurant @ Charleston & Decatur

July 2006 (REVISED 11-29-06)

Site Development Review

## Site Data

ASSESSORS' PARCEL NUMBER (APN): 62-06-101-00

CURRENT ZONING: C-1

SITE AREA: 22,328 SF (1.51 AC) (100% TO 14' DEDICATION)

BLOG FOOTPRINT: 22,328 SF (1.51 AC) (100% TO 14' DEDICATION)

FAR: 1.51

PARKING ANALYSIS:

TACO BELL: 22,328 SF

PARKING REQUIRED: 73 SPACES

PARKING PROVIDED: 15 SPACES

(INCLUDING 14' SPACE AND 4 COMPACT SPACES)

4 COMPACT SPACES = 27.5

DRIVE-THRU STACK = 7.10 8 CARS

- VARIANCE REQUIRED FOR REDUCTION OF 8 PARKING SPACES

- WAIVER REQUIRED FOR REDUCTION LANDSCAPE

## Owner / Developer

LAB-CAL CORPORATION dba TACO BELL

3225-A RAINBOW BLVD. SUITE 102

LAS VEGAS, NV 89146

PH: (702) 880-5800 FX: (702) 880-5805

DAVID BONANNI VP OF DEVELOPMENT

## Vicinity Map



RECEIVED

2006

LABAR  
architecture, inc.

architectural & design & planning

458 WEST 15TH AVENUE

DENVER, CO 80202

SDR-17999

REVISED

12/21/06 PC



CHARLESTON BLVD.

DECATUR RD.

STREET LANDSCAPE PLANTING  
TREES # 20" DB, 15' MIN. AND 15' MIN. SHRUBS  
GROUPINGS OF 20 PER 100' L.F. OF  
PLANTER - TYPICAL

PROPOSED  
L-50 TACO BELL  
41,122 SF

EXISTING  
COMMERCIAL  
DEVELOPMENT  
(C-1)

EXISTING  
COMMERCIAL  
DEVELOPMENT  
(C-1)

PERIMETER LANDSCAPE  
PLANTING - TREES # 20" DB,  
15' MIN. AND 15' MIN. SHRUBS  
GROUPINGS OF 20 PER 100' L.F.  
OF PLANTER - TYPICAL

Planting Legend:

| SYMBOL | BUTTERFLY/COMMON NAME                    | SIZE    | QUANTITY |
|--------|------------------------------------------|---------|----------|
|        | ACACIA STENOPHYLLA<br>SPINDLER ACACIA    | 74" BOX | 5        |
|        | LONICERA FRAGRANTISSIMA<br>LONICERA      | 74" BOX | 6        |
|        | PRUNELLA THORNLESS<br>THORNLESS PRUNELLA | 74" BOX | 1        |

SUGGESTED SHRUB LIST

|                                                 |          |
|-------------------------------------------------|----------|
| LARIX MILLERIANA<br>SILVER LEAF CEDAR           | 5 GALLON |
| CHENOPodium MEXICANUM<br>CHENOPodium            | 1 GALLON |
| DALEA CAPitata DENNIS GOLD<br>DENNIS GOLD DALEA | 1 GALLON |
| DASTILONIA GREEN<br>GREEN DASTILONIA            | 5 GALLON |
| HEPERALDE PINK FLORA<br>PINK FLORA              | 5 GALLON |
| LANTANA NEW GOLD<br>NEW GOLD LANTANA            | 5 GALLON |
| LEUCOPHYLLUM SPECIES<br>LEUCOPHYLLUM            | 5 GALLON |
| PERIBENEDICIA CAPILLARIS<br>PINK BELL           | 1 GALLON |

Notes:

1. DECOMPOSED GRANITE (10") - INSTALLED A 2" LAYER OF 24"  
DECOMPOSED GRANITE TO MATCH THE ADJACENT SHOPPING CENTER  
ROCK FILL COLOR CONTIGUOUS IN ALL PLANTING UNDER ALL TREES  
AND SHRUBS



North

Note: This plan is Conceptual in Nature and  
No Guarantee of its accuracy is implied

Conceptual Landscape Plan

Scale: 1" = 40'-0"

Taco Bell Restaurant @ Charleston & Decatur

July 2006

Site Development Review

SDR-17999

12/21/06 PC

RECEIVED

NOV 06 2006

**LABAR**  
architecture, inc.

458 WEST 15th AVENUE  
SPOKANE, WA 99203  
PH 509 363 0240 FAX 509 363 0241

## Color Legend

PT 1 #SW6122  
LAMPBLACK  
Sherwin Williams

PT 2 #SW6607  
AMBER WAVE  
Sherwin Williams

PT 3 #SW2821  
ROCKWOOD CLAY  
Sherwin Williams

PT 4 #SW2823  
GOLDEN RULE  
Sherwin Williams

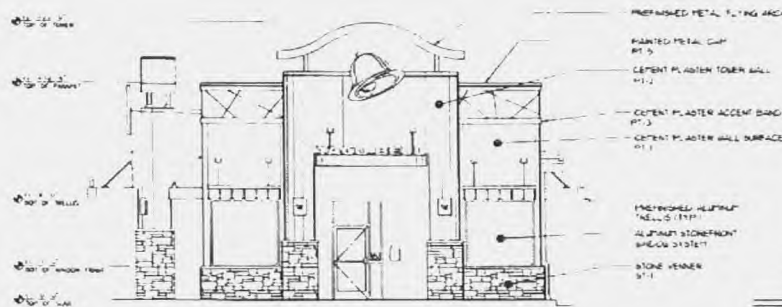
PT 4a #SW2841  
AVOCADO  
Sherwin Williams

PT 4b #SW2803  
ROCKWOOD TERRA COTTA  
Sherwin Williams

PT 4c #SW6558  
PLUMPT  
Sherwin Williams

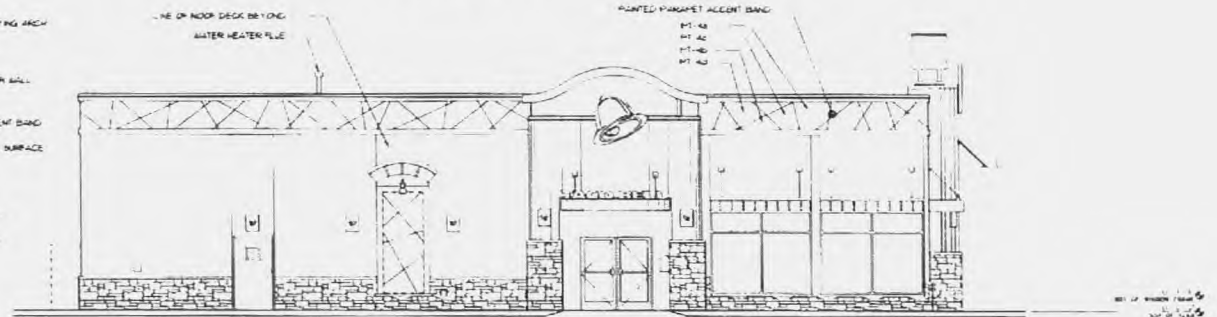
PT 5 #SW7019  
IRON ORE  
Sherwin Williams

ST-1 Kado Drywall  
CAMEL MOUNTAIN  
Colorado Stone Products



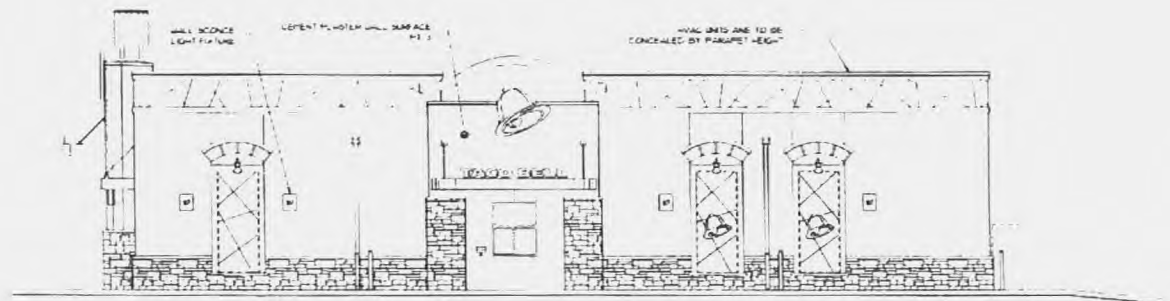
Front Elevation (North)

Scale: 3/32" = 1'-0"



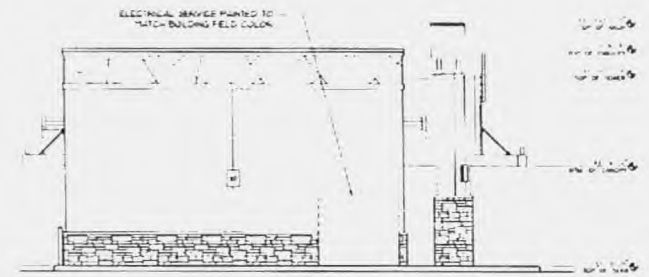
Front Side Elevation (East)

Scale: 3/32" = 1'-0"



Drive-Thru Side Elevation (West)

Scale: 3/32" = 1'-0"



Rear Elevation (South)

Scale: 3/32" = 1'-0"

NOTE: SIGNAGE (N.I.C.) TO BE REVIEWED  
UNDER SEPARATE SUBMITTAL

Taco Bell Restaurant @ Charleston & Decatur

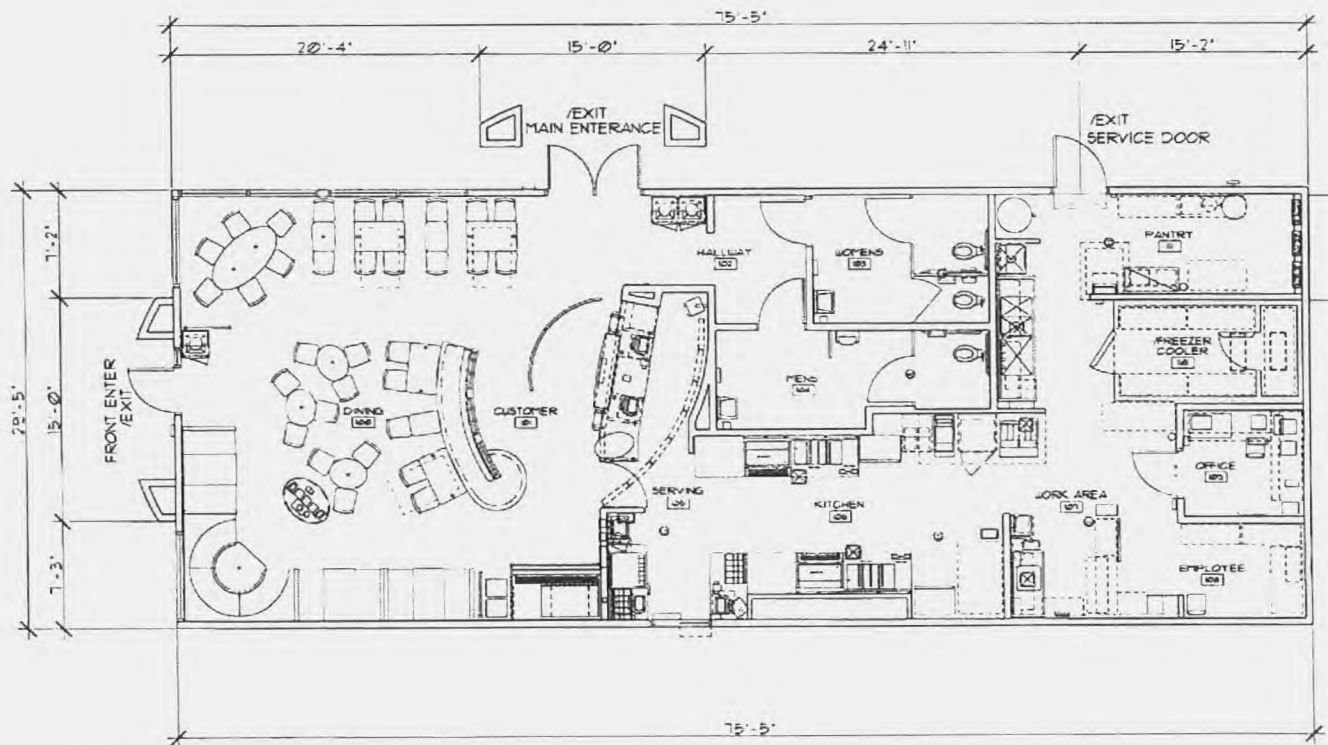
July 2006

Site Development Review

SDR-17999  
12/21/06 PC

RECEIVED  
NOV 06 2006

**LABAR**  
architecture, inc.  
architecture • design • planning  
458 WEST 15th AVENUE  
SPOKANE, WA 99203  
ph 509.363.0240 fx 509.363.0241



Floor Plan

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

BUILDING AREA: 2,227 SF

OCCUPANT LOAD : 67 PERSONS  
(2 EXITS REQ'D; 3 PROVIDED)

FIXED SEATS = 50

# Taco Bell Restaurant @ Charleston & Decatur

July 2006

Site Development Review

City of Las Vegas, Nevada

**VAR-17998**  
**SDR-17999**  
**12/21/06 PC**

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**LABAR**  
architecture, inc.

architecture & design & planning  
458 WEST 15th AVENUE  
SPOKANE, WA 99203  
ph 509 363 0240 fx 509 363 0241

## Paint Color Legend

PT-1: #SW6122  
CAMELBACK  
Sherwin Williams

PT-2: #SW6657  
AMBER WAVE  
Sherwin Williams

PT-3: #SW2823  
ROCKWOOD CLAY  
Sherwin Williams

PT-4a: #SW6383  
GOLDEN RULE  
Sherwin Williams



PT-4b: #SW2861  
AVOCADO  
Sherwin Williams



PT-4c: #SW2803  
ROCKWOOD TERRA COTTA  
Sherwin Williams

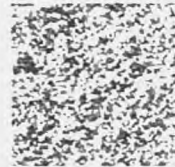


PT-4d: #SW6558  
PLUMMY  
Sherwin Williams



PT-5: #SW7069  
IRON ORE  
Sherwin Williams

## Material Legend



STUCCO FINISH - MEDIUM DASH



STUCCO FINISH - HEAVY SAND FLOAT



ALUM. STOREFRONT w/  
POWDER COATED PAINT FINISH  
& TINTED INSUL. GLASS



ST-1: Idaho Drystack  
CARMEL MOUNTAIN  
Coronado Stone Products

## Color & Materials Board

Scale: N.T.S.

Taco Bell Restaurant @ Charleston & Decatur

July 2006

Site Development Review

City of Las Vegas, Nevada

**VAR-17998**  
**SDR-17999**  
**12/21/06 PC**

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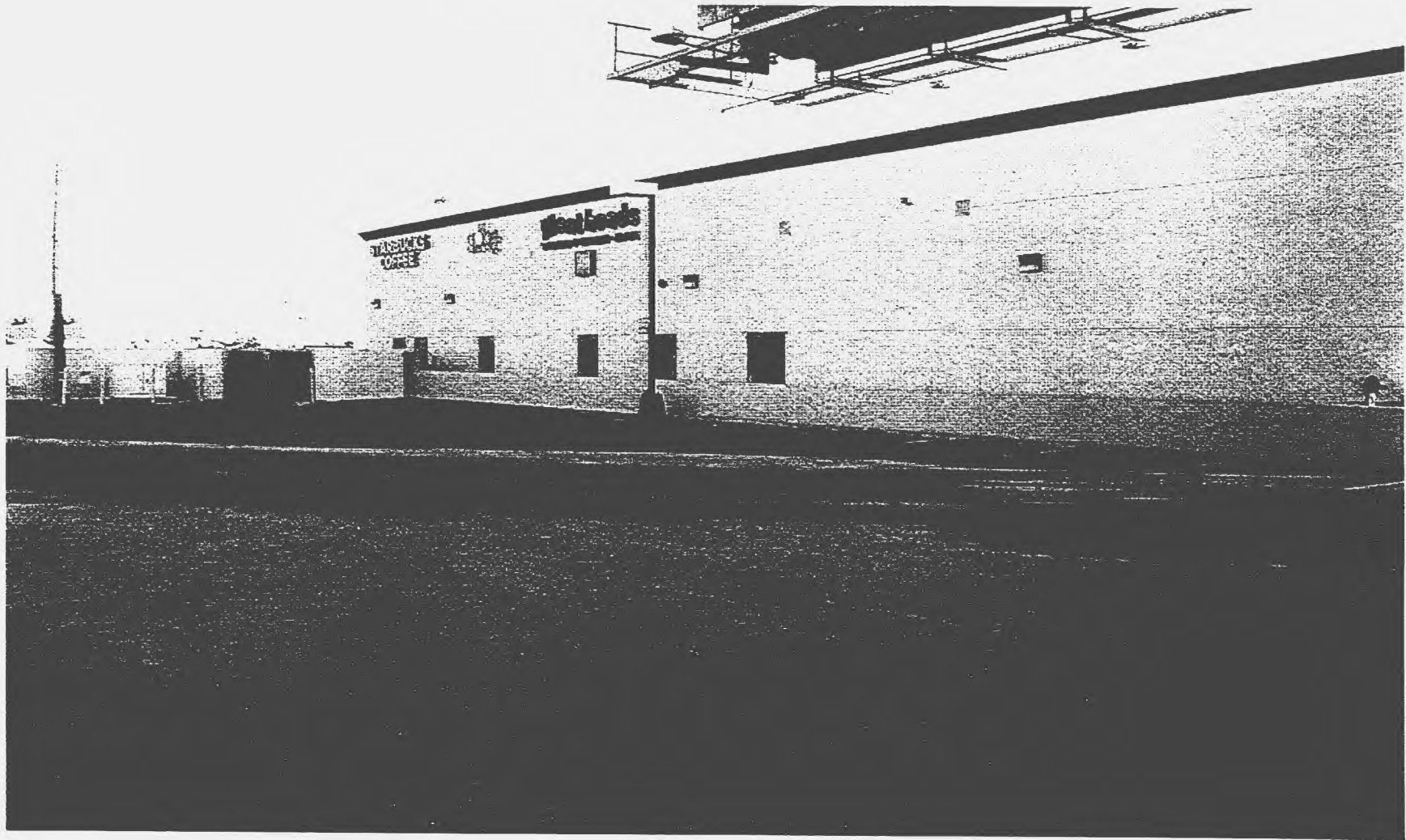
RECEIVED  
NOV 06 2006



VAR-17998 & SDR-17999 - APPLICANT: LASCAL CORPORATION - OWNER: MARIA FERRA  
4717 WEST CHARLESTON BOULEVARD  
DECEMBER 21, 2006 PLANNING COMMISSION

11/27/06





VAR-17998 & SDR-17999 - APPLICANT: LASCAL CORPORATION - OWNER: MARIA FERRA  
4717 WEST CHARLESTON BOULEVARD  
DECEMBER 21, 2006 PLANNING COMMISSION

11/27/06



VAR-17998 & SDR-17999 - APPLICANT: LASCAL CORPORATION - OWNER: MARIA FERRA  
4717 WEST CHARLESTON BOULEVARD  
DECEMBER 21, 2006 PLANNING COMMISSION

11/27/06



July 11, 2006

Ronald D. LaBar, AIA  
458 West 15<sup>th</sup> Avenue  
Spokane, WA 99203  
Ph: (702) 304-1660 or (509) 363-0240  
Fx: (509) 363-0241

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

Re: **Justification Letter – Taco Bell Restaurant @ W. Charleston & Decatur Blvd.**

To Whom It May Concern:

This letter is addressed to the City of Las Vegas, Planning & Development Department as required by the Title 19A: Site Development Plan Review Submittal Requirements. Assessor's Parcel Number(s) are **163-06-102-001**.

The site is currently an existing Taco Bell restaurant and is nearing the end of its life-cycle. For the past few years the franchisee has considered remodeling the restaurant but was informed that Public Works would require a right-turn lane dedication of 10' along Decatur as a condition of any building permit issuance. A direct result of losing 10' on an already tight site would have eliminated (7) parking stalls, but it also created a snowball affect for the redevelopment of the site. Along with the dedication, the entry drive on Charleston closest to the intersection would require a redesign to meet current standards...Charleston is under control of NDOT and Kent Sears of NDOT said they would not approve a design that has an entry drive that close to the intersection. They would only support a design that has one entry/exit drive as far as possible to the east property line on Charleston. NDOT has reviewed this proposed site design and will support it. The location of the Decatur entry/exit drive as far to the south property line is supported by Public Works. Along with the redesign of the entry drives the Development Code would require additional landscaping and a loading zone. It was determined that the only way to satisfy the requirements of the various agency having control over the site was to completely demolish the existing building and site improvements and start with a blank site. This includes eliminating the overhead billboard located in the southwest corner of the site along Decatur.

By completely redeveloping the site we are able to provide the 10' dedication for a right-turn lane along Decatur, provide drive locations as requested by NDOT and Public

**SDR-17999**  
**12/21/06 PC**

Works, and provide more landscaping, including a loading zone for Planning. The site also flows better than the prior design and the drive-thru lane has more stacking and is easier to access than before. The new Taco Bell building will be slightly smaller than the current building so the parking demand will not be increased, but due to all of the above conditions the parking provided for the site will be reduced. The Gross Area of the building is 2,227 SF, and at 1/100 SF that is 22.3 or rounded up to 23 required parking spaces were 15 parking spaces are provided, including (1) Accessible space and (4) compact spaces. We are requesting a Variance for the reduction of (8) parking spaces due to the hardship incurred to provide the right-turn dedication as requested by Public Works and the other related issues as mentioned above. The Taco Bell franchisee and YUM Brands! are comfortable with this site's reduced parking because there are several factors that will help mitigate the situation: (1) The drive-thru has been redesigned with more stacking and better site flow which will handle more customers than the current arrangement...as much as 70% of a stores business can be conducted through the drive-thru alone relieving the need for parking spaces; (2) The site's proximity to a large shopping center development with ample parking will allow patrons of the shopping center businesses to dine at Taco Bell without the need to park onsite; and (3) There is a large amount of pedestrian traffic in the area that will not require parking.

The landscaping in the proposed design is a significant improvement over, and more than doubles what is existing in the current development, but will still require a Waiver for Reduction of Landscape. We have provided a 10' landscape buffer along Decatur where 15' is required (5' is existing); Charleston requires a 15' buffer, which is provided, but the depth is reduced to 5' adjacent to the drive-thru lane (as little as 3' is existing). The south and east property lines require an 8' buffer where no landscape is provided on the existing site. There is a CMU wall along these property lines that is about 4' high on the south and 2' high on the east. We can provide a varying depth of landscape along the south ranging from 10' to 3' and on the east ranging from 25' to 6', both property lines will receive trees and various shrubs as indicated on the landscape plan.

The proposed use complies with the current approved and adjacent property uses, which are commercial. Again, this site is an existing Taco Bell restaurant that is proposed to be replaced with a new building and site development so there is no change of use.

With the exceptions noted above, the proposed facility complies with the provisions of the Development Code provided by the City of Las Vegas.

The proposed facility will not impose any new use impacts to the adjacent properties and neighborhood in general. This includes architectural aesthetics. This development will enhance the street landscape and site development.

Public Safety, transportation and utility services will be able to access and serve the proposed facility's property.

Maintenance of subject property and accompanying utilities/infrastructure will be assured.

The natural environment surrounding the proposed facility will not be compromised in any fashion. Any potential conflicts would be mitigated. The proposed facility will not exceed the capacity of public services, which cannot be mitigated.

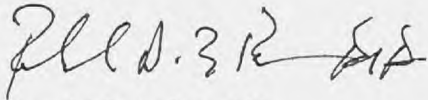
**SDR-17999**  
**12/21/06 PC**



In general, we request approval base on the above information and drawings provided.

If you have any questions or require further information regarding this request letter,  
please do not hesitate to contact me.

Regards,

A handwritten signature in dark ink, appearing to read "R.D. LaBar" with a stylized flourish at the end.

Ronald D. LaBar, AIA

**SDR-17999**  
**12/21/06 PC**



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

**CITY OF LAS VEGAS****ONE MOTION / ONE VOTE****Planning and Development Department****Current Planning Division****731 South Fourth Street****Las Vegas, Nevada 89101****(702) 229-6301 Phone (702) 385-7268 Fax****SUBJECT: SDR-17999 - APPLICANT: LASCAL CORPORATION - OWNER: MARIA FERRA**

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **December 21, 2006** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

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

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

Handwritten signature of Douglas J. Rankin in black ink.

Signature

Handwritten date 12/18/06 in black ink.

Date

Handwritten signature of Ronald D. LaBar in black ink.

Please Print Name

Handwritten signature of L&amp;B Architecture, LLC in black ink.

Company Name

Sincerely,

Douglas J. Rankin, Planning Supervisor  
Current Planning Division

**RECEIVED**  
DEC 19 2006

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

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

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

Ronald D. LaBar, SIA

Signature

12/18/06

Date

RONALD D. LABAR, SIA

Please Print Name

LABAR ARCHITECTURE, INC.

Company Name

Sincerely,

Douglas J. Rankin, Planning Supervisor  
Current Planning Division

**RECEIVED**  
**DEC 18 2006**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

**SUBJECT:**

SPECIAL USE PERMIT

SUP-18001 - PUBLIC HEARING – APPLICANT/OWNER: LESLIE DIANE - Request for a Special Use Permit FOR A PROPOSED PACKAGE LIQUOR ESTABLISHMENT at 625 South Las Vegas Boulevard (APN 139-34-410-182), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (4-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

1

City Council Meeting

1

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

0

**RECOMMENDATION:**

The Planning Commission (4-1 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest letter from Campbell & Williams
6. Backup referenced from the 12-21-06 Planning Commission Meeting Item 8

Motion made by GARY REESE to Hold in Abeyance to 2/07/2007

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

The applicant, LESLIE DIANE, was present.

COUNCILMAN REESE indicated there have been alcohol and drug problems in this particular area and would like to meet with MS. DIANE to discuss the application. Therefore, he asked to hold the item in abeyance. He does not favor package liquor and would like for MS. DIANE to explain the project. MS. DIANE was amenable to the abeyance and added that she may not open

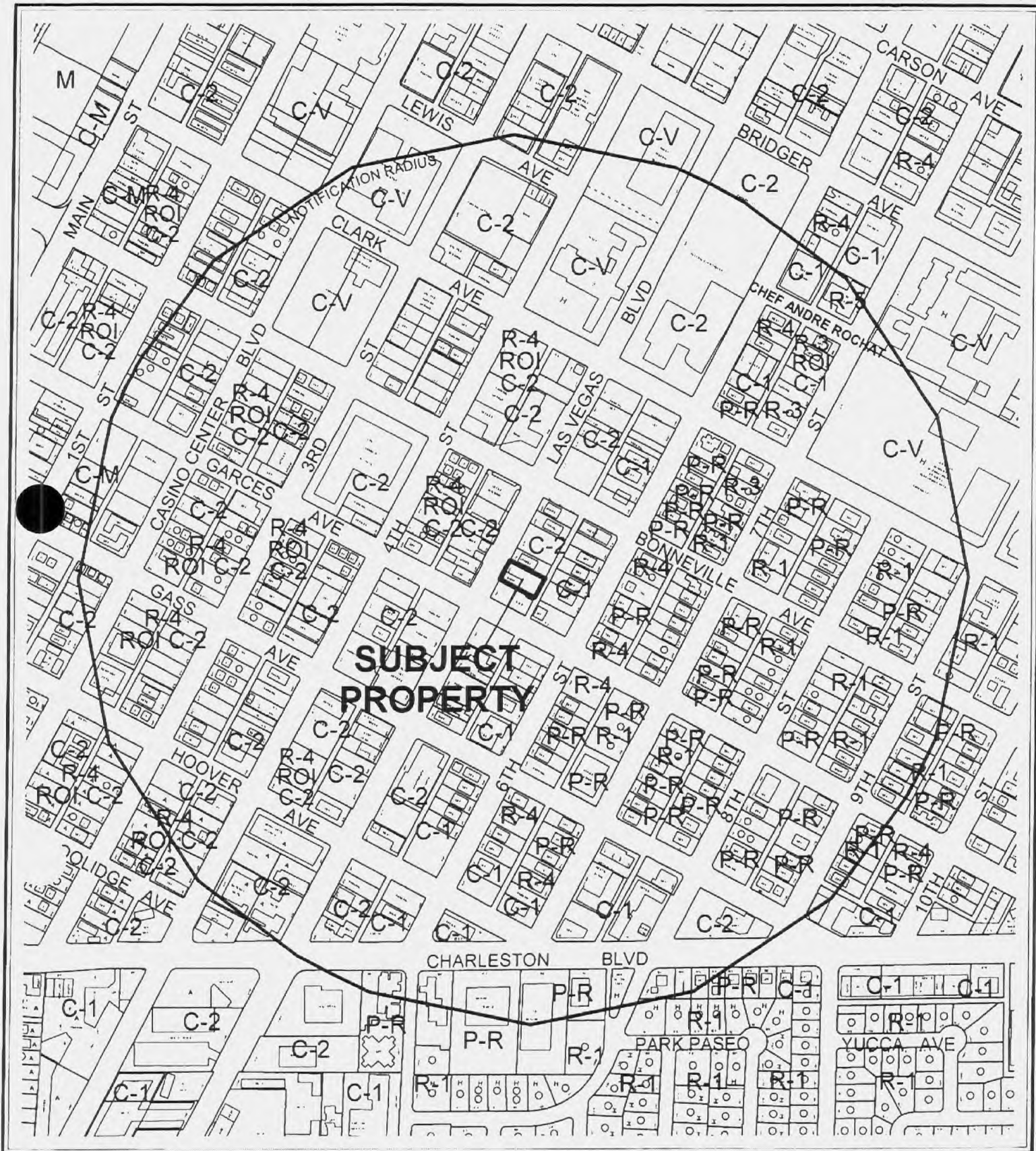
**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

the establishment for another two years. Her intention is to open a gourmet, and fine wine liquor store.

COUNCILMAN REESE reiterated he does not support liquor stores at this location. He asked MARGO WHEELER, Director of Planning and Development Department, to look into other types of zoning for this location.

MAYOR GOODMAN declared the Public Hearing closed.





CASE: SUP-18001

RADIUS: 1500 FT

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

0 200 400 Feet

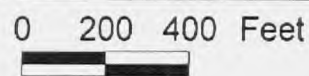




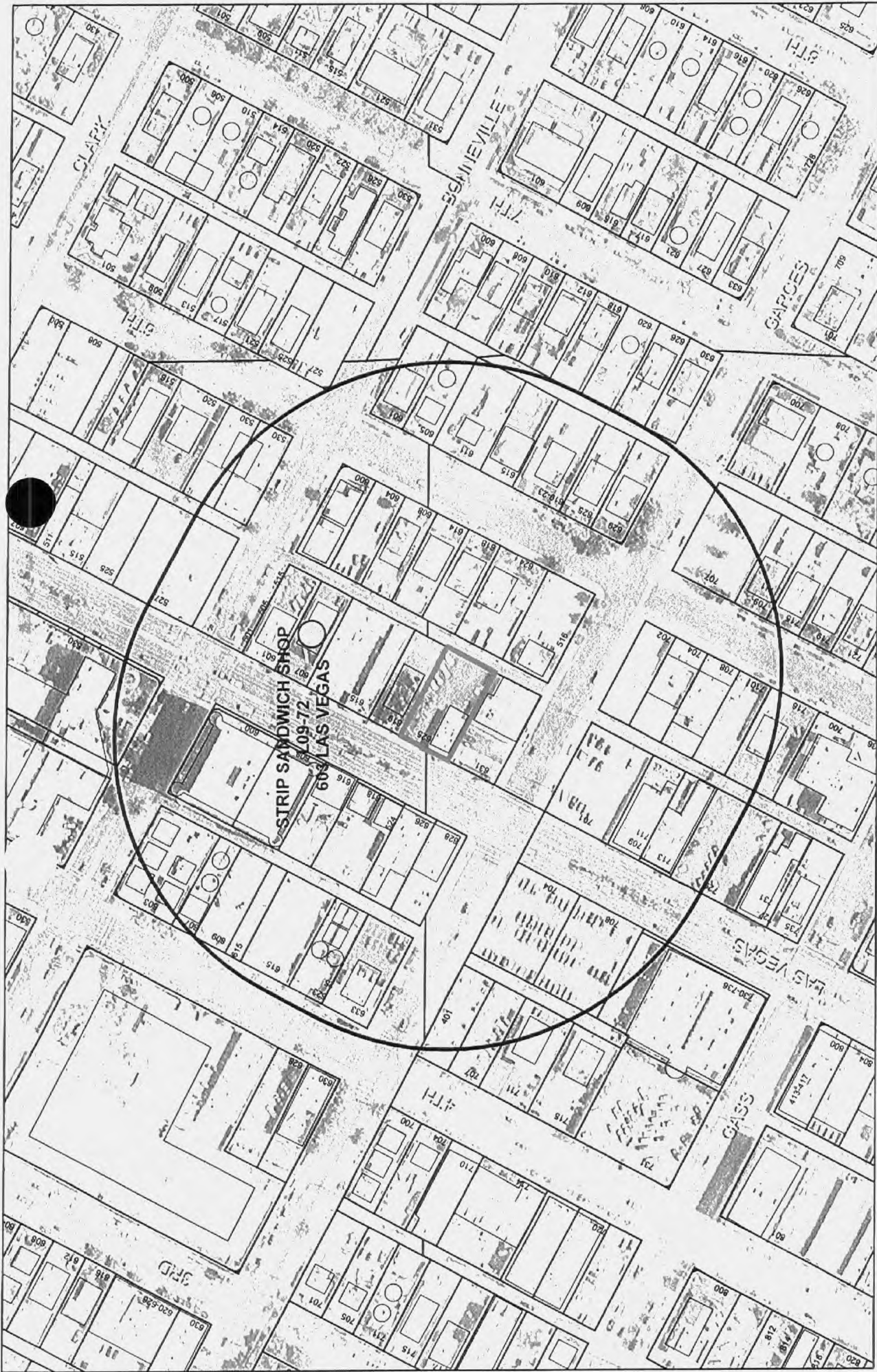
CASE: SUP-18001

RADIUS: 1500 FT

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







SUP-18001

### 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

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JANUARY 17, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SUP-18001 – APPLICANT/OWNER: LESLIE DIANE**

---

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

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

**Planning and Development**

1. One year Required Review after the issuance of a business license as an Administrative Review.
2. Prior to the issuance of a business license the removal of the barbed wire and repair of the chain link fence that is being used as rear-entry screening must be completed.
3. Conformance with the City of Las Vegas Sign Code, Title 19.14.140, regarding abandoned signs shall be required. Existing signage must be removed, covered with a blank sign face, or replaced with appropriate signage for an on-premise, licensed business within 30 days of final action. Blank sign face or replacement signage is subject to Planning and Development staff review prior to any Building Department permit approval.
4. Conformance to all Minimum Requirements under LVMC Title 19.04 for a Package Liquor Off-Sale Establishment use.
5. 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.
6. Approval of this Special Use Permit does not constitute approval of a liquor license.
7. 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.
8. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
9. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Special Use Permit for a Package Liquor Off-Sale Establishment on 0.24 acres at 625 South Las Vegas Boulevard. The applicant wishes to provide specialty wines, imported beers and ales, liquors and gourmet items to the local office and professional trades as well as the residents of the new downtown high-rise residential developments.

The subject proposal meets all Title 19 standards for Package Liquor Off-Sale Establishment uses. The Downtown Centennial Plan does not have an automatic parking application and under that plan the provided parking is adequate. This use is compatible with the surrounding area. Staff recommends approval.

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b> |                                                                                                                                                                                                                                                                                                                                                                                     |
|---------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 08/18/93                                                                  | The City Council granted an appeal, thereby approving the Variance (V-0064-93) to allow the secondhand sale of jewelry, electronics, tools and collectibles on the subject site. The Planning Commission and staff had recommended denial.                                                                                                                                          |
| 10/03/01                                                                  | The City Council approved a request for a Special Use Permit (U-0115-01) for a proposed second hand dealer. The Planning Commission and staff had recommended approval.                                                                                                                                                                                                             |
| 12/21/06                                                                  | The Planning Commission voted 4-1/bg to recommend APPROVAL (PC Agenda Item #8/rts).                                                                                                                                                                                                                                                                                                 |
| <b><i>Related Building Permits/Business Licenses</i></b>                  |                                                                                                                                                                                                                                                                                                                                                                                     |
| 10/12/06                                                                  | A business license for a L15 (Package - A package license authorizes the retail sale of alcoholic beverages in original sealed or corked containers for consumption off the premises) category license was processed in by the Department of Finance and Business Services. This license (L15-98531) was denied by planning, on 10/19/06, pending approval of a Special Use Permit. |
| 10/18/06                                                                  | A business license for a M06 (Miscellaneous Sales - Sales of tangible goods not otherwise specified in the Code) category license was processed in by the Department of Finance and Business Services. This license (M06-98649) was approved by planning, on 10/19/06. As of 11/17/06 this license had not been issued.                                                             |
| <b><i>Pre-Application Meeting</i></b>                                     |                                                                                                                                                                                                                                                                                                                                                                                     |
| 10/11/06                                                                  | A pre-application meeting was held and elements of this application were discussed. It was noted that photos of the existing building would suffice for the building elevation requirements. Submittal requirements were discussed.                                                                                                                                                 |
| <b><i>Neighborhood Meeting</i></b>                                        |                                                                                                                                                                                                                                                                                                                                                                                     |
| A neighborhood meeting is not required nor was one held.                  |                                                                                                                                                                                                                                                                                                                                                                                     |



| <b>Details of Application Request</b> |      |
|---------------------------------------|------|
| <b>Site Area</b>                      |      |
| Net Acres                             | 0.24 |

| <b>Surrounding Property</b> | <b>Existing Land Use</b> | <b>Planned Land Use</b> | <b>Existing Zoning</b>   |
|-----------------------------|--------------------------|-------------------------|--------------------------|
| Subject Property            | Retail (Vacant)          | C (Downtown Commercial) | C-2 (General Commercial) |
| North                       | Wedding Chapel           | C (Downtown Commercial) | C-2 (General Commercial) |
| South                       | SOB                      | C (Downtown Commercial) | C-2 (General Commercial) |
| East                        | Office                   | C (Downtown Commercial) | C-1 (Limited Commercial) |
| West                        | Office                   | C (Downtown Commercial) | C-2 (General Commercial) |

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

## DEVELOPMENT STANDARDS

Pursuant to Title 19.04 and Title 19.10, the following parking standards apply:

| 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 |            |
| General Retail Store, Other Than Listed (Less than 3500 Sq. Ft.) | 1600 SF                             | 1 Space /175 SF of GFA   | 9       | 1            | 8        | 1            | Yes *      |
| TOTAL (including handicap)                                       | 1600 SF                             | 1 Space /175 SF of GFA   | 9       |              | 8        |              | Yes*       |

\* Note: Sites within the Las Vegas Downtown Centennial Plan do not have an automatic application of Title 19.04 or Title 19.10 parking standards.

## ANALYSIS

The subject property has a land use designation of C (Downtown Commercial). This designation allows for a variety of commercial uses ranging from those designed primarily for local area patrons to those of a higher intensity commercial use. The underlying zoning of C-2 (General Commercial) complies with this designation. Projects located within the Las Vegas Downtown Centennial Plan area are not subject to the automatic application of parking requirements.

Package Liquor, Off-Sale Establishments are allowed in a C-2 (General Commercial) zone with approval of a Special Use Permit. The nearest alcohol use, a tavern, is located south of the property at 910 South Las Vegas Boulevard.

The proposed use is appropriate for the area and will be located in an existing structure previously occupied by a second hand dealer. There are no protected uses within the required separation distance.

There is existing signage on the windows and awning that are from the previous business which ceased activity January 2006. Title 19.14.140 requires that this signage be replaced or removed within 30 days of business termination and a Condition of Approval has been added to reflect this requirement. This site is within the Las Vegas Boulevard Scenic Byway Overlay District. Due to this the Urban Design Coordinator will have to review and approve any change in signage prior to the issuance of any Building and Safety Department sign permit. Minimum Requirements of Approval for Package Liquor, Off-Sale Establishment in a C-2 (General Commercial) Zoning District.

- \*1. Except as otherwise provided, no package liquor off-sale establishment use (herein after "establishment") shall be located within 400 feet of any church, synagogue, school, childcare facility licensed for more than twelve children, or City park.
- \*2. Except as otherwise provided in Requirement 3 below, the distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:
  - a. Any leasehold parcel; or
  - b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Requirement 1.

- \*3. In the case of an establishment proposed to be located on a parcel of at least 80 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. The minimum distance requirements in Requirement 1 do not apply to:
  - a. An establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or
  - b. A proposed retail establishment having more than 50,000 square feet or retail floor space.
- \*5. All businesses, which sell alcoholic beverages, shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

The proposed package liquor, off-sale establishment meets the minimum requirements for approval.

## FINDINGS

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

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

As this is in the C (Downtown Commercial) area, the subject proposal will be harmonious and compatible with existing surrounding land uses and with future uses as projected by the General Plan.

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

Package liquor, off-sale establishment at this location will not greatly affect the intensity of uses on the site. Although, the site does not meet the base parking standards staff finds that there is adequate parking on the site to accommodate the proposed use.

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 site is served by South Las Vegas Boulevard (an 80-foot secondary collector). This thoroughfare can accommodate the proposed package liquor, off-sale establishment 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.”**

Approval of this request will not compromise the public health, safety or welfare of the general public and will not jeopardize the overall objectives of the General Plan.

#### **PLANNING COMMISSION ACTION**

At the Planning Commission there was one speaker in protest. Condition #1 was added by the Planning Commission.

#### **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

19

**ASSEMBLY DISTRICT** 9

**SENATE DISTRICT** 3

**NOTICES MAILED** 420 by City Clerk

**APPROVALS** 0

**PROTESTS** 1



## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-18001** APN: 139-34-410-182  
Name of Property Owner: LESLIE DIANE  
Name of Applicant: LESLIE DIANE

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: \_\_\_\_\_

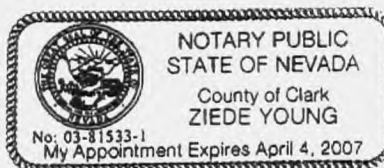
Signature of Property Owner: Leslie Diane

Print Name: LESLIE DIANE

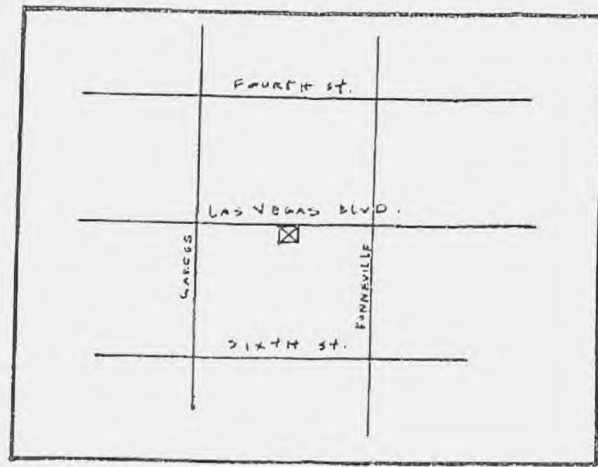
Subscribed and sworn before me

This 6 day of November, 2006

\_\_\_\_\_  
Notary Public in and for said County and State



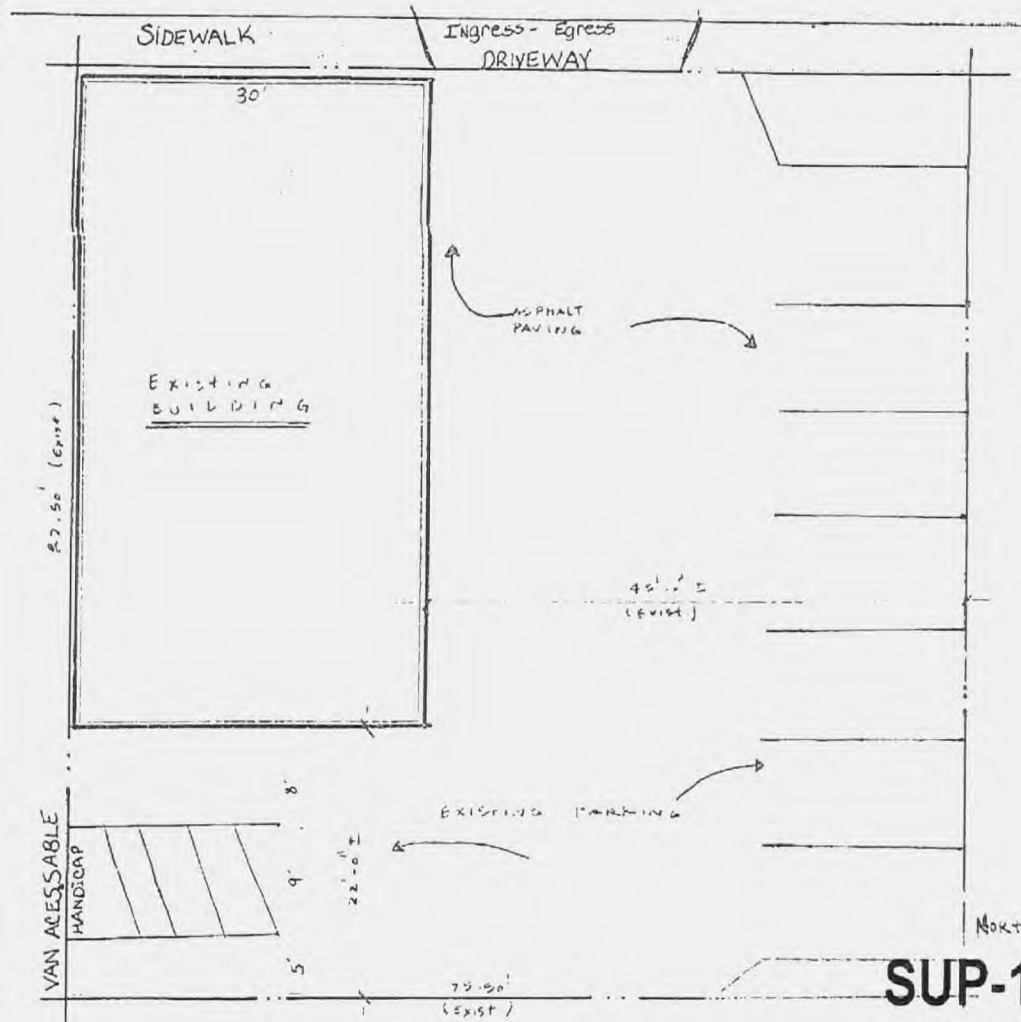




# VICINITY MAP

NO SCALE

625 S LAS VEGAS BLVD.

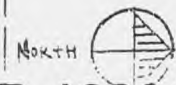


C2  
Wedding  
Chapel

C2  
S.O.B

PARKING  
BLD - 11000"  
REQUIRED 72 SPACES  
EXISTING 8 SPACES  
1 VAN ACCESSIBLE  
HANDICAP SPACE

VAN ACCESSIBLE  
HANDICAP



SUP-18001

12/21/06 PC

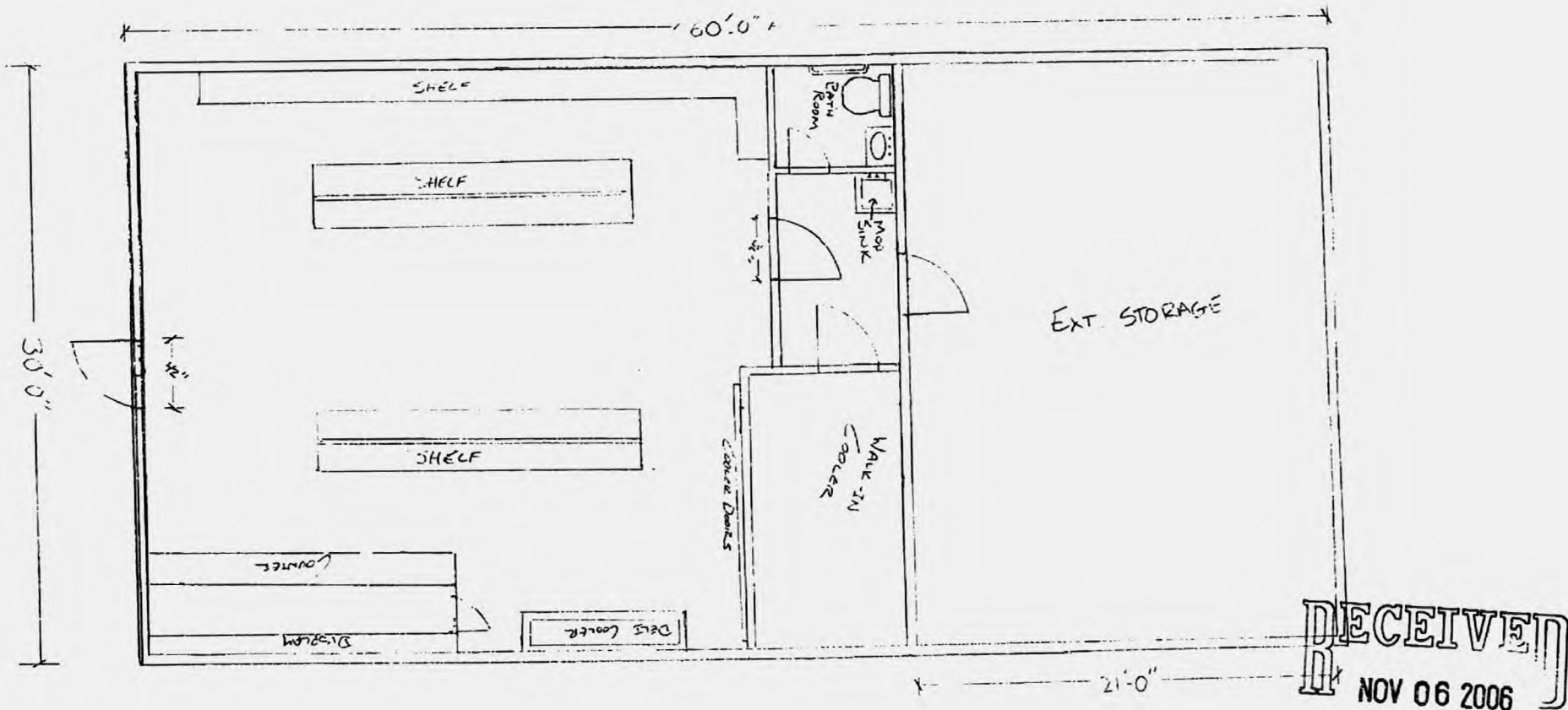
RECEIVED  
NOV 06 2006

SITE PLAN

625 S LAS VEGAS BL

Scale: 1" = 1/4'

Las Vegas Station



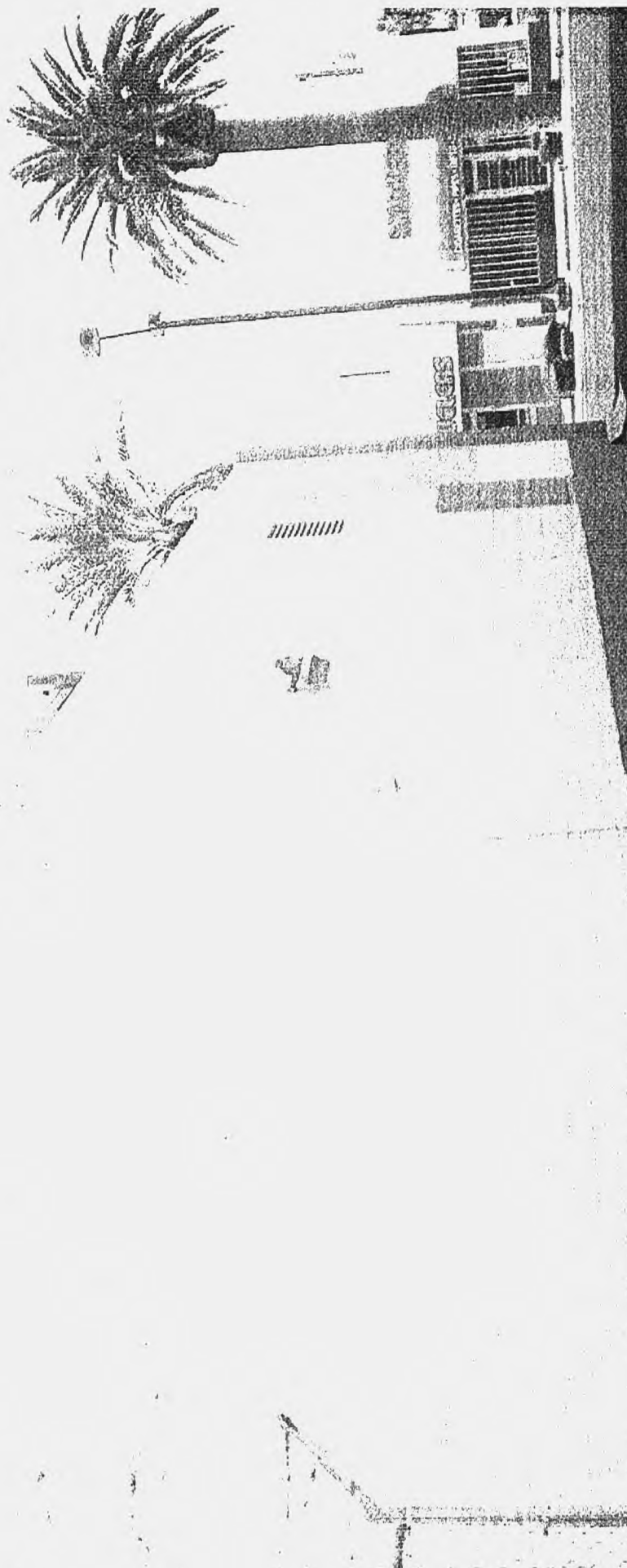
RECEIVED  
NOV 06 2006

SUP-18001  
12/21/06 PC

|                        |             |                      |
|------------------------|-------------|----------------------|
| WINE GOURMET & GOODIES |             |                      |
| SCALE 1/4" = 1'        | APPROVED BY | DRAWN BY CULIC       |
| DATE 3-25-06           |             | REVISED              |
| 625 S. LAS VEGAS BLVD  |             |                      |
|                        |             | DRAWING NUMBER # 001 |

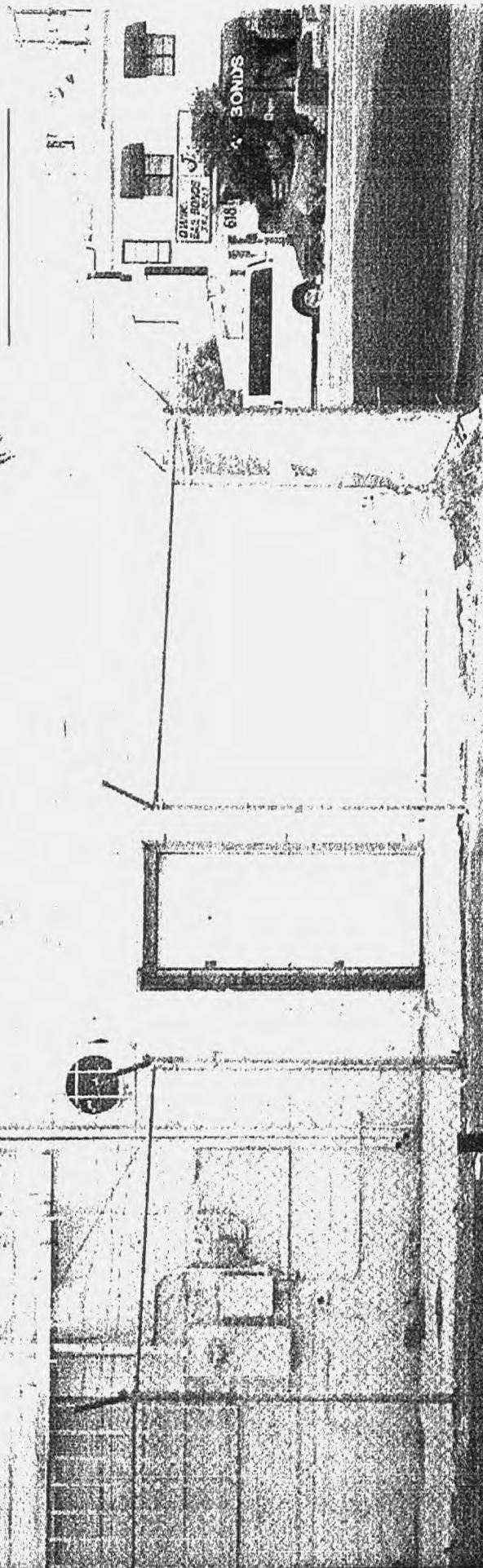
RECEIVED

NOV 06 2006



SUP-18001  
12/21/06 PC

RECEIVED  
NOV 06 2006



SUP-18001  
12/21/06 PC

NOV 06 2006





DECEITFUL  
NOV 06 2006

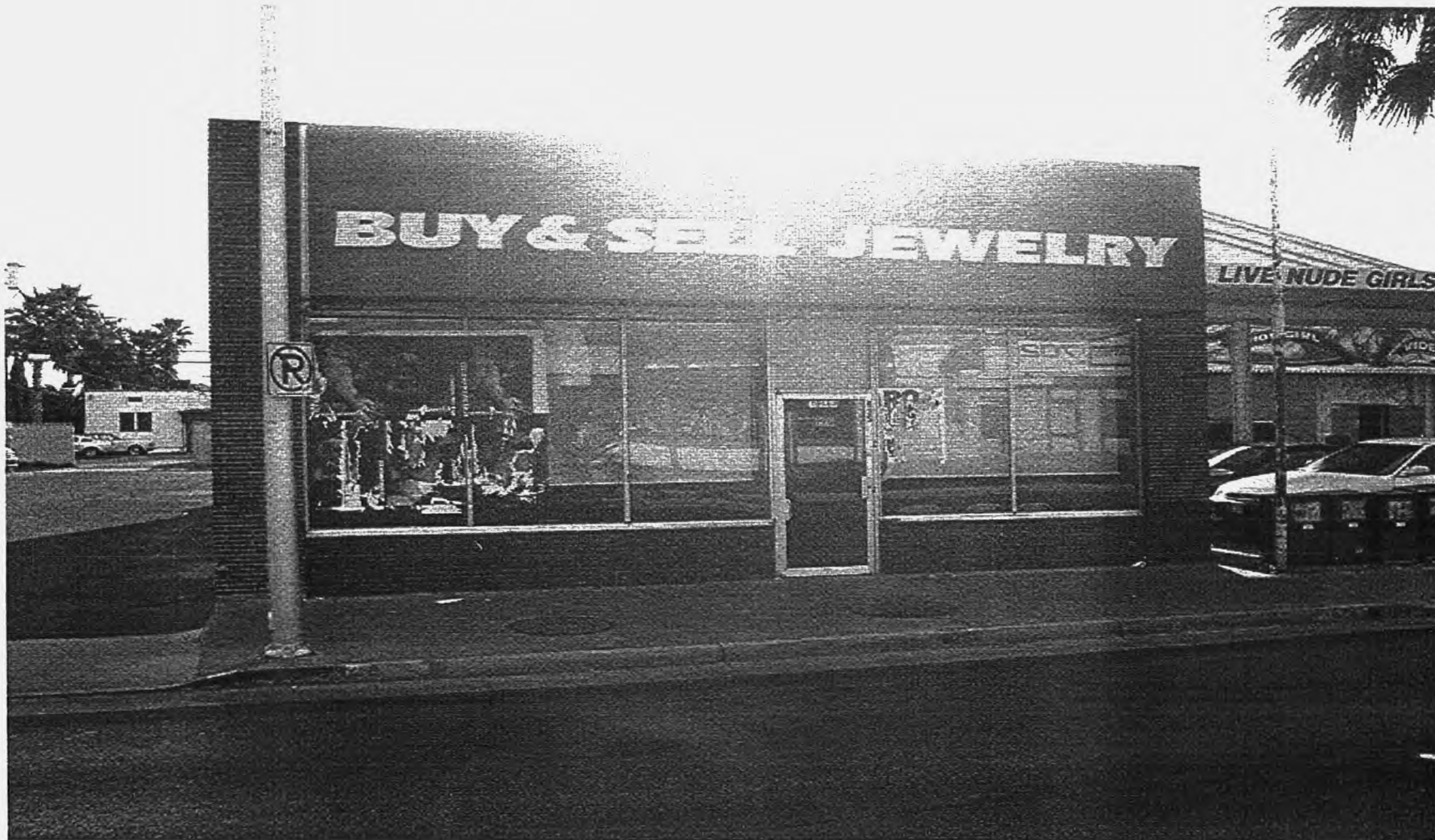
24 HRS  
BUY & SELL JEWELRY

E NUDE

SUP-18001  
12/21/06 PC

NOV 06 2006





SUP-18001 - APPLICANT/OWNER: LESLIE DIANE  
625 SOUTH LAS VEGAS BOULEVARD  
DECEMBER 21, 2006 PLANNING COMMISSION

11/22/06

WINE GOURMET & GOODIES  
625 S. LAS VEGAS BLVD.  
LAS VEGAS, NV 89101

WILL BE A SPECIALTY LIQUOR AND WINE STORE CATERING TO  
THE PROFESSIONAL TRADE AND OCCUPANTS IN THE NEWLY  
DEVELOPING CONDOS AND LOFTS IN THE DOWNTOWN AREA.

