

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 25, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-18642 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-18643 - PUBLIC HEARING - APPLICANT NEVADA HAND - OWNER: CITY OF LAS VEGAS
- Request for a Site Development Plan Review FOR A PROPOSED 90-UNIT ASSISTED LIVING APARTMENT COMPLEX AND A WAIVER TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 20 FEET WHERE 121.5 FEET IS THE MINIMUM SETBACK REQUIRED on a portion of 9.39 acres at the southwest corner of Decatur Boulevard and Deer Springs Way (APN 125-24-701-040) R-E (Residence Estates) Zone [PROPOSED: R-3 (Medium Density Residential) Zone], Ward 6 (Ross).

C.C.: 02/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

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

MOTION:

STEINMAN – APPROVED subject to conditions and deleting Condition 14 – **UNANIMOUS** with **TRUESDELL** abstaining because he is in negotiations with a client about property within the notice area

To be heard by the City Council on 2/21/2007

MINUTES:

See Item 45 for related discussion.

(7:33 – 7:45)

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 47 – SDR-18642

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-18643) and Special Use Permit (SUP-19004) shall be required, 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, date stamped 12/29/06, and building elevations and floor plans, date stamped 12/08/06, except as amended by conditions herein.
4. A Waiver from Title 19.08.060 Residential Adjacency Requirements is hereby approved, to allow a residential adjacency setback of 20 feet where 121.5 feet is the minimum required.
5. The minimum distance between buildings shall be 10 feet.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan; an additional 19 trees, minimum 24-inch box size shall be provided around the perimeter of the development included in this phase.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 47 – SDR-18642

CONDITIONS – Continued:

10. 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.
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.

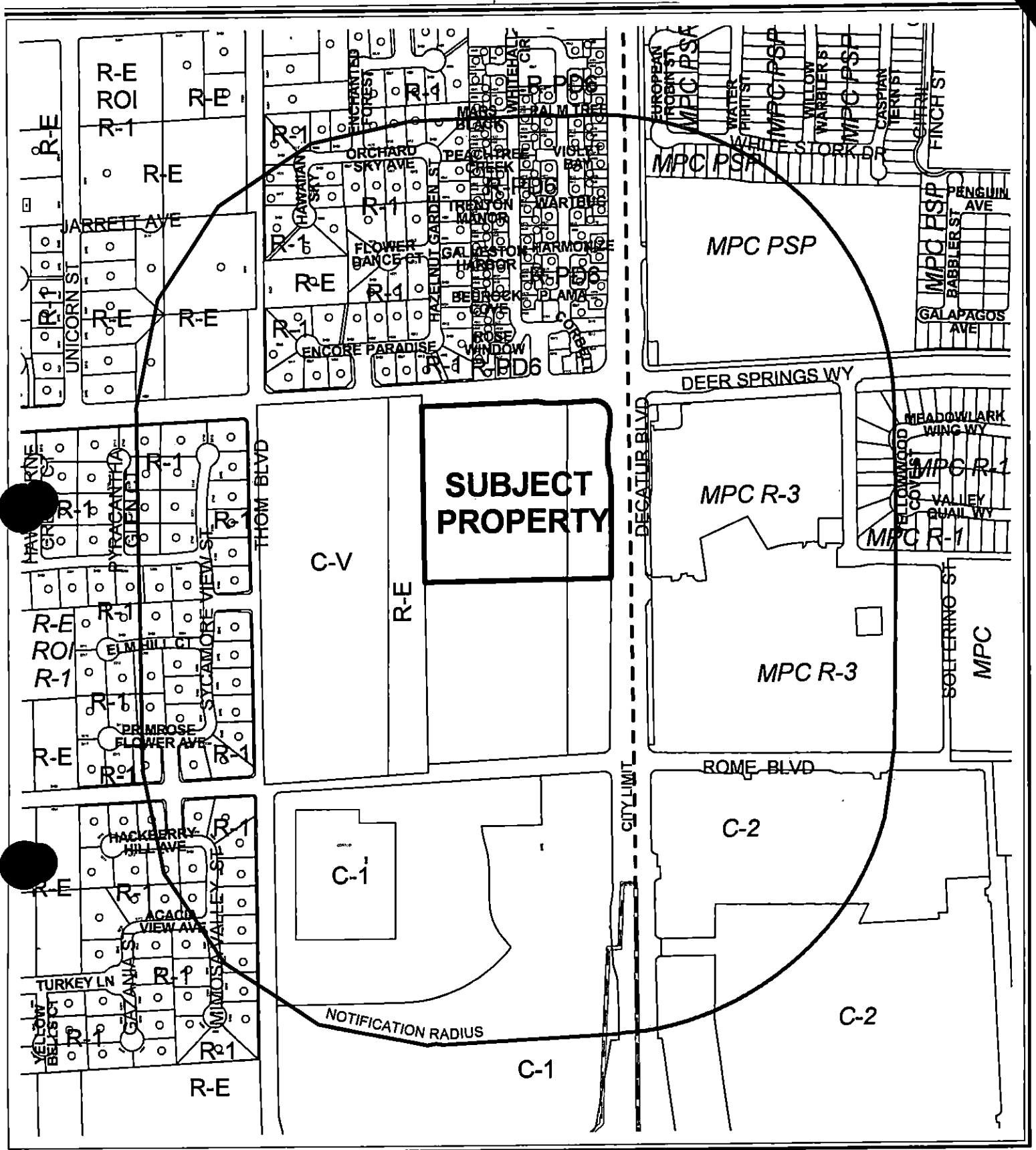
Public Works

13. 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.
14. The proposed driveway accessing Sky Pointe Drive through the adjacent property to the east (Assessor's Parcel Number 125-06-002-009) shall be designed, located and constructed in accordance with Standard Drawing #222a unless a deviation from standards is approved by the City Engineer and shall also be approved by the Nevada Department of Transportation.
15. Construct appropriate on-site paving (minimum 24 feet wide) to allow for two-way vehicular traffic through the not a part portion of this site.
16. 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.
17. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-18643 and all other applicable site-related actions.
18. 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 construction drawings. No

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 47 – SDR-18642

CONDITIONS – Continued:

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 construction drawings.



CASE: SDR-18642

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-3 (MEDIUM DENSITY RESIDENTIAL)

0 300 600 Feet





CASE: **SDR-18642**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-3 (MEDIUM DENSITY RESIDENTIAL)

0 300 600 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JANUARY 25, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-18642 - APPLICANT/OWNER: CITY OF LAS VEGAS**

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

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-18643) and Special Use Permit (SUP-19004) shall be required, 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, date stamped 12/29/06, and building elevations and floor plans, date stamped 12/08/06, except as amended by conditions herein.
4. A Waiver from Title 19.08.060 Residential Adjacency Requirements is hereby approved, to allow a residential adjacency setback of 20 feet where 121.5 feet is the minimum required.
5. The minimum distance between buildings shall be 10 feet.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan; an additional 19 trees, minimum 24-inch box size shall be provided around the perimeter of the development included in this phase.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

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SDR-18642 - Conditions Page Two
January 25, 2007 - Planning Commission Meeting

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
10. 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.
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

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14. The proposed driveway accessing Sky Pointe Drive through the adjacent property to the east (Assessor's Parcel Number 125-06-002-009) shall be designed, located and constructed in accordance with Standard Drawing #222a unless a deviation from standards is approved by the City Engineer and shall also be approved by the Nevada Department of Transportation.
15. Construct appropriate on-site paving (minimum 24 feet wide) to allow for two-way vehicular traffic through the not a part portion of this site.
16. 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.
17. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-18643 and all other applicable site-related actions.

SDR-18642 - Conditions Page Three
January 25, 2007 - Planning Commission Meeting

18. 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 construction drawings. 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 construction drawings.

SDR-18642 - Staff Report Page One
January 25, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 90-unit assisted living apartment complex and a waiver to allow a residential adjacency setback of 20 feet where 121.5 feet is the minimum required on a portion of 9.39 acres at the southwest corner of North Decatur Boulevard and Deer Springs Way.

The proposed development will be built in phases. This Site Development Plan Review is for the first phase. This includes a single building with a total floor area of 86,083 square feet and 90 units. At its tallest the building is three stories and 38.5 feet in height. The proposed development is considered appropriate for this location. The deviations from Code will not have a significant effect on the surrounding area and are supported. Approval of this request is recommended.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
06/07/06	The City Council approved a General Plan Amendment to amend a portion of the Centennial Hills Sector Plan from ML (Medium-Low Density Residential) to M (Medium Density Residential) at this location. The Planning Commission and staff recommended approval.
01/25/06	Companion items for a Rezoning (ZON-18643) to an R-3 (Medium Density Residential) District and a Special Use Permit (SUP-19004) to allow a building height of three stories and 39 feet will be heard concurrently with this item.
Related Building Permits/Business Licenses	
There are no permits or licenses related to this site.	
Pre-Application Meeting	
12/05/06	A pre-application meeting was held. Parking, landscaping, and residential adjacency requirements were noted. Submittal requirements were discussed.
Neighborhood Meeting	
A neighborhood meeting is not required for this portion of the proposed project. It is noted that a neighborhood meeting was held on 04/18/06 at Lied Community School, 5340 Tropical Parkway. Details from this meeting are included in the staff report for General Plan Amendment (GPA-12847).	

Details of Application Request	
Site Area	
Gross Acres	9.45
Net Acres	9.39

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SDR-18642 - Staff Report Page Two
January 25, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	M (Medium Density Residential)	R-E (Residence Estates)
North	Single-family residential	ML (Medium Low Density Residential)	R-1 (Single-family Residential) R-PD6 (Residential Planned Development – 6 Units Per Acre)
South	Undeveloped	M (Medium Density Residential)	R-E (Residence Estates)
East	Multi-family residential	City of North Las Vegas	City of North Las Vegas
West	Undeveloped	ML (Medium-Low Density Residential) Pf (Public Facilities)	R-E (Residence Estates) C-V (Civic)

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

DEVELOPMENT STANDARDS

Per Title 19.08:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	6,500 SF	408,925 SF	Y
Min. Setbacks			
• Front	20 Feet	328 Feet	Y
• Side	5 Feet	265 Feet	Y
• Corner	5 Feet	40 Feet	Y
• Rear	20 Feet	20 Feet	Y
Min. Distance Between Buildings	10 Feet	20 Feet	Y
Max. Building Height	2 Stories/35 Feet	3 Stories/38.5 Feet*	Y
Trash Enclosure	Yes	Yes	Y
Mech. Equipment	Screened	Screened	Y

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*Per Title 19.08.040 in the R-3 (Medium Density Residential) District the height limit for senior citizen apartment developments shall be three stories or forty feet, whichever is less, upon approval of a Site Development Plan in accordance with Section 19.18.050. Senior citizen apartment developments that exceed the permitted height limit may be permitted upon approval of a Special Use Permit in accordance with Sections 19.04.050 and 19.18.060. A Special Use Permit (SUP-19004) shall be heard concurrently with this item to comply with this requirement.

Per Title 19.08.060:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	121.5 Feet	20 Feet	N

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-E (Residence Estates)	2 Units Per Acre	18 Units
<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-3 (Medium Density Residential)	25.49 Units Per Acre	239 Units
<i>General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
M (Medium Density Residential)	25.49 Units Per Acre	239 Units

Per Title 19.12:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces	8 Trees	9 Trees	Y
Buffer:				
Min. Trees	1 Tree/20 Linear Feet	36 Trees	16 Trees	N
TOTAL		44 Trees	25 Trees	N
	15 Feet (R.O.W.)		15 Feet	Y
Min. Zone Width	8 Feet (interior)		8 Feet	Y
Wall Height	8 Feet		Not shown	Unknown

SDR-18642 - Staff Report Page Four
January 25, 2007 - Planning Commission Meeting

Pursuant to Title 19.10, the following parking standards apply:

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	
Assisted Living	90	1 space for every 3 residents	30	2			
Sub-Total			30	2	48	10	Y
TOTAL			30		48		Y
Loading Spaces			1		1		Y

Waivers		
Request	Requirement	Staff Recommendation
To allow a residential adjacency setback of 20 feet where 121.5 feet is the minimum required.	The 3:1 proximity slope would require a setback of 121.5 feet from the western property line.	This waiver can be supported as the adjacent property, though carrying a General Plan designation that permits single-family residential development has been set aside by the Department of Public Works for a future Civic project. Therefore; this development will not have a negative effect on the adjacent property.

ANALYSIS

The proposed development will be built in phases. This Site Development Plan Review is for the first phase. This includes a single building with a total floor area of 86,083 square feet and 90 units. At its tallest the building is three stories and 38.5 feet in height. There are one and two story elements to the building as well to add contrast. The site plan shows the building placed in the northwest corner of the development. There is abundant open space dispersed around the building as well as parking that is primarily oriented to the interior of the development. Future phases will fill in the remaining portion of the property.

The color and material palate for the proposed development includes tannery, Ardmore green, and sail bush as the three colors for the building. The roof will be made of tile with a cobblestone color.

SDR-18642 - Staff Report Page Five
January 25, 2007 - Planning Commission Meeting

Floor plans differ for each floor. The second and third floors consist of only apartments. The first floor includes residential units, a kitchen, offices, gathering areas, a library, covered porches, and a reception area.

A residential adjacency waiver is required due to the parcel to the west. A portion of this parcel carries a residential land use designation. However; this parcel is intended for future civic development by the Department of Public Works. As this parcel is not intended to be used for single-family residential use this waiver request is supported. Residential Adjacency may be handled with a waiver per Title 19.08.060 for a multi-family residential project that is intended to meet the affordable housing objectives of the General Plan, which this development does.

The proposed development does not meet the required number of trees. As the applicant has not requested a waiver from this requirement and has adequate space in which to place the trees a condition of approval shall be added requiring the proper number of trees.

The proposed development is considered appropriate for this location. The deviations from Code will not have a significant effect on the surrounding area and are supported. Approval of this request is recommended.

FINDINGS

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

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

The proposed development is considered compatible with adjacent development and development in the area.

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

The proposed development is consistent with the General Plan. Deviations from Title 19 are minor and will not have a significant effect on the area and approval of this request is recommended.

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

SDR-18642 - Staff Report Page Six
January 25, 2007 - Planning Commission Meeting

The site will gain access from Decatur Boulevard a 120-foot Parkway Arterial and Deer Springs Way an 80-foot Secondary Collector. These streets 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;

Building elevations and design characteristics are not unsightly or obnoxious in appearance and are harmonious and compatible with development in the area.

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

The proposed development will not endanger the public health or the general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

8

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 490 [Mailed with ZON-18643 & SUP-19004]

APPROVALS 0

PROTESTS 0



Case Number: **SDR-18642** APN: 125-24-701-031 + 038
Name of Property Owner: City of Las Vegas
Name of Applicant: Nevada HAND
Name of Representative: Nevada HAND

X No

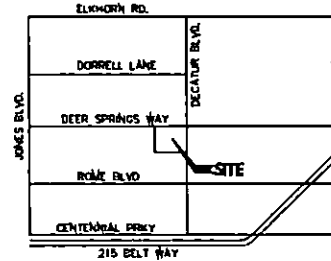
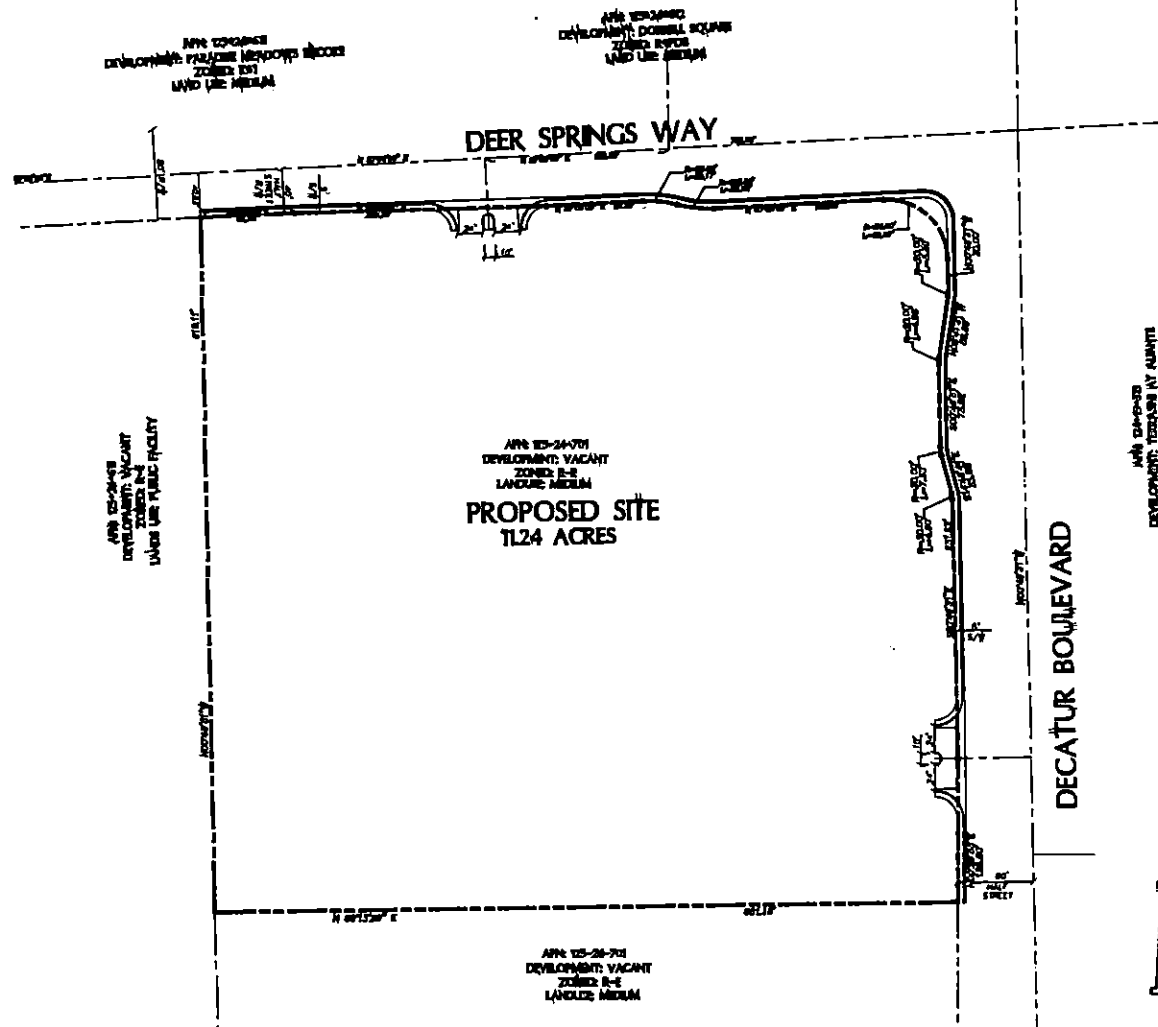
APN: _____

Print Name:

Blonia Dancel
Notary Public in and for said County and State



DEER SPRINGS ASSISTED LIVING FOR NEVADA HAND



VICINITY MAP

TABULATION

ASSISTED LIVING
CURRENT ZONING R-2
PROPOSED ZONING R-3
ACREAGE 11.24 AC.

APN 125-28-701
DEVELOPMENT: VACANT
ZONED: R-E
LANDUSE: MEDIUM

RECEIVED
DEC 29 2006

NO.	DATE	BY	REVISION
1	12/29/06	...	...

L. E. NELSON CONSULTING ENGINEERS, INC.
2765 West Russell Road, Suite 200
Las Vegas, Nevada 89116
(702) 790-7970
(702) 451-2396 FAX

SITE PLAN TO ACCOMPANY ZONE CHANGE OF
DEER SPRINGS ASSISTED LIVING
FOR
NEVADA HAND
CITY OF LAS VEGAS NEVADA

SHEET NUMBER
1
OF 5 SHEETS
815-002-022

ZON-18643 SDR-18642
REVISED 01/25/07 PC

DEER SPRINGS ASSISTED LIVING FOR NEVADA HAND

APN 125-24-611
DEVELOPMENT: PARADISE MEADOWS ENCORE
ZONED: R-1

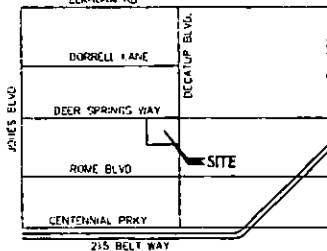
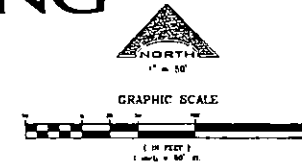
APN 125-24-612
DEVELOPMENT: DORRELL SQUARE
ZONED: R-PDS

APN 125-24-611
DEVELOPMENT: VACANT
ZONED: R-E

APN 125-24-701
DEVELOPMENT: VACANT
ZONED: R-E

DEER SPRINGS WAY

DECATUR BOULEVARD



VICINITY MAP

TABULATION:

ASSISTED LIVING	
CURRENT ZONING	R-E
PROPOSED ZONING	R-3
ACREAGE	4.10 AC ±
# OF BUILDINGS	90
# OF UNITS	220
DUA	22.0

OPEN SPACE CALCS	
REQUIRED OPEN SPACE 22.0 A : 65 = 36.3	64,830 SF
PROVIDED OPEN SPACE	71,770 SF

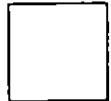
PARKING CALCS	
REQUIRED PARKING (1 PER EVERY 3 RESIDENT)	30 P.S.
HANDICAP PARKING REQUIRED	8 P.S.
PROVIDED PARKING	17 P.S.
HANDICAP PARKING PROVIDED	10 P.S.
TOTAL SPACES	47 P.S.

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DEC 29 2006

ZON-18643

SDR-18642

REVISED 01/25/07 PC

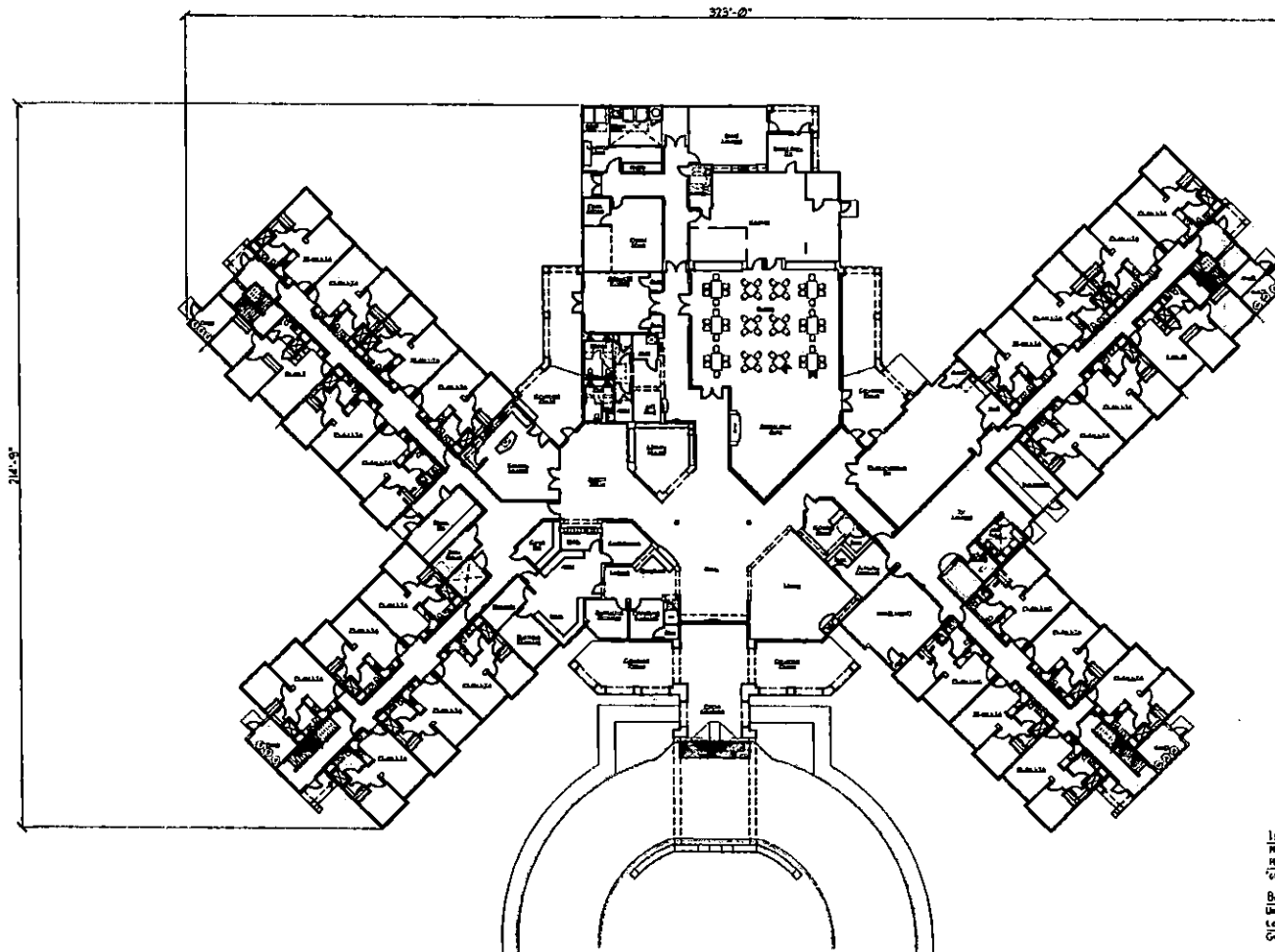


DATE	BY	DATE	BY

L. R. NELSON CONSULTING ENGINEERS, INC.
655 West Pecos Road, Suite 100
Las Vegas, Nevada 89118
(702) 738-7978
(702) 451-2286 FAX

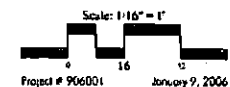
SITE PLAN TO ACCOMPANY DEVELOPMENT PLAN REVIEW OF
DEER SPRINGS ASSISTED LIVING FOR NEVADA HAND
CITY OF LAS VEGAS

SHEET NUMBER
1
OF 1 SHEETS
813-002-062



1st Floor	
Plan 1A	21 units
Plan 2	2 units
Grand total	23 units
Building Area 1st Floor	
Unit Area	12,284 sq ft
Common Areas & Halls	25,971 sq ft
Grass Area	39,258 sq ft

1st Floor	32,258 sq ft
2nd Floor	27,145 sq ft
3rd Floor	19,680 sq ft
Total Building Area	79,083 sq ft



Conceptual 1st Floor Building Plan

Deer Springs Way & Decatur Boulevard

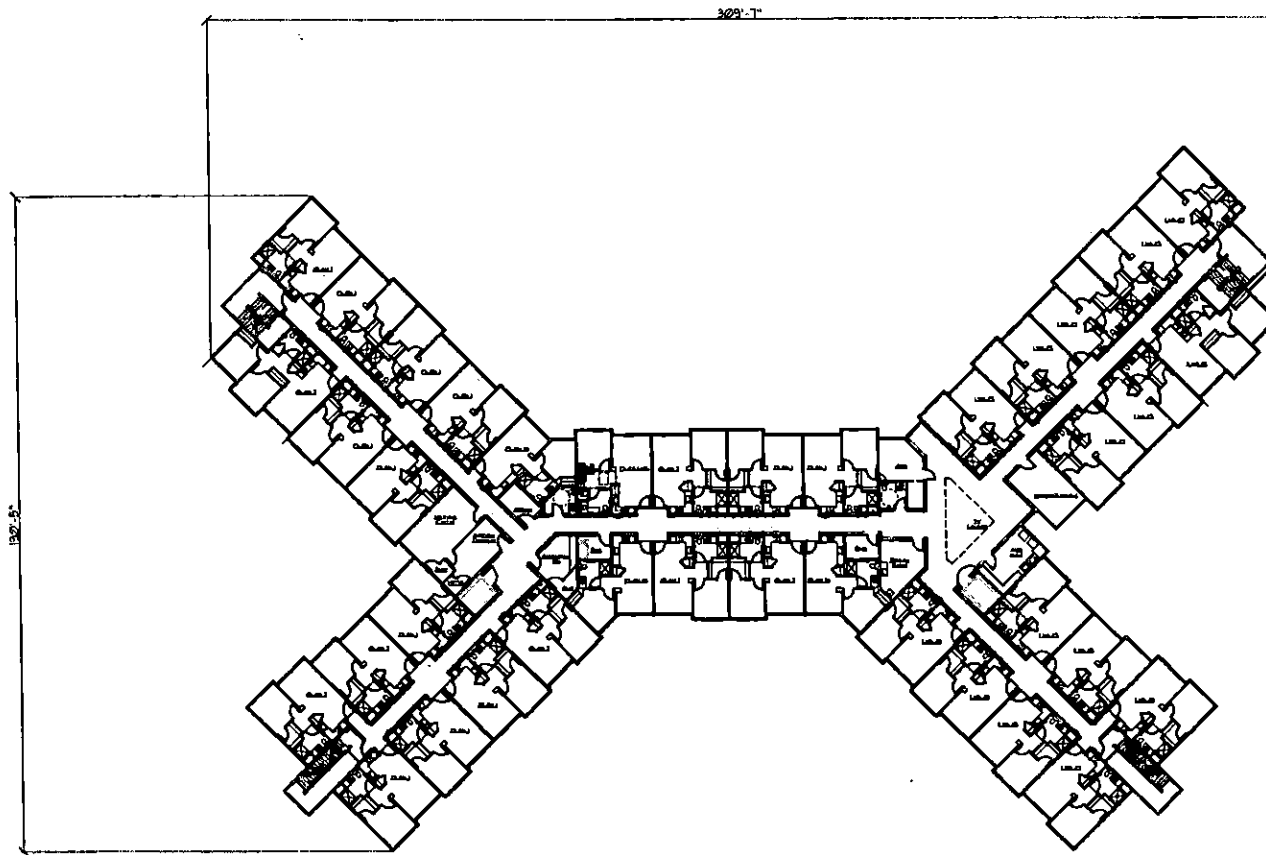
Deer Springs Assisted Senior Living Facility

Las Vegas, Nevada

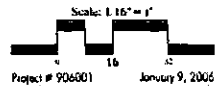
SDR-18642

DEC 08 2006

01/25/07 PC



2nd Floor	
Floor 1A	33 units
Floor 1B	3 units
Floor 2	2 units
Total Units	38 units
Building Area 2nd Floor	
Units (sq ft)	19,932 sq ft
Common Areas & Misc	7,313 sq ft
Gross Area	27,245 sq ft



Conceptual 2nd Floor Building Plan

Deer Springs Way & Decatur Boulevard

Deer Springs Assisted Senior Living Facility

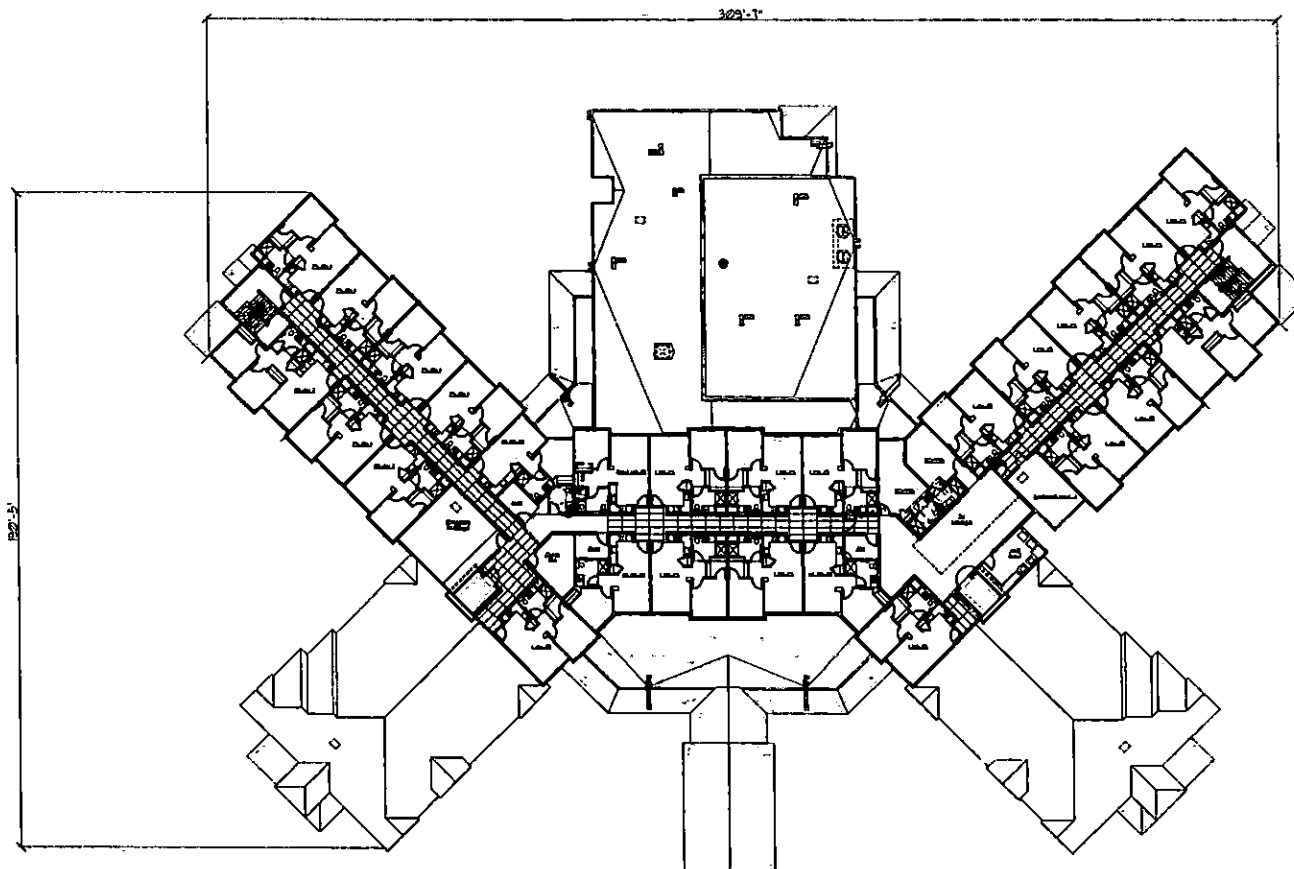
Las Vegas, Nevada

SDR-18642

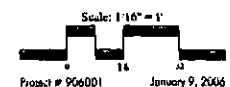
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DEC 08 2006

P. 101



3rd Floor	
Room 1A	21 units
Room 1B	3 units
Room 2	7 units
Room 3	26 units
Building Area 3rd Floor	
Units (sq ft)	13,522 sq ft
Common Areas & Misc.	10,950 sq ft
Grand Total	24,472 sq ft



Conceptual 3rd Floor Building Plan

Deer Springs Way & Decatur Boulevard

Deer Springs Assisted Senior Living Facility

Las Vegas, Nevada

SDR-18642
01/25/07 PC

DEC 08 2006



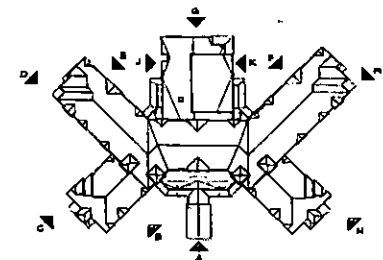
ELEVATIONS A
SCALE: 1/8" = 1'-0"



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



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



Scale: 1/8" = 1'-0"
Project # 90a001 January 9, 2006

Conceptual Elevations

Deer Springs Way & Decatur Boulevard

Deer Springs Assisted Senior Living Facility

Las Vegas, Nevada

SDR-18642

01/25/07 PC

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DEC 08 2006





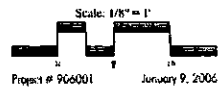
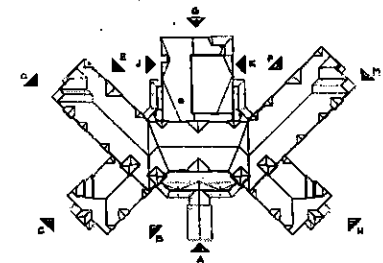
ELEVATIONS D
SCALE 1/8" = 1'-0"



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



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



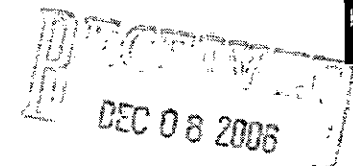
Conceptual Elevations

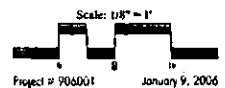
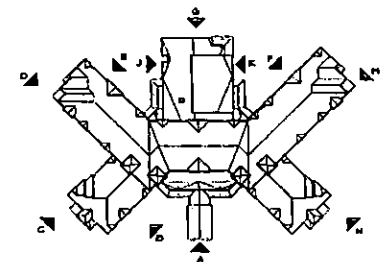
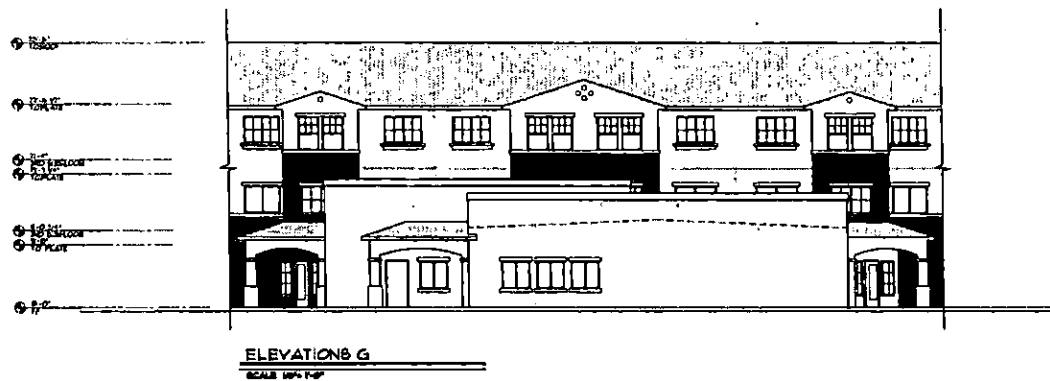
Deer Springs Way & Decatur Boulevard