IT IS MY DESIRE TO HANDLE MOSTLY FINE WINES, A SMALL  
AMOUNT OF LIQUOR AND GOURMET ITEMS. IMPORT BEERS  
AND ALE WILL ALSO BE INCLUDED, HOWEVER IN LIMITED  
QUANTITY.

IT IS MY INTENT THAT WINE GOURMET & GOODIES WILL BE  
A MORE SOPHISTICATED AND POSITIVE BUSINESS ACTIVITY  
FOR OUR DYNAMIC DEVELOPING DOWNTOWN NEIGHBORHOOD.

RECEIVED  
NOV 06 2006

SUP-18001  
REVISED  
12/21/06 PC



CAMPBELL  
& WILLIAMS  
ATTORNEYS AT LAW

RECEIVED  
CITY CLERK

2007 JAN -8 P 2: 24

**HAND DELIVERED**

January 8, 2007

Barbara Jo Ronemus, City Clerk  
City of Las Vegas  
City Hall, 1<sup>st</sup> Floor  
400 Stewart Avenue  
Las Vegas, Nevada 89101

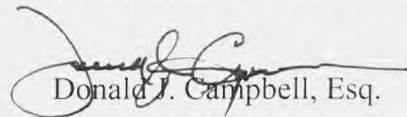
Re: SUP-18001

Dear Clerk Ronemus:

Please be advised that we object to the request for a special use permit for a proposed package liquor establishment at 625 South Las Vegas Boulevard (APN 139-34-410-182), C-2 zone.

Very truly yours,

CAMPBELL & WILLIAMS

  
Donald J. Campbell, Esq.

DJC:mp

700 SOUTH SEVENTH STREET  
LAS VEGAS, NEVADA 89101

PHONE: 702/382-5222  
FAX: 702/382-0540

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

RONALD H. REYNOLDS  
MATTHEW Q. CALLISTER

ROBERT H. REYNOLDS\*  
JONATHAN C. CALLISTER  
ALISA J. KOOT  
BROOKE H. BOHLKE\*\*  
PHILIP C. ALEXANDER\*\*\*  
R. DUANE FRIZELL†  
BRADLEY R. TATOM  
MATTHEW P. PAWLOWSKI  
IKENNA K. ODUNZE

\* Also Licensed in NY  
\*\* Also Licensed in VA  
\*\*\* Also Licensed in CA  
† Also Licensed in NM & TX

## CALLISTER & REYNOLDS

ATTORNEYS AT LAW  
823 LAS VEGAS BOULEVARD SOUTH  
LAS VEGAS, NEVADA 89101  
TELEPHONE (702) 385-3343  
FACSIMILE (702) 385-7743  
www.callister-reynolds.com

ROBERT CALLISTER  
1921-1999

December 13, 2006

Douglas J. Rankin, Planning Supervisor  
Planning & Development Department  
Current Planning Division  
731 South Fourth Street  
Las Vegas, NV 89101

Re: SUP-18001  
Leslie Diane - 625 South Las Vegas Boulevard  
Package Liquor Establishment

Dear Mr. Rankin:

I represent the owners of three properties located near the proposed site of the special use permit referenced above. These properties are 823 and 901 South Las Vegas Boulevard and 823 South Sixth Street. I wish to memorialize their objections to this application for a special use permit.

The proposed business represents the low end of liquor sales and would be a "bum-magnet" in the Redevelopment District. The proposed use as a package liquor establishment would not be consistent with its predominantly financial and administrative surroundings. Further, as you are already aware, a package liquor store increases the crime rate of its neighborhood. This is contrary to the zoning intentions already adopted for the downtown area.

Thank you for your consideration of our objections.

Very truly yours,

CALLISTER & REYNOLDS



Ronald H. Reynolds, Esq.

RHR/vh



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

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

**SUBJECT: SUP-18001 - APPLICANT/OWNER: LESLIE DIANE**

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **December 21, 2006** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

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

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

Leslie Diane

Signature

12-16-06

Date

LESLIE DIANE

Please Print Name

WINE Gourmet & Goodies

Company Name

Sincerely,

Douglas J. Rankin, Planning Supervisor  
Current Planning Division

**RECEIVED**  
**DEC 15 2006**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

**SUBJECT:**

SPECIAL USE PERMIT

SUP-18032 - PUBLIC HEARING - APPLICANT/OWNER: VIOLET SAHAKYAN - Request for a Special Use Permit FOR A PROPOSED CHILD CARE CENTER at 5150 North Jones Boulevard (APN 125-36-301-001), R-E (Residence Estates) Zone, Ward 6 (Ross). The Planning Commission (5-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

0

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

0

**RECOMMENDATION:**

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 12-21-06 Planning Commission Meeting Item 9

Motion made by GARY REESE to Approve Subject to Conditions

Passed For: 6; Against: 0; Abstain: 1; Did Not Vote: 0; Excused: 0

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

NOTE: Upon the advisement of ASSISTANT CITY ATTORNEY BRYAN SCOTT, COUNCILMAN ROSS abstained as his house is immediately adjacent to the property in question.

Minutes:

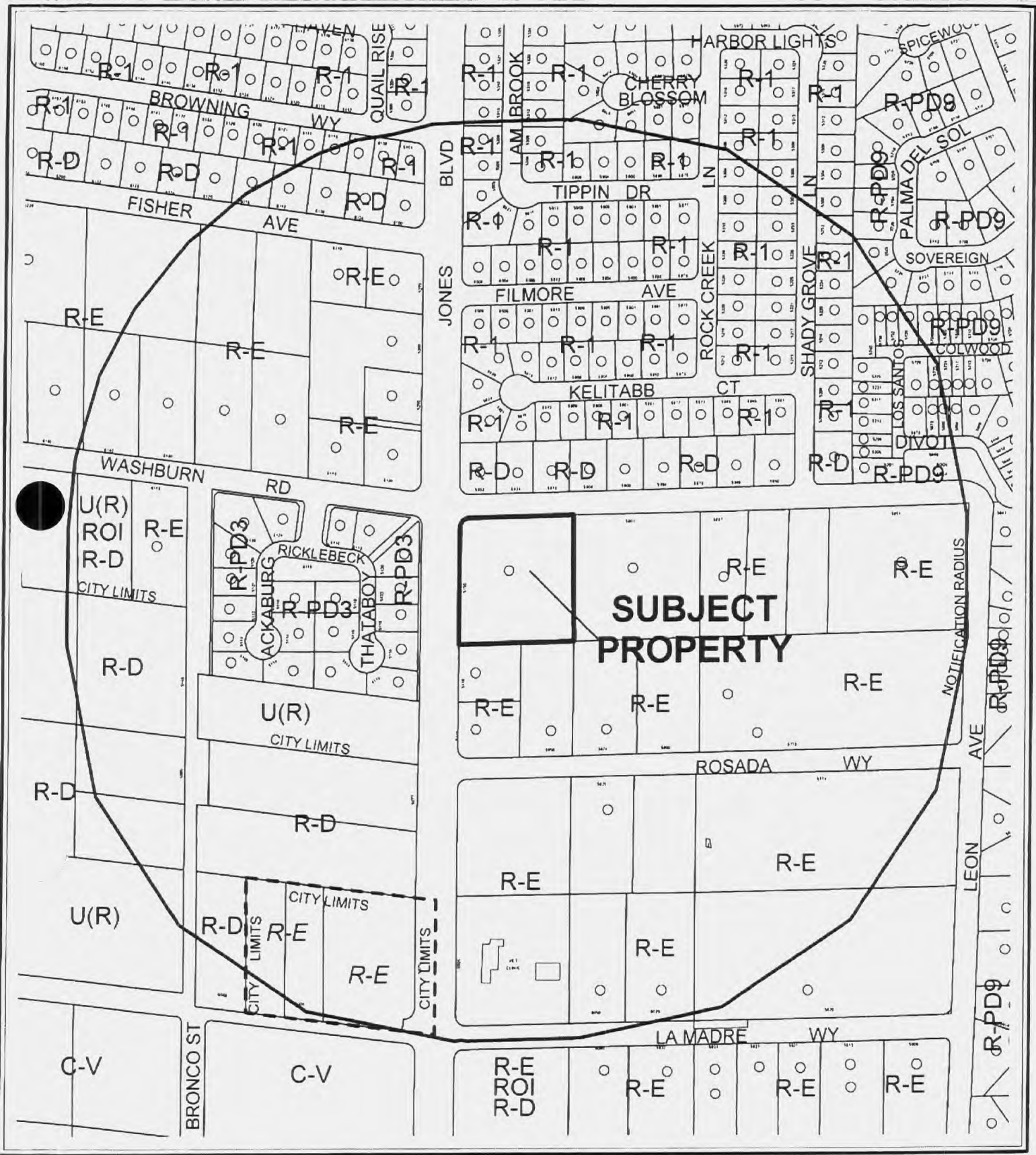
MAYOR GOODMAN declared the Public Hearing open.

VIOLET SAHAKYAN stated she will provide a healthy and safe environment for children.

**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

COUNCILMAN ROSS commented that this project was approved prior to him being on the City Council. MS. SAHAKYAN was approved for a site plan for a 24-month period; however, the Special Use Permit expired and she had to reapply.

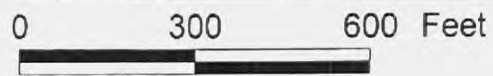
MAYOR GOODMAN declared the Public Hearing closed.



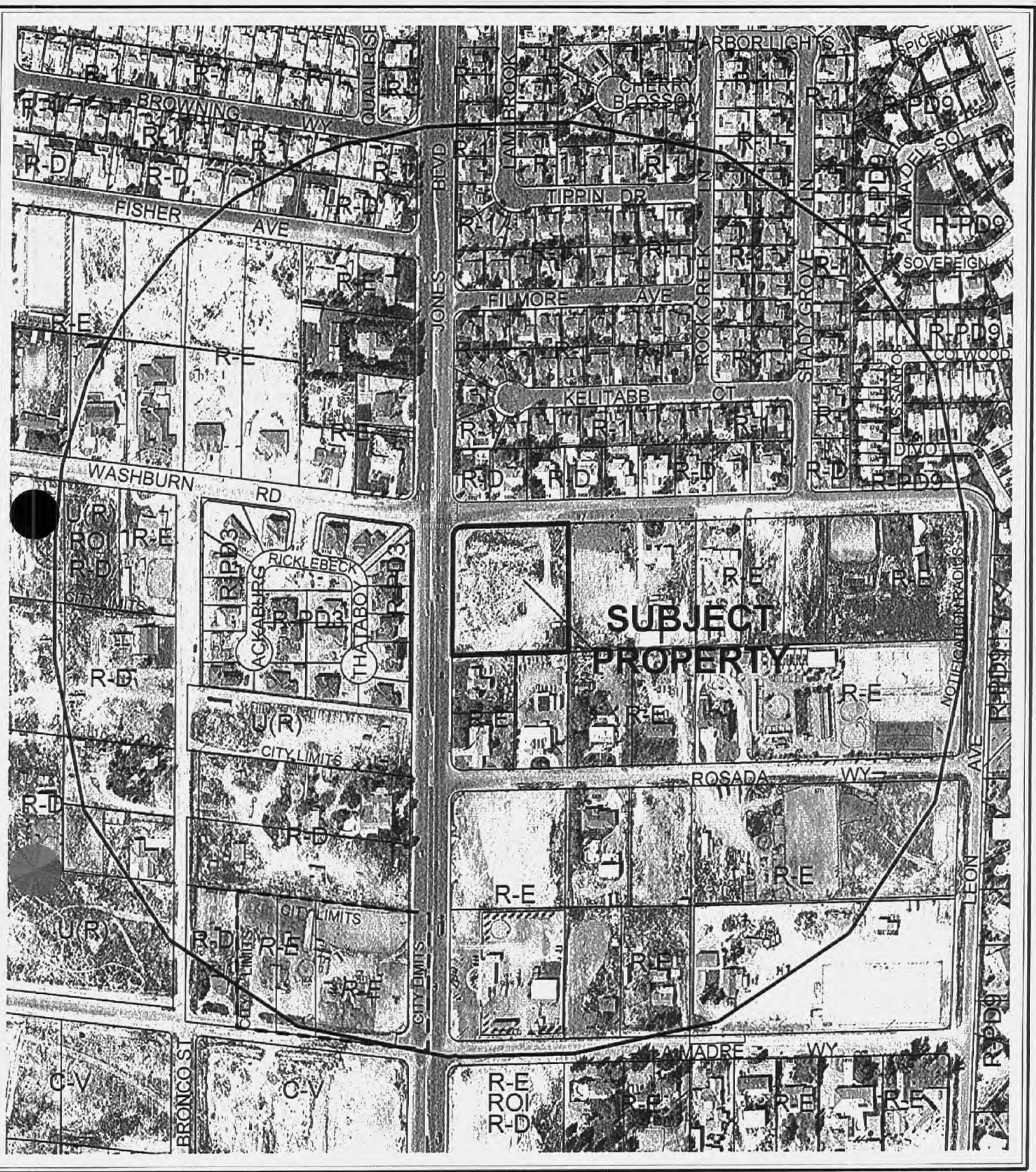
CASE: SUP-18032

RADIUS: 1000 FT

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







CASE: SUP-18032  
RADIUS: 1000 FT  
ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)





**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JANUARY 17, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SUP-18032 - APPLICANT/OWNER: VIOLET SAHAKYAN**

---

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

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to:

**Planning and Development**

1. Conformance to the Conditions of Approval for the Site Development Plan Review (SDR-6018) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**Public Works**

4. 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 an Occupancy Permit for this site. Provide and improve all drainageways as recommended in the approved drainage plan/study.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This request is for a Special Use Permit for a Child Care Center adjacent to the southeast corner of North Jones Boulevard and Washburn Road. An approved Special Use Permit (SUP-6020) expired in April 2006 for this site due to a one-year time limitation. The Site Development Plan Review (SDR-6018), which has a two-year approval, is still valid.

The applicant intends the proposed childcare center to provide day care services while providing an attractive, aesthetically pleasing new structure to compliment the neighborhood. This request conforms to the Site Development Plan Review (SDR-6018) and the use is compatible with the surrounding area. Staff recommends approval.

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|---------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 04/06/05                                                                  | The City Council approved a request for a Site Development Plan Review (SDR-6018) and Special Use Permit (SUP-6020) for a proposed Child Care Center. The Planning Commission and staff had recommended approval of both items.                                                                                                                                                                                                                                                     |
| 12/21/06                                                                  | The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #9/rts).                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b><i>Related Building Permits/Business Licenses</i></b>                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 08/25/06                                                                  | A business license for a N16 (Child Care Center - Preschool - Nursery - Combination of a child care center (N10), a nursery for infants and toddlers (N12), and a preschool (N13) category license was processed in. This license (N16-97625) was denied by the Planning and Development Department, on 09/05/06, pending approval of a new Special Use Permit as the prior approval (SUP-6020) expired on 04/06/06.                                                                |
| 07/19/06                                                                  | A building permit application, plan check C-193-06, was submitted 01/17/06. The permit was issued 07/19/06. The Planning and Development Department review began 02/22/06 and recorded approval on 07/11/06.                                                                                                                                                                                                                                                                        |
| <b><i>Pre-Application Meeting</i></b>                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 10/18/06                                                                  | A pre-application meeting was held and elements of this application were discussed. It was noted that the project must comply with all conditions of approval for the Site Development Plan Review (SDR-6018). Additionally, the applicant was informed that due to the approval of an annexation (ANX-6493) case effective 08/11/05 this location no longer needed the Project of Regional Significance forms as a part of the application. Submittal requirements were discussed. |

### ***Neighborhood Meeting***

A neighborhood meeting is not required nor was one held. However, one was held prior to the previous Special Use Permit's (SUP-6020) approval. A neighborhood meeting was held on February 25, 2005 at the Lamb of God Lutheran Church located at 6220 North Jones Boulevard, where there were five (5) people in attendance representing neighborhood interests. At the meeting the following items were discussed:

1. Neighborhood traffic concerns as well as perceived adverse impacts of the site development;
2. The hours of operations and the ages of the children being served;
3. The tree size of the proposed site landscaping;

The neighbors expressed concerns about the possible traffic impact the learning center would have on Washburn Road. The suggestion was made that possibly both driveways entering and exiting the site is located along Jones Boulevard. The attendees also expressed concerns about the proposed landscaping, specifically the size of the proposed trees that are to be planted around the perimeter of the site. It was stated that a 24-inch box tree may be too small and the size may need to be increased to help screen the site better. No specific detail was proposed on what size those trees should be. It was also discussed the possibility of an opening being placed in the median along Jones Boulevard to allow southbound traffic from Jones Boulevard to make a left hand turn into the learning center site. It was discussed that this may be possible, but there may not be enough room between Washburn Road and a proposed left hand turn lane to not interfere with traffic flow. Lastly there were concerns about traffic impacts and drainage impacts.

### ***Details of Application Request***

#### ***Site Area***

|             |      |
|-------------|------|
| Gross Acres | 2.15 |
| Net Acres   | 2.07 |

| <b>Surrounding Property</b> | <b>Existing Land Use</b>  | <b>Planned Land Use</b>       | <b>Existing Zoning</b>                                     |
|-----------------------------|---------------------------|-------------------------------|------------------------------------------------------------|
| Subject Property            | Undeveloped               | R (Rural Density Residential) | R-E (Residential Estate)                                   |
| North                       | Single-family Residential | L (Low Density Residential)   | R-D (Residential-Restricted)                               |
| South                       | Single-family Residential | R (Rural Density Residential) | R-E (Residential Estate)                                   |
| East                        | Single-family Residential | R (Rural Density Residential) | R-E (Residential Estate)                                   |
| West                        | Single-family Residential | R (Rural Density Residential) | R-PD3 (Residential Planned Development – 3 Units Per Acre) |

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

## DEVELOPMENT STANDARDS

*Pursuant to Title 19.04 and 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 |            |
| Child Care Center          | n/a                                 | 1 Space / Staff Member & 1 Space / 10 Children | 68      | 3            | 68       | 3            | Y          |
| TOTAL (including handicap) |                                     |                                                | 68      |              | 68       |              |            |

## ANALYSIS

The site is designated R (Rural Residential) on the Centennial Hills Map General Plan. This designation allows for rural to semi-rural residential lots, which allows up to 3.5 dwelling units per acre. The current R-E (Residential Estate) zoning does conform to the R (Rural Density Residential), which will allow for a Child Care Center use with the approval of a Special Use Permit. There are no base conditions for approval of a Special Use Permit for a Child Care Center use. These projects are evaluated on a case-by-case basis and conditions are imposed as needed.

A Child Care Center by definition is a commercial facility in which the licensee regularly provides day or overnight care for more than 12 children. The facility is subject to the childcare regulations and standards of the Department of Business Activity. The proposed Child Care Center is an allowed use with the approval of this Special Use Permit. There are no other Child Care Center's within the notification radius.

This site is within the Rural Preservation Neighborhood Overlay (RPN) buffer. The proposed project does not affect the allowable density and does not impact the rural preservation neighborhood standards as outlined in Title 19.06.150.

The site is within the North Las Vegas Airport Overlay Map portion of the Airport Overlay District. The submitted elevations are in compliance with Title 19.06.080 (B) which allows a "structure to a height up to thirty five feet above the surface of the land on any parcel" without a height limitation review or prohibition.

The parking standard for a Child Care Center is one space for each staff member plus one space for each 10 students at peak capacity. The site will have sufficient parking for the proposed 38 staff members and the potential of up to a maximum 300 students at any one time. The business license review by the Department of Finance and Business Services may reduce the number of allowable students based on their evaluation during the licensing process. There are no on-site loading spaces required.

## FINDINGS

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

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

Although the subject property is surrounded by single family homes, the proposed use will not have an adverse affect on those surrounding properties and can be harmonious with the surrounding land uses and any future land uses.

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

The approved site plan will provide sufficient play areas, parking and building facilities to accommodate the students and staff.

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."**



Jones Boulevard is a Primary Thoroughfare (100-foot) per the City's Master Planned Streets and Highways that will provide the primary access to the site. Washburn Road is also adequate in size to accommodate traffic entering and leaving the site.

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 Child Care Center development will be subject to inspections for Certificate of Occupancy, and therefore the development will not compromise the public health, safety or welfare.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

8

**ASSEMBLY DISTRICT** 13

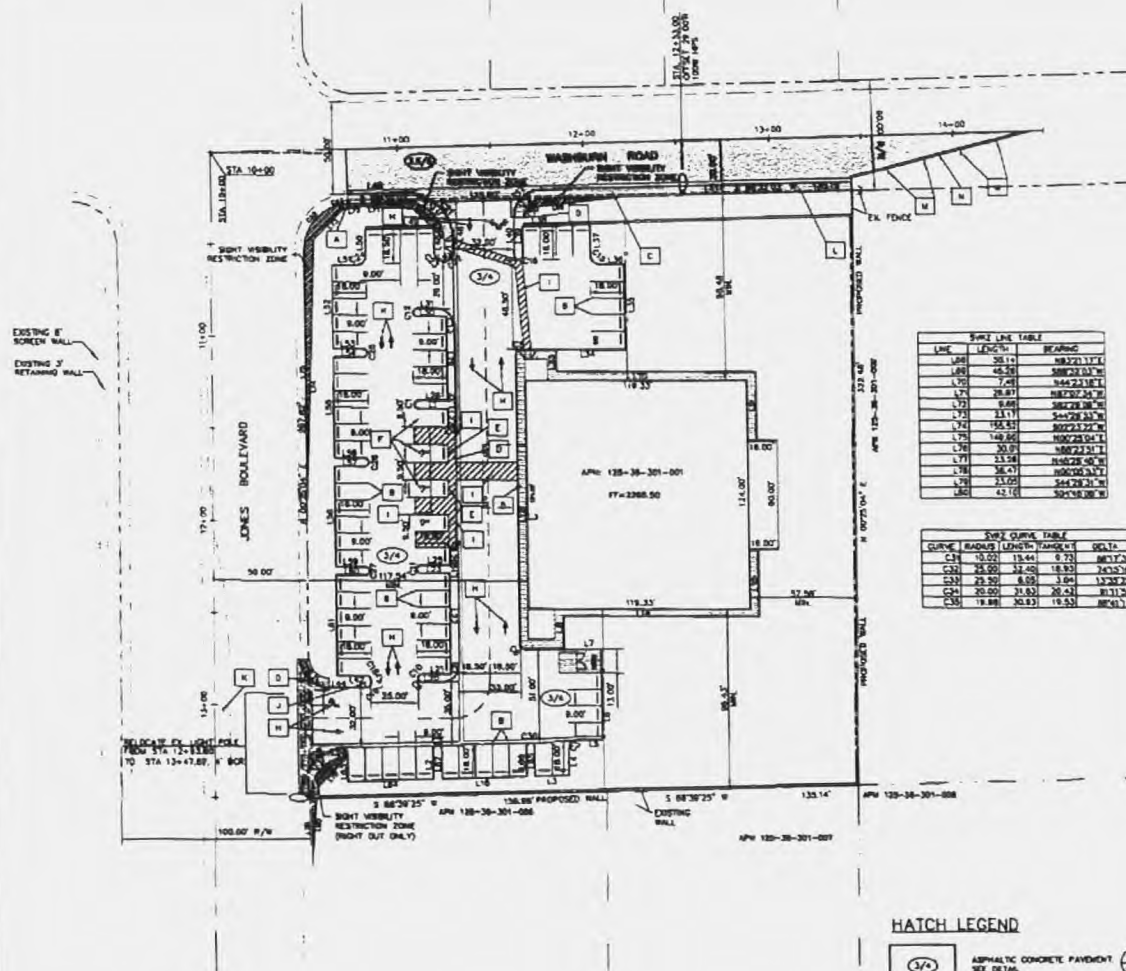
**SENATE DISTRICT** 6

**NOTICES MAILED** 195 by City Clerk

**APPROVALS** 0

**PROTESTS** 0





| LINE | LENGTH | BEARING     |
|------|--------|-------------|
| 1.00 | 35.14  | S89°23'17\" |
| 1.01 | 45.70  | S89°23'03\" |
| 1.02 | 7.28   | S44°24'18\" |
| 1.03 | 29.81  | S87°02'25\" |
| 1.04 | 8.66   | S89°23'08\" |
| 1.05 | 31.11  | S89°23'27\" |
| 1.06 | 154.51 | S89°23'04\" |
| 1.07 | 149.82 | S89°23'04\" |
| 1.08 | 30.97  | S89°23'21\" |
| 1.09 | 13.58  | S89°23'45\" |
| 1.10 | 32.47  | S89°23'45\" |
| 1.11 | 33.05  | S44°28'31\" |
| 1.12 | 42.16  | S91°18'08\" |

| CURVE | RADIUS | LENGTH | ANGLE | DELTA    |
|-------|--------|--------|-------|----------|
| C10   | 10.00  | 15.44  | 8.23  | 881.7°   |
| C20   | 25.00  | 34.08  | 18.93 | 1433.30° |
| C30   | 25.00  | 8.59   | 3.94  | 133.30°  |
| C40   | 20.00  | 20.62  | 20.42 | 813.31°  |
| C50   | 19.98  | 20.62  | 19.52 | 883.31°  |

| LINE | LENGTH | BEARING     |
|------|--------|-------------|
| 1.13 | 18.00  | S89°23'08\" |
| 1.14 | 18.00  | S89°23'08\" |
| 1.15 | 18.00  | S89°23'08\" |
| 1.16 | 18.00  | S89°23'08\" |
| 1.17 | 18.00  | S89°23'08\" |
| 1.18 | 18.00  | S89°23'08\" |
| 1.19 | 18.00  | S89°23'08\" |
| 1.20 | 18.00  | S89°23'08\" |
| 1.21 | 18.00  | S89°23'08\" |
| 1.22 | 18.00  | S89°23'08\" |
| 1.23 | 18.00  | S89°23'08\" |
| 1.24 | 18.00  | S89°23'08\" |
| 1.25 | 18.00  | S89°23'08\" |
| 1.26 | 18.00  | S89°23'08\" |
| 1.27 | 18.00  | S89°23'08\" |
| 1.28 | 18.00  | S89°23'08\" |
| 1.29 | 18.00  | S89°23'08\" |
| 1.30 | 18.00  | S89°23'08\" |
| 1.31 | 18.00  | S89°23'08\" |
| 1.32 | 18.00  | S89°23'08\" |
| 1.33 | 18.00  | S89°23'08\" |
| 1.34 | 18.00  | S89°23'08\" |
| 1.35 | 18.00  | S89°23'08\" |
| 1.36 | 18.00  | S89°23'08\" |
| 1.37 | 18.00  | S89°23'08\" |
| 1.38 | 18.00  | S89°23'08\" |
| 1.39 | 18.00  | S89°23'08\" |
| 1.40 | 18.00  | S89°23'08\" |
| 1.41 | 18.00  | S89°23'08\" |
| 1.42 | 18.00  | S89°23'08\" |
| 1.43 | 18.00  | S89°23'08\" |
| 1.44 | 18.00  | S89°23'08\" |
| 1.45 | 18.00  | S89°23'08\" |
| 1.46 | 18.00  | S89°23'08\" |
| 1.47 | 18.00  | S89°23'08\" |
| 1.48 | 18.00  | S89°23'08\" |
| 1.49 | 18.00  | S89°23'08\" |
| 1.50 | 18.00  | S89°23'08\" |
| 1.51 | 18.00  | S89°23'08\" |
| 1.52 | 18.00  | S89°23'08\" |
| 1.53 | 18.00  | S89°23'08\" |
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| 1.56 | 18.00  | S89°23'08\" |
| 1.57 | 18.00  | S89°23'08\" |
| 1.58 | 18.00  | S89°23'08\" |
| 1.59 | 18.00  | S89°23'08\" |
| 1.60 | 18.00  | S89°23'08\" |
| 1.61 | 18.00  | S89°23'08\" |
| 1.62 | 18.00  | S89°23'08\" |
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| 1.67 | 18.00  | S89°23'08\" |
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| 1.70 | 18.00  | S89°23'08\" |
| 1.71 | 18.00  | S89°23'08\" |
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| 1.74 | 18.00  | S89°23'08\" |
| 1.75 | 18.00  | S89°23'08\" |
| 1.76 | 18.00  | S89°23'08\" |
| 1.77 | 18.00  | S89°23'08\" |
| 1.78 | 18.00  | S89°23'08\" |
| 1.79 | 18.00  | S89°23'08\" |
| 1.80 | 18.00  | S89°23'08\" |
| 1.81 | 18.00  | S89°23'08\" |
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| 1.83 | 18.00  | S89°23'08\" |
| 1.84 | 18.00  | S89°23'08\" |
| 1.85 | 18.00  | S89°23'08\" |
| 1.86 | 18.00  | S89°23'08\" |
| 1.87 | 18.00  | S89°23'08\" |
| 1.88 | 18.00  | S89°23'08\" |
| 1.89 | 18.00  | S89°23'08\" |
| 1.90 | 18.00  | S89°23'08\" |
| 1.91 | 18.00  | S89°23'08\" |
| 1.92 | 18.00  | S89°23'08\" |
| 1.93 | 18.00  | S89°23'08\" |
| 1.94 | 18.00  | S89°23'08\" |
| 1.95 | 18.00  | S89°23'08\" |
| 1.96 | 18.00  | S89°23'08\" |
| 1.97 | 18.00  | S89°23'08\" |
| 1.98 | 18.00  | S89°23'08\" |
| 1.99 | 18.00  | S89°23'08\" |
| 2.00 | 18.00  | S89°23'08\" |

| CURVE | RADIUS | LENGTH | ANGLE | DELTA    |
|-------|--------|--------|-------|----------|
| C10   | 10.00  | 15.44  | 8.23  | 881.7°   |
| C20   | 25.00  | 34.08  | 18.93 | 1433.30° |
| C30   | 25.00  | 8.59   | 3.94  | 133.30°  |
| C40   | 20.00  | 20.62  | 20.42 | 813.31°  |
| C50   | 19.98  | 20.62  | 19.52 | 883.31°  |

**TRAFFIC KEYNOTES**

- A CONNECT TO & EXTEND EX 2" PVC SUB. PIAL WIRE
- B PAINT ASPHALT W/WHITE PAINT SPACING AS SHOWN ON PLAN IN ACCORDANCE W/
- C PROVIDE & INSTALL 2" PVC CONDUIT W/2" DIA. AND (1) #8 THIN WIRE
- D INSTALL 30"x30" (N1-1) STOP SIGN POST MOUNTED
- E INSTALL 12" x 18" (N7-8) "REVERSED PARALLEL" SIGN WITH AN ADDITIONAL "VIA ACCESSIBLE" PLATE MOUNTED BELOW THE SIGN IN ACCORDANCE WITH DETAIL
- F PAINT ASPHALT WITH WHITE OR BLUE INTERSECTION STRIPES OF ACCESSIBILITY IN ACCORDANCE WITH DETAIL
- G PAINT CURB BLUE WITH INDUSTRIAL GRADE CHALK
- H INSTALL 6" SOLID WHITE EDGE LINE
- I INSTALL COLD POLYMER FILM THROUGH LINE-USE ARROW WHERE INDICATED IN ACCORDANCE WITH
- J INSTALL AS INDICATED 1" WIDE WHITE PAINT STRIPE AT 2'-10" O.C.
- K INSTALL 30"x30" (N3-2) "NO LEFT TURN" SIGN POST MOUNTED
- L INSTALL 36"x42" (N6-1) "ONE WAY" SIGN POST MOUNTED
- M STUB AND CAP 2" STREETLIGHT CONDUIT 5' PAST PL
- N INSTALL 18"x24" (N1-5) CHEVRON ALIGNMENT SIGN POST MOUNTED
- O INSTALL 6" SOLID WHITE EDGE LINE

**HATCH LEGEND**

- 3/A ASPHALTIC CONCRETE PAVEMENT SEE DETAIL
- 4/A ASPHALTIC CONCRETE PAVEMENT SEE DETAIL
- CONCRETE PAVEMENT SEE DETAIL
- SOFT VISIBILITY RESTRICTION ZONE

**BENCHMARK**  
 BENCH AND PLATE IN TOP OF CURB OR CORNER OF WASHINGTON AND JONES. 11950 3804  
 ELEVATION=2286.92 NAVD83

**BASIS OF BEARING**  
 NORTH 00°23'04" LONG. BEING THE WEST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 16, TOWNSHIP 18 SOUTH, RANGE 80 EAST, MERIDIAN, CITY OF LAS VEGAS, CLARK COUNTY, NEVADA, ALSO BEING THE CENTERLINE OF JONES BOULEVARD AS SHOWN BY A MAP ON FILE IN THE OFFICE OF THE CLARK COUNTY RECORDER IN FILE 13 OF SUBDIVISION, JUNE 28.



**VIOLET SAHAKYAN**  
 CIVIL ENGINEER  
 STATE OF NEVADA  
 LICENSE NO. 11950  
 12/21/06

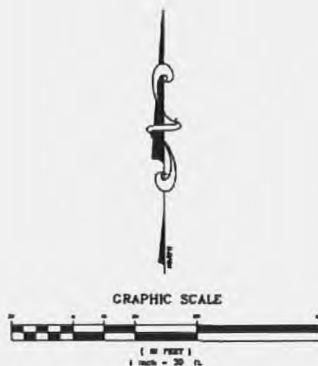
**SITE PLAN / TRAFFIC PLAN**  
**KIDS-R-KIDS**  
**CITY OF LAS VEGAS, NEVADA**

**Call before you Dig**  
 1-800-257-0800  
**C3.01**  
**CLV-0006**

**SUP-18032**  
**12/21/06 PC**

12/27/2006

**SITE EXHIBIT  
FOR  
KIDS 'R KIDS LEARNING CENTER**  
A PORTION OF THE NORTH HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF  
SECTION 36, TOWNSHIP 19 SOUTH, RANGE 90 EAST, MOUNT Diablo MERIDIAN,  
CLARK COUNTY, NEVADA.



**ZONING DATA:**

CURRENT ZONING: R-E  
FRONT SET BACK: 50' FEET  
SIDE SET BACK: 10' FEET  
REAR SET BACK: 35' FEET  
MIN. CORNER SIDE SET BACK: 15' FEET  
MIN. LOT WIDTH: 100' FEET  
MIN. LOT SIZE: 20,000 SQ. FT.  
MIN. LOT WIDTH: 100' FEET  
Dwellings per lot: 1  
BUILDING HEIGHT: 2 STORIES OR 35' FEET  
WHICHEVER IS LESS

**SITE DATA:**

APN 125-36-301-001  
94,899 SQ. FT.  
2.188 ACRES

**PARKING DATA:**

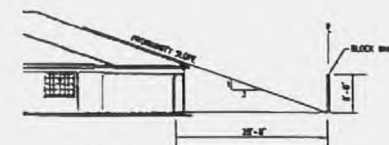
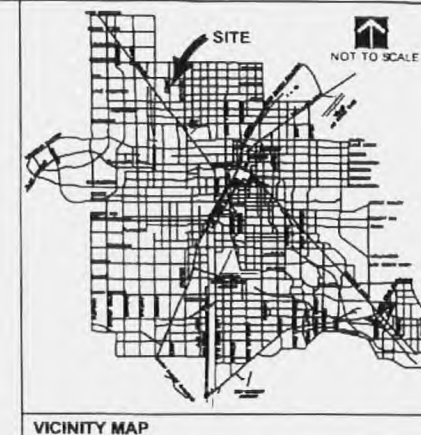
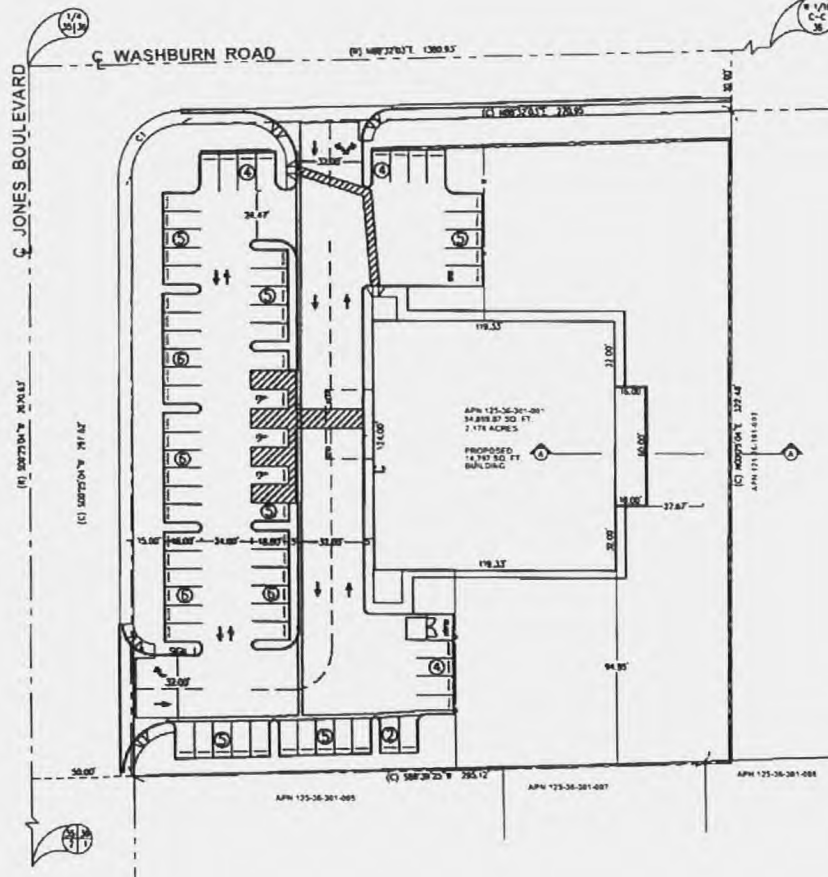
64 SPACES (9' x 18')  
1 BUS SPACE (12' x 18')  
1 HANDICAP (9' x 18')  
66 TOTAL PARKING SPACES

**CURVE TABLE:**

| CURVE | LENGTH | RADIUS | DELTA  | SIGHT |
|-------|--------|--------|--------|-------|
| C1    | 36.48  | 25.00  | 90.00° | 34.20 |

**LEGEND**

- LOT BOUNDARY LINE
- CENTERLINE
- RIGHT-OF-WAY LINE
- PROPOSED 8' HIGH BLOCK WALL
- PROPOSED 4' HIGH CYCLONE FENCE
- (C) = CALCULATED BEARING AND DISTANCE
- (R) = RECORD BEARING AND DISTANCE
- ⊙ = NUMBER OF PARKING SPACES
- HC = HANDICAPPED PARKING STALL
- R.O.S. = RECORD OF SURVEY
- A.P.N. = ASSESSOR'S PARCEL NUMBER



**RECEIVED**  
NOV 16 2006

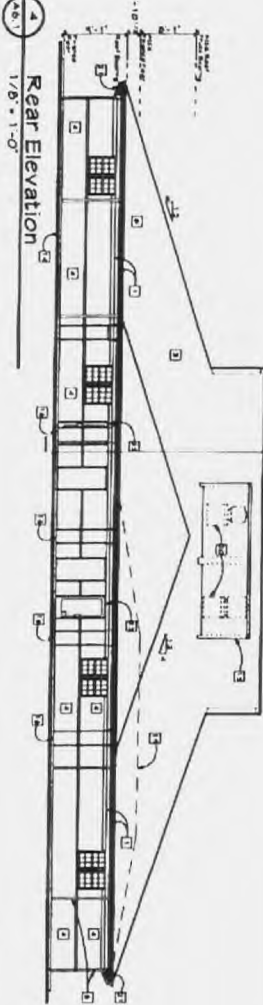
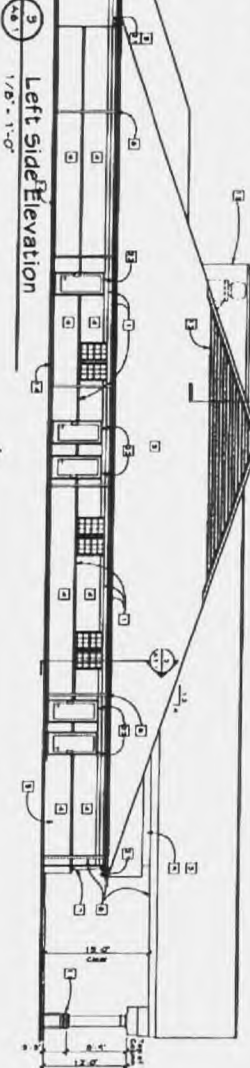
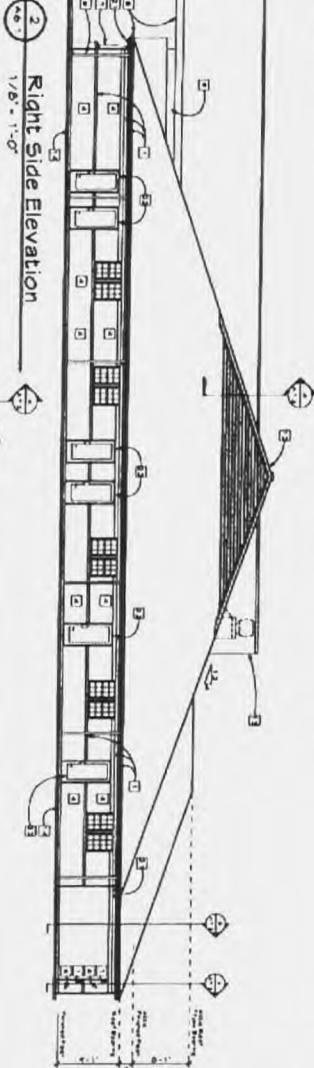
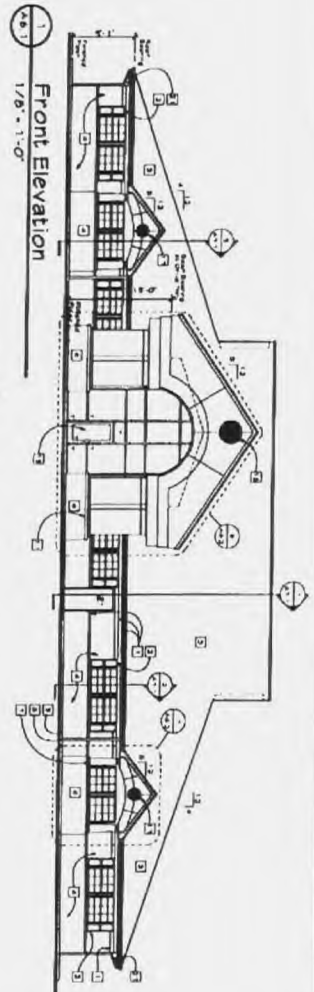
**SUP-18032  
REVISED  
12/21/06 PC**

|                                                                                                                                                                                                                                           |            |        |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|--------|--|
| <b>SITE EXHIBIT<br/>FOR<br/>KIDS 'R KIDS LEARNING CENTER</b><br>A PORTION OF THE NORTH HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF<br>SECTION 36, TOWNSHIP 19 SOUTH, RANGE 90 EAST, MOUNT Diablo MERIDIAN,<br>CLARK COUNTY, NEVADA. |            |        |  |
| DESIGNED: LAND SURVEYING, PLANNING & LANDSCAPE ARCHITECTS                                                                                                                                                                                 | JOB NUMBER | 05004A |  |
| CHECKED BY:                                                                                                                                                                                                                               | U.C.L. JR. |        |  |
| CAD DRAWING:                                                                                                                                                                                                                              | SEE TAG    |        |  |
| DRAWING DATE:                                                                                                                                                                                                                             | 01-24-05   |        |  |
| DRAWN BY:                                                                                                                                                                                                                                 | E. JOHNSON |        |  |









- Key Notes**
1. See Note 1 on page 1.
  2. See Note 2 on page 1.
  3. See Note 3 on page 1.
  4. See Note 4 on page 1.
  5. See Note 5 on page 1.
  6. See Note 6 on page 1.
  7. See Note 7 on page 1.
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  98. See Note 98 on page 1.
  99. See Note 99 on page 1.
  100. See Note 100 on page 1.

**SUP-18032**

**12/21/06 PC**

NO ARCHITECTURAL MATERIALS TO BE USED WITHOUT THE WRITTEN APPROVAL OF THE ARCHITECT. THE ARCHITECT'S OFFICE SHALL BE NOTIFIED IN WRITING OF ANY MATERIALS TO BE USED.

|                     |          |
|---------------------|----------|
| DATE                | 04/21/05 |
| PROJECT NUMBER      | 4700407  |
| EXTERIOR ELEVATIONS |          |
| SCALE               | AS SHOWN |
| BY                  | A6.1     |

**HOWARD S. BAKER & ASSOCIATES**  
 200 NORTH KINGSWAY, SUITE 200  
 LAS VEGAS, NV 89101  
 (702) 735-1122

**Drawings For A New**  
**Kids 'R' Kids Quality Learning Center**  
 Washburn Road and Jones Boulevard • Las Vegas, Nevada



|     |          |                            |
|-----|----------|----------------------------|
| NO. | DATE     | REVISION                   |
| 1   | 04/21/05 | 1. Initial Design          |
| 2   | 04/21/05 | 2. Final Design            |
| 3   | 04/21/05 | 3. Construction Documents  |
| 4   | 04/21/05 | 4. Construction Documents  |
| 5   | 04/21/05 | 5. Construction Documents  |
| 6   | 04/21/05 | 6. Construction Documents  |
| 7   | 04/21/05 | 7. Construction Documents  |
| 8   | 04/21/05 | 8. Construction Documents  |
| 9   | 04/21/05 | 9. Construction Documents  |
| 10  | 04/21/05 | 10. Construction Documents |



SUP-18032 - APPLICANT/OWNER: VIOLET SAHAKYAN  
5150 NORTH JONES BOULEVARD  
DECEMBER 21, 2006 PLANNING COMMISSION

11/21/06



5150 N. Jones Blvd. Las Vegas, NV 89130  
(702) 243-1800 Fax: (702) 243-2018  
[www.kidsrkidsnorthlv.com](http://www.kidsrkidsnorthlv.com)

November 17, 2006

**RE: Special Use Permit – Justification letter for Kids R Kids Learning Center to be located at the southeast corner of Jones Blvd. and Washburn Road (Parcel # 125-36-301-001)**

Dear Sir/ Madam:

The purpose of this letter is to provide justification for the development of a child care center for the above property for the following reasons;

- The proposed use would provide a desirable service for the neighborhood and surrounding areas by making available day care services for working parents with young children;
- The project would provide a learning center for young children to better prepare them for entrance into the elementary school system; and
- It would provide an attractive, aesthetically pleasing new structure that would compliment the neighborhood
- The expected capacity is less than originally anticipated 38 teachers and 300 children. In the future if parking will become a problem I understand that more parking will be provided.

Your favorable consideration is appreciated for this needed facility. If there are any questions, I can be contacted at (702) 869-4205.

Sincerely,

A handwritten signature in cursive script that reads "V. Sahakyan".

Violet Sahakyan  
Kids R Kids  
Owner

**SUP-18032  
REVISED  
12/21/06 PC**

RECEIVED  
NOV 20 2006



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



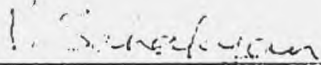
|                                                                                   |                                                |
|-----------------------------------------------------------------------------------|------------------------------------------------|
| <b>CITY OF LAS VEGAS</b>    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

**SUBJECT: SUP-18032 - APPLICANT/OWNER: VIOLET SAHAKYAN**

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **December 21, 2006** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

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

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

|                                                                                            |                 |
|--------------------------------------------------------------------------------------------|-----------------|
| <u></u> | <u>12/17/06</u> |
| Signature                                                                                  | Date            |
| <br>                                                                                       |                 |
| <u>Violet Sahakyan</u>                                                                     |                 |
| Please Print Name                                                                          |                 |
| <br>                                                                                       |                 |
| <u>KIDS R KIDS</u>                                                                         |                 |
| Company Name                                                                               |                 |

Sincerely,

Douglas J. Rankin, Planning Supervisor  
Current Planning Division

RECEIVED  
DEC 19 2006

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

**SUBJECT:**

GENERAL PLAN AMENDMENT

GPA-16511 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SCHNIPPLE FAMILY TRUST - Request to Amend a portion of the Southwest Sector Plan of the Master Plan FROM: ML (MEDIUM-LOW DENSITY RESIDENTIAL) TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 6.19 acres at the southeast corner of Smoke Ranch Road and Decatur Boulevard (APN 139-19-101-002), Ward 5 (Weekly). The Planning Commission (6-1 vote) and staff recommend DENIAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

0

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

0

**RECOMMENDATION:**

The Planning Commission (6-1 vote) and staff recommend DENIAL.

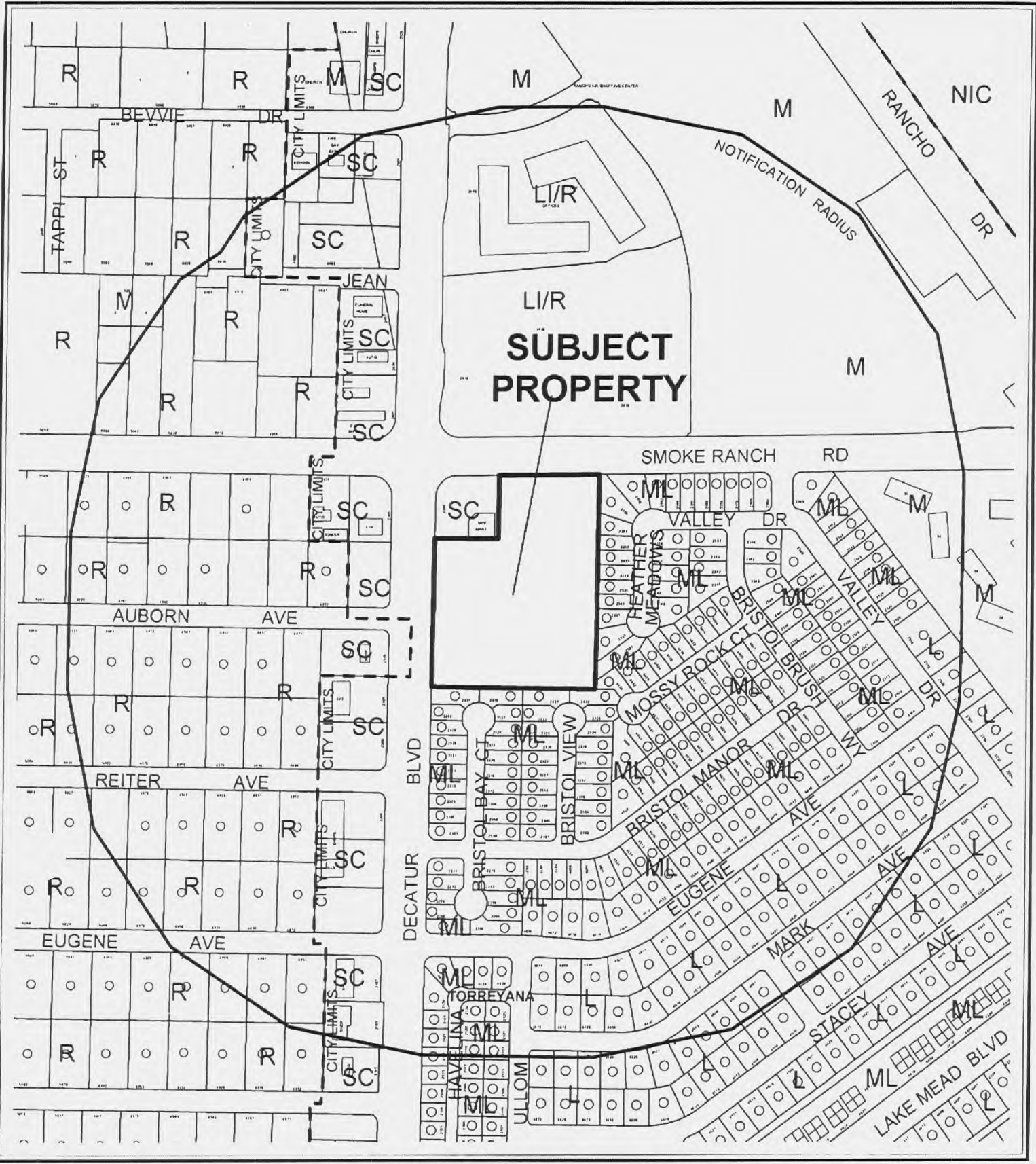
**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Submitted after final agenda - Revised plans by staff and abeyance request from Triton Engineering, Inc. for Items 92-95

Motion made by GARY REESE to Hold in Abeyance Item 92 [GPA-16511], Item 93 [ZON-16519], Item 94 [VAR-16525], Item 95 [SDR-16522], Item 101 [ZON-17740], Item 102 [VAR-17741], Item 103 [VAR-17742], Item 104 [VAR-17743], Item 105 [VAC-17744], Item 106 [SDR-17745], Item 116 [SDR-15747], Item 117 [ROC-18341] and Item 130 [SUP-17739] to 2/07/2007; Item 82 [1919 Fremont Street], Item 118 [ZON-16179], Item 119 [VAR-16181], Item 120 [VAR-17191], Item 121 [SDR-16180], Item 122 [ZON-17242], Item 123 [VAR-17244], Item 124 [SDR-17247], Item 131 [SUP-18037] and Item 132 [SDR-18034] to 2/21/2007

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

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



CASE: GPA-16511

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

ML (MEDIUM LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

MLA (MEDIUM LOW ATTACHED DENSITY RESIDENTIAL)







CASE: **GPA-16511**

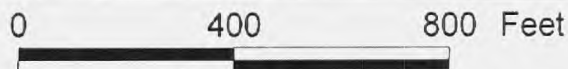
RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

ML (MEDIUM LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

MLA (MEDIUM LOW ATTACHED DENSITY RESIDENTIAL)



*City of Las Vegas*

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JANUARY 17, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ABEYANCE - GPA-16511 - APPLICANT: RICHMOND  
AMERICAN HOMES - OWNER: SCHNIPPLE FAMILY TRUST**

---

*THIS ITEM WAS HELD IN ABEYANCE FROM THE DECEMBER 20, 2006 CITY  
COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.*

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

The Planning Commission (6-1/ds vote) and staff recommend DENIAL.



**\*\* STAFF REPORT \*\*****PROJECT DESCRIPTION**

The applicant is requesting to amend a portion of the Southwest Sector Plan of the Master Plan from ML (Medium-Low Density Residential) to MLA (Medium-Low Attached Density Residential).

The proposed MLA (Medium-Low Attached Density Residential) Land Use Designation is not considered appropriate for this location. The surrounding area is ML (Medium-Low Density Residential) and L (Low Density Residential). The proposed designation allows up to four units per acre more than what is currently permitted on the site. This General Plan Amendment would allow 25 lots more than the current land-use designation and zoning. The additional density is not compatible with the area and denial of this request is recommended.

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 04/28/05                                                                        | The Planning Commission tabled a request for a Rezoning (ZON-5669) from R-1 (Single-Family Residential) to C-1 (Limited Commercial) on the subject property. Staff recommended approval.                                                                                                                                                                                                                                                                                                                                                                                 |
| 11/16/05                                                                        | The City Council approved a General Plan Amendment (GPA-7678) from SC (Service Commercial) to MLA (Medium-Low Attached Density Residential); a Waiver (WVR-9060) of Title 18.12.160 to allow 88 feet between street intersections where 220 feet is the minimum separation required; a Site Development Plan Review (SDR-9061) for a 50-lot single-family residential development; and a Rezoning (ZON-9058) from R-1 (Single-Family Residential) to R-PD8 (Residential Planned Development - 8 Units Per Acre). The Planning Commission and staff recommended approval. |
| 12/01/05                                                                        | The Planning Commission approved a Tentative Map (TMP-9764) for a 50-lot, single-family residential subdivision. Staff recommended approval.                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 11/16/06                                                                        | The Planning Commission recommended denial of companion items ZON-16519, VAR-16525 and SDR-16522 concurrently with this application.                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 11/16/06                                                                        | The Planning Commission voted 6-1/ds to recommend DENIAL (PC Agenda Item #7/ng)..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b><i>Related Building Permits/Business Licenses</i></b>                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| There are no building permits or business licenses related to this application. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b><i>Pre-Application Meeting</i></b>                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 08/14/06                                                                        | A pre-application meeting was held and the following items were noted: A bus turnout and a drainage study are required. The General Plan Amendment was discussed. A knuckle deviation would be necessary. The homes would be sprinkled.                                                                                                                                                                                                                                                                                                                                  |

NG

| <b><i>Neighborhood Meeting</i></b> |                                                                                                                                                                                                                                                                                                    |
|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 09/26/06                           | A neighborhood meeting was held at Brinley Middle School, 2480 Maverick Street, Las Vegas, Nevada. In attendance were the applicant, one staff member, and one member of the public. Concerns regarding the density of the project, lack of open space, and an increase in traffic were discussed. |

| <b><i>Details of Application Request</i></b> |      |
|----------------------------------------------|------|
| <b><i>Site Area</i></b>                      |      |
| Gross Acres                                  | 6.19 |
| Net Acres                                    | 5.33 |

| <b>Surrounding Property</b> | <b>Existing Land Use</b>                           | <b>Planned Land Use</b>             | <b>Existing Zoning</b>                                                                                                            |
|-----------------------------|----------------------------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| Subject Property            | Undeveloped                                        | ML (Medium-Low Density Residential) | R-1 (Single Family Residential) Zone under Resolution of Intent to R-PD8 (Residential Planned Development, 8 Units per Acre) Zone |
| North                       | Storage                                            | LI/R (Light Industry/Research)      | C-M (Commercial/Industrial)                                                                                                       |
| South                       | Single-Family Residential                          | ML (Medium-Low Density Residential) | R-CL (Single-Family Compact-Lot)                                                                                                  |
| East                        | Single-Family Residential                          | ML (Medium-Low Density Residential) | R-CL (Single-Family Compact-Lot)                                                                                                  |
| West                        | Convenience Store<br><br>Single-Family Residential | SC (Service Commercial)             | C-1 (Limited Commercial)<br><br>R-E (Residence Estates)                                                                           |

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

NG

## DEVELOPMENT STANDARDS

| <b><i>Existing Zoning</i></b>                                                                                            | <b><i>Permitted Density</i></b> | <b><i>Units Allowed</i></b>                                                               | <b><i>Proposed Zoning</i></b>                                | <b><i>Permitted Density</i></b> | <b><i>General Plan</i></b>                    | <b><i>Permitted Density</i></b>                                                                                         |
|--------------------------------------------------------------------------------------------------------------------------|---------------------------------|-------------------------------------------------------------------------------------------|--------------------------------------------------------------|---------------------------------|-----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| R-1 (Single Family Residential) under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre) | 8.49 Units Per Acre             | 52 Units under the R-PD8 (Residential Planned Development - 8 Units Per Acre) Designation | R-PD12 (Residential Planned Development - 12 Units Per Acre) | 12.49 Units per Acre            | MLA (Medium-Low Attached Density Residential) | 12.49 Units Per Acre<br><br>77 Units under the R-PD12 Designation (Residential Planned Development - 12 Units Per Acre) |

## ANALYSIS

The proposed General Plan Amendment would allow up to 12.49 units per acre. Currently 8.49 units per acre are permitted on the subject property. The adjacent property also carries a land-use designation that permits 8.49 units per acre. While the increase is only one land-use category more intense than what is currently permitted, the change would permit an additional 25 homes on the site. The increase in density will have an overall negative affect on the area and denial of this request is recommended.

## FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

**In regard to “1”:**

The density and intensity of the proposed General Plan Amendment are not compatible with the adjacent land-use designations. The adjacent property carries a ML (Medium-Low Density Residential) land-use designation. The ML category permits up to 8.49 units per acre. The proposed MLA (Medium-Low Attached Density Residential) land-use designation permits up to 12.49 units per acre. The additional density would permit an additional 25 homes on this property and is not considered appropriate.

**In regard to “2”:**

The proposed R-PD12 (Residential Planned Development – 12 Units Per Acre) District is not compatible with the surrounding uses. The R-PD12 (Residential Planned Development – 12 Units Per Acre) District would feature lot sizes that are approximately half the size of the smallest lots on adjacent properties.

**In regard to “3”:**

The site gains access from Smoke Ranch Road a 100-foot Primary Arterial. A crash gate is provided from Decatur Boulevard. Smoke Ranch Road will provide adequate access to and from the subject property.