Deer Springs Assisted Senior Living Facility

Las Vegas, Nevada

SDR-18642
01/25/07 PC





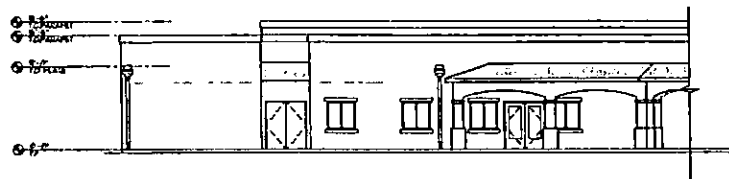
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Deer Springs Way & Decatur Boulevard

Conceptual Elevations Deer Springs Assisted Senior Living Facility Las Vegas, Nevada

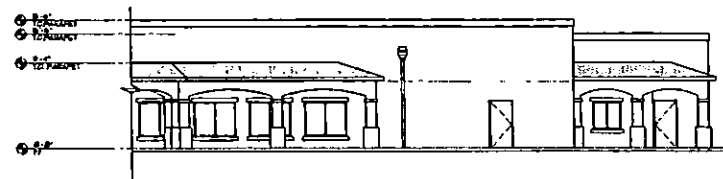
SDR-18642
01/25/07 PC

DEC 08 2006



ELEVATIONS J

SCALE 1/8" = 1'-0"



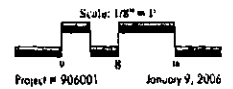
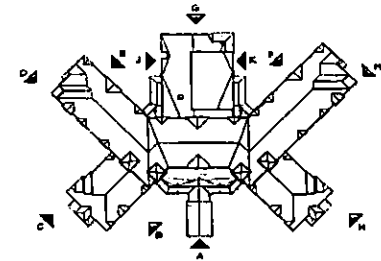
ELEVATIONS K

SCALE 1/8" = 1'-0"



ELEVATIONS M

SCALE 1/8" = 1'-0"



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

Project # 906001 January 9, 2006

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Conceptual Elevations

Deer Springs Way & Decatur Boulevard

Deer Springs Assisted Senior Living Facility

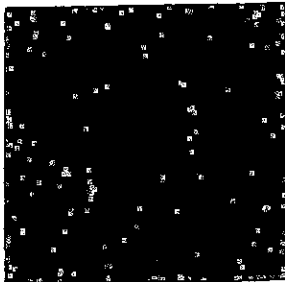
Las Vegas, Nevada

SDR-18642

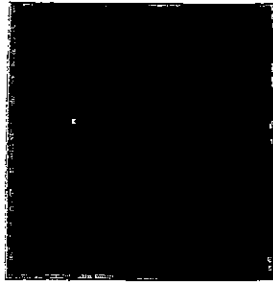
01/25/07 PC



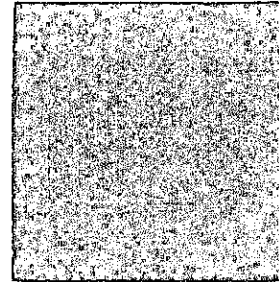
Deer Springs Assisted Living Residence



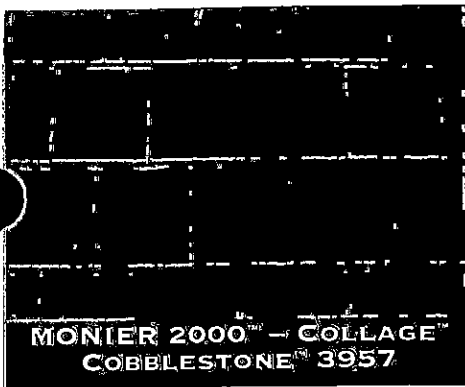
1. Primary
Frazee # 7755D
Tannery



2. Secondary
Frazee # 8185D
Ardmore Green



3. Fascia/Trim
Frazee # 8183M
Sailbush



4. Roof Tile
Monier 3957
Cobblestone



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DEC 08 2006

SDR-18642

01/25/07 PC

SDR 18642				
Nevada Hand				
SWC Deer Springs & Decatur				
Proposed 90 unit assisted living facility.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	ASSISTED LIVING [BEDS]	90	2.66	239
AM Peak Hour			0.14	13
PM Peak Hour			0.22	20
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Deer Springs Way				
Average Daily Traffic (ADT)	516			
PM Peak Hour	41			
(heaviest 60 minutes)				
Decatur Boulevard				
Average Daily Traffic (ADT)	1,891			
PM Peak Hour	151			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Deer Springs Way	32585			
Decatur Boulevard	51700			
This project will add approximately 239 trips per day on Deer Springs and Decatur. This will increase expected volumes by about forty six percent on Deer Springs and about thirteen percent on Decatur. Deer Springs is at about 2 percent of capacity and Decatur is at about 4 percent of capacity.				
Based on Peak Hour use, this development will add roughly 20 additional cars into the area; which works out to about one every three minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



ZON-18643, SUP-19004 & SDR-18642 - APPLICANT: NEVADA HAND - OWNER: CITY OF LAS VEGAS
SOUTHWEST CORNER OF DECATUR BOULEVARD AND DEER SPRINGS WAY
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06



ZON-18643, SUP-19004 & SDR-18642 - APPLICANT: NEVADA HAND - OWNER: CITY OF LAS VEGAS
SOUTHWEST CORNER OF DECATUR BOULEVARD AND DEER SPRINGS WAY
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06



ZON-18643, SUP-19004 & SDR-18642 - APPLICANT: NEVADA HAND - OWNER: CITY OF LAS VEGAS
SOUTHWEST CORNER OF DECATUR BOULEVARD AND DEER SPRINGS WAY
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06



ZON-18643, SUP-19004 & SDR-18642 - APPLICANT: NEVADA HAND - OWNER: CITY OF LAS VEGAS
SOUTHWEST CORNER OF DECATUR BOULEVARD AND DEER SPRINGS WAY
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06

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

December 8, 2006

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

RE: Justification Letter
Re-Zone
Deer Springs Assisted Living
Deer Springs and Decatur
APN: 125-24-701-038 and 031

To Whom It May Concern:

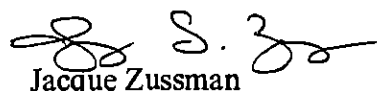
At the City Council meeting of June 7, 2006 a General Plan Amendment (GPA-12847) was approved for the above mentioned parcels to change the master plan from ML (Medium Low Density Residential) to M (Medium Density Residential) on 18.62 acres at the northwest corner of Rome Boulevard and Decatur Boulevard for a Senior Living use. With this in mind we are requesting a zone change for the north half of the above mentioned parcels for an Assisted Senior Living community known as Deer Spring Assisted Living from Residential Estates (R-E) to Residential Planned District allowing 25 units per acre (R-PD-25). This is a rezoning request only a Site Development Plan Review is being submitted for the specific development of the parcel.

Enclosed in the package, please find:

Site Development Review Application
Patent that will serve as the Deed to the subject property
Fee of \$1,000
Statement of Financial Interest
Site Plan

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

Sincerely,


Jacquie Zussman

Real Estate Development Manager

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SDR-18642
01/25/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 25, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ZON-18672 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: ANA BELTRAN - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 0.5 acres at the northwest corner of Poppy Lane and Paniflow Street (APN 139-25-410-022), Ward 3 (Reese).

C.C.: 02/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

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

MOTION:

TROWBRIDGE – APPROVED subject to conditions – Motion carried with **DUNNAM** voting **NO**

To be heard by the City Council on 2/21/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open for Item 48 [ZON-18672], Item 49 [VAR-18673], Item 50 [VAR-18674] and Item 51 [SDR-18670].

ANDY REED, Department of Planning and Development, recommended approval of the Zoning request as it is consistent with the General Plan as well as the pattern of development in the area. Regarding the Variances and Site Development Review, he stated the proposal is too intense for the area and recommended denial.

ADAN CASTILLO, 1202 Fall Breeze Drive, appeared on behalf of the applicant and stated the intent is to improve the area and create a more unified community. He agreed to all conditions and requested approval.

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 48 – ZON-18672

MINUTES – Continued:

TODD FARLOW, 240 North Nineteenth Street, stated that Ward 3 is in need of more owner occupied properties, though he was not certain if the proposal was for rental purposes. MR. CASTILLO confirmed that the proposal would be for rental units.

COMMISSIONER STEINMAN expressed concern for the parking Variance and MR. CASTILLO explained that the property's narrowness makes it difficult to provide the required amount of parking.

MARGO WHEELER, Director of Planning and Development, clarified that 10 feet are required between buildings but should buildings be constructed closer, the walls would need to be more intense fire walls. MR. CASTILLO verified that there would be at least 12 feet between buildings.

COMMISSIONER TRUESDELL asked the intent to sell the four-plex unit individually but MR. CASTILLO stated that the property may not be subdivided. COMMISSIONER TRUESDELL commented that the one-sided architectural design might not last longer than five years. He stated that another design could have allowed for more units, been more aesthetically pleasing and met the parking requirement.

COMMISSIONER TROWBRIDGE queried the distance of the closest park and MR. RANKIN stated there are schools located within 1,000 feet.

CHAIRMAN DAVENPORT declared the Public Hearing closed for Item 48 [ZON-18672], Item 49 [VAR-18673], Item 50 [VAR-18674] and Item 51 [SDR-18670].

(7:45 – 7:55)

2-361

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-18670) 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, if approved.

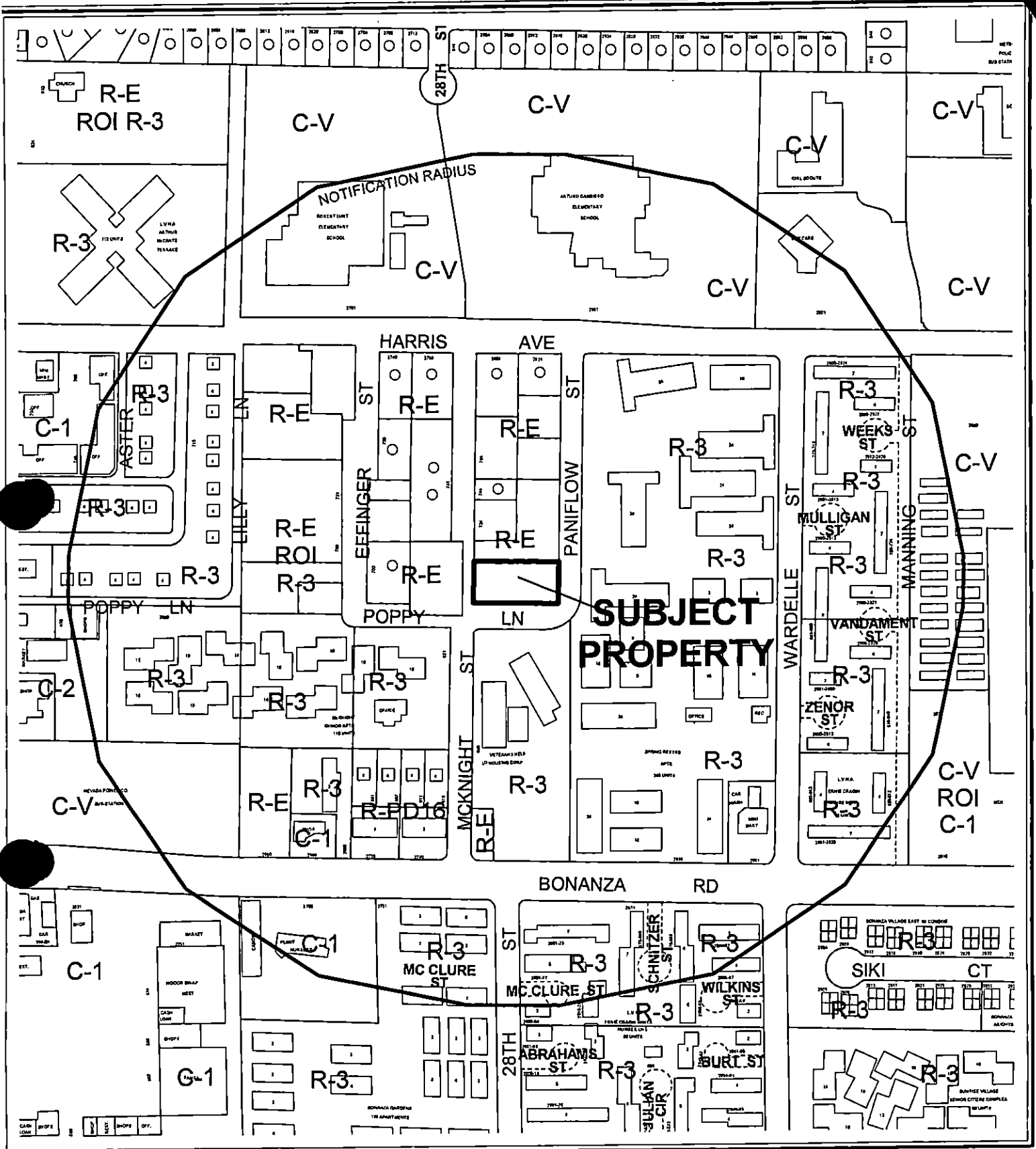
Public Works

3. Submit a Reversionary Map for this site or coordinate with the City Surveyor to determine an acceptable mapping method; comply with the recommendations of the City Surveyor.

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 48 – ZON-18672

CONDITIONS – Continued:

4. Dedicate 30 feet of right-of-way adjacent to this site for McKnight Street, Poppy Lane and Paniflow Street and dedicate a 15-foot radius on the northwest corner of Poppy Lane and Paniflow Street and on the northeast corner of McKnight Street and Poppy Lane prior to the issuance of any permits. Contact the Right-of-Way Section of the Department of Public Works for assistance in the preparation of the necessary documents.
5. Construct half-street improvements including appropriate transition paving on Poppy Lane, Paniflow Street, and McKnight Street 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. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
6. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of a map subdividing this site, whichever may occur first. Provide and improve all drainage ways as recommended.
7. A minimum of two lanes of asphalt pavement on the major access street adjacent to this site, and a working sanitary sewer connection shall be in place prior to final inspection of any units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed within 24 months of approval of construction drawings. No partial bond releases will be allowed until all perimeter roadway improvements are in place.



CASE: **ZON-18672**

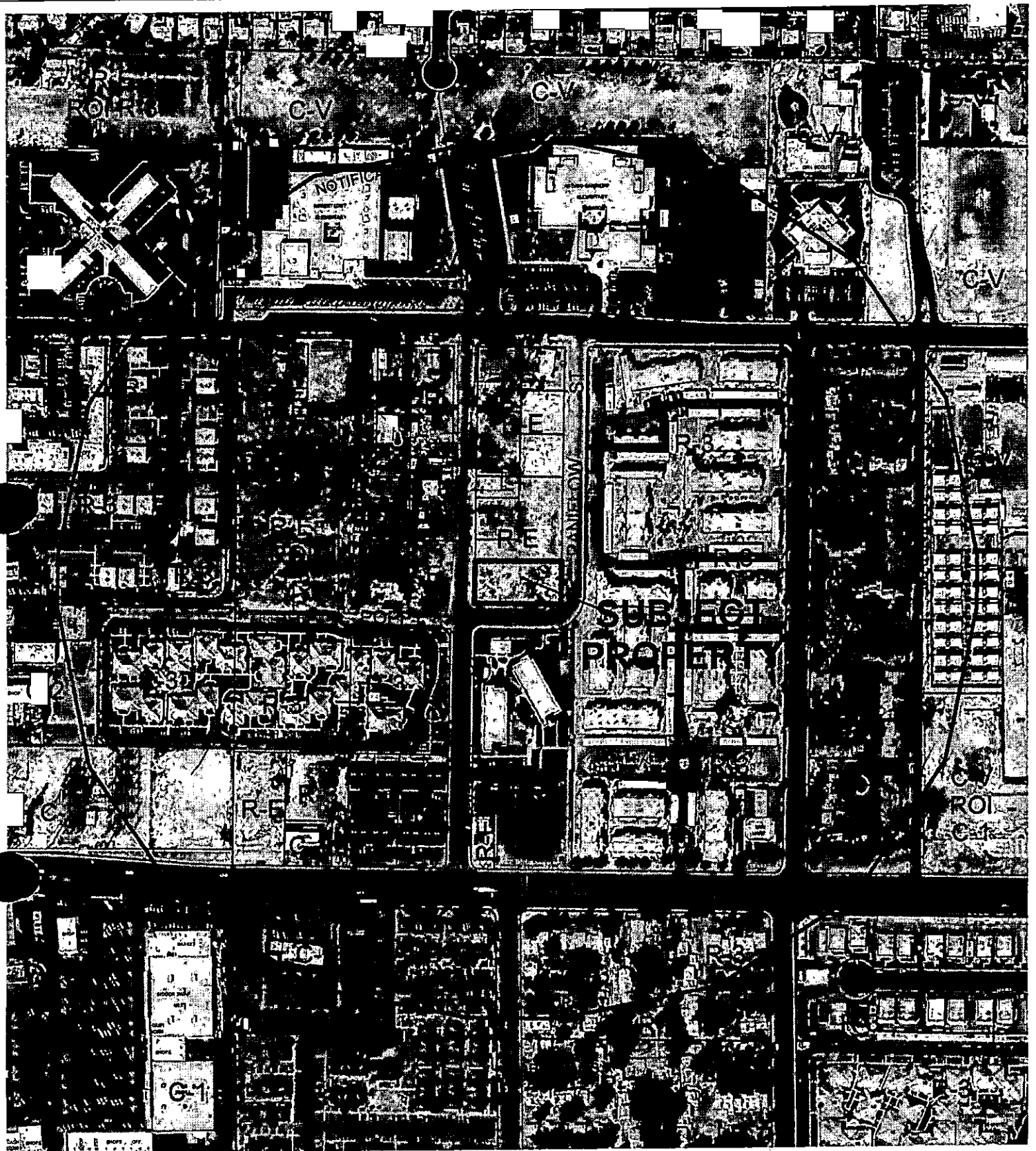
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-3 (MEDIUM DENSITY RESIDENTIAL)



CASE: ZON-18672

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-3 (MEDIUM DENSITY RESIDENTIAL)

0 300 600 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JANUARY 25, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ZON-18672 - APPLICANT/OWNER: ANA BELTRAN**

**** CONDITIONS ******STAFF RECOMMENDATION:** **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-18670) 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, if approved.

Public Works

3. Submit a Reversionary Map for this site or coordinate with the City Surveyor to determine an acceptable mapping method; comply with the recommendations of the City Surveyor.
4. Dedicate 30 feet of right-of-way adjacent to this site for McKnight Street, Poppy Lane and Paniflow Street and dedicate a 15-foot radius on the northwest corner of Poppy Lane and Paniflow Street and on the northeast corner of McKnight Street and Poppy Lane prior to the issuance of any permits. Contact the Right-of-Way Section of the Department of Public Works for assistance in the preparation of the necessary documents.
5. Construct half-street improvements including appropriate transition paving on Poppy Lane, Paniflow Street, and McKnight Street 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. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
6. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of a map subdividing this site, whichever may occur first. Provide and improve all drainage ways as recommended.

RTS

ZON-18672 - Conditions Page Two
January 25, 2007 - Planning Commission Meeting

7. A minimum of two lanes of asphalt pavement on the major access street adjacent to this site, and a working sanitary sewer connection shall be in place prior to final inspection of any units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed within 24 months of approval of construction drawings. No partial bond releases will be allowed until all perimeter roadway improvements are in place.

ZON-18672 - Staff Report Page One
January 25, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning to an R-3 (Medium Density Residential) District on 0.5 acres at the northwest corner of Poppy Lane and Paniflow Street. The property currently consists of undeveloped land that is zoned R-E (Residence Estates). The applicant indicates this will be an apartment complex consisting of three buildings of four units each.

The proposed rezoning to the R-3 (Medium Density Residential) zoning district is consistent with the existing M (Medium Density Residential) Master Plan designation. It is also consistent with the existing multi-family uses in the vicinity. Approval is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/25/07	Companion items for two Variances (VAR-18673 and VAR-18674) and a Site Development Plan Review (SDR-18670) will be heard concurrently with this item.
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses related to this project approved or under review.	
<i>Pre-Application Meeting</i>	
11/29/06	A pre-application meeting was held and elements of this application were discussed. It was noted that the proposed density for this project is 14.49 dwelling units per acre and that 23 parking spaces would be the requirement. Additionally, it was noted that two variances would be needed to deal with setback and parking deficiencies. Public Works talked about half-street improvements; need to meet with flood control; traffic signal impact fees; and dedicating radius corners. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.50

ZON-18672 - Staff Report Page Two
January 25, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	M (Medium Density Residential)	R-E (Residence Estates)
North	Undeveloped	M (Medium Density Residential)	R-E (Residence Estates)
South	Non-profit Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	Undeveloped	L (Low Density Residential)	R-E (Residence Estates)

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

ANALYSIS

The subject property is designated as M (Medium Density Residential) under the Southeast Sector Plan of the General Plan. This category includes a variety of multi-family units such as plexes, townhouses, and low-density apartments. This category allows up to 25.49 units per acre. The proposed development will have a density of 24 units per acre and is in compliance with the General Plan.

The proposed rezoning to the R-3 (Medium Density Residential) zoning district will allow a residential density of 25 units per acre. The site plan proposes 12 apartments, which will result in a density of 24 units per acre. Given the existing M (Medium Density Residential) Master Plan designation, the requested rezoning request is appropriate for this site.

A related Site Development Plan Review (SDR-18670) to site the 12 unit apartment facility will be considered on this agenda as well. The project as proposed would require several deviations from development standards, including a parking variance (VAR-18674) and a setback, residential adjacency setback, and building separation variance (VAR-18673) which are also being heard concurrently with this item.

ZON-18672 - Staff Report Page Three
January 25, 2007 - Planning Commission Meeting

The proposed rezoning to the R-3 (Medium Density Residential) zoning district is consistent with the existing M (Medium Density Residential) Master Plan designation. It would also make it consistent with surrounding land uses, which consist of multi-family development to the south and east of the property. For these reasons staff is recommending approval of this item. However, due to the number of deviations required and self-imposed hardships staff is recommending denial on the Site Development Plan Review (SDR-18670) and the two Variances (VAR-18673 and VAR-18674).

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 proposed rezoning would bring the zoning at this site into conformance with the M (Medium Density Residential) designation as listed under the Southeast Sector Plan of the General Plan. The Medium Density Residential category includes a variety of multi-family units such as plexes, townhouses, and low-density apartments. This category allow up to 25.49 units per acre. The proposed multi-family development will have a density of 24 units per acre and is in compliance with the General Plan.

2. "The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts."

Currently there are no uses surrounding the subject site on the north and west sides of the property. The proposed rezoning would be compatible with the multi-family uses situated to the south and east of the site.

3. "Growth and development factors in the community indicate the need for or appropriateness of the rezoning."

Growth and development factors indicate a need for multi-family development. Given the existing General Plan designation of M (Medium Density Residential) on the subject site, the rezoning to the R-3 (Medium Density Residential) zoning district is appropriate for the area.

4. "Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district."

The site will receive access from Poppy Street, which is adequate in size to meet the requirements of the proposed R-3 (Medium Density Residential) zoning district.

ZON-18672 - Staff Report Page Four
January 25, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 97 [Mailed with VAR-18673, VAR-18674 & SDR-18670]

APPROVALS 1

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST



Beltran's
Apartments

Architect/Designer

Structural

Structural Engineer

Interior

Electrical Engineer

Sanitary

Mechanical Engineer

Structural

Planning Engineer

Signature

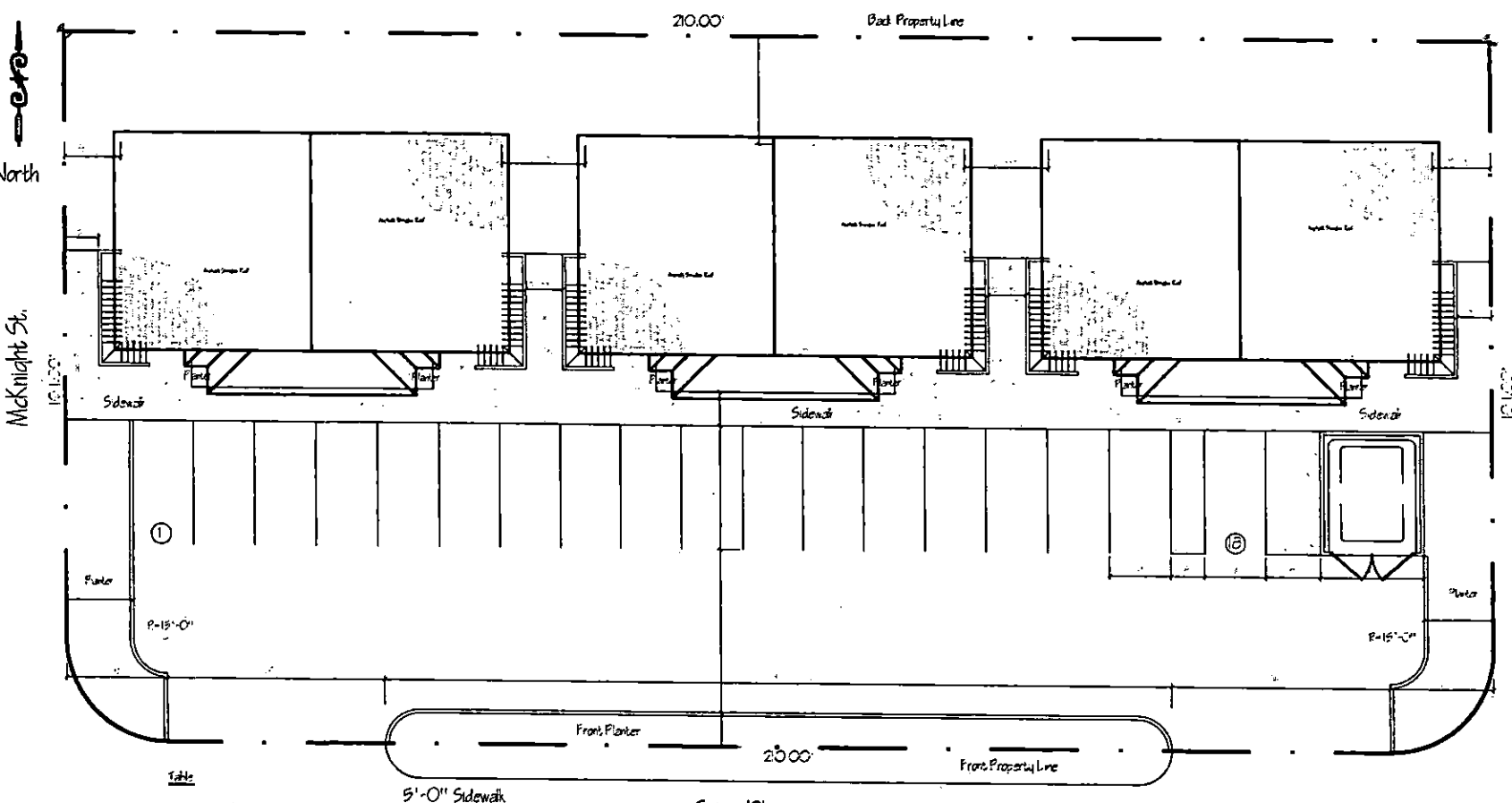
Beltran's Apartments

Beltran, Ana
5661 Charles Ct.
Las Vegas, NV 89110

File #	1000	Scale	1/4" = 1'-0"
Sheet #	10	Drawn	AD
Client	Beltran's Apartments	Check	AD
Date	12/22/2006	Project	AD

ArchWork Designs, Inc.
12021 W. Desert Dr.
Las Vegas, NV 89142
Tel: (702) 521-6776
Fax: (702) 521-6776

12/22/2006



- Three (3) Buildings of Four (4) Units
- First Floor Units Two (2) Bedroom & One (1) Bathroom
- Second Floor Units Two (2) Bedroom & One (1) Bathroom
- Twelve (12) Total Units
- Each Unit Living Space= 852 sqft
- Each Building Total Living Space= 5,408 sqft
- Total Project Living Space= 10,224 sqft

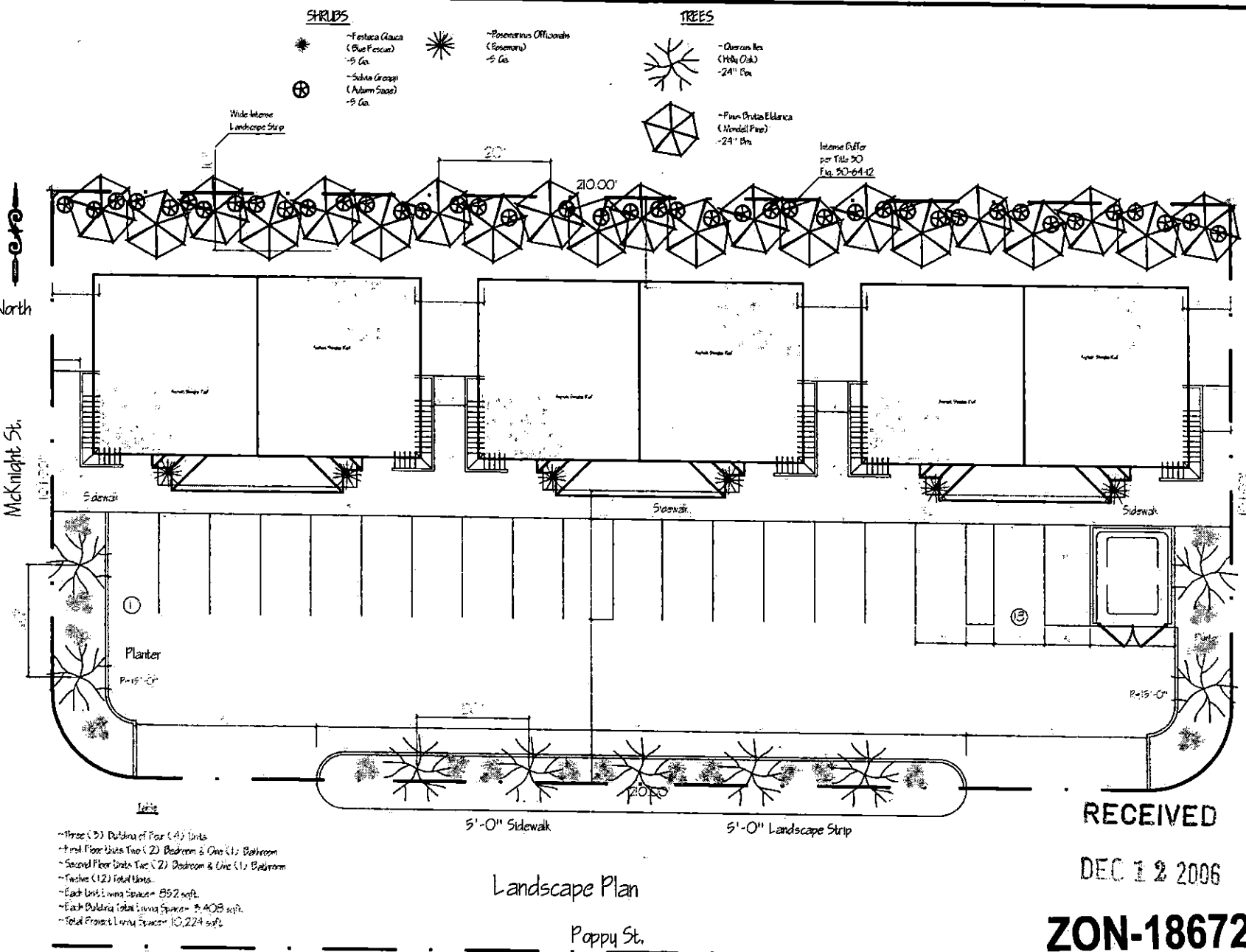
Site Plan

Poppy St.

RECEIVED

DEC 12 2006

ZON-18672
01/25/07 PC



- Three (3) Buildings of Four (4) Units
- First Floor Units Two (2) Bedroom & One (1) Bathroom
- Second Floor Units Two (2) Bedroom & One (1) Bathroom
- Twelve (12) Total Units
- Each Unit Living Space = 852 sqft.
- Each Building Total Living Space = 2,408 sqft.
- Total Project Living Space = 10,224 sqft.

Landscape Plan

Poppy St.

RECEIVED

DEC 12 2006

ZON-18672
01/25/07 PC



Beltran's
Apartments

Architectural Firm	
Owner	
General Contractor	
Interior Designer	
Electrical Contractor	
Plumbing Contractor	
Mechanical Contractor	
Site Work	
Landscaping	
Signage	

Beltran's Apartments
Beltran, Anna
8861 Chalmers Ct.
Lake Wales, FL 33853

Site	10/18	Site	10/18/06
Unit	01	Unit	01
Project	10/18/06	Project	10/18/06
Scale	1/8"	Scale	1/8"

ArchWork Systems, Inc.
Architect
1001 1st Avenue
Lake Wales, FL 33853
Tel: (888) 634-6176
Fax: (888) 634-6176

December 12, 2006

Ana Beltran
5681 Chloride Ct.
Las Vegas, NV 89110
Tel. (702) 308-2477

Justification Letter

To: City Las Vegas, Nevada

Dear Sirs:

I am writing this letter to petition for a Zoning Change and a Design Review for multi-family dwellings for the properties that are located at:

North-East Corner of McKnight & Poppy

APN= 139-25-410-022

The Current Zoning is R-E, and we apply for R-3.

This construction will be an improvement to the community, as well as provide affordable housing in a spacious and comfortable environment, by stucco, two (2) exterior color combination (Eggwhite and Viva Gold), stick built construction, asphalt shingles roof, two story, twenty five (25') feet tall, twelve (12) total units (three (3) buildings of four (4) units), each unit has two (2) bedroom and one (1) bathroom with 852 sqft. living space, and 10,224 sqft. total living space for this project.

I also hope to be an inspiration to surrounding home and land owners to build new structures or renovate existing structures to better the quality and look of the neighborhood.

I believe that this project will not only change the makeup of the neighborhood but can only bring good to the community.

If you have any questions, please contact Adan Castillo at (702) 524-6776. Thank you.

ZON-18672
01/25/07 PC

Escobedo Professional Plaza

760 North Eastern Ave. Suite 110 Las Vegas, Nevada Phone 283-6375

January 15, 2007

To whom it may concern:

This is in reference of: SDR-18670, VAR-18674, VAR18673 and ZON-18674

Applicant/Owner Ana Beltran

Request for: A site Development, for a Variance and for Rezoning

All for the purpose of building a 12 Unit multi-family residential development.

As the city continues to grow, this area is in the process of playing catch up and with the City Council's approval of this project it will help Ward 3 be in a more competitive level.

My personal opinion is if no objections from the neighbors, this request should be approved.

Sincerely



Eddie Escobedo

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 25, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-18673 - VARIANCE RELATED ZON-18672 - PUBLIC HEARING -
APPLICANT/OWNER: ANA BELTRAN - Request for a Variance TO ALLOW SETBACKS OF FIVE FEET IN THE FRONT AND REAR YARD AREAS WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED; A DISTANCE BETWEEN BUILDINGS OF 5.5 FEET WHERE 10 FEET IS THE MINIMUM DISTANCE BETWEEN BUILDINGS REQUIRED; AND A RESIDENTIAL ADJACENCY SETBACK OF 33 FEET ON THE WEST SIDE OF THE PROPERTY WHERE 66 FEET IS THE MINIMUM SETBACK REQUIRED FOR A PROPOSED 12-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT on 0.5 acres at the northwest corner of Poppy Lane and Paniflow Street (APN 139-25-410-022), R-E (Residence Estates) Zone [PROPOSED: R-3 (Medium Density Residential) Zone], Ward 3 (Reese).