**In regard to “4”:**

There are no additional plans and policies that affect the proposed General Plan Amendment. It is noted that the project related to this General Plan Amendment does not conform to Title 19.06 requirements for open space and a Variance (VAR-16525) is required.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 3

**ASSEMBLY DISTRICT** 7

**SENATE DISTRICT** 4

**NOTICES MAILED** 349 by Planning Department

**APPROVALS** 0

**PROTESTS** 0



## STATEMENT OF FINANCIAL INTEREST

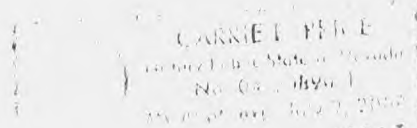
Name of Applicant: Richmond American Homes

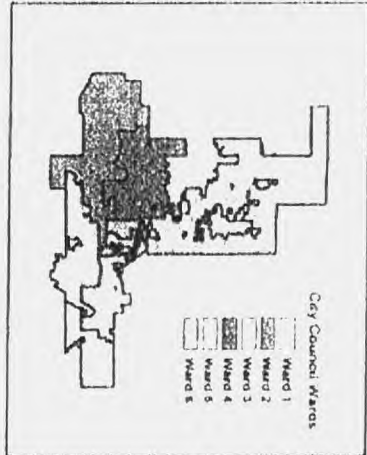
Yes ☒ No ☐

APNE: \_\_\_\_\_

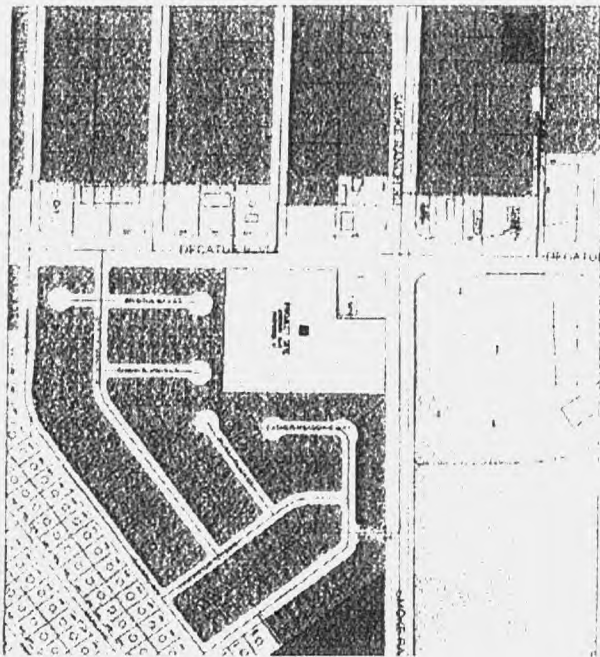
Print Name: WILLIAM J. HARRIS

Notary Public in and for said County and State





- 100 Rural - Estates
- 110 Rural - Desert Rural
- 120 Rural
- 130 Rural
- 140 Medium - Low
- 150 Medium - Low Adjacent
- 160 Medium
- 170 High
- 180 Office
- 190 Service Commercial
- 200 General Commercial
- 210 General Commercial
- 220 Light Industrial / Warehouse
- 230 Medium Density Residential
- 240 Single-Family - Detached
- 250 Single-Family - Attached
- 260 Single-Family - Duplex
- 270 Single-Family - Townhomes
- 280 Single-Family - Mobile Home
- 290 Single-Family - Mobile Home
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- 940 Single-Family - Mobile Home
- 950 Single-Family - Mobile Home
- 960 Single-Family - Mobile Home
- 970 Single-Family - Mobile Home
- 980 Single-Family - Mobile Home
- 990 Single-Family - Mobile Home
- 1000 Single-Family - Mobile Home



GPA-16511  
11/16/06 PC

CITY OF HENDERSON, NEVADA

RYTHMOND AMERICAN HOMES OF NEVADA, INC.  
SMOKE RANCH / DECATUR  
LOCATION PLAN

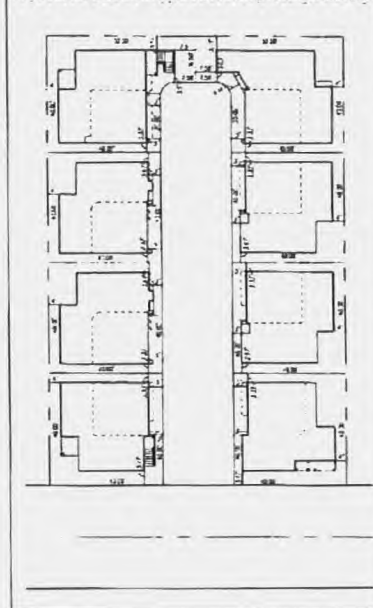
Triton Engineering

DATE: 11/16/06  
BY: [Signature]  
CHECKED BY: [Signature]  
APPROVED BY: [Signature]  
JOB NO.: [Number]  
SCALE: 1"=100'

# SITE PLAN OF SMOKE RANCH / DECATUR II

A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE  
NORTH HALF (N 1/2) OF SECTION 19, TOWNSHIP 20 SOUTH,  
RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA.

TYPICAL CLUSTER SETBACKS FOR INFUSION



## LEGAL DESCRIPTION

THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER  
ONE (1/4) OF THE NORTH HALF (N 1/2) OF SECTION 19  
TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CITY OF  
LAS VEGAS, CLARK COUNTY, NEVADA.

## ENGINEER

WILLIAM B. BROWN  
1075 N. CHARLOTTE BLVD., SUITE 200  
LAS VEGAS, NV 89105  
OFFICE: (702) 264-1100  
FAX: (702) 264-1102

## BENCHMARK

CLARK COUNTY VERTICAL CONTROL POINT "16500 CORNER"  
NORTH A CORNER OF LAS VEGAS STREET AND WASHINGTON STREET  
CLARK COUNTY VERTICAL CONTROL POINT "16500 CORNER"  
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CLARK COUNTY VERTICAL CONTROL POINT "16500 CORNER"  
NORTH A CORNER OF LAS VEGAS STREET AND WASHINGTON STREET

## ASSESSOR'S PARCEL NUMBER

120-10-10-100

## OWNER

SMOKE RANCH / DECATUR II  
1075 N. CHARLOTTE BLVD., SUITE 200  
LAS VEGAS, NV 89105  
OFFICE: (702) 264-1100  
FAX: (702) 264-1102

## SHEET INDEX

1. COVER SHEET
2. SITE PLAN

## DEVELOPER

RICHMOND AMERICAN HOMES OF NEVADA, INC.  
1075 N. CHARLOTTE BLVD., SUITE 200  
LAS VEGAS, NV 89105  
OFFICE: (702) 264-1100  
FAX: (702) 264-1102

## SETBACK REQUIREMENTS

CLARK COUNTY TITLE 20  
ZONING  
TYPICAL LOT SIZE (SF)  
1,500 SF  
FRONT TO BUILDING  
2' MIN  
FRONT TO GARAGE  
2' MIN  
SIDE TO BUILDING  
2' MIN  
SIDE TO ROOF LINE  
2' MIN  
SIDE ON CORNER  
2' MIN  
REAR  
2' MIN

## SURVEYOR

WILLIAM B. BROWN  
1075 N. CHARLOTTE BLVD., SUITE 200  
LAS VEGAS, NV 89105  
OFFICE: (702) 264-1100  
FAX: (702) 264-1102

## BASIS OF BEARING

THE NORTH ARROW OF THE BEARING OF THE  
EAST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF  
SECTION 19, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., IS  
THE CLARK COUNTY VERTICAL CONTROL POINT "16500 CORNER"  
NORTH A CORNER OF LAS VEGAS STREET AND WASHINGTON STREET

## COMMON LOT AREAS

| COMMON LOT       | NOT USABLE | USABLE    | TOTAL     |
|------------------|------------|-----------|-----------|
| COMMON LOT 1     | 2,504 SF   | 8,704 SF  | 11,208 SF |
| COMMON LOT 2     | 1,764 SF   | 24,320 SF | 26,084 SF |
| COMMON LOT 3     | 2,794 SF   | 1,112 SF  | 3,906 SF  |
| COMMON LOT TOTAL | 7,062 SF   | 34,136 SF | 41,198 SF |

## LAND-USE TABULATION

|                   |                                        |                   |
|-------------------|----------------------------------------|-------------------|
| PRESENT ZONING    | LAND-USE DESIGNATION                   |                   |
| PROPOSED ZONING   | R-PM (RESIDENTIAL PLANNED DEVELOPMENT) |                   |
|                   | R-PD (RESIDENTIAL PLANNED DEVELOPMENT) |                   |
| TOTAL UNITS       | SITE SUMMARY                           |                   |
| SUBDIVISION UNITS |                                        | 77 LOTS           |
| GROSS ACREAGE     |                                        | 6.16 ACRES        |
| DENSITY (GROSS)   |                                        | 12.42 LOTS / ACRE |
| USABLE OPEN SPACE |                                        |                   |
| TOTAL PROVIDED    |                                        | 30,274 S.F.       |
| TOTAL REQUIRED    |                                        | 33,236 S.F.       |

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OCT 25 2006

GPA-16511 VAR-16525  
ZON-16519 SDR-16522  
REVISED 11/16/06 PC

**Triton**  
Engineering



RICHMOND AMERICAN HOMES OF NEVADA, INC.

SMOKE RANCH / DECATUR II

COVER SHEET

PAGE 1  
CLV DWG





# Plant Schedule

| Quantity | Size | Botanical Name  | Common Name |
|----------|------|-----------------|-------------|
| 24"      | Box  | Asplenium nidus | Shield Fern |
| 24"      | Box  | Asplenium nidus | Shield Fern |
| 24"      | Box  | Asplenium nidus | Shield Fern |
| 24"      | Box  | Asplenium nidus | Shield Fern |

| Quantity | Size | Botanical Name  | Common Name |
|----------|------|-----------------|-------------|
| 24"      | Box  | Asplenium nidus | Shield Fern |

| Quantity | Size | Botanical Name  | Common Name |
|----------|------|-----------------|-------------|
| 1        | Each | Asplenium nidus | Shield Fern |
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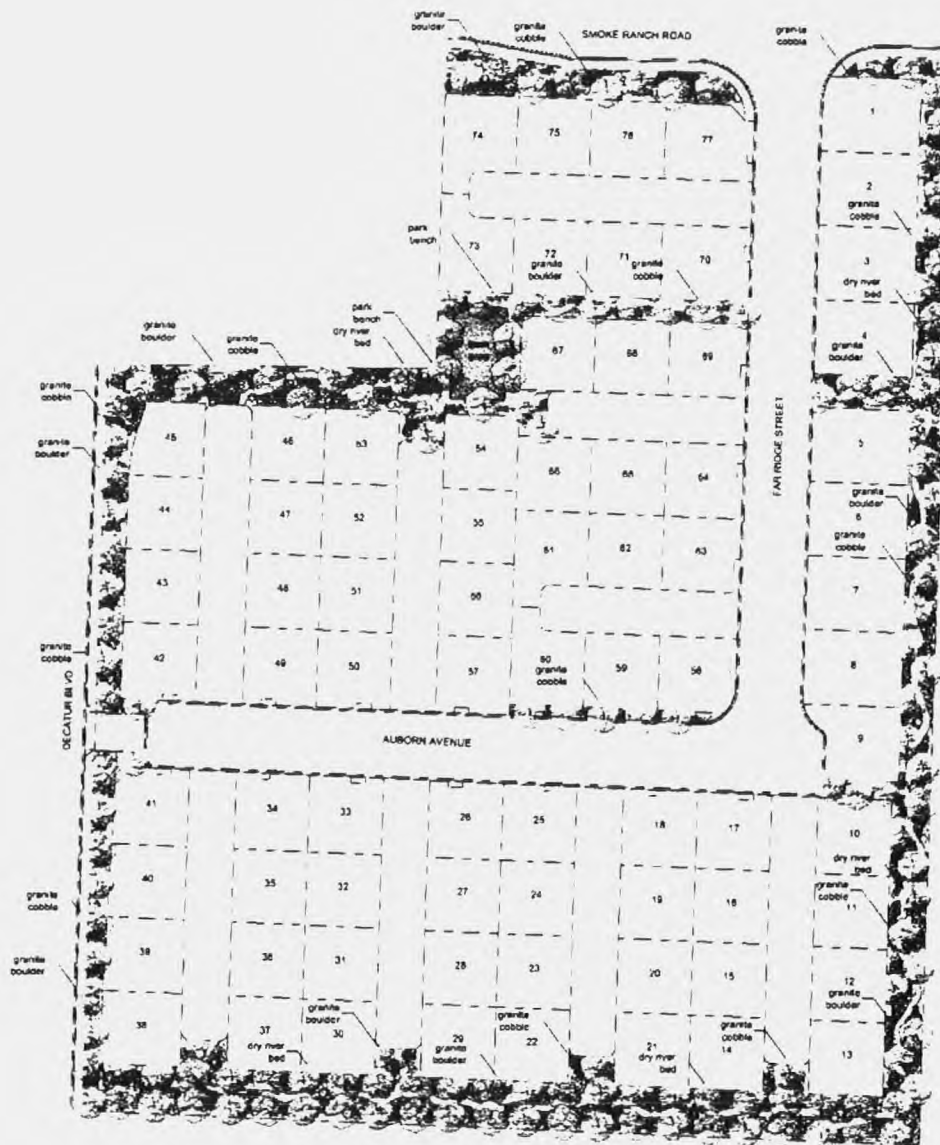
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|----------|------|-----------------|-------------|
| 1        | Each | Asplenium nidus | Shield Fern |

## Site Amenities

| Quantity | Size | Botanical Name  | Common Name |
|----------|------|-----------------|-------------|
| 1        | Each | Asplenium nidus | Shield Fern |



Project Name:

**Sunny Hills**  
(Smoke Ranch/Decatur)  
Richmond American Homes  
Las Vegas, Nevada

| # | Revisions     | Date     | By  |
|---|---------------|----------|-----|
| 1 | revisions     | 08.09.06 | mh  |
| 2 | revisions     | 10.10.06 | mh  |
| 3 | base revision | 11.11.06 | ach |
| 4 | base revision | 12.01.06 | ach |
| 5 | engineering   | 02.20.06 | mt  |
| 6 | base revision | 08.30.06 | mh  |
| 7 | base revision | 10.23.06 | mh  |

This landscape drawing is for design/build use only. Landaco Landscape and Grading only. Landaco Landscape and Grading does not assume any responsibility for projects installed by any contractor other than Landaco Landscape and Grading.

Drawing:  
**Common Area Landscape Plan**

Date: 07.12.05  
Scale: 1" = 30'-0"  
Drawn By: kd  
Checked By: kny  
Project #

Sheet # 1 of 1

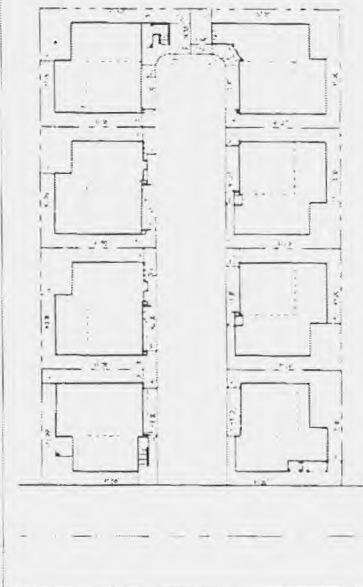
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OCT 25 2006

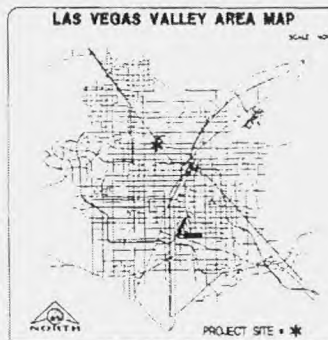
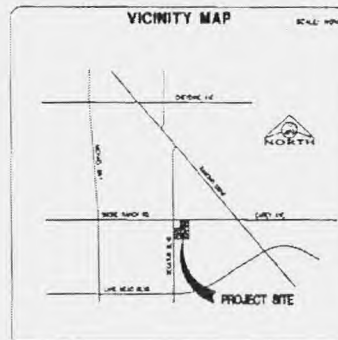
GPA-16511 VAR-16525  
ZON-16519 SDR-16522  
REVISED 11/16/06 PC

# SITE PLAN OF SMOKE RANCH / DECATUR II

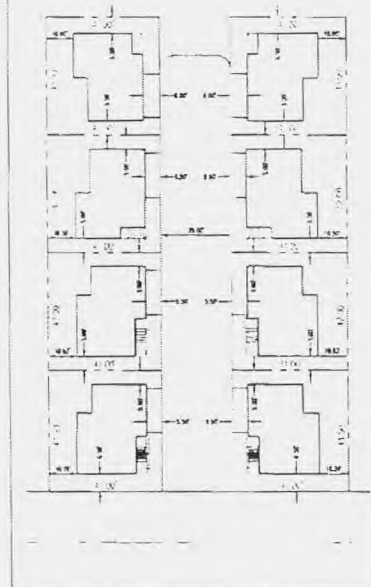
TYPICAL CLUSTER SETBACKS FOR INFUSION



A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTH HALF (N 1/2) OF SECTION 19, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA.



TYPICAL CLUSTER SETBACKS FOR THE IVY



## LEGAL DESCRIPTION

THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTH HALF (N 1/2) OF SECTION 19, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA.

## ENGINEER

TETON ENGINEERING  
8757 W. CHARLESTON BLVD., SUITE 8  
LAS VEGAS, NV 89115  
OFFICE: (702) 794-1980  
FAX: (702) 794-1981

## BENCHMARK

CLARK COUNTY VERTICAL CONTROL POINT "BENCH" (ELEVATION: 2147.55) (FEET)  
CLARK COUNTY VERTICAL CONTROL (2003) BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAD 83)

## ASSESSOR'S PARCEL NUMBER

130-18-101-002

## OWNER

BOONVILLE FARM, TRUST  
2480 PASEO VERDE PARKWAY, SUITE 100  
CLARK COUNTY, NV 89115  
OFFICE: (702) 384-1847

## BASIS OF BEARING

NORTH SITUED BY MET. BEING THE BEARING OF THE EAST LINE OF THE QUARTERLY QUARTER (N 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 19, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA, RECORDED OFFICE.

## SHEET INDEX

1. COVER SHEET 2. SECTIONS AND DETAILS  
3. SITE PLAN

## DEVELOPER

RICHMOND AMERICAN HOMES OF NEVADA, INC.  
2480 PASEO VERDE PARKWAY, SUITE 100  
CLARK COUNTY, NV 89115  
OFFICE: (702) 817-8000

## SETBACK REQUIREMENTS

| CITY OF LAS VEGAS |         |
|-------------------|---------|
| FRONT             | 5' - 0" |
| REAR              | 5' - 0" |
| SIDE              | 5' - 0" |
| ROOF EAVE         | 5' - 0" |
| ROOF EAVE         | 5' - 0" |
| ROOF EAVE         | 5' - 0" |

## SURVEYOR

THE ENGINEER SURVEYOR  
8757 W. CHARLESTON BLVD., SUITE 8  
LAS VEGAS, NV 89115  
OFFICE: (702) 817-8000  
FAX: (702) 817-8001

## LAND USE TABULATION

| LAND USE DESIGNATION |                                       |
|----------------------|---------------------------------------|
| PRESENT ZONING       | R-100 RESIDENTIAL PLANNED DEVELOPMENT |
| PROPOSED ZONING      | R-100 RESIDENTIAL PLANNED DEVELOPMENT |
| TOTAL LOTS           | 17 LOTS                               |
| SUBDIVISION (LOTS)   | 17 LOTS                               |
| CRASH AVERAGE        | 17 LOTS                               |
| CRASH (LOTS)         | 17 LOTS                               |
| USABLE OPEN SPACE    | 50,345 SF                             |
| TOTAL PROJECT        | 20,124 SF                             |

## COMMON LOT AREAS

| COMMON LOTS      | NOT USABLE | USABLE    | TOTAL     |
|------------------|------------|-----------|-----------|
| COMMON LOT 1     | 0 SF       | 8,847 SF  | 8,847 SF  |
| COMMON LOT 2     | 0 SF       | 8,847 SF  | 8,847 SF  |
| COMMON LOT 3     | 2,887 SF   | 0 SF      | 2,887 SF  |
| COMMON LOT TOTAL | 2,887 SF   | 17,694 SF | 20,581 SF |

RECEIVED

JAN 05 2007

Date 1/12/07 Item 92495

ZON-16519  
VAR-16525  
SDR-16522

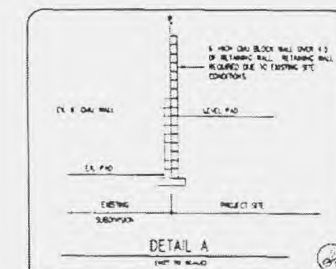
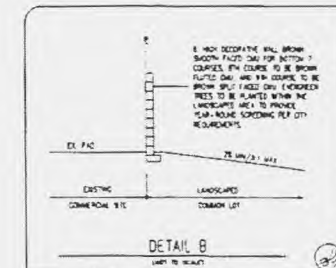
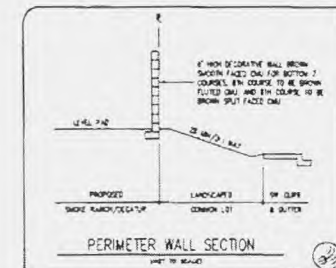
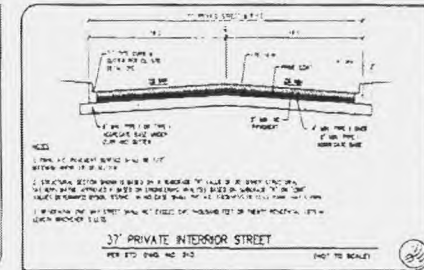
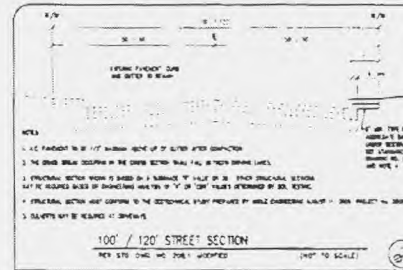
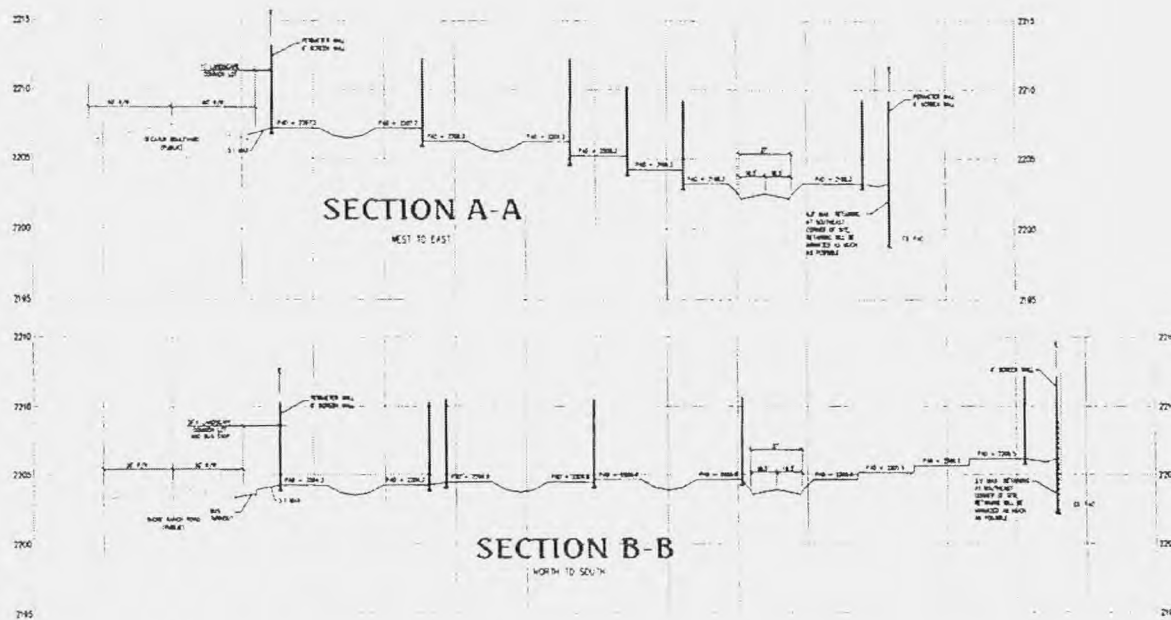
**Triton**  
Engineering



RICHMOND AMERICAN HOMES OF NEVADA, INC.  
SMOKE RANCH / DECATUR II  
COVER SHEET

1  
CLY DWG





ZON-16519  
VAR-16525  
SDR-16522  
01-17-07 CC

RECEIVED  
JAN 05 2007

**Triton Engineering**

1000 S. 1000 E. SUITE 100  
TAMPA, FL 33606  
TEL: 813.888.1111  
FAX: 813.888.1112  
WWW.TRITON-ENG.COM

RICHMOND AMERICAN HOMES OF NEVADA, INC.  
SHORE RANCH / DECATUR II

SECTIONS AND DETAILS

SHEET 3 OF 3  
CLV. DWG.



**Fax Transmittal**

**Triton Engineering, LLC**

To: City of Las Vegas

Sender: Kris Givant

Attention: Peter Lowenstein

Tel. No: (702) 254-1480

Fax No: 385-7268

Fax No: (702) 254-3062

Date: 1/8/06

page(s) total includes cover sheet

File: **VAR-16525/GPA-16511/SDR-  
16522/ZON-16519**

Original will **NOT** follow by mail

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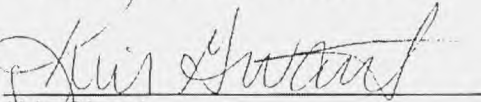
The content of this fax is confidential. If the reader is not the intended recipient or its agent, be advised that any dissemination, distribution or copying of the content of this fax is prohibited. If you have received this fax in error, please notify us immediately and return the original fax to us by mail at our expense. Thank you.

---

**Reference: Smoke Ranch / Decatur II**

At this time Richmond American Homes would like to request that **VAR-16525/GPA-16511/SDR-16522/ZON-16519** be held for two weeks which places these items on the February 7, 2007 City Council Agenda. Please make this change to your schedule and if you have any questions or concerns, please feel free to give me a call. Thank you.

**TRITON ENGINEERING, LLC**



Kris Givant  
Project Coordinator

RECEIVED  
CITY CLERK  
2007 JAN 12 P 4: 55

1/12/07 #92-95

# Triton

Engineering

January 8, 2007

City of Las Vegas  
Planning & Zoning Division  
731 S. Fourth Street  
Las Vegas, NV 89102

**Reference:      General Plan Amendment  
Revised Justification Letter  
Smoke Ranch / Decatur II  
APN # 139-19-101-002**

To Whom It May Concern:

On behalf of our client, Richmond American Homes, we respectfully submit this letter of justification for a General Plan Amendment request for a proposed 76 lot single family project called "Smoke Ranch/Decatur II".

The applicant is requesting that the general plan use on this parcel be changed from S-C to Medium Residential for a proposed 76 lot single-family residential development (12.26 d/ua). Parcels adjacent to the proposed site have the following landuse:

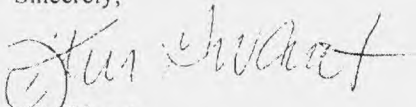
NEC – Light Industrial (C-M)  
NWC – Service Commercial and Rural (C-1 & R-E)  
SEC – Medium – Low, High & Service Commercial (R-CL, C-2 & C-1)  
SWC – Service Commercial (C-1)

Richmond American Homes believes that requesting a medium residential landuse will compliment the area and would be a proposed buffer between the R-CL single-family residences and the C-1 Commerical Property.

We believe that the addition of single family homes at this location will increase traffic slightly, but any traffic concerns will be addressed either by submittal of a traffic study or through a traffic mitigation agreement.

If you have any questions or require additional information, please contact me at 254-1480 (office) or 300-2912 (cell).

Sincerely,



Kris Givant  
Project Coordinator

GPA-16511  
01-17-07 CC

# Triton

Engineering

January 8, 2007

City of Las Vegas  
Development Services Center  
731 S. Fourth Street  
Las Vegas, NV 89102

**Reference: Request for Re-zoning  
Revised Justification Letter  
Smoke Ranch / Decatur II  
APN # 139-19-101-002**

To Whom It May Concern:

On behalf of our client, Richmond American Homes, we respectfully submit this letter of justification for a Zone Change request for a proposed 76 lot single family project called "Smoke Ranch/ Decatur II".

The applicant is requesting that the zoning on this parcel be changed from RPD-8 to RPD-12 for a proposed 76 lot single-family residential development (12.26 d/ua). Parcels adjacent to the proposed site have the following landuse:

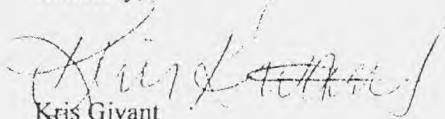
NEC – Light Industrial (C-M)  
NWC – Service Commercial and Rural (C-1 & R-E)  
SEC – Medium – Low, High & Service Commercial (R-CL, C-2 & C-1)  
SWC – Service Commercial (C-1)

Richmond American Homes believes that requesting a RPD-12 zoning will compliment the area and would be a proposed buffer between the R-CL Single family residences and the C-1 Commerical Property.

We believe that the addition of single family homes at this location will increase traffic slightly, but any traffic concerns will be addressed either by submittal of a traffic study or through a traffic mitigation agreement.

Please place the attached request on the City Council agenda. If your have any questions or require additional information, please contact me at 254-1480 (office) or 300-2912 (cell).

Sincerely,

  
Kris Givant  
Project Coordinator

ZON-16519

01-17-07 CC

# Triton

Engineering

January 8, 2007

City of Las Vegas  
Development Services Center  
731 S. Fourth Street  
Las Vegas, NV 89102

**Reference: Request for Variance of Open Space Requirements  
Revised Justification Letter  
Smoke Ranch / Decatur II  
APN # 139-19-101-002**

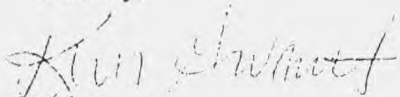
To Whom It May Concern:

On behalf of our client, Richmond American Homes, we respectfully submit this letter of justification for a Variance of Open Space Requirements for a proposed 76 lot single family project called "Smoke Ranch / Decatur II".

At this time we are requesting a variance of the required open spaces based on our re-designed plan that provides for 25,158 s.f. of open space where 54,545 s.f. is required which is an approximate 53% reduction in open space requirements. The open spaces we are providing serves two purposes: The first is to provide a buffer from the existing C-1 convenience store adjacent to the site while two, providing amenities for the proposed 76 residential units, such as tot lots, play areas and walking paths. The open space amenities within the proposed residential subdivision have changed with the revised plan based on a new product for this site and the community. Although we are now lacking in overall open spaces for the site we are willing to accept the in-lieu of fee and plan to coordinate with the City of Las Vegas and the Councilman's office in determining a current need for additional amenities to be used for parks and/or schools in the surrounding community that may possibly need upgrades to there existing facilities. Richmond American Homes is committed to working with the City of Las Vegas and the community in providing open space for its project as well as providing for the community at large and respectfully request your approval of our open space variance.

Please place the attached request on the City Council agenda. If your have any questions or require additional information, please contact me at 254-1480 (office) or 300-2912 (cell).

Sincerely,



Kris Givant  
Project Coordinator

VAR-16525  
01-17-07 CC



# Triton

Engineering

January 8, 2007

City of Las Vegas  
Development Services Center  
731 S. Fourth Street  
Las Vegas, NV 89102

**Reference: Request for Site Development Review  
Revised Justification Letter  
Smoke Ranch / Decatur II  
APN # 139-19-101-002**

To Whom It May Concern:

On behalf of our client, Richmond American Homes, we respectfully submit this letter of justification for a Zone Change request for a proposed 76 lot single family project called "Smoke Ranch/ Decatur II".

The applicant is requesting a Site Development Review for a proposed 76 lot single-family residential development. Parcels adjacent to the proposed site have the following land use and zoning:

NEC – Light Industrial (C-M)  
NWC – Service Commercial and Rural (C-1 & R-E)  
SEC – Medium – Low, High & Service Commercial (R-CL, C-2 & C-1)  
SWC – Service Commercial (C-1)

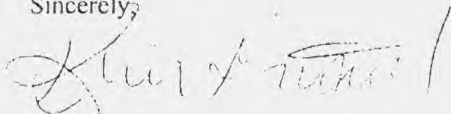
We are requesting the following setbacks for the RPD-12:

|                                             |                           |
|---------------------------------------------|---------------------------|
| Typical Lot Size:                           | 1,500 sq ft               |
| Front to Roof Edge/Building:                | 3' Minimum                |
| Front to Garage:                            | 5' to 6' Min. or 18' plus |
| Side Yard to side of building or roof edge: | 3' feet                   |
| Side on Corner to Side of building          | 4' feet                   |
| Rear Yard                                   | 3' feet                   |

Richmond American Homes believes that requesting RPD-12 zoning will compliment the area and would be a proposed buffer between the R-CL Single family residences and the C-1 Commercial Property.

Please place the attached request on the City Council agenda. If you have any questions or require additional information, please contact me at 254-1480 (office) or 300-2912 (cell).

Sincerely,



Kris Givant  
Project Coordinator

SDR-16522  
01-17-07 CC

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

**SUBJECT:**

REZONING RELATED TO GPA 16511

ZON-16519 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SCHNIPPLE FAMILY TRUST - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE) TO: R-PD12 (RESIDENTIAL PLANNED DEVELOPMENT - 12 UNITS PER ACRE) on 6.19 acres at the southeast corner of Smoke Ranch Road and Decatur Boulevard (APN 139-19-101-002), Ward 5 (Weekly). The Planning Commission (6-1 vote) and staff recommend DENIAL

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

0

Planning Commission Mtg.

0

City Council Meeting

0

City Council Meeting

0

**RECOMMENDATION:**

The Planning Commission (6-1 vote) and staff recommend DENIAL.

**BACKUP DOCUMENTATION:**

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

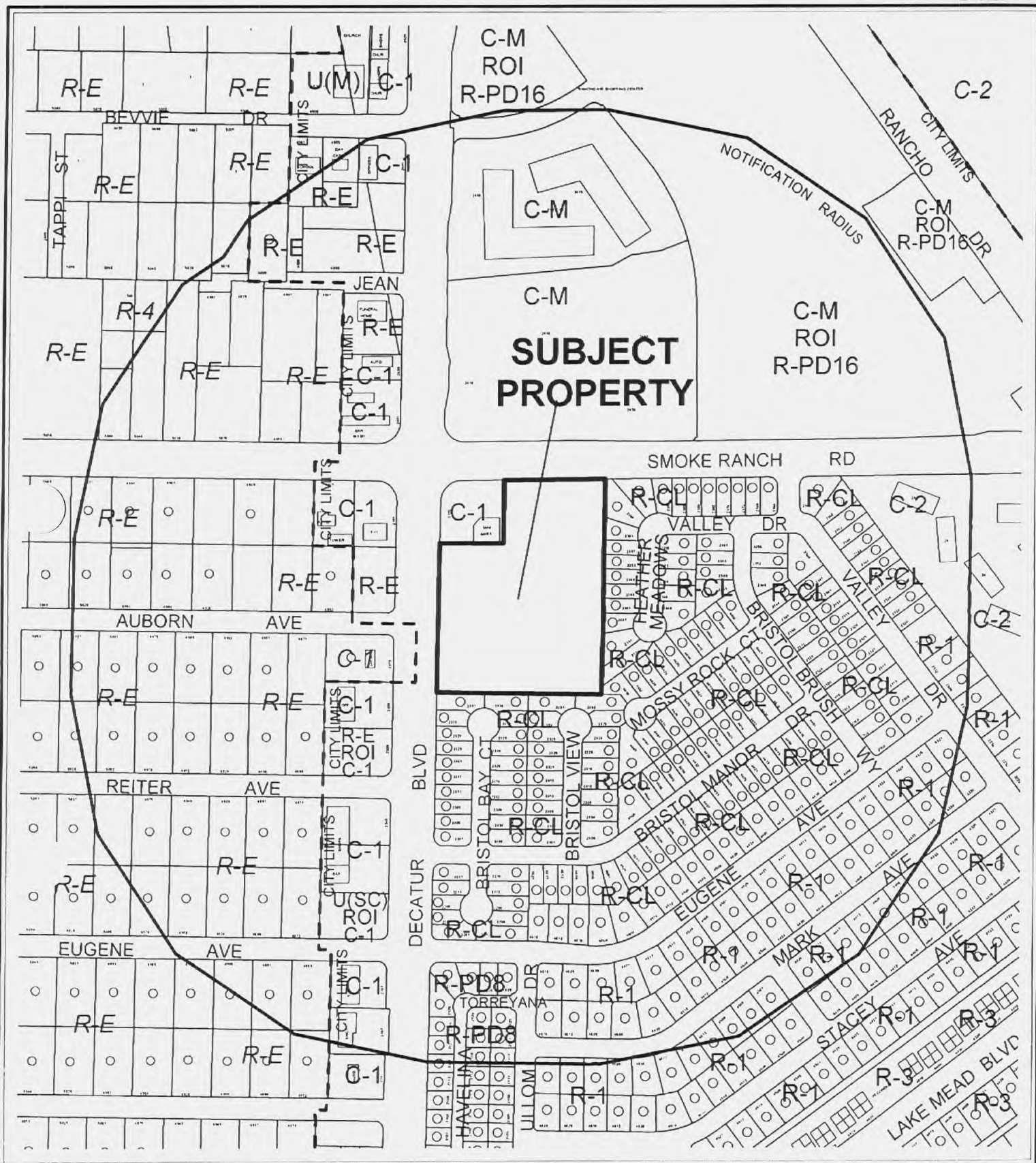
Motion made by GARY REESE to Hold in Abeyance Item 92 [GPA-16511], Item 93 [ZON-16519], Item 94 [VAR-16525], Item 95 [SDR-16522], Item 101 [ZON-17740], Item 102 [VAR-17741], Item 103 [VAR-17742], Item 104 [VAR-17743], Item 105 [VAC-17744], Item 106 [SDR-17745], Item 116 [SDR-15747], Item 117 [ROC-18341] and Item 130 [SUP-17739] to 2/07/2007; Item 82 [1919 Fremont Street], Item 118 [ZON-16179], Item 119 [VAR-16181], Item 120 [VAR-17191], Item 121 [SDR-16180], Item 122 [ZON-17242], Item 123 [VAR-17244], Item 124 [SDR-17247], Item 131 [SUP-18037] and Item 132 [SDR-18034] to 2/21/2007

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

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

Minutes:

See Item 92 for related backup.



CASE: **ZON-16519**

RADIUS: 1000 FT

**ZONING OF SUBJECT PROPERTY:**

R-1 (SINGLE FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)

**PROPOSED ZONING OF SUBJECT PROPERTY:**

R-PD12 (RESIDENTIAL PLANNED DEVELOPMENT - 12 UNITS PER ACRE)







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

**CITY COUNCIL MEETING DATE: JANUARY 17, 2007**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: ABEYANCE - ZON-16519 - APPLICANT: RICHMOND**  
**AMERICAN HOMES - OWNER: SCHNIPPLE FAMILY TRUST**

---

*THIS ITEM WAS HELD IN ABEYANCE FROM THE DECEMBER 20, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.*

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

The Planning Commission (6-1/ds vote) and staff recommend DENIAL.

**Planning and Development**

1. A General Plan Amendment (GPA-16511) to a Medium-Low Attached Density Residential Land Use Designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit is hereby granted.
3. A Site Development Plan Review (SDR-16522) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

**Public Works**

4. Dedicate all additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes and additional right-of-way for a bus turnout on Smoke Ranch Road unless otherwise allowed by the City Traffic Engineer.
5. Construct all incomplete half-street improvements on Smoke Ranch Road and Decatur Boulevard adjacent to this site concurrent with development of this site.
6. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.



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

**\*\* STAFF REPORT \*\*****PROJECT DESCRIPTION**

This is a request for a Rezoning from R-1 (Single-Family Residential) Zone under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre) Zone to R-PD12 (Residential Planned Development - 12 Units Per Acre).

The proposed rezoning is not considered appropriate for this location. The lot sizes and density that would be permitted by the proposed rezoning are not compatible with surrounding development. The project calls for lots that are approximately half the size of the smallest adjacent lots. While the single-family use is considered appropriate for this location, a design that features lots more comparable to the adjacent development and that meets open space requirements is sought. Due to these factors, denial of this request is recommended.

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 04/28/05                                                                  | The Planning Commission tabled at the request of the applicant an application for a Rezoning (ZON-5669) from R-1 (Single-Family Residential) to C-1 (Limited Commercial) on the subject property. Staff recommended approval.                                                                                                                                                                                                                                                                                                                                             |
| 11/16/05                                                                  | The City Council approved a General Plan Amendment (GPA-7678) from SC (Service Commercial) to MLA (Medium-Low Attached Density Residential); a Waiver (WVR-9060) of Title 18.12.160 to allow 88 feet between street intersections where 220 feet is the minimum separation required; a Site Development Plan Review (SDR-9061) for a 50-lot, single-family residential development; and a Rezoning (ZON-9058) from R-1 (Single Family Residential) to R-PD8 (Residential Planned Development - 8 Units per Acre). The Planning Commission and staff recommended approval. |
| 12/01/05                                                                  | The Planning Commission Approved a Tentative Map (TMP-9764) for a 50-lot, single-family residential subdivision. Staff recommended approval.                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 11/16/06                                                                  | The Planning Commission recommended denial of companion items GPA-16511, VAR-16525 and SDR-16522 concurrently with this application.                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 11/16/06                                                                  | The Planning Commission voted 6-1/ds to recommend DENIAL (PC Agenda Item #8/ng)..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

**Related Building Permits/Business Licenses**

There are no building permits or business licenses related to this application.

**Pre-Application Meeting**

|          |                                                                                                                                                                                                                                   |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 08/14/06 | A pre-application meeting was held and the following items were noted. A bus turnout and drainage study is required. The General Plan change was discussed. A knuckle deviation would be necessary. The homes would be sprinkled. |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Neighborhood Meeting**

|          |                                                                                                                                                                                                                                                                                                    |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 09/26/06 | A neighborhood meeting was held at Brinley Middle School, 2480 Maverick Street, Las Vegas, Nevada. In attendance were the applicant, one staff member, and one member of the public. Concerns regarding the density of the project, lack of open space, and an increase in traffic were discussed. |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Details of Application Request****Site Area**

|             |      |
|-------------|------|
| Gross Acres | 6.19 |
| Net Acres   | 5.33 |

| Surrounding Property | Existing Land Use                                  | Planned Land Use                    | Existing Zoning                                                                                                                   |
|----------------------|----------------------------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| Subject Property     | Undeveloped                                        | ML (Medium-Low Density Residential) | R-1 (Single Family Residential) Zone under Resolution of Intent to R-PD8 (Residential Planned Development, 8 Units Per Acre) Zone |
| North                | Storage                                            | LI/R (Light Industry/Research)      | C-M (Commercial/Industrial)                                                                                                       |
| South                | Single-Family Residential                          | ML (Medium-Low Density Residential) | R-CL (Single-Family Compact-Lot)                                                                                                  |
| East                 | Single-Family Residential                          | ML (Medium-Low Density Residential) | R-CL (Single-Family Compact-Lot)                                                                                                  |
| West                 | Convenience Store<br><br>Single-Family Residential | SC (Service Commercial)             | C-1 (Limited Commercial)<br><br>R-E (Residence Estates)                                                                           |

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

**DEVELOPMENT STANDARDS**

*Per Title 19.06 the following Development Standards apply:*

| <b><i>Standard</i></b>          | <b><i>Required/Allowed</i></b> | <b><i>Provided</i></b>     | <b><i>Compliance</i></b> |
|---------------------------------|--------------------------------|----------------------------|--------------------------|
| Min. Lot Size                   | N/A                            | 1,468 SF                   | Y                        |
| Min. Lot Width                  | N/A                            | 31 Feet                    | Y                        |
| Min. Setbacks                   |                                |                            |                          |
| • Front                         | N/A                            | 3 Feet                     | Y                        |
|                                 |                                | 5 Feet or 18 Feet (Garage) | Y                        |
| • Side                          | N/A                            | 3 Feet                     | Y                        |
| • Corner                        | N/A                            | 4 Feet                     | Y                        |
| • Rear                          | N/A                            | 3 Feet                     | Y                        |
| Min. Distance Between Buildings | N/A                            | 6 Feet                     | Y                        |
| Max. Building Height            | N/A                            | 3 Stories/35 Feet          | Y                        |

| <b><i>Existing Zoning</i></b>                                                                                            | <b><i>Permitted Density</i></b> | <b><i>Units Allowed</i></b>          | <b><i>Proposed Zoning</i></b>                                | <b><i>Permitted Density</i></b> | <b><i>General Plan</i></b>                    | <b><i>Permitted Density</i></b>                                                                                         |
|--------------------------------------------------------------------------------------------------------------------------|---------------------------------|--------------------------------------|--------------------------------------------------------------|---------------------------------|-----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| R-1 (Single-Family Residential) under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre) | 8.49 Units Per Acre             | 52 Units under the R-PD8 Designation | R-PD12 (Residential Planned Development - 12 Units Per Acre) | 12.49 Units per Acre            | MLA (Medium-Low Attached Density Residential) | 12.49 Units Per Acre<br><br>77 Units under the R-PD12 (Residential Planned Development - 12 Units Per Acre) Designation |



*Per Title 19.12 the following Landscape Standards apply:*

| <b><i>Landscape and Open Space Standards</i></b> |                        |                     |                        |                          |
|--------------------------------------------------|------------------------|---------------------|------------------------|--------------------------|
| <b><i>Standards</i></b>                          | <b><i>Required</i></b> |                     | <b><i>Provided</i></b> | <b><i>Compliance</i></b> |
|                                                  | <b><i>Ratio</i></b>    | <b><i>Trees</i></b> |                        |                          |
| Buffer:<br>Min. Trees                            | 1 Tree/30 Linear Feet  | 69 Trees            | 96 Trees               | Y                        |
| Min. Zone Width                                  | 6 Feet                 |                     | 6 Feet                 | Y                        |
| Wall Height                                      | 6 Feet                 |                     | 6 Feet                 | Y                        |

| <b><i>Open Space</i></b>        |                       |                        |                       |                                  |                        |                               |                          |
|---------------------------------|-----------------------|------------------------|-----------------------|----------------------------------|------------------------|-------------------------------|--------------------------|
| <b><i>Total<br/>Acreage</i></b> | <b><i>Density</i></b> | <b><i>Required</i></b> |                       |                                  | <b><i>Provided</i></b> |                               | <b><i>Compliance</i></b> |
|                                 |                       | <b><i>Ratio</i></b>    | <b><i>Percent</i></b> | <b><i>Area</i></b>               | <b><i>Percent</i></b>  | <b><i>Area</i></b>            |                          |
| 6.19 Acres                      | 12.44                 | 1.65                   | 20.53                 | 1.27<br>Acres or<br>55,321<br>SF | 12.28                  | 0.76 Acres<br>or 33,226<br>SF | N                        |

## ANALYSIS

The proposed Rezoning to an R-PD12 (Residential Planned Development – 12 Units Per Acre) District is not considered appropriate for the area. The site was previously approved for an R-PD8 (Residential Planned Development – 8 Units Per Acre) zone; however, that proposal met open space requirements and included larger lot sizes that were more compatible with adjacent development. The current proposal calls for lot sizes that are less than half the size of the smallest adjacent lots and fails to meet open space requirements, which is covered in Variance (VAR-16525). The R-PD12 (Residential Planned Development – 12 Units Per Acre) District is considered too intense for this location and denial of this request is recommended.

## FINDINGS

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

### 1. “The proposal conforms to the General Plan.”

This proposal requires a General Plan Amendment (GPA-16511) to a Medium-Low Attached Density (MLA) land-use designation. The requested General Plan Amendment to an MLA land-use designation is considered inappropriate for this location as the proposed development contains lot sizes that are less than half the size of the smallest adjacent lots and lacks the required amount of open space. Denial of the General Plan Amendment is recommended.

2. **“The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”**

The single-family use is considered appropriate for the site; however, due to the small lot sizes and increased density this proposal is not compatible with surrounding development. A single-family development with a lower density and larger lots that meets Title 19 requirements would be more appropriate for this location.

3. **“Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”**

Growth and development factors in the community do not indicate the need for this rezoning. The property is currently under Resolution of Intent to an R-PD8 (Residential Planned Development – 8 Units Per Acre) District. This is considered an appropriate threshold for density on this site as these lot sizes are more compatible with adjacent development.

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

The site gains access from Smoke Ranch Road a 100-foot Primary Arterial. A crash gate is provided from Decatur Boulevard. Smoke Ranch Road will provide adequate access to and from the subject property.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 3

**ASSEMBLY DISTRICT** 7

**SENATE DISTRICT** 4

**NOTICES MAILED** 349 by Planning Department

**APPROVALS** 0

**PROTESTS** 0

## STATEMENT OF FINANCIAL INTEREST

Name of Property Owner: SCHEIDT FAMILY TRUST

Name of Applicant: Richmond American Homes

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

Yes ☒ No ☐

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

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

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

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

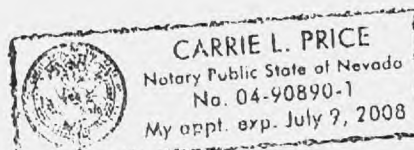
Signature of Property Owner: \_\_\_\_\_

Print Name: Mark A. Schnippel

Subscribed and sworn before me

This 1<sup>st</sup> day of September 2006

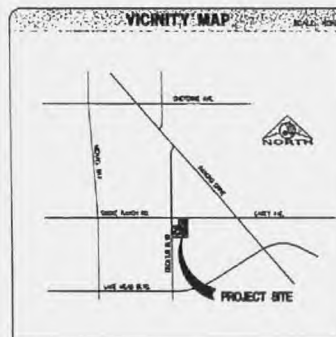
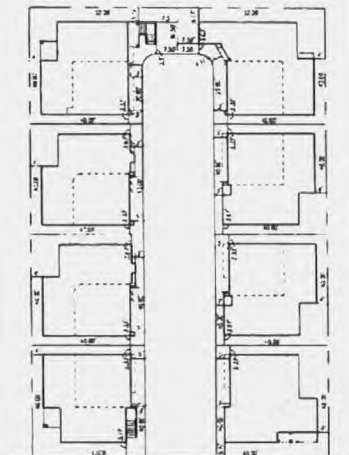
Carrie L. Price  
Notary Public in and for said County and State



# SITE PLAN OF SMOKE RANCH / DECATUR II

A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE  
NORTH HALF (N 1/2) OF SECTION 19, TOWNSHIP 20 SOUTH,  
RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA.

TYPICAL CLUSTER SETBACKS FOR INFUSION



## LEGAL DESCRIPTION

THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER  
(NW 1/4) OF THE NORTH HALF (N 1/2) OF SECTION 19,  
TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CITY OF  
LAS VEGAS, CLARK COUNTY, NEVADA.

## ENGINEER

STEVEN ENGINEERING  
8151 S. CHARLESTON BLVD., SUITE B  
LAS VEGAS, NV 89148  
OFFICE: (702) 251-1480  
FAX: (702) 251-3882

## BENCHMARK

CLARK COUNTY METRIC CONTROL POINT "N-100" (2000)  
POINT A CITY OF LAS VEGAS POINT AND BOUND PLANE IN  
CONCRETE CURB/POST, NORTHEAST CORNER OF JONES BLVD.  
AND RALPH STREET.  
ELEVATION: 1367.8633 (FEET)  
131.525 (METERS)  
CLARK COUNTY METRIC CONTROL POINT "N-100" BASED ON  
NORTH AMERICAN HORIZONTAL DATUM OF 1983 (NAD 83)

## ASSESSOR'S PARCEL NUMBER

130-10-10-001

## OWNER

BOONVILLE FAMILY TRUST  
11800 BOONVILLE AVENUE, SUITE 200  
LAS VEGAS, NV 89135  
OFFICE: (702) 251-1480

## SHEET INDEX

1. COVER SHEET
2. SITE PLAN

## DEVELOPER

RICHMOND AMERICAN HOMES OF NEVADA, INC.  
2180 RICHMOND AVENUE, SUITE 100  
HENDERSON, NV 89014  
OFFICE: (702) 871-8400

## SETBACK REQUIREMENTS

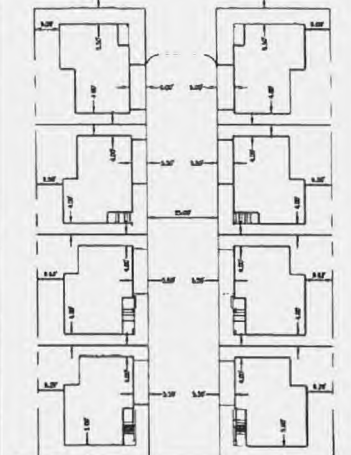
CLARK COUNTY TITLE 10

| ZONE              | MIN. SETBACK |
|-------------------|--------------|
| FRONT TO BUILDING | 5' MIN.      |
| FRONT TO DRIVE    | 5' MIN.      |
| SIDE TO BUILDING  | 5' MIN.      |
| SIDE TO ROAD CAME | 5' MIN.      |
| SIDE ON CORNER    | 5' MIN.      |
| REAR              | 5' MIN.      |

## SURVEYOR

WILSON SURVEYING  
8151 S. CHARLESTON BLVD., SUITE A  
LAS VEGAS, NV 89148  
OFFICE: (702) 871-1334  
FAX: (702) 871-4310

TYPICAL CLUSTER SETBACKS FOR THE IVY



## LAND-USE TABULATION

| LAND-USE DESIGNATION | AREA (ACRES)                             |
|----------------------|------------------------------------------|
| PROPOSED ZONING      | 4-PS (RESIDENTIAL PLANNED DEVELOPMENT)   |
| PROPOSED ZONING      | 4-PS-2 (RESIDENTIAL PLANNED DEVELOPMENT) |
| TOTAL LOTS           | 77 LOTS                                  |
| SUBDIVIDED LOTS      | NONE                                     |
| GROSS ACREAGE        | 4.19 ACRES                               |
| DENSITY (DENS/AC)    | 13.41 LOTS / ACRE                        |
| USABLE OPEN SPACE    | 13.71 AC                                 |
| TOTAL PERMITS        | 13.71 AC                                 |

## COMMON LOT AREAS

| COMMON LOTS      | NET USABLE | USABLE    | TOTAL     |
|------------------|------------|-----------|-----------|
| COMMON LOT "A"   | 2,304 SF   | 8,754 SF  | 11,058 SF |
| COMMON LOT "B"   | 1,764 SF   | 21,325 SF | 23,089 SF |
| COMMON LOT "C"   | 2,784 SF   | 1,764 SF  | 4,548 SF  |
| COMMON LOT TOTAL | 7,852 SF   | 31,843 SF | 39,695 SF |

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OCT 25 2006

GPA-16511 VAR-16525  
ZON-16519 SDR-16522  
REVISED 11/16/06 PC

Triton  
Engineering



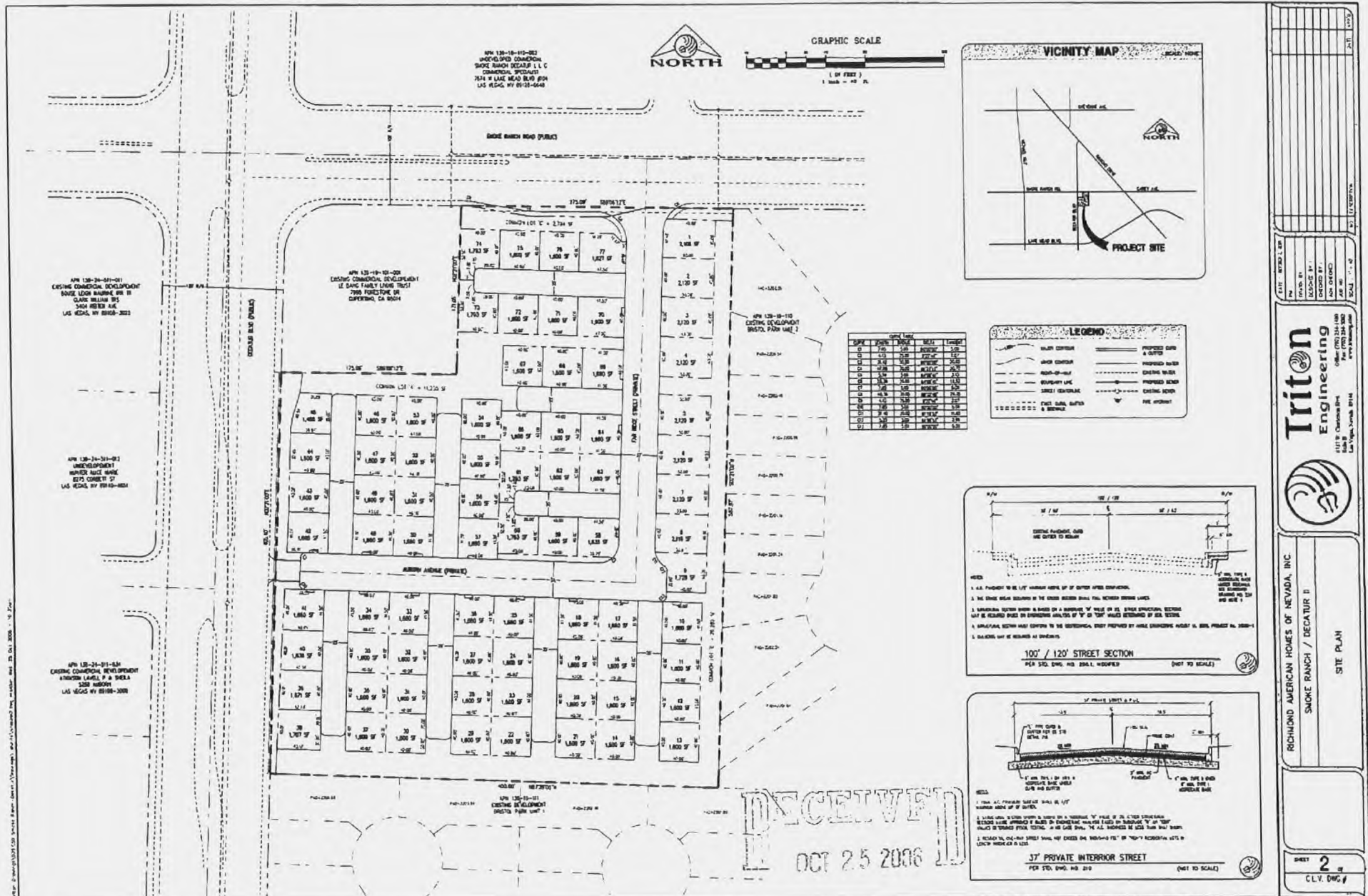
RICHMOND AMERICAN HOMES OF NEVADA, INC.

SMOKE RANCH / DECATUR II

COVER SHEET

1  
CLV, DWG





GPA-16511 VAR-16525  
ZON-16519 SDR-16522  
REVISED 11/16/06 PC

**Triton**  
Engineering



RICHMOND AMERICAN HOMES OF NEVADA, INC.  
SHORE RANCH / DECATUR II

SITE PLAN

2  
CLV. DWG.

# Plant Schedule

| Plant               | Quantity | Notes             | Location               |
|---------------------|----------|-------------------|------------------------|
| 1' x 1' Blue Acacia | 100      | Shrub to 10' tall | Along Smoke Ranch Road |
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## Landscape Schedule

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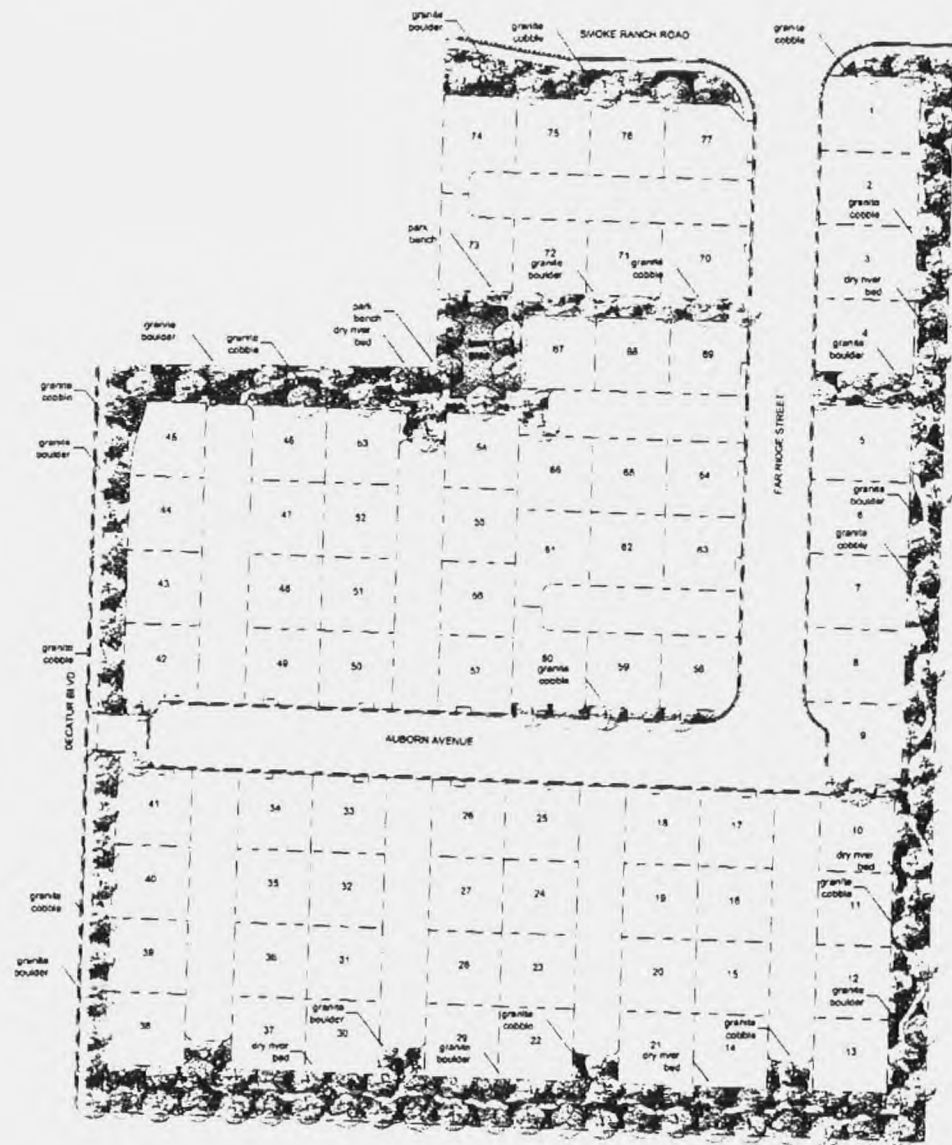
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Project Name:  
**Sunny Hills**  
(Smoke Ranch/Decatur)  
Richmond American Homes  
Las Vegas, Nevada

| # | Revisions     | Date     | By  |
|---|---------------|----------|-----|
| 1 | rendering     | 08.09.05 | mh  |
| 2 | buffer        | 10.10.05 | mh  |
| 3 | base revision | 01.11.06 | ach |
| 4 | base revision | 02.01.06 | ach |
| 5 | engineering   | 02.20.06 | rf  |
| 6 | base revision | 08.30.06 | mh  |
| 7 | base revision | 10.23.06 | mh  |

This landscape drawing is for design/build use only. Landaco Landscaping and Grading will not assume any responsibility for projects created by any contractor other than Landaco Landscaping and Grading.

Drawing:  
**Common Area Landscape Plan**

Date: 07.12.05  
Scale: 1" = 30'-0"  
Drawn By: kd  
Checked By: kny  
Project #

Sheet # 1 of 1

L-1

**RECEIVED**  
GPA-16511 VAR-16525  
ZON-16519 SDR-16522  
REVISED 11/16/06 PC



# Triton

Engineering

October 16, 2006

City of Las Vegas  
Development Services Center  
731 S. Fourth Street  
Las Vegas, NV 89102

**Reference: Request for Site Development Review  
Smoke Ranch / Decatur II  
APN # 139-19-101-002**

To Whom It May Concern:

On behalf of our client, Richmond American Homes, we respectfully submit this letter of justification for a Zone Change request for a proposed 77 lot single family project called "Smoke Ranch/ Decatur II".

The applicant is requesting a Site Development Review for a proposed 77 lot single-family residential development. Parcels adjacent to the proposed site have the following land use and zoning:

NEC – Light Industrial (C-M)

NWC – Service Commercial and Rural (C-1 & R-E)

SEC – Medium – Low, High & Service Commercial (R-CL, C-2 & C-1)

SWC – Service Commercial (C-1)

We are requesting the following setbacks for the RPD-12:

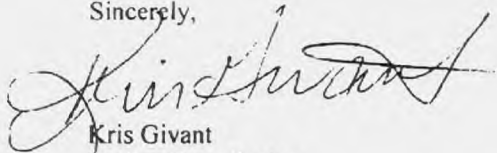
|                                             |                           |
|---------------------------------------------|---------------------------|
| Typical Lot Size:                           | 1,500 sq ft               |
| Front to Roof Edge/Building:                | 3' Minimum                |
| Front to Garage:                            | 5' to 6' Min. or 18' plus |
| Side Yard to side of building or roof edge: | 3' feet                   |
| Side on Corner to Side of building          | 4' feet                   |
| Rear Yard                                   | 3' feet                   |

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OCT 1 2006

Richmond American Homes believes that requesting RPD-12 zoning will compliment the area and would be a proposed buffer between the R-CL SFR's and the C-1 Commercial Property.

Please place the attached request on the Planning Commission agenda. If you have any questions or require additional information, please contact me at 254-1480 (office) or 300-2912 (cell).

Sincerely,

  
Kris Givant  
Project Coordinator

**GPA-16511 VAR-16525  
ZON-16519 SDR-16522  
REVISED**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: JANUARY 17, 2007****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

VARIANCE RELATED TO GPA-16511 AND ZON-16519

VAR-16525 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SCHNIPPLE FAMILY TRUST - Request for a Variance TO ALLOW 35,642 SQUARE FEET OF OPEN SPACE WHERE 53,370 SQUARE FEET IS THE MINIMUM REQUIRED on 6.19 acres at the southeast corner of Smoke Ranch Road and Decatur Boulevard (APN 139-19-101-002), R-1 (Single Family Residential) Zone under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre) Zone [PROPOSED: R-PD12 (Residential Planned Development – 12 Units Per Acre) Zone], Ward 5 (Weekly). NOTE: THIS APPLICATION IS BEING AMENDED FROM 35,642 SQUARE FEET OF OPEN SPACE WHERE 53,370 SQUARE FEET IS THE MINIMUM REQUIRED TO 33,226 SQUARE FEET OF OPEN SPACE WHERE 55,321 SQUARE FEET IS THE MINIMUM REQUIRED. The Planning Commission (7-0 vote) and staff recommend DENIAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

0

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

0

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

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

Motion made by GARY REESE to Hold in Abeyance Item 92 [GPA-16511], Item 93 [ZON-16519], Item 94 [VAR-16525], Item 95 [SDR-16522], Item 101 [ZON-17740], Item 102 [VAR-17741], Item 103 [VAR-17742], Item 104 [VAR-17743], Item 105 [VAC-17744], Item 106 [SDR-17745], Item 116 [SDR-15747], Item 117 [ROC-18341] and Item 130 [SUP-17739] to 2/07/2007; Item 82 [1919 Fremont Street], Item 118 [ZON-16179], Item 119 [VAR-16181], Item 120 [VAR-17191], Item 121 [SDR-16180], Item 122 [ZON-17242], Item 123 [VAR-17244], Item 124 [SDR-17247], Item 131 [SUP-18037] and Item 132 [SDR-18034] to 2/21/2007

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

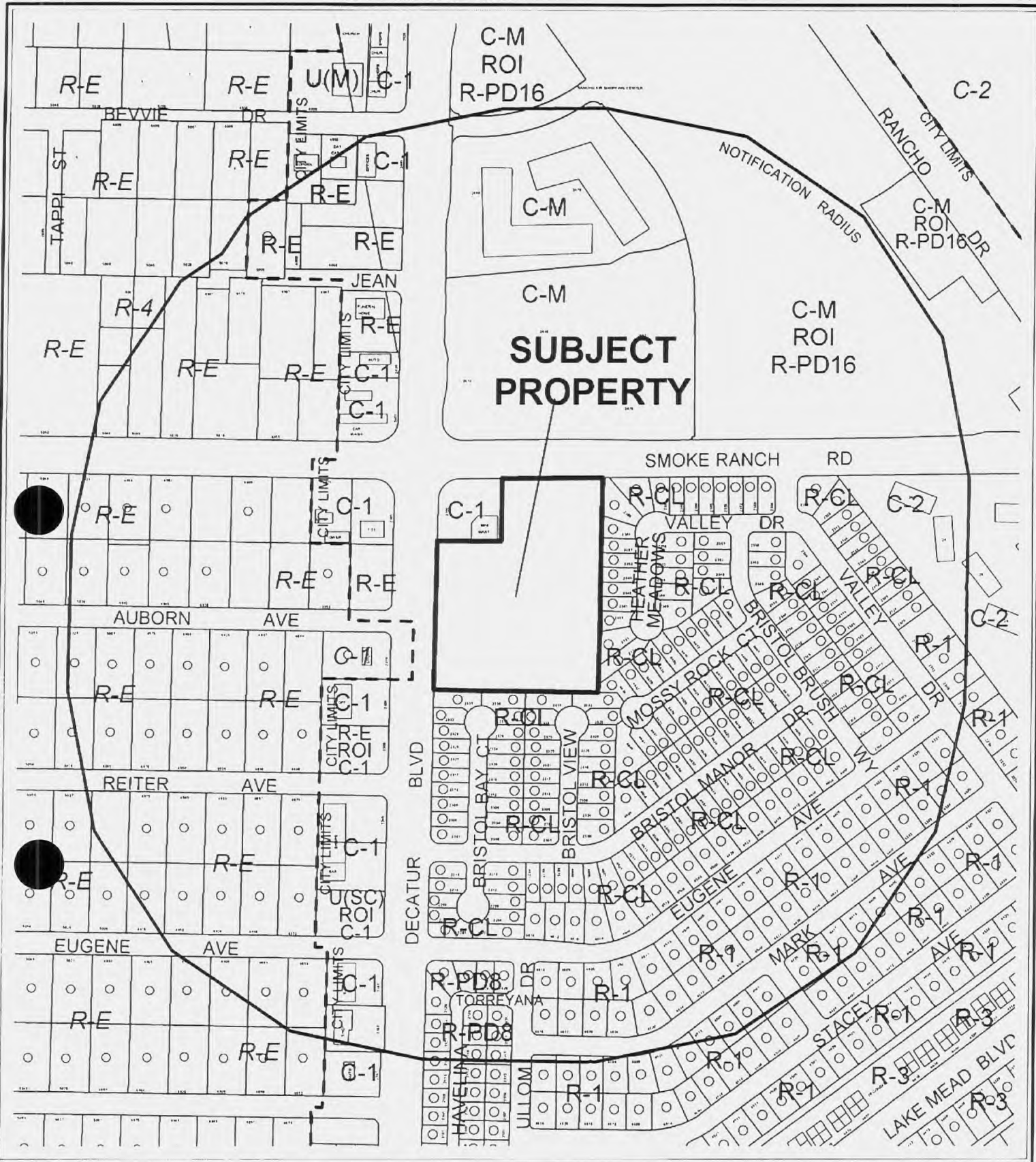


**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

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

Minutes:

See Item 92 for related backup.



CASE: **VAR-16525**

RADIUS: 1000 FT

**ZONING OF SUBJECT PROPERTY:**

R-1 (SINGLE FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)

**PROPOSED ZONING OF SUBJECT PROPERTY:**

R-PD12 (RESIDENTIAL PLANNED DEVELOPMENT - 12 UNITS PER ACRE)

0 400 800 Feet



*City of Las Vegas*

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JANUARY 17, 2007**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: ABEYANCE - VAR-16525 - APPLICANT: RICHMOND**  
**AMERICAN HOMES - OWNER: SCHNIPPLE FAMILY TRUS**

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*THIS ITEM WAS HELD IN ABEYANCE FROM THE DECEMBER 20, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.*

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

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

**Planning and Development**

1. Conformance to the conditions for General Plan Amendment (GPA-16511), Rezoning (ZON-16519), and Site Development Plan Review (SDR-16522) if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. The applicant shall make a contribution To Whom It May Concern: the City of Las Vegas Parks CIP Fund in the amount of \$88,380 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

**\*\* STAFF REPORT \*\*****PROJECT DESCRIPTION**

The applicant is requesting to provide 33,226 square feet of open space where 55,321 square feet is the minimum amount of open space required. This is a 40 percent deviation from requirements. The open space does not provide an adequate amount of useable space and is primarily a buffer between the proposed development and adjacent properties. The nearest park is approximately one mile from the site. This is considered a self-imposed hardship and denial of this request is recommended.

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 04/28/05                                                                        | The Planning Commission tabled at the request of the applicant an application for a Rezoning (ZON-5669) from R-1 (Single-Family Residential) to C-1 (Limited Commercial) on the subject property. Staff recommended approval.                                                                                                                                                                                                                                                                                                                                             |
| 11/16/05                                                                        | The City Council approved a General Plan Amendment (GPA-7678) from SC (Service Commercial) to MLA (Medium-Low Attached Density Residential); a Waiver (WVR-9060) of Title 18.12.160 to allow 88 feet between street intersections where 220 feet is the minimum separation required; a Site Development Plan Review (SDR-9061) for a 50-lot, single-family residential development; and a Rezoning (ZON-9058) from R-1 (Single Family Residential) to R-PD8 (Residential Planned Development - 8 Units per acre). The Planning Commission and staff recommended approval. |
| 12/01/05                                                                        | The Planning Commission Approved a Tentative Map (TMP-9764) for a 50-lot, single-family residential subdivision. Staff recommended approval.                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 11/16/06                                                                        | The Planning Commission recommended denial of companion items GPA-16511, ZON-16519 and SDR-16522 concurrently with this application.                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 11/16/06                                                                        | The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #9/ng)..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b><i>Related Building Permits/Business Licenses</i></b>                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| There are no building permits or business licenses related to this application. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b><i>Pre-Application Meeting</i></b>                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 08/14/06                                                                        | A pre-application meeting was held and the following items were noted. A bus turnout and drainage study is required. The General Plan change was discussed. A knuckle deviation would be necessary. The homes would be sprinkled.                                                                                                                                                                                                                                                                                                                                         |



| <b><i>Neighborhood Meeting</i></b> |                                                                                                                                                                                                                                                                                                    |
|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 09/26/06                           | A neighborhood meeting was held at Brinley Middle School, 2480 Maverick Street, Las Vegas, Nevada. In attendance were the applicant, one staff member, and one member of the public. Concerns regarding the density of the project, lack of open space, and an increase in traffic were discussed. |

| <b><i>Details of Application Request</i></b> |      |
|----------------------------------------------|------|
| <b><i>Site Area</i></b>                      |      |
| Gross Acres                                  | 6.19 |
| Net Acres                                    | 5.33 |

| <b>Surrounding Property</b> | <b>Existing Land Use</b>                           | <b>Planned Land Use</b>             | <b>Existing Zoning</b>                                                                                                             |
|-----------------------------|----------------------------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| Subject Property            | Undeveloped                                        | ML (Medium-Low Density Residential) | R-1 (Single-Family Residential) Zone under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units per Acre) Zone |
| North                       | Storage                                            | LI/R (Light Industry/Research)      | C-M (Commercial/Industrial)                                                                                                        |
| South                       | Single-Family Residential                          | ML (Medium-Low Density Residential) | R-CL (Single-Family Compact-Lot)                                                                                                   |
| East                        | Single-Family Residential                          | ML (Medium-Low Density Residential) | R-CL (Single-Family Compact-Lot)                                                                                                   |
| West                        | Convenience Store<br><br>Single-Family Residential | SC (Service Commercial)             | C-1 (Limited Commercial)<br><br>R-E (Residence Estates)                                                                            |

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

**DEVELOPMENT STANDARDS**

*Per Title 19.12 the following Landscape Standards apply:*

| <b><i>Landscaping and Open Space Standards</i></b> |                        |                     |                        |                          |
|----------------------------------------------------|------------------------|---------------------|------------------------|--------------------------|
| <b><i>Standards</i></b>                            | <b><i>Required</i></b> |                     | <b><i>Provided</i></b> | <b><i>Compliance</i></b> |
|                                                    | <b><i>Ratio</i></b>    | <b><i>Trees</i></b> |                        |                          |
| Buffer:<br>Min. Trees                              | 1 Tree/30 Linear Feet  | 69 Trees            | 96 Trees               | Y                        |
| Min. Zone Width                                    | 6 Feet                 |                     | 6 Feet                 | Y                        |
| Wall Height                                        | 6 Feet                 |                     | 6 Feet                 | Y                        |

| <b><i>Open Space</i></b>        |                       |                        |                       |                                  |                        |                               |                          |
|---------------------------------|-----------------------|------------------------|-----------------------|----------------------------------|------------------------|-------------------------------|--------------------------|
| <b><i>Total<br/>Acreage</i></b> | <b><i>Density</i></b> | <b><i>Required</i></b> |                       |                                  | <b><i>Provided</i></b> |                               | <b><i>Compliance</i></b> |
|                                 |                       | <b><i>Ratio</i></b>    | <b><i>Percent</i></b> | <b><i>Area</i></b>               | <b><i>Percent</i></b>  | <b><i>Area</i></b>            |                          |
| 6.19 Acres                      | 12.44                 | 1.65                   | 20.53                 | 1.27<br>Acres or<br>55,321<br>SF | 12.28                  | 0.76 Acres<br>or 33,226<br>SF | N                        |

**ANALYSIS**

The open space for the proposed development does not meet Title 19.06 requirements as designed. The open space provided for the proposed development is used primarily as a buffer between this property and adjacent uses and does not include an adequate amount of useable open space. Amenities for children or other recreational areas are not provided. The nearest park is approximately one mile south of the proposed development. The provided open space constitutes a 40 percent deviation from standards. The lack of required open space is considered a self-imposed hardship and denial of this request is recommended.

**FINDINGS**

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

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

Additionally, Title 19.18.070L states:

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

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

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

3

**ASSEMBLY DISTRICT** 7

**SENATE DISTRICT** 4

**NOTICES MAILED** 356 by City Clerk

**APPROVALS** 0

**PROTESTS** 0

## STATEMENT OF FINANCIAL INTEREST

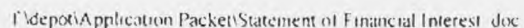
Name of Applicant: Richmond American Homes

           Yes            ~~X~~ No

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

Print Name: \_\_\_\_\_

Carrie L. Price  
Notary Public in and for said County and State

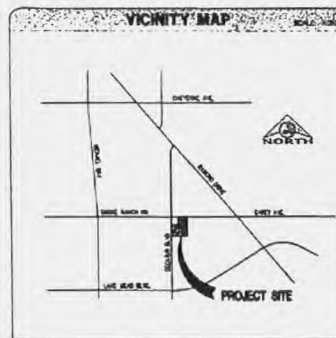
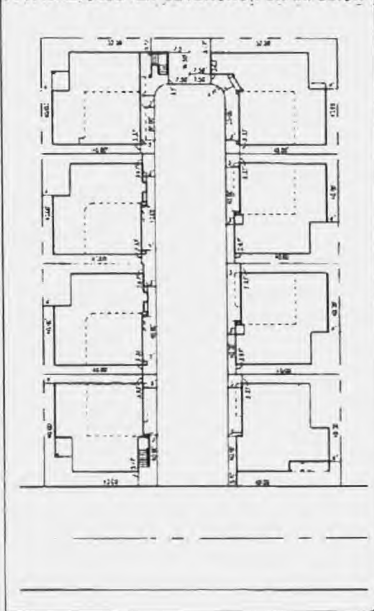




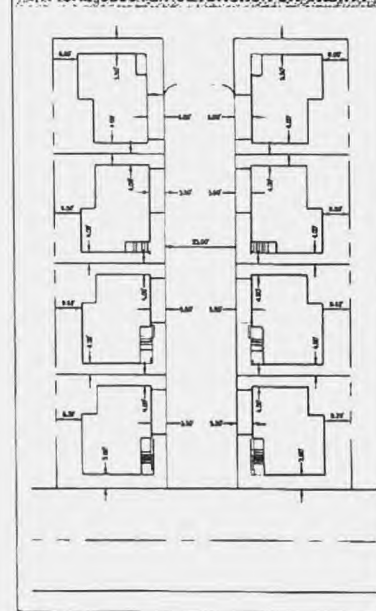
# SITE PLAN OF SMOKE RANCH / DECATUR II

A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE  
NORTH HALF (N 1/2) OF SECTION 19, TOWNSHIP 20 SOUTH,  
RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA.

TYPICAL CLUSTER SETBACKS FOR INFUSION



TYPICAL CLUSTER SETBACKS FOR THE IVY



## LEGAL DESCRIPTION

THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER  
(NW 1/4) OF THE NORTH HALF (N 1/2) OF SECTION 19,  
TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CITY OF  
LAS VEGAS, CLARK COUNTY, NEVADA.

## ENGINEER

TRITON ENGINEERING  
1700 N. CHURCH BLVD., SUITE 2  
LAS VEGAS, NV 89101  
OFFICE: (702) 304-1400  
FAX: (702) 304-1401

## BENCHMARK

CLARK COUNTY METRIC CONTROL POINT "B" AND "C"  
BENCH A CITY OF LAS VEGAS METRIC POINT AND BENCH PLATE IN  
CONCRETE CURB, NORTHEAST CORNER OF JONES BLVD.  
AND RANDI STREET.  
ELEVATION: 1267.283 (FEET)  
79.313 (METERS)  
CLARK COUNTY METRIC CONTROL J2000 BASED ON  
NORTH AMERICAN DATUM OF 1983 (NAD 83).

## ASSESSOR'S PARCEL NUMBER

120-10-100-000

## OWNER

BOONVILLE FAMILY TRUST  
1800 CHURCH BLVD., SUITE 210  
LAS VEGAS, NV 89101  
OFFICE: (702) 304-1411

## SHEET INDEX

1. COVER SHEET
2. SITE PLAN

## DEVELOPER

RICHMOND AMERICAN HOMES OF NEVADA, INC.  
2100 PASEO HORSE PARKWAY, SUITE 120  
HENDERSON, NV 89014  
OFFICE: (702) 671-8400

## BASIS OF BEARING

NORTH 00°00'00" W. 100.00', BEING THE BEARING OF THE  
EAST LINE OF THE SOUTHWEST QUARTER (SE 1/4) OF  
THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 19,  
TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., AS  
SHOWN IN BOOK 100, PAGE 21 OF PLATS ON FILE AT  
THE CLARK COUNTY METRIC RECORDS OFFICE.

## LAND-USE TABULATION

| LAND-USE DESIGNATION |                                         |
|----------------------|-----------------------------------------|
| PROPOSED ZONING      | R-100 (RESIDENTIAL PLANNED DEVELOPMENT) |
| PROPOSED ZONING      | R-100 (RESIDENTIAL PLANNED DEVELOPMENT) |
| TOTAL UNITS          | 77 UNITS                                |
| SUBSTANDING UNITS    | NONE                                    |
| NET AREA (ACRES)     | 6.18 ACRES                              |
| NET AREA (ACRES)     | 12.43 ACRES / ACRE                      |
| USABLE OPEN SPACE    |                                         |
| TOTAL REQUIRED       | 11,250 SF                               |
| TOTAL PROVIDED       | 11,228 SF                               |

## SETBACK REQUIREMENTS

| CLARK COUNTY TITLE 10 |          |
|-----------------------|----------|
| FRONT                 | 5'-0"    |
| TYPICAL LOT SIZE (SF) | 1,000 SF |
| FRONT TO BUILDING     | 5' MIN   |
| FRONT TO GARAGE       | 5' MIN   |
| BACK TO BUILDING      | 5' MIN   |
| BACK TO PROPERTY LINE | 5' MIN   |
| BACK TO CORNER        | 5' MIN   |
| REAR                  | 5' MIN   |

## SURVEYOR

TRITON ENGINEERING  
1700 N. CHURCH BLVD., SUITE 2  
LAS VEGAS, NV 89101  
OFFICE: (702) 304-1400  
FAX: (702) 304-1401

## COMMON LOT AREAS

| COMMON LOT       | NET USABLE | USABLE    | TOTAL     |
|------------------|------------|-----------|-----------|
| COMMON LOT 1     | 2,204 SF   | 2,700 SF  | 11,200 SF |
| COMMON LOT 2     | 1,704 SF   | 2,425 SF  | 24,225 SF |
| COMMON LOT 3     | 2,704 SF   | 0 SF      | 2,704 SF  |
| COMMON LOT TOTAL | 7,902 SF   | 11,125 SF | 41,128 SF |

RECEIVED  
OCT 25 2006

GPA-16511 VAR-16525  
ZON-16519 SDR-16522  
REVISED 11/16/06 PC

**Triton**  
Engineering  
2112 N. CHURCH BLVD.  
SUITE 200  
LAS VEGAS, NEVADA 89101  
OFFICE: (702) 304-1400  
FAX: (702) 304-1401  
WWW.TRITON-ENG.COM



RICHMOND AMERICAN HOMES OF NEVADA, INC.

SMOKE RANCH / DECATUR II

COVER SHEET

SHEET 1 OF 1  
CLV.DWG



# Plant Schedule

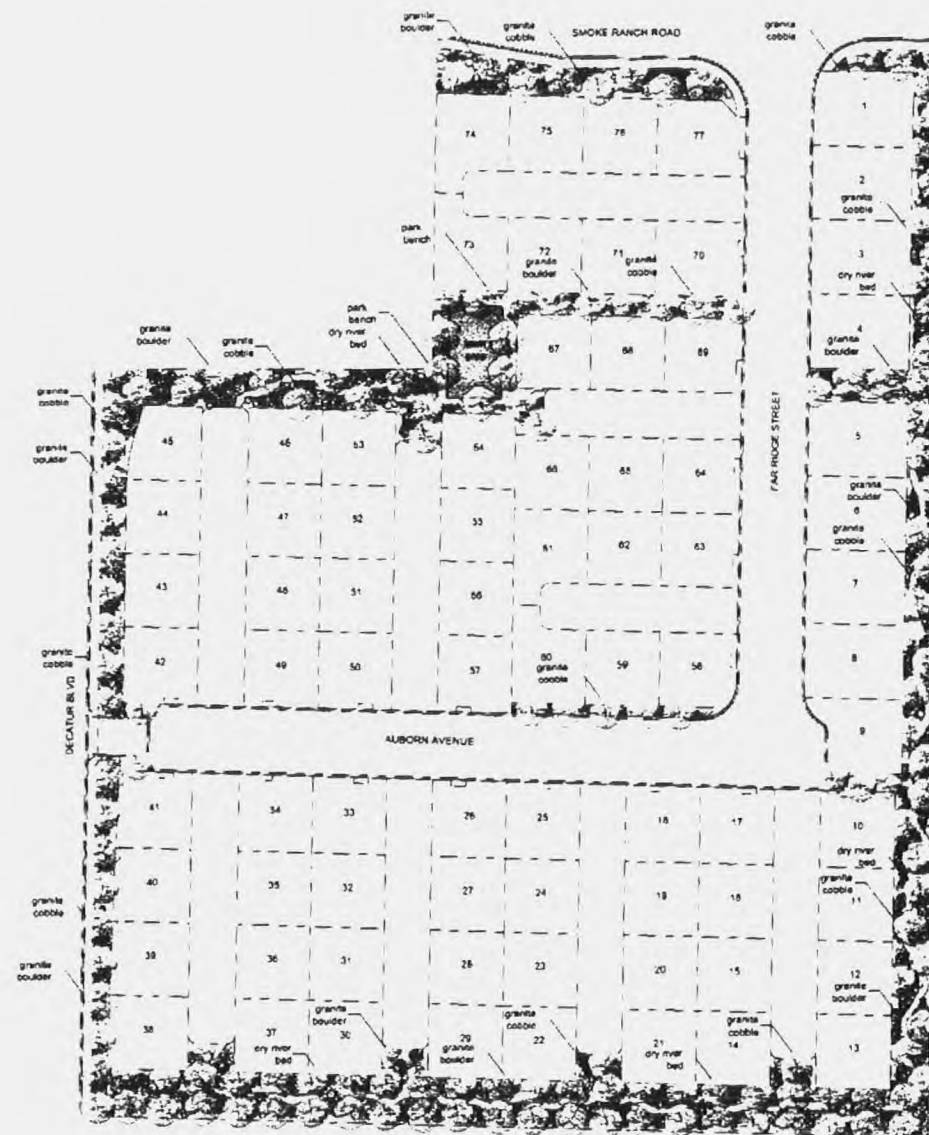
| Plant    | Quantity | Notes              | Location     |
|----------|----------|--------------------|--------------|
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |

# Landscape Schedule

| Plant    | Quantity | Notes              | Location     |
|----------|----------|--------------------|--------------|
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |

# Site Amenities

| Plant    | Quantity | Notes              | Location     |
|----------|----------|--------------------|--------------|
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |
| 34" Blue | 1        | Plant in landscape | Shading Area |



Project Name:  
**Sunny Hills**  
 (Smoke Ranch/Decatur)  
 Richmond American Homes  
 Las Vegas, Nevada

| # | Revision      | Date     | By  |
|---|---------------|----------|-----|
| 1 | Revised       | 08.09.05 | mh  |
| 2 | Revised       | 10.10.05 | mh  |
| 3 | base revision | 01.11.05 | adw |
| 4 | base revision | 02.01.06 | adw |
| 5 | engineering   | 02.20.06 | mf  |
| 6 | base revision | 06.30.06 | mh  |
| 7 | base revision | 10.21.06 | mh  |

This landscape drawing is for design/build use by Landaco Landscaping and Grading only. Landaco Landscaping and Grading does not assume any responsibility for projects installed by any contractor other than Landaco Landscaping and Grading.

Drawing:  
**Common Area Landscape Plan**

Date: 07.12.05  
 Scale: 1" = 30'-0"  
 Drawn By: kd  
 Checked By: kny  
 Project #

Sheet # 1 of 1

L-1

RECEIVED

GPA-16511 VAR-16525  
 ZON-16519 SDR-16522  
 REVISED 11/16/06 PC

# Triton

Engineering

October 25, 2006

City of Las Vegas  
Development Services Center  
731 S. Fourth Street  
Las Vegas, NV 89102

**Reference: Request for Variance of Open Space Requirements  
Smoke Ranch / Decatur II  
APN # 139-19-101-002**

To Whom It May Concern:

On behalf of our client, Richmond American Homes, we respectfully submit this letter of justification for a Variance of Open Space Requirements for a proposed 77 lot single family project called "Smoke Ranch / Decatur II".

At this time we are requesting a variance of the required open spaces based on our re-designed plan that provides for 33,226 s.f. of open space where 53,370 s.f. is required which is a 38% reduction in open space requirements. The open spaces we are providing serves two purposes: The first is to provide a buffer from the existing C-1 convenience store adjacent to the site while two, providing amenities for the proposed 77 residential units, such as tot lots, play areas and walking paths. The open space amenities within the proposed residential subdivision have changed with the revised plan based on a new product for this site and the community. Although we are now lacking in overall open spaces for the site we are willing to accept the in-lieu of fee and plan to coordinate with the City of Las Vegas and the Councilman's office in determining a current need for additional amenities to be used for parks and/or schools in the surrounding community that may possibly need upgrades to there existing facilities. Richmond American Homes is committed to working with the City of Las Vegas and the community in providing open space for its project as well as providing for the community at large and respectfully request your approval of our open space variance.

Please place the attached request on the Planning Commission agenda. If your have any questions or require additional information, please contact me at 254-1480 (office) or 300-2912 (cell).

Sincerely,



Kris Givant  
Project Coordinator

**RECEIVED**  
OCT 27 2006

**VAR-16525**

**REVISED**

**11/16/06 PC**



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

**SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-16511, ZON-16519, AND VAR-16525

SDR-16522 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SCHNIPPLE FAMILY TRUST - Request for a Site Development Plan Review FOR A PROPOSED 77-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 6.19 acres at the southeast corner of Smoke Ranch Road and Decatur Boulevard (APN 139-19-101-002), R-1 (Single Family Residential) Zone under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre) Zone [PROPOSED: R-PD12 (Residential Planned Development - 12 Units Per Acre) Zone], Ward 5 (Weekly). NOTE: THIS APPLICATION IS BEING AMENDED TO INCLUDE PROPOSED THREE-STORY DEVELOPMENT. The Planning Commission (7-0 vote) and staff recommend DENIAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

0

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

0

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

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

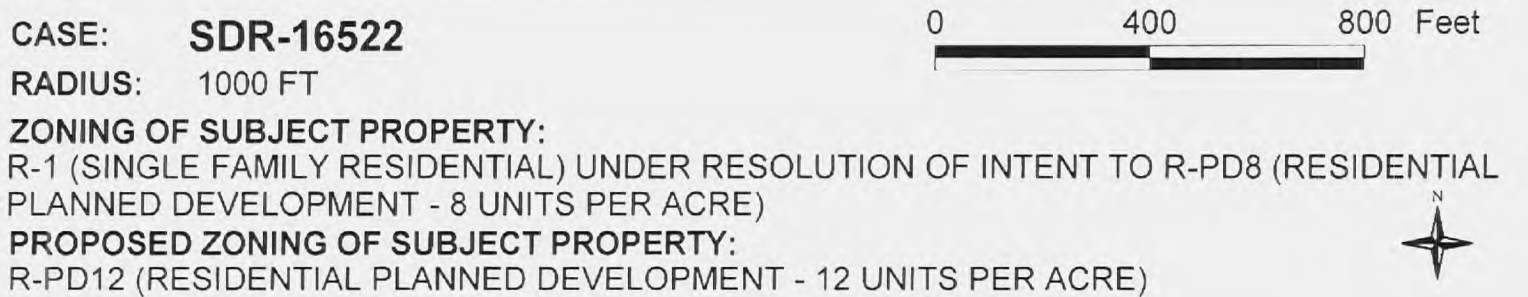
Motion made by GARY REESE to Hold in Abeyance Item 92 [GPA-16511], Item 93 [ZON-16519], Item 94 [VAR-16525], Item 95 [SDR-16522], Item 101 [ZON-17740], Item 102 [VAR-17741], Item 103 [VAR-17742], Item 104 [VAR-17743], Item 105 [VAC-17744], Item 106 [SDR-17745], Item 116 [SDR-15747], Item 117 [ROC-18341] and Item 130 [SUP-17739] to 2/07/2007; Item 82 [1919 Fremont Street], Item 118 [ZON-16179], Item 119 [VAR-16181], Item 120 [VAR-17191], Item 121 [SDR-16180], Item 122 [ZON-17242], Item 123 [VAR-17244], Item 124 [SDR-17247], Item 131 [SUP-18037] and Item 132 [SDR-18034] to 2/21/2007

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

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

Minutes:

See Item 92 for related backup.



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

**CITY COUNCIL MEETING DATE: JANUARY 17, 2007**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: ABEYANCE - SDR-16522 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SCHNIPPLE FAMILY TRUST**

---

*THIS ITEM WAS HELD IN ABEYANCE FROM THE DECEMBER 20, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.*

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

The Planning Commission (6-1/ds vote) and staff recommend DENIAL.

**Planning and Development**

1. Conformance to the Conditions for General Plan Amendment (GPA-16511), Rezoning (ZON-16519), Variance (VAR-16525), if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations date stamped 10/25/06, except as amended by conditions herein.
4. The standards for this development shall include a minimum lot size of 1,468 square feet and building height shall not exceed three stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of three feet to the front of the house, either five feet or less or 18 feet or greater to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, three feet on the side, four feet on the corner side, and three feet in the rear.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.



8. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

13. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
15. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-16519, Waiver WVR-9060 and all other applicable site-related actions.



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

**\*\* STAFF REPORT \*\*****PROJECT DESCRIPTION**

This is a request for a Site Development Plan Review for a proposed 77-lot single-family residential subdivision that includes proposed three-story development.

The proposed 77-lot single-family residential subdivision lacks the required amount of open space, would consist of lots that are less than half the size of adjacent development, contains proposed three-story development, and is considered incompatible with development in the area. A Variance (VAR-16525) has been requested to permit the deviation from open space requirements. The project also requires a Rezoning (ZON-16519) and a General Plan Amendment (GPA-16511) that are considered inappropriate as they would permit a density that is greater than adjacent development. Due to the incompatibility with the area and lack of required open space, denial of this application is recommended.

**BACKGROUND INFORMATION**

| <b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 04/28/05                                                                        | The Planning Commission tabled at the request of the applicant an application for a Rezoning (ZON-5669) from R-1 (Single-Family Residential) to C-1 (Limited Commercial) on the subject property. Staff recommended approval.                                                                                                                                                                                                                                                                                                                                             |
| 11/16/05                                                                        | The City Council approved a General Plan Amendment (GPA-7678) from SC (Service Commercial) to MLA (Medium-Low Attached Density Residential); a Waiver (WVR-9060) of Title 18.12.160 to allow 88 feet between street intersections where 220 feet is the minimum separation required; a Site Development Plan Review (SDR-9061) for a 50-lot, single-family residential development; and a Rezoning (ZON-9058) from R-1 (Single-Family Residential) to R-PD8 (Residential Planned Development - 8 Units per acre). The Planning Commission and staff recommended approval. |
| 12/01/05                                                                        | The Planning Commission Approved a Tentative Map (TMP-9764) for a 50-lot, single-family residential subdivision. Staff recommended approval.                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 11/16/06                                                                        | The Planning Commission recommended denial of companion items GPA-16511, ZON-16519 and VAR-16525 concurrently with this application.                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 11/16/06                                                                        | The Planning Commission voted 6-1/ds to recommend DENIAL (PC Agenda Item #10/ng)..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b><i>Related Building Permits/Business Licenses</i></b>                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| There are no building permits or business licenses related to this application. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

***Pre-Application Meeting***

|          |                                                                                                                                                                                                                                   |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 08/14/06 | A pre-application meeting was held and the following items were noted. A bus turnout and drainage study is required. The General Plan change was discussed. A knuckle deviation would be necessary. The homes would be sprinkled. |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

***Neighborhood Meeting***

|          |                                                                                                                                                                                                                                                                                                    |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 09/26/06 | A neighborhood meeting was held at Brinley Middle School, 2480 Maverick Street, Las Vegas, Nevada. In attendance were the applicant, one staff member, and one member of the public. Concerns regarding the density of the project, lack of open space, and an increase in traffic were discussed. |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

***Details of Application Request******Site Area***

|             |      |
|-------------|------|
| Gross Acres | 6.19 |
| Net Acres   | 5.33 |

| <b>Surrounding Property</b> | <b>Existing Land Use</b>                           | <b>Planned Land Use</b>             | <b>Existing Zoning</b>                                                                                                                     |
|-----------------------------|----------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| Subject Property            | Undeveloped                                        | ML (Medium-Low Density Residential) | R-1 (Single-Family Residential) Zone under Resolution of Intent to R-PD8 (Residential Planned Development, 8 dwelling units per acre) Zone |
| North                       | Storage                                            | LI/R (Light Industry/Research)      | C-M (Commercial/Industrial)                                                                                                                |
| South                       | Single-Family Residential                          | ML (Medium-Low Density Residential) | R-CL (Single-Family Compact-Lot)                                                                                                           |
| East                        | Single-Family Residential                          | ML (Medium-Low Density Residential) | R-CL (Single-Family Compact-Lot)                                                                                                           |
| West                        | Convenience Store<br><br>Single-Family Residential | SC (Service Commercial)             | C-1 (Limited Commercial)<br><br>R-E (Residence Estates)                                                                                    |

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

**DEVELOPMENT STANDARDS**

Per Title 19.06 the following Development Standards apply:

| <i>Standard</i>                 | <i>Provided</i>            | <i>Compliance</i> |
|---------------------------------|----------------------------|-------------------|
| Min. Lot Size                   | 1,468 SF                   | Y                 |
| Min. Lot Width                  | 31 Feet                    | Y                 |
| Min. Setbacks                   |                            |                   |
| • Front                         | 3 Feet                     | Y                 |
|                                 | 5 Feet or 18 Feet (Garage) | Y                 |
| • Side                          | 3 Feet                     | Y                 |
| • Corner                        | 4 Feet                     | Y                 |
| • Rear                          | 3 Feet                     | Y                 |
| Min. Distance Between Buildings | 6 Feet                     | Y                 |
| Max. Building Height            | 3 Stories/35 Feet          | Y                 |

Per Title 19.12 the following Landscape Standards apply:

| <i>Landscaping and Open Space Standards</i> |                       |              |                 |                   |
|---------------------------------------------|-----------------------|--------------|-----------------|-------------------|
| <i>Standards</i>                            | <i>Required</i>       |              | <i>Provided</i> | <i>Compliance</i> |
|                                             | <i>Ratio</i>          | <i>Trees</i> |                 |                   |
| Buffer:                                     |                       |              |                 |                   |
| Min. Trees                                  | 1 Tree/30 Linear Feet | 69 Trees     | 96 Trees        | Y                 |
| Min. Zone Width                             | 6 Feet                |              | 6 Feet          | Y                 |
| Wall Height                                 | 6 Feet                |              | 6 Feet          | Y                 |

| <i>Open Space</i>    |                |                 |                |                         |                 |                         |                   |
|----------------------|----------------|-----------------|----------------|-------------------------|-----------------|-------------------------|-------------------|
| <i>Total Acreage</i> | <i>Density</i> | <i>Required</i> |                |                         | <i>Provided</i> |                         | <i>Compliance</i> |
|                      |                | <i>Ratio</i>    | <i>Percent</i> | <i>Area</i>             | <i>Percent</i>  | <i>Area</i>             |                   |
| 6.19 Acres           | 12.44          | 1.65            | 20.53          | 1.27 Acres or 55,321 SF | 12.28           | 0.76 Acres or 33,226 SF | N                 |



## ANALYSIS

The proposed single-family residential subdivision consists of 77 lots. The lots range from approximately 1,468 square feet to 2,120 square feet. The elevations show two and three story buildings with a maximum height of approximately 35 feet. Three-story development is not permitted in a single-family residential development of comparable and adjacent zoning districts, such as R-CL. The floor plans show three and four bedroom models. Building materials will consist of stucco and Spanish tile. The color palate will be desert southwest. Both the material and color palate are consistent with typical single-family residential development in the City of Las Vegas. The open space for the proposed development does not meet Title 19.06 requirements and a Variance (VAR-16525) is required, as designed. The open space for the proposed development is primarily used to provide a buffer between this property and the adjacent uses and does not include adequate usable open space. Amenities for children or other recreational areas are not provided. Access to this development is provided from Smoke Ranch Road with a crash gate from Decatur Boulevard.

The lots in the adjacent single-family development range from 4,000 square feet to 6,000 square feet. The largest lots in this development are approximately half the size of the smallest adjacent lots. The density of this development is greater than the surrounding development. Therefore; the proposed development is not compatible with the adjacent uses. Due to the incompatibility with the area and lack of required open space, denial of this application is recommended.

## FINDINGS

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

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

The proposed development is not compatible with development in the area. The lot sizes proposed as part of this development are less than half the size of the adjacent single-family development.

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

The proposed development requires a Variance from the open space requirements of Title 19.06. Denial of this Variance is recommended as the lack of open space is due to the overbuilding of the site and is considered a self-imposed hardship.

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

The site gains access from Smoke Ranch Road a 100-foot Primary Arterial. A crash gate is provided from Decatur Boulevard. Smoke Ranch Road will provide adequate access to and from the subject property.

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

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

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

The elevation plans show two and three-story homes with a maximum height of approximately 35 feet. There are six models to choose from that range from 1,262 square feet to 1,730 square feet. These are three and four bedroom models. The design features are not unsightly nor are they undesirable; however, the development is considered out of character as the lot sizes, overall density of the project, and three-story development are not appropriate for this location.

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

The proposed development will not endanger the public health or the general welfare.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 3

**ASSEMBLY DISTRICT** 7

**SENATE DISTRICT** 4

**NOTICES MAILED** 349 by Planning Department

**APPROVALS** 0

**PROTESTS** 0



# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

**SDR-16522**

Case Number: \_\_\_\_\_ APN: 139-19-101-002

Name of Property Owner: SCHNIFFLE FAMILY TRUST

Name of Applicant: Richmond American Homes

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

\_\_\_\_\_ Yes \_\_\_\_\_ 8 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: \_\_\_\_\_

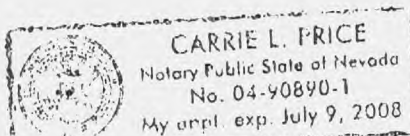
Signature of Property Owner: \_\_\_\_\_

Print Name: Mark A Schniffel

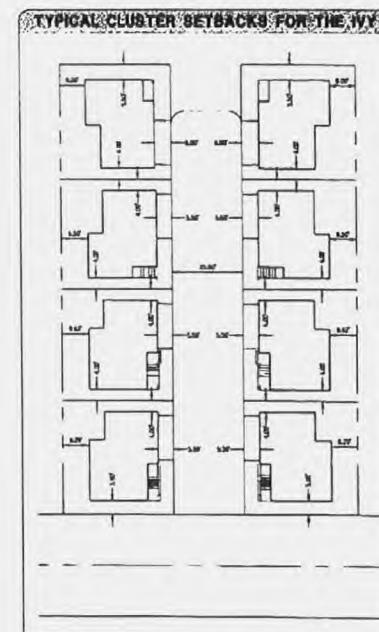
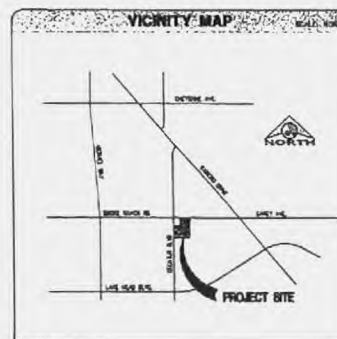
Subscribed and sworn before me

This 1<sup>st</sup> day of September 2006

Carrie L Price  
Notary Public in and for said County and State



A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE  
NORTH HALF (N 1/2) OF SECTION 19, TOWNSHIP 20 SOUTH,  
RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA.



**LEGAL DESCRIPTION**

THE WEST HALF (W 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTH HALF (N 1/2) OF SECTION 18, TOWNSHIP 30 SOUTH, RANGE 61 EAST, W.2.E. CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

**SHEET INDEX**

1. COVER SHEET

2. SITE PLAN

**ENGINEER**  
 FRIEDMAN ENGINEERING  
 7373 N. CHARLESTON BLVD., SUITE B  
 LAS VEGAS, NV 89148  
 OFFICE (702) 254-1400  
 FAX (702) 254-2062

**OWNER**  
SCHWEPPE FAMILY TRUST  
8960 OXYDINE AVENUE, SUITE 210  
LAS VEGAS, NV 89129  
OFFICE: (702) 204-1947

**DEVELOPER**  
 RICHMOND AMERICAN HOMES OF NEVADA, INC.  
 3490 FADED VERDE PARKWAY, SUITE 120  
 RENO, NV 89504

**BENCHMARK**  
CLARK COUNTY VERTICAL CONTROL POINT #18160 (25mm)  
BEING A CITY OF LAS VEGAS 90'x11' AND ROUND PLATE IN  
CONCRETE CURB/CORNER, NORTHEAST CORNER OF JONES BLVD  
AND RAJCA STREET  
ELEVATION 2367.2603 (FEET)  
721.523 (METERS)  
CLARK COUNTY VERTICAL CONTROL POINT #1888 (25mm)  
NORTH AMERICAN VERTICAL DATUM OF 1888 (PAND B)

**BASIS OF BEARING**

SOUTH INTERIOR NECL. BEING THE BEARING OF THE EAST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 12, TOWNSHIP 18 SOUTH, RANGE 60 EAST, N34M, AS SHOWN IN BOOK 18, PAGE 31 OF PLATS ON FILE AT THE CLARK COUNTY, NEVADA RECORDERS OFFICE.

| COMMON LOT AREAS |            |           |           |
|------------------|------------|-----------|-----------|
| COMMON LOT       | NOT USABLE | USABLE    | TOTAL     |
| COMMON LOT "A"   | 2,504 SF   | 8,791 SF  | 11,295 SF |
| COMMON LOT "B"   | 1,754 SF   | 24,523 SF | 26,277 SF |
| COMMON LOT "C"   | 2,794 SF   | 0 SF      | 2,794 SF  |
| COMMON LOT TOTAL | 7,052 SF   | 33,314 SF | 40,366 SF |

|                                         |  |             |  |
|-----------------------------------------|--|-------------|--|
| RICHMOND AMERICAN HOMES OF NEVADA, INC. |  | COVER SHEET |  |
| SMOKE RANCH / DECATUR II                |  |             |  |
| PROJECT NO.                             |  | DATE        |  |
| SHEET NO.                               |  | SCALE       |  |
| DRAWN BY                                |  | CHECKED BY  |  |
| DESIGNED BY                             |  | APPROVED BY |  |
| CALCULATED BY                           |  | DATE        |  |
| PROJECT NO.                             |  | SCALE       |  |
| PROJECT NAME                            |  | DATE        |  |







addl South Florida Live Vegas NV 8/1/12  
 P12 and P13 on P12 and P13

**Sunny Hills**  
(Smoke Ranch/Decatur)  
Richmond American Homes  
Las Vegas, Nevada

| # | Revisions     | Date:    | By: |
|---|---------------|----------|-----|
| 1 | randering     | 08.09.05 | mh  |
| 2 | bufler        | 10.10.05 | mh  |
| 3 | base revision | 01.11.06 | adw |
| 4 | base revision | 02.01.08 | adw |
| 5 | engineering   | 02.20.08 | nt  |
| 6 | base revision | 08.30.08 | mh  |
| 7 | base revision | 10.23.08 | mh  |

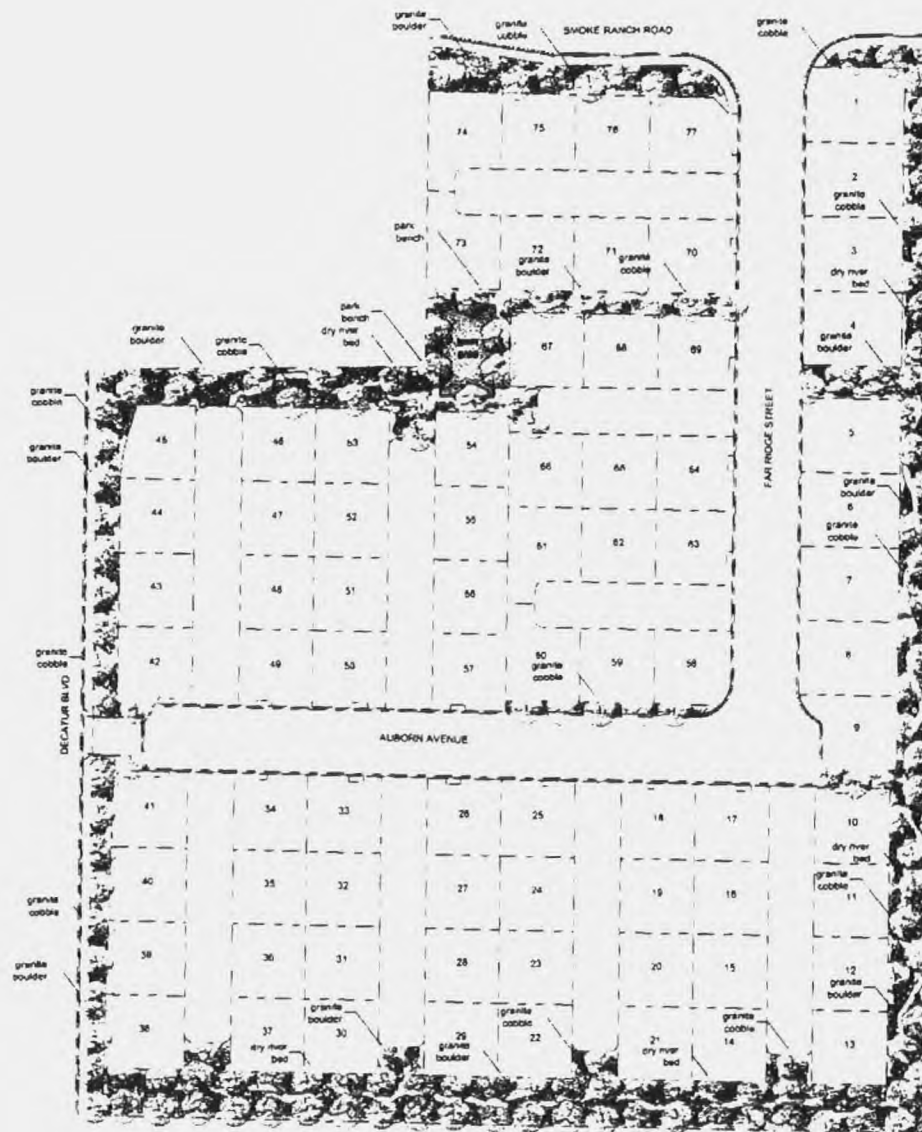
This landscape drawing is for design/build work by Landscape Landscaping and Grading only. Landscape Landscaping and Grading does not assume any responsibility for projects created by any contractor other than Landscape Landscaping and Grading.