C.C.: 02/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

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

MOTION:

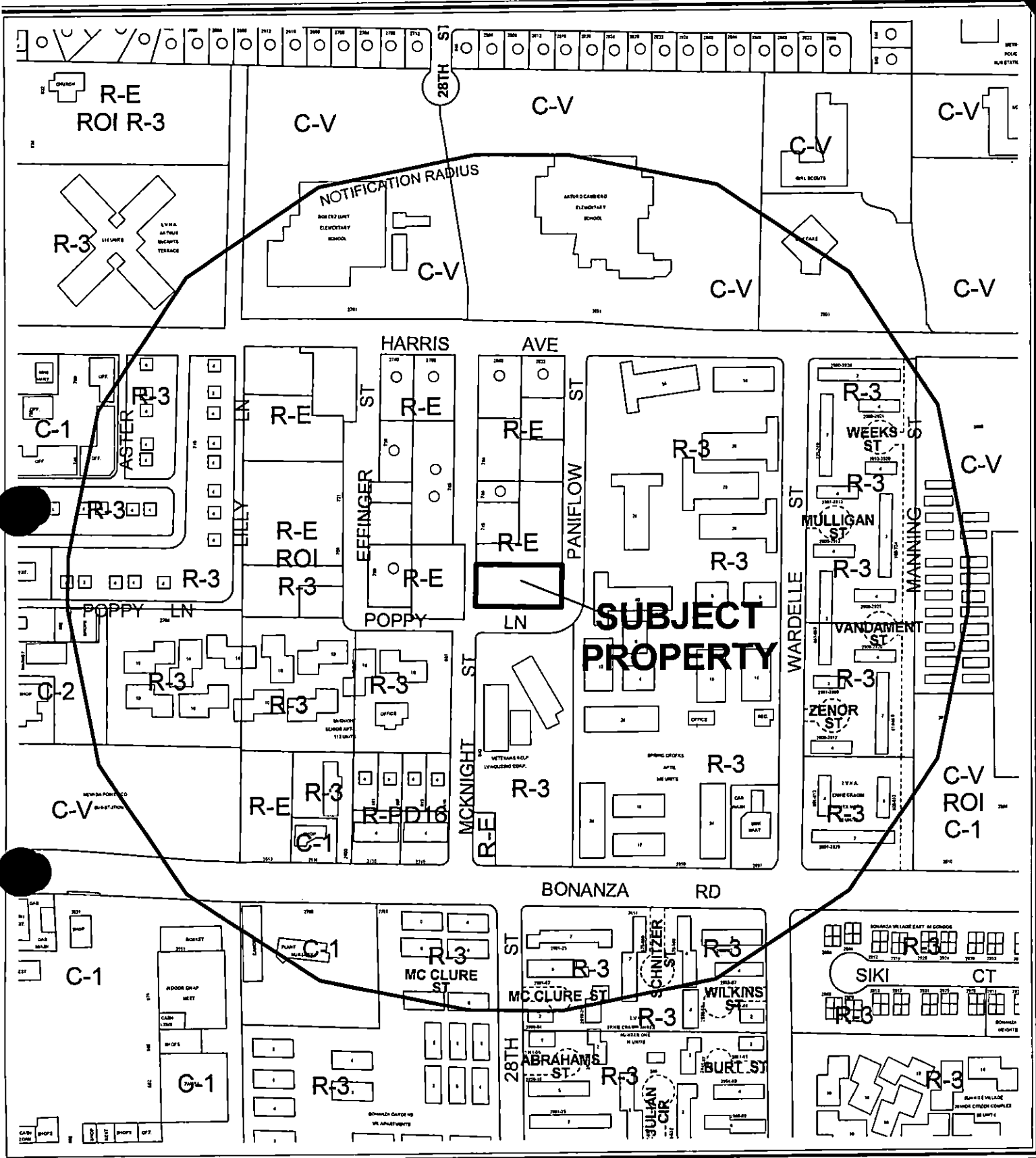
TROWBRIDGE – DENIED – UNANIMOUS

To be heard by the City Council on 2/21/2007

MINUTES:

See Item 48 for related discussion.

(7:45 – 7:55)
2-361



CASE: **VAR-18673**

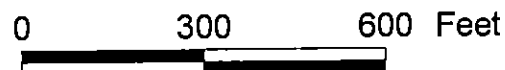
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-3 (MEDIUM DENSITY RESIDENTIAL)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 25, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-18673 - APPLICANT/OWNER: ANA BELTRAN

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-18672), Site Development Plan Review (SDR-18670), and Variance (VAR-18674) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-18673 - Staff Report Page One
January 25, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Variance to allow deviations from standards for setbacks, residential adjacency, and minimum building separations for a proposed multi-family apartment complex consisting of three buildings of four units each on 0.5 acres at the northwest corner of Poppy Lane and Paniflow Street. Specifically, this application requests deviations to allow a front and rear yard setback of five feet where 20 feet is the minimum required and a minimum separation between buildings of 5.5 feet where 10 feet is the minimum required in the proposed R-3 (Medium Density Residential) zoning district. Finally, this application requests a deviation to allow a residential adjacency setback of 33 feet where 66 feet is the minimum required for the western side of the property.

This request is in addition to a Variance (VAR-18674) to allow a deviation from the required number of parking spaces. A Rezoning (ZON-18672) to allow R-3 (Medium Density Residential) zoning where the property currently consists of undeveloped land that is zoned R-E (Residence Estates) and a Site Development Plan Review (SDR-18670) are also for the subject site.

The applicant indicates that the proposed multi-family apartment complex will serve the demand for affordable housing while providing inspiration to surrounding property owners to improve the quality and look of the neighborhood. Due to the self-imposed hardship inevitably created by the intensity of proposed development on the site, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/25/07	Companion items for a Rezoning (ZON-18672), a Variance (VAR-18674), and a Site Development Plan Review (SDR-18670) will be heard concurrently with this item.
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses related to this project approved or under review.	
<i>Pre-Application Meeting</i>	
11/29/06	A pre-application meeting was held and elements of this application were discussed. It was noted that the proposed density for this project is 14.49 DUA and that 23 parking spaces would be the requirement. Additionally, it was noted that two variances would be needed to deal with setback and parking deficiencies. Public Works talked about half-street improvements; need to meet with flood control; traffic signal impact fees; and dedicating radius corners. Submittal requirements were discussed.

VAR-18673 - Staff Report Page Two
January 25, 2007 - Planning Commission Meeting

Neighborhood Meeting
A neighborhood meeting is not required, nor was one held.

Details of Application Request
Site Area
Net Acres 0.50

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	M (Medium Density Residential)	R-E (Residence Estates)
North	Undeveloped	M (Medium Density Residential)	R-E (Residence Estates)
South	Non-profit Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	Undeveloped	L (Low Density Residential)	R-E (Residence Estates)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	6,500 SF	21,681 SF	Y
Min. Lot Width	n/a	n/a	n/a
Min. Setbacks			
• Front	20 Feet	5 Feet	N *
• Side	5 Feet	15.58 Feet	Y
• Corner	5 Feet	47 Feet	Y
• Rear	20 Feet	5 Feet	N *

VAR-18673 - Staff Report Page Three
January 25, 2007 - Planning Commission Meeting

Min. Distance Between Buildings	10 Feet	5.5 Feet	N*
Max. Lot Coverage	n/a	n/a	n/a
Max. Building Height	2 Stories or 35 Feet	2 Stories	Y
Trash Enclosure	1 Gated & Covered	1 Gated & Covered	Y

* If approved this Variance would allow a front and rear setback of five feet where 20 feet would be required. Additionally, it would allow a distance between buildings of 5.5 feet where 10 feet would be required.

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	66 Feet	33 Feet	N*
Adjacent development matching setback	15 Feet	33 Feet	Y
Trash Enclosure	50 feet	225 Feet	Y

* If approved this Variance would allow a residential adjacency setback of 33 feet where 66 feet would be required.

<i>Deviations from Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Percent Deviation</i>
Min. Setbacks			
• Front	20 Feet	5 Feet	75% Reduction
• Rear	20 Feet	5 Feet	75% Reduction
Min. Distance Between Buildings	10 Feet	5.5 Feet	45% Reduction
3:1 proximity slope	66 Feet	33 Feet	50% Reduction

ANALYSIS

The subject property is designated as M (Medium Density Residential) under the Southeast Sector Plan of the General Plan. This category permits a variety of multi-family units such as plexes, townhouses, and low-density apartments. This category allows up to 25.49 units per acre. The proposed development will have a density of 24 dwelling units per acre and is in compliance with the General Plan.

The proposed Rezoning (ZON-18672) to the R-3 (Medium Density Residential) zoning district, which would allow a residential density of 25 units per acre, is consistent with the existing M (Medium Density Residential) Master Plan designation. It would also make it consistent with surrounding land uses, which consist of multi-family development to the south and east of the property. The site plan proposes 12 apartments, which will result in a density of 24 units per acre. Given the existing M (Medium Density Residential) Master Plan designation, the requested rezoning request is appropriate for this site and staff is recommending approval of that item.

VAR-18673 - Staff Report Page Four
January 25, 2007 - Planning Commission Meeting

In addition to the deviations from development standards for setbacks, residential adjacency setback, and minimum building separation addressed here, the project as proposed requires several landscape related waivers and deviations from parking standards. Staff is recommending denial on both the Site Development Plan Review (SDR-18670) and Variance (VAR-18674) for development standards due to the extent of the waiver requests and the self-imposed hardship generated by the proposed project.

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed multi-family residential use. However, there are minimum building separation standards that apply to the R-3 (Medium Density Residential) zoning category and the proposed site plan does not meet this development standard. The building elevations depict a two-story building of a contemporary design with a pitched roof. The elevations indicate that each of the four units per building will have private entry via doors located on the east and west sides of the buildings. The second floors are accessed by stairwells that due to their position and size place the buildings too close together and necessitate a deviation from standards for minimum building separation. The submitted site plan calls for building separations of 5.5 feet where the requirement is 10 feet, a reduction of 45 percent.

The site is subject to the Residential Adjacency Standards due to the L (Low Density Residential) designated property to the west of this property. The Proximity Slope uses a 3:1 calculation for determining what the distance from a protected property to a building on the subject site may be. The proposed buildings are two stories and approximately 22 feet in height. Per the 3:1 slope requirement this would necessitate a residential adjacency setback of 66 feet. The nearest proposed building is only 33 feet from the eastern property line of the protected property, a reduction of 50 percent of the requirement.

The proposed setback of five feet on the western side of the site does not meet the 20-foot setback requirements, a reduction of 45 percent, of the R-3 (Medium Density Residential) District or the setback requirement of residential adjacency as described above. Further, the proposed setback of five feet on the eastern side of the site does not meet the 20-foot setback requirements, a reduction of 45 percent, of the R-3 (Medium Density Residential) District. Staff is not in support of this Variance request as this is a self-imposed hardship and therefore does not meet the criteria for granting a Variance.

FINDINGS

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

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

VAR-18673 - Staff Report Page Five
January 25, 2007 - Planning Commission Meeting

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by exceeding the capacity of the site to meet development standards. A less intensive development 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

11

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 97 [Mailed with ZON-18672, VAR-18674 & SDR-18670]

APPROVALS 1

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Representative: ADAN CASTELLO

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?

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: _____

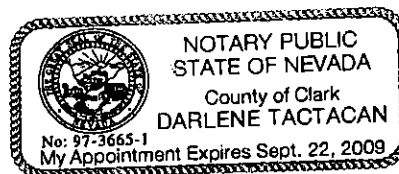
Signature of Property Owner: Ans I. Beltran

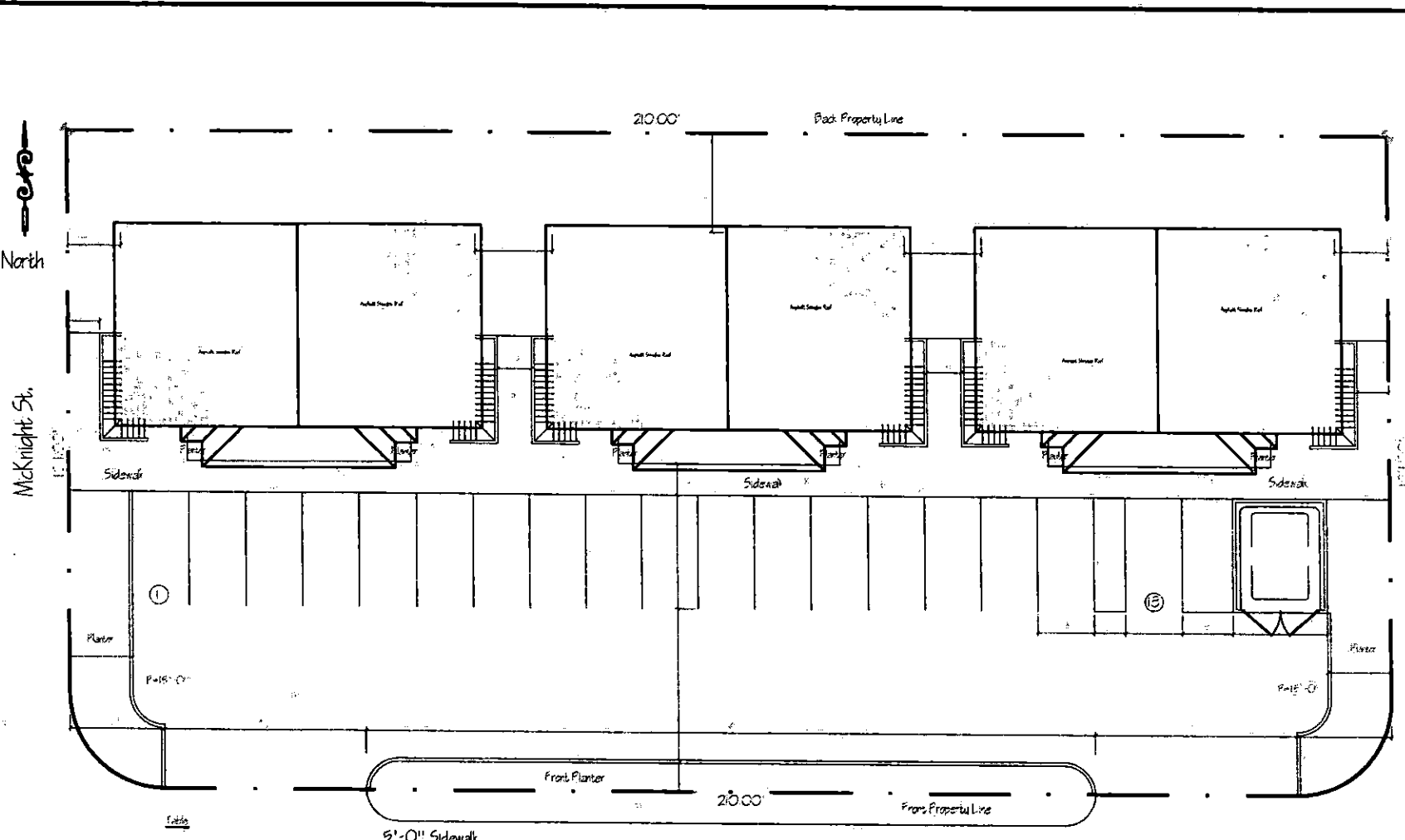
Print Name: Alex Isabel Herrera

Subscribed and sworn before me

This 11TH day of December, 2006

Notary Public in and for said County and State





North

McKnight St.

Panflow St.

Site Plan

Poppy St.

- ~Three (3) Buildings of Four (4) Units.
- ~First Floor Units Two (2) Bedroom & One (1) Bathroom
- ~Second Floor Units Two (2) Bedroom & One (1) Bathroom
- ~Twelve (12) Total Units
- ~Each Unit Living Space= 882 sqft
- ~Each Building Total Living Space= 3,408 sqft
- ~Total Project Living Space= 10,224 sqft

RECEIVED

DEC 12 2006

VAR-18673
01/25/07 PC



Beltran's
Apartments

Architect/Designer	
Engineer	
Contractor/Developer	
Consulting	
Interior Designer	
Landscaper	
Mechanical Engineer	
Electrician	
Plumbing/Plumber	
Structural	

Beltran's Apartments
Beltran's Ave
9051 Christie Ct
San Diego, CA 92116

NOA	NOA
NOA	NOA
NOA	NOA
NOA	NOA

Architect/Designer, Inc.
2021 1st Street
San Diego, CA 92101
Tel: (619) 521-6176
Fax: (619) 521-6176

NOA	NOA
NOA	NOA

SHRUBS

- ~Forsythia (Glossa) (Blue Forsythia) - 9 Ga.
- ~Salix (Glossa) (Admiral Sage) - 9 Ga.



- ~Rosemaria Officinalis (Rosemary) - 9 Ga.

TREES



- ~Quercus (Glossa) (Holly Oak) - 24" Dia.



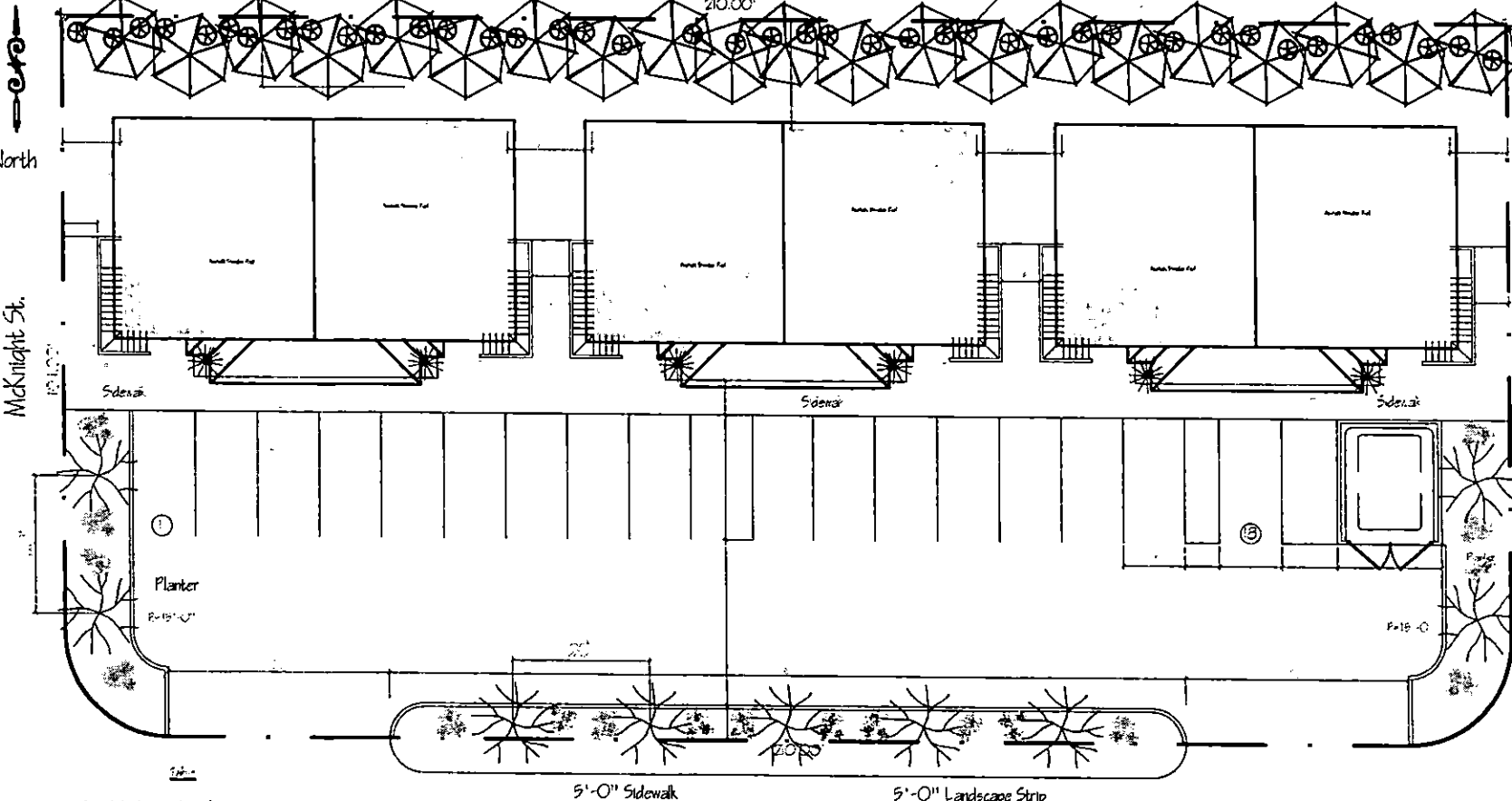
- ~Pinus (Glossa) (Mendel Pine) - 24" Dia.

Interior Pull for per Title 90 Reg. 90-64-12

Wide Interior Landscape Strip

20'

210.00'



- ~Press (9) Building of Four (4) Units
- ~First Floor Units Two (2) Bedroom & One (1) Bathroom
- ~Second Floor Units Two (2) Bedroom & One (1) Bathroom
- ~Each (12) Total Units
- ~Each Unit Living Space = 652 sqft
- ~Each Building Total Living Space = 9,408 sqft
- ~Total Project Living Space = 10,224 sqft

Landscape Plan

Poppy St.

RECEIVED

DEC 12 2006

VAR-18673
01/25/07 PC



Beltran's
Apartments

Architect's Review

Signature

Professional Engineer

Signature

Professional Engineer

Signature

Professional Engineer

Signature

Professional Engineer

Signature

Professional Engineer

Beltran's Apartments

3000 N. 10th St.

Phoenix, AZ 85016

Phone: (602) 441-1111

Fax: (602) 441-1112

Web: www.beltrons.com

Project: 100

Sheet: 01

Date: 12/12/06

Drawn: J. L.

Check: J. L.

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

Project: 100

Sheet: 01

Date: 12/12/06

Drawn: J. L.

Check: J. L.

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

Project: 100

Sheet: 01

Date: 12/12/06

Drawn: J. L.

Check: J. L.

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

December 12, 2006

Ana Beltran
5681 Chloride Ct.
Las Vegas, NV 89110
Tel. (702) 308-2477

Justification Letter

To: City Las Vegas, Nevada

Dear Sirs:

I am writing this letter to petition for a Zoning Change, Design Review, and two (2) variances: First, for parking that is eighteen (18) but twenty three (23) is required; Second, one (1) for distance separation between buildings that is five foot and six inches (5'-6") but ten foot (10') is required; two (2) rear set back is fifteen foot and seven inches (15'-7") but twenty foot (20') is required for multi-family dwellings for the properties that are located at:

Northeast Corner of McKnight & Poppy

APN= 139-25-410-022

The Current Zoning is R-E, and we apply for R-3.

This construction will be an improvement to the community, as well as provide affordable housing in a spacious and comfortable environment, by stucco, two (2) exterior color combination (Eggwhite and Viva Gold), stick built construction, asphalt shingles roof, two story, twenty five (25') feet tall, twelve (12) total units (three (3) buildings of four (4) units), each unit has two (2) bedroom and one (1) bathroom with 852 sqft. living space, and 10,224 sqft. total living space for this project.

I also hope to be an inspiration to surrounding home and land owners to build new structures or renovate existing structures to better the quality and look of the neighborhood.

I believe that this project will not only change the makeup of the neighborhood but can only bring good to the community.

If you have any questions, please contact Adan Castillo at (702) 524-6776. Thank you.

VAR-18673
01/25/07 PC
REVISED

RECEIVED
DEC 21 2006

Escobedo Professional Plaza

760 North Eastern Ave. Suite 110 Las Vegas, Nevada Phone 283-6375

January 15, 2007

To whom it may concern:

This is in reference of: SDR-18670, VAR-18674, VAR18673 and ZON-1867

Applicant/Owner Ana Beltran

Request for: A site Development, for a Variance and for Rezoning

All for the purpose of building a 12 Unit multi-family residential development.

As the city continues to grow, this area is in the process of playing catch up and with the City Council's approval of this project it will help Ward 3 be i a more competitive level.

My personal opinion is if no objections from the neighbors, this request should be approved.

Sincerely



Eddie Escobedo

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 25, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-18674 - VARIANCE RELATED TO ZON-18672 AND VAR-18673 - PUBLIC HEARING - APPLICANT/OWNER: ANA BELTRAN - Request for a Variance TO ALLOW 18 PARKING SPACES WHERE 23 ARE THE MINIMUM NUMBER OF SPACES REQUIRED FOR A PROPOSED 12-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT on 0.5 acres at the northwest corner of Poppy Lane and Paniflow Street (APN 139-25-410-022), R-E (Residence Estates) Zone [PROPOSED: R-3 (Medium Density Residential) Zone], Ward 3 (Reese).

C.C.: 02/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

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

MOTION:

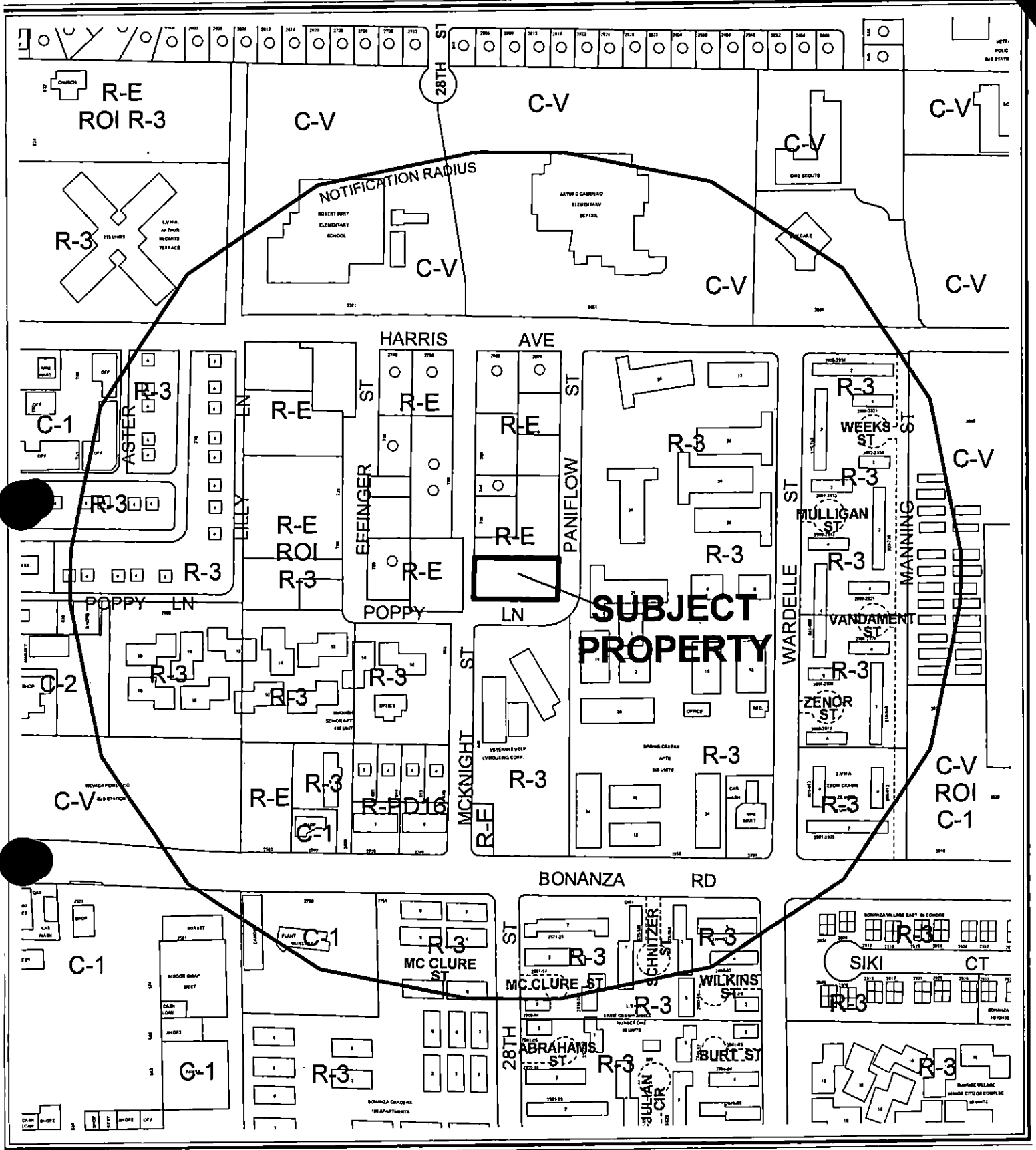
TROWBRIDGE – DENIED – UNANIMOUS

To be heard by the City Council on 2/21/2007

MINUTES:

See Item 48 for related discussion.

(7:45 – 7:55)
2-361



CASE: **VAR-18674**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-3 (MEDIUM DENSITY RESIDENTIAL)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 25, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-18674 - APPLICANT/OWNER: ANA BELTRAN

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-18672), Site Development Plan Review (SDR-18670), and Variance (VAR-18673) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-18674 - Staff Report Page One
January 25, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Variance to allow 18 parking spaces where 23 parking spaces are required for a proposed multi-family apartment complex consisting of three buildings of four units each on 0.5 acres at the northwest corner of Poppy Lane and Paniflow Street. This request is in addition to a Variance (VAR-18673) to allow deviations from standards for setbacks, residential adjacency, and minimum building separation. A Rezoning (ZON-18672) to allow R-3 (Medium Density Residential) zoning where the property currently consists of undeveloped land that is zoned R-E (Residence Estates) and a Site Development Plan Review (SDR-18670) are also for the subject site.

The applicant indicates that the proposed multi-family apartment complex will serve the demand for affordable housing while providing inspiration to surrounding property owners to improve the quality and look of the neighborhood. Due to the self-imposed hardship inevitably created by the intensity of proposed development on the site, denial of this request is recommended.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
01/25/07	Companion items for a Rezoning (ZON-18672), a Variance (VAR-18673), and a Site Development Plan Review (SDR-18670) will be heard concurrently with this item.
Related Building Permits/Business Licenses	
There are no building permits or business licenses related to this project approved or under review.	
Pre-Application Meeting	
11/29/06	A pre-application meeting was held and elements of this application were discussed. It was noted that the proposed density for this project is 14.49 DUA and that 23 parking spaces would be the requirement. Additionally, it was noted that two variances would be needed to deal with setback and parking deficiencies. Public Works talked about half-street improvements; need to meet with flood control; traffic signal impact fees; and dedicating radius corners. Submittal requirements were discussed.
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	
Details of Application Request	
Site Area	
Net Acres	0.50

VAR-18674 - Staff Report Page Two
January 25, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	M (Medium Density Residential)	R-E (Residence Estates)
North	Undeveloped	M (Medium Density Residential)	R-E (Residence Estates)
South	Non-profit Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	Undeveloped	L (Low Density Residential)	R-E (Residence Estates)

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

DEVELOPMENT STANDARDS

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

Parking Requirement							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required Parking</i>		<i>Provided Parking</i>		<i>Compliance</i>
			<i>Regular</i>	<i>Handi-capped</i>	<i>Regular</i>	<i>Handi-capped</i>	
Multi-Family Residential	12 – 2 Bedroom Units	1.75 Spaces / Unit + 1 Space / 6 Units	22 Spaces	1 Space	17 Spaces	1 Space	N*
TOTAL (including handicap)	12 – 2 Bedroom Units	1.75 Spaces / Unit + 1 Space / 6 Units	23 Spaces		18 Spaces		N*
Percent Deviation					~21.5% Reduction		

* If approved this Variance would allow 18 parking spaces where 23 parking spaces are the minimum required.

RTS

VAR-18674 - Staff Report Page Three
January 25, 2007 - Planning Commission Meeting

ANALYSIS

The subject property is designated as M (Medium Density Residential) under the Southeast Sector Plan of the General Plan. This category permits a variety of multi-family units such as plexes, townhouses, and low-density apartments. This category allows up to 25.49 units per acre. The proposed development will have a density of 24 dwelling units per acre and is in compliance with the General Plan.

The proposed Rezoning (ZON-18672) to the R-3 (Medium Density Residential) zoning district, which would allow a residential density of 25 units per acre, is consistent with the existing M (Medium Density Residential) Master Plan designation. It would also make it consistent with surrounding land uses, which consist of multi-family development to the south and east of the property. The site plan proposes 12 apartments, which will result in a density of 24 units per acre. Given the existing M (Medium Density Residential) Master Plan designation, the requested rezoning request is appropriate for this site and staff is recommending approval of that item.

In addition to the deviation of parking standards addressed here, the project as proposed requires several landscape related waivers and deviations from development standards for setbacks, residential adjacency setback, and building separation. Staff is recommending denial on both the Site Development Plan Review (SDR-18670) and Variance (VAR-18673) for parking due to the extent of the wavier requests and the self-imposed hardship generated by the proposed project.

The proposed multi-family residential development requires 23 parking spaces. The submitted site plan indicates 18 spaces will be provided, including one handicap space depicted as van accessible. This is a request for a reduction in the number of required parking spaces by approximately 21.5 percent. Staff is not in support of this Variance request as this is a self-imposed hardship and therefore does not meet the criteria for granting a Variance.

FINDINGS

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

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

VAR-18674 - Staff Report Page Four
January 25, 2007 - Planning Commission Meeting

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by not providing the required number of parking spaces for the prospective residential use. The provision of additional parking spaces or a reduction in the intensity of the project 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

11

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 97 [Mailed with ZON-18672, VAR-18673 & SDR-18670]

APPROVALS 1

PROTESTS 0

Escobedo Professional Plaza

760 North Eastern Ave. Suite 110 Las Vegas, Nevada Phone 283-6375

January 15, 2007

To whom it may concern:

This is in reference of: SDR-18670, VAR-18674, VAR18673 and ZON-1867

Applicant/Owner Ana Beltran

Request for: A site Development, for a Variance and for Rezoning

All for the purpose of building a 12 Unit multi-family residential development.

As the city continues to grow, this area is in the process of playing catch up and with the City Council's approval of this project it will help Ward 3 be i a more competitive level.

My personal opinion is if no objections from the neighbors, this request should be approved.

Sincerely



Eddie Escobedo



STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-18674** APN: 139-25-410-022

Name of Property Owner: ANA BELTRAN

Name of Applicant: ANSA BELTRAN.

Name of Representative: ADAN CASTELLO

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: _____

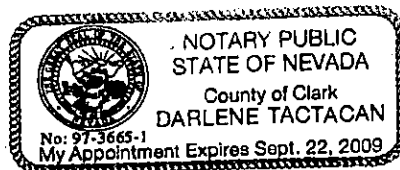
Signature of Property Owner: Angela B. Horn

Print Name: Ana Isabel Beltran

Subscribed and sworn before me

This 11TH day of December, 2006

Marlene J. C. Jones
Notary Public in and for said County and State





Beltran's
Apartments

Architect's Name:

Address:

Phone Number:

City:

State:

Zip:

Project Name:

Owner:

Project Number:

Scale:

Beltran's Apartments

Beltran's
Architects
1400 N. 1st St.
Las Vegas, NV 89101

Project Name	Project Number
Owner	City
State	Zip
Phone	Project Name

Architect's Name:
1400 N. 1st St.
Las Vegas, NV 89101
Phone: 702.251.1111
Fax: 702.251.1111

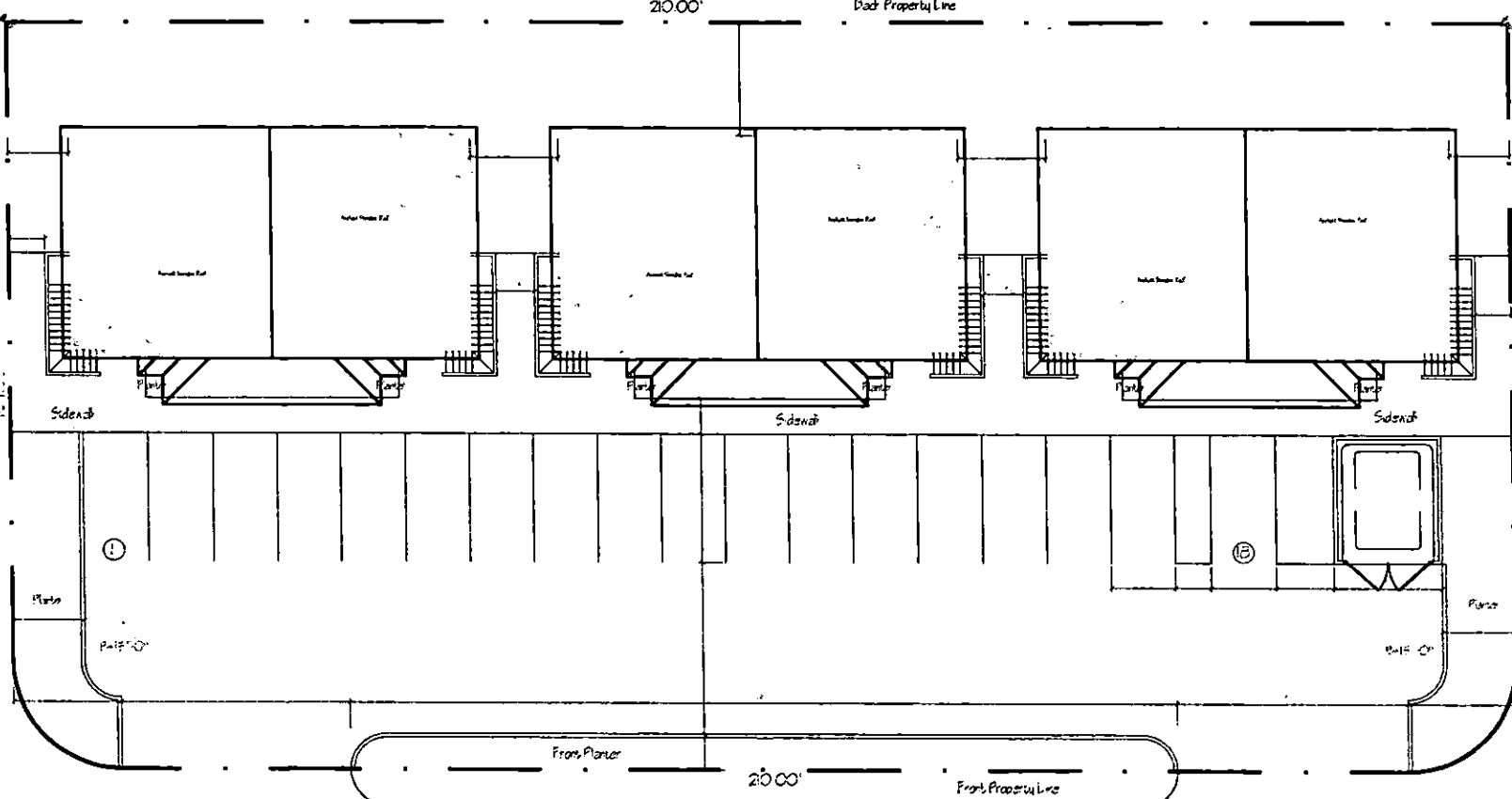
Project Name: 000

North

McKnight St.

Panflow St.

20.00' Back Property Line



- Three (3) Buildings of Four (4) Units
- First Floor Units Two (2) Bedroom & One (1) Bathroom
- Second Floor Units Two (2) Bedroom & One (1) Bathroom
- Twelve (12) Total Units
- Each Unit Living Space = 852 sqft
- Each Building Total Living Space = 3,408 sqft
- Total Project Living Space = 10,224 sqft

Site Plan

Poppy St.

RECEIVED

DEC 12 2006

VAR-18674
01/25/07 PC

December 12, 2006

Ana Beltran
5681 Chloride Ct.
Las Vegas, NV 89110
Tel. (702) 308-2477

Justification Letter

To: City Las Vegas, Nevada

Dear Sirs:

I am writing this letter to petition for a Zoning Change and a Design Review for multi-family dwellings for the properties that are located at:

North-East Corner of McKnight & Poppy

APN= 139-25-410-022

The Current Zoning is R-E, and we apply for R-3.

This construction will be an improvement to the community, as well as provide affordable housing in a spacious and comfortable environment, by stucco, two (2) exterior color combination (Eggwhite and Viva Gold), stick built construction, asphalt shingles roof, two story, twenty five (25') feet tall, twelve (12) total units (three (3) buildings of four (4) units), each unit has two (2) bedroom and one (1) bathroom with 852 sqft. living space, and 10,224 sqft. total living space for this project.

I also hope to be an inspiration to surrounding home and land owners to build new structures or renovate existing structures to better the quality and look of the neighborhood.

I believe that this project will not only change the makeup of the neighborhood but can only bring good to the community.

If you have any questions, please contact Adan Castillo at (702) 524-6776. Thank you.

**VAR-18674
01/25/07 PC**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 25, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-18670 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-18672, VAR-18673, AND VAR-18674 - PUBLIC HEARING - APPLICANT/OWNER: ANA BELTRAN
- Request for a Site Development Plan Review FOR A PROPOSED 12-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT; A WAIVER TO ALLOW A LANDSCAPE BUFFER WIDTH OF FIVE FEET WHERE TEN FEET IS THE MINIMUM REQUIRED AT THE RIGHT-OF-WAY ALONG THE EASTERN AND SOUTHERN PROPERTY LINES; AND A WAIVER TO ALLOW A LANDSCAPE BUFFER WIDTH OF FIVE FEET WHERE 15 FEET IS THE MINIMUM REQUIRED AT THE RIGHT-OF-WAY ALONG THE WESTERN PROPERTY LINE on 0.5 acres at the northwest corner of Poppy Lane and Paniflow Street (APN 139-25-410-022), R-E (Residence Estates) Zone [PROPOSED: R-3 (Medium Density Residential) Zone], Ward 3 (Reese).

C.C.: 02/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

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

MOTION:

TROWBRIDGE – DENIED – UNANIMOUS

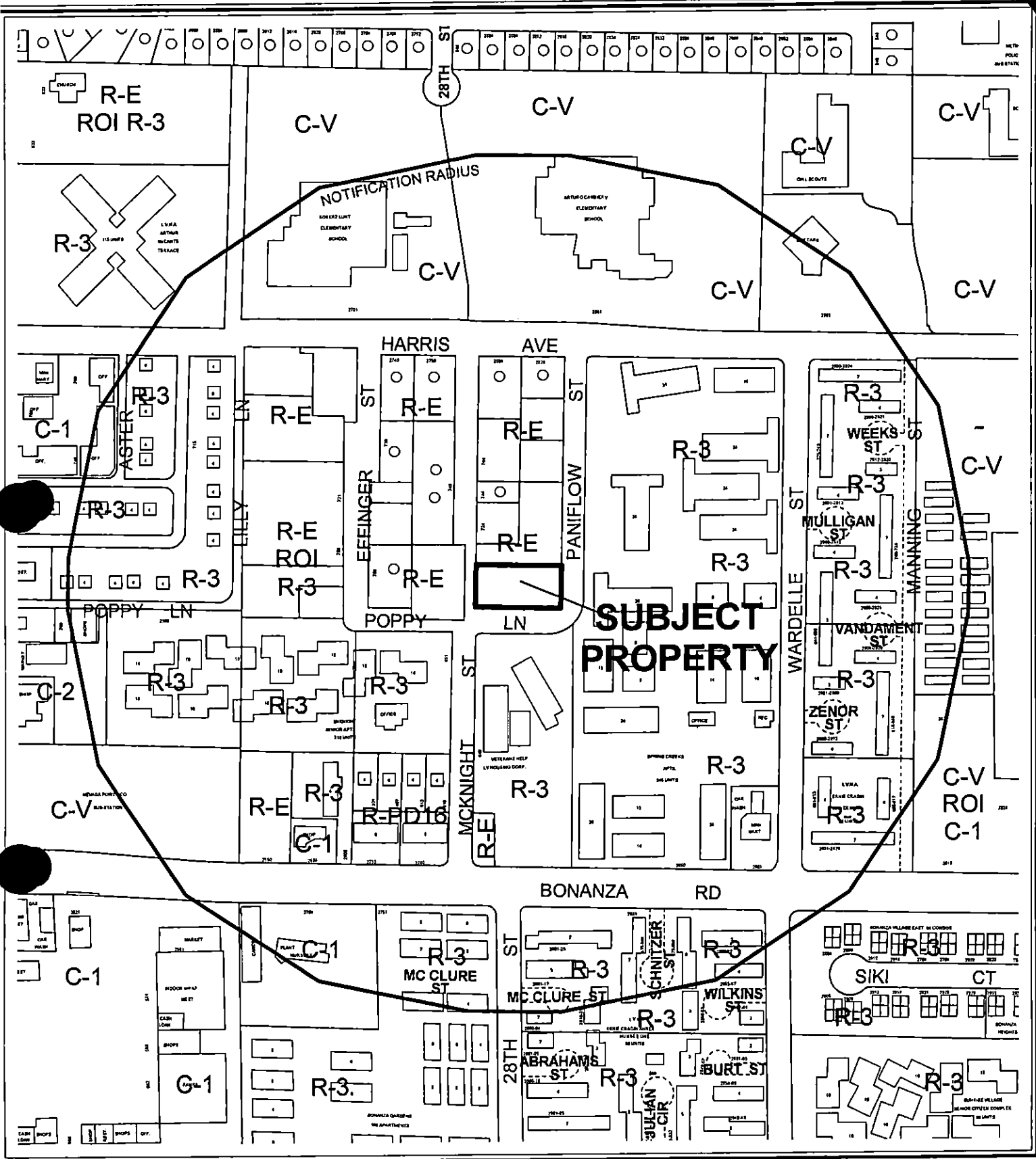
To be heard by the City Council on 2/21/2007

MINUTES:

See Item 48 for related discussion.

(7:45 – 7:55)

2-361



CASE: **SDR-18670**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-3 (MEDIUM DENSITY RESIDENTIAL)

0 300 600 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JANUARY 25, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-18670 - APPLICANT/OWNER: ANA BELTRAN**

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

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-18672), Variance (VAR-18673), and Variance (VAR-18674), 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 12/12/06, except as amended by conditions herein.
4. A Waiver from LVMC Title 19.10 is hereby approved, to allow zero landscaping planters in the parking lot where one is required for each six parking spaces.
5. A Waiver from LVMC Title 19.12 is hereby approved, to allow a five foot perimeter landscape buffers along the eastern and southern lot lines where ten feet is required, a five foot perimeter landscape buffers along the western lot line where 15 feet is required and 30 trees in the perimeter landscape buffer where 32 trees are required.
6. The standards for this development shall include a Minimum lot size of 6,500 square feet and Building height shall not exceed two stories or 35 feet, whichever is less.
7. The minimum distance between buildings shall be 5.5 feet.
8. 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.
9. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

SDR-18670 - Conditions Page Two
January 25, 2007 - Planning Commission Meeting

10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. 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.
13. 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.
14. 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.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. Driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222a. Submit an application to the Land Development section of the Department of Public Works to allow a deviation from Standard Drawing #222a.
17. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
18. Site development to comply with all applicable conditions of approval for ZON-18672 and all other subsequent site-related actions.

SDR-18670 - Staff Report Page One
January 25, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Site Development Plan Review to site a multi-family apartment complex consisting of three buildings of four units each on 0.5 acres at the northwest corner of Poppy Lane and Paniflow Street. The applicant requests waivers of the perimeter landscape buffer requirements and the parking lot landscaping standards. This is in addition to Variances (VAR-18673 and VAR-18674) to allow deviations from standards for setbacks, residential adjacency, minimum building separation, and parking. A Rezoning (ZON-18672) to allow R-3 (Medium Density Residential) zoning where the property currently consists of undeveloped land that is zoned R-E (Residence Estates) is also for the subject site.

The applicant indicates that the proposed multi-family apartment complex will serve the demand for affordable housing while providing inspiration to surrounding property owners to improve the quality and look of the neighborhood. Due to the extent of the landscaping waivers and the requested variances, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/25/07	Companion items for a Rezoning (ZON-18672), and two Variances (VAR-18673 and VAR-18674) will be heard concurrently with this item.
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses related to this project approved or under review.	
<i>Pre-Application Meeting</i>	
11/29/06	A pre-application meeting was held and elements of this application were discussed. It was noted that the proposed density for this project is 14.49 units per acre and that 23 parking spaces would be the requirement. Additionally, it was noted that two variances would be needed to deal with setback and parking deficiencies. Public Works talked about half-street improvements; need to meet with flood control; traffic signal impact fees; and dedicating radius corners. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.50

SDR-18670 - Staff Report Page Two
January 25, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	M (Medium Density Residential)	R-E (Residence Estates)
North	Undeveloped	M (Medium Density Residential)	R-E (Residence Estates)
South	Non-profit Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Apartments	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	Undeveloped	L (Low Density Residential)	R-E (Residence Estates)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	6,500 SF	21,681 SF	Y
Min. Lot Width	n/a	n/a	n/a
Min. Setbacks			
• Front	20 Feet	5 Feet	N *
• Side	5 Feet	15.58 Feet	Y
• Corner	5 Feet	47 Feet	Y
• Rear	20 Feet	5 Feet	N*
Min. Distance Between Buildings	10 Feet	5.5 Feet	Y
Max. Lot Coverage	n/a	n/a	n/a
Max. Building Height	2 Stories or 35 Feet	2 Stories	Y
Trash Enclosure	1 Gated & Covered	1 Gated & Covered	Y

*A Variance (VAR-18673) is being heard concurrently with this item. If approved it would allow a front and rear setback of five feet where 20 feet would be required. Additionally, it would allow a distance between buildings of 5.5 feet where 10 feet would be required.

SDR-18670 - Staff Report Page Three
January 25, 2007 - Planning Commission Meeting

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	66 Feet	33 Feet	N*
Adjacent development matching setback	15 Feet	33 Feet	Y
Trash Enclosure	50 feet	225 Feet	Y

*A Variance (VAR-18673) is being heard concurrently with this item. If approved it would allow a residential adjacency setback of 33 feet where 66 feet would be required.

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-E (Residence Estates)	2 Units Per Acre	1 Unit
<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-3 (Medium Density Residential)	25 Units Per Acre	12 Units
<i>General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
M (Medium Density Residential)	25.49 Units Per Acre	12 Units

Pursuant to Title 19.10 and Title 19.12, the following landscaping standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree / 6 Spaces	4 Trees	Zero Trees	N*
Buffer: Min. Trees	1 Tree / 20 Linear Feet	32 Trees	30 Trees	N*
TOTAL		36 Trees	30 Trees	N*
Min. Zone Width	10 Feet - ROW along eastern and southern P L		5 Feet	N*
	15 Feet - ROW along western P L		5 Feet	N*
	5 Feet - Interior Lot Line along northern P L		10 Feet	Y

* If approved this Site Development Plan Review would grant relief from the city standards for perimeter landscape buffers and parking area landscaping.

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

<i>Parking Requirement</i>						
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required Parking</i>		<i>Provided Parking</i>	
			<i>Regular</i>	<i>Handi-capped</i>	<i>Regular</i>	<i>Handi-capped</i>
Multi-Family Residential	12 - 2 Bedroom Units	1.75 Spaces / Unit + 1 Space / 6 Units	22 Spaces	1 Space	17 Spaces	1 Space

RTS

SDR-18670 - Staff Report Page Four
January 25, 2007 - Planning Commission Meeting

TOTAL (including handicap)	12 – 2 Bedroom Units	1.75 Spaces / Unit + 1 Space / 6 Units	23 Spaces	18 Spaces	N*
Percent Deviation				~21.5% Reduction	

*A Variance (VAR-18674) is being heard concurrently with this item. If approved it would allow 18 parking spaces where 23 parking spaces are the minimum required.

Waivers		
Request	Requirement	Staff Recommendation
To provide as little as five feet of perimeter landscape buffer along the western lot line along the ROW	15 FT	Denial
To provide as little as five feet of perimeter landscape buffer along the southern and eastern lot lines along the ROW	10 FT	Denial
To provide no landscaping planters in the parking lot	4 – 5 FT Planters w/ 1 - 24" Min. Box Tree per Planter	Denial
To provide 30 trees in the perimeter landscape buffers	32 - 24" Min. Box Trees	Denial

ANALYSIS

The subject property is designated as M (Medium Density Residential) under the Southeast Sector Plan of the General Plan. This category permits a variety of multi-family units such as plexes, townhouses, and low-density apartments. This category allows up to 25.49 units per acre. The proposed development will have a density of 24 dwelling units per acre and is in compliance with the General Plan.

The proposed Rezoning (ZON-18672) to the R-3 (Medium Density Residential) zoning district, which would allow a residential density of 25 units per acre, is consistent with the existing M (Medium Density Residential) Master Plan designation. It would also make it consistent with surrounding land uses, which consist of multi-family development to the south and east of the property. The site plan proposes 12 apartments, which will result in a density of 24 units per acre. Given the existing M (Medium Density Residential) Master Plan designation, the requested rezoning request is appropriate for this site and staff is recommending approval of that item.

SDR-18670 - Staff Report Page Five
January 25, 2007 - Planning Commission Meeting

The project as proposed requires several deviations from development standards, including a parking variance (VAR-18674) and a setback, residential adjacency setback, and building separation variance (VAR-18673) which are also being heard concurrently with this item. Staff is recommending denial on both items due to the self-imposed hardship generated by the proposed project.

- **Site Plan**

The site lies between the parallel streets of McKnight Street and Paniflow Street where they intersect with Poppy Street. The site is currently an undeveloped parcel and is about 640 feet north of the intersection of McKnight Street and East Bonanza Road.

The proposed multi-family residential development requires 23 parking spaces. The submitted site plan indicates 18 spaces will be provided, including one handicap space depicted as van accessible. As noted above, a variance (VAR-18674) has been requested for an approximate 21.5 percent reduction in the number of required parking spaces and if approved would grant relief from the city standards.

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed multi-family residential use. However, there are minimum building separation standards that apply to the R-3 (Medium Density Residential) zoning category and the proposed site plan does not meet this development standard. The submitted site plan calls for building separation of 5.5 feet where the requirement is 10 feet.

The site is subject to the Residential Adjacency Standards due to the L (Low Density Residential) designated property to the west of this property. The Proximity Slope uses a 3:1 calculation for determining what the distance from a protected property to a building on the subject site may be. The proposed buildings are two stories and approximately 22 feet in height. Per the 3:1 slope requirement this would necessitate a residential adjacency setback of 66 feet. The nearest proposed building is only 33 feet from the property line of the protected property; therefore, a variance will be needed.

The proposed setback of five feet on the western side of the site does not meet the 20-foot setback requirements of the R-3 (Medium Density Residential) District or the 66-foot setback requirement of residential adjacency. Further, the proposed setback of five feet on the eastern side of the site does not meet the 20-foot setback requirements of the R-3 (Medium Density Residential) District. The applicant has requested a variance (VAR-18673) that if approved, would permit deviations from standards for the residential adjacency setback, the minimum separation between buildings, and the setbacks established for the proposed zoning district.

SDR-18670 - Staff Report Page Six
January 25, 2007 - Planning Commission Meeting

- **Landscape Plan**

The applicant is requesting that the perimeter landscaping buffer along the right-of-ways be considered adequate with five-foot planters screening the parking area and rock mulch in the buffer areas at the buildings where 10 feet is the minimum buffer width along the eastern and southern lot lines. Further, the perimeter landscape buffer requirements on the western side of the site require a waiver to allow as little as five feet of landscaping where 15 feet is the minimum required.

As a part of this review, the applicant requests a waiver of the parking lot landscaping requirement to allow zero parking lot landscaping where a minimum of one five-foot wide landscape planter finger for every six spaces is required. The site plan depicts 18 provided parking spaces which would require three planters each with a 24 inch box tree. Based on the Title 19 parking calculation for a 12-unit multi-family residential development consisting of two bedrooms per unit, the required 23 parking spaces would require four landscape planter figures.

The landscape plan submitted indicates that intense landscaping will be placed along the northern property line to screen the development from future neighboring development. This landscaping buffer at 10 feet wide exceeds the five foot wide buffer width and the tree planting requirements.

The landscape waivers also request that 30 trees be required where one tree per 20 linear feet is the requirement. If granted, these waivers would reduce the planting requirements for this site from 32 trees to 30 within the perimeter landscape buffers and from four trees to zero within the parking lot landscape fingers for a total reduction of six trees on site.

- **Elevations/Floor Plan**

The building elevations depict a two-story building of a contemporary design with a pitched roof. The elevations indicate that each of the four units per building will have private entry via doors located on the east and west sides of the buildings. The second floors are accessed by stairwells that due to their position and size place the buildings too close together and necessitate the above referenced deviation from standards for minimum building separation.

The floor plan shows that each floor will have two units that include two bedrooms, a family room, bathroom, dining area, and kitchen. Additionally, the first floor units have a covered patio and the second floor units have a balcony. The covered patios and balconies are accessible from the family/dining room area and face toward the southern property line. Placing the covered patios and balconies on this side of the building will minimize visual intrusion into any future development on the property to the north of the subject site.

SDR-18670 - Staff Report Page Seven
January 25, 2007 - Planning Commission Meeting

The companion rezoning request is appropriate for this site; however, due to the number of deviations and waivers required staff is recommending denial of this application.

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 adjacent development in the surrounding area due to landscaping wavier requests and deviations from development standards.

- 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;**

This proposed site plan is in compliance with the general plan designation of M (Medium Density Residential) and proposed zoning of R-3 (Medium Density Residential) on the site. However, the site is not consistent with Title 19.10 and Title 19.12 landscaping requirements. Further, the proposed site plan requires approval of variances for deviations of several development standards.

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

The subject site is adjacent to Poppy Street, a 60-foot wide local street that should be adequate to support the proposed use.

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

The building elevations depict design and materials that will provide an aesthetically acceptable building and are compatible with the surrounding multi-family residential developments.

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

The proposed multi-family residential development will be compatible with other development in the area.

SDR-18670 - Staff Report Page Eight
January 25, 2007 - Planning Commission Meeting

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

The multi-family residential development will be subject to regular building inspections and therefore will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 97 [Mailed with ZON-18672, VAR-18673 & VAR-18674]

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Representative: ADAN CASTELLO

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: _____

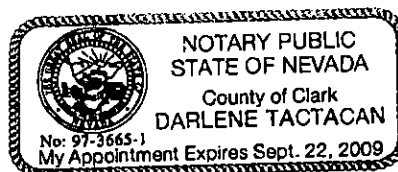
Signature of Property Owner: Angela Beltran

Print Name: Ana Isabel Balboa

Subscribed and sworn before me

This 11th day of December, 2006.

Marlene Pacheco
Notary Public in and for said County and State





Beltran's
Apartments

Professional Engineer

Signature

Professional Engineer

Signature

Professional Engineer

Signature

Professional Engineer

Signature

Professional Engineer

Signature

Professional Engineer

Beltran's Apartments
8081 Charleston St.
Las Vegas, NV 89110

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

Date: 12/12/2006

Drawn: [Signature]

Check: [Signature]

Project: [Signature]

Architect: [Signature]

2007 Fall Street, St.

Las Vegas, NV 89110

10/17/03 04:14 PM

Rev: 0002 04/08/05

Rev: 0001 04/08/05

Rev: 0000 04/08/05

Rev: 0000 04/08/05

Rev: 0000 04/08/05

Rev: 0000 04/08/05

Rev: 0000 04/08/05

Rev: 0000 04/08/05

North

McKnight St.

Panflow St.

210.00' Back Property Line

210.00' Front Property Line

5'-0" Sidewalk

Site Plan

Poppy St.

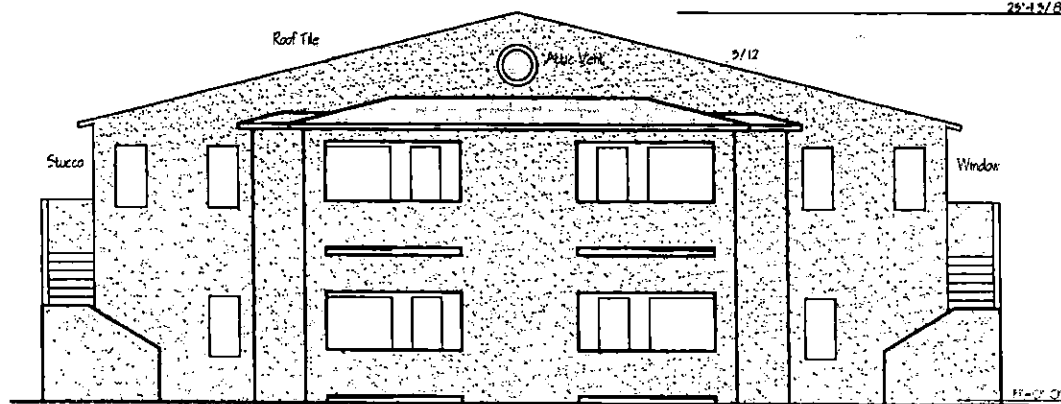
RECEIVED

DEC 12 2006

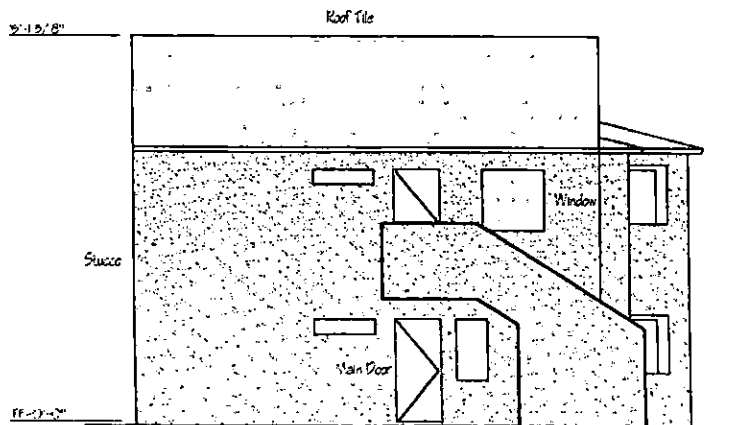
SDR-18670

01/25/07 PC

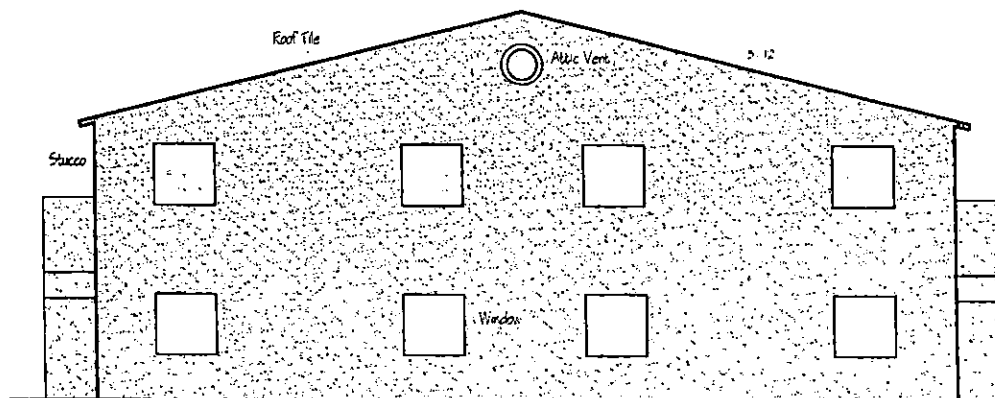
- Three (3) Buildings of Four (4) Units
- First Floor Units Two (2) Bedrooms & One (1) Bathroom
- Second Floor Units Two (2) Bedrooms & One (1) Bathroom
- Twelve (12) Total Units
- Each Unit Living Space= 852 sqft
- Each Building Total Living Space= 10,224 sqft
- Total Project Living Space= 10,224 sqft



South Elevation



East and West Elevation



North Elevation



Beltran's
Apartments

Architectural Designer:

Signature

Structural Engineer

Signature

Electrical Engineer

Signature

Mechanical Engineer

Signature

Plumbing Engineer

Signature

Beltran's Apartments

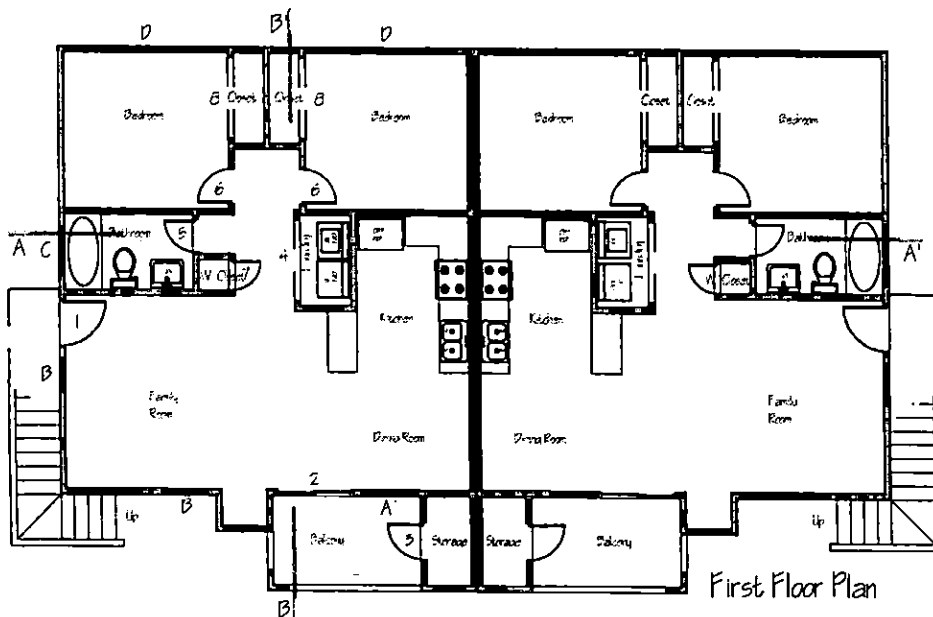
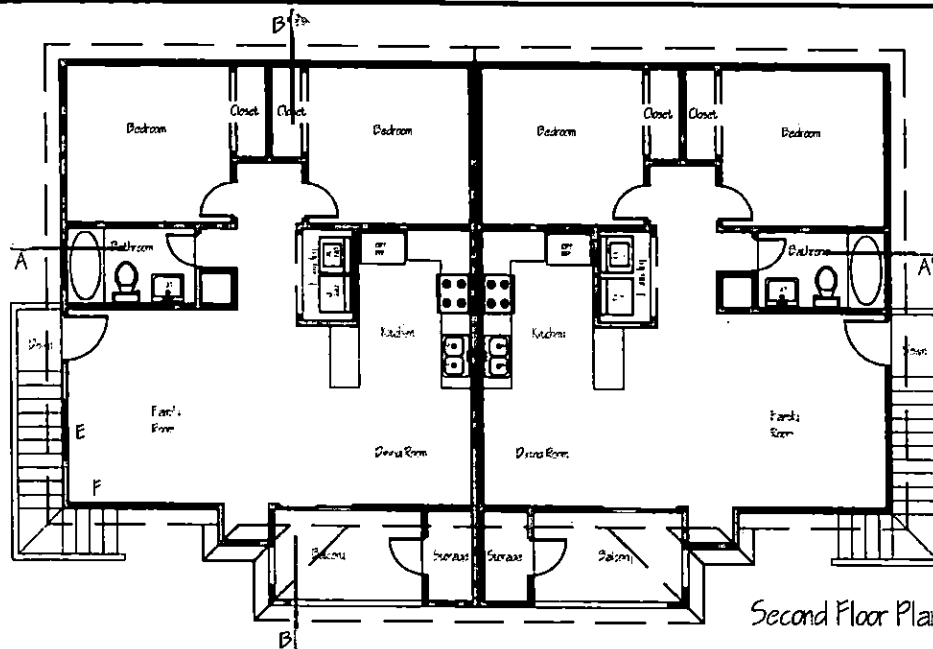
Beltran, Ana
5681 chloride Ct.
Las Vegas, NV 89110

100	1/4" = 1'-0"
60	1/4" = 1'-0"
30	1/4" = 1'-0"
15	1/4" = 1'-0"

Architect: Resuma, Inc.
2020 1st Street SE
Las Vegas, NV 89102
Tel: (702) 921-0776
Fax: (702) 641-3022

100	1/4" = 1'-0"
60	1/4" = 1'-0"
30	1/4" = 1'-0"
15	1/4" = 1'-0"

RECEIVED
SDR-18670
01/25/07 PC



Beltran's Apartments

Apartment Number	
Unit Number	
Building Number	
Address	
City/State/Zip	
Phone	
Owner's Name	
Owner's Address	
Owner's Phone	
Owner's Email	

Beltran's Apartments
5668 Glenview Ct.
Las Vegas, NV 89101

Unit	100	Room	100
Unit	101	Room	101
Unit	102	Room	102
Unit	103	Room	103

Apartment Deskings, Inc.
10710 S. Eastern Ave.
Las Vegas, NV 89149
Tel: 702.251.1111
Fax: 702.251.1111

RECEIVED
DEC 12 2006

SDR-18670
01/25/07 PC

Escobedo Professional Plaza

760 North Eastern Ave. Suite 110 Las Vegas, Nevada Phone 283-6375

January 15, 2007

To whom it may concern:

This is in reference of: SDR-18670, VAR-18674, VAR18673 and ZON-1867

Applicant/Owner Ana Beltran

Request for: A site Development, for a Variance and for Rezoning

All for the purpose of building a 12 Unit multi-family residential development.

As the city continues to grow, this area is in the process of playing catch up and with the City Council's approval of this project it will help Ward 3 be i a more competitive level.

My personal opinion is if no objections from the neighbors, this request should be approved.

Sincerely



Eddie Escobedo

SDR 18670				
Ana Beltran				
NEC of Painflow & McKnight				
Proposed 12 unit apartment complex.				
Traffic produced by proposed development:				
New development	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	APARTMENT [DWELL]	12	6.72	81
AM Peak Hour			0.51	6
PM Peak Hour			0.62	7
(heaviest 60 minutes)				
Existing traffic on all nearby streets: counts not available for Painflow or Poppy				
McKnight Street				
Average Daily Traffic (ADT)	2,192			
PM Peak Hour	175			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
McKnight Street	16200			
This project will add approximately 81 trips per day on McKnight, Painflow and Poppy. This will increase expected volumes by about four percent on McKnight. McKnight is at about 14 percent of capacity. Counts are not available for Painflow or Poppy, but they are believed to be under capacity.				
Based on Peak Hour use, this development will add roughly 7 additional cars into the area; which works out to about one every ten minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



ZON-18672, VAR-18673, VAR-18674 & SDR-18670 - APPLICANT/OWNER: ANA BELTRAN
NORTHWEST CORNER OF POPPY LANE AND PANIFLOW STREET
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06



ZON-18672, VAR-18673, VAR-18674 & SDR-18670 - APPLICANT/OWNER: ANA BELTRAN
NORTHWEST CORNER OF POPPY LANE AND PANIFLOW STREET
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06

December 12, 2006

Ana Beltran
5681 Chloride Ct.
Las Vegas, NV 89110
Tel. (702) 308-2477

Justification Letter

To: City Las Vegas, Nevada

Dear Sirs:

I am writing this letter to petition for a Zoning Change and a Design Review for multi-family dwellings for the properties that are located at:

North-East Corner of McKnight & Poppy

APN= 139-25-410-022

The Current Zoning is R-E, and we apply for R-3.

This construction will be an improvement to the community, as well as provide affordable housing in a spacious and comfortable environment, by stucco, two (2) exterior color combination (Eggwhite and Viva Gold), stick built construction, asphalt shingles roof, two story, twenty five (25') feet tall, twelve (12) total units (three (3) buildings of four (4) units), each unit has two (2) bedroom and one (1) bathroom with 852 sqft. living space, and 10,224 sqft. total living space for this project.

I also hope to be an inspiration to surrounding home and land owners to build new structures or renovate existing structures to better the quality and look of the neighborhood.

I believe that this project will not only change the makeup of the neighborhood but can only bring good to the community.

If you have any questions, please contact Adan Castillo at (702) 524-6776. Thank you.

**SDR-18670
01/25/07 PC**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 25, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ZON-18753 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: SMOKE RANCH DEVELOPMENT, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [O (OFFICE) GENERAL PLAN DESIGNATION] TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 2.7 acres adjacent to the south side of Smoke Ranch Road, approximately 1,300 feet east of Buffalo Drive (APN 138-22-102-004), Ward 4 (Brown).

C.C.: 02/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

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

MOTION:

STEINMAN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 2/21/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open for Item 52 [ZON-18753] and Item 53 [SDR-18657].

DOUG RANKIN, Planning Manager, stated that the applicant has revised the previously approved Mixed-Use project to an Office only development. The building is in conformance with the General Plan, the Waivers are minor in consideration and he recommended approval.

DAVE CLAPSADDLE, GC Garcia, 1711 Whitney Mesa Drive, appeared with **JENNIFER ROBERTS** of Great American Capital. **MR. CLAPSADDLE** explained that the Rezoning had expired and therefore a new application was required. The newly proposed building would be smaller in square footage and situated further east, though the height would not change. A trail

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 52 – ZON-18753

MINUTES – Continued:

was not successfully worked into the site plan despite efforts to work with staff.

ELIZABETH HILL, 7501 Maycrest Circle, expressed opposition to the height to the building.

MR. CLAPSADDLE stated there was a neighborhood meeting to which he addressed the improvements to the application. The height of the building is permitted within the Zone and MR. CLAPSADDLE reiterated that the building would be 35 feet further east than the previous application.

Upon COMMISSIONER STEINMAN'S inquiry about the elimination of the residential component, MR. CLAPSADDLE recollected community opposition about the residential use and added that the market for that kind of development is not favorable.

MR. RANKIN noted that the project, by grade, would be seven feet lower than the homes to the west. MR. CLAPSADDLE pointed out that the residential adjacency standards of the Code would be met.

CHAIRMAN DAVENPORT declared the Public Hearing closed for Item 52 [ZON-18753] and Item 53 [SDR-18657].

(8:07 – 8:15)

2-676

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-18657) 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 if approved.