Drawing:  
**Common Area  
Landscape  
Plan**

Date: 07.12.05  
Scale: 1" = 30'-0"  
Drawn By: kd  
Checked By: kny  
Project #

Sheet # 1 of 1

L-1



### Plant Schedule

| Frequency | Soil                 | Terrestrial fauna | Terrestrial birds  |
|-----------|----------------------|-------------------|--------------------|
| 20' Blue  | Acidic & waterlogged |                   | Shorebirds & Ducks |
| 20' Green | Unlogged swamp       |                   | Swamp Warbler      |
| 20' Red   | Phragmites dominated |                   | Great Blue Heron   |
| 20' Grey  | Wetland edge & marsh |                   | Green Heron        |

[illegible]

|                                      |             |
|--------------------------------------|-------------|
| 5. <i>Chlorophyll a</i> fluorescence | Red V. 2000 |
| 6. <i>Chlorophyll a</i> fluorescence | Red V. 2000 |

## Landscape Schedule

Vol. \_\_\_\_\_ No. \_\_\_\_\_

Use separate entries

2025 12 11

Source: T. B. Drake Collection

Upper Extremity (Left Hand)

---

gross abnormal rate

5. Aşağıdaki cümleleri okuyunuz ve doğru olanı işaretleyiniz.

---

## Site Amenities

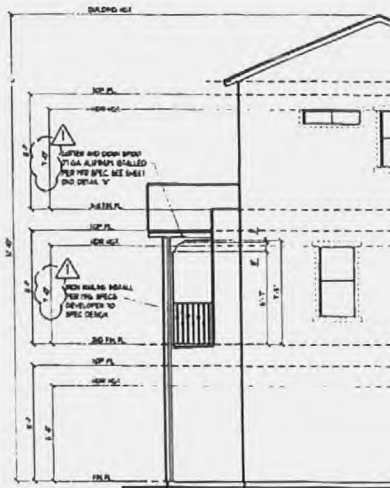
Level: National Year 10/11/12/13/14/15/16/17/18/19/20/21 or equivalent

RECEIVED

GPA-16511 VAR-16525  
ZON-16519 SDR-16522  
REVISED 11/16/06 PC

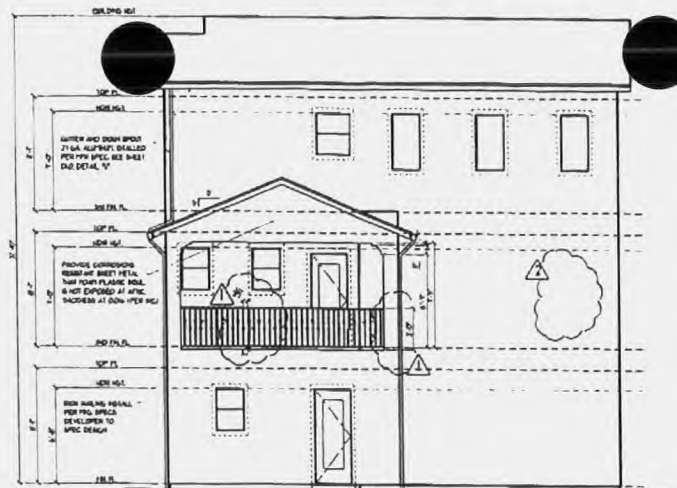






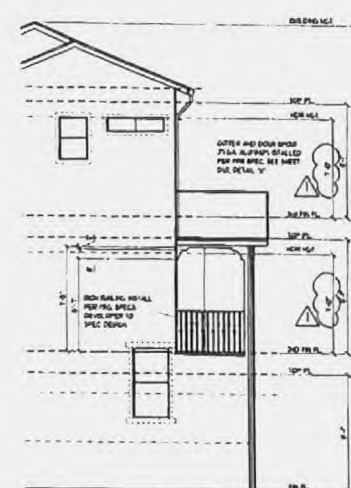
Typical Left Elevation

Opt. Covered Balcony



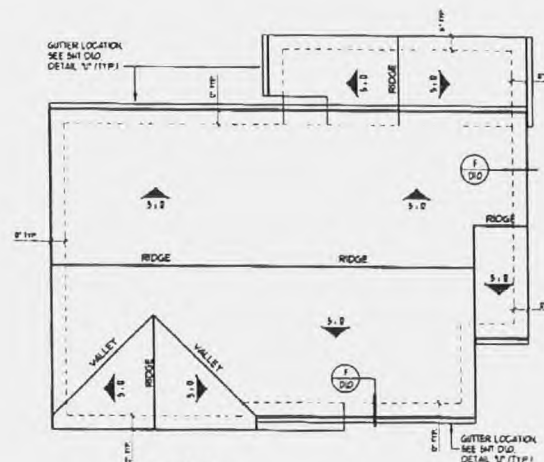
Typical Rear Elevation

Opt. Covered Balcony



Typical Right Elevation

Opt. Covered Balcony



Roof Plan

Opt. Covered Balcony

SCALE 1/4" = 1'-0"

| ATTIC VENTILATION CALCULATION |                  |                 |                  |
|-------------------------------|------------------|-----------------|------------------|
| 1/300 Ventilation Rate        | Attic Area       | sq. ft.         |                  |
| 1/300                         | 178              |                 |                  |
| Required by 200 - 140         | Attic Area       | sq. ft.         |                  |
| 1/300                         | 178              |                 |                  |
| Low Ventilation               | High Ventilation | Low Ventilation | High Ventilation |
| 1/300                         | 1/300            | 1/300           | 1/300            |
| 1/300                         | 1/300            | 1/300           | 1/300            |
| 1/300                         | 1/300            | 1/300           | 1/300            |

| VENT TYPE |                         |
|-----------|-------------------------|
| ✓         | CLOSED TIE (0.1)        |
| ✓         | 1/2" x 2" SCREEN (0.10) |

OPTIONS

ELEVATIONS AND ROOF PLAN

|          |        |     |     |
|----------|--------|-----|-----|
| DATE     | BY     | CHK | APP |
| 10/18/06 | R.M.D. |     |     |
| 10/18/06 |        |     |     |
| 10/18/06 |        |     |     |
| 10/18/06 |        |     |     |

1430

PICKET LANE

A2.1

RECEIVED  
OCT 25 2006

GPA-16511 VAR-16525  
ZON-16519 SDR-16522  
REVISED 11/16/06 PC

LAS VEGAS DIVISION  
7250 West Peak, Suite 212  
LAS VEGAS, NV. 89128 (702) 240-5600

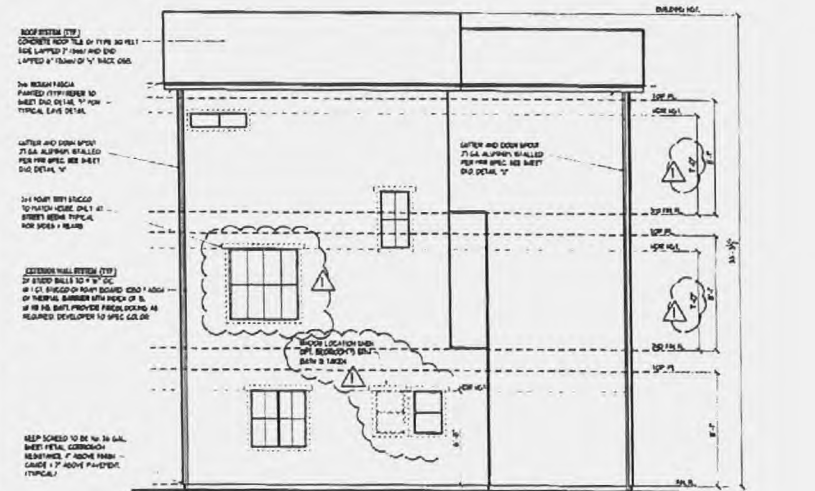
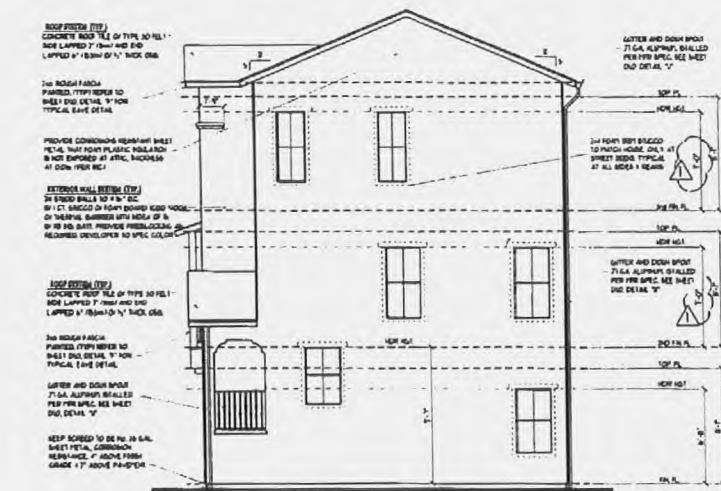
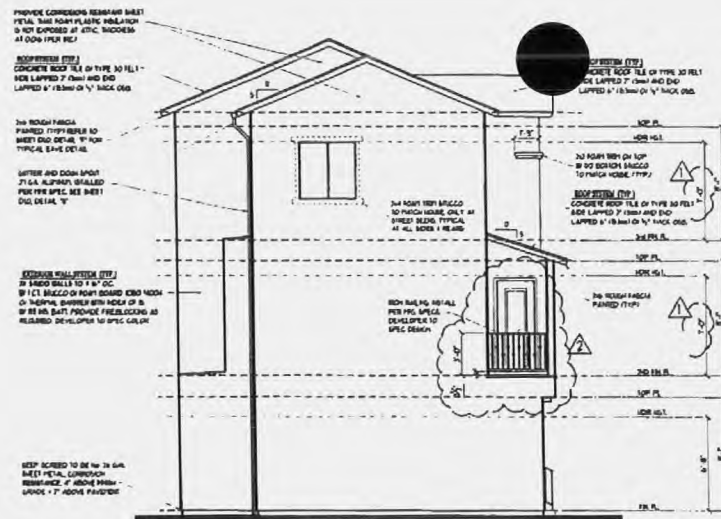
RICHMOND  
AMERICAN HOMES  
CLARK COUNTY, HENDERSON  
LAS VEGAS, & NORTH LAS VEGAS

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GPA-16511 VAR-16525  
ZON-16519 SDR-16522  
REVISED 11/16/06 PC



Right Elevation - A

Rear Elevation - A

**LAS VEGAS DIVISION**  
7250 West Peak, Suite 212  
LAS VEGAS, NV. 89128 (702) 240-5600

**RICHMOND**  
AMERICAN HOMES  
CLARK COUNTY, NEVADA  
LAS VEGAS, NV. 89128

Plan # **1532**

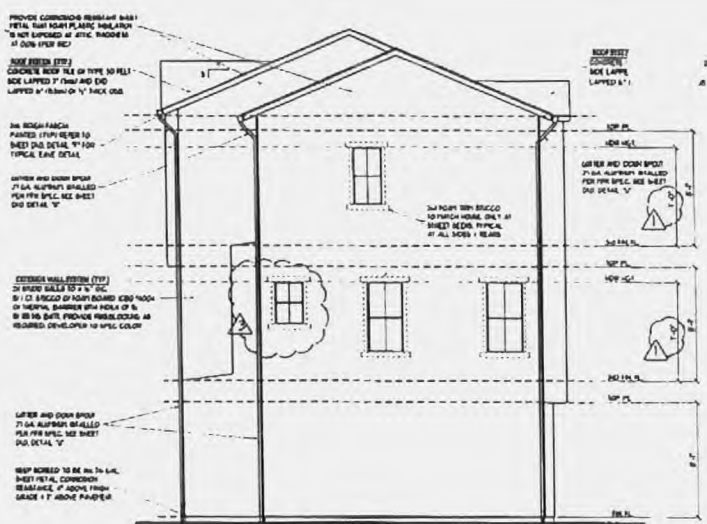
Sheet # **A2.a**

DATE: 10/19/04  
BY: R.M.D.  
CHECKED: 11/16/06  
APPROVED: 11/16/06

REVISION: PICKET LANE

**RECEIVED**  
OCT 25 2006

**GPA-16511 VAR-16525**  
**ZON-16519 SDR-16522**  
**REVISED 11/16/06 PC**



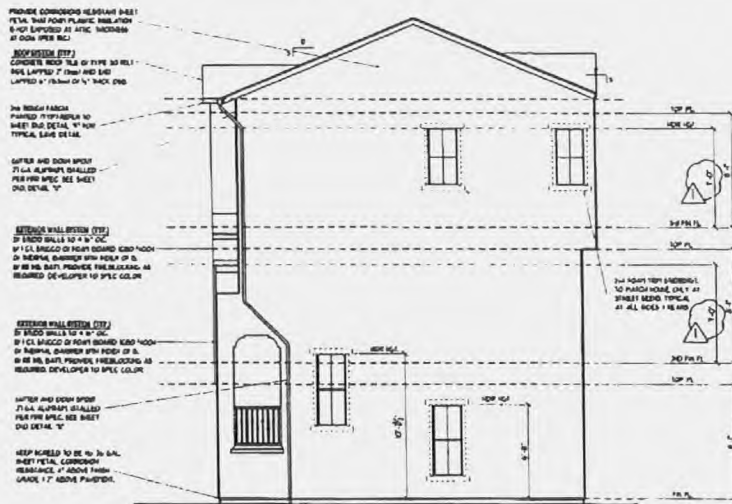
Left Elevation - A

SCALE 1/4\"/>



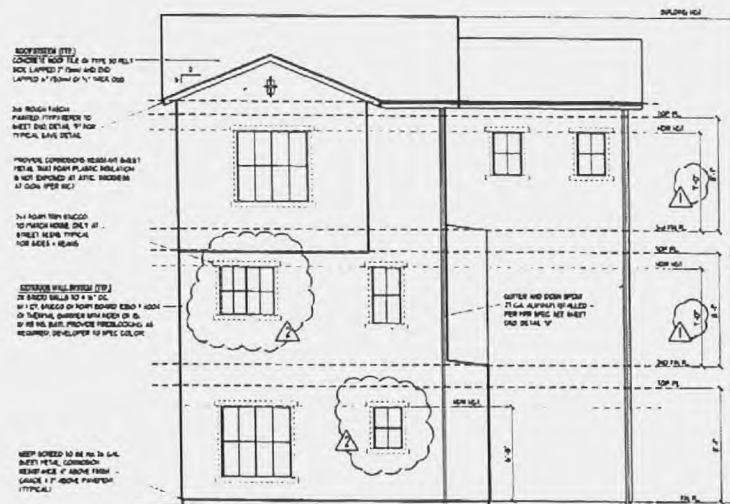
Front Elevation - A

SCALE 1/4\"/>



Right Elevation - A

SCALE 1/4\"/>



Rear Elevation - A

SCALE 1/4\"/>

LAS VEGAS DIVISION  
 7250 West Peak, Suite 212  
 LAS VEGAS, NV 89128 (702) 240-5000

RICHMOND  
 AMERICAN HOMES  
 CLARK COUNTY ENGINEERS  
 LAS VEGAS, NV 89128

ELEVATION - A  
 TITLE

DRAWN BY: J.E. JONES  
 DATE: 10/18/04  
 CHECKED BY: J.E. JONES  
 DATE: 10/18/04  
 APPROVED BY: J.E. JONES  
 DATE: 10/18/04

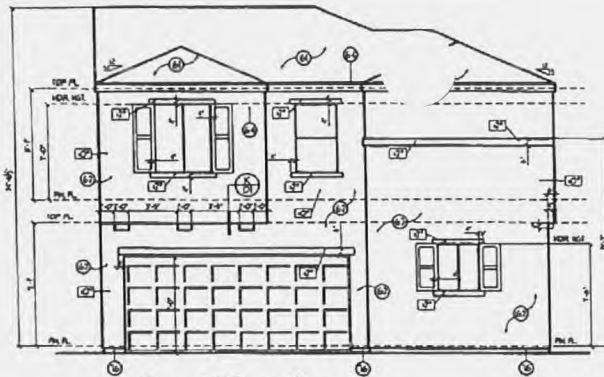
SHEET NO. 1730

LAYOUT: PICKET LANE

SHEET NO. A2.a

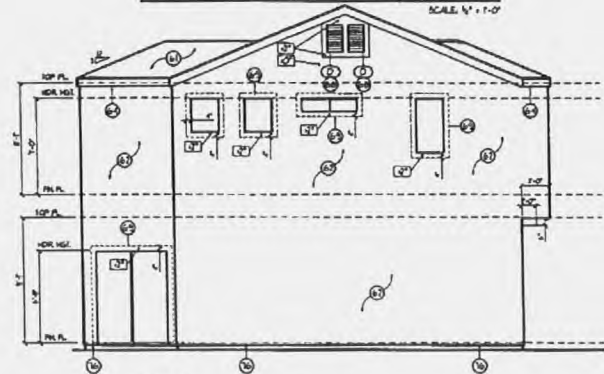
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GPA-16511 VAR-16525  
 ZON-16519 SDR-16522  
 REVISED 11/16/06 PC



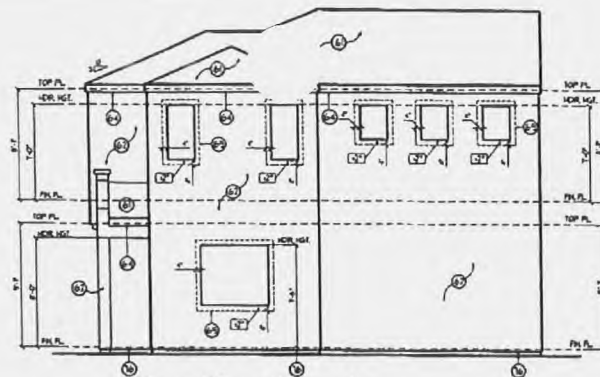
Front Elevation - A

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



Left Elevation

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



Rear Elevation - A

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



Right Elevation

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

**KEYNOTES**

1. ROOF APPLICATIONS SHALL COMPLY PER IRC
2. WINDOW HEADERS HEIGHTS NOTES ON PLANS
3. REFER TO SHEET A3.0 FOR ATTIC VENTILATION CALCULATIONS
4. ALL FOAM PLANT-ONS AROUND WINDOW TO BE INSTALLED WHEN REQUIRED PER ALL ZONING CONDITION

5. CONCRETE TILE 12" X 18" 30 YEAR LAYED P (1000) 1/2" LAPPED 1/2" MINIMUM OVER 1/2" MINIMUM
6. BRICKS 8" X 8" X 16" 1/2" LAPPED 1/2" MINIMUM OVER 1/2" MINIMUM
7. MOISTURE BARRIER 1 APPLICATION SHALL COMPLY TO IRC
8. ROOF DRAINAGE
9. THE ROOF DRAIN FLASH

10. REINFORCED SLAB (PAINTED BLACK) FOR DECORATIVE PURPOSES ONLY
11. PROVIDE CORROSION RESISTANT METAL FLASH W/ FLASH DRAINAGE 1/2" (1/2" IN) IN DRAINAGE
12. ARCHITECT PLATE 1/2" X 1/2" (1/2" IN) IN DRAINAGE

13. 1/2" X 1/2" X 1/2" (1/2" IN) IN DRAINAGE
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**LAS VEGAS DIVISION**  
8970 W. Cheyenne Ave. Suite 100  
LAS VEGAS, NV 89129 (702) 240-5800

**RICHMOND**  
STATE OF NEVADA  
DIVISION OF PERMITS  
PROJECT J. BILAL, JR.

**ROOF FRAMING, FRONT, REAR, & SIDE OF ELEVATION "A"**

Drawn by: R.M.D.  
Date: 08/23/06  
Sheet: 1 of 1

Job #: 1262

Subcontract: Kenneth Squares

Sheet No: A2.A

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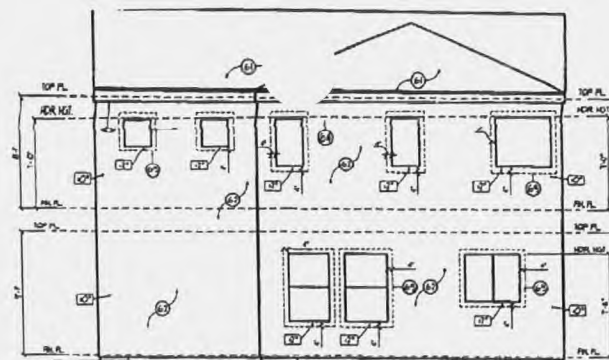
**GPA-16511 VAR-16525**  
**ZON-16519 SDR-16522**  
**REVISED 11/16/06 PC**





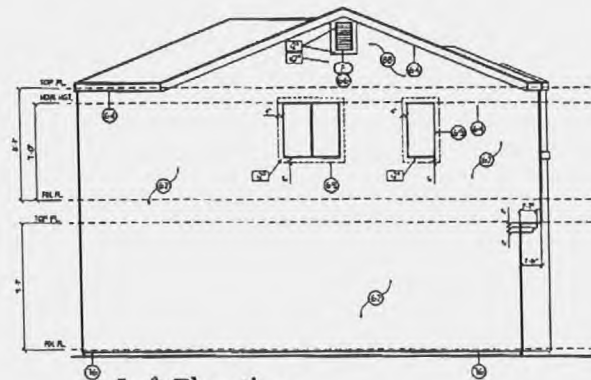
Front Elevation - A

SCALE 1/4" = 1'-0"



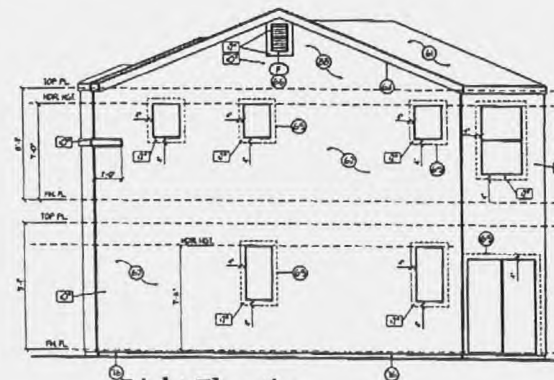
Rear Elevation - A

SCALE 1/4" = 1'-0"



Left Elevation

SCALE 1/4" = 1'-0"



Right Elevation

SCALE 1/4" = 1'-0"

GENERAL ELEVATION NOTES

1. FOAM APPLICATIONS SHALL COMPLY PER IRC.
2. WINDOW HEADERS HEIGHTS NOTED ON PLANS.
3. REFER TO SHEET A3.0 FOR ATTIC VENTILATION CALCULATIONS.
4. ALL FOAM PLANT-GUYS AROUND WINDOW TO MEET MEET PER IRC WINDOW REQUIREMENTS PER A3.0 LING CONDITION.

(A) CONCRETE TILE or TYPE 30 FELT BASE LAPPED 7" (SHALL) & SHD LAPPED 6" (MIN) OVER THE END (ITEM) (FOR EDDG)

(B) BRICK VENEER SHALL BE 12" X 8" MODULAR BRICKS PER IRC

(C) BRICK VENEER APPLICATION SHALL COMPLY TO IRC (FOR EDDG)

(D) 2nd FLOOR BRICK FASCIA

(E) TYPED GLASS (TINTED BLACK) FOR DECORATIVE PURPOSES ONLY

(F) PROVIDE CORROSION RESISTANT METAL FLASH OF PERH CORROSION OF 3/4" GLASS IS DIVIDED

(G) ADDRESS PLATE = 60" WIDE COACH LIGHT = 6" WIDE

(H) 2ND FLOOR BRICK FASCIA

(I) 2ND FLOOR BRICK FASCIA

(J) 2ND FLOOR BRICK FASCIA

(K) 2ND FLOOR BRICK FASCIA

(L) 2ND FLOOR BRICK FASCIA

(M) 2ND FLOOR BRICK FASCIA

(N) 2ND FLOOR BRICK FASCIA

(O) 2ND FLOOR BRICK FASCIA

(P) 2ND FLOOR BRICK FASCIA

(Q) 2ND FLOOR BRICK FASCIA

(R) 2ND FLOOR BRICK FASCIA

(S) 2ND FLOOR BRICK FASCIA

(T) 2ND FLOOR BRICK FASCIA

(U) 2ND FLOOR BRICK FASCIA

(V) 2ND FLOOR BRICK FASCIA

(W) 2ND FLOOR BRICK FASCIA

(X) 2ND FLOOR BRICK FASCIA

(Y) 2ND FLOOR BRICK FASCIA

(Z) 2ND FLOOR BRICK FASCIA

PROVIDE ROOF BRICK, OR OPT. COVERED FLASH WITH ROOF FLASHING PER EVERY 12" ROOF FLASHING TO BE FLY FLASHING OF SAME SHEET TECHNICALLY PERFORMED OF GALVALUMED SELF-ADHESIVE FLASHING

PROVIDE 1/2" X 1/2" X 1/2" SHEET GAGE CORROSION RESISTANT BRICK SCREENED ABOVE FLASHING 7" ABOVE FLASHING

1-3/4" X 1-3/4" SCHEDULE CORROSION RESISTANT AIR VENTS - LOCATE PER IRC

OPT. REAR DOOR

PROVIDE CORROSION RESISTANT SHEET METAL FLASH POINT PLASTIC INSULATION SHD EXPOSED + ATTIC OPENING

IN THE EVENT THAT FLASHING PREPARED + GABLE AREA BLOCK MET FLEE AREA PROVIDE REVERSED ACCEPTANCE PER IRC

ROOF VALLEY FLASHING SHALL NOT BE PROVIDED OF LESS THAN GUY CORROSION RESISTANT METAL OVER PER

ROOF FRAMING, FRONT, REAR, & SIDE OF ELEVATION 'A'

DATE: 08/12/08

BY: 1310

SECTION: Floorplan

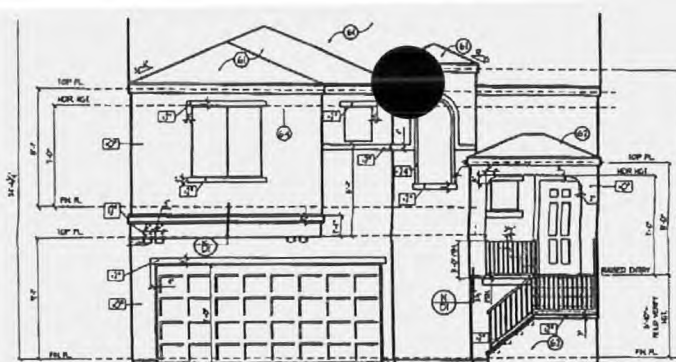
SCALE: A2.A

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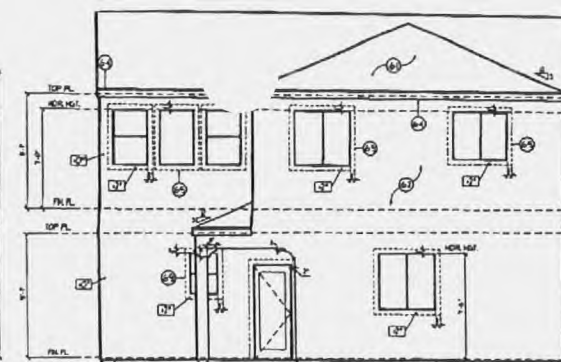






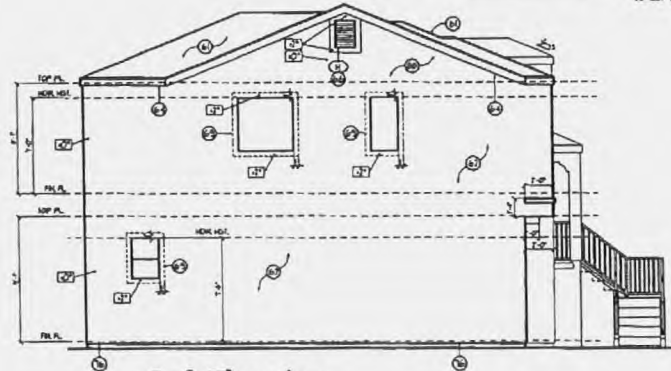
Front Elevation - A

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



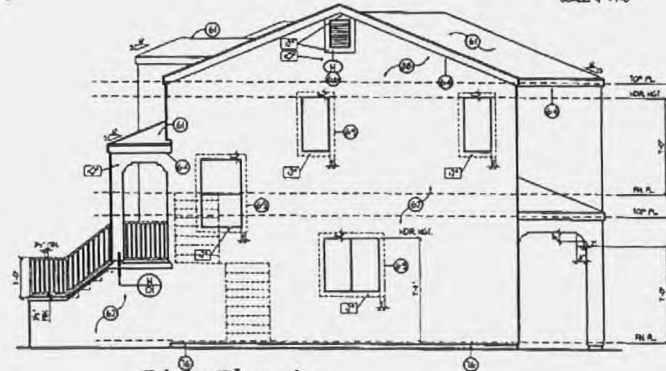
Rear Elevation - A

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



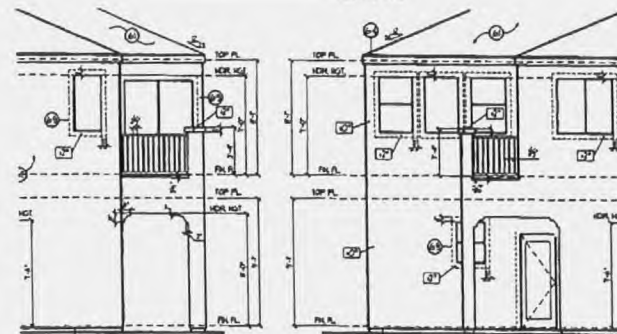
Left Elevation

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



Right Elevation

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



Opt. Deck (Typical)

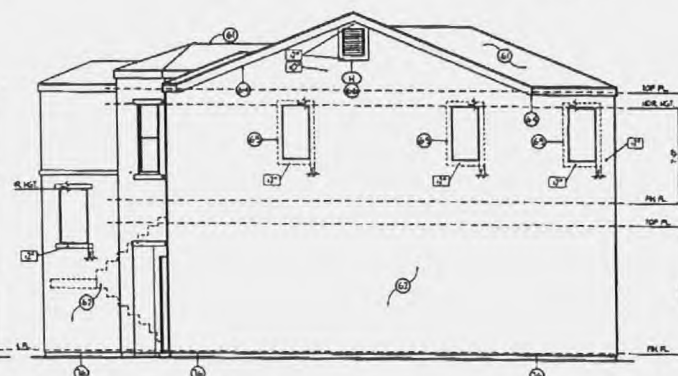
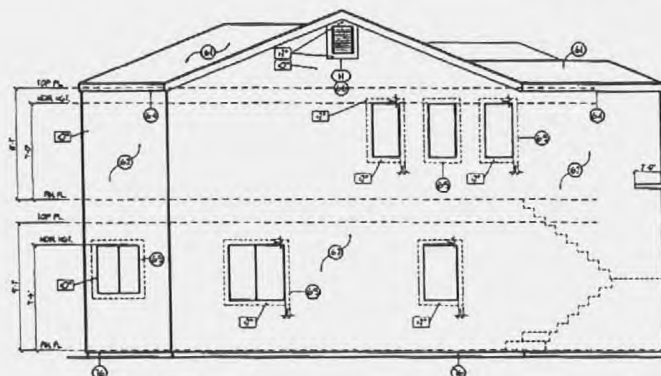
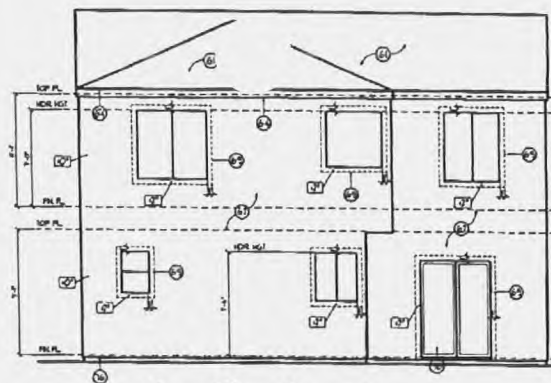
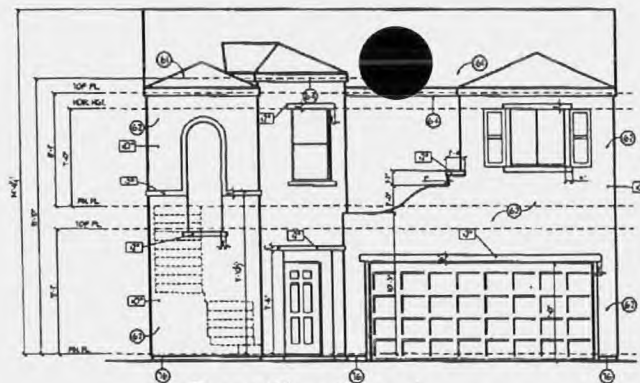
Rear and side elevations

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

| KEYNOTES       |                                                                                                |
|----------------|------------------------------------------------------------------------------------------------|
| GENERAL NOTES: |                                                                                                |
| 1.             | FOAM APPLICATIONS SHALL COMPLY PER IRC                                                         |
| 2.             | WINDOW HEADERS HEIGHTS NOTED ON PLANS                                                          |
| 3.             | REFER TO SHEET A30 FOR ATTIC VENTILATION CALCULATIONS                                          |
| 4.             | ALL FOAM PLANT-ONS AROUND WINDOW TO BE INSTALLED WHEN REQUIRED PER ALL ZONING CONDITIONS       |
| 5.             | CORNER TILE OF TYPE 10 FLY TIE LAPPED 1" (MIN) & END LAPPED 1/2" (MIN) WITH 1/4" (MIN) TYPICAL |
| 6.             | BRICK MASONRY BOARD SHALL HAVE AN INTERIOR BARRIER PER IRC                                     |
| 7.             | TRUSS VIGORS & APPLICATION SHALL COMPLY TO IRC (TYPICAL)                                       |
| 8.             | TRUSS VIGORS SHALL BE 1/2" (MIN) DIA. PER IRC                                                  |
| 9.             | TRUSS VIGORS SHALL BE 1/2" (MIN) DIA. PER IRC                                                  |
| 10.            | TRUSS VIGORS SHALL BE 1/2" (MIN) DIA. PER IRC                                                  |
| 11.            | TRUSS VIGORS SHALL BE 1/2" (MIN) DIA. PER IRC                                                  |
| 12.            | TRUSS VIGORS SHALL BE 1/2" (MIN) DIA. PER IRC                                                  |
| 13.            | TRUSS VIGORS SHALL BE 1/2" (MIN) DIA. PER IRC                                                  |
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| 16.            | TRUSS VIGORS SHALL BE 1/2" (MIN) DIA. PER IRC                                                  |
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| 100.           | TRUSS VIGORS SHALL BE 1/2" (MIN) DIA. PER IRC                                                  |

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ZON-16519 SDR-16522  
REVISED 11/16/06 PC





- | KEYNOTES                                                                                      |                                                                                                                   |
|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| GENERAL REVISIONS                                                                             |                                                                                                                   |
| 1. FORM APPLICATIONS SHALL COMPLY PER IRC.                                                    |                                                                                                                   |
| 2. WINDOW HEADERS HEIGHTS NOTES ON PLANS.                                                     |                                                                                                                   |
| 3. REFER TO SHEET A-3.0 FOR ATTIC VENTILATION CALCULATIONS.                                   |                                                                                                                   |
| 4. ALL ROOF PLANT-ONS AROUND WINDOWS TO BE INSTALLED WHEN REQUIRED PER ALL ZONING CONDITIONS. |                                                                                                                   |
| 15                                                                                            | CONCRETE FLOOR IN TRUSS AREA SHALL BE LAPPED 1" (When 1 END LAPPED 1" (When 1 END LAPPED 1" (When 1 END LAPPED 1" |
| 16                                                                                            | RECEIVE ROOF BOARD L&B 14001 @ 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA.                                            |
| 17                                                                                            | ROOF VENTILATION APPLICATION SHALL COMPLY TO THE 1/8" DIA. 1/8" DIA.                                              |
| 18                                                                                            | THE ROOF SHALL BE 1/8" DIA.                                                                                       |
| 19                                                                                            | REMOVED L&B 14001 SHALL BE REMOVED FOR DECORATIVE PURPOSES ONLY.                                                  |
| 20                                                                                            | PROVIDE CORROSION RESISTANT METAL FLASHING WITH FLASHING OF 1/8" DIA. 1/8" DIA.                                   |
| 21                                                                                            | ADDITIONAL FLASHING 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA.                                                       |
| 22                                                                                            | 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA.                                             |
| 23                                                                                            | 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA.                                             |
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| 53                                                                                            | 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA.                                             |
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| 55                                                                                            | 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA.                                             |
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| 58                                                                                            | 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA.                                             |
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| 62                                                                                            | 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA.                                             |
| 63                                                                                            | 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA.                                             |
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| 65                                                                                            | 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA.                                             |
| 66                                                                                            | 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA.                                             |
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| 69                                                                                            | 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA.                                             |
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| 72                                                                                            | 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA.                                             |
| 73                                                                                            | 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA.                                             |
| 74                                                                                            | 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA. 1/8" DIA.                                             |
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| 76                                                                                            | 1/8" DIA. 1/8" DIA. 1/                                                                                            |

**LAS VEGAS DIVISION**  
9970 W. Cheyenne Ave. Suite 100  
LAS VEGAS, NV. 89129 (702) 240-5800

**RICHMOND**  
AMERICAN HOMES  
STATE CONTRACTOR LICENSE #0006417  
DIVISION PRESIDENT  
— ROBERT L. WILLIAMS, JR.

14000  
ROOF FRAMING, FRONT, REAR, & SIDE  
OF ELEVATION "A"

Student ID: \_\_\_\_\_

Page 8

1636

Mathematics

Known

Square

Score 100%

A2.A

111

RECEIVED  
OCT 25 2006

GPA-16511 VAR-16525  
ZON-16519 SDR-16522  
REVISED 11/16/06 PC

# KENNETH SQUARE

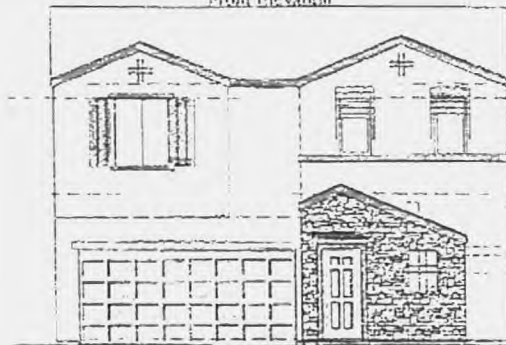
RICHMOND - LAS VEGAS



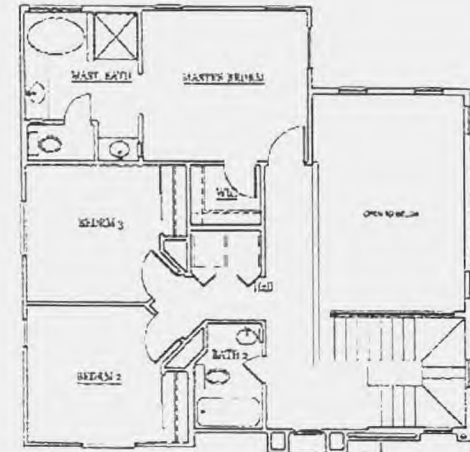
PLAN 2A  
Front Elevation



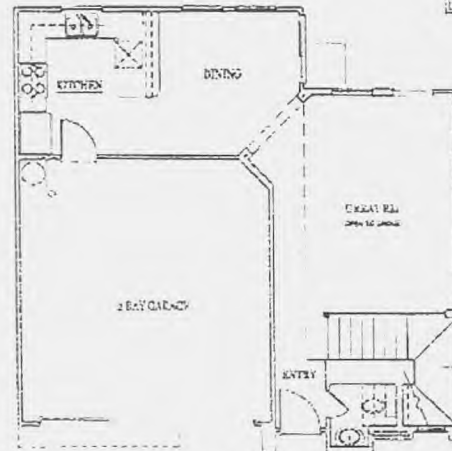
PLAN 2B  
Front Elevation



PLAN 2C  
Front Elevation



PLAN 2A  
Second Floor Plan



PLAN 2A  
First Floor Plan

PLAN 2  
FIRST FLOOR - 592 SF  
SECOND FLOOR - 712 SF  
TOTAL - 1,310 SF

RECEIVED  
OCT 25 2006

WANDERLY  
ARCHITECTURAL  
GROUP, INC.

1. All work shall be in accordance with the City of Las Vegas Building Code, 2006 Edition, unless otherwise noted.  
2. All work shall be in accordance with the City of Las Vegas Building Code, 2006 Edition, unless otherwise noted.  
3. All work shall be in accordance with the City of Las Vegas Building Code, 2006 Edition, unless otherwise noted.  
4. All work shall be in accordance with the City of Las Vegas Building Code, 2006 Edition, unless otherwise noted.  
5. All work shall be in accordance with the City of Las Vegas Building Code, 2006 Edition, unless otherwise noted.

GPA-16511 VAR-16525  
ZON-16519 SDR-16522  
REVISED 11/16/06 PC

# KENNETH SQUARE

RICHMOND - LAS VEGAS



PLAN 4A  
Front Elevation



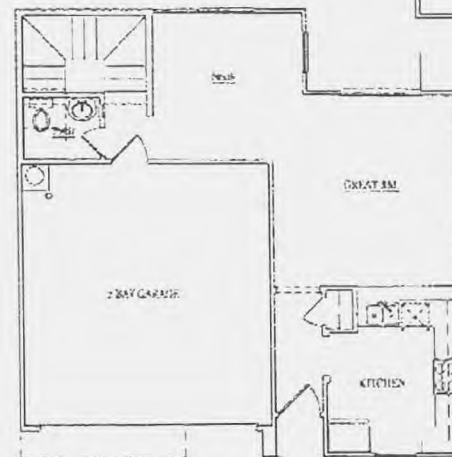
PLAN 4B  
Front Elevation



PLAN 4C  
Front Elevation



PLAN 4A  
Second Floor Plan



PLAN 4A  
First Floor Plan

## PLAN 4

FIRST FLOOR - 698 SF  
SECOND FLOOR - 923 SF  
TOTAL - 1,523 SF

RECEIVED  
OCT 25 2006

WACO COUNTY  
REGISTERED PLANNING  
DEPARTMENT, INC.

**W**

1. All construction shall conform to the 2006 International Building Code, as amended by the Nevada State Building Code, and the City of Las Vegas Building Code, and the applicable local ordinances.  
2. All construction shall conform to the 2006 International Fire Code, as amended by the Nevada State Fire Code, and the City of Las Vegas Fire Code, and the applicable local ordinances.  
3. All construction shall conform to the 2006 International Mechanical Code, as amended by the Nevada State Mechanical Code, and the City of Las Vegas Mechanical Code, and the applicable local ordinances.  
4. All construction shall conform to the 2006 International Electrical Code, as amended by the Nevada State Electrical Code, and the City of Las Vegas Electrical Code, and the applicable local ordinances.  
5. All construction shall conform to the 2006 International Plumbing Code, as amended by the Nevada State Plumbing Code, and the City of Las Vegas Plumbing Code, and the applicable local ordinances.  
6. All construction shall conform to the 2006 International Fuel Gas Code, as amended by the Nevada State Fuel Gas Code, and the City of Las Vegas Fuel Gas Code, and the applicable local ordinances.  
7. All construction shall conform to the 2006 International Energy Conservation Code, as amended by the Nevada State Energy Conservation Code, and the City of Las Vegas Energy Conservation Code, and the applicable local ordinances.  
8. All construction shall conform to the 2006 International Accessibility Code, as amended by the Nevada State Accessibility Code, and the City of Las Vegas Accessibility Code, and the applicable local ordinances.  
9. All construction shall conform to the 2006 International Sign Code, as amended by the Nevada State Sign Code, and the City of Las Vegas Sign Code, and the applicable local ordinances.  
10. All construction shall conform to the 2006 International Zoning Ordinance, as amended by the Nevada State Zoning Ordinance, and the City of Las Vegas Zoning Ordinance, and the applicable local ordinances.

GPA-16511 VAR-16525  
ZON-16519 SDR-16522  
REVISED 11/16/06 PC

# KENNETH SQUARE

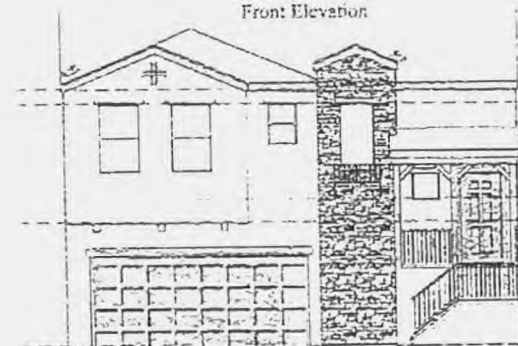
RICHMOND - LAS VEGAS



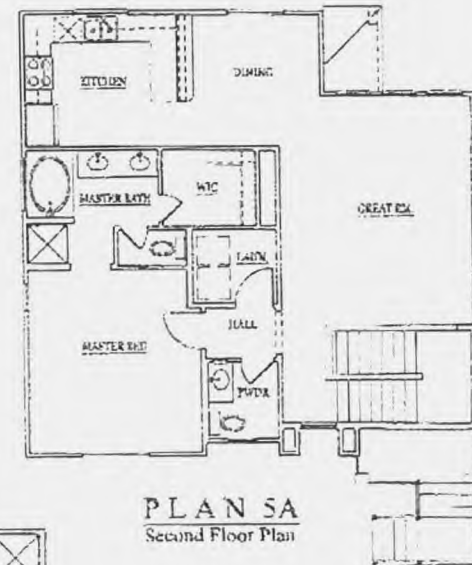
PLAN 5A  
Front Elevation



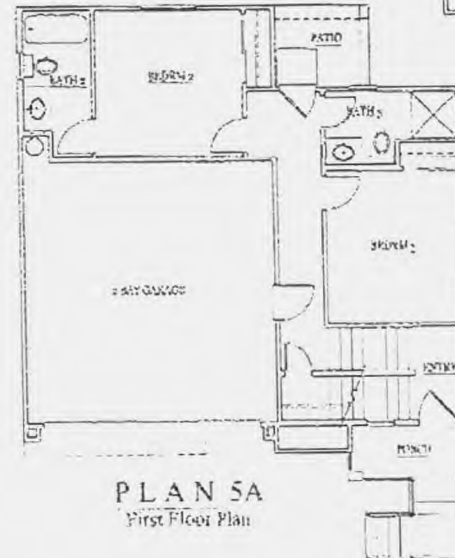
PLAN 5B  
Front Elevation



PLAN 5C  
Front Elevation



PLAN 5A  
Second Floor Plan



PLAN 5A  
First Floor Plan

PLAN 5  
FIRST FLOOR - 566 SF  
SECOND FLOOR - 989 SF  
TOTAL - 1,555 SF

DEC  
OCT 25 2006

WOODLEY  
ARCHITECTURAL  
GROUP, INC.

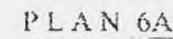
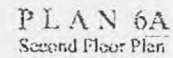
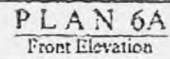


1. 11/16/06 Reprogrammed Plan 5A  
2. 11/16/06 Reprogrammed Plan 5A  
3. 11/16/06 Reprogrammed Plan 5A  
4. 11/16/06 Reprogrammed Plan 5A  
5. 11/16/06 Reprogrammed Plan 5A  
6. 11/16/06 Reprogrammed Plan 5A  
7. 11/16/06 Reprogrammed Plan 5A  
8. 11/16/06 Reprogrammed Plan 5A  
9. 11/16/06 Reprogrammed Plan 5A  
10. 11/16/06 Reprogrammed Plan 5A

GPA-16511 VAR-16525  
ZON-16519 SDR-16522  
REVISED 11/16/06 PC



## RICHMOND - LAS VEGAS

MOORE  
NORTHCOAST  
GROUP INC[illegible]

OCT 25 2011

**GPA-16511 VAR-16525**  
**ZON-16519 SDR-16522**  
**REVISED 11/16/06 PC**

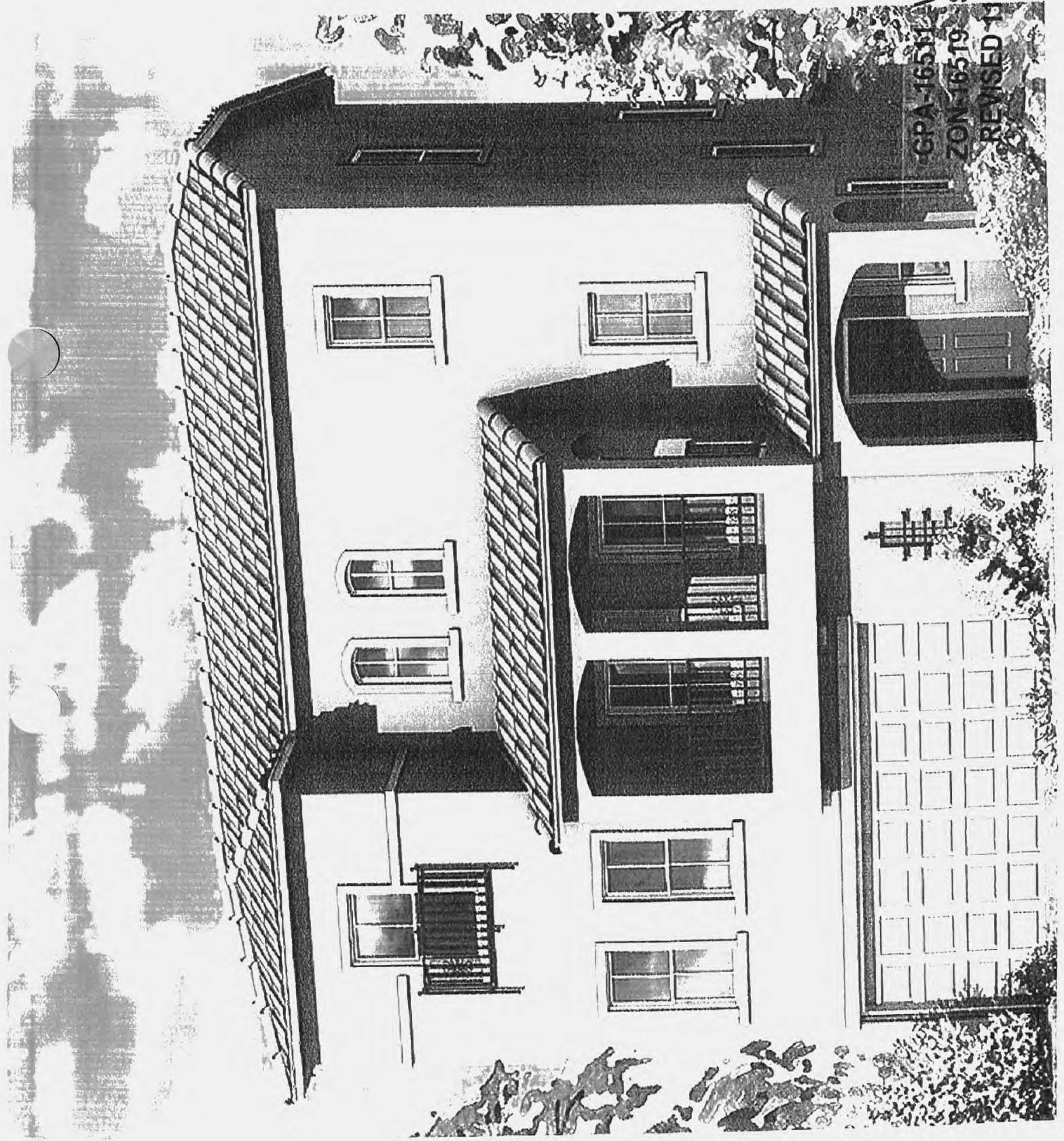


GPA-16511 VAR-16525  
ZON-16519 SDR-16522  
REVISED 11/16/06 PC



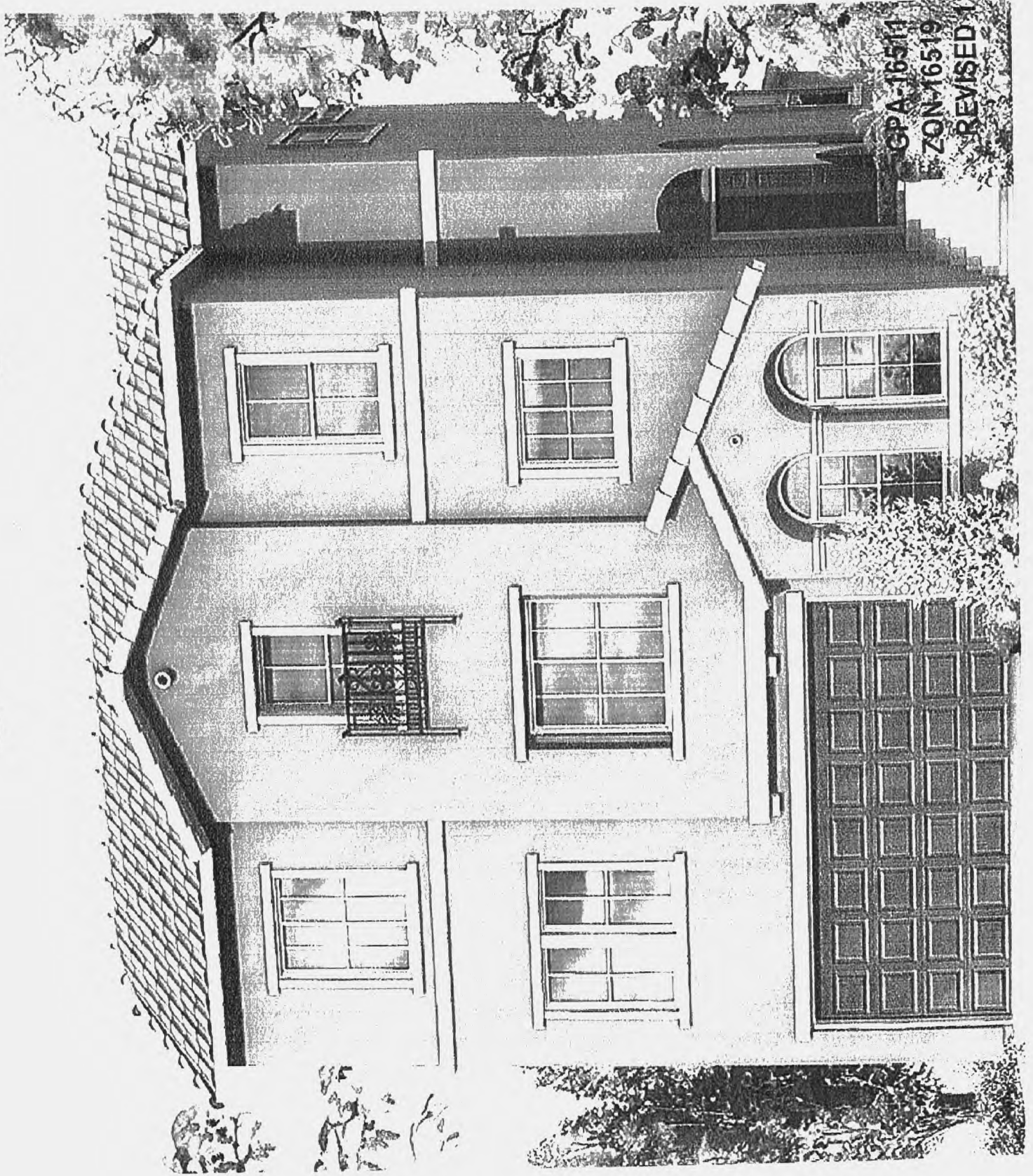
CPA-16511 VAR-16525  
ZON-16519 SDR-16522  
REVISED 1/16/06 PC





CPA-16521 VAR-16525  
ZON-16519 SDR-16522  
REVISED 11/16/06 PC





CPA-16511 VAR-16525  
ZON-16519 SDR-16522  
REVISED 11/16/06 PC

|                                                                                                                                                                                                                                                                                            |                                |       |             |            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-------|-------------|------------|
| <b>SDR 16522</b>                                                                                                                                                                                                                                                                           |                                |       |             |            |
| <b>Richmond American Homes</b>                                                                                                                                                                                                                                                             |                                |       |             |            |
|                                                                                                                                                                                                                                                                                            |                                |       |             |            |
| <b>SEC Smoke Ranch &amp; Decatur</b>                                                                                                                                                                                                                                                       |                                |       |             |            |
|                                                                                                                                                                                                                                                                                            |                                |       |             |            |
| Proposed 77 single family development.                                                                                                                                                                                                                                                     |                                |       |             |            |
|                                                                                                                                                                                                                                                                                            |                                |       |             |            |
| <b>Traffic produced by proposed development:</b>                                                                                                                                                                                                                                           |                                |       |             |            |
|                                                                                                                                                                                                                                                                                            |                                |       |             |            |
|                                                                                                                                                                                                                                                                                            | DESCRIPTION                    | #UNIT | RATE/# UNIT | TOTAL      |
| Average Daily Traffic (ADT)                                                                                                                                                                                                                                                                | SINGLE FAMILY DETACHED [DWELL] | 77    | 9.57        | <b>737</b> |
| AM Peak Hour                                                                                                                                                                                                                                                                               |                                |       | 0.75        | <b>58</b>  |
| PM Peak Hour                                                                                                                                                                                                                                                                               |                                |       | 1.01        | <b>78</b>  |
| (heaviest 60 minutes)                                                                                                                                                                                                                                                                      |                                |       |             |            |
|                                                                                                                                                                                                                                                                                            |                                |       |             |            |
| <b>Existing traffic on all nearby streets:</b>                                                                                                                                                                                                                                             |                                |       |             |            |
|                                                                                                                                                                                                                                                                                            |                                |       |             |            |
| <b>Smoke Ranch Road</b>                                                                                                                                                                                                                                                                    |                                |       |             |            |
| Average Daily Traffic (ADT)                                                                                                                                                                                                                                                                | 14,661                         |       |             |            |
| PM Peak Hour                                                                                                                                                                                                                                                                               | 1173                           |       |             |            |
| (heaviest 60 minutes)                                                                                                                                                                                                                                                                      |                                |       |             |            |
|                                                                                                                                                                                                                                                                                            |                                |       |             |            |
| <b>Decatur Boulevard</b>                                                                                                                                                                                                                                                                   |                                |       |             |            |
| Average Daily Traffic (ADT)                                                                                                                                                                                                                                                                | 26,972                         |       |             |            |
| PM Peak Hour                                                                                                                                                                                                                                                                               | 2158                           |       |             |            |
| (heaviest 60 minutes)                                                                                                                                                                                                                                                                      |                                |       |             |            |
|                                                                                                                                                                                                                                                                                            |                                |       |             |            |
| <b>Traffic Capacity of adjacent streets:</b>                                                                                                                                                                                                                                               |                                |       |             |            |
|                                                                                                                                                                                                                                                                                            |                                |       |             |            |
|                                                                                                                                                                                                                                                                                            | Adjacent street ADT            |       |             |            |
|                                                                                                                                                                                                                                                                                            | Capacity                       |       |             |            |
| Smoke Ranch                                                                                                                                                                                                                                                                                | 32585                          |       |             |            |
| Decatur                                                                                                                                                                                                                                                                                    | 51700                          |       |             |            |
|                                                                                                                                                                                                                                                                                            |                                |       |             |            |
| This project will add approximately 737 trips per day on Smoke Ranch and Decatur. This will increase expected volumes by about five percent on Smoke Ranch and about three percent on Decatur. Smoke Ranch is at about 45 percent of capacity and Decatur at about 52 percent of capacity. |                                |       |             |            |
|                                                                                                                                                                                                                                                                                            |                                |       |             |            |
| Based on Peak Hour use, this development will add roughly 78 additional cars into the area; which works out to about four every three minutes.                                                                                                                                             |                                |       |             |            |
|                                                                                                                                                                                                                                                                                            |                                |       |             |            |
| Note that this report assumes all traffic from this development uses all named streets.                                                                                                                                                                                                    |                                |       |             |            |



GPA-16511, ZON-16519, VAR-16525, & SDR-16522 - APPLICANT: RICHMOND AMERICAN HOMES -  
OWNER: SCHNIPPLE FAMILY TRUST  
SOUTHEAST CORNER OF SMOKE RANCH ROAD AND DECATUR BOULEVARD  
NOVEMBER 16, 2006 PLANNING COMMISSION

09/16/06





GPA-16511, ZON-16519, VAR-16525, & SDR-16522 - APPLICANT: RICHMOND AMERICAN HOMES -  
OWNER: SCHNIPPLE FAMILY TRUST  
SOUTHEAST CORNER OF SMOKE RANCH ROAD AND DECATUR BOULEVARD  
NOVEMBER 16, 2006 PLANNING COMMISSION

09/16/06



# Triton

Engineering

October 16, 2006

City of Las Vegas  
Development Services Center  
731 S. Fourth Street  
Las Vegas, NV 89102

**Reference: Request for Site Development Review  
Smoke Ranch / Decatur II  
APN # 139-19-101-002**

To Whom It May Concern:

On behalf of our client, Richmond American Homes, we respectfully submit this letter of justification for a Zone Change request for a proposed 77 lot single family project called "Smoke Ranch/ Decatur II".

The applicant is requesting a Site Development Review for a proposed 77 lot single-family residential development. Parcels adjacent to the proposed site have the following land use and zoning:

NEC – Light Industrial (C-M)  
NWC – Service Commercial and Rural (C-1 & R-E)  
SEC – Medium – Low, High & Service Commercial (R-CL, C-2 & C-1)  
SWC – Service Commercial (C-1)

We are requesting the following setbacks for the RPD-12:

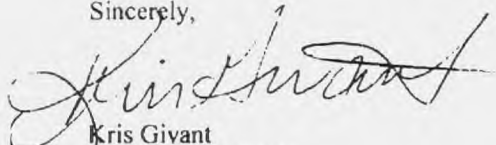
|                                             |                           |
|---------------------------------------------|---------------------------|
| Typical Lot Size:                           | 1,500 sq ft               |
| Front to Roof Edge/Building:                | 3' Minimum                |
| Front to Garage:                            | 5' to 6' Min. or 18' plus |
| Side Yard to side of building or roof edge: | 3' feet                   |
| Side on Corner to Side of building          | 4' feet                   |
| Rear Yard                                   | 3' feet                   |

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OCT 1 2006

Richmond American Homes believes that requesting RPD-12 zoning will compliment the area and would be a proposed buffer between the R-CL SFR's and the C-1 Commercial Property.

Please place the attached request on the Planning Commission agenda. If you have any questions or require additional information, please contact me at 254-1480 (office) or 300-2912 (cell).

Sincerely,

  
Kris Givant  
Project Coordinator

**GPA-16511 VAR-16525  
ZON-16519 SDR-16522  
REVISED**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: JANUARY 17, 2007****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**  
REZONING

ZON-13896 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DON AHERN - OWNER: DFA, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-2 (GENERAL COMMERCIAL) on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:****Planning Commission Mtg.****1****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****4****City Council Meeting****0****RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Revised Site Plan
6. Backup referenced from the 10-05-06 Planning Commission Meeting Item 10

Motion made by LAWRENCE WEEKLY to Approve Subject to Conditions and amending Condition 4 as read for the record:

4. Prior to the issuance of any permits, dedicate an additional 15 feet of right-of-way for exclusive right and dual left turns on Bonanza Road per Clark County Area Standard Drawing 201.1, an additional 5 feet of right-of-way for dual left turns on Martin L. King Boulevard per Clark County Area Standard Drawing 201.1, and grant the pad easement per Standard Drawing 234.2, unless specifically noted as not required in an approved Traffic Impact Analysis.

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

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

**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

## Minutes:

MAYOR GOODMAN declared the Public Hearing open for Item 96 [ZON-13896], Item 97 [VAR-13900], Item 98 [SUP-13902], Item 99 [SUP-13903] and Item 100 [SDR-13904].

ROBERT GROESBECK, representing MR. AHERN, used the overhead to give an overview of the project. He pointed out that the previous abeyance was for the purpose of addressing the right-of-way issues, which have been worked out. Instead of a bus turn out on Martin Luther King Boulevard, the applicant is seeking approval to have a small dedicated area for the bus stop. As a result, MR. GROESBECK requested the verbiage regarding the bus turn out be deleted in Condition 4 on Item 96. He also wanted to ensure the correct site plan is referenced in the conditions. With the revised elevations, from 274 feet to 246 feet, the project accommodates the concerns addressed in previous neighborhood meetings. To avoid any delays in construction, MR. GROESBECK requested Item 98 be withdrawn without prejudice with the possibility of addressing the proposed helipad in the future.

DANIEL DEEGAN, 1801 Granite Avenue, appeared on behalf of Rancho Manor Neighborhood Association, and expressed support of the project. He complimented MR. AHERN on his property, which is located immediately across the expressway, in that it is secured, well maintained and an asset to the City. MR. DEEGAN wished MR. AHERN well on this project and thanked him for employing locally.

MAYOR GOODMAN added that the City is trying to emphasize sustainability, as all City buildings will be sensitive to the environment. With that, he commended MR. AHERN on his success and suggested his lead in becoming a role model for other developers to come. The City would be more than willing to work with him.

CONSUELO and JAMES MCQUEN, 1110 Ralston Drive, expressed support of the project. MS. MCQUEN has spoken with at least 15 of her neighbors who could not attend but wholeheartedly support the project as well. She complimented MR. AHERN on his reputation and appreciated the fact that he hires within the community.

MR. AHERN informed the Mayor that there will be approximately 400-500 employees.

LONNIE WALSON, 1930 Fair Avenue, and HARVEY MUNSON, State Assemblyman, both expressed support of this project and appreciated MR. AHERN'S work in the community. He felt his reputation with projects will inspire others to build within this community as well. MR. MUNSON added that he looks forward to continued economic development rather than non-profit projects in the subject area.

TED RUSSELL, Las Vegas resident, was excited and impressed with the architectural aspects of the project and supported it wholeheartedly.

FLORENCY JONES, 9424 Quail Ridge, have watched MR. AHERN continue to build and create jobs for individuals, as he is a bright light within the community. She also applauded him

**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

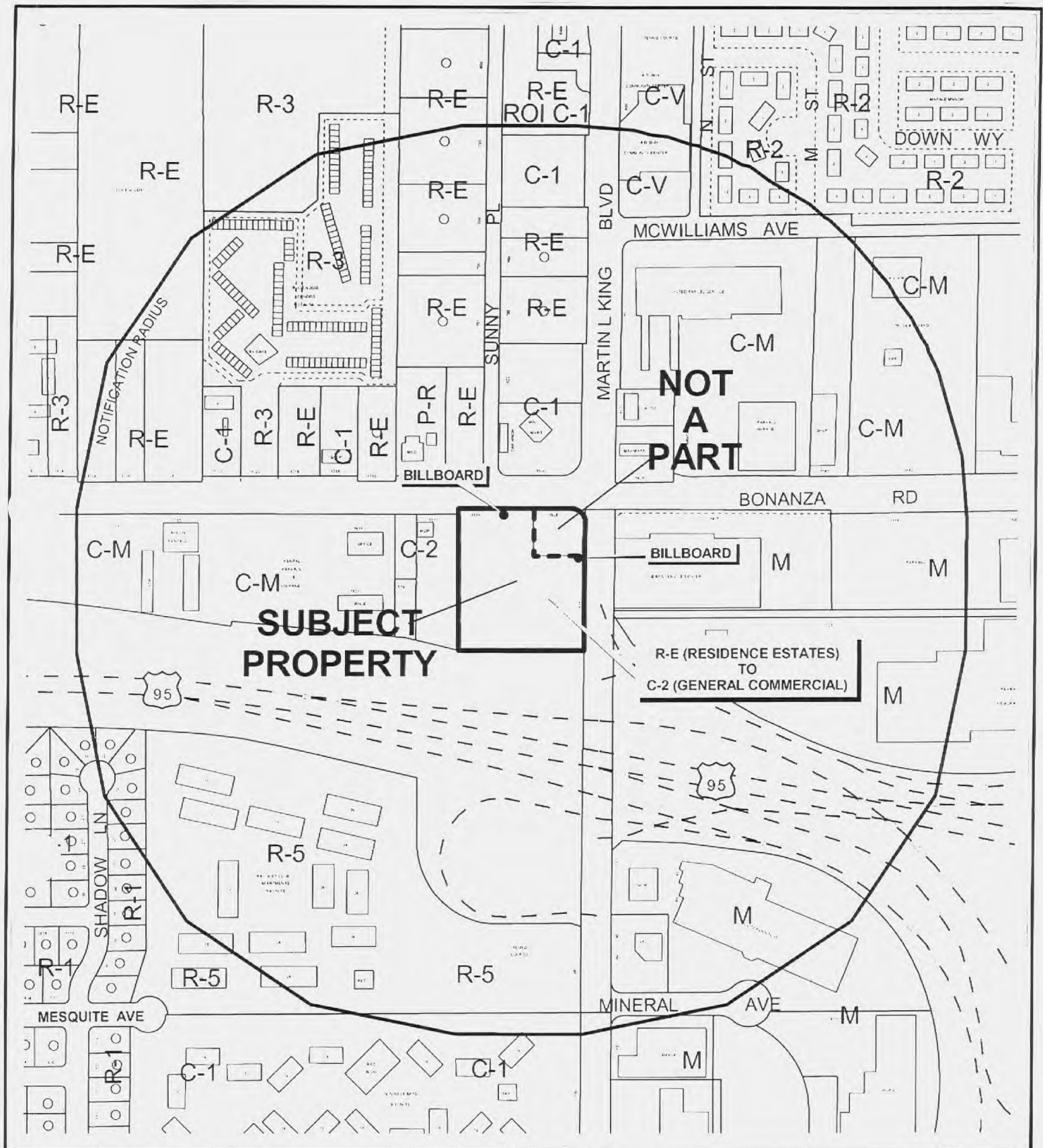
on his efforts with the creative design; he always enhances areas as he expands his developments. She was supportive and urged the Council to approve the project.