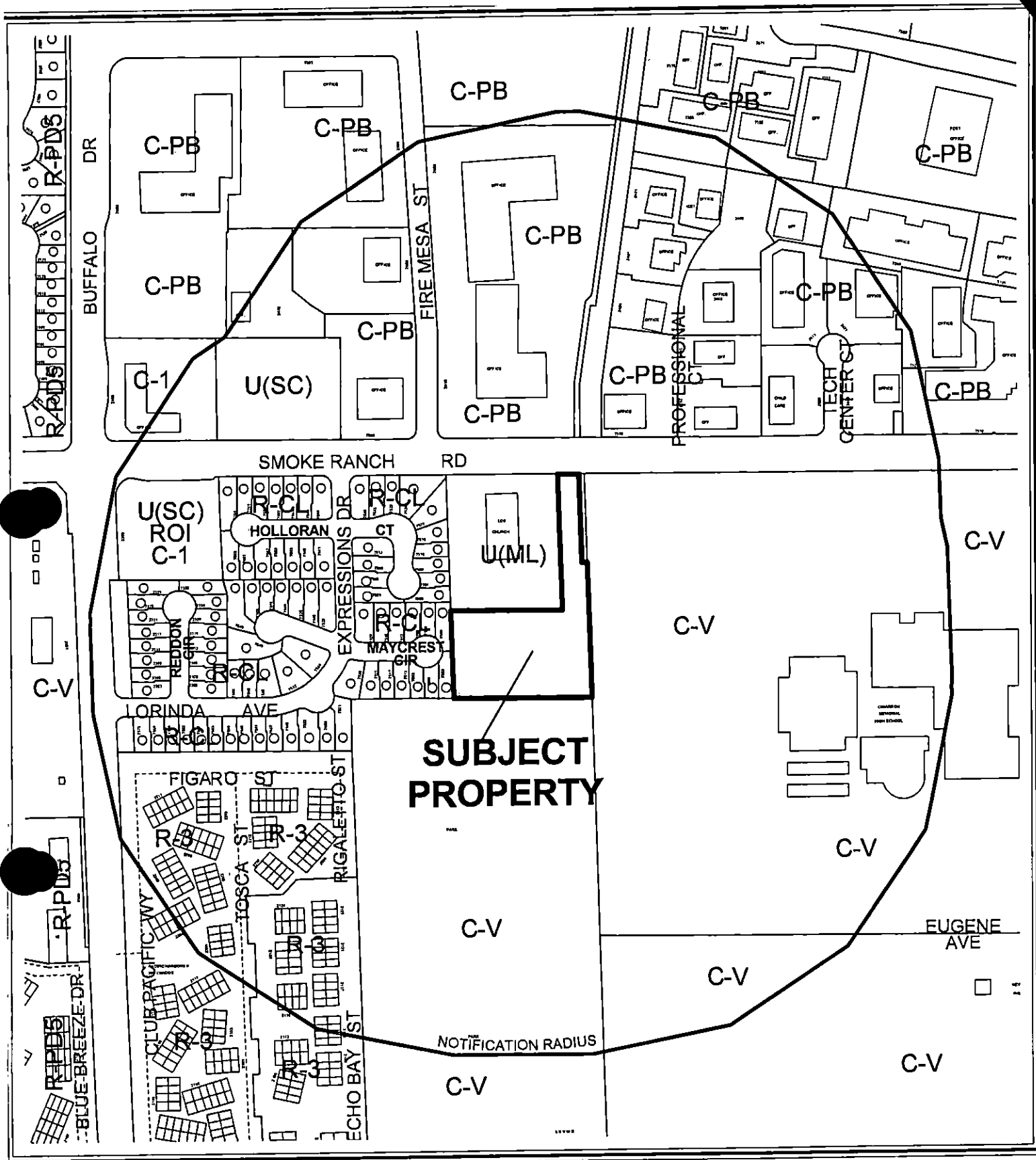
Public Works

3. Dedicate 10 feet of right-of-way adjacent to the east side of this site for the proposed trail along the existing drainage corridor prior to the issuance of any permits. Contact the Right-of-Way section of the Department of Public Works for assistance in preparing the document(s).
4. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 52 – ZON-18753

CONDITIONS – Continued:

- development shall be restored at its original location and to its original width concurrent with development of this site.
5. 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.
 6. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.



CASE: **ZON-18753**

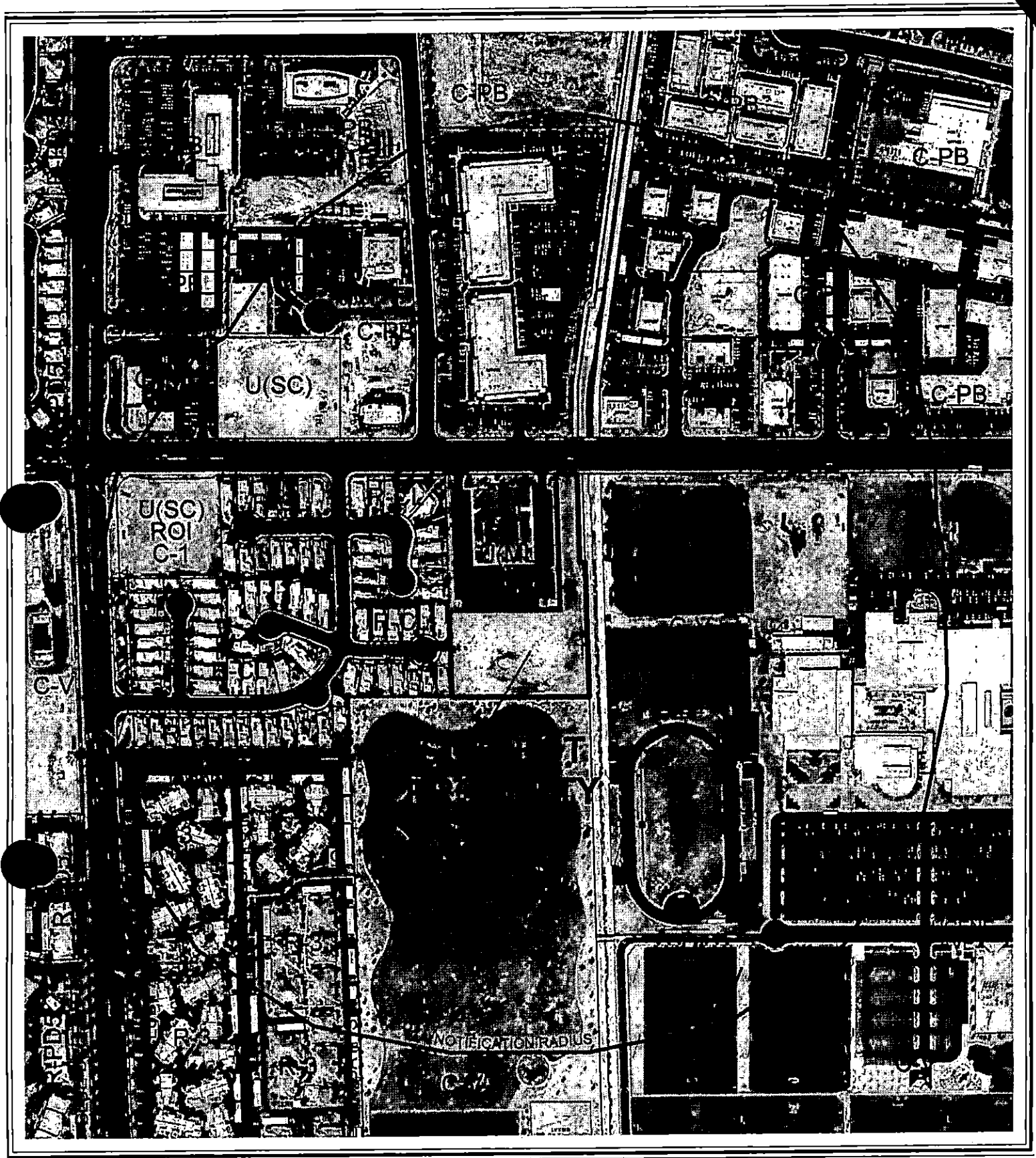
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [O (OFFICE) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

P-R (PROFESSIONAL OFFICE AND PARKING)



CASE: **ZON-18753**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [O (OFFICE) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

P-R (PROFESSIONAL OFFICE AND PARKING)



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JANUARY 25, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ZON-18753 - APPLICANT/OWNER: SMOKE RANCH DEVELOPMENT, LLC**

**** CONDITIONS ******STAFF RECOMMENDATION: 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-18657) 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 if approved.

Public Works

3. Dedicate 10 feet of right-of-way adjacent to the east side of this site for the proposed trail along the existing drainage corridor prior to the issuance of any permits. Contact the Right-of-Way section of the Department of Public Works for assistance in preparing the document(s).
4. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. 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.
6. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

ZON-18753 - Staff Report Page One
January 25, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a rezoning from Undeveloped (U) [Office (O) General Plan Designation] to Professional Office and Parking (P-R) on 2.7 acres adjacent to the south side of Smoke Ranch Road, approximately 1,300 feet east of Buffalo Drive. A companion Site Development Plan Review (SDR-18657) will be considered with this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/18/04	The City Council approved a request (GPA-3455) to amend a portion of the Southwest Sector Plan of the General Plan from ML (Medium-Low Density Residential) to O (Office) on 2.67 acres at 7401 Smoke Ranch Road. The Planning Commission failed to reach a supermajority vote, which is tantamount to a recommendation of denial, on 01/22/04. Staff had recommended approval.
02/18/04	The City Council approved requests for a Rezoning (ZON-3456) from U (Undeveloped) to P-R (Professional Office and Parking) and for a Site Development Plan Review (SDR-3457) for a 31,555 square-foot office building on the subject site. The Planning Commission recommended approval on 01/22/04. Staff had recommended approval.
01/26/06	The Planning Commission voted to abey an item and companion request for a Rezoning (ZON-10778) to a C-1 (Limited Commercial) zoning district, a Variance (VAR-10780) for reduction of landscape buffering, a Variance (VAR-10781) for residential adjacency, a Special Use Permit (SUP-10783) for Mixed-Use Development, and a Site Development Plan Review (SDR-10784) as VAR-10780 was withdrawn without prejudice and SDR-10784 required re-notification.
02/23/06	The Planning Commission abeyed an item and companion request for a General Plan Amendment (GPA-10776) to an SC (Service Commercial) land use designation, a Rezoning (ZON-10778) to C-1 (Limited Commercial), a Variance (VAR-10781) for Residential Adjacency, and a Special Use Permit (SUP-10783) for Mixed-Use Development, to allow the applicant to meet with area residents and address design changes to the project.

ZON-18753 - Staff Report Page Two
January 25, 2007 - Planning Commission Meeting

03/23/06	The Planning Commission considered an item and companion request for a General Plan Amendment (GPA-10776) to an SC (Service Commercial) land use designation, a Rezoning (ZON-10778) to C-1 (Limited Commercial), and a Special Use Permit (SUP-10783) for Mixed-Use Development. The Variance for Residential Adjacency (VAR-10781) has been addressed as a result of design changes and the applicant has requested that it be withdrawn without prejudice. Planning Commission approved the project and staff recommended denial. The Request for Rezoning (ZON-10778) from U (Undeveloped) [O (Office) Master Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking) C-1 (Limited Commercial) was withdrawn without prejudice.
05/17/06	The City Council considered a request for a Site Development Plan Review (SDR-10784) for a proposed three-story, 45-foot high, mixed-use development consisting of 25 residential units and 13,243 square feet of office space, waivers to allow a minimum lot width of 59 feet where 100 feet is the minimum lot width required, and to allow a reduction of perimeter landscape standards. Companion item requests for a Variance (VAR-12669) to allow a Three-Story Building where Two Stories is the maximum height allowed, and a Special Use Permit (SUP-10783) for a proposed mixed-use development were considered as well. City Council approved all requests.
Pre-Application Meeting	
11/15/06	A Pre-Application Meeting was held with the applicant with regard to Site Development Plan Review application. The applicant was informed of the requirement for a handicapped accessible route to the public right-of-way.
Neighborhood Meeting	
Unknown	The applicant has stated that a Neighborhood Meeting was held for this project. Staff requested documentation summarizing the outcome of the meeting however the applicant did not submit this information.

Details of Application Request	
Site Area	
Gross Acres	2.71 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant lot	O (Office)	U: Undeveloped O (Office)
North	Church	ML (Medium-Low Density Residential)	U (Undeveloped) ML (Medium Low Residential) General Plan Designation
South	Athletic Fields	PR-OS (Parks and Recreation – Openspace)	C-V (Civic)

ZON-18753 - Staff Report Page Three
January 25, 2007 - Planning Commission Meeting

East	Concrete Drainage Channel, Undeveloped Public Trail, High School	Public Right-of-Way and Public Facility	C-V (Civic)
West	Single Family Residential	ML: Medium Low Density Residential	R-CL: Single-Family Compact Lot

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 the following Commercial Development Standards apply to the proposal:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	2.72 acres	Y
Min. Lot Width	60 Feet	60 Feet	Y
Min. Setbacks			
a. Front	20 Feet	500 Feet	Y
b. Side	5 Feet	52 Feet	Y
c. Corner	15 Feet	N/A	Y
d. Rear	15 Feet	60 Feet	Y
Max. Lot Coverage	50 %	35%	Y
Max. Building Height	Lesser of 2 stories or 35 feet	3 stories, 35 Feet	Y*
Trash Enclosure	Screened and covered	Yes	Y
Loading Zone	30,000-50,000 square feet: 3 required	Not indicated	N
Mech. Equipment	On roof	Yes	Y

*Variance (VAR-12669) approved 3-story building height.

ZON-18753 - Staff Report Page Four
January 25, 2007 - Planning Commission Meeting

ANALYSIS

The project parcel is a "Flag" shaped lot surrounded by a mix of land uses including an existing church to the north, single family residential to west, park/open space to the south, a drainage channel and designated public trail and Cimmaron-Memorial High School to the east. In addition, business park uses are located north of Smoke Ranch Road. One vehicular access point onto the project site will be made from Smoke Ranch Road. Pedestrian access will be provided to the office structure via a public trail south of Smoke Ranch road.

General Plan and Zoning

The subject property is designated for Office (O) uses and zoned Undeveloped (U) [Office (O) General Plan Designation] consistent with the General Plan. The proposed zone change to Professional Office and Parking (P-R) is consistent with Office land use designation. Staff recommends approval of the Rezone as the proposal will result in the development of an underutilized parcel and complement the various uses surrounding the project site. Approved Variance (VAR-12669) allows building height up to 3 stories.

Public Trail

A north/south trending public trail south of Smoke Ranch Road runs on and off the project site along the eastern property line and parallel to an existing concrete drainage channel. The applicant has agreed to develop the on-site trail improvements.

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 proposed Professional Office and Parking (P-R) zone is an allowable category within the Office (O) General Plan land use designation.

2. "The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts."

The proposed zone change will contribute to the diversity of existing surrounding residential, religious, business and civic land uses and zoning districts.

3. "Growth and development factors in the community indicate the need for or appropriateness of the rezoning."

ZON-18753 - Staff Report Page Five
January 25, 2007 - Planning Commission Meeting

The project will be sited on an under utilized parcel zoned as Undeveloped (U) – Office (O). The Special Use Permit (U-0255-90) that allowed for the construction of the church effectively dictated the remainder parcel would be developed in some form of parking and/or commercial use. The proposed Rezone to P-R (Professional Office and Parking) is consistent with the previous approval.

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 road capacity and operations on Smoke Ranch Road will not be adversely affected by the project.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

5

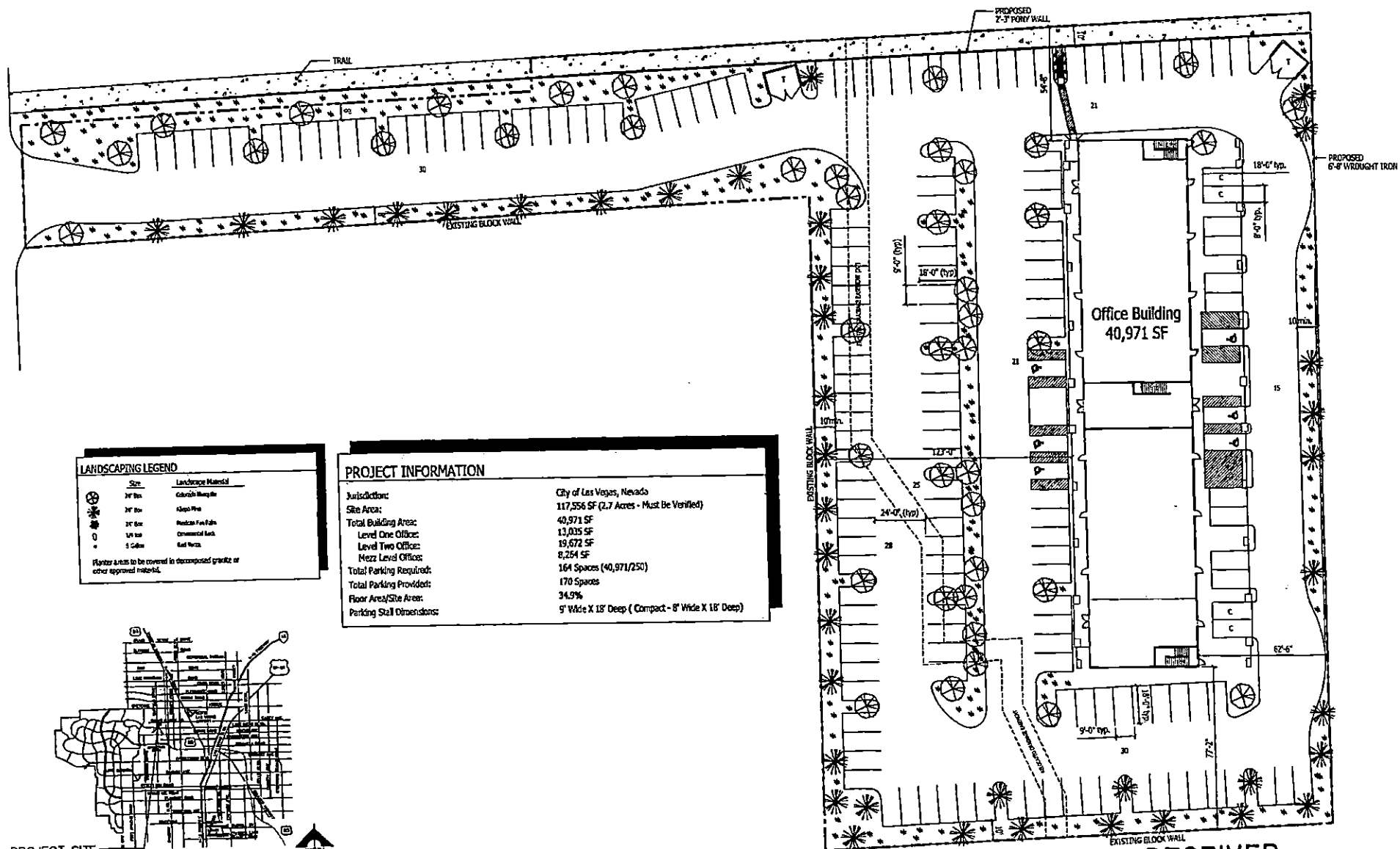
ASSEMBLY DISTRICT 37

SENATE DISTRICT 6

NOTICES MAILED 210 [Mailed with SDR-18657]

APPROVALS 0

PROTESTS 0



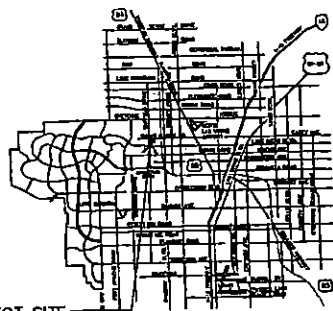
LANDSCAPING LEGEND

Size	Landscaping Material
24" Box	Colorado Blue Spruce
24" Box	Adiantum
24" Box	Redwood Pine Palm
1/4" Box	Ornamental Birch
5 Gallon	Red Ferns

Planter areas to be covered in decomposed granite or other approved material.

PROJECT INFORMATION

Jurisdiction:	City of Las Vegas, Nevada
Site Area:	117,556 SF (2.7 Acres - Must Be Verified)
Total Building Area:	40,971 SF
Level One Office:	13,035 SF
Level Two Office:	19,672 SF
Mezz Level Office:	8,264 SF
Total Parking Required:	164 Spaces (40,971/250)
Total Parking Provided:	170 Spaces
Floor Area/Site Area:	34.9%
Parking Stall Dimensions:	9' Wide X 18' Deep (Compact - 8' Wide X 18' Deep)



LOCATION MAP

PRELIMINARY SITE/LANDSCAPING PLAN

RECEIVED

ZON-18753
REVISED
01/25/07 PG

JAN 03 2007

SHORE RANCH-BUFFALO





December 13, 2006

Ms. Margo Wheeler
Director, Planning and Development Department
City of Las Vegas
731 South 4th Street
Las Vegas, NV. 89101

RE: Justification Letter for Rezoning for Revised Park View Plaza- U
(Undeveloped) to PR-(Professional Offices and Parking): APN: 138-22-
102-004

Dear Ms. Wheeler:

On behalf of our client, Great American Capital, please accept this justification letter for a rezoning from U (Undeveloped) to PR (Professional Offices and Parking) for this property. This application is filed in conjunction with a revised Site Plan Review. The original Special Use Permit, Variance to allow a third story and Site Plan Review was approved by the City Council on May 17, 2006. At that time, the applications for the General Plan Amendment and Rezoning to C-1 (Limited Commercial) were withdrawn.

We did not realize that the PR (Professional Office and Parking) zoning in place at the time was subject to expiration. If we had known, we would have filed an Extension of Time at that time. Therefore, we view this application as more of a "housekeeping item" to restore the long-standing PR zoning on this site.

We respectfully ask for your favorable consideration of this request. Please contact our office if you have any questions or need additional information.

Sincerely,


David Clapsaddle
Planning Director

DWC: mw



ZON-18753
01/25/07 PC

A Planning & Development Services Corporation
1711 Whitney Mesa Drive, Suite 110, Henderson, Nevada 89014-2158
Telephone: 702-435-9900 Facsimile: 702-435-0457 E-Mail: ggarcia@gcgarcia.com

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 25, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-18657 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-18753 - PUBLIC HEARING - APPLICANT/OWNER: SMOKE RANCH DEVELOPMENT, LLC
- Request for a Site Development Plan Review FOR A PROPOSED 3-STORY; 40,971 SQUARE-FOOT OFFICE BUILDING, A WAIVER OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW A ZERO FOOT BUFFER WHERE 8 FEET IS REQUIRED ALONG THE SOUTHERN PROPERTY LINE AND ALONG THE ON-SITE PUBLIC TRAIL; A WAIVER OF PERIMETER LANDSCAPE STANDARDS; AND A WAIVER OF PARKING LANDSCAPING on 2.7 acres adjacent to the south side of Smoke Ranch Road, approximately 1,300 feet east of Buffalo Drive (APN 138-22-102-004), U (Undeveloped) Zone [O (Office) General Plan Designation] [PROPOSED: P-R (Professional Office and Parking) Zone], Ward 4 (Brown).

C.C.: 02/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

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

MOTION:

STEINMAN – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 2/21/2007

MINUTES:

See Item 52 for related discussion.

(8:07 – 8:15)
2-676

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 53 – SDR-18657

CONDITIONS:

Planning and Development

1. Site Development Plan Review (SDR-10784) is hereby expunged.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-18753) and Variance (VAR-12669) shall be required.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All development shall be in conformance with the site plan and landscape plan date stamped 1/03/07, and building elevations date stamped 12/11/06, except as amended by conditions herein.
5. A Waiver from 19.08.045 is hereby approved to reduce landscape buffer zones to zero feet for 65 lineal feet and 70 lineal feet along the southern property line, and for 240 lineal feet along the eastern portion of the property adjacent to the on-site public trail.
6. A Waiver from 19.10.010 is hereby approved, to allow a reduction in parking lot landscaping (tree requirement) on parking lot islands.
7. A Waiver from 19.08.045 is hereby approved, to reduce required landscaping standard tree requirement along the perimeter of the project site where 59 are required but 48 are proposed.
8. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit, to reflect the changes herein. (A) The site plan shall designate 3 loading parking spaces designed in accordance with Title 19.10.020
9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time 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.
10. 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

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 53 – SDR-18657

CONDITIONS – Continued:

certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

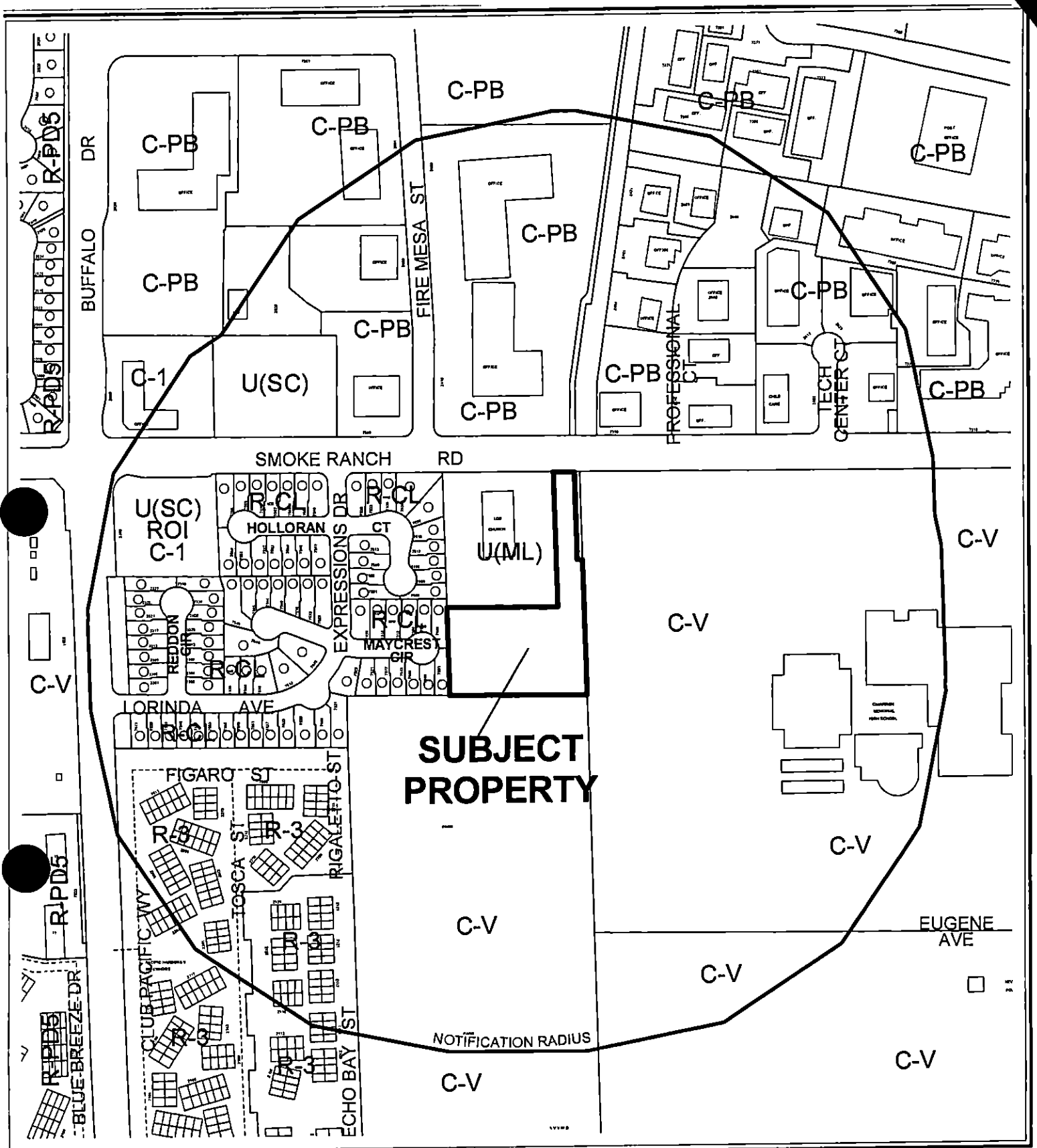
11. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 25% of the total landscaped area as turf.
12. Revised elevations shall be submitted to and approved by the Planning and Development Department prior to the time application is made for a building permit to reflect a screened and covered trash enclosure pursuant to Title 19.08.
13. 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).
14. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
15. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
16. 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.
17. 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.
18. 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.
19. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 53 – SDR-18657

CONDITIONS – Continued:

Public Works

20. All landscaping and private improvements installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
21. Site development to comply with all applicable conditions of approval for ZON-18753 and all other subsequent site-related actions.
22. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the Lone Mountain Trail Phase II project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.



CASE: **SDR-18657**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [O (OFFICE) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

P-R (PROFESSIONAL OFFICE AND PARKING)



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JANUARY 25, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-18657 - APPLICANT/OWNER: SMOKE RANCH DEVELOPMENT, LLC**

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

1. Site Development Plan Review (SDR-10784) is hereby expunged.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-18753) and Variance (VAR-12669) shall be required.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All development shall be in conformance with the site plan and landscape plan date stamped 1/03/07, and building elevations date stamped 12/11/06, except as amended by conditions herein.
5. A Waiver from 19.08.045 is hereby approved to reduce landscape buffer zones to zero feet for 65 lineal feet and 70 lineal feet along the southern property line, and for 240 lineal feet along the eastern portion of the property adjacent to the on-site public trail.
6. A Waiver from 19.10.010 is hereby approved, to allow a reduction in parking lot landscaping (tree requirement) on parking lot islands.
7. A Waiver from 19.08.045 is hereby approved, to reduce required landscaping standard tree requirement along the perimeter of the project site where 59 are required but 48 are proposed.
8. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit, to reflect the changes herein. (A) The site plan shall designate 3 loading parking spaces designed in accordance with Title 19.10.020

SDR-18657 - Conditions Page Two
January 25, 2007 - Planning Commission Meeting

9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time 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.
10. 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.
11. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 25% of the total landscaped area as turf.
12. Revised elevations shall be submitted to and approved by the Planning and Development Department prior to the time application is made for a building permit to reflect a screened and covered trash enclosure pursuant to Title 19.08.
13. 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).
14. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
15. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
16. 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.
17. 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.

SDR-18657 - Conditions Page Three
January 25, 2007 - Planning Commission Meeting

18. 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.
19. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

20. All landscaping and private improvements installed with this project shall be situated and maintained so as not to create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
21. Site development to comply with all applicable conditions of approval for ZON-18753 and all other subsequent site-related actions.
22. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the Lone Mountain Trail Phase II project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

SDR-18657 - Staff Report Page One
January 25, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Site Development Plan Review for a proposed 3-story 40,971 square-foot office building, a Waiver of perimeter landscape buffer requirements to allow a zero foot buffer where 8 feet is required along the southern property line and along the on-site public trail; a Waiver of perimeter landscape standards; and a Waiver of parking lot landscaping on 2.7 acres adjacent to the south side of Smoke Ranch Road, approximately 1,300 feet east of Buffalo, west of Cimarron-Memorial High School. A companion application for a Rezone (ZON-18753) from U (Undeveloped) to P-R (Professional Office and Parking) will be considered concurrently with this request. Staff recommends approval of the Site Development Plan Review.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/18/04	The City Council approved a request (GPA-3455) to amend a portion of the Southwest Sector Plan of the General Plan from ML (Medium-Low Density Residential) to O (Office) on 2.67 acres at 7401 Smoke Ranch Road. The Planning Commission failed to reach a supermajority vote, which is tantamount to a recommendation of denial, on 01/22/04. Staff had recommended approval.
02/18/04	The City Council approved requests for a Rezoning (ZON-3456) from U (Undeveloped) to P-R (Professional Office and Parking) and for a Site Development Plan Review (SDR-3457) for a 31,555 square-foot office building on the subject site. The Planning Commission recommended approval on 01/22/04. Staff had recommended approval.
01/26/06	The Planning Commission voted to abey an item and companion request for a Rezoning (ZON-10778) to a C-1 (Limited Commercial) zoning district, a Variance (VAR-10780) for reduction of landscape buffering, a Variance (VAR-10781) for residential adjacency, a Special Use Permit (SUP-10783) for Mixed-Use Development, and a Site Development Plan Review (SDR-10784) as VAR-10780 was withdrawn without prejudice and SDR-10784 required re-notification.
02/23/06	The Planning Commission abeyed an item and companion request for a General Plan Amendment (GPA-10776) to an SC (Service Commercial) land use designation, a Rezoning (ZON-10778) to C-1 (Limited Commercial), a Variance (VAR-10781) for Residential Adjacency, and a Special Use Permit (SUP-10783) for Mixed-Use Development, to allow the applicant to meet with area residents and address design changes to the project.

SDR-18657 - Staff Report Page Two
January 25, 2007 - Planning Commission Meeting

03/23/06	The Planning Commission considered an item and companion request for a General Plan Amendment (GPA-10776) to an SC (Service Commercial) land use designation, a Rezoning (ZON-10778) to C-1 (Limited Commercial), and a Special Use Permit (SUP-10783) for Mixed-Use Development. The Variance for Residential Adjacency (VAR-10781) has been addressed as a result of design changes and the applicant has requested that it be withdrawn without prejudice. Planning Commission approved the project and staff recommended denial. The Request for Rezoning (ZON-10778) from U (Undeveloped) [O(Office) Master Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking) C-1 (Limited Commercial) was withdrawn without prejudice.
05/17/06	The City Council considered a request for a Site Development Plan Review (SDR-10784) for a proposed three-story, 45-foot high, mixed-use development consisting of 25 residential units and 13,243 square feet of office space, waivers to allow a minimum lot width of 59 feet where 100 feet is the minimum lot width required, and to allow a reduction of perimeter landscape standards. Companion item requests for a Variance (VAR-12669) to allow a Three-Story Building where Two Stories is the maximum height allowed, and a Special Use Permit (SUP-10783) for a proposed mixed-use development were considered as well. City Council approved all requests.
Pre-Application Meeting	
11/15/06	A Pre-Application Meeting was held with the applicant with regard to Site Development Plan Review application. The applicant was informed of the requirement for a handicapped accessible route to the public right-of-way.
Neighborhood Meeting	
Unknown	The applicant has stated that a Neighborhood Meeting was held for this project. Staff requested documentation summarizing the outcome of the meeting however the applicant did not submit this information.

Details of Application Request	
Site Area:	
Gross Acres	2.72 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	O (Office)	U (Undeveloped) [O (Office) General Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking)
North	Church	ML (Medium-Low Density Residential)	U (Undeveloped) [ML (Medium-Low Density Residential) General Plan Designation]

JA

SDR-18657 - Staff Report Page Three
January 25, 2007 - Planning Commission Meeting

South	Sports Field	PR-OS (Parks, Recreation, Open Space)	C-V (Civic)
East	High School	PF (Public Facilities)	C-V (Civic)
West	Single family Residential	ML (Medium-Low Density Residential)	R-CL (Single Family-Compact Lot)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 the following Professional Office and Parking Development Standards apply to the subject proposal:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	2.72 acres	Y
Min. Lot Width	60 Feet	60 Feet	Y
Min. Setbacks			
a. Front	20 Feet	500 Feet	Y
b. Side	5 Feet	52 Feet	Y
c. Corner	15 Feet	N/A	Y
d. Rear	15 Feet	60 Feet	Y
Max. Lot Coverage	50 %	35%	Y
Max. Building Height	Lesser of 2 stories or 35 feet	3 stories, 35 Feet	Y*
Trash Enclosure	Screened and covered	Yes	Y
Loading Zone	30,000-50,000 square feet: 3 required	Not indicated	N
Mech. Equipment	On roof	Yes	Y

*Variance (VAR-12669) approved 3-story building height.

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January 25, 2007 - Planning Commission Meeting

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

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	60 feet setback	77	Y
Trash Enclosure	50 foot distance	355 feet	Y

Pursuant to Title 19.12 the following landscape standards apply to the subject proposal:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces 1 Tree for every landscape island	• 170 spaces = 28 Trees	• 39 trees	Y
		• 37 islands = 37 trees	• 28 trees	N
Buffer: Min. Trees	1 Trees/ 30 Linear Feet	• 47 Trees	41 Trees	N
	1 Trees/20 Linear Feet	• 12 Trees	7 Trees	N
TOTAL		59	48	N
Min. Zone Width	15 Feet (Adjacent to public Right-of-Way)		0 Feet*	Y
	8 Feet (along interior property lines)		0 Feet	N
Wall Height	8 Feet		8 feet	Y

*Encroachment into the required buffer zone permitted when driveway is perpendicular to public Right-of-Way in accordance with Title 19 – Section 19.12.040.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
	40,971 square feet	1/300 square feet of gross floor area	137	5	164	6	Y
SubTotal			137	5	164	6	
TOTAL (including handicap)			137		170		
Loading Spaces			3		0		N

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January 25, 2007 - Planning Commission Meeting

Waivers		
Request	Requirement	Staff Recommendation
Landscape buffer widths	8 feet	Approve
Landscape standards – required trees	59	Approve
Parking lot landscaping – required trees	37	Approve

ANALYSIS

- **General Plan and Zoning**

The General Plan land use designation for the project site is O (Office). A companion request Rezone (ZON-18753) to change from U (Undeveloped) to P-R (Professional Office and Parking) shall be considered concurrently with this proposal. The P-R zone is consistent with the general plan land designation for office uses. The subject project site is residual of parcel owned by the previously owned by Church of Jesus Christ Latter Day Saints. The Special Use Permit (U-0255-90) that allowed for the construction of the church effectively dictated the remainder parcel would be developed in some form of parking and/or commercial use.

- **Site Plan**

The project will be constructed upon a 2.72-acre remnant “flag” lot accessible from Smoke Ranch Road via a 60 foot wide access point. The lot entrance will be improved as a 24-foot wide two-way driveway between planter areas and will serve as the only point of vehicular ingress and egress. The footprint of the office building will be within the larger developable portion of the site which expands to 380 feet by 240 feet. Associated hardscape and landscape improvements will be implemented including development of 370 lineal feet of on-site public trail along the eastern property line and parallel to an existing concrete drainage channel. A total of 190 surface parking spaces, perimeter landscaping and landscape islands are incorporated into the proposal.

- **Elevations and Residential Adjacency**

Project elevations depict a 3-story 35 foot high contemporary office building design to include stone tile, aluminum storefront accents, glass guardrails, and painted stucco. Approved Variance (VAR-12669) allows a building height of 3 stories.

The project site is located next to existing single family residences and as such is subject to the Residential Adjacency Standards (RAS) of Title 19.08. Plan Cross-sections indicate the elevation of the adjacent single family residential pads rise 7 feet above the project site. These plans also show building elevations with a tiered design with the height of the west edge of the structure at 26 feet rising to 35 feet tall. The maximum building height would not exceed the RAS 3:1 slope envelope restrictions. The

SDR-18657 - Staff Report Page Six
January 25, 2007 - Planning Commission Meeting

matching residential setback requirement for the R-CL (single-family compact lot) zoning district is five feet from the residential property line and the required RAS setback is 60 feet. The proposed building meets all RAS required setbacks as the structure will be sited 77 feet from the west property line. Furthermore, the trash enclosures will be located at the eastern property line at a distance greater than 50 feet from the residential uses.

- **Parking**

As proposed the project will exceed required parking with 164 regular spaces and 6 spaces. Required parking for office use is 137 spaces including 5 handicapped spaces. No loading parking spaces are depicted and as such a revised site plan shall be required to address the required 3 spaces

- **Landscape Plan**

Project will not meet minimum 8 foot landscape buffer widths requirement along the southern property line and along the on-site public trail. The developer has agreed to construct the on-site public trail along the eastern property line that will provide connectivity from the off site trail segment linked to the public Right-of-Way (ROW) on Smoke Ranch Road. Waivers of perimeter landscape buffer widths, landscape standards, and parking lot landscaping is included in this application request. To allow vehicular access to the site an encroachment into the required 15 landscape buffer zone along the street frontage is required. In accordance with Title 19 – Section 19.12.040 encroachment into the required landscape buffer is permitted as the driveway is perpendicular to the public Right-of-Way

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 project will complement the diversity of uses in the immediate vicinity as single-family residential, a church, educational facilities, Business Park, and park and open space make up the existing development surrounding the project site. Additionally, the proposal will result in development of an underutilized parcel with a professional office use.

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January 25, 2007 - Planning Commission Meeting

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

Subject to approval of the landscape buffer zone widths and parking lot landscaping standards the proposed project will meet the requirements of Title 19 for Commercial Developments.

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

Vehicular access to the site is adequate and the proposal will not result in adverse effects to roadway operations along Smoke Ranch road. Additionally, designated public trail will be constructed on-site thereby providing safe pedestrian access and connectivity to the off-site segment directly adjacent to the project parcel.

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

The proposed building includes materials and colors that complement the desert environment. The proposed landscape materials are appropriate.

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

The building elevations indicate a contemporary architectural design that will blend well with the existing architecture of the adjacent school, church, and business park north of Smoke Ranch Road. No adverse effects to community character or aesthetics will result with implementation of this proposal.

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

Human health and public safety concerns are considered negligible with this proposal.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

5

ASSEMBLY DISTRICT 37

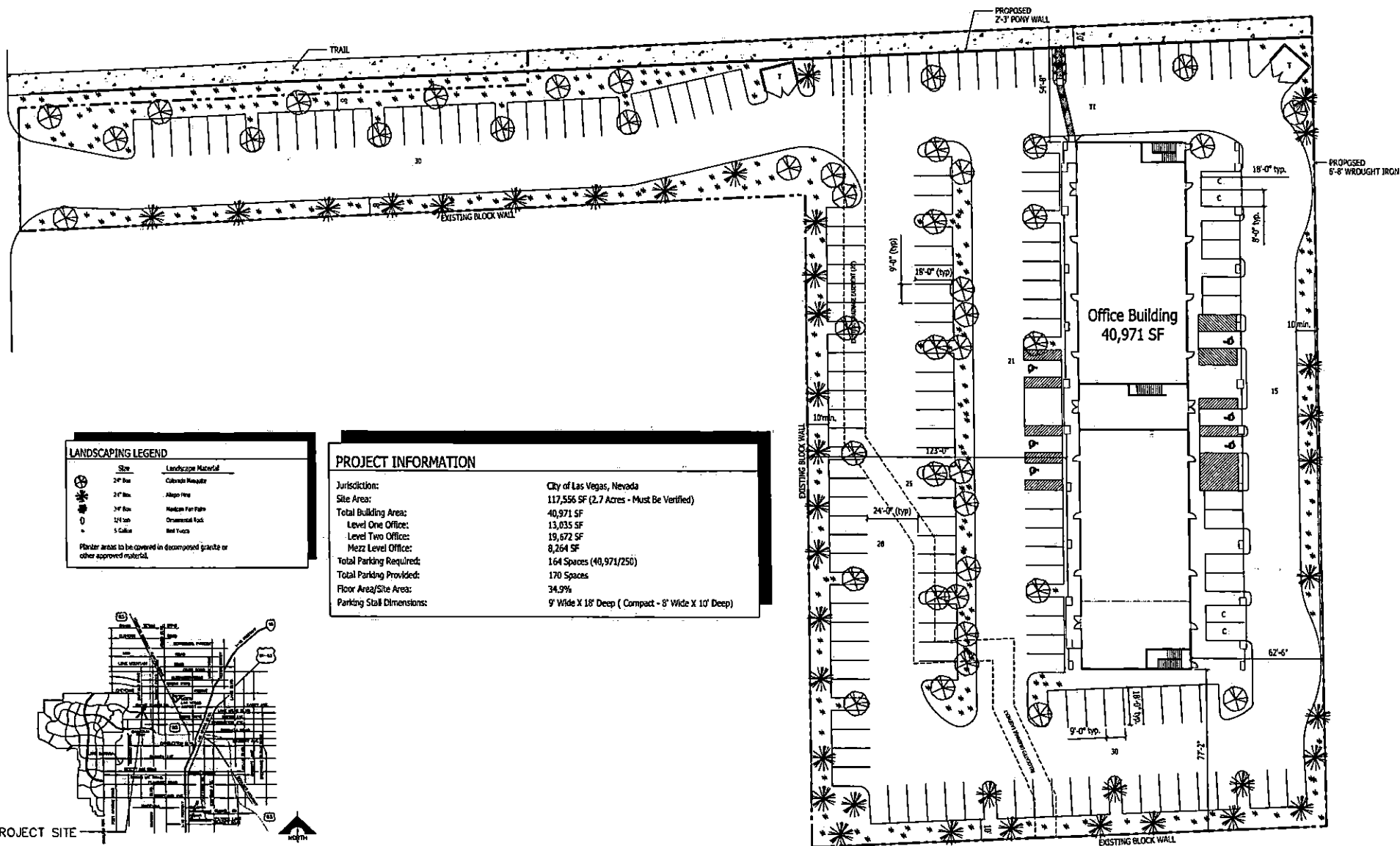
SENATE DISTRICT 6

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January 25, 2007 - Planning Commission Meeting

NOTICES MAILED 210 [Mailed with ZON-18753]

APPROVALS 0

PROTESTS 0



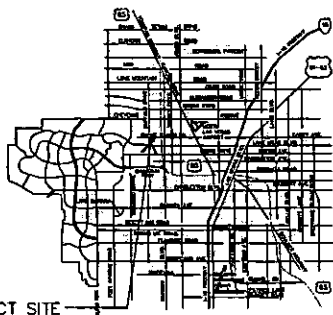
LANDSCAPING LEGEND

Symbol	Size	Landscaping Material
(Circle with crosshairs)	24" Box	Caliente Mesquite
(Circle with dots)	24" Box	Alamo Pine
(Circle with star)	36" Box	Madison Fan Palm
(Circle with crosshairs)	12" Box	Ornamental Oak
(Circle with star)	12" Box	Red Yucca

Planter areas to be covered in decomposed granite or other approved material.

PROJECT INFORMATION

Jurisdiction:	City of Las Vegas, Nevada
Site Area:	117,556 SF (2.7 Acres - Must Be Verified)
Total Building Area:	40,971 SF
Level One Office:	13,035 SF
Level Two Office:	19,672 SF
Mezz Level Office:	8,264 SF
Total Parking Required:	164 Spaces (40,971/250)
Total Parking Provided:	170 Spaces
Floor Area/Site Area:	34.9%
Parking Stall Dimensions:	9' Wide X 18' Deep (Compact - 8' Wide X 10' Deep)



LOCATION MAP

PRELIMINARY SITE/LANDSCAPING PLAN

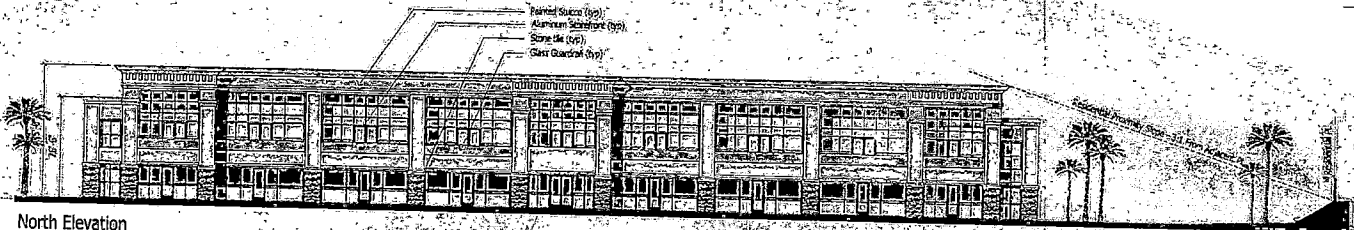
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SDR-18657
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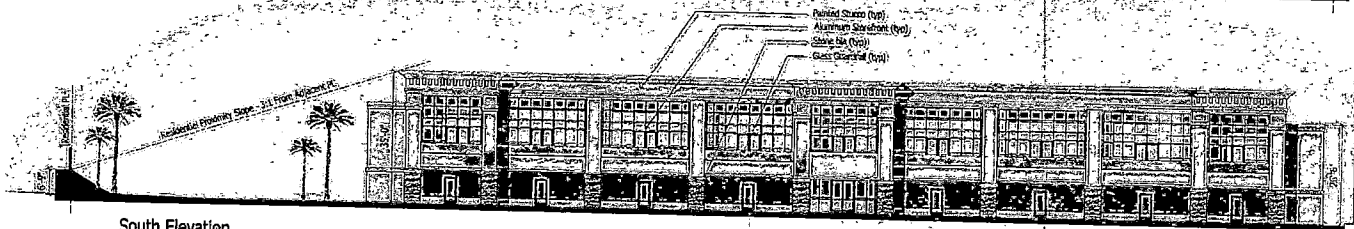
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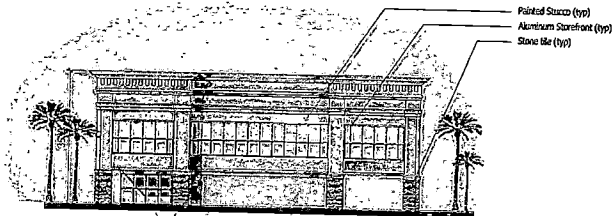
1. This plan is a preliminary site/landscaping plan and is not to be used for construction purposes. It is subject to change without notice. The owner is responsible for obtaining all necessary permits and approvals from the appropriate authorities. The designer is not responsible for any errors or omissions in this plan.



North Elevation



South Elevation



West Elevation

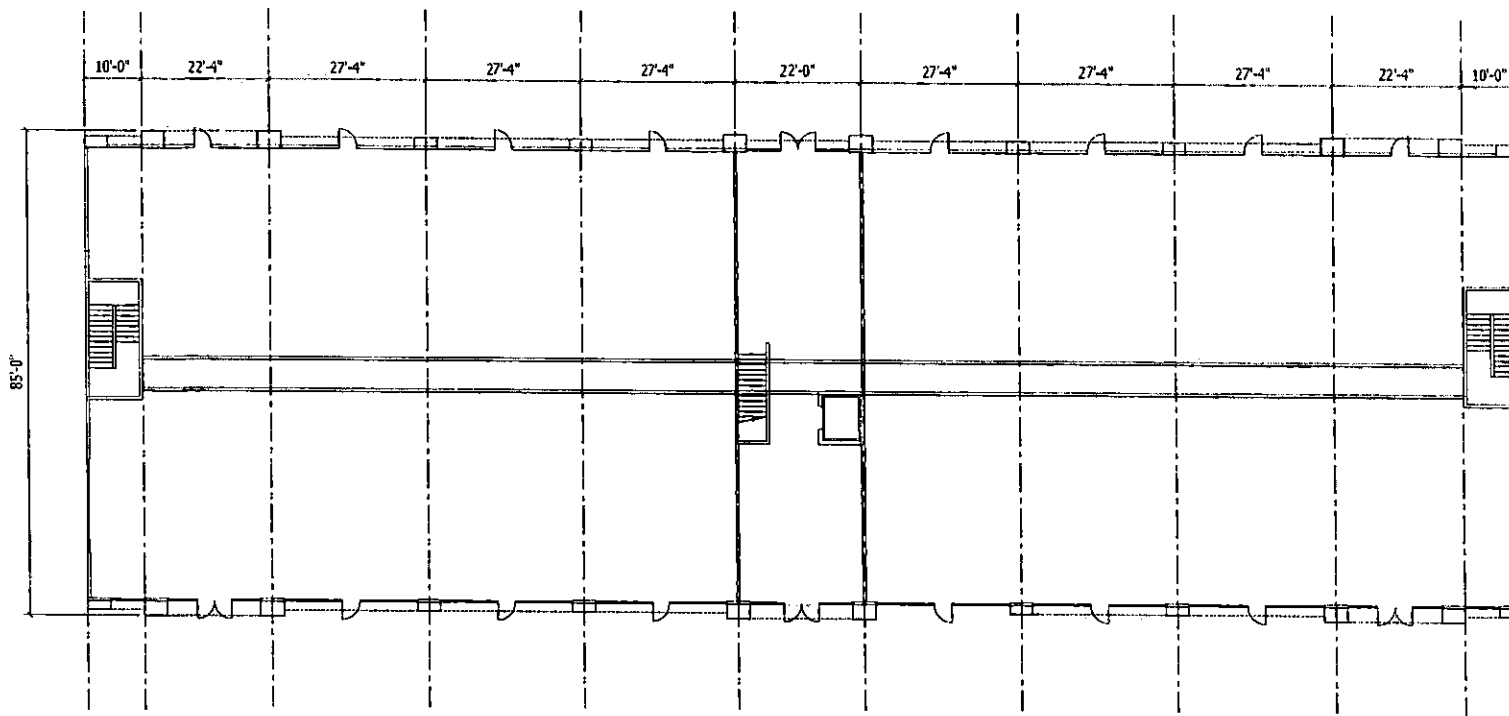


East Elevation

PRELIMINARY ELEVATIONS

SMOKE RANCH-BUFFALO

1/25/07
1/25/07
1/25/07



PRELIMINARY 2nd FLOOR PLAN - Office - 19,672 SF

SMOKE RANCH-BUFFALO



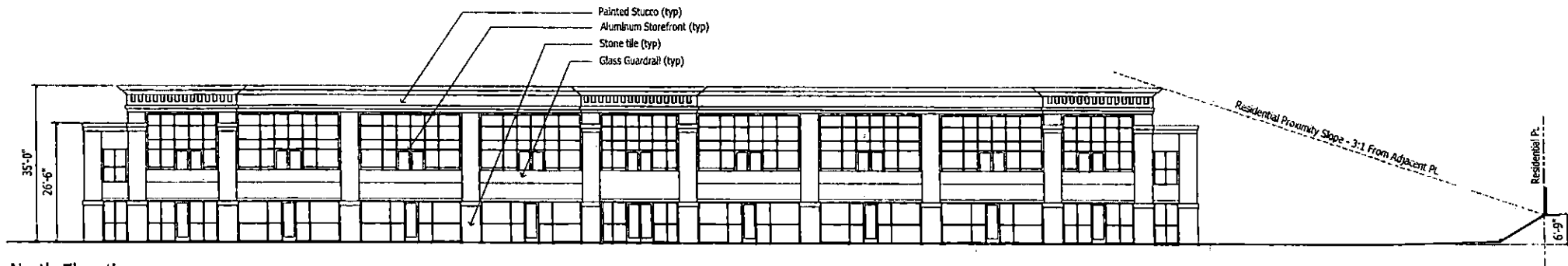
JAMES E. STONE, ARCHITECT, INC.
1000 PINE LANE, LAS VEGAS, NEVADA 89169
(702) 444-1400

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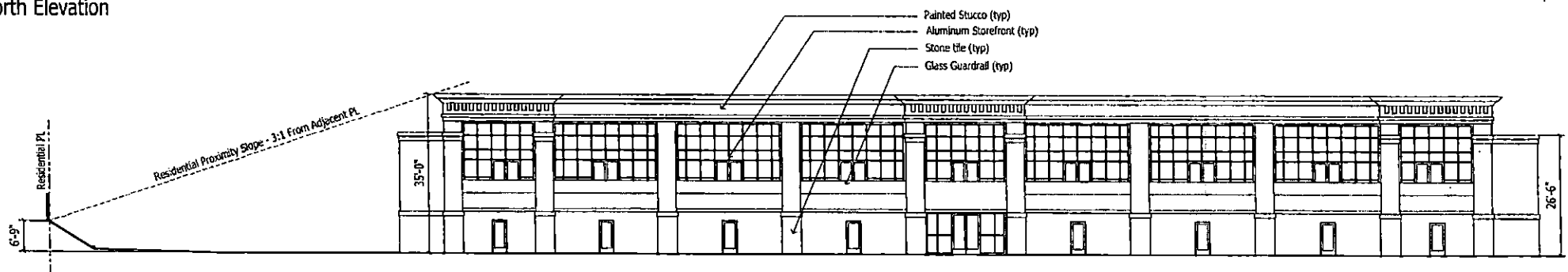
DEC 11 2006

SDR-18657
01/25/07 PC

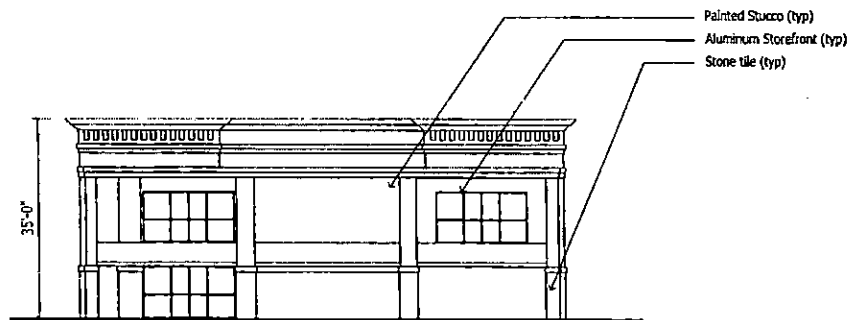
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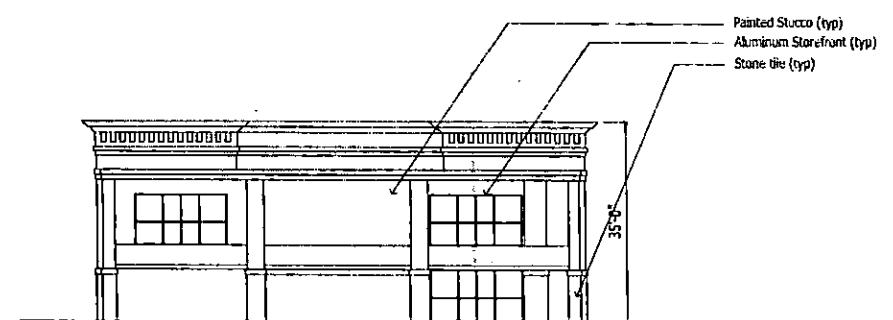
North Elevation



South Elevation



West Elevation



East Elevation

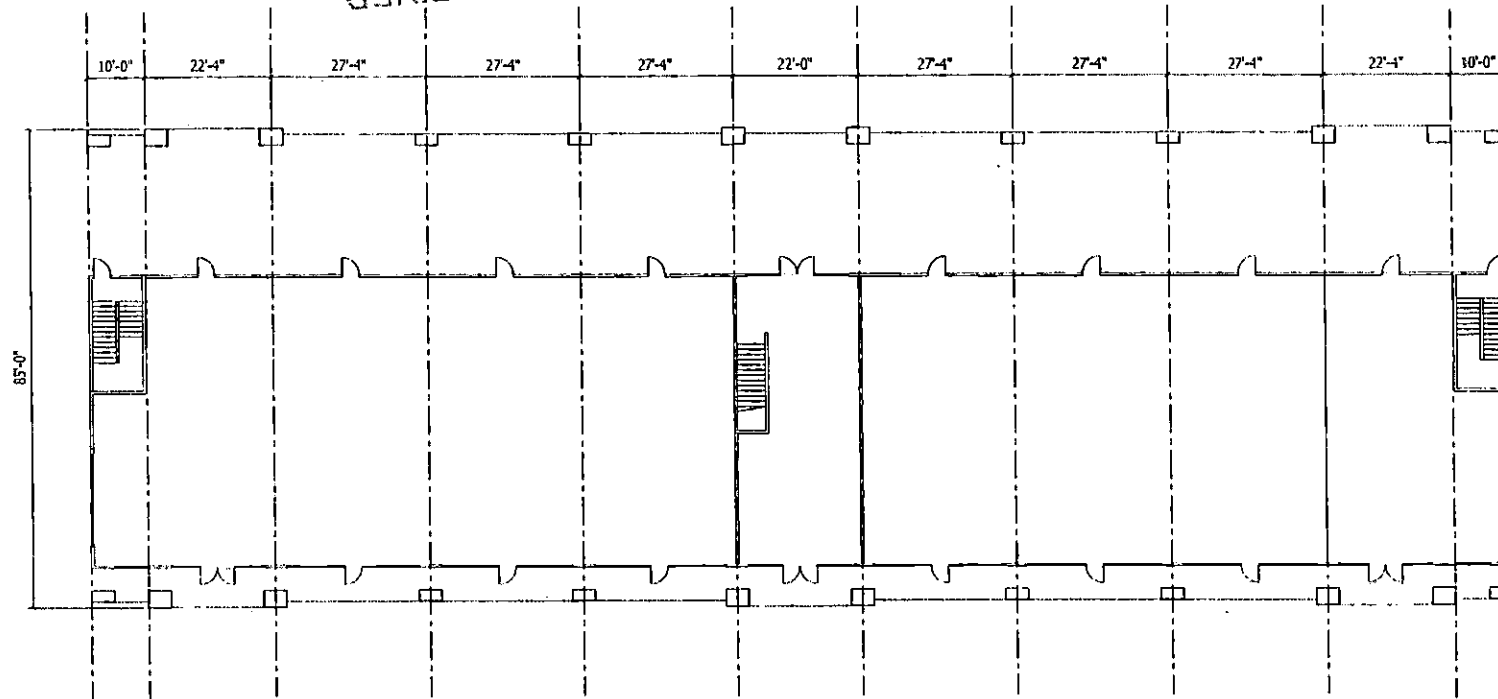
PRELIMINARY ELEVATIONS



RECEIVED
DEC 11 2006

SDR-18657
01/25/07 PC

RECEIVED
DEC 11 2006



PRELIMINARY 1ST FLOOR PLAN - Office - 13,035 SF

SMOKE RANCH-BUFFALO

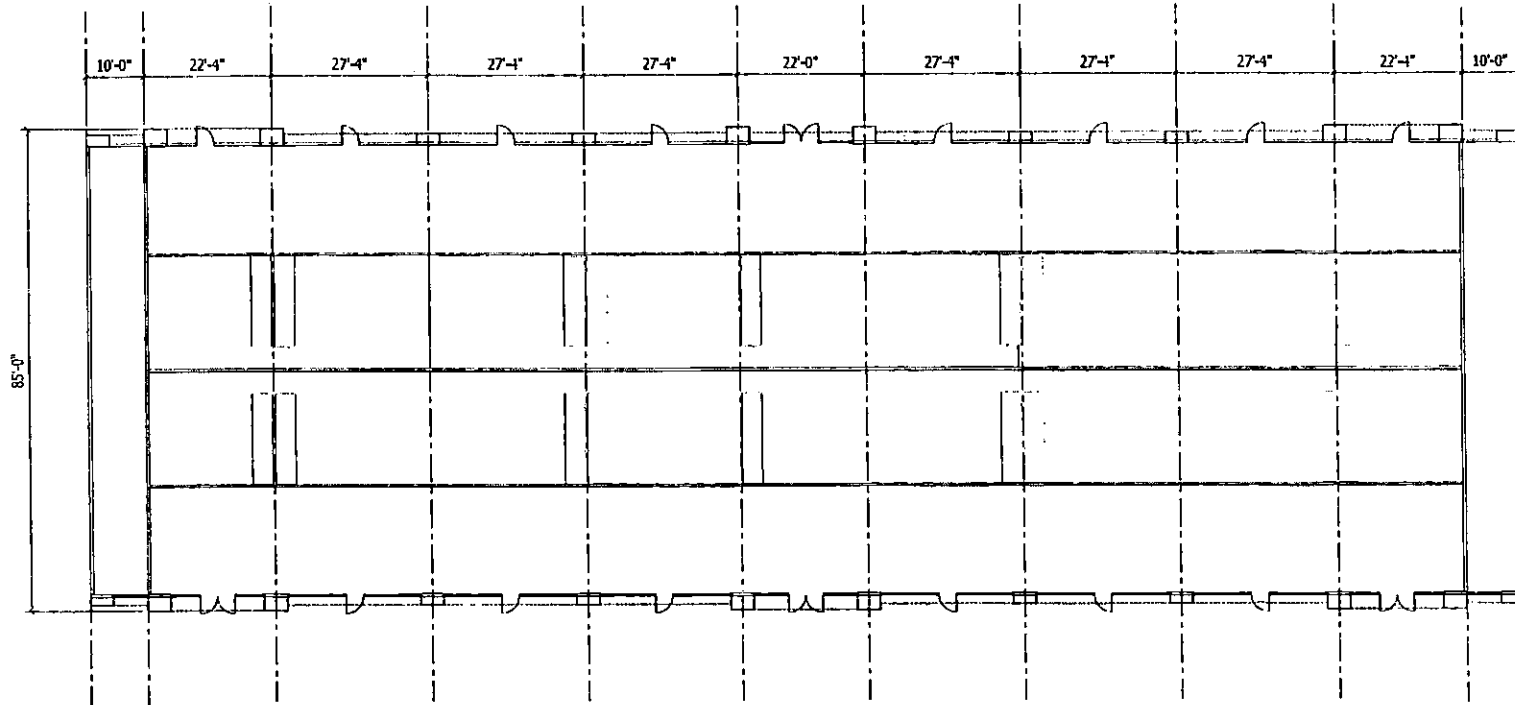


JAMES C. SMITH ARCHITECTS, INC.
1033 PARK LANE, EAST TOWN, NEW YORK 10918
(845) 413-1400

NOT TO SCALE
FOR INFORMATION ONLY
DO NOT CONSTRUCT
BASED ON PRELIMINARY
DESIGN ONLY
NO GUARANTEE
NO LIABILITY
NO WARRANTY
NO REPRESENTATION
NO CONTRACT
NO AGREEMENT
NO OBLIGATION
NO COMMITMENT
NO BINDING
NO ESTABLISHMENT
NO CREATION
NO FORMATION
NO CONSTRUCTION
NO COMPLETION
NO FINISH
NO END

SDR-18657
01/25/07 PC

RECEIVED
DEC 11 2006



PRELIMINARY MEZZANINE FLOOR PLAN - Office - 8,264 SF

SMOKE RANCH-BUFFALO

JAMES E. STON, ARCHITECT, INC.
1655 PINE LANE, LEXINGTON, NEVADA 89114
(702) 433-1100

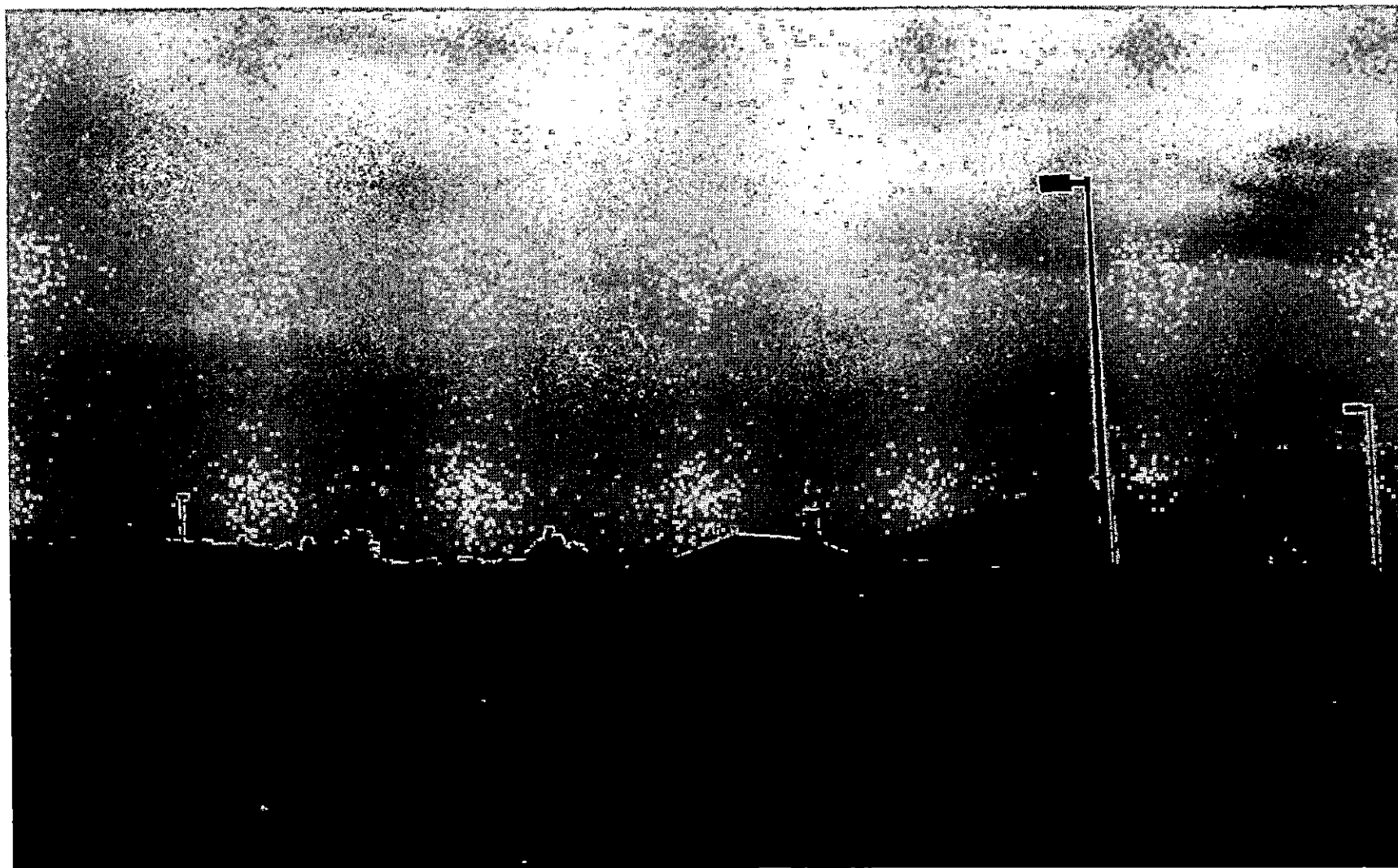
SDR-18657
01/25/07 PC

SDR 18657				
Smoke Ranch Development, LLC				
SS Smoke Ranch, E of Buffalo				
Proposed 40.971 thousand square foot office building.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	40.971	11.01	451
AM Peak Hour			1.55	64
PM Peak Hour			1.49	61
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Smoke Ranch Road				
Average Daily Traffic (ADT)	16,510			
PM Peak Hour	1321			
(heaviest 60 minutes)				
Buffalo Drive				
Average Daily Traffic (ADT)	35,390			
PM Peak Hour	2831			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
Adjacent street ADT				
Capacity				
Smoke Ranch Road	32585			
Buffalo Drive	51700			
This project will add approximately 451 trips per day on Smoke Ranch and Buffalo. This will increase expected volumes by about three percent on Smoke Ranch and about two percent on Buffalo. Smoke Ranch is at about 51 percent of capacity and Buffalo is at about 68 percent of capacity.				
Based on Peak Hour use, this development will add roughly 61 additional cars into the area; which works out to about one every minute.				
Note that this report assumes all traffic from this development uses all named streets.				



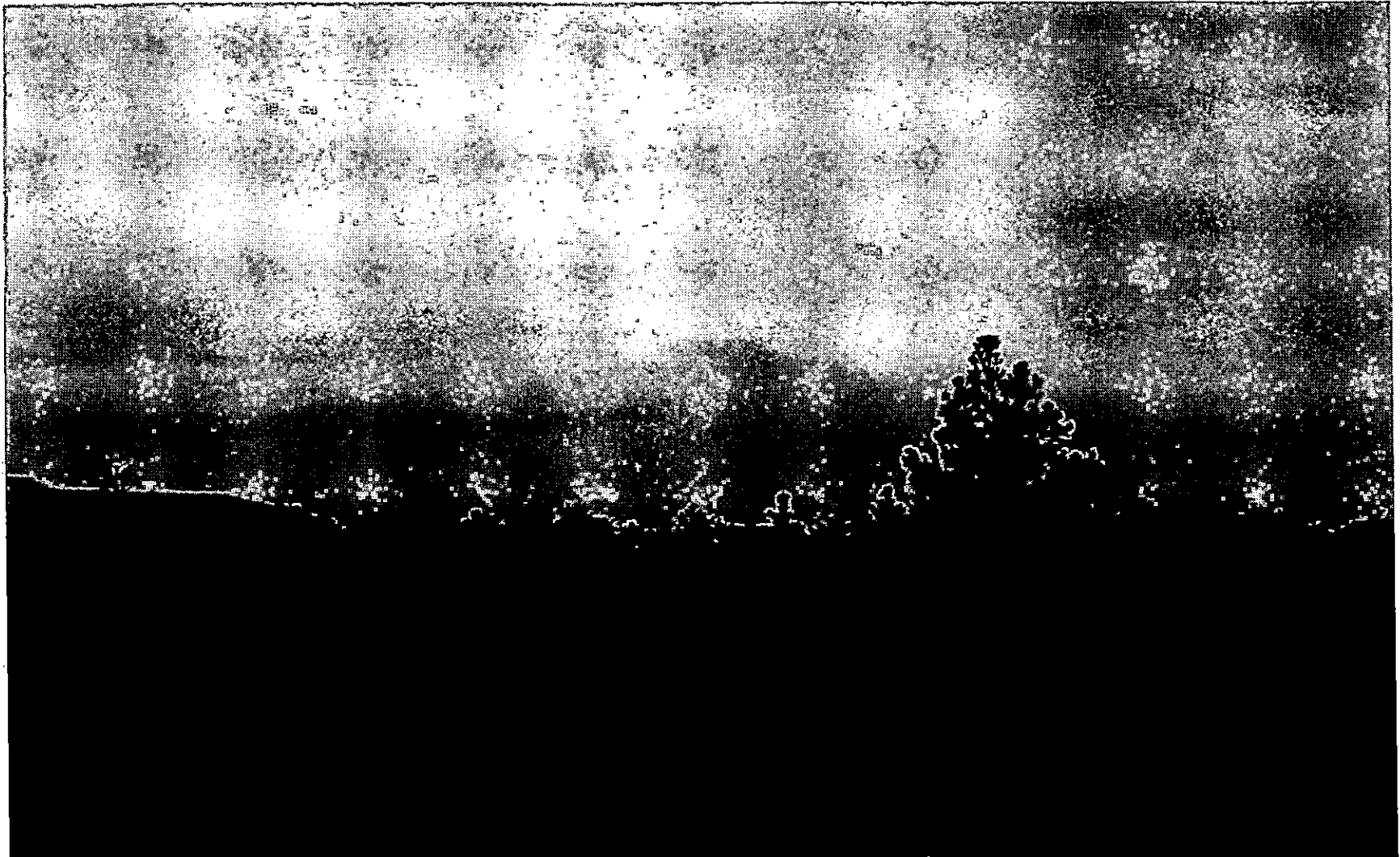
ZON-18753 & SDR-18657 - APPLICANT/OWNER: SMOKE RANCH DEVELOPMENT, LLC
SOUTH SIDE OF SMOKE RANCH ROAD, APPROXIMATELY 1,300 FEET EAST OF BUFFALO DRIVE
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06



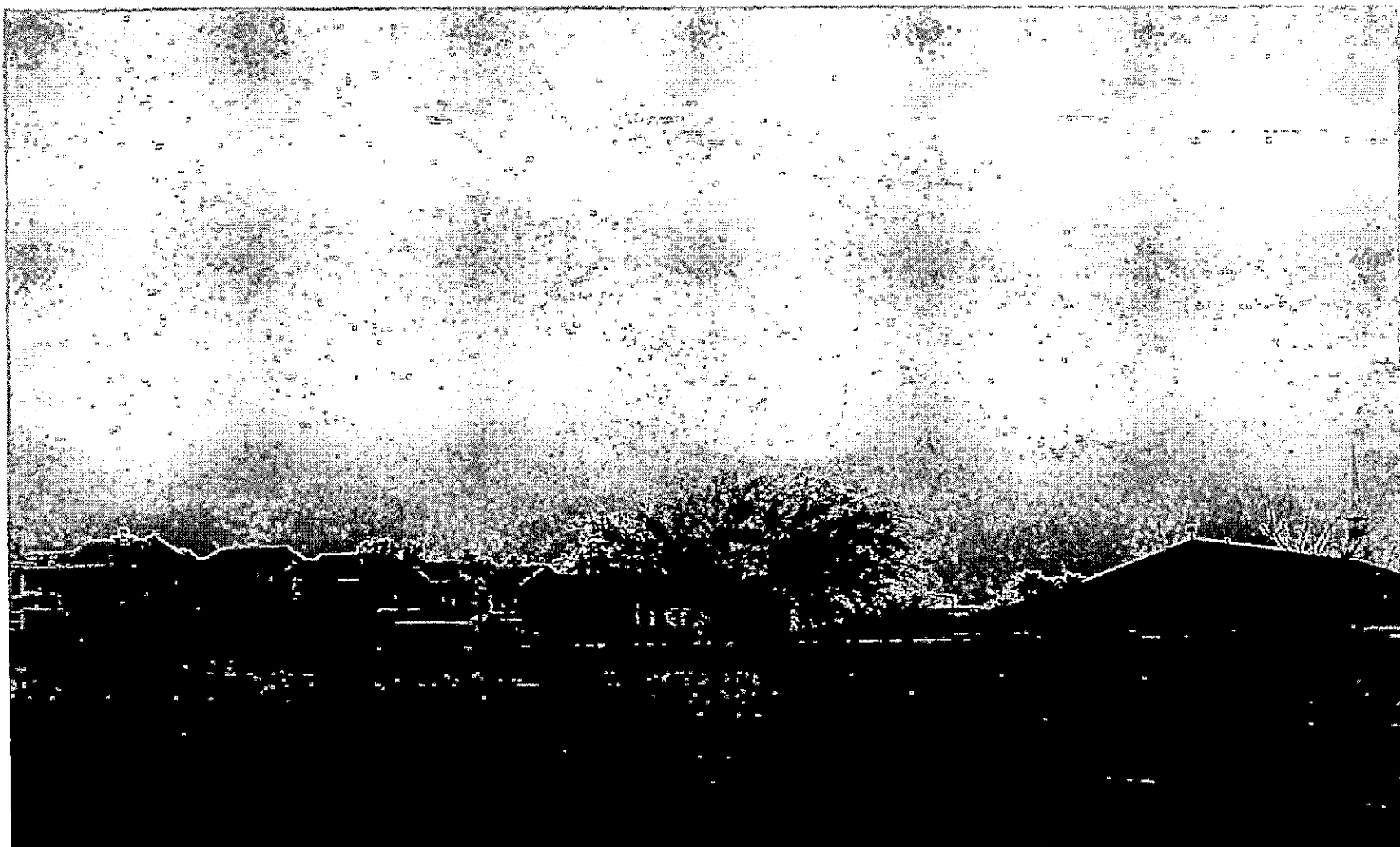
ZON-18753 & SDR-18657 - APPLICANT/OWNER: SMOKE RANCH DEVELOPMENT, LLC
SOUTH SIDE OF SMOKE RANCH ROAD, APPROXIMATELY 1,300 FEET EAST OF BUFFALO DRIVE
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06



ZON-18753 & SDR-18657 - APPLICANT/OWNER: SMOKE RANCH DEVELOPMENT, LLC
SOUTH SIDE OF SMOKE RANCH ROAD, APPROXIMATELY 1,300 FEET EAST OF BUFFALO DRIVE
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06



ZON-18753 & SDR-18657 - APPLICANT/OWNER: SMOKE RANCH DEVELOPMENT, LLC
SOUTH SIDE OF SMOKE RANCH ROAD, APPROXIMATELY 1,300 FEET EAST OF BUFFALO DRIVE
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06

December 12, 2006

Ms. Margo Wheeler
Director, Planning and Development Department
City of Las Vegas
731 South 4th Street
Las Vegas, NV. 89101

RE: Justification Letter for Revised Park View Lofts- Site Development Plan
Review; APN: 138-22-102-004

Dear Ms. Wheeler:

On behalf of our client, Great American Capital, please accept this justification letter for a site plan review for a proposed office building located near the intersection of Smoke Ranch Road and Buffalo. The original approval was for a three story, 35 foot high mixed use project. The project has been redesigned to eliminate the residential portion of the development. It is now a 40,971 square foot office building. A variance to allow a third story and waivers to lot width and perimeter landscaping were approved by the City Council on May 17, 2006.