COUNCILMAN BROWN was appreciative of the expressed support on a project of this magnitude and thanked MR. AHERN for his commitment and investment within this community.

MR. GROESBECK and MR. AHERN concurred with all amended and added conditions. MR. AHERN thanked Council for their continued support, and especially COUNCILMAN WEEKLY for his availability.

MAYOR GOODMAN declared the Public Hearing closed for Item 96 [ZON-13896], Item 97 [VAR-13900], Item 98 [SUP-13902], Item 99 [SUP-13903] and Item 100 [SDR-13904].



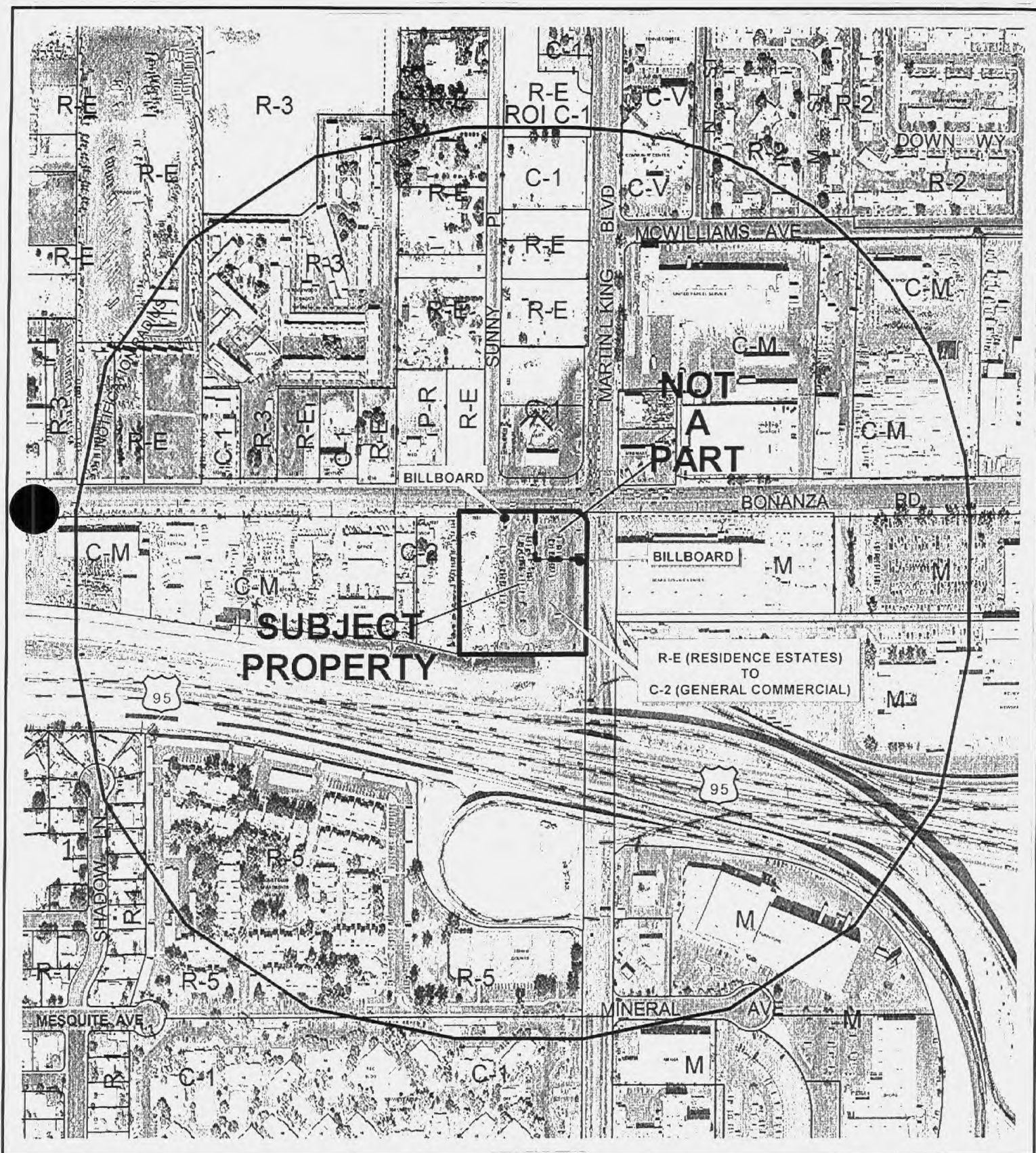


CASE: **ZON-13896**

RADIUS: 1000 FT

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

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



CASE: **ZON-13896**

RADIUS: 1000 FT

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

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

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JANUARY 17, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ABEYANCE - ZON-13896 - APPLICANT: DON AHERN -  
OWNER: DFA, LLC**

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*THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 15, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.*

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

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

**Planning and Development**

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-13904) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

**Public Works**

3. Dedicate 15 feet of right-of-way for a total half-street width of 50 feet on Bonanza Road, 10 feet of right-of-way for a total half-street width of 50 feet on Martin L. King Boulevard, and dedicate an additional 24 feet of right-of-way for a total radius of 54 feet on the southwest corner of Martin L. King Boulevard and Bonanza Road prior to the issuance of any permits.
4. Prior to the issuance of any permits, dedicate an additional 15 feet of right-of-way for exclusive right and dual left turns on Bonanza Road per Clark County Area Standard Drawing 201.1, an additional 5 feet of right-of-way for dual left turns on Martin L. King Boulevard per Clark County Area Standard Drawing 201.1, and dedicate right-of-way on Martin L. King Boulevard for a bus turnout per Standard Drawing 234.1 or 234.3 and grant the pad easement per Standard Drawing 234.2, unless specifically noted as not required in an approved Traffic Impact Analysis.
5. Coordinate all improvements along Martin L. King Boulevard with the City Engineer to determine appropriate improvements required in conjunction with the Martin Luther King Boulevard widening project. Alternatively, if allowed by the City Engineer, this site may participate in the Martin Luther King Boulevard public improvement project.



6. Construct all incomplete half-street improvements on Bonanza Road and Martin L. King Boulevard adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
7. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
8. Landscape and maintain all unimproved rights-of-way, if any, on Bonanza Road and Martin L. King Boulevard adjacent to this site.
9. Submit an Encroachment Agreement for all landscaping, if any, located in the Bonanza Road and Martin L. King Boulevard public rights-of-way adjacent to this site prior to occupancy of this site.
10. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the public right-of-way adjacent to this site prior to the issuance of any permits.
11. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
12. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.



**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Rezoning from R-E (Residence Estates) to C-2 (General Commercial) on 2.61 acres on the southwest corner of Bonanza Road and Martin L. King Boulevard.

**EXECUTIVE SUMMARY**

The area in which the subject property is located is largely commercial and is slated for this type of development based on the Downtown Redevelopment Plan. In order to bring this property into compliance with the surrounding area, Staff recommends approval of this request for a Rezoning from R-E (Residence Estates) to C-2 (General Commercial).

**BACKGROUND INFORMATION**

**A) *Related Actions***

10/05/06      The Planning Commission recommended approval of companion items VAR-13900, SUP-13903 and SDR-13904 and denial of SUP-13902 concurrently with this application

The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #10/ng).

**B) *Pre-Application Meeting***

05/15/06      A pre-application meeting with the applicant was held and the following items were discussed:

- Staff informed the applicant of the submittal requirements for a Rezoning application.

**DETAILS OF APPLICATION REQUEST**

**A) *Site Area***

Net Acres:            2.61

**B) *Existing Land Use***

Subject Property: Parking  
North:                Mini-Mart  
South:                U.S. 95  
East:                  Sears Service Center  
West:                  Rental Shop; Warehouse

**C) Planned Land Use**

Subject Property: Commercial (Downtown Redevelopment Plan)  
North: SC (Service Commercial); M (Medium Density Residential)  
South: U.S. 95 ROW  
East: LI/R (Light Industry/Research)  
West: LI/R (Light Industry/Research)

**D) Existing Zoning**

Subject Property: R-E (Residence Estates); C-2 (General Commercial)  
North: C-1 (Limited Commercial); R-E (Residence Estates)  
South: U.S. 95 ROW  
East: M (Industrial)  
West: C-2 (General Commercial)

**E) General Plan Compliance**

The subject property has a land use designation of Commercial based on the Downtown Redevelopment Plan. If the proposed rezoning to C-2 (General Commercial) is approved, the zoning and the land use designation will be compatible as they both allow for intense commercial (office, retail, etc.) development.

| <b><i>SPECIAL DISTRICTS/ZONES</i></b>             | <b>Yes</b> | <b>No</b> |
|---------------------------------------------------|------------|-----------|
| <b>Special Area Plan</b>                          | <b>X</b>   |           |
| Redevelopment Plan Area                           | <b>X</b>   |           |
| West Las Vegas                                    | <b>X</b>   |           |
| <b>Special Overlay District</b>                   | <b>X</b>   |           |
| Airport Overlay District                          | <b>X</b>   |           |
| <b>Trails</b>                                     | <b>X</b>   |           |
| Pioneer                                           | <b>X</b>   |           |
| <b>Rural Preservation Overlay District</b>        |            | <b>X</b>  |
| <b>County/North Las Vegas/HOA Notification</b>    |            | <b>X</b>  |
| <b>Development Impact Notification Assessment</b> |            | <b>X</b>  |
| <b>Project of Regional Significance</b>           |            | <b>X</b>  |

Redevelopment Plan Area

No additional development standards are placed on the project as a result of its inclusion in the Redevelopment Plan. Rather, this designation simply targets the property for increased development efforts and improves access to assistance in redevelopment.

West Las Vegas

The subject property is located on the edge of the West Las Vegas plan area. This plan focuses mostly on the revitalization of residential areas in the heart of Las Vegas, but its objectives also emphasize the importance of re-investing in deteriorating commercial centers and creating an interesting urban environment. Increasing density and the mixing of uses is also a focus of the plan.

#### Airport Overlay District

The subject property is located within the North Las Vegas Airport Overlay District which restricts the height of buildings to 140 feet. The proposed development, at 246 feet, exceeds this height. However, a Special Use Permit (SUP-13903) has been submitted to allow relief from this requirement.

#### Pioneer Trail

The Pioneer Trail is an existing trail that runs along West Bonanza Road at the northern edge of the property. No additional requirements will be placed on the applicant as a result of this trail.

### ANALYSIS

#### **A) Zoning Code Compliance**

##### **A1) Development Standards**

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

| <b>Standards</b>     | <b>Required</b> | <b>Provided</b>          | <b>Compliance</b> |
|----------------------|-----------------|--------------------------|-------------------|
| Min. Lot Width       | 100 Feet        | 244 Feet, 1<br>Inch      | Y                 |
| Min. Setbacks        |                 |                          |                   |
| • Front              | 20 Feet         | 10 Feet                  | N                 |
| • Side               | 10 Feet         | 10 Feet                  | Y                 |
| • Corner             | 15 Feet         | 10 Feet                  | N                 |
| • Rear               | 20 Feet         | 11 Inches                | N                 |
| Max. Lot Coverage    | 50%             | 39.2%                    | Y                 |
| Max. Building Height | 140 Feet        | 246 Feet / 18<br>Stories | N                 |

The subject proposal does not meet all applicable development standards. A Variance (VAR-13900) has been submitted for relief from the front, corner side, and rear yard setbacks, and a Special Use Permit (SUP-13903) has been submitted to allow for a 246-foot building in the North Las Vegas Airport Overlay District. These standards are discussed in more detail in those reports.

#### **B) General Analysis and Discussion**

The northeast corner of the subject parcel is currently zoned C-2 (General Commercial). Additionally, the property immediately to the west is currently designated C-2 (General Commercial). As such, Staff supports this request as current and future development reflects the characteristics of the requested zone. The only R-E (Residence Estates) zone remaining in the immediate area is across Bonanza and is currently a vacant lot.

## FINDINGS

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

**1. "The proposal conforms to the General Plan."**

The site is designated as Commercial in the Downtown Redevelopment Plan. The proposed zoning is compliance with this designation and with the surrounding area.

**2. "The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts."**

As much of the surrounding property is already zoned for commercial development, this rezoning is consistent and compatible with surrounding land uses and zoning districts.

**3. "Growth and development factors in the community indicate the need for or appropriateness of the rezoning."**

This area is designated for commercial development in the Redevelopment Plan, thus indicating that the anticipated form of growth in the area will be of a commercial nature. As such, this zoning change is appropriate and warranted.

**4. "Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district."**

The site is served by West Bonanza Road (a 100-foot primary arterial) and North Martin Luther King Boulevard (a 100-foot primary arterial). These facilities will be adequate to accommodate the proposed development. It should be noted that 10 feet of right-of-way along these roads will be dedicated for widening purposes.

## PLANNING COMMISSION ACTION

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

## NEIGHBORHOOD ASSOCIATIONS NOTIFIED

23

## ASSEMBLY DISTRICT      6

## SENATE DISTRICT      4



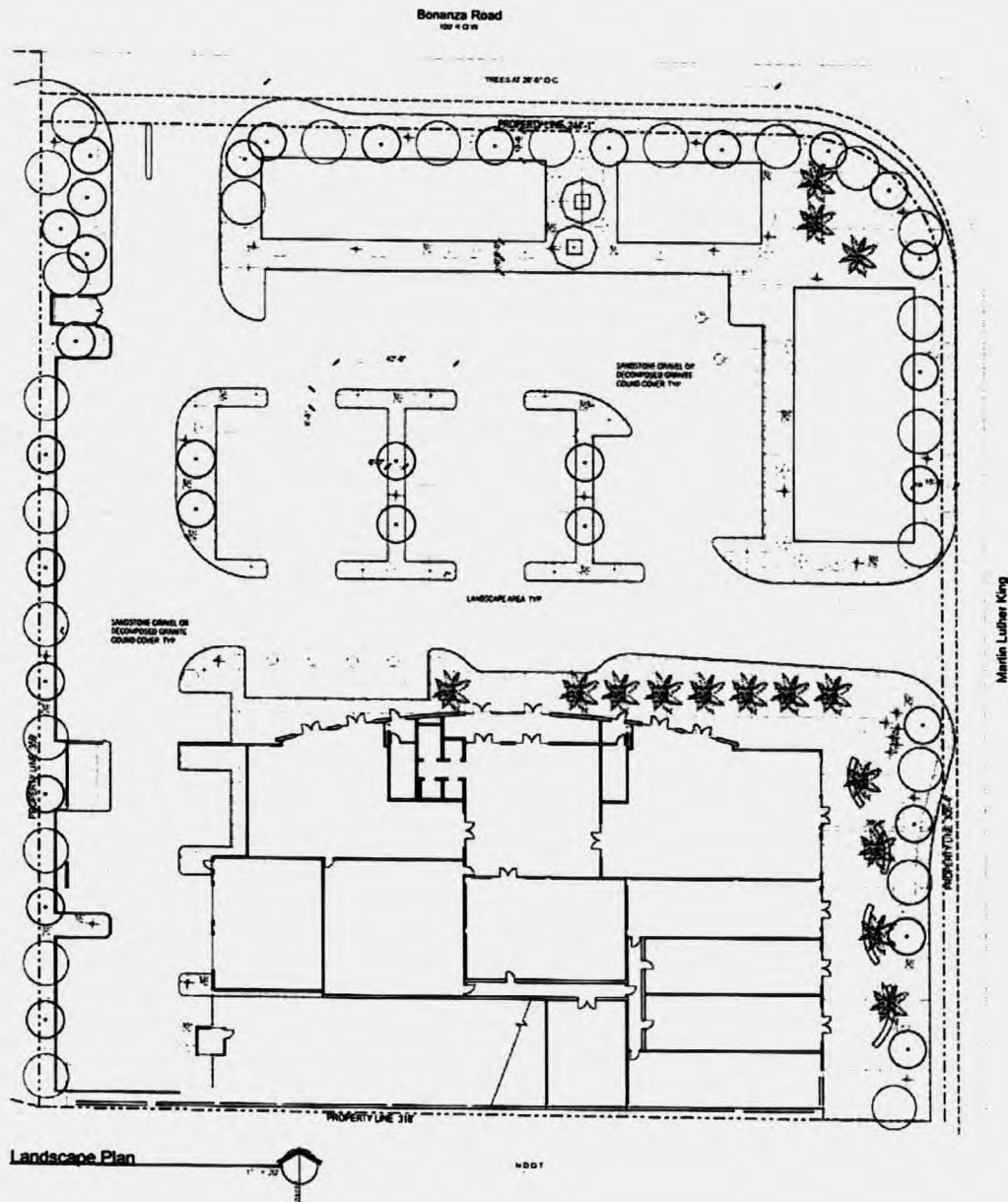
**NOTICES MAILED** 104 by Planning Department

**APPROVALS** 1

**PROTESTS** 1







**Landscape Schedule**

| SYMBOL | COMMON NAME          | SCIENTIFIC NAME      | SIZE    | QTY |
|--------|----------------------|----------------------|---------|-----|
| ★      | QUICKLIFE PINK PALM  | Indocalamus          | 24" dia | 5   |
| ○      | MORONG PINE          | Pinus morongii       | 24" dia | 25  |
| ○      | HERITAGE LIME OAK    | Quercus agrifolia    | 24" dia | 25  |
| ○      | CHILDMETOPOLIS       | Prosopis juliflora   | 24" dia | 21  |
| ○      | BLACK PINE BUSH      | Artemisia tridentata | 10 gal  | 5   |
| ○      | DESERT OREGAN        | Origanum onites      | 10 gal  | 5   |
| ○      | MOUNTAIN MARIGOLD    | Tagetes lucida       | 10 gal  | 25  |
| ○      | GREEN BUSH BERRY     | Artemisia tridentata | 10 gal  | 25  |
| ○      | TRAILING LAVENDER    | Salvia leucantha     | 10 gal  | 25  |
| ○      | RED BIRD OF PARADISE | Passiflora vitifera  | 10 gal  | 25  |

LANDSCAPE BUFFERING PROVIDES REDUCED FIRE

| FROM | TO  | PROVIDES |
|------|-----|----------|
| 100' | 10' | 10'      |
| 100' | 10' | 10'      |
| 100' | 10' | 10'      |
| 100' | 10' | 10'      |

**Ahern Corporate Center**  
Site Development Review  
SW Corner of Bonanza and Martin L. King  
Las Vegas, Nevada 89106

**APTUS Architecture**

1000 South 4th Street  
Suite 200  
Las Vegas, Nevada 89104  
P 702.581.1200  
F 702.581.1213  
info@aptusarchitecture.com

APTUS PROJECT NO. 06.011  
ARCHITECT

IN CHARGE

NOTES

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2 City of Las Vegas 1-10-06

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ZON-13896 VAR-13900  
SUP-13902 SUP-13903  
SDR-13904  
REVISED 10/05/06 PC

DRAWING NO.  
**LI00**  
Ahern Corporate Center





May 25, 2006

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

**APN: 139-28-401-033**

Re:  
Re-Zone

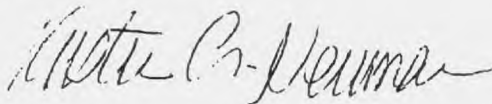
To Whom It May Concern:

We respectfully submit this request for a Special Use Permit for a twenty-story office development located on the southwest corner of Bonanza and Martin Luther King Dr. The current general plan for the parcel is GC. This parcel is located in the airport overlay zone.

The Ahern Corporate Center will combine much needed office and retail space in a twenty-story tower in a redeveloping area of the city. This project consists of 19,000 sf of retail, 150,000 sf of leasable office space, a daycare for the employees working in the building and 3,700 sf of restaurant which includes 1,000 sf of eating area. There are 658 parking spaces required and 662 parking spaces provided. The majority of the parking is provided in an eight story parking structure under the office tower. The exterior materials include metal panels, Precast panels, aluminum storefront and stone panels at the base. The mechanical equipment and the helipad are screened from view by metal panels. The tallest part of the tower is 274' in height.

Currently, this parcel has split zoning of C-1 and RE and does not comply with the general plan. We are requesting this parcel to be rezoned to C-2 which is compatible with other properties in the area. We hope that you will join us in our attempt to bring a much-needed high caliber project into this area.

Respectfully Submitted,

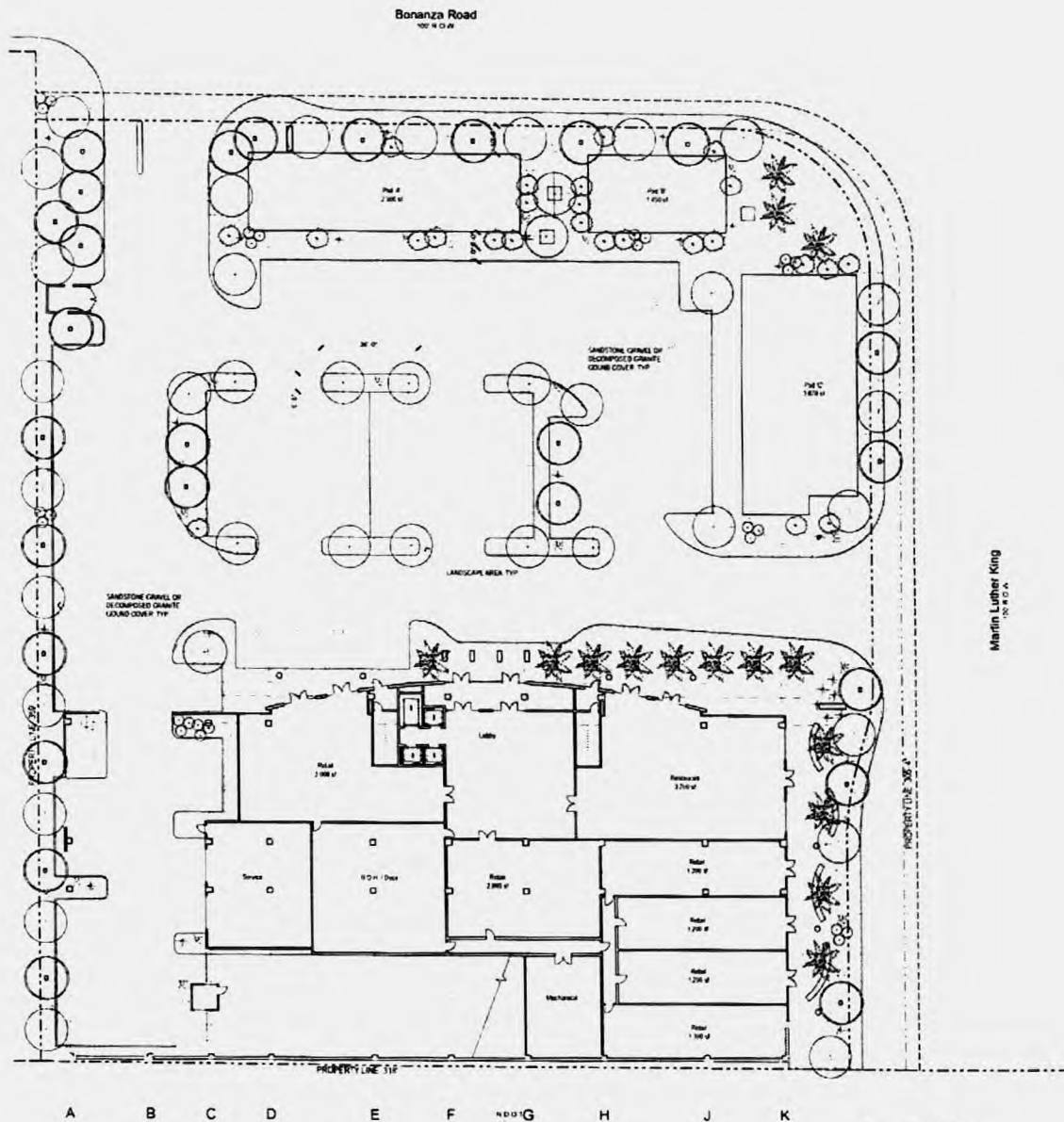


Kristen C. Munkin for RBS

R. Brandon Sprague, AIA

ZON-13896  
SUP-13902  
SDR-13904

VAR-139  
SUP-1390  
10/05/10



Ahern Corporate Center  
Site Development Review  
SW Corner of Bonanza and Martin L. King  
Las Vegas, Nevada 89106

APTUS Architecture

1000 South Main Street  
Suite 200  
Las Vegas, Nevada 89101  
P 702.888.1200  
F 702.888.1211  
info@aptusarch.com

APTUS PROJECT NO. 06.011  
ARCHITECT

ENGINEER

PAINTER

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1 City of Las Vegas 11-06  
SUPERVISOR (plan)  
1 City of Las Vegas 11-06  
SUPERVISOR  
NO. 01-15-06-11-06 DATE

ISSUED  
TITLE  
PLANTING PLAN

DRAWING NO.  
L100  
Ahern Corporate Center

RECEIVED

NOV 14 2006

ZON-13896 VAR-13900 SUP-13902  
SUP-13903 SDR-13904 11-15-06 CC





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

September 20, 2006

City of Las Vegas  
Planning & Development  
739 So. 4<sup>th</sup> Street  
Las Vegas, Nevada 89101

Subject: Ahern Corporate Center  
ZON-13896, VAR-13900, SUP-13902, SDR-13904, & SUP-13903

To Whom It May Concern:

I am a homeowner in The Rancho Manor Tract, which is not too far from the proposed project. I have attended two presentations that Ahern has put on to show interested parties exactly what they're plans are.

I am personally very much in favor of it, as our many of the Rancho Manor Homeowners Assoc. members. Some would like to have it a little lower but are still in favor of Ahern getting approved.

It will CERTAINLY improve the proposed area, namely Martin Luther King and Bonanza, and hopefully encourage others to consider "like" projects in this area.

Ahern has been in business in the same location for many, many years, very successful, a great employer and a wonderful neighbor. Please give them every consider to proceed with their proposed project.

Thank you for your time. I remain yours truly, Patricia Welsh, 1920 Collins Ave., Las Vegas (385-3097)

*Patricia A. Welsh*

R

13-17

12

Charles Gronbach  
642 Shetland Road  
Las Vegas, NV 89107  
702-877-6947

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CITY CLERK

2006 JUL 24 A 10:39

July 21, 2006

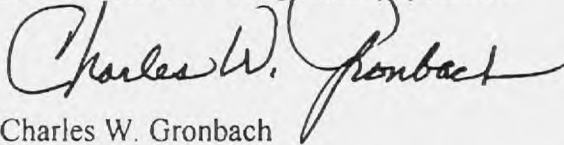
City of Las Vegas Planning Commission  
City Clerk, City Hall, First Floor  
400 Stewart Avenue  
Las Vegas, NV 89101

RE: "Ahern Plans Spaghetti Bowl Tower", Review Journal Business Article, 7/18/06

When considering zoning and variance for this project, the Planning Commission should carefully examine the impact on the general public.

1. If the Commission grants the frontal setback changes from 20 feet to 10 feet, we'll have another "Molasky fiasco" on our hands. Molasky, a private corporation, has closed off two lanes of Grand Central Parkway/Ogden, a public street, for months now due to reduced frontal setback. This is not fair to the public—a mega-gain for Molasky, a mega-inconvenience for the public. We shouldn't have to repeat this inconvenience again.
2. Allowing Ahern to fund his own traffic-impact study is a joke! You can guess with certainty the study's final results. An unbiased, third party consultant paid by the city would better serve the general public. Maybe we'll get a more realistic look at projected traffic increases on our already overcrowded roadways.
3. Ahern's offer to Metro Police to use the Helipad (if Ahern's Helipad is approved) smells a little "fishy". Anything to get a variance approved.

Thank you for allowing me to present my concerns about growth and traffic congestion and how it inconveniences the general population.



Charles W. Gronbach

Cc: Planning & Development Department  
731 South 4<sup>th</sup> Street  
Las Vegas, NV 89101

ITEM NO.: 30, 31  
CASE NO. 22N-13896, VR-138900  
PC MEETING: 8-10-06

f

# Telephone Protest/ Approval Log

Meeting Date: 10/5/06

Case Number: Zon 13896, Zon 13900,

Suf 13902, Suf 13903, Suf 13904

Date: 10/5/06  
Name: John Zorn (on behalf of  
Rancho Verde Neighborhood  
Association)  
Address: 2000 Sunland Ave  
Las Vegas, NV 89106  
Phone: 382-7686  
☐ PROTEST ☒ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
me: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE

ITEM # 10-14

CASE # See APPROVE

PC MTG 10-14-06

A



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

**SUBJECT:**

VARIANCE RELATED TO ZON-13896

VAR-13900 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DON AHERN - OWNER: DFA, LLC - Request for a Variance TO ALLOW A FRONT YARD SETBACK OF 10 FEET WHERE 20 FEET IS REQUIRED, A CORNER SIDE YARD SETBACK OF 10 FEET WHERE 15 FEET IS REQUIRED, AND A REAR YARD SETBACK OF 11 INCHES WHERE 20 FEET IS REQUIRED on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), R-E (Residence Estates) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

1

City Council Meeting

0

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

4

City Council Meeting

0

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Revised Site Plan
6. Backup referenced from the 10-05-06 Planning Commission Meeting Item 11

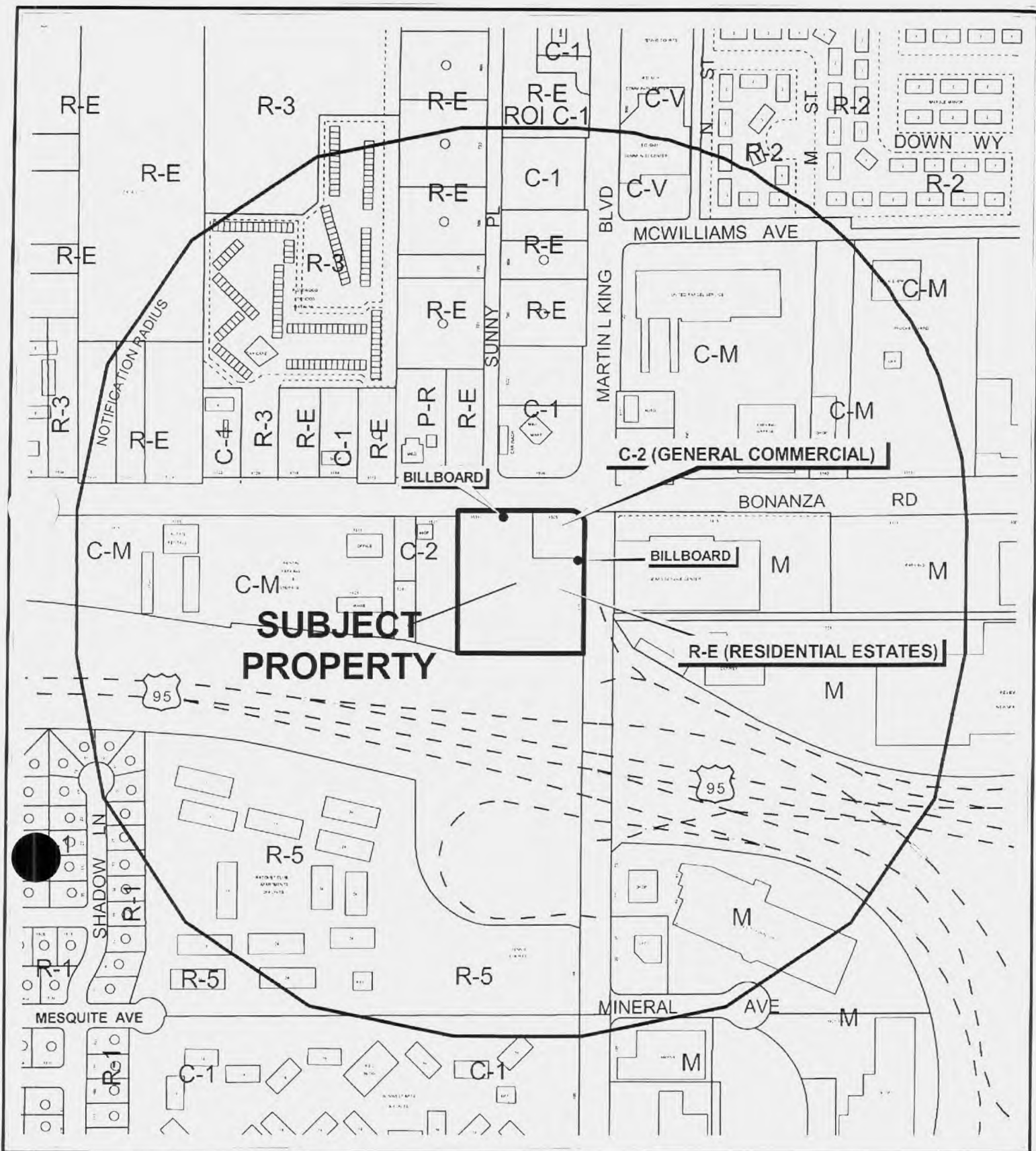
Motion made by LAWRENCE WEEKLY to Approve Subject to Conditions

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

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

Minutes:

See Item 96 for related discussion.



CASE: **VAR-13900**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) AND C-2 (GENERAL COMMERCIAL)

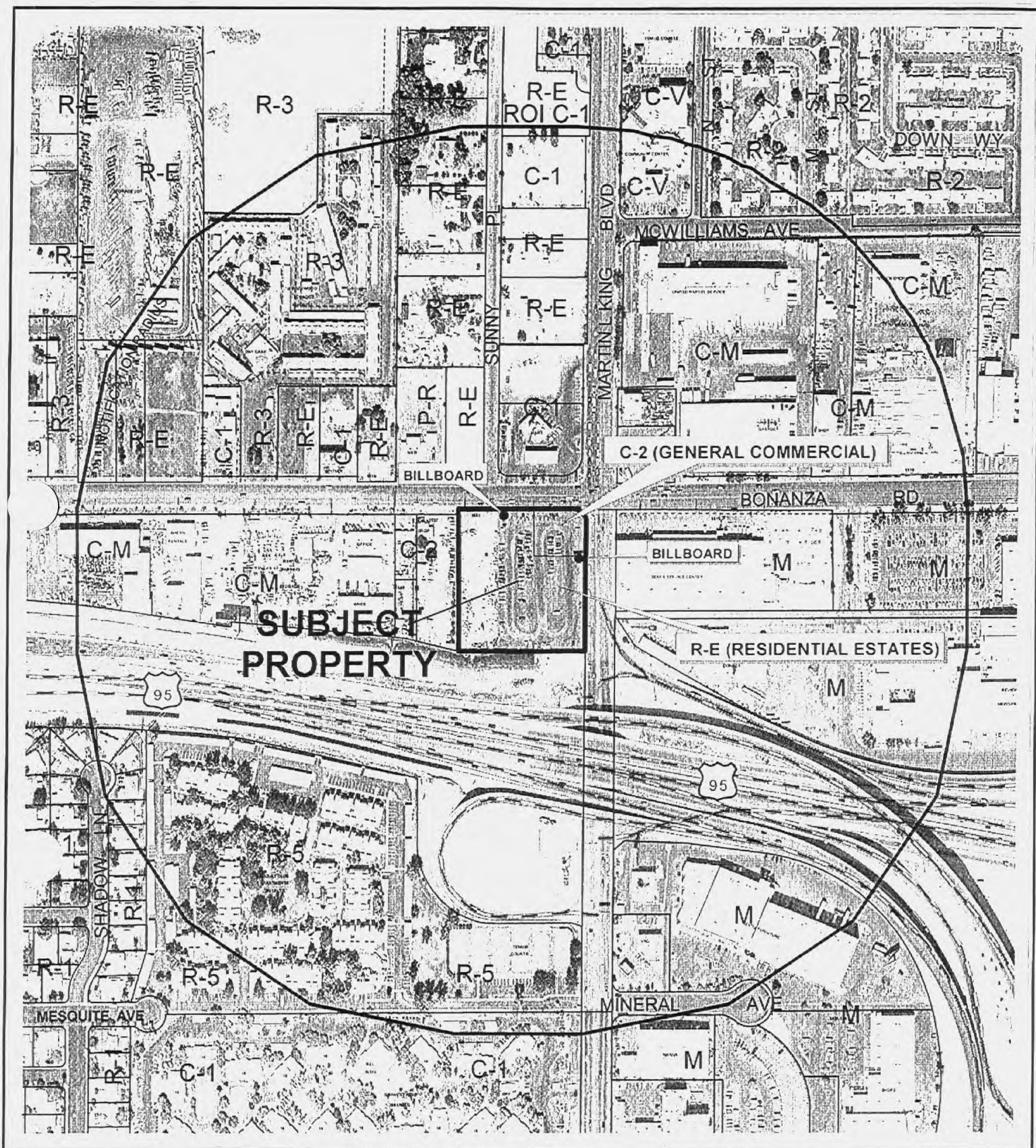
PROPOSED ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL)

0 300 600 Feet







CASE: **VAR-13900**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) AND C-2 (GENERAL COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL)

0 300 600 Feet



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JANUARY 17, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ABEYANCE - VAR-13900 - APPLICANT: DON AHERN -  
OWNER: DFA, LLC**

---

***THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 15, 2006 CITY  
COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.***

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

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

**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-13896), Site Development Plan Review (SDR-13904), Special Use Permit (SUP-13902), and Special Use Permit (SUP-13903) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.



**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Variance to allow a front yard setback of 10 feet where 20 feet is required, a corner side yard setback of 10 feet where 15 feet is required, and a rear yard setback of 11 inches where 20 feet is required on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard.

**EXECUTIVE SUMMARY**

Staff supports this variance request for front, corner side, and rear yard setbacks as the hardship requiring the variance was not self-imposed. Rather, right-of-way dedication requirements caused the developer to request relief from the applicable Title 19 standards. The overall development meets the intent of applicable plans and documents for the area in which the project is located.

**BACKGROUND INFORMATION**

**A) *Related Actions***

- 10/05/06      The Planning Commission recommended approval of companion items ZON-13896, SUP-13903 and SDR-13904 and denial of SUP-13902 concurrently with this application
- 10/05/06      The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #11/ng).

**B) *Pre-Application Meeting***

- 05/15/06      A pre-application meeting with the applicant was held and the following items were discussed:
- Staff informed the applicant of the submittal requirements for the required applications.

**C) *Neighborhood Meetings***

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

**DETAILS OF APPLICATION REQUEST**

**A) *Site Area***

Net Acres:            2.61

**B) Existing Land Use**

Subject Property: Parking  
North: Mini-Mart  
South: U.S. 95  
East: Sears Service Center  
West: Rental Shop  
Warehouse

**C) Planned Land Use**

Subject Property: Commercial (Downtown Redevelopment Plan)  
North: SC (Service Commercial)  
M (Medium Density Residential)  
South: U.S. 95 ROW  
East: LI/R (Light Industry/Research)  
West: LI/R (Light Industry/Research)

**D) Existing Zoning**

Subject Property: R-E (Residence Estates)  
C-2 (General Commercial)  
North: C-1 (Limited Commercial)  
R-E (Residence Estates)  
South: U.S. 95 ROW  
East: M (Industrial)  
West: C-2 (General Commercial)

**E) General Plan Compliance**

The subject property has a land use designation of Commercial based on the Downtown Redevelopment Plan. If the proposed rezoning to C-2 (General Commercial) is approved, the zoning and the land use designation will be compatible as they both allow for intense commercial (office, retail, etc.) development.

| <b><i>SPECIAL DISTRICTS/ZONES</i></b>             | <b>Yes</b> | <b>No</b> |
|---------------------------------------------------|------------|-----------|
| <b>Special Area Plan</b>                          | <b>X</b>   |           |
| Downtown Redevelopment Plan Area                  | <b>X</b>   |           |
| West Las Vegas                                    | <b>X</b>   |           |
| <b>Special Overlay District</b>                   | <b>X</b>   |           |
| Airport Overlay District                          | <b>X</b>   |           |
| <b>Trails</b>                                     | <b>X</b>   |           |
| Pioneer                                           | <b>X</b>   |           |
| <b>Rural Preservation Overlay District</b>        |            | <b>X</b>  |
| <b>County/North Las Vegas/HOA Notification</b>    |            | <b>X</b>  |
| <b>Development Impact Notification Assessment</b> |            | <b>X</b>  |
| <b>Project of Regional Significance</b>           |            | <b>X</b>  |

Downtown Redevelopment Plan Area

No additional development standards are placed on the project as a result of its inclusion in the Redevelopment Plan. Rather, this designation simply targets the property for increased development efforts and improves access to assistance in redevelopment.

West Las Vegas

The subject property is located on the edge of the West Las Vegas plan area. This plan focuses mostly on the revitalization of residential areas in the heart of Las Vegas, but its objectives also emphasize the importance of re-investing in deteriorating commercial centers and creating an interesting urban environment. Increasing density and the mixing of uses is also a focus of the plan.

Airport Overlay District

The subject property is located within the North Las Vegas Airport Overlay District which restricts the height of buildings to 140 feet. The proposed development, at 246 feet, exceeds this height. However, a Special Use Permit (SUP-13903) has been submitted to allow relief from this requirement.

Pioneer Trail

The Pioneer Trail is an existing trail that runs along West Bonanza Road at the northern edge of the property. No additional requirements will be placed on the applicant as a result of this trail.

## ANALYSIS

### A) *Zoning Code Compliance*

#### A1) Development Standards

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

| Standards            | Required                                                                       | Provided                 | Compliance |
|----------------------|--------------------------------------------------------------------------------|--------------------------|------------|
| Min. Lot Width       | 100 Feet                                                                       | 244 Feet, 1<br>Inch      | Y          |
| Min. Setbacks        |                                                                                |                          |            |
| • Front              | 20 Feet                                                                        | 10 Feet                  | N          |
| • Side               | 10 Feet                                                                        | 10 Feet                  | Y          |
| • Corner             | 15 Feet                                                                        | 10 Feet                  | N          |
| • Rear               | 20 Feet                                                                        | 11 Inches                | N          |
| Max. Lot Coverage    | 50%                                                                            | 39.2%                    | Y          |
| Max. Building Height | 140 Feet                                                                       | 246 Feet / 18<br>Stories | N          |
| Trash Enclosure      | Gated, Roofed,<br>Constructed of a similar<br>material to the main<br>dwelling | Trellis Covered          | Y          |

This variance has been requested because the subject proposal does not meet the front, corner side, or rear yard setback requirements. The requested front setback represents a 50% deviation from current standards, the corner side is a 33% deviation, and the rear setback is a 95% deviation. Staff supports the variance as they are needed because of required right-of-way dedications along West Bonanza Road and North Martin Luther King Boulevard.

A3) Parking and Traffic Standards

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

| Uses              | GFA        | Required                       |                                               |           | Provided                                      |           |
|-------------------|------------|--------------------------------|-----------------------------------------------|-----------|-----------------------------------------------|-----------|
|                   |            | Ratio                          | Parking                                       |           | Parking                                       |           |
|                   |            |                                | Regular                                       | Handicap  | Regular                                       | Handicap  |
| Office            | 150,000 SF | 1 Space / 300 SF GFA           | 500                                           |           |                                               |           |
| Retail            | 19,000 SF  | 1 Space / 175 SF               | 109                                           |           |                                               |           |
| Restaurant        | 1,000 SF   | 1 Space / 50 SF Public Seating | 20                                            |           |                                               |           |
|                   | 2,700 SF   | 1 Space / 200 SF Remaining     | 14                                            |           |                                               |           |
| Child Care Center | N/A        | 1 Space / Staff Person         | 15                                            |           |                                               |           |
|                   |            | 1 Space / 10 Children          |                                               |           |                                               |           |
| <b>TOTAL</b>      |            |                                | <b>658</b><br>(including handicap accessible) | <b>14</b> | <b>662</b><br>(including handicap accessible) | <b>15</b> |

The subject proposal will contain adequate parking to provide for the facilities and uses proposed. Of the total number of spaces, 83 (11%) are compact spaces, 15 are handicap accessible, and two are van accessible spaces. Eighty-one of the spaces are contained at ground level and exterior to the buildings. The remainder of the spaces is contained in a parking structure within the office building.

A4) Landscape and Open Space Standards

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



| Standards         | Required                |          | Provided |
|-------------------|-------------------------|----------|----------|
|                   | Ratio                   | Trees    |          |
| Parking Area      | 1 Tree / 6 Space        | 12 Trees | 0 Trees  |
| Buffer:           |                         |          |          |
| • Min. Trees      | 1 Tree / 30 Linear Feet | 41 Trees | 51 Trees |
| • Min. Zone Width | 15 Feet                 |          | 0 Feet   |

The subject proposal does not meet current Title 19 standards for landscaping in several areas. First, there is no parking area landscaping provided where 12 trees are required. Second, the buffer widths along each property line are not wide enough. Staff can support this Waiver request as the setbacks were reduced due to right-of-way dedication. Additionally, Staff does not find it necessary to provide landscaping along the U.S. 95 right-of-way.

#### ***B) General Analysis and Discussion***

The site plan shows that the applicant is planning to place the proposed buildings along the right-of-way frontages in order to comply with the intent of redevelopment plans for the area: to create an interesting and pedestrian friendly streetscape. The need for the variance from setback standards has arisen because of the 10-foot right-of-way dedications required along the north and east property lines. Therefore, Staff supports the request.

#### **FINDINGS**

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

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

Additionally, Title 19.18.070L states:

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

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

23

**ASSEMBLY DISTRICT** 6

**SENATE DISTRICT** 4

**NOTICES MAILED** 99 by City Clerk

**APPROVALS** 1

**PROTESTS** 1



Case Number: **VAR-13900**      APN: **139-28-401-033**

Name of Property Owner: DFA, LLC

Name of Applicant: **DON ALTERN**

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

Yes ☒ No

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

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

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

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

Signature of Property Owner/Authorized Agent:

Print Name:

Subscribed and sworn before me

This 5th day of May, 2006

Heidi Benner

Notary Public in and for said County and State



**KAREN BENNER**  
My Appointment Expires  
March 11, 2010







May 25, 2006

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

**APN: 139-28-401-033**

Re:  
Setback and Step-back Variance

To Whom It May Concern:

We respectfully submit this request for a Site Development Review for a twenty-story office development located on the southwest corner of Bonanza and Martin Luther King Dr. We are also requesting this parcel be rezoned to C-2. The current general plan for the parcel is GC.

The Ahern Corporate Center will combine much needed office and retail space in a twenty-story tower in a redeveloping area of the city. This project consists of 19,000 sf of retail, 150,000 sf of leasable office space, a daycare for the employees working in the building and 3,700 sf of restaurant which includes 1,000 sf of eating area. There are 658 parking spaces required and 662 parking spaces provided. The majority of the parking is provided in an eight story parking structure under the office tower. The exterior materials include metal panels, precast panels, aluminum storefront and stone panels at the base. The mechanical equipment and the helipad are screened from view by metal panels.

We are requesting a variance of the development standards for 10'-0" where 20'-0" is required for the front and rear setbacks. We are also requesting a variance of the development standards for 10'-0" where 15'-0" is required for the corner side setback. This will push the buildings closer to the street in an attempt to create a more urban environment along Bonanza and Martin Luther King. It will also allow us to provide more onsite parking for the retail pad buildings.

In addition, we are requesting a variance of the stepback requirements along Bonanza and Martin Luther King, which are classified as primary arterials with 100 R.O.W. With this project we are trying to revitalize the neighborhood and provide urban infill into the City's Redevelopment Area. We feel that a Variance to this code section would enhance and help the urban growth and development for which the City is striving to achieve.

In our opinion, these variance requests will not negatively impact the design of the proposed project. We have made every attempt to try and follow City of Las Vegas Title 19 as closely as possible in the design and layout of this site. We hope that you will join us in our attempt to bring a much-needed high caliber project into this area.

Respectfully Submitted,

*Kristen G. Neuman*

Kristen G. Neuman for RBS

R. Brandon Sprague, AIA

RECEIVED

VAR  
SUP.  
10

ZON-13896

SUP-13902

SDR-13904

[illegible]

| LANDSCAPE BUFFERS (BUFFER REQUESTED) |        |          |
|--------------------------------------|--------|----------|
|                                      | REQD   | PROVIDED |
| FRONT                                | 10' 0" | 10' 0"   |
| INTERIOR SIDE                        | 5' 0"  | 5' 0"    |
| SIDE STREET                          | 15'    | 15' 0"   |
| REAR                                 | 20' 0" | 20' 0"   |

## APTUS Architecture

|                  |        |
|------------------|--------|
| APRUS PROJECT NO | 06.011 |
| ABSTRACT         |        |

**PAGES**

COPYRIGHT 2006 BY APPLIED AND HETEROLOGY

|     |                            |          |
|-----|----------------------------|----------|
| 2   | City of Los Angeles        | \$ 48.00 |
|     | DUPSON Substantial (prior) |          |
| 3   | City of Los Angeles        | \$5.25.0 |
|     | DUPSON Substantial         |          |
| 180 | DUPSON (PT) CHN            | End      |

ISSUED

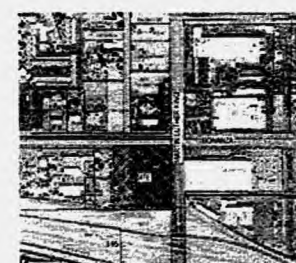
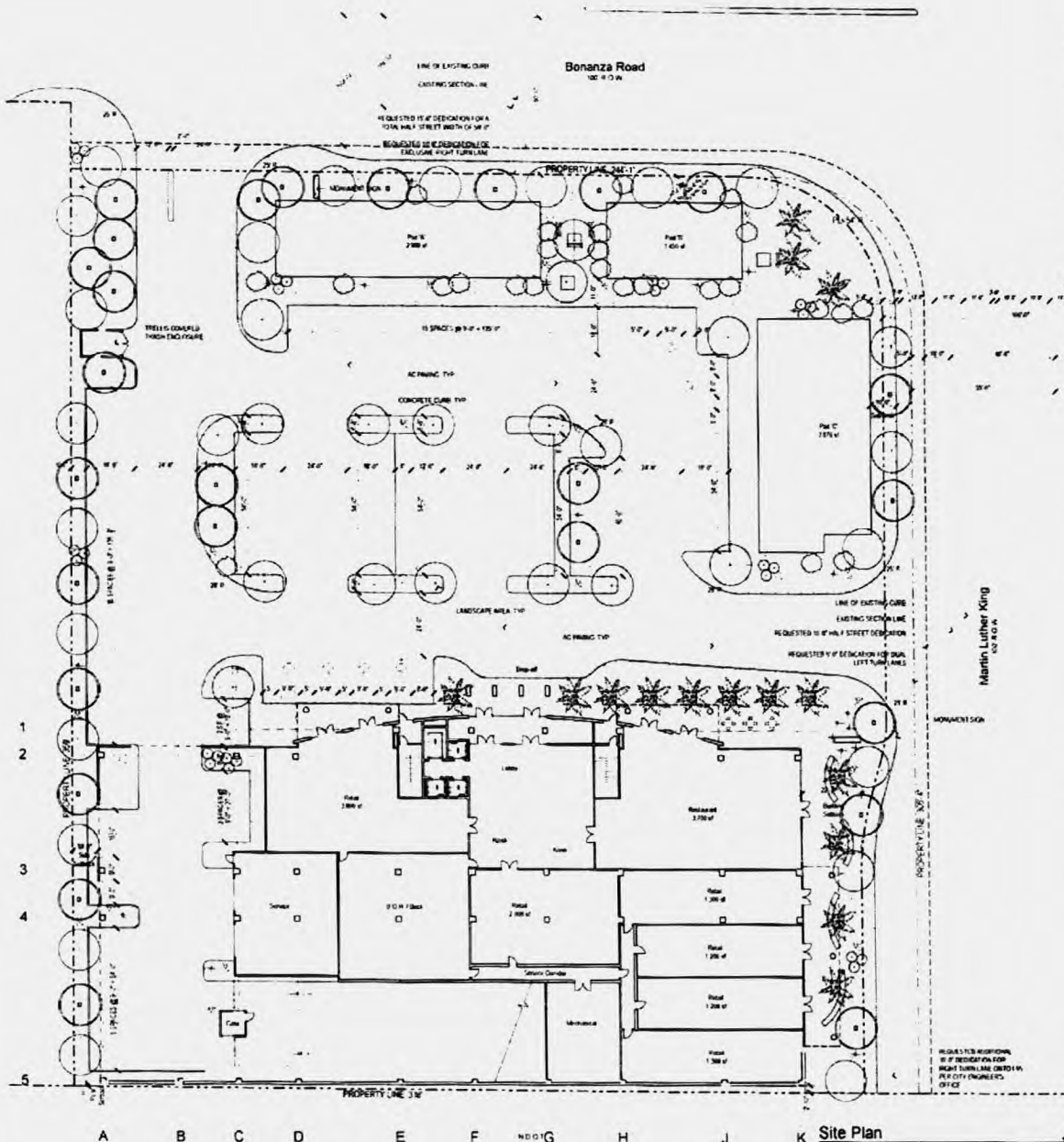
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THE  
PLANTING PLAN

LI 00

ZON-13896 VAR-13900 SUP-13902  
SUP-13903 SDR-13904 11-15-06 CC

NOV 14 2006



Location Map



Vicinity Map

Site Zoning & Data

SITE DATA

|                       |                                |
|-----------------------|--------------------------------|
| PARCEL NUMBER         | 125-26-001-002                 |
| JURISDICTION          | CITY OF LAS VEGAS - BNVB       |
| EXISTING GENERAL PLAN | DC                             |
| EXISTING ZONING       | R-3                            |
| PROPOSED ZONING       | C-3                            |
| USE AREA              | 113,540 SQ FT<br>241 NET ACRES |

SETBACKS - BLUE SHED VARIANCE REQUEST

|            | REQUIRED | PROVIDED |
|------------|----------|----------|
| FRONT      | 30' 0"   | 30' 0"   |
| REAR       | 30' 0"   | 30' 0"   |
| LEFT SIDE  | 10' 0"   | 10' 0"   |
| RIGHT SIDE | 10' 0"   | 10' 0"   |

SETBACKS - VARIANCE REQUEST BY OTHERS

|            | REQUIRED | PROVIDED |
|------------|----------|----------|
| FRONT      | 10' 0"   | 30' 0"   |
| REAR       | 10' 0"   | 30' 0"   |
| LEFT SIDE  | 10' 0"   | 10' 0"   |
| RIGHT SIDE | 10' 0"   | 10' 0"   |

AREA HEIGHT & STORIES

ACTUAL HEIGHT & STORIES: 24' 0" & 20 STORIES

LOT COVERAGE ALLOWED: 80%

ACTUAL LOT COVERAGE: 78.1%

BUILDING AREA

|            |            |
|------------|------------|
| PARCEL #   | 2700 sq    |
| PARCEL #   | 1,000 sq   |
| PARCEL #   | 3,000 sq   |
| OFFICE     | 100,000 sq |
| RESTAURANT | 10,000 sq  |
| RETAIL     | 1,000 sq   |
| TOTAL      | 113,000 sq |

PARKING CALCULATIONS

|                          |       |
|--------------------------|-------|
| TOTAL PARKING REQUIRED   | 1,100 |
| CAR & CARP               | 1,100 |
| STREET                   | 100   |
| RETAIL                   | 100   |
| RESTAURANT (EATING AREA) | 100   |
| RESTAURANT (KITCHEN)     | 100   |
| PARKING PROVIDED         | 1,100 |

STANDARDS PARKING PROVIDED

|                              |       |
|------------------------------|-------|
| STANDARDS PARKING PROVIDED   | 1,100 |
| HANDICAPPED PARKING PROVIDED | 10    |
| COMPACT SPACES PROVIDED      | 10    |
| TOTAL PARKING PROVIDED       | 1,120 |



Zoning Map

**Ahern Corporate Center**  
Site Development Review  
SW Corner of Bonanza and Martin L. King  
Las Vegas, Nevada 89106

**APTUS Architecture**

1200 South Main Street  
Suite 200  
Las Vegas, Nevada 89101  
P: 702.441.1200  
F: 702.441.1212  
info@aptusarchitecture.com

APTUS PROJECT # 06.011

ARCHITECT

PREPARED BY

NOTES

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1 City of Las Vegas 9-10-06

2 SUPER Submittal plan 1

3 City of Las Vegas 05-25-06

4 SUPER Submittal

5 CITY OF LAS VEGAS

6 DATE: 05-25-06

7 ISSUED

TITLE

SITE PLAN AND

ZONING INFO

DRAWING NO.

AS100

Ahern Corporate Center

RECEIVED

NOV 14 2006

ZON-13896 VAR-13900 SUP-13902  
SUP-13903 SDR-13904 11-15-06 CC



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

Charles Gronbach  
642 Shetland Road  
Las Vegas, NV 89107  
702-877-6947

RECEIVED  
CITY CLERK

2006 JUL 24 A 10: 39

July 21, 2006

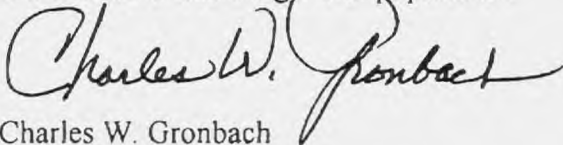
City of Las Vegas Planning Commission  
City Clerk, City Hall, First Floor  
400 Stewart Avenue  
Las Vegas, NV 89101

RE: "Ahern Plans Spaghetti Bowl Tower", Review Journal Business Article, 7/18/06

When considering zoning and variance for this project, the Planning Commission should carefully examine the impact on the general public.

1. If the Commission grants the frontal setback changes from 20 feet to 10 feet, we'll have another "Molasky fiasco" on our hands. Molasky, a private corporation, has closed off two lanes of Grand Central Parkway/Ogden, a public street, for months now due to reduced frontal setback. This is not fair to the public—a mega-gain for Molasky, a mega-inconvenience for the public. We shouldn't have to repeat this inconvenience again.
2. Allowing Ahern to fund his own traffic-impact study is a joke! You can guess with certainty the study's final results. An unbiased, third party consultant paid by the city would better serve the general public. Maybe we'll get a more realistic look at projected traffic increases on our already overcrowded roadways.
3. Ahern's offer to Metro Police to use the Helipad (if Ahern's Helipad is approved) smells a little "fishy". Anything to get a variance approved.

Thank you for allowing me to present my concerns about growth and traffic congestion and how it inconveniences the general population.



Charles W. Gronbach

Cc: Planning & Development Department  
731 South 4<sup>th</sup> Street  
Las Vegas, NV 89101

ITEM NO.: 30, 31  
CASE NO. 20W-13896, LK-138900  
PC MEETING: 8-10 06

f

September 20, 2006

City of Las Vegas  
Planning & Development  
739 So. 4<sup>th</sup> Street  
Las Vegas, Nevada 89101

Subject: Ahern Corporate Center  
ZON-13896, VAR-13900, SUP-13902, SDR-13904, & SUP-13903

To Whom It May Concern:

I am a homeowner in The Rancho Manor Tract, which is not too far from the proposed project. I have attended two presentations that Ahern has put on to show interested parties exactly what they're plans are.

I am personally very much in favor of it, as our many of the Rancho Manor Homeowners Assoc. members. Some would like to have it a little lower but are still in favor of Ahern getting approved.

It will CERTAINLY improve the proposed area, namely Martin Luther King and Bonanza, and hopefully encourage others to consider "like" projects in this area.

Ahern has been in business in the same location for many, many years, very successful, a great employer and a wonderful neighbor. Please give them every consider to proceed with their proposed project.