SITE DEVELOPMENT PLAN REVIEW

The criteria for review of site plans are contained in Title 19.18.050 of the Zoning Ordinance. They are:

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

This office building is compatible with the established commercial/light industrial research, parks, educational and residential land use patterns of the surrounding area.

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



SDR-18657
01/25/07 PC

There are no additional waivers or variances associated with this application. A variance to allow a third story and waivers to perimeter landscaping and lot width were previously approved. Additional parking has been added to ensure compatibility with the surrounding land uses.

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

There is one street connect to Smoke Ranch, which has adequate capacity to accommodate traffic for the proposed professional office building.

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

The building elevations have not substantially changed from the previous approval. It will be an attractive addition to this area of the City. Substantive landscaping is provided along the perimeter and parking areas of the project.

SUMMARY

In summary, we believe the changes made to this project make it harmonious and compatible with the surrounding area. It is an attractive professional office building that will bring needed services to the area.

We respectfully ask for your favorable consideration of this project. Please contact our office if you have any questions or need additional information.

Sincerely,

for *Melissa Watter*
David Clapsaddle
Planning Director

DWC: mw

SDR-18657
01/25/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 25, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

WVR-18085 - WAIVER - PUBLIC HEARING - APPLICANT/OWNER: JOSE LOPEZ -
Request for a Waiver to Title 18.12.160 TO ALLOW 180 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED at the southeast corner of Maverick Street and Jo Marcy Drive (APN 125-14-506-001), R-E (Residence Estates) Zone, Ward 6 (Ross).

C.C.: 02/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Abeyance request by Lana Manning for Items 54 and 55

MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 26 [ZON-17248], Item 27 [SDR-17249], Item 31 [ZON-17693], Item 32 [SDR-17694], Item 35 [ZON-18196], Item 36 [SDR-17727], Item 54 [WVR-18085], Item 55 [SUP-18084] and Item 65 [SUP-18691] to 02/08/2007; Item 24 [ZON-17304], Item 25 [SDR-18676], Item 37 [VAR-18345], Item 60 [VAR-18984] and Item 61 [SDR-18693] to 02/22/2007; Item 38 [GPA-18776] and Item 44 [GPA-19066] to 03/08/2007; TABLE Item 2 [SDR-15322], Item 33 [VAR-17732] and Item 34 [SDR-17730]; and WITHDRAW WITHOUT PREJUDICE Item 66 [SDR-18677] – UNANIMOUS

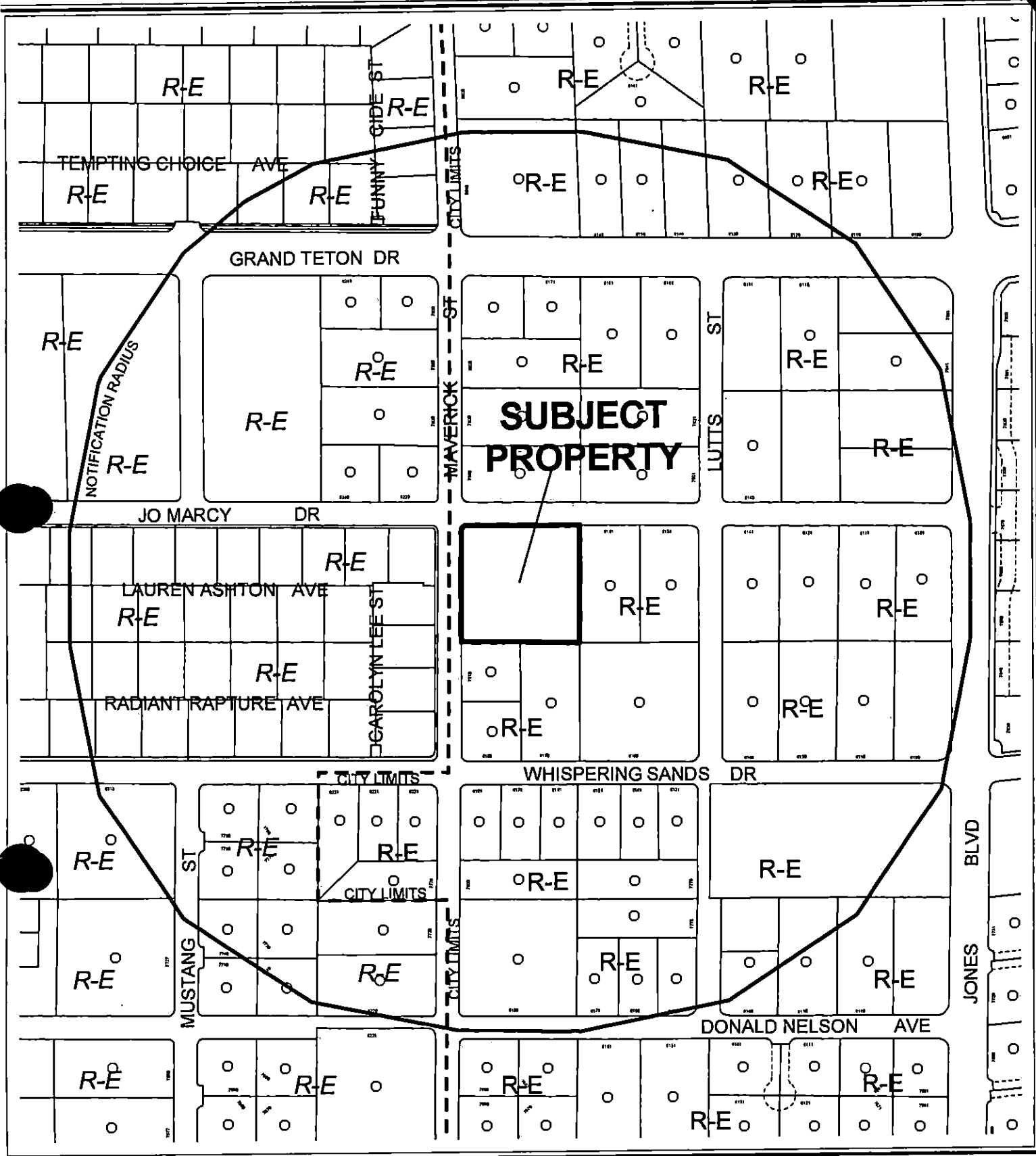
PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 54 – WVR-18085

MINUTES:

Item 26 [ZON-17248], Item 27 [SDR-17249], Item 31 [ZON-17693], Item 32 [SDR-17694], Item 35 [ZON-18196], Item 36 [SDR-17727], Item 54 [WVR-18085], Item 55 [SUP-18084] and Item 65 [SUP-18691] were requested to be held in abeyance to the 02/08/2007 Planning Commission meeting.

(6:04 – 6:07)

1-66



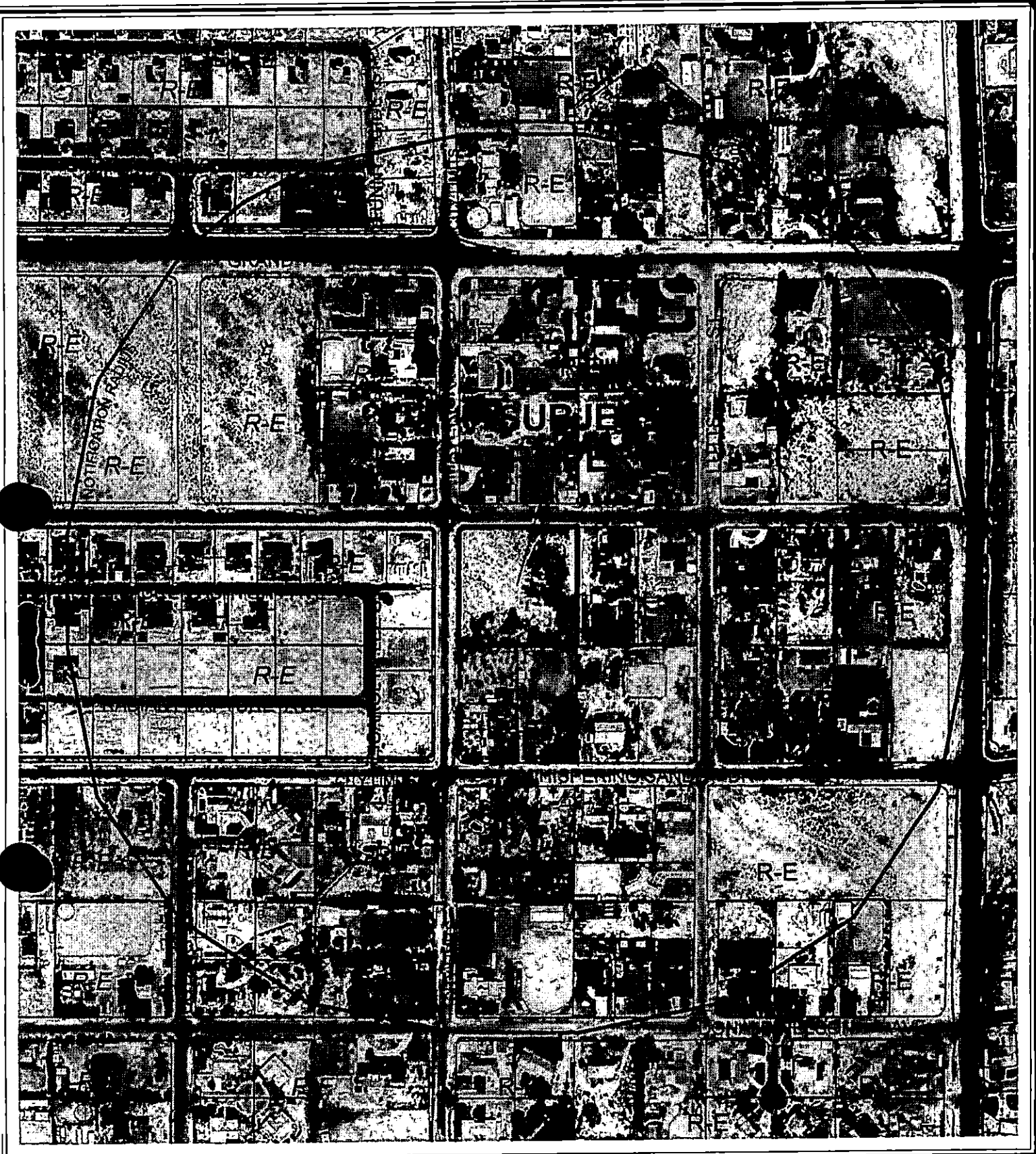
CASE: **WVR-18085**

RADIUS: 1000 FT

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

0 400 Feet





CASE: **WVR-18085**

RADIUS: 1000 FT

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

0 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 25, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: WVR-18085 – APPLICANT/OWNER: JOSE LOPEZ

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-18084) shall be required, 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.

RTS

WVR-18085 - Staff Report Page One
January 25, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Waiver to Title 18.12.160 to allow approximately 180 feet between street intersections where 220 feet is the minimum distance separation required adjacent to the southeast corner of Maverick Street and Jo Marcy Drive. This intersection is needed to provide the entrance to a four-lot single-family residential subdivision.

The applicant indicates that the proposed entrance from Maverick Street would be compatible with the rural area and the limited scope of this project. Staff is recommending approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/09/06	Staff received a Parcel Map (PMP-13512) for review for a four lot parcel map. This is an administrative review pending approval of this wavier of Title 18.12.160 and a Special Use Permit (SUP-18084) for private streets.
01/25/07	A companion Special Use Permit (SUP-18084) will be heard concurrently with this item.
<i>Related Building Permits/Business Licenses</i>	
This is an undeveloped lot with no building permits or business licenses related to this project approved or under review.	
<i>Pre-Application Meeting</i>	
09/05/06	A pre-application was held and elements of this application were discussed. It was noted that the justification letter should include specifics about the intersection separation and that it should indicate whether the wavier is acceptable to Traffic Engineering and Fire Engineering. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.08

WVR-18085 - Staff Report Page Two
January 25, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Single-Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Single-Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Single-Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	Single-Family Residential	Clark County (RNP)	Clark County

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	20,000 SF	21,084 SF	Y
Min. Lot Width	100 Feet	141 Feet	Y
Min. Setbacks			
• Front	35 Feet *	>35 Feet	Y
• Side	10 Feet	>10 Feet	Y
• Corner	15 Feet	>15 Feet	Y
• Rear	35 Feet	>35 Feet	Y
Max. Building Height	2 Stories/35 Feet	2 Stories/35 Feet	Y

* Lots which front onto a public street shall maintain a minimum front yard setback of fifty feet. The minimum front setback for an attached, open porte-cochere is thirty feet. Lots which front onto a private street or a private access easement shall maintain a minimum setback of thirty feet from the edge of the private street access easement; provided, however, where such lots are located on a cul-de-sac or a street knuckle, the minimum front yard setback shall be twenty feet from the edge of the private street or access easement.

WVR-18085 - Staff Report Page Three
January 25, 2007 - Planning Commission Meeting

Existing Zoning	Permitted Density	Units Allowed
R-E (Residence Estates)	2.0 Units Per Acre	4 Units
Proposed Zoning	Permitted Density	Units Allowed
R-E (Residence Estates)	2.0 Units Per Acre	4 Units
General Plan	Permitted Density	Units Allowed
DR (Desert Rural Density Residential)	2.49 Units Per Acre	5 Units

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Number of Units	Parking Ratio	Required Parking		Provided Parking		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Single-Family Residential	4	2 Spaces/Dwelling Unit	8 Spaces	0 Spaces	8 Spaces	0 Spaces	Y
TOTAL (including handicap)	4	2 Spaces/Dwelling Unit	8 Spaces		8 Spaces		Y

Waivers		
Request	Requirement	Staff Recommendation
Wavier of Title 18.12.160: To allow 180 feet btw intersections	220 feet btw intersections	PW Recommends – Approval

ANALYSIS

This request is not a Zoning Code compliance issue but a request for a Waiver in Title 18.12.160 of the Subdivision Ordinance to allow approximately 180 feet between street intersections where 220 feet is the minimum distance separation.

Specifically, Title 18.12.160 states:

“Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred and twenty feet, measured from centerline to centerline. Intersections of streets providing service internally within a subdivision, where they do not intersect arterial or major streets, shall be offset a minimum of one hundred twenty five feet.”

WVR-18085 - Staff Report Page Four
January 25, 2007 - Planning Commission Meeting

Public Works has no objection to the request for a Waiver of Title 18.12.160 to allow 180 feet between street intersections where 220 feet is the minimum distance separation required for property located on the southeast corner of Maverick Street and Jo Marcy Drive.

Public Works notes that this site is the subject of a Special Use Permit (SUP-18084); all site-related conditions of approval are addressed with those actions. Staff is recommending approval as Public Works has no objection to this 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 proposed design does not appear to present turn conflicts, nor is it expected to hinder area traffic flows. The hardship generating the request for the Waiver is real, given the shape and location of the parcel and scale of the project; therefore, approval of the Waiver is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

ASSEMBLY DISTRICT

13

SENATE DISTRICT

9

WVR-18085 - Staff Report Page Five
January 25, 2007 - Planning Commission Meeting

NOTICES MAILED 92 [Mailed with SUP-18084]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **WVR-18085** APN: 125-14-506-001

Name of Property Owner: Jose Lopez

Name of Applicant: Lana Manning-Civilworks, Inc.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

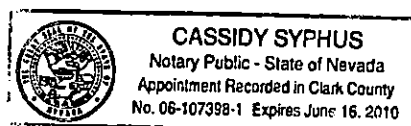
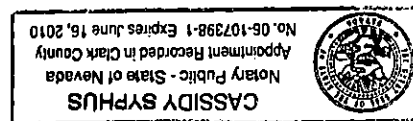
APN: _____

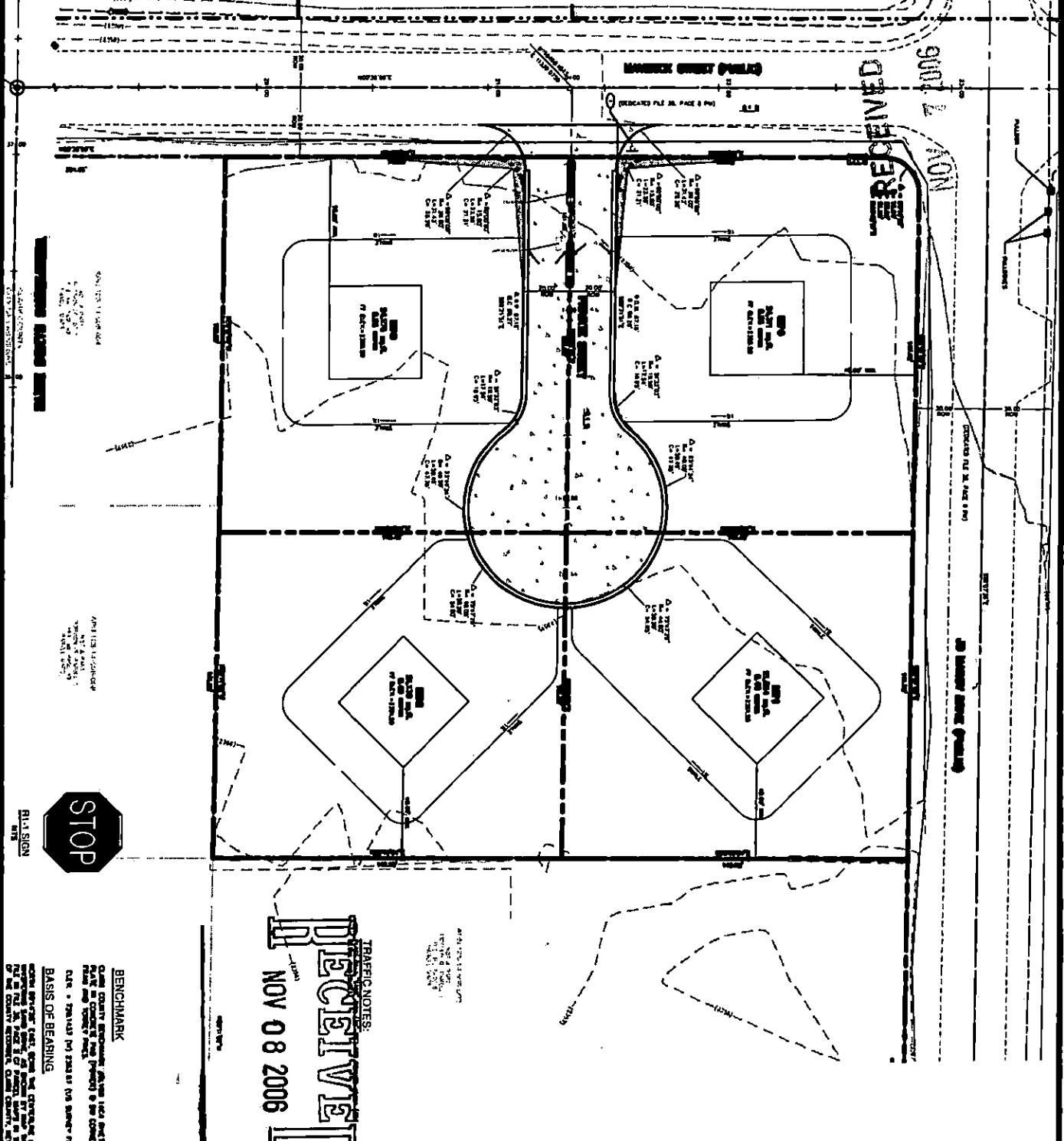
Signature of Property Owner: Jose Gilardo Lopez

Print Name: Jose Lopez

Subscribed and sworn before me

This 18 day of September 2006
Cassidy Syphus
Notary Public in and for said County and State



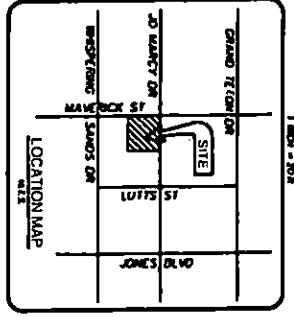
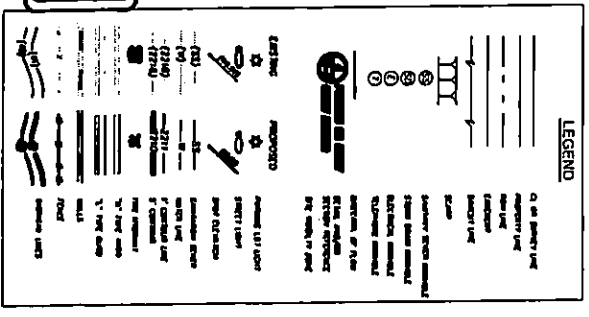


WVR-18085
01/25/07 PC

NOTE:
1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
2. ALL LOT AREAS ARE TO BE VERIFIED BY THE OWNER.
3. ALL LOT AREAS ARE TO BE VERIFIED BY THE OWNER.
4. ALL LOT AREAS ARE TO BE VERIFIED BY THE OWNER.

TRAFFIC NOTES:
1. ALL LOT AREAS ARE TO BE VERIFIED BY THE OWNER.
2. ALL LOT AREAS ARE TO BE VERIFIED BY THE OWNER.
3. ALL LOT AREAS ARE TO BE VERIFIED BY THE OWNER.
4. ALL LOT AREAS ARE TO BE VERIFIED BY THE OWNER.

LEGEND:
1. ALL LOT AREAS ARE TO BE VERIFIED BY THE OWNER.
2. ALL LOT AREAS ARE TO BE VERIFIED BY THE OWNER.
3. ALL LOT AREAS ARE TO BE VERIFIED BY THE OWNER.
4. ALL LOT AREAS ARE TO BE VERIFIED BY THE OWNER.



November 6, 2006

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

SUBJECT: REQUEST FOR WAIVER OF DEVELOPMENT STANDARDS
APN#-125-14-506-001

To Whom It May Concern:

We respectfully request your consideration for approval for the above-referenced application. This is a proposed 4 lot residential subdivision situated on approximately 2.08 acres, located at cross streets Jo Marcy and Maverick. The current zoning on this parcel is RE, which shall remain.

We are requesting a Waiver of Development Standards of Title 18, Section 18.12.160 Intersections-Length- Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred twenty feet from centerline to centerline. We are requesting an approval of a street length of 180' where 220' is required. City of Las Vegas Traffic and Fire are in support of this application. Given the size and shape of the subject parcel as well as the rural setting, conforming to this standard would place an undue burden on our Client.

Accompanying this application is also a Special Use Permit application and a Deviation from Standards.

Thank you for your consideration, please contact me at 876-3474 if you need additional information.

Respectfully,

CIVILWORKS, INC.



Lana Manning
Agency Processor

LJM:iam

RECEIVED
NOV 08 2006

Civil Works
Engineering with "sensible" solutions tailored to your "specific" needs.
7625 Dean Martin Drive, Suite #101 • Las Vegas, NV 89139-5975
Office: 702.876.3474 • Fax: 702.876.1323

WVR-18085
01/25/07 PC

January 24, 2007

Mr. Robert Summerfield
City of Las Vegas Planning
731 South Fourth Street
Las Vegas, NV 89101

Dear Robert:

I would like to request the following items be held from the upcoming Planning Commission meeting on January 25, 2007.

WVR-18085

SUP-18084

Please schedule these items to be heard at the next Planning Commission meeting scheduled for February 8, 2007.

If you need additional information, please contact me at 876-3474.

Respectfully,

CIVILWORKS, INC.


Lana Manning
Land Development Processor

Cc: Jose Lopez-Las Cabanas

LJM:iam

Submitted after final agenda

Date 1/25/07 Item #54-55

CivilWorks Inc
Engineering with "sensible" solutions tailored to your "specific" needs.
7825 Dean Martin Drive, Suite #101 • Las Vegas, NV 89139-5975
Office: 702.878.3474 • Fax: 702.876.1323

54-55

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 25, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-18084 - SPECIAL USE PERMIT RELATED TO WVR-18085 - PUBLIC HEARING -
APPLICANT/OWNER: JOSE LOPEZ - Request for a Special Use Permit FOR PRIVATE
STREETS at the southeast corner of Maverick Street and Jo Marcy Drive (APN 125-14-506-
001), R-E (Residence Estates) Zone, Ward 6 (Ross).

C.C.: 02/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – Motion to **HOLD IN ABEYANCE** Item 26 [ZON-17248], Item 27 [SDR-17249],
Item 31 [ZON-17693], Item 32 [SDR-17694], Item 35 [ZON-18196], Item 36 [SDR-17727],
Item 54 [WVR-18085], Item 55 [SUP-18084] and Item 65 [SUP-18691] to 02/08/2007; Item
24 [ZON-17304], Item 25 [SDR-18676], Item 37 [VAR-18345], Item 60 [VAR-18984] and
Item 61 [SDR-18693] to 02/22/2007; Item 38 [GPA-18776] and Item 44 [GPA-19066] to
03/08/2007; **TABLE** Item 2 [SDR-15322], Item 33 [VAR-17732] and Item 34 [SDR-17730];
and **WITHDRAW WITHOUT PREJUDICE** Item 66 [SDR-18677] – **UNANIMOUS**

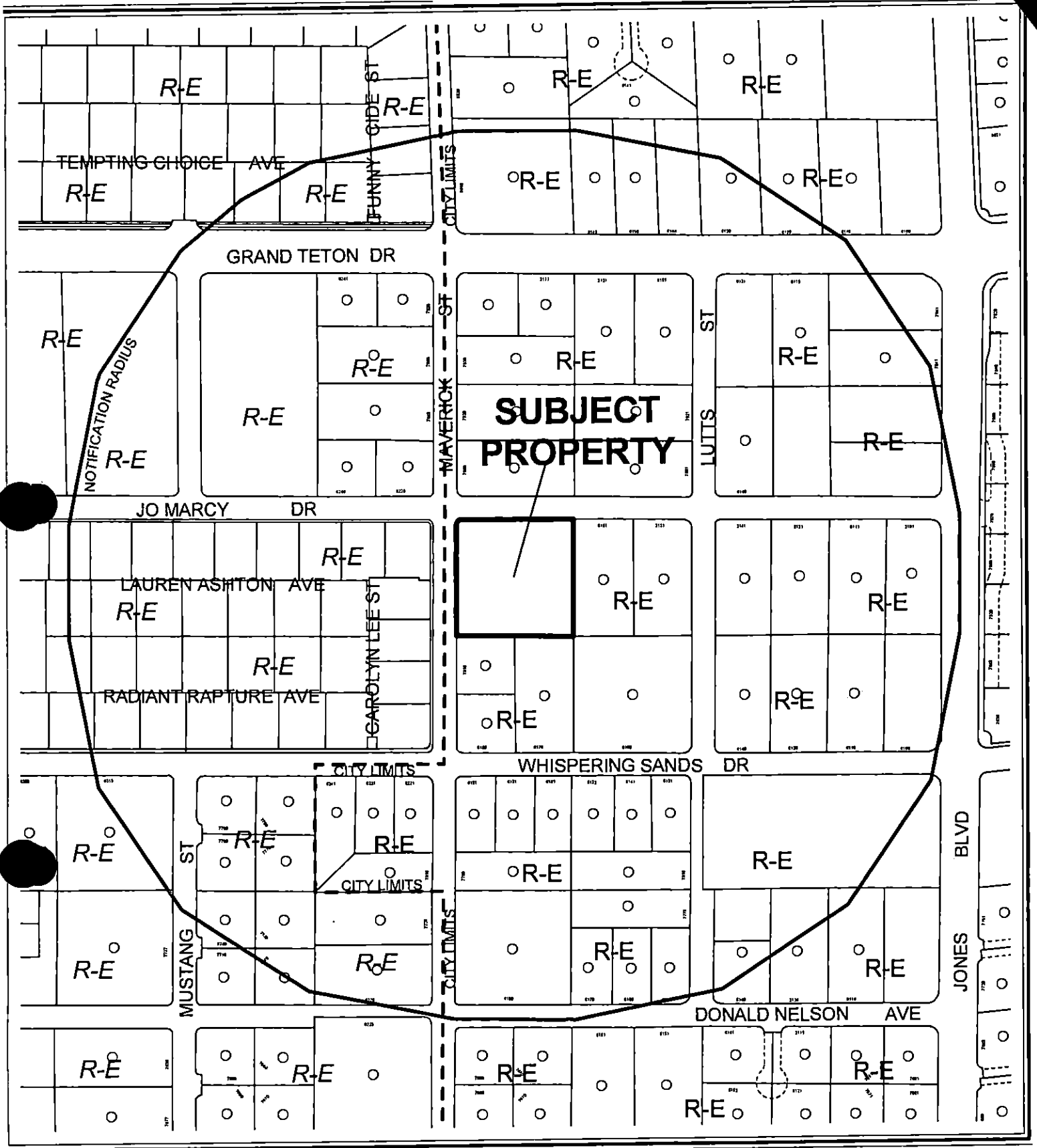
PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 55 – SUP-18084

MINUTES:

Item 26 [ZON-17248], Item 27 [SDR-17249], Item 31 [ZON-17693], Item 32 [SDR-17694], Item 35 [ZON-18196], Item 36 [SDR-17727], Item 54 [WVR-18085], Item 55 [SUP-18084] and Item 65 [SUP-18691] were requested to be held in abeyance to the 02/08/2007 Planning Commission meeting.

(6:04 – 6:07)

1-66



CASE: **SUP-18084**

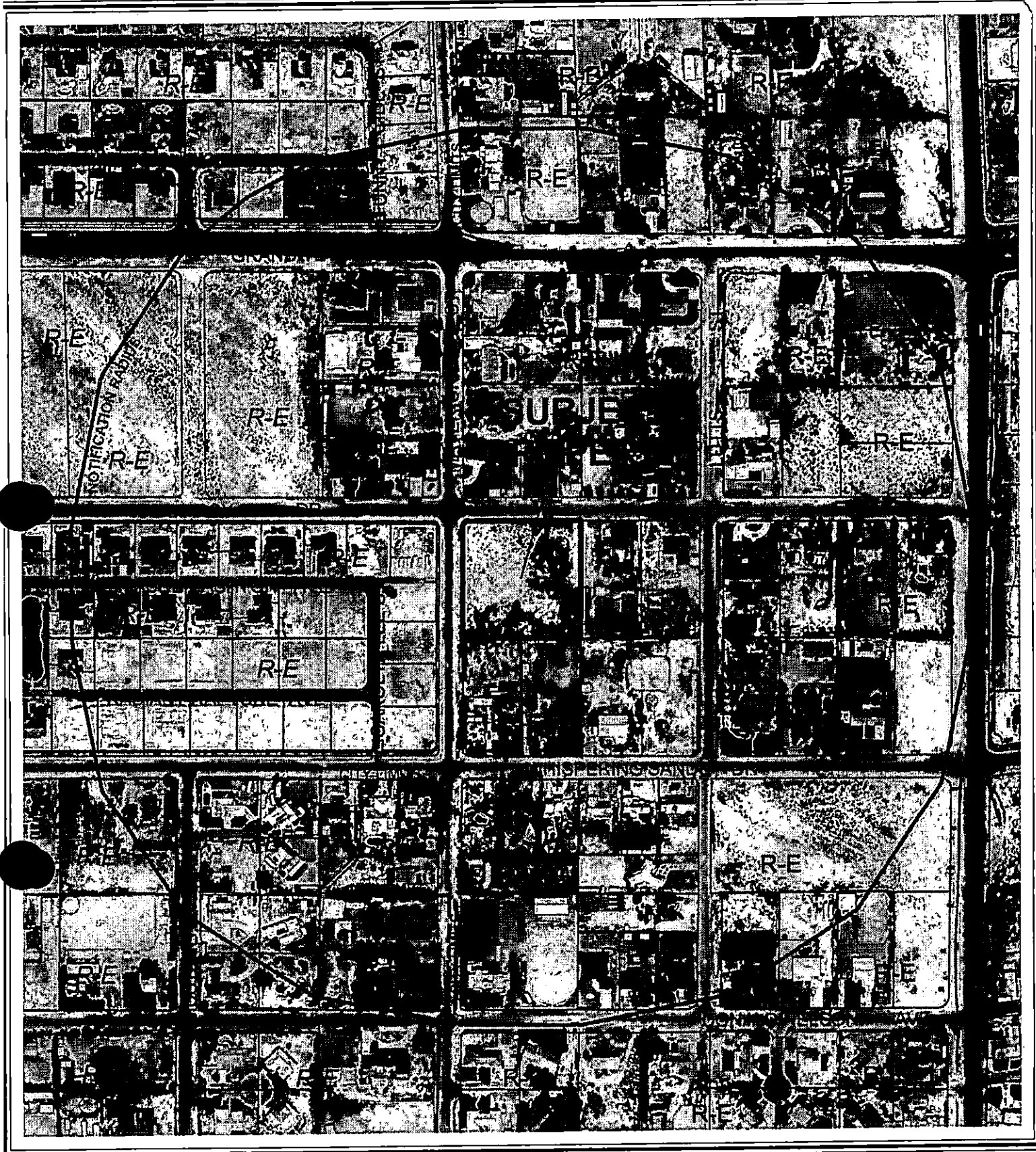
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

0 400 Feet





0 400 Feet

CASE: SUP-18084

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)



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

PLANNING COMMISSION MEETING DATE: JANUARY 25, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-18084 – APPLICANT/OWNER: JOSE LOPEZ

**** CONDITIONS ****

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

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04 for Private Streets use.
2. Approval of and conformance to the Conditions of Approval for Waiver (WVR-18085) and Parcel Map (PMP-13512) shall be required.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

5. The private street shall be granted as a public utility easement (P.U.E), City of Las Vegas public sewer easement and public drainage easement to be privately maintained by the Homeowners' Association.
6. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All private improvements and landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
7. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a 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.