Thank you for your time. I remain yours truly, Patricia Welsh, 1920 Collins Ave., Las Vegas (385-3097)

*Patricia A. Welsh*

R

13-17

A

R

# Telephone Protest/ Approval Log

Meeting Date: 10/5/06

Case Number: 2000 13896/2011 13900

☐ PROTEST ☒ APPROVE  
 Date: 10/5/06  
 Name: Jean Zorn / Kenneth Zorn  
 Address: 2000 S. Highland Ave.  
 Las Vegas, NV 89106  
 Phone: 382-7686

☐ PROTEST ☐ APPROVE  
 Date: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_

☐ PROTEST ☐ APPROVE  
 Date: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_

☐ PROTEST ☐ APPROVE  
 Date: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_

☐ PROTEST ☐ APPROVE  
 Date: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_

ITEM # 10-14  
 CASE # 2000 13896  
 PC MTG 10-14-06  
☐ PROTEST ☐ APPROVE  
 Date: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_

A



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

**SUBJECT:**

SPECIAL USE PERMIT RELATED TO ZON-13896, AND VAR-13900

SUP-13902 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DON AHERN - OWNER: DFA, LLC - Request for a Special Use Permit FOR A PROPOSED HELIPAD AND A WAIVER TO ALLOW A HELIPAD AS AN ACCESSORY USE TO A FACILITY OTHER THAN A HOSPITAL, MEDICAL FACILITY, OR MEDICAL OFFICE on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), R-E (Residence Estates) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (5-1 vote) recommends DENIAL. Staff recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

0

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

4

City Council Meeting

0

**RECOMMENDATION:**

The Planning Commission (5-1 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Revised Site Plan
6. Backup referenced from the 10-05-06 Planning Commission Meeting Item 12

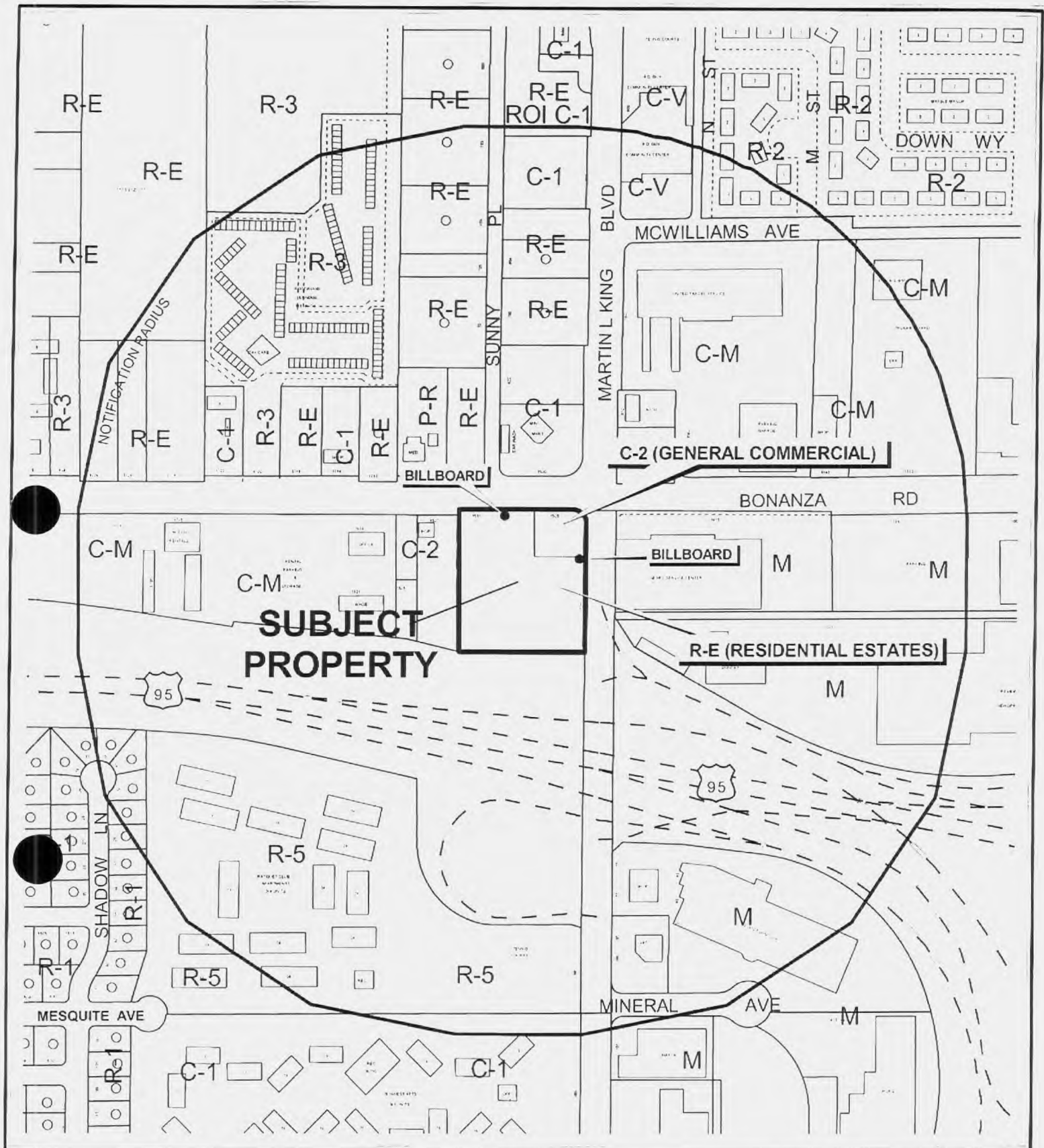
Motion made by LAWRENCE WEEKLY to Withdraw without Prejudice

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

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

Minutes:

See Item 96 for related discussion.



**CASE: SUP-13902**

**RADIUS: 1000 FT**

**ZONING OF SUBJECT PROPERTY:**

R-E (RESIDENCE ESTATES) AND C-2 (GENERAL COMMERCIAL)

**PROPOSED ZONING OF SUBJECT PROPERTY:**

C-2 (GENERAL COMMERCIAL)



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JANUARY 17, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ABEYANCE - SUP-13902 - APPLICANT: DON AHERN -  
OWNER: DFA, LLC**

---

***THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 15, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.***

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

The Planning Commission (5-1/ld vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

**Planning and Development**

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for a helipad use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-13896), Variance (VAR-13900), Site Development Plan Review (SDR-13904), and Special Use Permit (SUP-13903) shall be required.
3. A flight plan must be approved by the Federal Aviation Administration (FAA), the Clark County Department of Aviation, and the City of Las Vegas prior to operation of the helipad.
4. The applicant must file FAA Form 7480-1 with the FAA and receive approval of the heliport prior to the issuance of a building permit.
5. 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.
6. Written approval by the Clark County Department of Aviation with no change in flight patterns shall be submitted to the City of Las Vegas prior to the issuance of building permits.
7. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Special Use Permit for a proposed Helipad and a Waiver to allow a Helipad as an accessory use to a facility other than a hospital, medical facility, or medical office on 2.61 acres on the southwest corner of Bonanza Road and Martin L. King Boulevard.

**EXECUTIVE SUMMARY**

This request will not negatively affect the surrounding area. Staff supports the proposal and the associated Waiver as it will not negatively impact residential areas and it will likely be minimally used. To insure low impact, a condition has been added that requires submittal of a flight path prior to construction of the helipad.

**BACKGROUND INFORMATION**

**A) *Related Actions***

- 10/05/06      The Planning Commission recommended approval of companion items ZON-13896, VAR-13900, SUP-13903 and SDR-13904 concurrently with this application
- 10/05/06      The Planning Commission voted 5-1/ld to recommend DENIAL (PC Agenda Item #12/ng).

**B) *Pre-Application Meeting***

- 05/15/06      A pre-application meeting with the applicant was held and the following items were discussed:
- Staff informed the applicant of the submittal requirements for the required applications.

**DETAILS OF APPLICATION REQUEST**

**A) *Site Area***

Net Acres:            2.61

**B) *Existing Land Use***

Subject Property: Parking  
North:                Mini-Mart  
South:                U.S. 95  
East:                  Sears Service Center  
West:                  Rental Shop; Warehouse



**C) Planned Land Use**

Subject Property: C (Commercial)  
North: SC (Service Commercial); M (Medium Density Residential)  
South: U.S. 95 ROW  
East: LI/R (Light Industry/Research)  
West: LI/R (Light Industry/Research)

**D) Existing Zoning**

Subject Property: R-E (Residence Estates); C-2 (General Commercial)  
North: C-1 (Limited Commercial); R-E (Residence Estates)  
South: U.S. 95 ROW  
East: M (Industrial)  
West: C-2 (General Commercial)

**E) General Plan Compliance**

The subject parcel is located in the C (Commercial) area of the Redevelopment Plan Area. This designation allows for a variety of commercial uses including general office and retail. The underlying zoning of C-2 (General Commercial) complies with this designation.

| <b>SPECIAL DISTRICTS/ZONES</b>                    | <b>Yes</b> | <b>No</b> |
|---------------------------------------------------|------------|-----------|
| <b>Special Area Plan</b>                          | <b>X</b>   |           |
| Redevelopment Plan Area                           | <b>X</b>   |           |
| West Las Vegas                                    | <b>X</b>   |           |
| <b>Special Overlay District</b>                   | <b>X</b>   |           |
| Airport Overlay District                          | <b>X</b>   |           |
| <b>Trails</b>                                     | <b>X</b>   |           |
| Pioneer                                           | <b>X</b>   |           |
| <b>Rural Preservation Overlay District</b>        |            | <b>X</b>  |
| <b>County/North Las Vegas/HOA Notification</b>    |            | <b>X</b>  |
| <b>Development Impact Notification Assessment</b> |            | <b>X</b>  |
| <b>Project of Regional Significance</b>           |            | <b>X</b>  |

Downtown Redevelopment Plan Area

No additional development standards are placed on the project as a result of its inclusion in the Redevelopment Plan. Rather, this designation simply targets the property for increased development efforts and improves access to assistance in redevelopment.

West Las Vegas

The subject property is located on the edge of the West Las Vegas plan area. This plan focuses mostly on the revitalization of residential areas in the heart of Las Vegas, but its objectives also emphasize the importance of re-investing in deteriorating commercial centers and creating an interesting urban environment. Increasing density and the mixing of uses is also a focus of the plan.

Airport Overlay District

The subject property is located within the North Las Vegas Airport Overlay District which restricts the height of buildings to 140 feet. The proposed development, at 246 feet, exceeds this height. However, a Special Use Permit (SUP-13903) has been submitted to allow relief from this requirement.

Pioneer Trail

The Pioneer Trail is an existing trail that runs along West Bonanza Road at the northern edge of the property. No additional requirements will be placed on the applicant as a result of this trail.

**ANALYSIS**

**A) *General Analysis and Discussion***

- Zoning

Helipads are allowed in a C-2 (General Commercial) zone with approval of a Special Use Permit. The subject proposal will be located on the roof of a proposed office building.

- Use

This use is appropriate for the proposed development and will not be detrimental to surrounding areas. Its location adjacent to U.S. 95 will minimize the impact of arriving and departing helicopters and will give them direct access to an appropriate flight path. It should be noted that a proposed flight path has not been provided. A condition has been added requiring that a site plan be submitted and approved prior to operation of the helipad.

A Waiver has been requested from the second condition (listed below) to allow a helipad as an accessory use to a facility other than a hospital, medical facility, or medical office. Given the location of the building on which the helipad will be located, Staff supports the waiver as surrounding properties will be well protected.

- Conditions

1. The heliport shall be permitted only as an accessory use to a hospital, medical facility, or medical office.
2. The heliport shall designate a flight path which does not fly over adjacent residential areas.

## **FINDINGS**

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

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

The proposed use is harmonious with the surrounding area. Adjacency to U.S. 95 means that helicopters using the facility will have access to a preferred flight pattern in the Las Vegas Valley.

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

The addition of a helipad on top of a proposed office tower will not increase the intensity of the land use already planned for the site.

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

Street and highway facilities are irrelevant to this request as no additional traffic will be generated by the request. If anything, automobile traffic will be reduced due to the alternate transportation options available.

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

Approval of this Special Use Permit will not compromise the public health, safety or welfare of the general public.

## **PLANNING COMMISSION ACTION**

The Planning Commission voted against the helipad as they believed it would be an unnecessary disturbance to nearby residences. If approved, condition #3 should be deleted as incorrect.

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

23

## **ASSEMBLY DISTRICT**

6

## **SENATE DISTRICT**

4

|                              |                  |
|------------------------------|------------------|
| <b><u>NOTICES MAILED</u></b> | 99 by City Clerk |
|------------------------------|------------------|

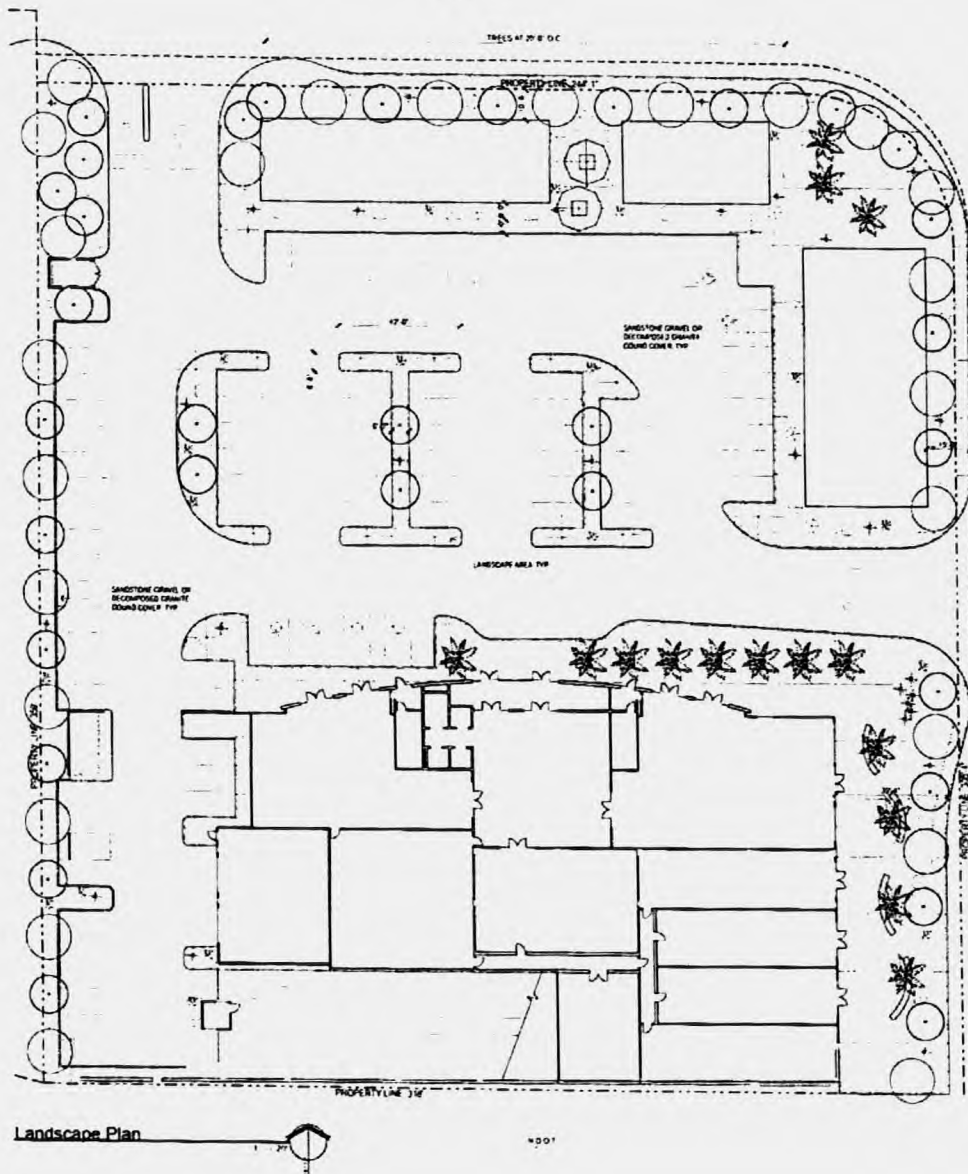
|                         |   |
|-------------------------|---|
| <b><u>APPROVALS</u></b> | 1 |
|-------------------------|---|

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





Revised 2/12/02; F:\depot\Application Packet\Statement of Financial Interest.doc



**Martin Luther King**

### Landscape Schedule

[illegible]

## LANDSCAPE IMPACT RELIABILITY REQUESTED

|          | HEIGHT | WEIGHT |
|----------|--------|--------|
| STAND    | 15' 6" | 15' 6" |
| STANDING | 15' 6" | 15' 6" |
| STANDING | 15' 6" | 15' 6" |
| STANDING | 15' 6" | 15' 6" |

**Ahern Corporate Center**  
Site Development Review  
SW Corner of Bonanza and Martin L. King  
Las Vegas, Nevada 89106

## APTUS Architecture

© 2002 Elsevier B.V. All rights reserved.  
 ISBN: 0-08-043848-2  
 Last figures: February 2002  
 0 002 0 200  
 P 002 0 200 (1)

06.011

INCIDENT

Page 29 of 31

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|     |                          |         |
|-----|--------------------------|---------|
| 2   | City of Los Angeles      | \$14.00 |
|     | SAFARI Submission Office |         |
| 3   | City of Los Angeles      | \$5.25  |
|     | SAFARI Submission        |         |
| 403 | (S.E.C. 1017) (1) 2      | 1.00    |

ISSUED  
TITLE  
PLANTING PLAN

\_\_\_\_\_

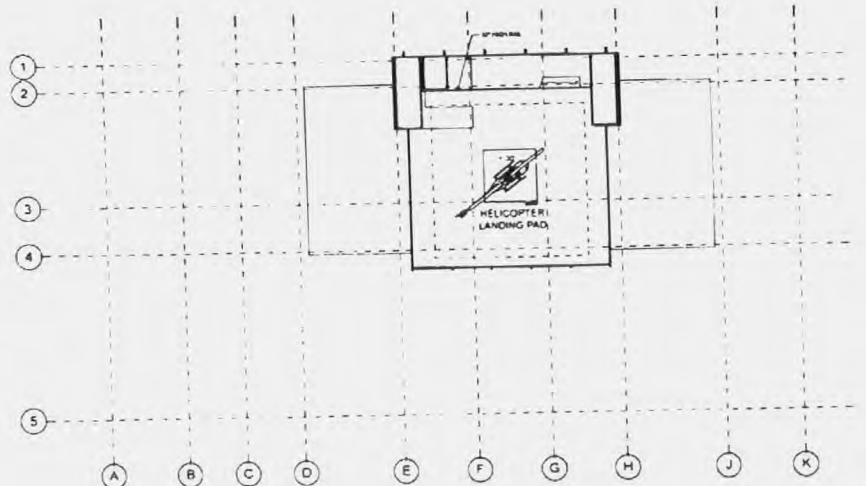
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**Other Companies**

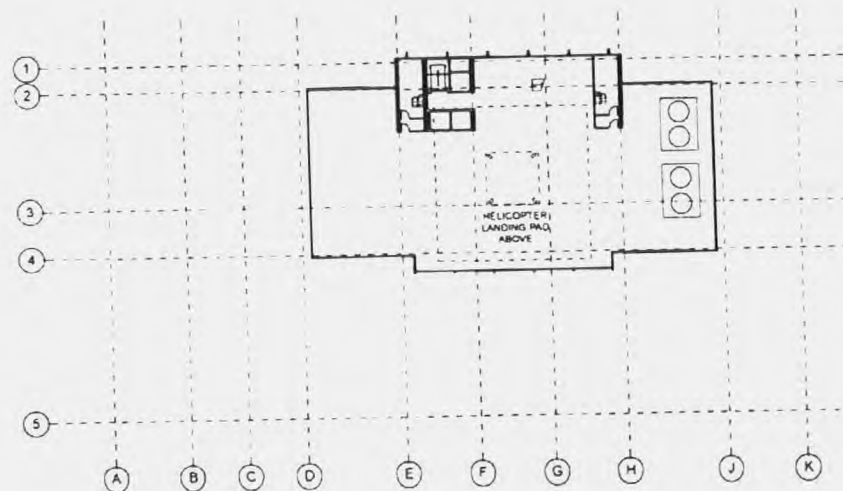
ZON-13896      VAR-13900  
SUP-13902      SUP-13903  
SDR-13904

REVISED 10/05/06 PC

SEP 19 2006



Roof 2



Roof Plan

Ahern Corporate Center  
SW Corner of Bonanza and Martin L King  
Las Vegas, NV 89106

APTUS Architecture

1200 South Main Street  
Suite 200  
Las Vegas, Nevada 89101  
702.894.1111  
info@aptusarch.com

APUS PROJECT NO. 06.011  
DATE: 07/01/06

PROJECT

NO. 11

COMPILED BY: APTUS ARCHITECTURE

DATE OF ISSUE: 07/11/06

SUP. OF WORK: APTUS ARCHITECTURE

NO. 01111111111111111111

ISSUED

FILED

ROOF PLAN

DRAWING NO.

A110

APUS ARCHITECTURE

MAY 30 2006

ZON-13896 VAR-13900  
SUP-13902 SUP-13903  
SDR-13904 10/05/06 PC

May 25, 2006

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

**APN: 139-28-401-033**

Re:  
Special Use Permit – Airport Overlay and Helipad

To Whom It May Concern:

We respectfully submit this request for a Special Use Permit for a twenty-story office development located on the southwest corner of Bonanza and Martin Luther King Dr. We are also requesting this parcel be rezoned to C-2. The current general plan for the parcel is GC. This parcel is located in the airport overlay zone.

The Ahern Corporate Center will combine much needed office and retail space in a twenty-story tower in a redeveloping area of the city. This project consists of 19,000 sf of retail, 150,000 sf of leasable office space, a daycare for the employees working in the building and 3,700 sf of restaurant which includes 1,000 sf of eating area. This project also contains a helipad on the roof. There are 658 parking spaces required and 662 parking spaces provided. The majority of the parking is provided in an eight story parking structure under the office tower. The exterior materials include metal panels, Precast panels, aluminum storefront and stone panels at the base. The mechanical equipment and the helipad are screened from view by perforated metal panels. The tallest part of the tower is 274' in height.

We hope that you will join us in our attempt to bring a much-needed high caliber project into this area.

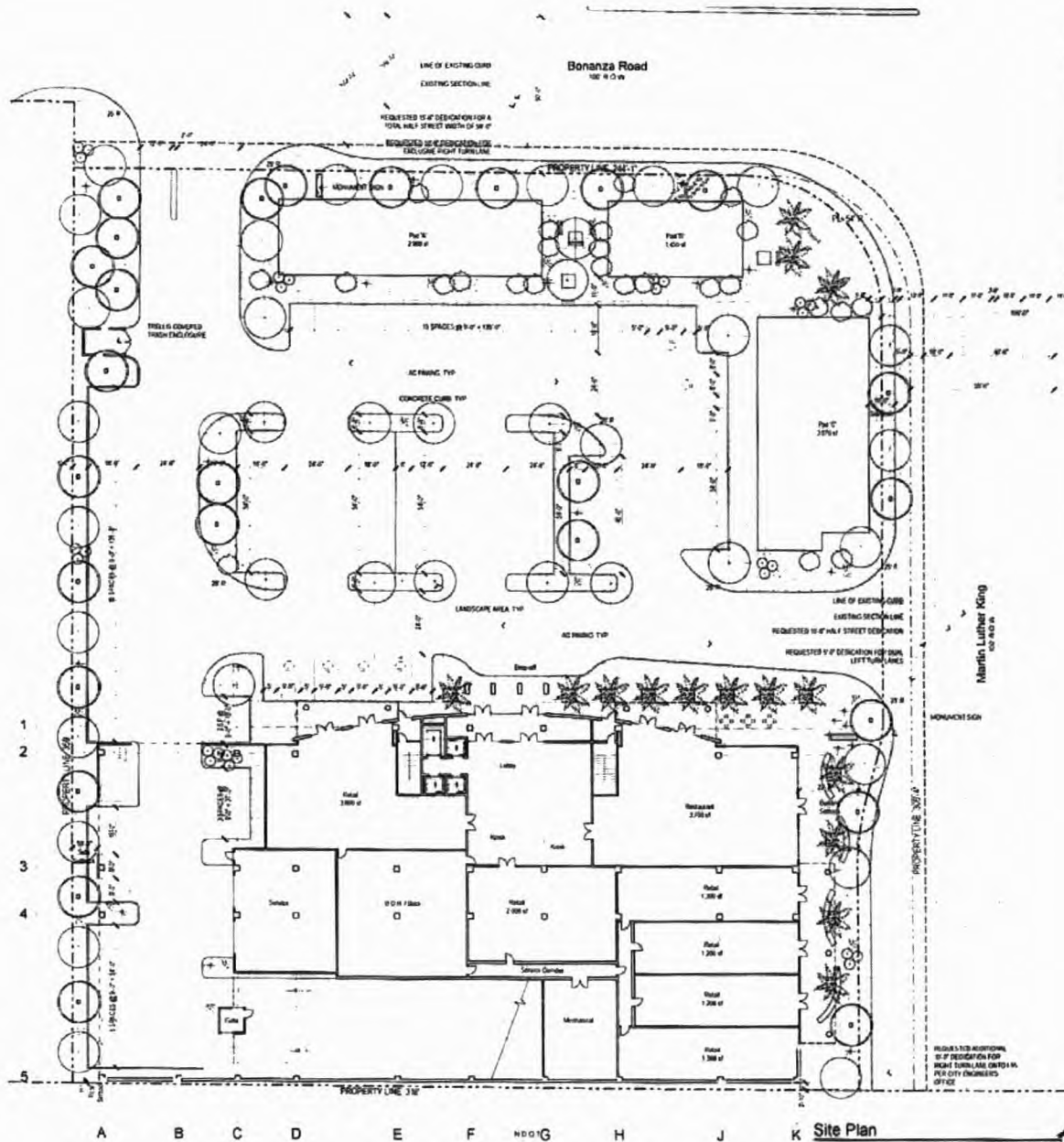
Respectfully Submitted,

*R. Brandon Sprague*  
R. Brandon Sprague for RBS

R. Brandon Sprague, AIA

**ZON-13896    VAR- 13900**  
**SUP-13902    SUP-1 3903**  
**SDR-13904    10/05/06 PC**





#### Site Zoning & Data

| SITE DATA             |                           |
|-----------------------|---------------------------|
| PARCEL NUMBER         | 101.25.401.000            |
| JURISDICTION          | CITY OF LAS VEGAS - 09-00 |
| EXISTING GENERAL PLAN | CC                        |
| EXISTING ZONING       | R-1                       |
| PROPOSED ZONING       | C-2                       |
| USE AREA              | 111,500 SQ FT             |
| LOT AREA              | 2,941 ACRES               |

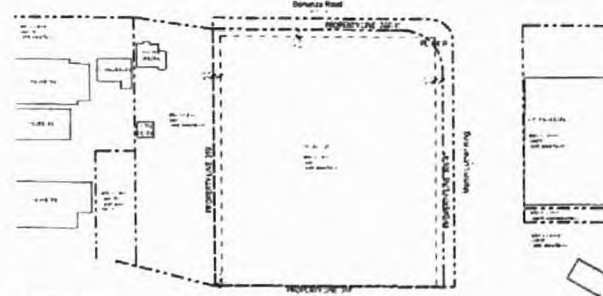
| BUILDING AREA |              |
|---------------|--------------|
| EXIST'G       | 2,300 sq ft  |
| PROPOSED      | 2,300 sq ft  |
| TOTAL         | 4,600 sq ft  |
| EXIST'G       | 10,000 sq ft |
| PROPOSED      | 10,000 sq ft |
| TOTAL         | 20,000 sq ft |

| STANDARDS - BUILDING DISTANCE REQUIREMENTS |        |
|--------------------------------------------|--------|
| FRONT                                      | 20' 0" |
| REAR                                       | 20' 0" |
| INTERIOR SIDE                              | 10' 0" |
| ADJ. STREET                                | 20' 0" |
| REAR                                       | 20' 0" |

| PARKING CALCULATIONS    |     |
|-------------------------|-----|
| TOTAL PARKING REQUIRED  | 100 |
| OFFICE                  | 100 |
| RETAIL                  | 100 |
| RESTAURANT (RESTAURANT) | 100 |
| RECREATION (RECREATION) | 100 |
| TOTAL PARKING PROVIDED  | 100 |

| STANDARDS - PARKING DISTANCE REQUIREMENTS |        |
|-------------------------------------------|--------|
| FRONT                                     | 10' 0" |
| REAR                                      | 10' 0" |
| INTERIOR SIDE                             | 10' 0" |
| ADJ. STREET                               | 10' 0" |
| REAR                                      | 10' 0" |

| STANDARDS - PARKING DISTANCE REQUIREMENTS |        |
|-------------------------------------------|--------|
| FRONT                                     | 10' 0" |
| REAR                                      | 10' 0" |
| INTERIOR SIDE                             | 10' 0" |
| ADJ. STREET                               | 10' 0" |
| REAR                                      | 10' 0" |



**Ahem Corporate Center**  
 Site Development Review  
 SW Corner of Bonanza and Martin L. King  
 Las Vegas, Nevada 89106

**APTUS Architecture**

1200 South 4th Street  
 Suite 200  
 Las Vegas, Nevada 89106  
 P: 702.499.1234  
 F: 702.499.1235  
 www.aptusarchitecture.com

APTUS PROJECT NO. 06.011  
 ARCHITECT

DATE:

DATE:

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2 City of Las Vegas 9/10/06  
 SUPERIOR Submittal (Plan)  
 1 City of Las Vegas 05/25/06  
 SUPERIOR Submittal  
 PREP DISCUSSION DATE  
 ISSUED

**SITE PLAN AND ZONING INFO**

DRAWING NO.  
**AS100**  
 Ahem Corporate Center

RECEIVED

NOV 14 2006

**ZON-13896 VAR-13900 SUP-13902**  
**SUP-13903 SDR-13904 11-15-06 CC**

[illegible]

| SYMBOL                                                                              | COMMON NAME          | NOTICABLE NAME | AGE    | QF |
|-------------------------------------------------------------------------------------|----------------------|----------------|--------|----|
|  | COMETARY SUN         | SUNNY SUN      | 20 Sun | 15 |
|  | MARSHY FINE          | grass marsh    | 20 Sun | 15 |
|  | HE RETICE / LUT OIA  | grass marsh    | 20 Sun | 20 |
|  | CHILDREN MESSY       | grass marsh    | 20 Sun | 21 |
|  | SALE RED EASY BESSER | grass marsh    | 10 Sun | 7  |
|  | DECEIT CASSA         | grass marsh    | 10 Sun | 15 |
|  | MOUNTAIN MARSH       | grass marsh    | 10 Sun | 15 |
|  | CHILDREN MESSY       | grass marsh    | 10 Sun | 15 |
|  | TRAIL AND LUT OIA    | grass marsh    | 10 Sun | 15 |
|  | OLD RED EASY BESSER  | grass marsh    | 10 Sun | 15 |

## LANDSCAPE BUFFERS NEVER REQUESTED

|               | HEAD    | FOOTER  |
|---------------|---------|---------|
| FRONT         | 10 1/2" | 10 1/2" |
| INTERIOR SIDE | 8 1/2"  | 8 1/2"  |
| SIDE STREET   | 10 1/2" | 10 1/2" |
| REAR          | 8 1/2"  | 8 1/2"  |

**Ahern Corporate Center**  
Site Development Review  
SW Corner of Bonanza and Martin L. King  
Las Vegas, Nevada 89106

## APTUS Architecture

1/2000 Spanish Air Service  
 C-130H  
 Los Angeles, California 90045  
 P 762 8794 1300  
 F 762 8794 1300  
 www.1300.com

|                   |        |
|-------------------|--------|
| AFTUS PROJECT NO. | 06.011 |
| ARCHITECT         |        |

1942-1943

INDEX

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4 Case of Los Angeles 818-24

City of Los Angeles 85.73.4

| NO | DESCRIPTION | Date |
|----|-------------|------|
|----|-------------|------|

ISSUED

### PLANTING PLAN

DEPARTMENT OF

LI 00

— 1999 —

ZON-13896 VAR-13900 SUP-13902  
SUP-13903 SDR-13904 11-15-06 CC

RECEIVED

NOV 14 2006

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

September 20, 2006

City of Las Vegas  
Planning & Development  
739 So. 4<sup>th</sup> Street  
Las Vegas, Nevada 89101

Subject: Ahern Corporate Center  
ZON-13896, VAR-13900, SUP-13902, SDR-13904, & SUP-13903

To Whom It May Concern:

I am a homeowner in The Rancho Manor Tract, which is not too far from the proposed project. I have attended two presentations that Ahern has put on to show interested parties exactly what they're plans are.

I am personally very much in favor of it, as our many of the Rancho Manor Homeowners Assoc. members. Some would like to have it a little lower but are still in favor of Ahern getting approved.

It will CERTAINLY improve the proposed area, namely Martin Luther King and Bonanza, and hopefully encourage others to consider "like" projects in this area.

Ahern has been in business in the same location for many, many years, very successful, a great employer and a wonderful neighbor. Please give them every consider to proceed with their proposed project.

Thank you for your time. I remain yours truly, Patricia Welsh, 1920 Collins Ave., Las Vegas (385-3097)

*Patricia A. Welsh*

R

13-17

A  
R



# Telephone Protest/ Approval Log

Meeting Date: 10/5/06

Case Number: 700 13896, 2011 13700,

Sep 13402, Sep 13403, Sep 13404

Date: 10/5/06  
Name: Jean Zorn (on behalf of Rancho Meno Neighborhood Association)  
Address: 2000 Sunland Ave  
Las Vegas, NV 89106  
Phone: 382-7686  
☐ PROTEST ☒ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
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☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
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☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
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☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE

ITEM # 10-14

CASE # See ABOVE

PC MTG 10/10/06

A

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

**SUBJECT:**

SPECIAL USE PERMIT RELATED TO ZON-13896, VAR-13900 AND SUP-13902

SUP-13903 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DON AHERN - OWNER: DFA, LLC - Request for a Special Use Permit FOR A PROPOSED 274-FOOT TALL BUILDING IN THE NORTH LAS VEGAS AIRPORT OVERLAY DISTRICT on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), R-E (Residence Estates) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (6-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

0

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

4

City Council Meeting

0

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Revised Site Plan
6. Backup referenced from the 10-05-06 Planning Commission Meeting 13

Motion made by LAWRENCE WEEKLY to Approve Subject to Conditions and amending Condition 2 as read for the record:

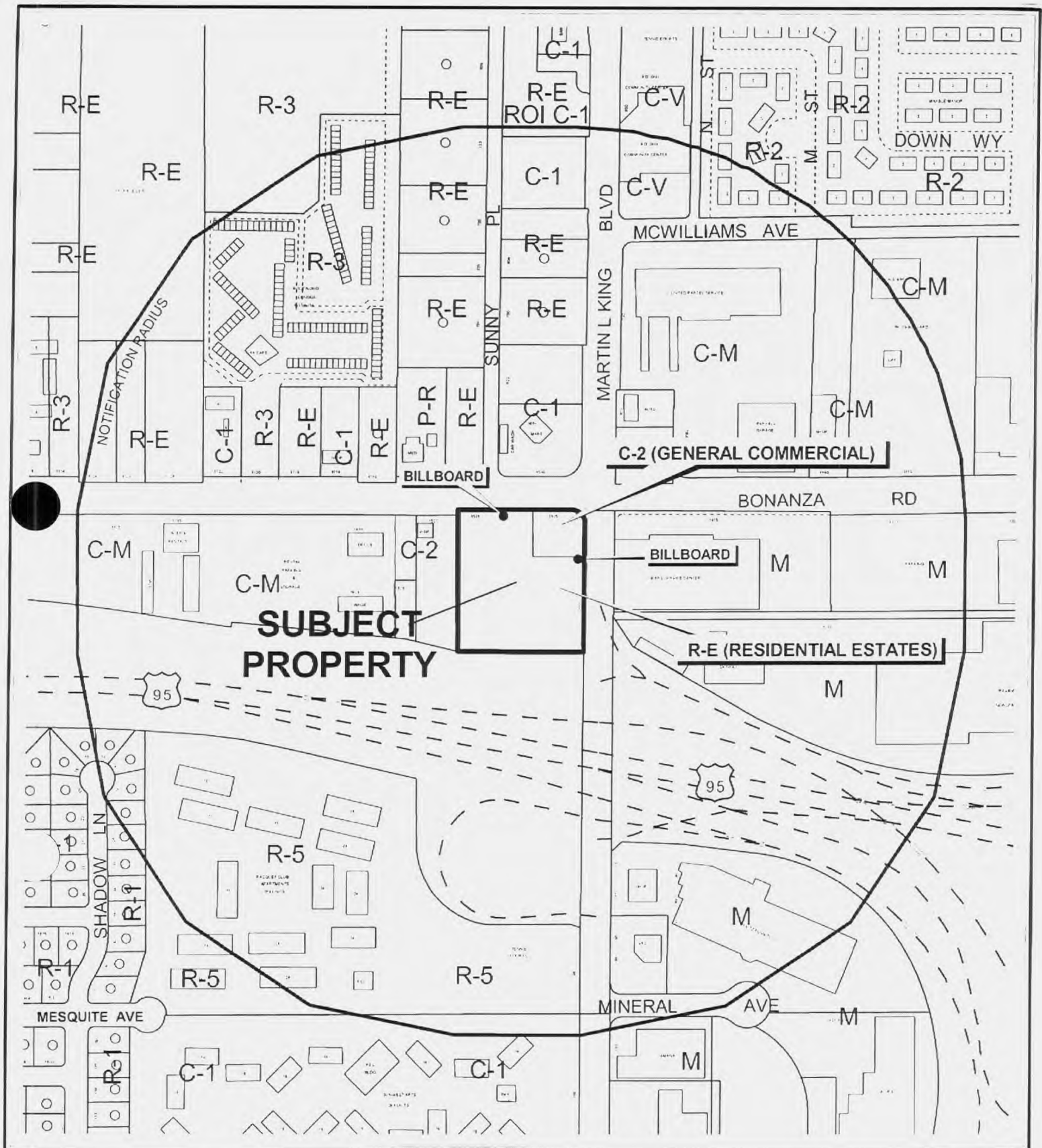
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-13896), Site Development Plan Review (SDR-13904), Variance (VAR-13900) and Special Use Permit (SUP-13903) shall be required.

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

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

Minutes:

See Item 96 for related discussion.



**CASE: SUP-13903**

**RADIUS: 1000 FT**

**ZONING OF SUBJECT PROPERTY:**

R-E (RESIDENCE ESTATES) AND C-2 (GENERAL COMMERCIAL)

**PROPOSED ZONING OF SUBJECT PROPERTY:**

C-2 (GENERAL COMMERCIAL)

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JANUARY 17, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ABEYANCE - SUP-13903 - APPLICANT: DON AHERN -  
OWNER: DFA, LLC**

---

*THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 15, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.*

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

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

**Planning and Development**

1. Conformance to all Minimum Requirements under LVMC Title 19.06.080 for developments that exceed the height allowed by an Airport Overlay District.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-13896), Site Development Plan Review (SDR-13904), Variance (VAR-13900), Special Use Permit (SUP-13902), and Special Use Permit (SUP-13903) shall be required.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. Applicant must file FAA Form 7460-1 with the FAA and receive approval prior to the issuance of a building permit.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.
6. The maximum building height shall be 248 feet.



**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Special Use Permit for a proposed 246 foot tall building in the North Las Vegas Airport Overlay District on 2.61 acres on the southwest corner of Bonanza Road and Martin L. King Boulevard.

**EXECUTIVE SUMMARY**

Staff typically defers to the judgment of the applicable aviation officials with regard to the appropriateness of development that exceeds current height restrictions. In this case, the FAA has no objection to the proposal as flight paths will not be affected by the development. However, any changes that affect the height or airspace on the subject site must be approved by the appropriate agencies. Staff supports this request.

**BACKGROUND INFORMATION**

**A) *Related Actions***

- 10/05/06      The Planning Commission recommended approval of companion items ZON-13896, VAR-13900 and SDR-13904 and denial of SUP-13902 concurrently with this application
- 10/05/06      The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #13/ng).

**B) *Pre-Application Meeting***

- 05/15/06      A pre-application meeting with the applicant was held and the following items were discussed:
- Staff informed the applicant of the submittal requirements for the required applications.

**DETAILS OF APPLICATION REQUEST**

**A) *Site Area***

Net Acres:            2.61

**B) Existing Land Use**

Subject Property: Parking  
North: Mini-Mart  
South: U.S. 95  
East: Sears Service Center  
West: Rental Shop  
Warehouse

**C) Planned Land Use**

Subject Property: Commercial (Downtown Redevelopment Plan)  
North: SC (Service Commercial)  
M (Medium Density Residential)  
South: U.S. 95 ROW  
East: LI/R (Light Industry/Research)  
West: LI/R (Light Industry/Research)

**D) Existing Zoning**

Subject Property: R-E (Residence Estates)  
C-2 (General Commercial)  
North: C-1 (Limited Commercial)  
R-E (Residence Estates)  
South: U.S. 95 ROW  
East: M (Industrial)  
West: C-2 (General Commercial)

**E) General Plan Compliance**

The subject property has a land use designation of Commercial based on the Downtown Redevelopment Plan. If the proposed rezoning to C-2 (General Commercial) is approved, the zoning and the land use designation will be compatible as they both allow for intense commercial (office, retail, etc.) development.

| <b><i>SPECIAL DISTRICTS/ZONES</i></b>             | <b>Yes</b> | <b>No</b> |
|---------------------------------------------------|------------|-----------|
| <b>Special Area Plan</b>                          | <b>X</b>   |           |
| Downtown Redevelopment Plan Area                  | <b>X</b>   |           |
| West Las Vegas                                    | <b>X</b>   |           |
| <b>Special Overlay District</b>                   | <b>X</b>   |           |
| Airport Overlay District                          | <b>X</b>   |           |
| <b>Trails</b>                                     | <b>X</b>   |           |
| Pioneer                                           | <b>X</b>   |           |
| <b>Rural Preservation Overlay District</b>        |            | <b>X</b>  |
| <b>County/North Las Vegas/HOA Notification</b>    |            | <b>X</b>  |
| <b>Development Impact Notification Assessment</b> |            | <b>X</b>  |
| <b>Project of Regional Significance</b>           |            | <b>X</b>  |

Downtown Redevelopment Plan Area

No additional development standards are placed on the project as a result of its inclusion in the Redevelopment Plan. Rather, this designation simply targets the property for increased development efforts and improves access to assistance in redevelopment.

West Las Vegas

The subject property is located on the edge of the West Las Vegas plan area. This plan focuses mostly on the revitalization of residential areas in the heart of Las Vegas, but its objectives also emphasize the importance of re-investing in deteriorating commercial centers and creating an interesting urban environment. Increasing density and the mixing of uses is also a focus of the plan.

Airport Overlay District

The subject property is located within the North Las Vegas Airport Overlay District which restricts the height of buildings to 140 feet. The proposed development, at 246 feet, exceeds this height. However, a Special Use Permit (SUP-13903) has been submitted to allow relief from this requirement.

Pioneer Trail

The Pioneer Trail is an existing trail that runs along West Bonanza Road at the northern edge of the property. No additional requirements will be placed on the applicant as a result of this trail.

## ANALYSIS

### A) Zoning Code Compliance

#### A1) Parking and Traffic Standards

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

| Uses   | GFA           | Required                |         |          | Provided |          |
|--------|---------------|-------------------------|---------|----------|----------|----------|
|        |               | Ratio                   | Parking |          | Parking  |          |
|        |               |                         | Regular | Handicap | Regular  | Handicap |
| Office | 150,000<br>SF | 1 Space / 300<br>SF GFA | 500     |          |          |          |
| Retail | 19,000<br>SF  | 1 Space / 175<br>SF     | 109     |          |          |          |

|                   |          |                                                     |                                               |           |                                               |           |
|-------------------|----------|-----------------------------------------------------|-----------------------------------------------|-----------|-----------------------------------------------|-----------|
| Restaurant        | 1,000 SF | 1 Space / 50 SF Public Seating                      | 20                                            |           |                                               |           |
|                   | 2,700 SF | 1 Space / 200 SF Remaining                          | 14                                            |           |                                               |           |
| Child Care Center | N/A      | 1 Space / Staff Person<br><br>1 Space / 10 Children | 15                                            |           |                                               |           |
| <b>TOTAL</b>      |          |                                                     | <b>658</b><br>(including handicap accessible) | <b>14</b> | <b>662</b><br>(including handicap accessible) | <b>15</b> |

The subject proposal will contain adequate parking to provide for the facilities and uses proposed. Of the total number of spaces, 83 (11%) are compact spaces, 15 are handicap accessible, and two are van accessible spaces. Eighty-one of the spaces are contained at ground level and exterior to the buildings. The remainder of the spaces is contained in a parking structure within the office building.

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

| Standards       | Code Requirement                                                          | Provided        |
|-----------------|---------------------------------------------------------------------------|-----------------|
| Trash Enclosure | Gated, Roofed,<br>Constructed of a similar material to the main structure | Trellis Covered |

The trash enclosure meets current Title 19 standards.

#### ***B) General Analysis and Discussion***

- Zoning

Applicable zoning requirements are discussed in detail in the report for the Site Development Plan Review (SDR-13904). Several variances and a waiver are requested as part of this application in order to get relief from development standards.



- Use

This Special Use Permit is not actually for a use, but is actually for relief from a development standard. Specifically, approval of this request will allow the applicant to construct a building that is taller than is currently allowed based on the North Las Vegas Overlay District. Staff supports this request as the FAA (Federal Aviation Administration) does not object to the height of the building as it will not create a hazard to air navigation.

- Conditions

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. The Special Use Permit 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
  - b. Any approval by the Planning Commission must be referred automatically to the City Council for final disposition.
2. Notwithstanding the preceding provisions of this subchapter, no Special Use Permit 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.

## FINDINGS

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

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

The area in which the proposed building is located is slated for commercial redevelopment per the Downtown Redevelopment Plan. As such, a tower of this type and height is appropriate for the area and is compatible with the General Plan.

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

The subject site can accommodate land use of the intensity proposed, and such development will benefit the area.

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 site is served by West Bonanza Road (a 100-foot primary arterial) and North Martin L. King Boulevard (a 100-foot primary arterial). These roadways are capable of accommodating the proposed facility and 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.”**

Exceeding the height allowed by the North Las Vegas Airport Overlay District will not endanger the public health, safety, or general welfare.

#### **PLANNING COMMISSION ACTION**

Condition #6 was added by the Planning Commission.

#### **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

23

**ASSEMBLY DISTRICT** 6

**SENATE DISTRICT** 4

**NOTICES MAILED** 99 by City Clerk

**APPROVALS** 1

**PROTESTS** 0



## PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-13903** APN: **139-28-401-033**

Name of Property Owner: DEA LLC

Name of Applicant: DON AHERN

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/Authorized Agent: X Nori Khes

Print Name: Don F. Allen

Subscribed and sworn before me

This 21<sup>st</sup> day of May, 2006

Karen Binner

Notary Public in and for said County and State

**CITY OF LAS VEGAS  
PLANNING COMMISSION RECOMMENDATIONS / COMMENTS**

**FROM:** CLARK COUNTY DEPARTMENT OF AVIATION

**APPLICATION NUMBERS:** SUP-13903

**PROJECT:** DFA, LLC – 274 Foot Building

**LOCATION:** SWC of Bonanza Rd. and Martin L. King Blvd.

**MEETING DATE:** July 13, 2006

**COMMENTS:**

Federal Aviation Regulations (Title 14, Part 77) require that the Federal Aviation Administration (FAA) be notified before the construction or alteration of any building or structure that will exceed a slope of 100:1 for a distance of 20,000 feet from the nearest point of any airport runway, or for any structure greater than 200 feet in height. Such notification allows the FAA to determine what impact, if any, the proposed development will have upon navigable airspace, and allows the FAA to determine whether the development requires obstruction marking or lighting.

Clark County Code (Title 20, Subsection 13), pursuant to Chapter 497 of the Nevada Revised Statutes, requires that when the applicant is required to file FAA Form 7460-1, a Permit from the Clark County Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) must also be obtained prior to construction. Per 20.13.040 of Clark County Code, an aviation easement will also be required.

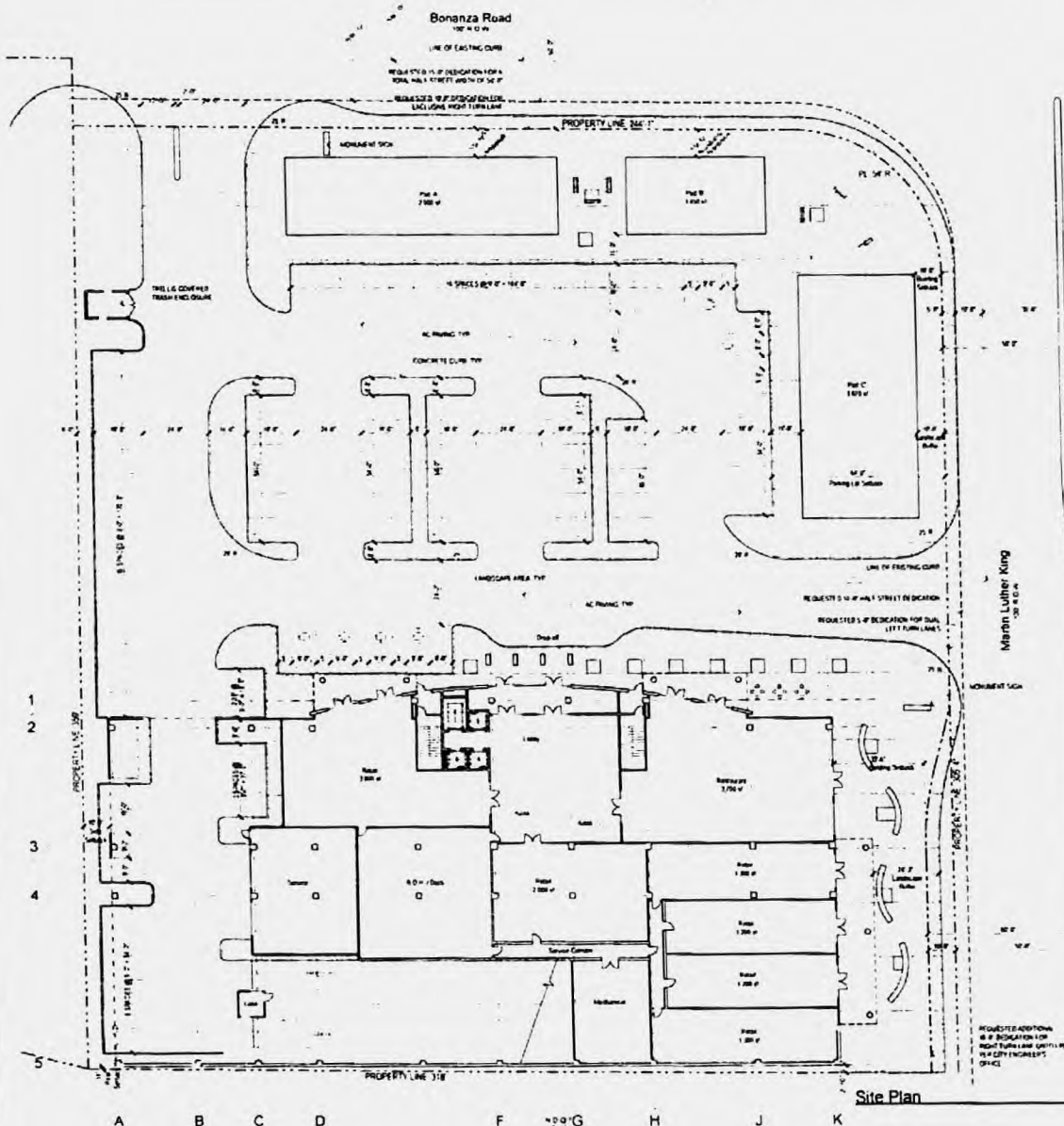
The proposed development will exceed the 100:1 notice requirement. **Therefore, applicant is required to file FAA form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, and, depending upon the FAA's determination, obtain either a Permit from the Clark County Director of Aviation or a Variance from the AHABA prior to construction.**

Name:  Date: 7/10/06

Title: Airport Program Admin.







Site Plan



Location Map



Vicinity Map

# Site Zoning & Data

## SITE DATA

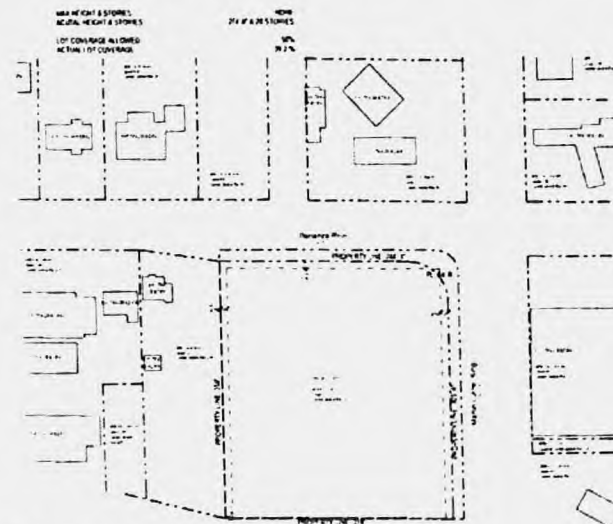
|                        |                           |
|------------------------|---------------------------|
| PROJECT NUMBER         | 174-26-01-010             |
| APPROXIMATE            | CITY OF LAS VEGAS, NV-100 |
| PLANNING & DESIGN FIRM | CC                        |
| CLIENT NAME            | CC                        |
| PROJECT ADDRESS        | 174-26-01-010             |
| SITE AREA              | 174-26-01-010             |
| STREETS                | 174-26-01-010             |
| HEIGHT                 | 20' 0"                    |
| WINDSPEED              | 10' 0"                    |
| LANDSCAPE              | 10' 0"                    |
| PLAN                   | 20' 0"                    |
| STREETS                | 174-26-01-010             |
| HEIGHT                 | 20' 0"                    |
| WINDSPEED              | 10' 0"                    |
| LANDSCAPE              | 10' 0"                    |
| PLAN                   | 20' 0"                    |

## BUILDING AREA

|       |             |
|-------|-------------|
| Pkg A | 7,000 sq ft |
| Pkg B | 1,000 sq ft |
| Pkg C | 1,000 sq ft |
| Pkg D | 1,000 sq ft |
| Pkg E | 1,000 sq ft |
| Pkg F | 1,000 sq ft |
| Pkg G | 1,000 sq ft |
| Pkg H | 1,000 sq ft |
| Pkg I | 1,000 sq ft |
| Pkg J | 1,000 sq ft |
| Pkg K | 1,000 sq ft |

## PARKING CALCULATIONS

|                           |       |
|---------------------------|-------|
| TOTAL PARKING REQUIRED    | 1,000 |
| EXISTING PARKING          | 1,000 |
| NEW PARKING               | 1,000 |
| TOTAL PARKING PROVIDED    | 1,000 |
| STANDARD PARKING PROVIDED | 1,000 |
| COMPACT PARKING PROVIDED  | 1,000 |
| TOTAL PARKING PROVIDED    | 1,000 |



Zoning Map

Ahern Corporate Center  
Site Development Review  
SW Corner of Bonanza and Martin L. King  
Las Vegas, Nevada 89106

APTUS Architecture

174-26-01-010  
06.011

174-26-01-010

174-26-01-010

174-26-01-010

174-26-01-010

174-26-01-010

ISSUED  
SITE PLAN AND ZONING INFO

174-26-01-010

ZON-13896

VAR-13900

SUP-13902

SUP-13903

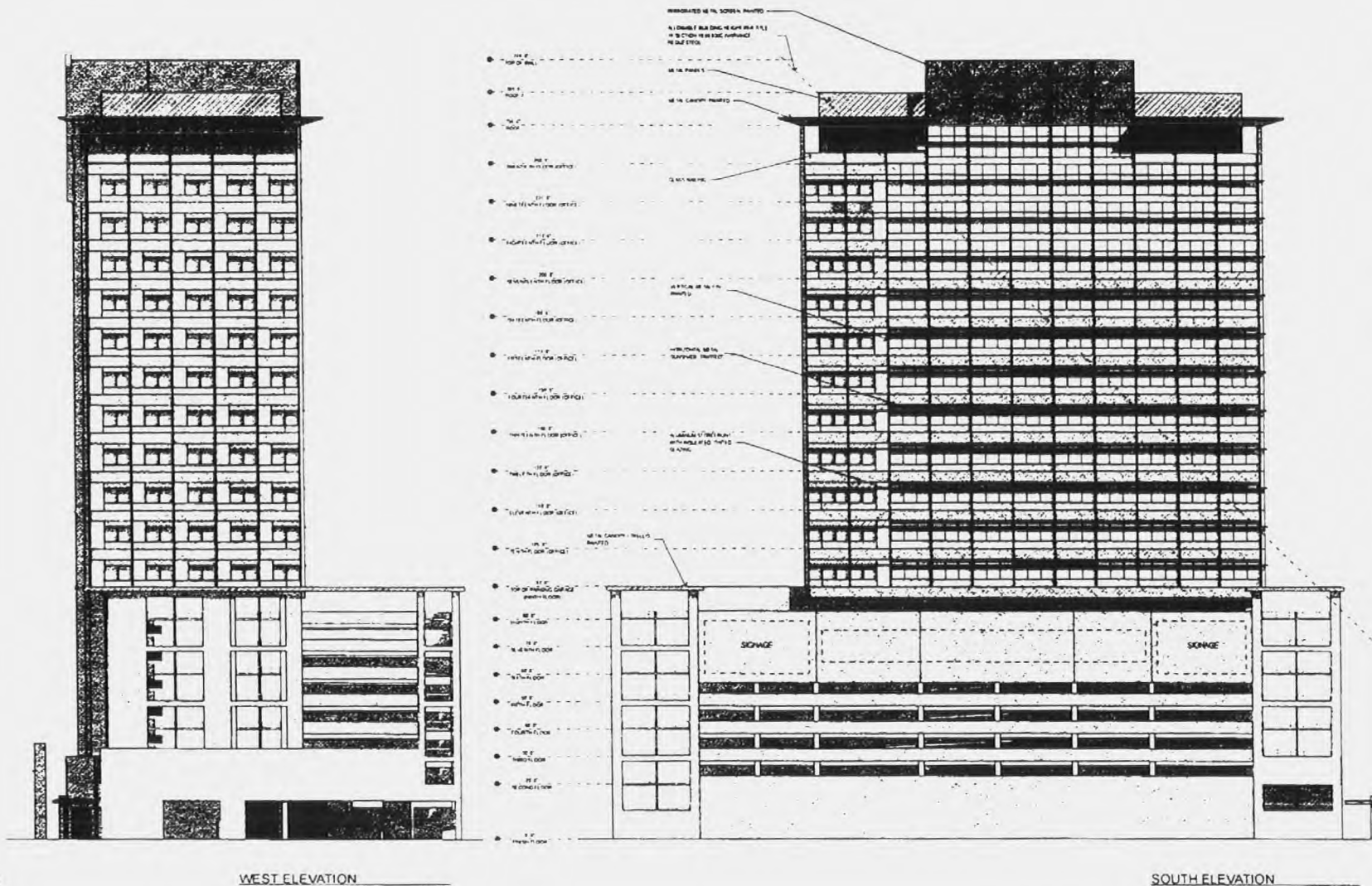
SDR-13904

REVISED

10/05/06 PC

SEP 19 2006

MAY 30 2006



WEST ELEVATION

SOUTH ELEVATION

**Ahern Corporate Center**  
 SW Corner of Bonanza and Martin L King  
 Las Vegas, NV 89106

APTUS Architecture

2000 South Main Street  
 Suite 200  
 Las Vegas, Nevada 89106  
 P 702.491.1100  
 F 702.491.1111  
 info@aptusarchitecture.com

APTUS PROJECT NO. 06-011

ARCHITECT

DATE: 06/01/06

NOTES:

COPYRIGHT 2006 BY APTUS ARCHITECTURE

DATE: 06/01/06 BY: JLB

NO. 06-011-01-01 DATE:

ISSUED

TITLE  
 BUILDING ELEVATIONS

DATE: 06/01/06

A200

PROJECT: 06-011-01-01

MAY 30 2006

ZON-13896 VAR-13900  
 SUP-13902 SUP-13903  
 SDR-13904 10/05/06 PC





May 25, 2006

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

APN: 139-28-401-033

Re:

Special Use Permit – Airport Overlay and Helipad

To Whom It May Concern:

We respectfully submit this request for a Special Use Permit for a twenty-story office development located on the southwest corner of Bonanza and Martin Luther King Dr. We are also requesting this parcel be rezoned to C-2. The current general plan for the parcel is GC. This parcel is located in the airport overlay zone.

The Ahern Corporate Center will combine much needed office and retail space in a twenty-story tower in a redeveloping area of the city. This project consists of 19,000 sf of retail, 150,000 sf of leasable office space, a daycare for the employees working in the building and 3,700 sf of restaurant which includes 1,000 sf of eating area. This project also contains a helipad on the roof. There are 658 parking spaces required and 662 parking spaces provided. The majority of the parking is provided in an eight story parking structure under the office tower. The exterior materials include metal panels, Precast panels, aluminum storefront and stone panels at the base. The mechanical equipment and the helipad are screened from view by perforated metal panels. The tallest part of the tower is 274' in height.

We hope that you will join us in our attempt to bring a much-needed high caliber project into this area.

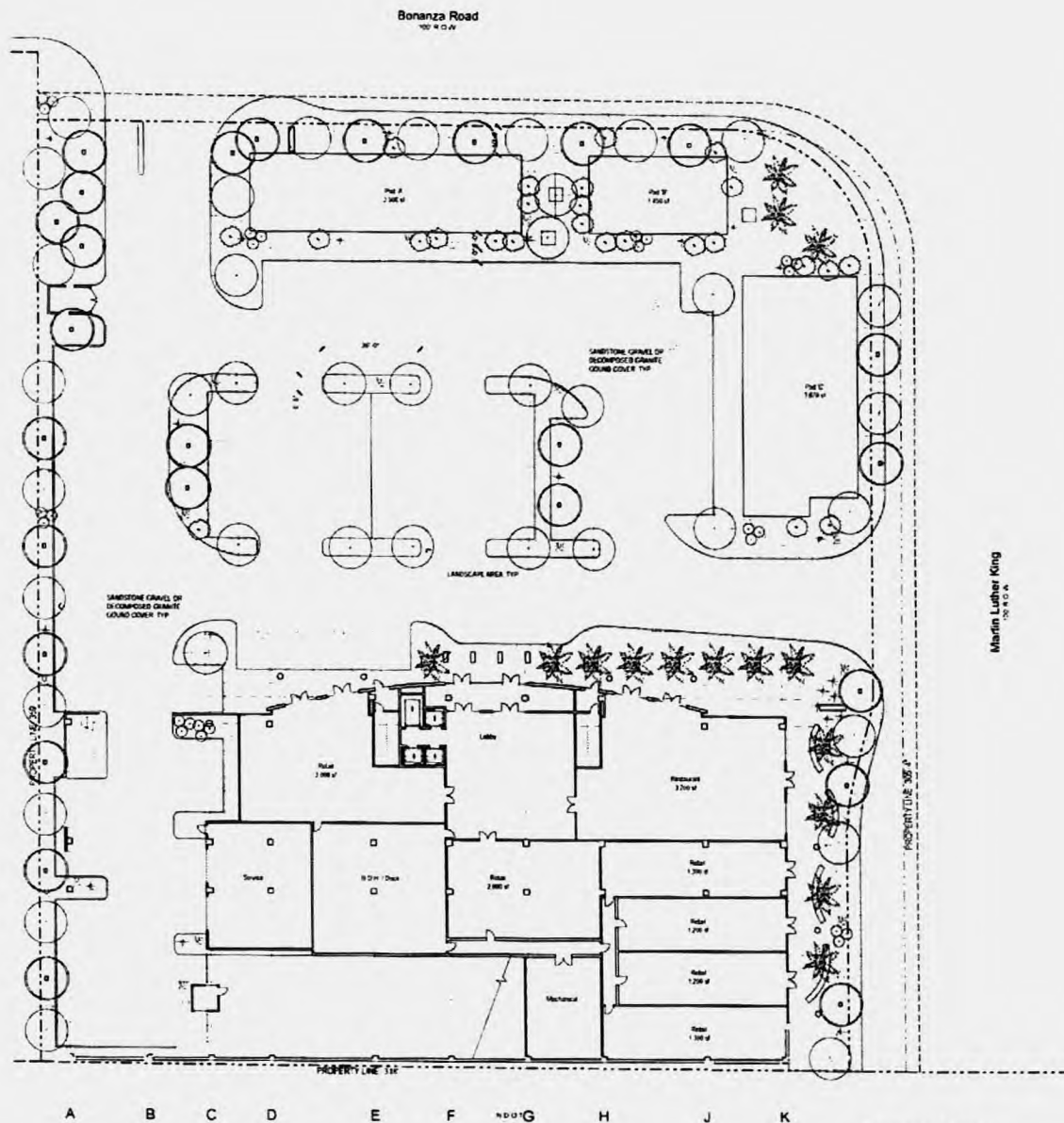
Respectfully Submitted,

*R. Brandon Sprague*

*R. Brandon Sprague for RBS*

R. Brandon Sprague, AIA

ZON-13896 VAR-13900  
SUP-13902 SUP-13903  
SDR-13904 10/05/06 F



| Landscape Schedule |                            |                        |          |     |
|--------------------|----------------------------|------------------------|----------|-----|
| SYMBOL             | COMMON NAME                | BOTANICAL NAME         | SIZE     | QTY |
|                    | GARDENIA FOLIUM            | Gardenia               | 24" dia. | 15  |
|                    | MONSIEUR PINE              | Pinus mitchellii       | 24" dia. | 35  |
|                    | WEEDS (LIVE) GRASS         | Stipa capensis         | 24" dia. | 20  |
|                    | CHILIAN MESQUITE           | Prosopis juliflora     | 24" dia. | 21  |
|                    | BLUE-RED FERN (LIVE) GRASS | Callitriche canadensis | 18" dia. | 1   |
|                    | DEW-BELL CACTUS            | Cylindropuntia         | 18" dia. | 35  |
|                    | MOUNTAIN WATERSHED         | Lupinus termis         | 18" dia. | 340 |
|                    | GREEN BUSH (LIVE) GRASS    | Stipa capensis         | 18" dia. | 35  |
|                    | TOTALING LANTANA           | Lantana camara         | 18" dia. | 35  |
|                    | RED BIRD OF PARADISE       | Callitriche canadensis | 18" dia. | 35  |

| LANDSCAPE SUPPLIES (NUMBER REQUIRED) |     |          |
|--------------------------------------|-----|----------|
| ITEM                                 | QTY | PROVIDED |
| TRUCK                                | 10  | 10       |
| WATERING SYSTEM                      | 10  | 10       |
| PLANT                                | 10  | 10       |

**Ahern Corporate Center**  
 Site Development Review  
 SW Corner of Bonanza and Martin L. King  
 Las Vegas, Nevada 89106

**APTUS Architecture**

1000 South Main Street  
 Suite 200  
 Las Vegas, Nevada 89106  
 P 702.251.1300  
 F 702.251.1301  
 info@aptusarch.com

APTUS PROJECT NO. 06.011  
 ARCHITECT

ENGINEER

PAINTS

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1. City of Las Vegas  
 SUPERVISOR (Plan)  
 2. City of Las Vegas  
 SUPERVISOR  
 NO. DISCREPANCY (Plan) DATE

**ISSUED**  
**PLANTING PLAN**

DRAWING NO.  
**L100**  
 Ahern Corporate Center

RECEIVED

NOV 14 2006

**ZON-13896 VAR-13900 SUP-13902**  
**SUP-13903 SDR-13904 11-15-06 CC**



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



September 20, 2006

City of Las Vegas  
Planning & Development  
739 So. 4<sup>th</sup> Street  
Las Vegas, Nevada 89101

Subject: Ahern Corporate Center  
ZON-13896, VAR-13900, SUP-13902, SDR-13904, & SUP-13903

To Whom It May Concern:

I am a homeowner in The Rancho Manor Tract, which is not too far from the proposed project. I have attended two presentations that Ahern has put on to show interested parties exactly what they're plans are.

I am personally very much in favor of it, as our many of the Rancho Manor Homeowners Assoc. members. Some would like to have it a little lower but are still in favor of Ahern getting approved.

It will CERTAINLY improve the proposed area, namely Martin Luther King and Bonanza, and hopefully encourage others to consider "like" projects in this area.

Ahern has been in business in the same location for many, many years, very successful, a great employer and a wonderful neighbor. Please give them every consider to proceed with their proposed project.

Thank you for your time. I remain yours truly, Patricia Welsh, 1920 Collins Ave., Las Vegas (385-3097)

*Patricia A. Welsh*

R

13-17

R  
R

# Telephone Protest/ Approval Log

Meeting Date: 10/5/06

Case Number: See 13896, 2013 13900,

Sep 13902, Sep 13903, Sep 13904

Date: 10/5/06  
Name: John Zorn (on behalf of Rancho Meno Neighborhood Association)  
Address: 2000 Sunland Ave  
Las Vegas, NV 89106  
Phone: 382-7686  
☐ PROTEST ☒ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE

ITEM # 10-14

CASE # See 13896

PC MTG 10/5/06

A

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

**SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-13896, VAR-13900, SUP-13902 AND SUP-13903

SDR-13904 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DON AHERN - OWNER: DFA, LLC - Request for a Site Development Plan Review FOR A COMMERCIAL DEVELOPMENT CONSISTING OF A 3,000 SQUARE FOOT, A 1,500 SQUARE FOOT, AND A 4,500 SQUARE FOOT RETAIL PAD; A 20-STORY BUILDING CONSISTING OF 3,700 SQUARE FEET OF RESTAURANT SPACE, 10,000 SQUARE FEET OF RETAIL SPACE, 150,000 SQUARE FEET OF OFFICE SPACE, AND A 4,500 SQUARE FOOT CHILD CARE FACILITY; AND A WAIVER OF THE PERIMETER LANDSCAPING REQUIREMENTS on 2.61 acres at the southwest corner of Bonanza Road and Martin L. King Boulevard (APN 139-28-401-033), R-E (Residence Estates) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly). The Planning Commission (5-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

1

City Council Meeting

0

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

4

City Council Meeting

0

**RECOMMENDATION:**

The Planning Commission (5-1 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Revised Site Plan
6. Backup referenced from the 10-05-06 Planning Commission Meeting Item 14

Motion made by LAWRENCE WEEKLY to Approve Subject to Conditions amending Conditions 1 and 3, deleting Condition 17 and adding the following condition as read for the record:

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-13896), Variance (VAR-13900) and Special Use Permit (SUP-13903) shall be required.

**CITY COUNCIL MEETING OF: JANUARY 17, 2007**

3. All development shall be in conformance with the site plan, landscape plan, date stamped 11/14/06, and building elevations, date stamped 05/30/06, except as amended by conditions herein.

A. A variance shall be obtained prior to issuance of building permits for vertical construction to allow a five foot setback where 10 feet is required adjacent to Pad C.

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

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

Minutes:

See Item 96 for related discussion.



0                      300                      600 Feet

CASE: SDR-13904

**RADIUS:** 1000 FT

**ZONING OF SUBJECT PROPERTY:**

R-E (RESIDENCE ESTATES) AND C-2 (GENERAL COMMERCIAL)

**PROPOSED ZONING OF SUBJECT PROPERTY:**

C-2 (GENERAL COMMERCIAL)



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JANUARY 17, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ABEYANCE - SDR-13904 - APPLICANT: DON AHERN -  
OWNER: DFA, LLC**

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*THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 15, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.*

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

The Planning Commission (5-1/sd vote) and staff recommend APPROVAL, subject to:

*Planning and Development*

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-13896), Variance (VAR-13900), Special Use Permit (SUP-13902), and Special Use Permit (SUP-13903) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, date stamped 09/19/06, and building elevations, date stamped 05/30/06, except as amended by conditions herein.
4. A Waiver from Title 19.12.040 is hereby approved, to allow a zero-foot landscape buffer on the south property line and a five-foot minimum buffer width along the other property lines where 15 feet is the minimum required.
5. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
6. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
12. Written approval by the Clark County Department of Aviation with no change in flight patterns shall be submitted to the City of Las Vegas prior to the issuance of building permits.
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. There shall be no off-premise signage on the portion of the building adjacent to U.S. 95 (south elevation) without proper approval from the City of Las Vegas.
15. On-site off-premise advertising (billboard) signs shall be removed prior to the issuance of building permits.
16. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.
17. The approval shall be for a maximum of 18 stories and 248 feet in height. The revised elevations shall be submitted to the Planning and Development staff within 10 days of Planning Commission action.

**Public Works**

18. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. All driveways accessing Bonanza Road shall also receive approval from the Nevada Department of Transportation.
19. Coordinate all improvements along Martin L. King Boulevard with the City Engineer to determine appropriate improvements required in conjunction with the Martin Luther King Boulevard widening project. Alternatively, if allowed by the City Engineer, this site may participate in the Martin Luther King Boulevard public improvement project.
20. 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.
21. 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.
22. Site development to comply with all applicable conditions of approval for ZON-13896 and all other applicable site-related actions.



**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Site Development Plan Review for a commercial development consisting of a 3,000 square foot, a 1,500 square foot, and a 4,500 square foot retail pad; a 18 story building consisting of 3,700 square feet of restaurant space, 10,000 square feet of retail space, 150,000 square feet of office space, and a 4,500 square foot child care facility; and a Waiver of the perimeter landscaping requirements on 2.61 acres on the southwest corner of Bonanza Road and Martin L. King Boulevard.

**EXECUTIVE SUMMARY**

The subject proposal for a 18-story, 246-foot office and retail pad development is appropriate for the area in which it is located. While several of the development standards from Title 19 are not met, there are sufficient justifications for reducing setbacks and landscaping given the physical constraints of the site. Specifically, this includes dedication of 10 feet along both Bonanza Road and Martin L. King Boulevard. Staff supports the proposed office building and the associated retail pads.

**BACKGROUND INFORMATION**

**A) *Related Actions***

- |          |                                                                                                                                                               |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10/05/06 | The Planning Commission recommended approval of companion items ZON-13896, VAR-13900 and SUP-13903 and denial of SUP-13902 concurrently with this application |
| 10/05/06 | The Planning Commission voted 5-1/sd to recommend DENIAL (PC Agenda Item #14/ng).                                                                             |

**B) *Pre-Application Meeting***

- |          |                                                                                                                                                                                                                                           |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 05/15/06 | A pre-application meeting with the applicant was held and the following items were discussed: <ul style="list-style-type: none"><li>• Staff informed the applicant of the submittal requirements for the required applications.</li></ul> |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**DETAILS OF APPLICATION REQUEST**

**A) *Site Area***

|            |      |
|------------|------|
| Net Acres: | 2.61 |
|------------|------|

**B) Existing Land Use**

Subject Property: Parking  
North: Mini-Mart  
South: U.S. 95  
East: Sears Service Center  
West: Rental Shop; Warehouse

**C) Planned Land Use**

Subject Property: Commercial (Downtown Redevelopment Plan)  
North: SC (Service Commercial); M (Medium Density Residential)  
South: U.S. 95 ROW  
East: LI/R (Light Industry/Research)  
West: LI/R (Light Industry/Research)

**D) Existing Zoning**

Subject Property: R-E (Residence Estates); C-2 (General Commercial)  
North: C-1 (Limited Commercial); R-E (Residence Estates)  
South: U.S. 95 ROW  
East: M (Industrial)  
West: C-2 (General Commercial)

**E) General Plan Compliance**

The subject property has a land use designation of Commercial based on the Downtown Redevelopment Plan. If the proposed rezoning to C-2 (General Commercial) is approved, the zoning and the land use designation will be compatible as they both allow for intense commercial (office, retail, etc.) development.

| <b><i>SPECIAL DISTRICTS/ZONES</i></b>             | <b>Yes</b> | <b>No</b> |
|---------------------------------------------------|------------|-----------|
| <b>Special Area Plan</b>                          | <b>X</b>   |           |
| Downtown Redevelopment Plan Area                  | <b>X</b>   |           |
| West Las Vegas                                    | <b>X</b>   |           |
| <b>Special Overlay District</b>                   | <b>X</b>   |           |
| Airport Overlay District                          | <b>X</b>   |           |
| <b>Trails</b>                                     | <b>X</b>   |           |
| Pioneer                                           | <b>X</b>   |           |
| <b>Rural Preservation Overlay District</b>        |            | <b>X</b>  |
| <b>County/North Las Vegas/HOA Notification</b>    |            | <b>X</b>  |
| <b>Development Impact Notification Assessment</b> |            | <b>X</b>  |
| <b>Project of Regional Significance</b>           |            | <b>X</b>  |

Downtown Redevelopment Plan Area

No additional development standards are placed on the project as a result of its inclusion in the Redevelopment Plan. Rather, this designation simply targets the property for increased development efforts and improves access to assistance in redevelopment.

#### West Las Vegas

The subject property is located on the edge of the West Las Vegas plan area. This plan focuses mostly on the revitalization of residential areas in the heart of Las Vegas, but its objectives also emphasize the importance of re-investing in deteriorating commercial centers and creating an interesting urban environment. Increasing density and the mixing of uses is also a focus of the plan.

#### Airport Overlay District

The subject property is located within the North Las Vegas Airport Overlay District which restricts the height of buildings to 140 feet. The proposed development, at 246 feet, exceeds this height. However, a Special Use Permit (SUP-13903) has been submitted to allow relief from this requirement.

#### Pioneer Trail

The Pioneer Trail is an existing trail that runs along West Bonanza Road at the northern edge of the property. No additional requirements will be placed on the applicant as a result of this trail.

### **PROJECT DESCRIPTION**

The site plan depicts the three proposed retail pads (3,000 square feet, 1,500 square feet, and 4,500 square feet respectively) and the proposed 18-story office building containing retail, office, restaurant, and child care space. The site has access from Martin L. King Boulevard and Bonanza Road, and parking is on the interior of the site and inside the main office building. The retail pads are oriented along the street frontages and the office building is situated 11 inches from the property line adjacent to the U.S. 95 right-of-way. The site plan shows that the proposed restaurant will have limited outdoor seating for patrons.

### **ANALYSIS**

#### ***A) Zoning Code Compliance***

##### **A1) Development Standards**

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

| Standards            | Required                                                                       | Provided              | Compliance |
|----------------------|--------------------------------------------------------------------------------|-----------------------|------------|
| Min. Lot Width       | 100 Feet                                                                       | 244 Feet, 1 Inch      | Y          |
| Min. Setbacks        |                                                                                |                       |            |
| • Front              | 20 Feet                                                                        | 10 Feet               | N          |
| • Side               | 10 Feet                                                                        | 10 Feet               | Y          |
| • Corner             | 15 Feet                                                                        | 10 Feet               | N          |
| • Rear               | 20 Feet                                                                        | 11 Inches             | N          |
| Max. Lot Coverage    | 50%                                                                            | 39.2%                 | Y          |
| Max. Building Height | 140 Feet                                                                       | 246 Feet / 18 Stories | N          |
| Trash Enclosure      | Gated, Roofed,<br>Constructed of a similar<br>material to the main<br>dwelling | Trellis Covered       | Y          |

The subject proposal does not meet all applicable development standards. A Variance has been submitted for relief from the front, corner side, and rear yard setbacks, and a Special Use Permit has been submitted to allow for a 246-foot building in the North Las Vegas Airport Overlay District. Staff supports the setback variance as the front and corner side distance is the result of the 10-foot dedication to the respective right-of-ways to which they are adjacent. The rear setback is along U.S. 95 and will not negatively affect surrounding properties. These standards are discussed in more detail in the related Variance and Special Use Permit reports.

A3) Parking and Traffic Standards

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

| Uses       | GFA        | Required                       |         |          | Provided |          |
|------------|------------|--------------------------------|---------|----------|----------|----------|
|            |            | Ratio                          | Parking |          | Parking  |          |
|            |            |                                | Regular | Handicap | Regular  | Handicap |
| Office     | 150,000 SF | 1 Space / 300 SF GFA           | 500     |          |          |          |
| Retail     | 19,000 SF  | 1 Space / 175 SF               | 109     |          |          |          |
| Restaurant | 1,000 SF   | 1 Space / 50 SF Public Seating | 20      |          |          |          |
|            | 2,700 SF   | 1 Space / 200 SF Remaining     | 14      |          |          |          |



|                   |     |                                                     |                                               |           |                                               |           |
|-------------------|-----|-----------------------------------------------------|-----------------------------------------------|-----------|-----------------------------------------------|-----------|
| Child Care Center | N/A | 1 Space / Staff Person<br><br>1 Space / 10 Children | 15                                            |           |                                               |           |
| <b>TOTAL</b>      |     |                                                     | <b>658</b><br>(including handicap accessible) | <b>14</b> | <b>662</b><br>(including handicap accessible) | <b>15</b> |

The subject proposal will contain adequate parking to provide for the facilities and uses proposed. Of the total number of spaces, 83 (11%) are compact spaces, 15 are handicap accessible, and two are van accessible spaces. Eighty-one of the spaces are contained at ground level and exterior to the buildings. The remainder of the spaces is contained in a parking structure within the office building.

A4) Landscape and Open Space Standards

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

| Standards         | Required                |          | Provided |
|-------------------|-------------------------|----------|----------|
|                   | Ratio                   | Trees    |          |
| Parking Area      | 1 Tree / 6 Space        | 12 Trees | 0 Trees  |
| Buffer:           |                         |          |          |
| • Min. Trees      | 1 Tree / 30 Linear Feet | 41 Trees | 51 Trees |
| • Min. Zone Width | 15 Feet                 |          | 0 Feet   |

The subject proposal does not meet current Title 19 standards for landscaping in several areas. First, there is no parking area landscaping provided where 12 trees are required. Second, the buffer widths along each property line are not wide enough. Staff can support this Waiver request as the setbacks were reduced due to right-of-way dedication. Additionally, Staff does not find it necessary to provide landscaping along the U.S. 95 right-of-way.

**B) General Analysis and Discussion**

- Zoning

With approval of the rezoning request to C-2 (General Commercial), the subject proposal complies with the intent of the zone in which it is located. Specifically, the C-2 zone allows for retail, office, and other general business uses of an intense character. These zones are appropriate along commercial corridors such as the one in which this site is located. While it does not meet all of the development standards applicable to projects in the C-2 zone, there are hardships that were not created by the applicant that have caused the need for the variances requested.

- Site Plan

The site plan depicts the three retail pads described above along with the 246-foot tall office building located on the southern portion of the site.

- Waivers

The applicant is requesting a waiver of the perimeter landscaping requirement to allow a reduction in parking lot landscaping and of the buffer width.

- Landscape Plan

The landscape plan depicts a more than adequate number of trees along the perimeter and significant foundation landscaping. However, the buffer widths along all property lines are too narrow and require a waiver as requested. Staff supports the waiver as the reduction in buffer width is a result of right-of-way dedications and an attempt to bring the proposed retail pads out to the street to create a more urban environment.

- Elevation

The elevations depict an 18-story high-rise office tower. The parking deck will be located on the first nine floors. It should be noted that the south elevation (along U.S. 95) depicts signage on the parking garage. A condition has been added requiring that this signage be for on-premise advertising only. Off-premise advertising signs will require separate approval. Materials used include metal shading, stone veneer, and aluminum storefront. No stepbacks are provided. Per Title 19.08.030C, buildings that are adjacent to freeways are not required to step back the height above 35 feet as is required elsewhere.

- Floor Plan

The first floor contains the restaurant and retail space, along with ramps leading to the parking garage. Said garage encompasses the second through the seventh floors, with the eighth including parking and a child care facility. The ninth through the seventeenth floors contain open office plans containing approximately 13,197 square feet each. The eighteenth and nineteenth floor plans are also open office design containing approximately 13,195 square feet. The twentieth floor is of similar design but contains approximately 11,210 square feet. The elevators and bathroom facilities are located along the northern portion of the building.

## FINDINGS

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

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

The proposed development is compatible with adjacent development as much of the area is targeted for commercial development based on the Redevelopment Plan.

2. **"The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;"**

The proposal does not meet several specific standards per the plans mentioned above. However, circumstances specific to the site render some of these standards insignificant with regard to development.

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

The site is served by West Bonanza Road (a 100-foot primary arterial) and North Martin L. King Boulevard (a 100-foot primary arterial). These roadways are capable of accommodating the proposed facility and use.

4. **"Building and landscape materials are appropriate for the areas and for the City;"**

While landscaping is not provided in the amount required by Title 19, the proposal is appropriate for the area in which it will be located.

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 proposal is harmonious with the type of development intended for the subject area. Its location adjacent to a freeway negates the lack of stepbacks provided above 35 feet in height. Additionally, the applicant has made every effort to bring buildings out to the street to create an interesting streetscape.

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

This project will not endanger the public health, safety, or general welfare.

**PLANNING COMMISSION ACTION**

Condition #1 must be modified to delete reference to SUP-13902 if denied.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 23

**ASSEMBLY DISTRICT** 6

**SENATE DISTRICT** 4

**NOTICES MAILED** 104 by Planning Department

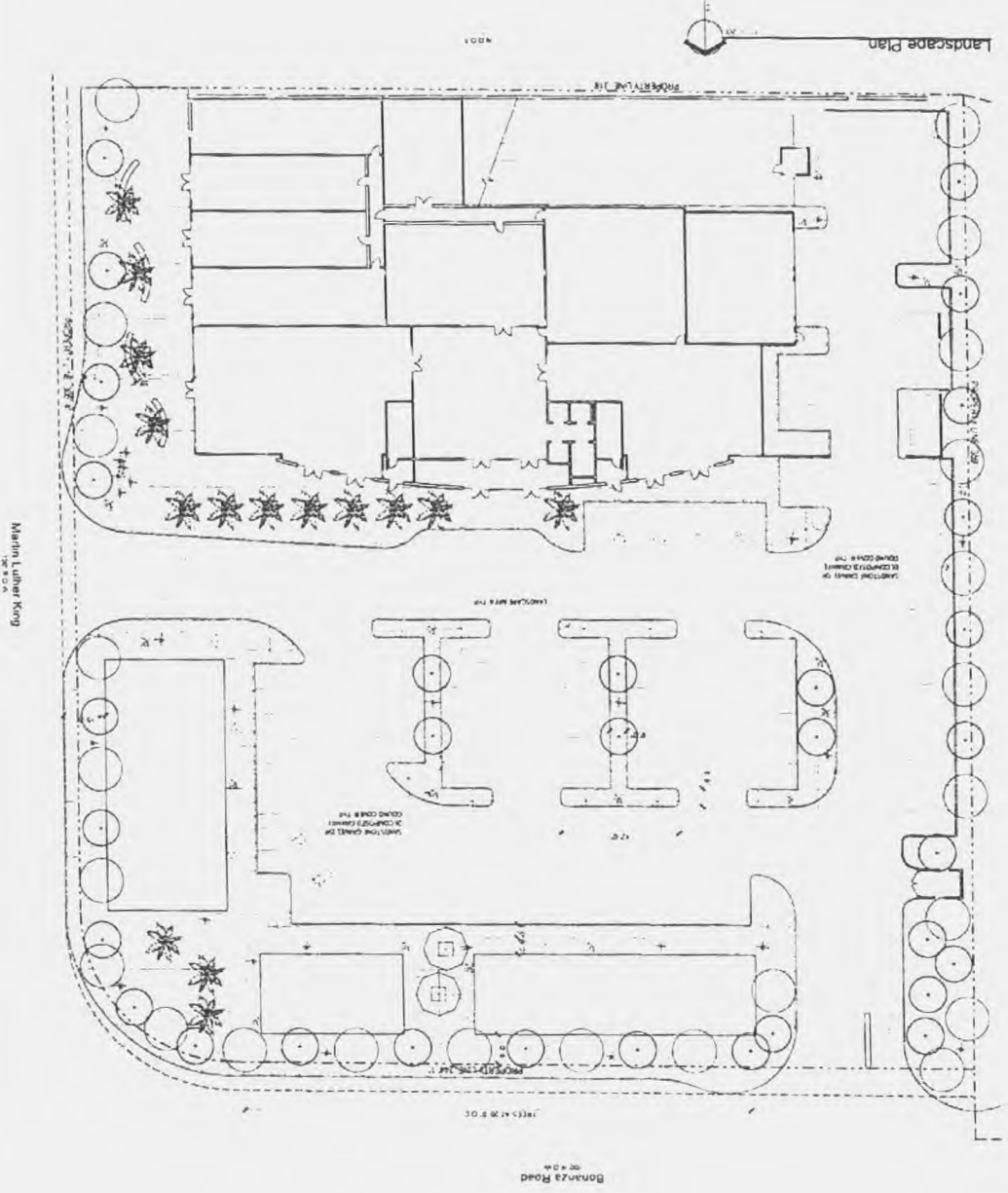
**APPROVALS** 1

**PROTESTS** 1









Landscape Schedule

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ZON-13896  
 SUP-13902  
 VAR-13900  
 SDR-13904  
 SUP-13903  
 REVISED  
 10/05/06 PC

SEP 19 2006

PLANTING PLAN

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APTUS Architecture  
 Ahern Corporate Center  
 Site Development Review  
 SW Corner of Bonanza and Martin L. King  
 Las Vegas, Nevada 89106

**Ahern Corporate Center**  
 Site Development Plan  
 SW Corner of Bonanza and Martin L. King  
 Las Vegas, Nevada 89106

**APTUS Architecture**

1000 South Main Street  
 Suite 200  
 Las Vegas, Nevada 89101  
 702.259.0000  
 www.aptusarchitecture.com

PROJECT NUMBER: 1100 06.011  
 DATE: 11-01-06

STANDARD

PAGE 1

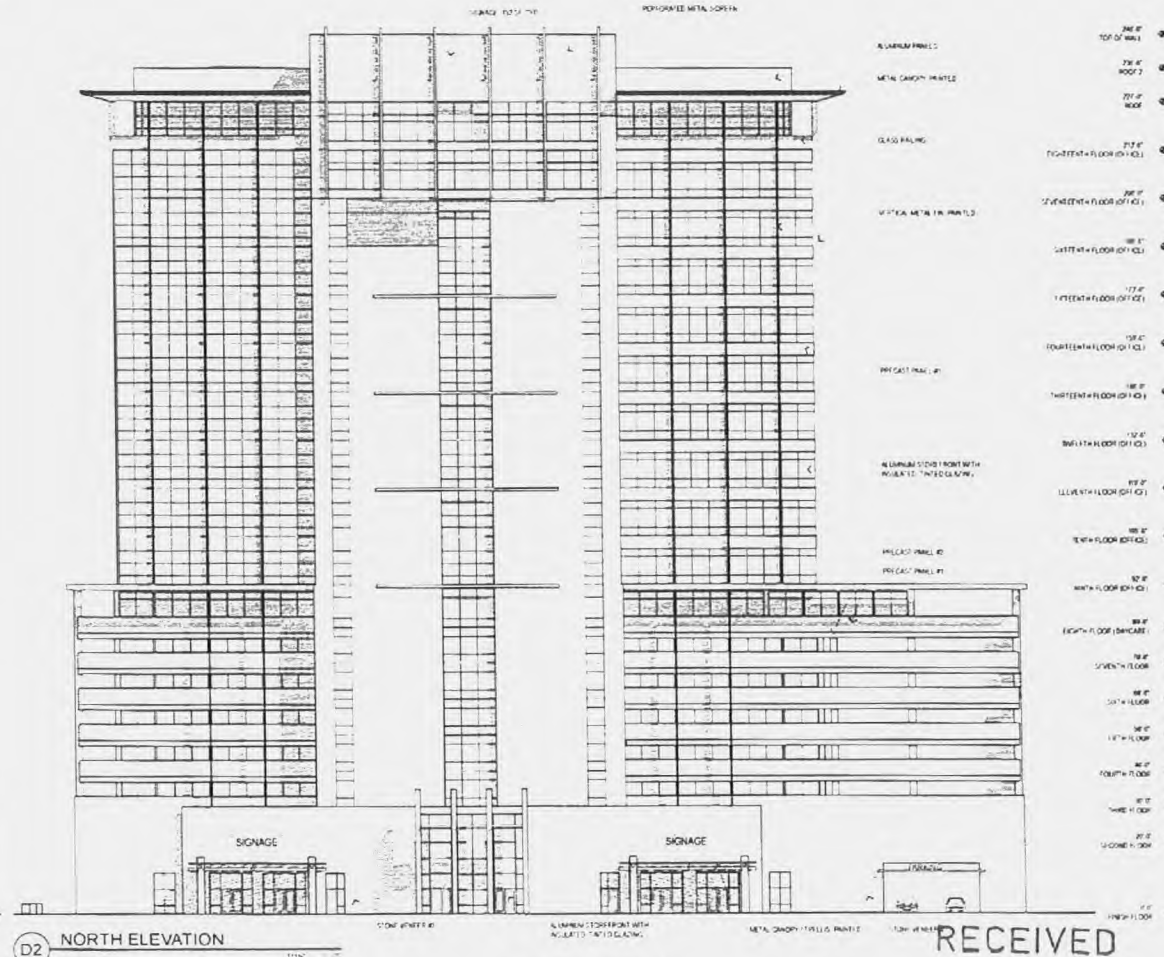
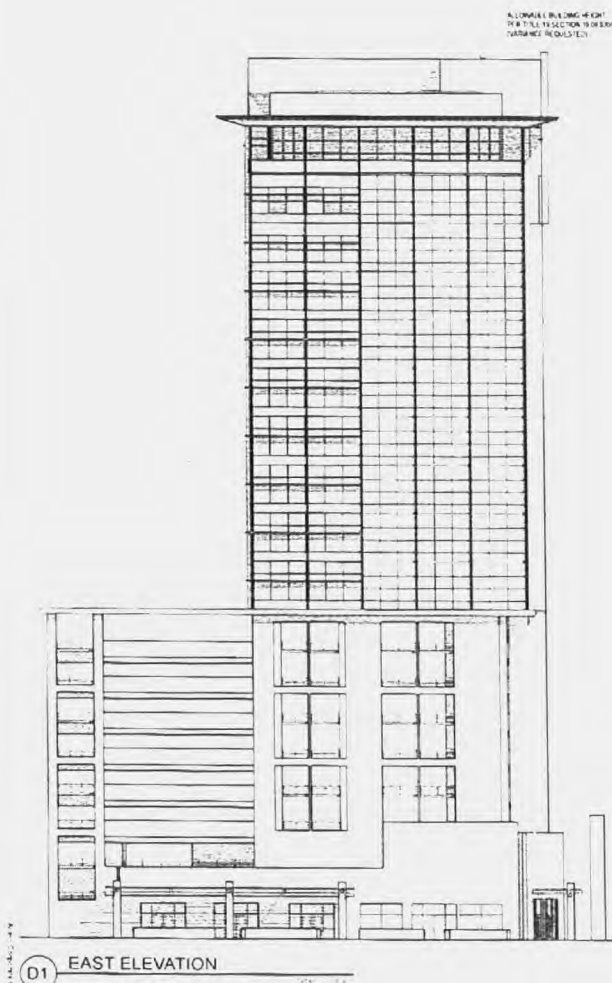
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| 2 | City of Las Vegas - Review | 09-14-06 |
| 3 | City of Las Vegas - Review | 09-14-06 |
| 4 | City of Las Vegas - Review | 09-14-06 |
| 5 | City of Las Vegas - Review | 09-14-06 |

ISSUED

**BUILDING ELEVATIONS**

**A200**  
 11-01-06



SDR-13904  
 11-01-06 CC  
 REVISED 10-13-06

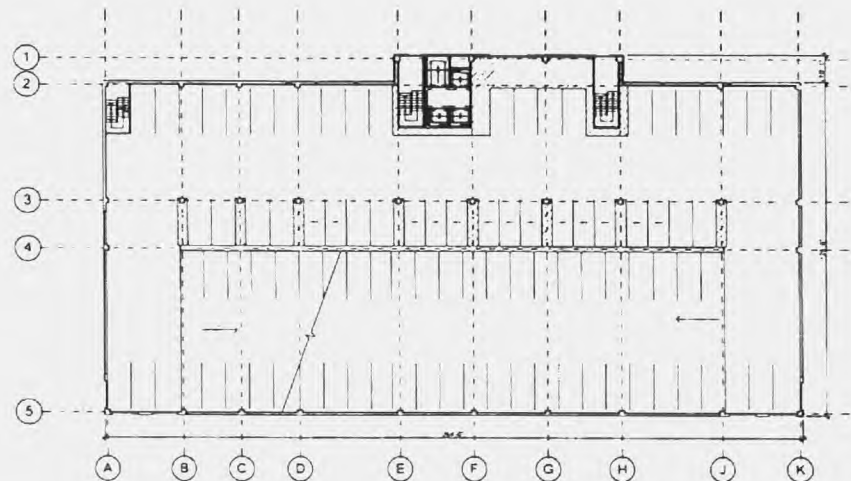
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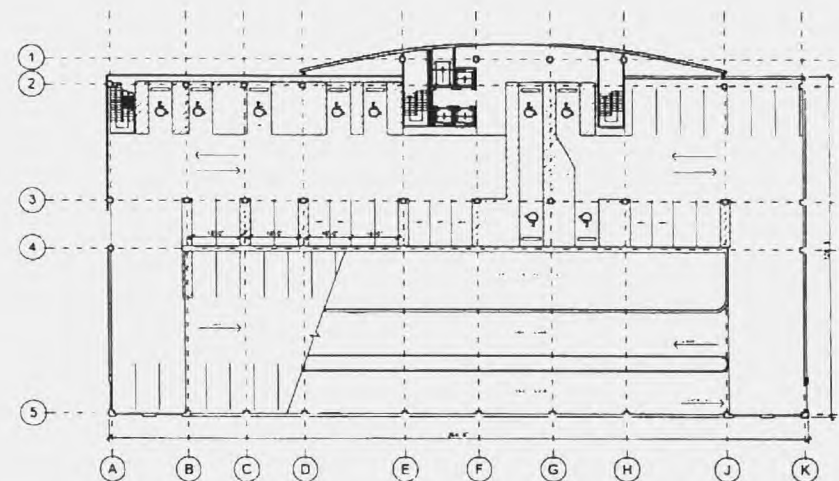


201 1 3 2006

SDR-13904  
11-01-06 CC  
REVISED 10-13-06



3rd - 7th Level Plan



Second Level Plan

**Ahern Corporate Center**  
 SW Corner of Bonanza and Martin L King  
 Las Vegas, NV 89106

**APTUS Architecture**

1000 South Las Vegas  
 Suite 200  
 Las Vegas, Nevada 89106  
 Phone: 702.491.1000  
 Fax: 702.491.1001  
 Email: aptus@aptusarch.com

APTUS PROJECT NO: 06.011  
 DATE: 04/01/06

ENCLOSURE

NOTES

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City of Las Vegas 05.21.06  
 Building Department

NO. DESCRIPTION DATE

ISSUED

SECOND THRU  
 SEVENTH  
 FLOOR PLANS

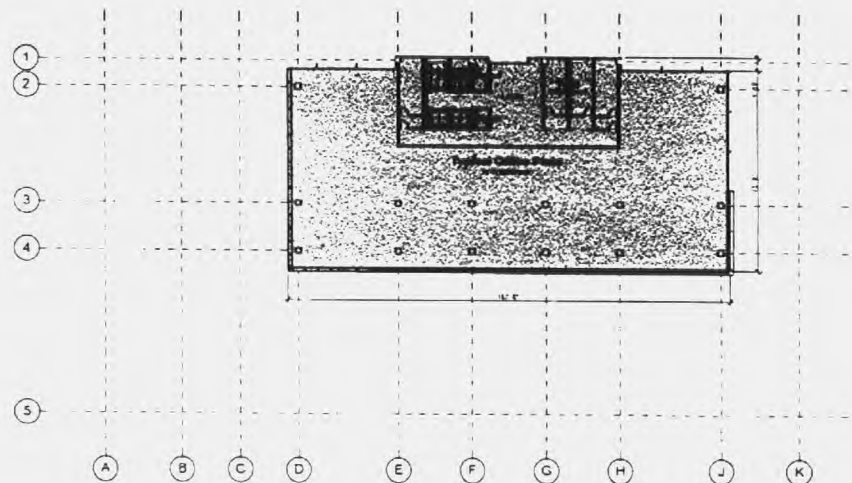
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**A100**  
 American Council on Education

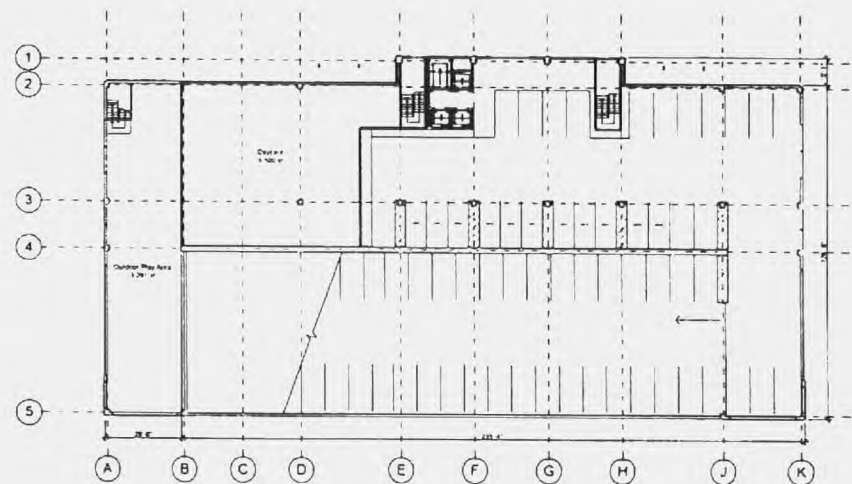
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**ZON-13896 VAR-13900**  
**SUP-13902 SUP-13903**  
**SDR-13904 10/05/06 PC**

RECEIVED



9th - 17th Office Plan



Eighth Floor

Ahern Corporate Center  
SW Corner of Bonanza and Martin L King  
Las Vegas, NV 89106

APTUS Architecture

2000 Main Street  
Suite 200  
Las Vegas, Nevada 89106  
702.891.1200  
info@aptusarch.com

APTUS PROJECT NO: 06011  
ARCHITECT

INCORPORATED

NO. 1

CONTRACT NO. 06011

City of Las Vegas

SUPPLEMENTAL

NO. 1

ISSUED

FILE

EIGHTH THRU

17TH FLOOR

DRAWING NO.

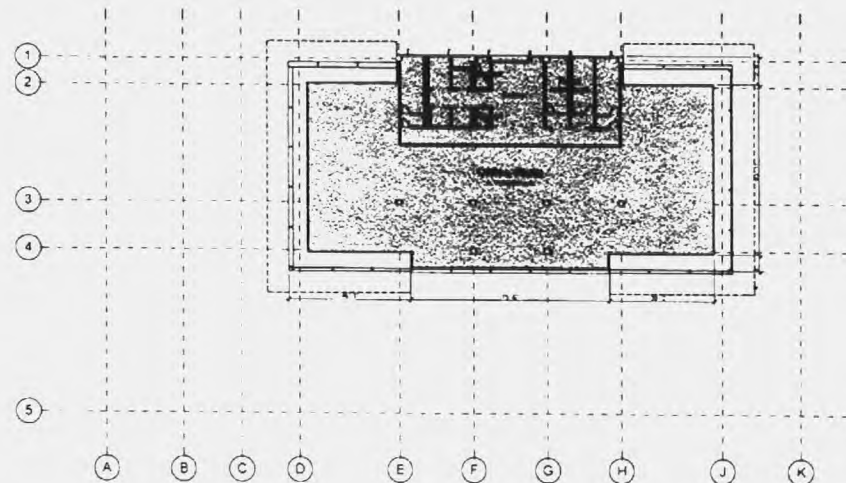
A101

Ahern Corporate Center

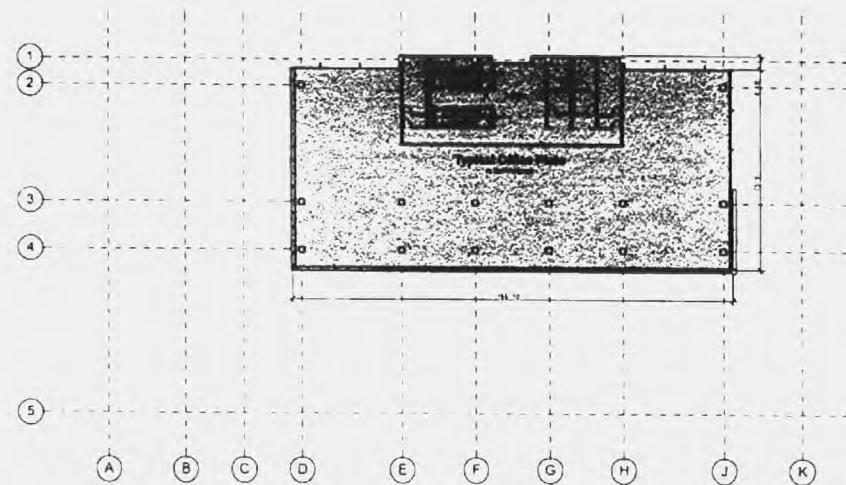
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MAY 30 2005

ZON-13896  
SUP-13902  
SDR-13904  
VAR-13900  
SUP-13903  
10/05/06 PC

RECEIVED



20th Office Plan



18th & 19th Office Plan

**Ahern Corporate Center**  
 SW Corner of Bonanza and Martin L King  
 Las Vegas, NV 89106

**APTUS Architecture**  
 1000 West Sahara Avenue, Suite 200  
 Las Vegas, Nevada 89106  
 Phone: (702) 735-1111  
 Fax: (702) 735-1112  
 Email: aptus@aptusarch.com

PROJECT NO. 06.011  
 SHEET NO. 1

DESIGNED BY

CHECKED BY

DATE: 05/05/06

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

ISSUED

18TH THRU  
 20TH FLOOR

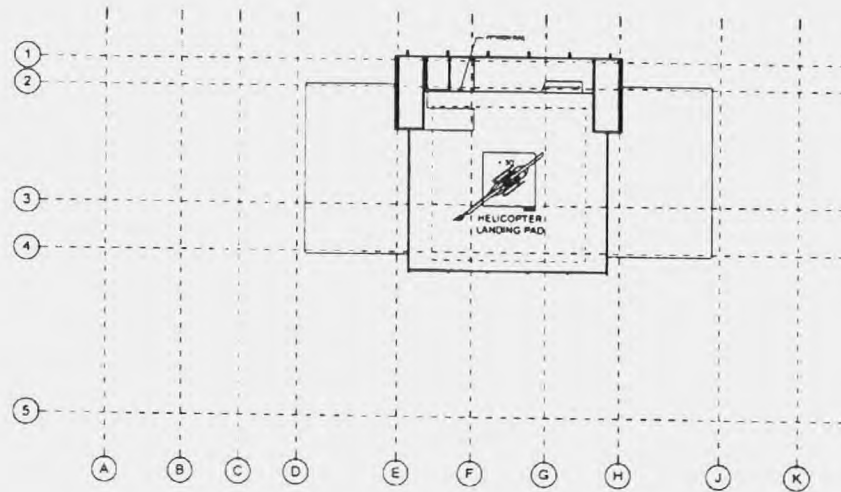
**A102**  
 AHERN CORPORATE CENTER

RECEIVED  
 MAY 30 2006

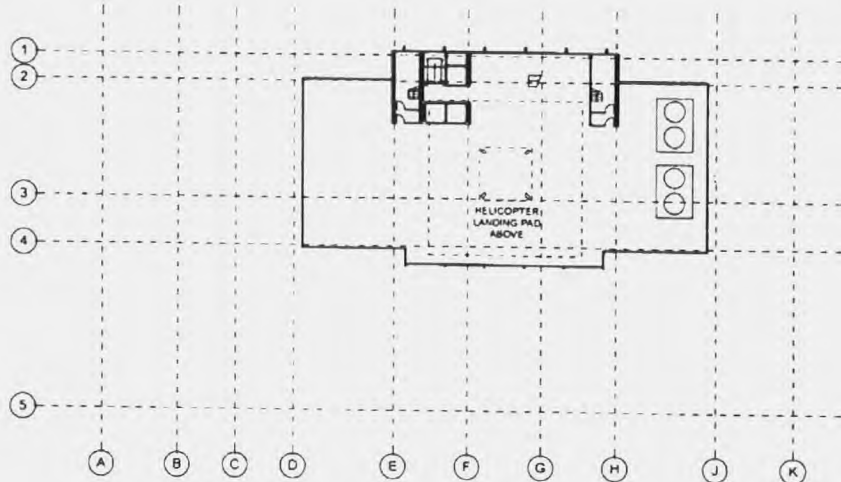
**ZON-13896 VAR-13900**  
**SUP-13902 SUP-13903**  
**SDR-13904 10/05/06 PC**

RECEIVED





Roof 2



Roof Plan

Ahern Corporate Center  
 SW Corner of Bonanza and Martin L King  
 Las Vegas, NV 89106

APTUS Architecture  
 1000 South Main Street  
 Suite 200  
 Las Vegas, Nevada 89101  
 Phone: 702.735.1111  
 Fax: 702.735.1112  
 Email: aptus@aptusarch.com  
 APTUS PROJECT NO. 06.011  
 ARCHITECT

ENGINEER

NOTES

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Cost of Landings 26,710 sq.  
 sqft with substructure  
 NO 0.012 sq. ft. 1.0 in. 0.012

ISSUED  
 ROOF PLAN

06.011.001  
 A110  
 Ahern Corporate Center

RECEIVED  
 MAY 30 2006

ZON-13896 VAR-13900  
 SUP-13902 SUP-13903  
 SDR-13904 10/05/06 PC

RECEIVED

|                                                     |                                           |       |             |       |
|-----------------------------------------------------|-------------------------------------------|-------|-------------|-------|
| SDR 13904                                           |                                           |       |             |       |
| Don Ahern                                           |                                           |       |             |       |
| SWC Bonanza & Martin L. King                        |                                           |       |             |       |
| Proposed 177.2 thousand square foot office complex. |                                           |       |             |       |
| Traffic produced by proposed development:           |                                           |       |             |       |
|                                                     | DESCRIPTION                               | #UNIT | RATE/# UNIT | TOTAL |
| Average Daily Traffic (ADT)                         | DAY CARE CENTER [1000 SF]                 | 4.5   | 79.26       | 357   |
| AM Peak Hour                                        |                                           |       | 12.79       | 58    |
| PM Peak Hour                                        |                                           |       | 13.18       | 59    |
| (heaviest 60 minutes)                               |                                           |       |             |       |
|                                                     | DESCRIPTION                               | #UNIT | RATE/# UNIT | TOTAL |
| Average Daily Traffic (ADT)                         | SHOPPING CENTER [1000 SF]                 | 19    | 42.94       | 816   |
| AM Peak Hour                                        |                                           |       | 1.03        | 20    |
| PM Peak Hour                                        |                                           |       | 3.75        | 71    |
| (heaviest 60 minutes)                               |                                           |       |             |       |
|                                                     | DESCRIPTION                               | #UNIT | RATE/# UNIT | TOTAL |
| Average Daily Traffic (ADT)                         | GENERAL OFFICE BUILDING [1000 SF]         | 150   | 11.01       | 1,652 |
| AM Peak Hour                                        |                                           |       | 1.55        | 233   |
| PM Peak Hour                                        |                                           |       | 1.49        | 224   |
| (heaviest 60 minutes)                               |                                           |       |             |       |
|                                                     | DESCRIPTION                               | #UNIT | RATE/# UNIT | TOTAL |
| Average Daily Traffic (ADT)                         | HIGH-TURNOVER (SIT-DWN) RESTRNT [1000 SF] | 3.7   | 127.15      | 470   |
| AM Peak Hour                                        |                                           |       | 11.52       | 43    |
| PM Peak Hour                                        |                                           |       | 10.92       | 40    |
| (heaviest 60 minutes)                               |                                           |       |             |       |
| Net Change                                          | DESCRIPTION                               | #UNIT | RATE/# UNIT | TOTAL |
| Average Daily Traffic (ADT)                         | GENERAL OFFICE BUILDING [1000 SF]         | 177.2 |             | 3,294 |
| AM Peak Hour                                        |                                           |       |             | 352   |
| PM Peak Hour                                        |                                           |       |             | 394   |
| (heaviest 60 minutes)                               |                                           |       |             |       |

|                                                                                                                                                                                           |                     |  |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|--|--|--|
| <b>Existing traffic on all nearby streets:</b>                                                                                                                                            |                     |  |  |  |
| <b>Bonaza Road</b>                                                                                                                                                                        |                     |  |  |  |
| Average Daily Traffic (ADT)                                                                                                                                                               | 32,530              |  |  |  |
| PM Peak Hour<br><i>(heaviest 60 minutes)</i>                                                                                                                                              | 2602                |  |  |  |
| <b>Martin L. King Boulevard</b>                                                                                                                                                           |                     |  |  |  |
| Average Daily Traffic (ADT)                                                                                                                                                               | 41,798              |  |  |  |
| PM Peak Hour<br><i>(heaviest 60 minutes)</i>                                                                                                                                              | 3344                |  |  |  |
| <b>Traffic Capacity of adjacent streets:</b>                                                                                                                                              |                     |  |  |  |
|                                                                                                                                                                                           | Adjacent street ADT |  |  |  |
|                                                                                                                                                                                           | Capacity            |  |  |  |
| Bonanza Road                                                                                                                                                                              | 34300               |  |  |  |
| Martin L. King                                                                                                                                                                            | 34300               |  |  |  |
| This project will add approximately 3,294 trips per day on Bonanza and Martin L. King.                                                                                                    |                     |  |  |  |
| This will increase expected volumes by about 10 percent on Bonanza and about 8 percent on Martin L. King. Bonanza is at about 95 percent of capacity and Martin L. King is over capacity. |                     |  |  |  |
| Based on Peak Hour use, this development will add roughly 394 additional cars into the area; which works out to about thirteen every two minutes.                                         |                     |  |  |  |
| Note that this report assumes all traffic from this development uses all named streets.                                                                                                   |                     |  |  |  |



ZON-13896, VAR-13900, SUP-13902, SUP-13903, & SDR-13904 - APPLICANT: DON AHERN - OWNER:  
DFA, LLC  
SOUTHWEST CORNER OF BONANZA ROAD AND MARTIN L. KING BOULEVARD  
OCTOBER 5, 2006 PLANNING COMMISSION

09/28/06





ZON-13896, VAR-13900, SUP-13902, SUP-13903, & SDR-13904 - APPLICANT: DON AHERN - OWNER:  
DFA, LLC  
SOUTHWEST CORNER OF BONANZA ROAD AND MARTIN L. KING BOULEVARD  
OCTOBER 5, 2006 PLANNING COMMISSION

09/28/06

May 25, 2006

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

**APN: 139-28-401-033**

Re:  
Site Development Review

To Whom It May Concern:

We respectfully submit this request for a Site Development Review for a twenty-story office development located on the southwest corner of Bonanza and Martin Luther King Dr. We are also requesting this parcel be rezoned to C-2. The current general plan for the parcel is GC.

The Ahern Corporate Center will combine much needed office and retail space in a twenty-story tower in a redeveloping area of the city. This project consists of 19,000 sf of retail, 150,000 sf of leasable office space, a daycare for the employees working in the building and 3,700 sf of restaurant which includes 1,000 sf of eating area. This project also contains a helipad on the roof. There are 658 parking spaces required and 662 parking spaces provided. The majority of the parking is provided in an eight story parking structure under the office tower. The exterior materials include metal panels, precast panels, aluminum storefront and stone panels at the base. The mechanical equipment and the helipad are screened from view by metal panels. The tallest part of the tower is 274'.

We are requesting a waiver of the required landscaped finger islands for the on grade parking as well as the landscape buffer on the north, south and east sides of the property. The south side abuts NDOT property and the freeway. We are also requesting a variance for the front, side street and rear setbacks. This will push the buildings closer to the street in an attempt to create a more urban environment along Bonanza and Martin Luther King.

In our opinion, these waiver requests will not negatively impact the design of the proposed project. We have made every attempt to try and follow City of Las Vegas Title 19 as closely as possible in the design and layout of this site. We hope that you will join us in our attempt to bring a much-needed high caliber project into this area.

Respectfully Submitted,

*R. Brandon Sprague*  
R. Brandon Sprague for RBS

R. Brandon Sprague, AIA

**ZON-13896    VAR-13900**  
**SUP-13902    SUP-13903**  
**SDR-13904    10/05/06 PC**

[illegible]

| Y-VALUE                                                                             | COMMON NAME              | SCIENTIFIC NAME     | WTS    | QTY |
|-------------------------------------------------------------------------------------|--------------------------|---------------------|--------|-----|
|  | COMPOUND FINE FILM       | Grainy texture      | 28 lbs | 15  |
|  | MONEY PINE               | Grainy texture      | 28 lbs | 15  |
|  | HEARTICE / THE GUN       | smooth engraving    | 28 lbs | 25  |
|  | CHILDREN'S QUESTIONS     | smooth, clean       | 28 lbs | 21  |
|  | BLANK RED TARTAN DESIGNS | sublimated patterns | 10 lbs | 3   |
|  | RESCUE DESIGN            | smooth, retro-style | 10 lbs | 15  |
|  | MONEY'S MAKEUP           | smooth, retro-style | 1 lb   | 240 |
|  | CHILDREN'S QUESTIONS     | smooth, clean       | 1 lb   | 240 |
|  | THE GUN / THE GUN        | smooth, clean       | 1 lb   | 240 |
|  | RESCUE DESIGN            | smooth, retro-style | 1 lb   | 240 |

LANDSCAPE BUFFERS **SHADE** REQUESTED

|               | REAR   | PROVIDED |
|---------------|--------|----------|
| FRONT         | 10'-0" | 10'-0"   |
| INTERIOR DOOR | 8'-0"  | 8'-0"    |
| SIDE STREET   | 10'    | 10'-0"   |
| PLAN          | 8'-0"  | 8'-0"    |

**Ahern Corporate Center**  
Site Development Review  
SW Corner of Bonanza and Martin L. King  
Las Vegas, Nevada 89106

APTUS Architecture

1,000 South Main Street  
June 2001  
Los Angeles, California 90012  
P 782.6.76 x 3300  
F 782.6.88 (7 x 3)  
info@blackboxnetwork.com

|                 |        |
|-----------------|--------|
| APPL PROJECT NO | 06.011 |
| ARCHITECT       |        |

1140-1141

1994

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| Case no. | Case no. | Case no. |
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2.8110 Submerged (Rte.)

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| 1 | Costa del Mar, Inc. | 85.25.00 |
|---|---------------------|----------|

USP 12.41 Substrate

| Seq | Description | Date |
|-----|-------------|------|
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ISSUED

1996

### PLANTING PLAN

### PLANTING PLAN

---

DRAINAGE NO.

1100

L100

Allyl-1, 2-epoxide and 4, 5-epoxy-

ZON-13896 VAR-13900 SUP-13902  
SUP-13903 SDR-13904 11-15-06 CC

RECEIVED

NOV 14 1986

CHINESE 140

L100

Alfred E. Casper and C. Casper





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

Charles Gronbach  
642 Shetland Road  
Las Vegas, NV 89107  
702-877-6947

July 21, 2006

City of Las Vegas Planning Commission  
City Clerk, City Hall, First Floor  
400 Stewart Avenue  
Las Vegas, NV 89101

RE: "Ahern Plans Spaghetti Bowl Tower", Review Journal Business Article, 7/18/06

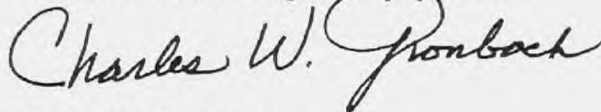
When considering zoning and variance for this project, the Planning Commission should carefully examine the impact on the general public.

1. If the Commission grants the frontal setback changes from 20 feet to 10 feet, we'll have another "Molasky fiasco" on our hands. Molasky, a private corporation, has closed off two lanes of Grand Central Parkway/Ogden, a public street, for months now due to reduced frontal setback. This is not fair to the public—a mega-gain for Molasky, a mega-inconvenience for the public. We shouldn't have to repeat this inconvenience again.

2. Allowing Ahern to fund his own traffic-impact study is a joke! You can guess with certainty the study's final results. An unbiased, third party consultant paid by the city would better serve the general public. Maybe we'll get a more realistic look at projected traffic increases on our already overcrowded roadways.

3. Ahern's offer to Metro Police to use the Helipad (if Ahern's Helipad is approved) smells a little "fishy". Anything to get a variance approved.

Thank you for allowing me to present my concerns about growth and traffic congestion and how it inconveniences the general population.



Charles W. Gronbach

Cc: Planning & Development Department  
731 South 4<sup>th</sup> Street  
Las Vegas, NV 89101

ITEM # 33  
CASE # SDR-13964  
PC MTG 3-10-06

P

September 20, 2006

City of Las Vegas  
Planning & Development  
739 So. 4<sup>th</sup> Street  
Las Vegas, Nevada 89101

Subject: Ahern Corporate Center  
ZON-13896, VAR-13900, SUP-13902, SDR-13904, & SUP-13903

To Whom It May Concern:

I am a homeowner in The Rancho Manor Tract, which is not too far from the proposed project. I have attended two presentations that Ahern has put on to show interested parties exactly what they're plans are.

I am personally very much in favor of it, as our many of the Rancho Manor Homeowners Assoc. members. Some would like to have it a little lower but are still in favor of Ahern getting approved.

It will CERTAINLY improve the proposed area, namely Martin Luther King and Bonanza, and hopefully encourage others to consider "like" projects in this area.

Ahern has been in business in the same location for many, many years, very successful, a great employer and a wonderful neighbor. Please give them every consider to proceed with their proposed project.

Thank you for your time. I remain yours truly, Patricia Welsh, 1920 Collins Ave., Las Vegas (385-3097)

*Patricia A. Welsh*

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13-17

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# Telephone Protest/ Approval Log

Meeting Date: 10/5/06

Case Number: Don 13896, Zorn 13900,

Sup 13902, Sup 13903, Sup 13904

Date: 10/5/06  
Name: Jehn Zorn (on behalf of  
Rancho Pkwy. Neighborhood  
Association)  
Address: 2000 Sunland Ave  
Las Vegas, NV 89106  
Phone: 382-7686  
☐ PROTEST ☒ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
me: \_\_\_\_\_  
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☐ PROTEST ☐ APPROVE

ITEM # 10-14

CASE # See above

PC MTG 10-14

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