RTS

SUP-18084 - Staff Report Page One
January 25, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for Private Streets in a single-family subdivision adjacent to the southeast corner of Maverick Street and Jo Marcy Drive. The project would create a four-lot single-family subdivision with access from Maverick Street.

This is a proposal for a new development with no existing streets and therefore unlike the conversion to private streets within an existing residential subdivision which is a Conditional Use, a Special Use Permit is required. The Private Streets use is not compatible with adjacent development, and therefore denial is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/09/06	Staff received a Parcel Map (PMP-13512) for review for a four lot parcel map. This is an administrative review pending approval of this Special Use Permit to allow the Private Streets use and a Wavier of Title 18.12.160 (WVR-18085).
01/25/07	A companion Wavier of Title 18.12.160 (WVR-18085) will be heard concurrently with this item.
<i>Related Building Permits/Business Licenses</i>	
This is an undeveloped lot with no building permits or business licenses related to this project approved or under review.	
<i>Pre-Application Meeting</i>	
09/05/06	A pre-application was held and elements of this application were discussed. It was noted that a wavier for intersection offsets was needed due to the 180 feet proposed offset where 220 feet is required. Additionally, it was noted that Traffic Engineering had no problem with the wavier of intersection separation and that the applicant must work with Fire Engineering regarding the gating of the private street. Further, Land Development discussed a drainage study and half-street improvements. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.08

RTS

SUP-18084 - Staff Report Page Two
January 25, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	DR (Desert Rural)	R-E (Residence Estates)
North	Single-Family Residential	DR (Desert Rural)	R-E (Residence Estates)
South	Single-Family Residential	DR (Desert Rural)	R-E (Residence Estates)
East	Single-Family Residential	DR (Desert Rural)	R-E (Residence Estates)
West	Single-Family Residential	Clark County (RNP)	Clark County

Existing Zoning	Permitted Density	Units Allowed
R-E (Residence Estates)	2.0 DUA	4 Units
Proposed Zoning	Permitted Density	Units Allowed
R-E (Residence Estates)	2.0 DUA	4 Units
General Plan	Permitted Density	Units Allowed
DR (Desert Rural)	2.49 DUA	5 Units

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

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" for the following reasons:

- 1) Any Special Use Permit within 500' of the City Boundary

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures is as follows:

- 1) Flood Control requires a technical drainage study of the subject project to address and mitigate the drainage impact to the vicinity areas. The drainage study must be prepared by a Nevada registered civil engineer and submitted to the City of Las Vegas Flood Control Division for review and approval.

RTS

SUP-18084 - Staff Report Page Three
January 25, 2007 - Planning Commission Meeting

- 2) Las Vegas Valley Water District has determined that the project will not have a significant impact on the capacity of the District's water supply system.
- 3) Wastewater collection system has determined that the project will have minimal impacts.

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	20,000 SF	21,084 SF	Y
Min. Lot Width	100 Feet	141 Feet	Y
Min. Setbacks			
• Front	35 Feet *	>35 Feet	Y
• Side	10 Feet	>10 Feet	Y
• Corner	15 Feet	>15 Feet	Y
• Rear	35 Feet	>35 Feet	Y
Max. Building Height	2 Stories/35 Feet	2 Stories/35 Feet	Y

* Lots which front onto a public street shall maintain a minimum front yard setback of fifty feet. The minimum front setback for an attached, open porte-cochere is thirty feet. Lots which front onto a private street or a private access easement shall maintain a minimum setback of thirty feet from the edge of the private street access easement; provided, however, where such lots are located on a cul-de-sac or a street knuckle, the minimum front yard setback shall be twenty feet from the edge of the private street or access easement.

Existing Zoning	Permitted Density	Units Allowed	Proposed Zoning	Permitted Density	General Plan	Permitted Density
R-E (Residence Estates)	2.0 Units/Acre	4 Units	R-E (Residence Estates)	2.0 Units/Acre	DR (Desert Rural)	2.49 Units/Acre

Pursuant to Title 19.10, the following parking standards apply:

Pursuant to Title 19.10, the following parking standards apply.

Parking Requirement							
Use	Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Single-Family Residential	4	2 Spaces Per Unit	8 Spaces	0 Spaces	8 Spaces	0 Spaces	Y
TOTAL (including handicap)	4	2 Spaces Per Unit	8 Spaces		8 Spaces		Y

RTS

SUP-18084 - Staff Report Page Four
January 25, 2007 - Planning Commission Meeting

Waivers		
Request	Requirement	Staff Recommendation
Waiver of Title 18.12.160: To allow 180 feet btw intersections	220 feet btw intersections	PW Recommends - Approval

ANALYSIS

This is a request for a Special Use Permit for Private Streets use in a single-family subdivision adjacent to the southeast corner of Maverick Street and Jo Marcy Drive. The conversion to private streets within an existing residential subdivision is a Conditional Use; however, because the proposed project is a new development with no existing streets, a Special Use Permit is required.

The project would create a four-lot single-family subdivision with entry to the site via a proposed private, gated entrance accessed from Maverick Street. The proposed internal street is a 40-foot wide private cul-de-sac.

The subject site is located within the Centennial Hills Sector of the General Plan. The site is categorized as DR (Desert Rural) under the General Plan with an R-E (Residence Estates) zoning designation. The DR (Desert Rural) designation allows a maximum of 2.49 dwelling units per gross acre. This category is a generally rural environment that permits greater privacy and some non-commercial raising of domestic animals. The zoning of R-E (Residence Estates) is in conformance with the DR (Desert Rural Density Residential) land use designation.

The site is located within the Rural Preservation Overlay District buffer area. The Rural Preservation Overlay District allows for a density of two units per acre. This project has a land use designation of DR (Desert Rural Density Residential), which allows a density of up to 2.49 units per acre. However, R-E (Residence Estates) zoning only allows a density of up to two units per acre which is in conformance with the provisions of this overlay district and is in keeping with the nature of the buffer area.

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Private Streets use. In the area, there are no existing gated private streets. Further, the Private Streets use is not compatible with adjacent development. Staff is recommending denial because of the incompatibility of the Private Streets use with adjacent development.

Conditions:

Private Streets [All Residential Districts]

- (1) Eligibility as Conditional Use. Private streets are permitted pursuant to the following provisions only if:

RTS

SUP-18084 - Staff Report Page Five
January 25, 2007 - Planning Commission Meeting

- (a) The streets are public streets within an existing subdivision that are proposed to be converted to private streets; and
 - (b) All the lots within the subdivision conform to the minimum lot size requirements of Title 19.
- (2) Design and Construction Standards. Unless otherwise approved by the City Council or otherwise provided by means of a specific regulation governing private streets, every private street shall conform to the same standards that govern the design and construction of public streets.
- (3) Access Restrictions. The entrances to all private streets must be marked with a sign stating that it is a private street. Guard houses, access control gates and cross arms may be constructed. All restricted access entrances shall be manned twenty-four hours every day or provide an alternative means of ensuring access to the subdivision by the City and other emergency and utility service providers with appropriate identification. If the association fails to maintain reliable access as required to provide City services, the City may enter the subdivision and remove any gate or device which is a barrier to access at the sole expense of the association. The association documents shall contain provisions in conformity with this paragraph which may not be amended without the written consent of the City.
- (4) Access Restricted Entrance Design Standards. Any private street which has access control gates or cross arms must be of a break-away design. A turn-around space must be located in front of any restricted access entrance to allow vehicles denied access to safely exit onto public streets. Any guardhouse, or other entry feature designed as a drive-through, must have a minimum clearance of fourteen feet in height above the road surface.
- (5) Streets Excluded. Streets shown on the Master Plan of Streets and Highways shall not be used, maintained, or constructed as private streets. Also, the department may deny the creation of any other private street if it is determined that the private street would have any of the following effects:
 - (a) Negatively affect traffic circulation on public streets;
 - (b) Impair access to property either on-site or off-site to the subdivision;
 - (c) Impair access to or from public facilities including schools, parks and libraries; or
 - (d) Delay the response time of emergency vehicles.
- (6) Property Owners' Associations Required. Subdivisions developed with private streets must have a mandatory property owners' association which includes all property served by private streets. The association shall own and be responsible for the maintenance of private streets and appurtenances. The association documents must establish a reserve fund for the maintenance of streets and other improvements. Such documents are subject to review and approval by the City to ensure that adequate provision for maintenance has been made.

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January 25, 2007 - Planning Commission Meeting

- (7) **Private Street Requirements.** Private streets must be located on property that is separately owned by a property owners' association or is subject to perpetual access easements running in favor of the owners of lots within the subdivision. Private streets must include provision for appropriate easements to be granted to the City and to other utility providers allowing necessary use and access for utilities and the maintenance thereof. The easements must also provide the City and protective service providers with the same right of access they would have if the streets were public streets.
- (8) **Waiver of Services.** The subdivision final map, property deeds and property owners association documents shall note that certain City services shall not be provided on private streets. Among the services which will not be provided are: routine police patrols, enforcement of traffic and parking ordinances, preparation of accident reports and other services which may not be reasonably or properly available within a particular development. All private regulatory signs shall conform to State of Nevada regulations.
- (9) **Special Use Permit.** In cases where a Special Use Permit is required to allow private streets that do not conform to the provisions of Paragraphs (1) through (5) above, the provisions of Paragraphs (1) through (8) above are minimum standards that shall presumptively apply to a Special Use Permit for this use. The prohibitions and requirements in Paragraphs (5) through (8) are not waivable in connection with a Special Use Permit 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."**

There are no existing gated private streets in the area. The 40-foot private street is not compatible with existing surrounding land uses.

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

The subject site is suitable for the forty foot (40') wide private street within the proposed four-lot residential subdivision.

RTS

SUP-18084 - Staff Report Page Seven
January 25, 2007 - Planning Commission Meeting

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

The proposed development will have access from Maverick Street, a 55-foot local street right-of-way, which will provide adequate ingress/egress for the proposed single-family development.

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

The proposed private streets will be subject to inspections for compliance to Title 18 (Subdivision Ordinance) requirements and to City design standards and therefore will not compromise the public health, safety and welfare or the overall objectives of the General Plan.

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 92 [Mailed with WVR-18085]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-18084** APN: 125-14-506-001

Name of Property Owner: Jose Lopez

Name of Applicant: Lana Manning-Civilworks, Inc.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

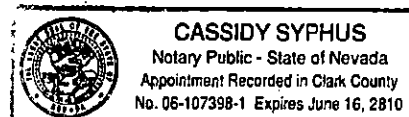
Signature of Property Owner: JOSE GILORDO LOPEZ

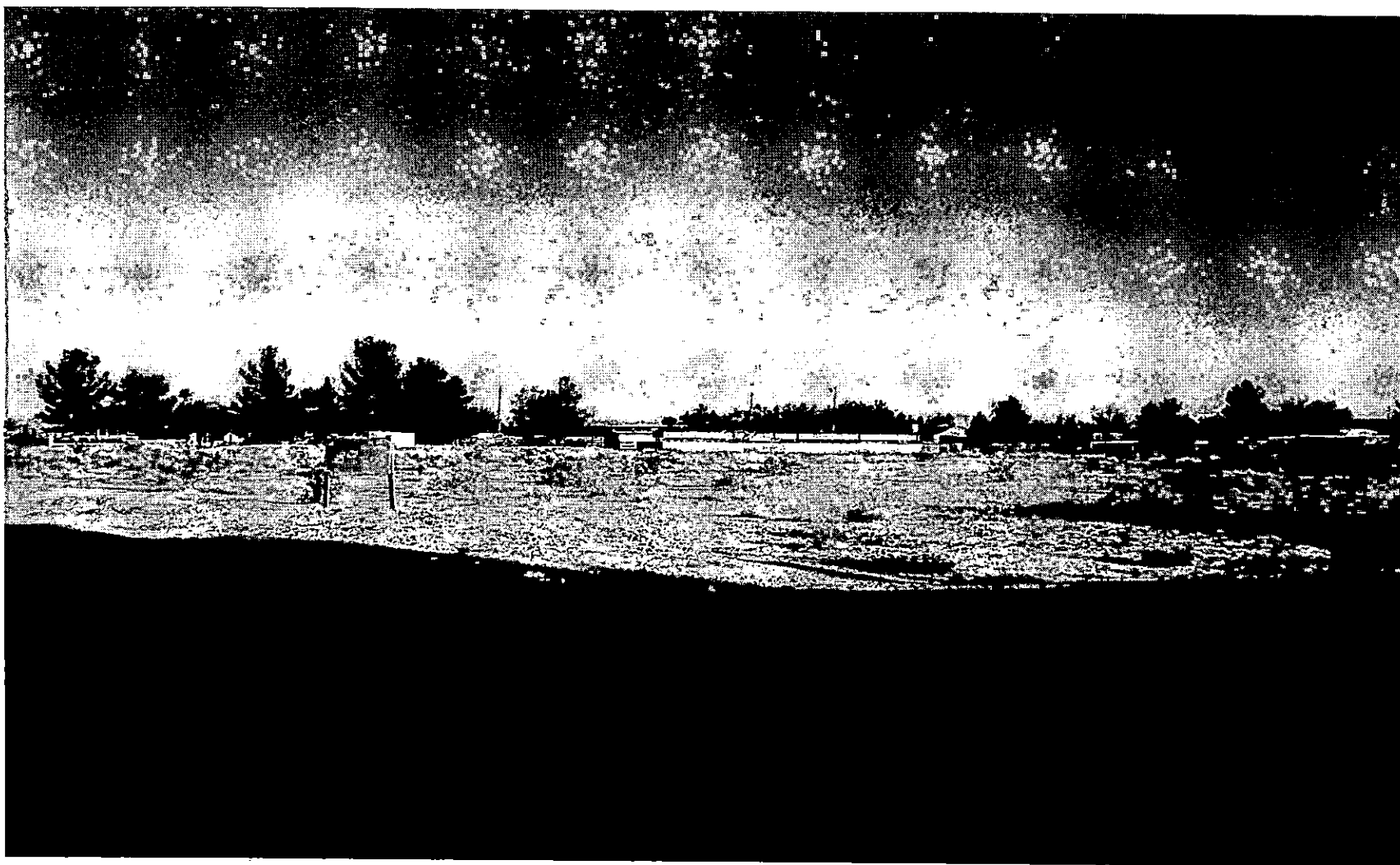
Print Name: Jose Lopez

Subscribed and sworn before me

This 18 day of September, 2006

Cassidy Syphus
Notary Public in and for said County and State





WVR-18085 & SUP-18084 - APPLICANT/OWNER: JOSE LOPEZ
SOUTHEAST CORNER OF MAVERICK STREET AND JO MARCY DRIVE
JANUARY 25, 2007 PLANNING COMMISSION

11/20/06



WVR-18085 & SUP-18084 - APPLICANT/OWNER: JOSE LOPEZ
SOUTHEAST CORNER OF MAVERICK STREET AND JO MARCY DRIVE
JANUARY 25, 2007 PLANNING COMMISSION

11/20/06

November 7, 2006

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

**SUBJECT: REQUEST FOR SPECIAL USE PERMIT
APN#-125-14-506-001**

To Whom It May Concern:

We respectfully request your consideration for approval for the above-referenced application. This is a proposed 4 lot residential subdivision situated on approximately 2.08 acres, located at cross streets Jo Marcy and Maverick. The current zoning on this parcel is RE, which shall remain.

On behalf of our Client, we are requesting a Special Use Permit to allow construction of a Private Street within a proposed gated subdivision. This being a gated community with access limited to the Homeowners and their guests, traffic on this street will be very minimal as there is no through access. We are requesting this Special Use Permit because we are not in conformance of the provisions outlined in Title 19.04 – Private Streets, paragraphs 1-5. Emergency vehicle access has been addressed through meetings with City of Las Vegas Fire Chief who is in agreement with this request.

Accompanying this application is a Waiver Of Development Standards application and a Deviation from Standards.

Thank you for your consideration, please contact me at 876-3474 if you need additional information.

Respectfully,

CIVILWORKS, INC.



Lana Manning
Agency Processor

LJM:iam

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NOV 08 2006

Civil Works

Engineering with "sensible" solutions tailored to your "specific" needs

7625 Dean Martin Drive, Suite #101 • Las Vegas, NV 89139-5971
Office: 702.876.3474 • Fax: 702.876.1323

**SUP-18084
01/25/07 PC**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 25, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-18669 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: TODD MORIN
- Request for a Variance TO ALLOW AN EXISTING NON-HABITABLE ACCESSORY STRUCTURE TO EXCEED THE HEIGHT OF THE PRINCIPLE DWELLING BY 1.5 FEET at 5901 Huff Mountain Avenue (APN 125-12-311-017), R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone, Ward 6 (Ross).

C.C.: 02/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

6

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

6

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letter
6. Approval Letter
7. Submitted after final agenda – Telephone approval by Christina Blose and support letter by Marvin D. Edwards
8. Submitted at meeting – Protest letter by Peter Vlassopoulos for Items 56 and 57

MOTION:

TRUESDELL – APPROVED subject to conditions – Motion carried with **STEINMAN** voting **NO**

To be heard by the City Council on 02/21/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open for Item 56 [VAR-18669] and Item 57 [SUP-18671].

ANDY REED, Department of Planning and Development, reported that building permits were issued for the garage and it is currently under construction; however, the height of the garage

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 56 – VAR-18669

MINUTES – Minutes:

exceeds the height of the home by one and a half foot which is not permissible. He recommended denial of the applications as there is no basis for support.

TODD MORIN, 5901 Huff Mountain Avenue, confirmed he received building permits and approved/stamped plans from the City's Building Department and verified that the structure complies with the approved plans. Prior to submittal of plans, MR. MORIN participated in a pre-review meeting at which time he was informed that the overall square footage was unacceptable, yet the current height issues were never discussed. MR. MORIN altered the plans to comply with the allowable square footage rather than advance his request for the allowance and proceeded to construct the garage. He stated that his neighborhood consists of one and two-story homes with a variation of casitas and garages alike and exhibited examples.

HARRY HALL, 8300 Tursi Lodge, appeared on behalf of the association and stated that there have not been any plans submitted to the architectural committee nor to the board as required. He expressed opposition to the non-conforming height of the structure and stated that the two-story garages depicted by MR. MORIN are allowable as their primary homes are two-story whereas MR. MORIN'S home is one story. MICHELLE EVANS, member of the Board of Directors for the homeowners association, concurred with MR. HALL'S comments.

DEPUTY CITY ATTORNEY BRYAN SCOTT announced that the City Council does not enforce private covenants that exist in CC&R's.

GRACIELA HERNANDEZ, 5909 Huff Mountain Avenue, appeared in support of the structure as she is his west adjacent neighbor. OSCAR MARTINEZ, 8212 Tursi Lodge Court, also supported the application. JERRY THREET, 5897 Huff Mountain Avenue, expressed understanding of the height chosen by MR. MORIN and supported the request as he hoped to build a similar structure in the future. MR. THREET stated that he would much rather have sight of an enclosed structure as opposed to store recreational equipment in backyards.

PETER VLASSOPOULOS, 5900 Castleberry Peak Avenue, submitted his letter of opposition and two other letters from equally concerned neighbors. He stated that during the construction of the framing he attempted to get in contact with MR. MORIN by way of his workers but was unsuccessful. His wife contacted the Building Department who confirmed the height was in excess of the Code; however, they were unsuccessful in taking action prior to further construction. He requested the Commissioners uphold the Code to avoid setting a precedent for other homeowners wishing to deviate from Code.

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 56 – VAR-18669

MINUTES – Minutes:

KRISTIN BUSHMAN, 5893 Huff Mountain, noted that she has already been directly affected by such accessory structures and though she lives in a two-story home, she requested the matter be denied. She inquired about the process of hierarchy between CC&R's and the City's Code and DEPUTY CITY ATTORNEY SCOTT confirmed they are separate and that the City does not enforce CC&R's. There is a private covenant that exists on that parcel which commits a homeowner to follow CC&R's and any recourse would be dealt with in court and not through the City.

SHERRY WATKINS, 5893 Taylor Valley Avenue, stated she agreed that accessory structures are more pleasant to see than recreational vehicles; however, rules and codes should be abided and enforced. She opposed the request.

MR. MORIN responded that he never anticipated so much conflict for his attempts to build an RV garage. He confirmed that he had obtained approval letters from the homeowners association as well as support from his adjacent neighbors and submitted them with his application. He expressed regret that he was unaware of MR. VLASSOPOULOS' attempt to speak with him about the structure.

COMMISSIONER TROWBRIDGE shared that his homeowners association disputed another owner's actions and incurred a \$50,000 lawyer's bill. After two years, the matter has yet to be resolved and the structure remains erected and in dispute. He advised that such disputes may not always be worth the lengthy time and fees associated with justifying the rules especially when there is an honest attempt to create something aesthetically pleasing. He stated that he would support the matter as it seems there was a human mistake made during the Building approval process.

COMMISSIONER DUNNAM concurred with COMMISSIONER TROWBRIDGE that a mistake was made. He supported the requests because had MR. MORIN been notified prior to construction, something differently could have resulted but the dispute is petty and not egregious. COMMISSIONER EVANS agreed and stated that he would be concerned if the structure were out of character than the rest of the neighborhood and properties.

COMMISSIONER GOYNES queried whether this type of mistake has been addressed amongst the Building and/or Planning Department so that it does not occur again. MARGO WHEELER, Director of Planning and Development, stated that the plans approved did have a note indicating that the structure could not exceed the height of the main building. Unfortunately, a Building Inspector would not visit the site unless there were framing completed and sheeting on the roof.

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 56 – VAR-18669

MINUTES – Minutes:

COMMISSIONER TRUESDELL stated that some best intentions result in an error. He expressed respect for the rights of the homeowner's association but thus far the structure architecturally matches the homes and he would support the matter.

CHAIRMAN DAVENPORT declared the Public Hearing closed for Item 56 [VAR-18669] and Item 57 [SUP-18671].

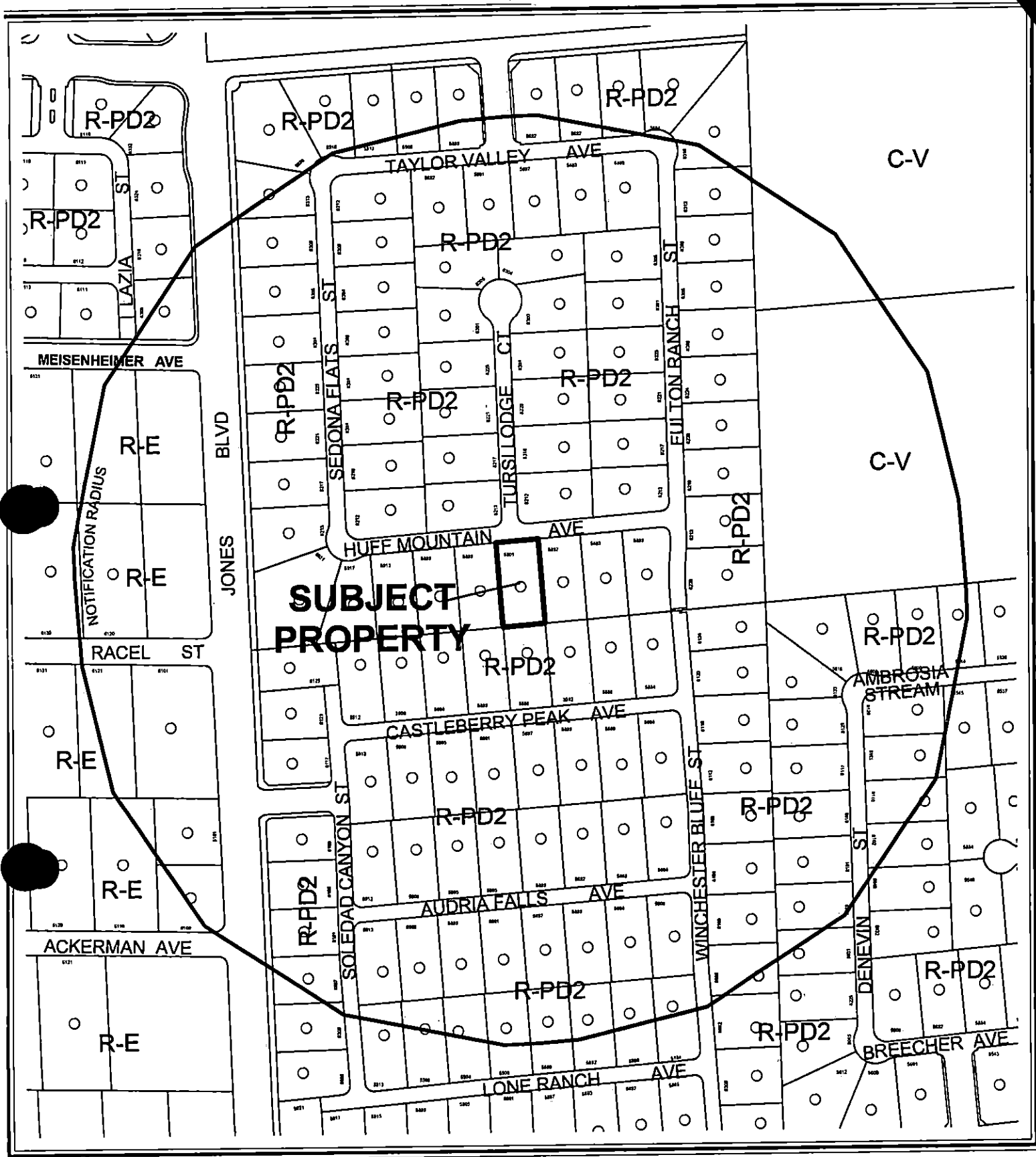
(8:15 – 8:45)

2-926

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-18671) shall be required.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

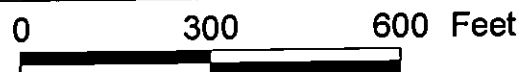


CASE: VAR-18669

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)





CASE: **VAR-18669**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)

0 300 600 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 25, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-18669 - APPLICANT/OWNER: TODD MORIN

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-18671) shall be required.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-18669 - Staff Report Page One
January 25, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Variance to allow an existing non-habitable accessory structure to exceed the height of the principal dwelling by 1.5 feet at 5901 Huff Mountain Avenue, east of North Jones Boulevard. The subject request is a companion item to Special Use Permit Application (SUP-18671).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
8/18/2006	Current Planning staff inadvertently approved project plan elevations and floor plans that depicted a non-habitable accessory structure that exceeds Title 19 height limit for accessory structures.
11/01/06	City Building Inspector conducted a site visit of the project location and determined the structure exceeded Title 19.08 height regulation for accessory structures. The applicant and building inspector reviewed the height measurement calculations of the existing single family residence and determined they were miscalculated.
<i>Related Building Permits/Business Licenses</i>	
10/03/2006	A Building Permit was issued for the construction of a 22 foot high non-habitable accessory structure located at 5901 Huff Mountain Avenue.
<i>Pre-Application Meeting</i>	
12/06/2006	A Pre-application meeting was held with the applicant. Planning staff advised the applicant of Title 19 regulations for non-habitable accessory structures and the requirement for a Special Use Permit and Variance.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was is not required for this type of application nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.46 acre site

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single-family Residential	DR (Desert Rural Density Residential)	R-PD2 (Residential Planned Development - 2 Units Per Acre)
North	Single-family Residential	DR (Desert Rural Density Residential)	R-PD2 (Residential Planned Development - 2 Units Per Acre)

VAR-18669 - Staff Report Page Two
January 25, 2007 - Planning Commission Meeting

South	Single-family Residential	DR (Desert Rural Density Residential)	R-PD2 (Residential Planned Development 2 Units Per Acre)
East	Single-family Residential	DR (Desert Rural Density Residential)	R-PD2 (Residential Planned Development - 2 Units Per Acre)
West	Single-family Residential	DR (Desert Rural Density Residential)	R-PD2 (Residential Planned Development - 2 Units Per Acre)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Iron Mountain Ranch	Y		Y
PD (Planned Development) District	Y		Y
Special Purpose and Overlay Districts			
Northwest Open space Plan District	Y		Y
Trails		N	Y
Rural Preservation Overlay District		N	Y
Development Impact Notification Assessment		N	Y
Project of Regional Significance		N	Y

DEVELOPMENT STANDARDS

The following Residential Development Standards of Title 19 – Section 19.08.040 apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Setbacks			
• Front	NA	-	-
• Side	3 feet	5 feet	Y
• Corner	NA	-	-
• Rear	3 feet	7 feet	Y
Min. Distance Between Buildings	6 feet	80	Y

VAR-18669 - Staff Report Page Three
January 25, 2007 - Planning Commission Meeting

Max. Lot Coverage	• No greater than the floor area of the principal dwelling unit. • Total ground floor areas of all accessory structures shall not cover more than 50 percent of the rear yard.	• Accessory Structure = 1,376 square feet; • Principal Dwelling = 2,432 square feet; 10 percent coverage of the rear yard.	Y
Max. Building Height	2 stories (35 feet maximum), or the height of the main structure - whichever is less.	22 feet (Primary structure is 20 feet)	N

ANALYSIS

The project requests a Special Use Permit to continue construction of an existing non-habitable accessory structure. The existing structure will be used as a garage for storage of a recreational vehicle. The requested Variance will allow the structure to exceed the height limitation of Title 19.08.

Current Planning Division inadvertently approved plan elevations and floor plans that do not conform to the accessory structures height regulations. Additionally, the Building Division of Development Services issued a Building Permit (No. 6006237) for the existing structure. A site inspection of the project determined the structure exceeds the height limit.

- **General Plan and Zoning**

The project is located within the Centennial Hills Sector Plan area and the Iron Mountain Ranch Master Plan area. The property is designated as DR (Desert Rural) and is zoned R-PD2 (Residential Planned Development - 2 Units Per Acre). The proposed garage is an acceptable use within the R-PD2 (Residential Planned Development - 2 Units Per Acre) zone per Title 19 – Sections 19.04.020 and 19.08.040.

- **Site Plan and Elevations**

The site plan depicts a 1,376 square foot building situated within the rear yard of an existing 20,000 square foot single family residential lot. The plan elevations show the main structure at a height of 20 feet. The existing accessory structure is constructed with a height of 22 feet. Per Title 19 development standards accessory structures are limited to 2 stories (35 feet) or no greater than the height of the main building. The structure is over the height restriction under Title 19.08 and as such staff recommends denial of the requested Variance (VAR-18669).

VAR-18669 - Staff Report Page Four
January 25, 2007 - Planning Commission Meeting

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship _by constructing a building over the height regulation for accessory structures. An alternative design with a overall height at or less than 20 feet would allow conformance to the Title 19.08 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. Staff recommends denial of the Variance request.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 152 [Mailed with SUP-18671]

APPROVALS 1

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-18669** APN: 125-12-311-017

Name of Property Owner: TODD K. MORIN

Name of Applicant: TODD K. MORIN

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: _____

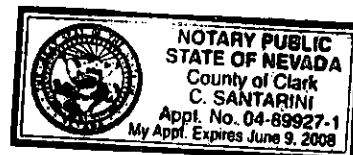
Signature of Property Owner: Todd K. M—

Print Name: TODD K. MORIN

Subscribed and sworn before me

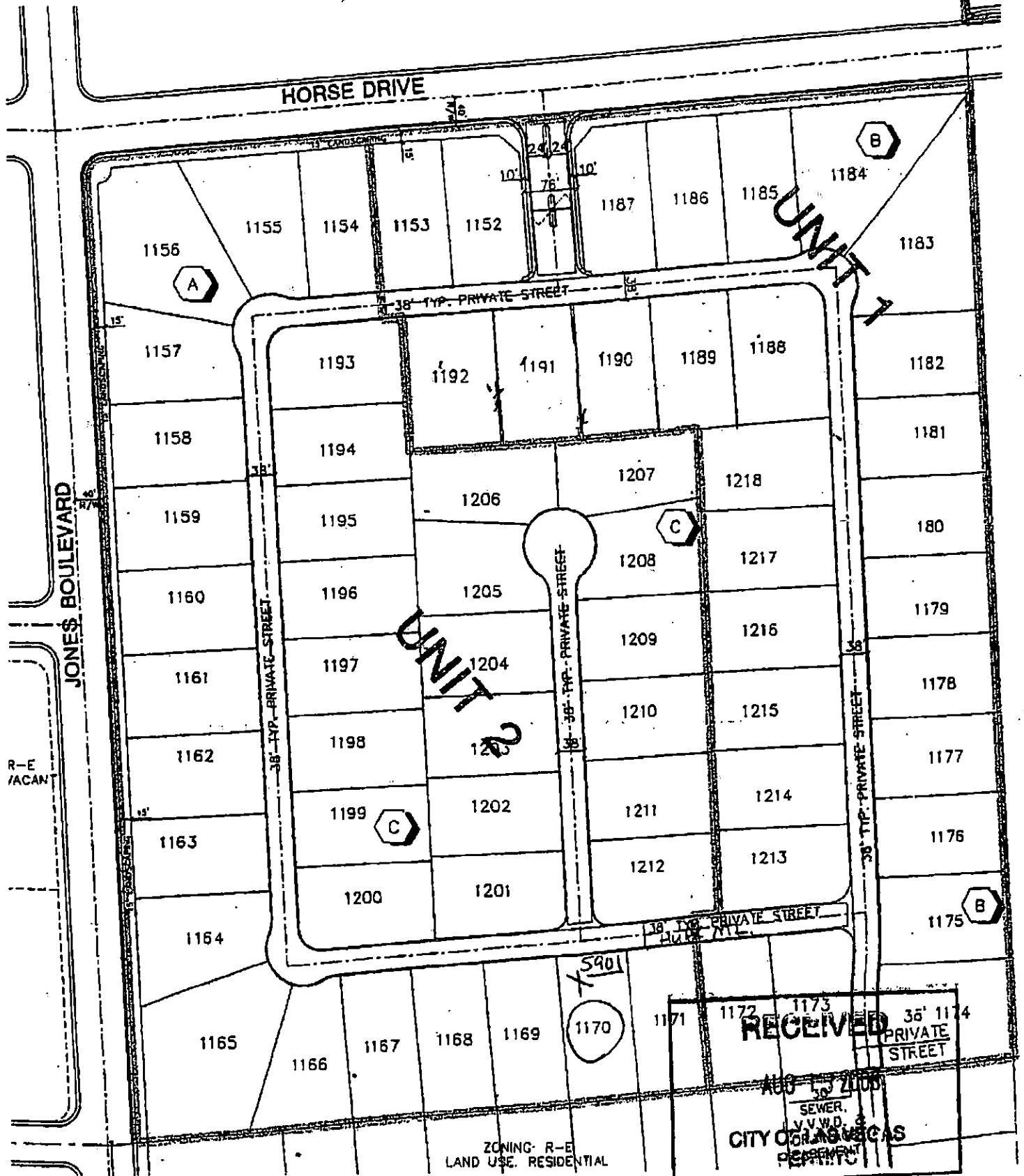
This 10 day of December, 2006


Notary Public in and for said County and State



(CLARK COUNTY)
E. VACANT

ZONING R-E (CLARK COUNTY)
LAND USE. VACANT

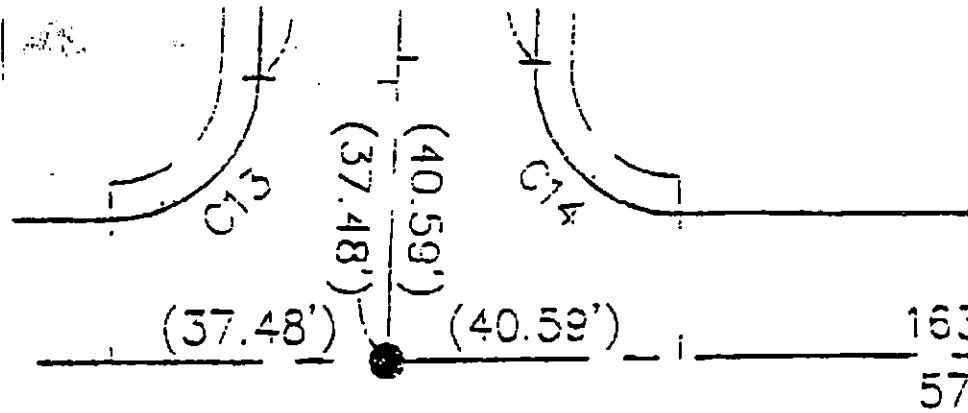


VAR-18669
01/25/07 PC

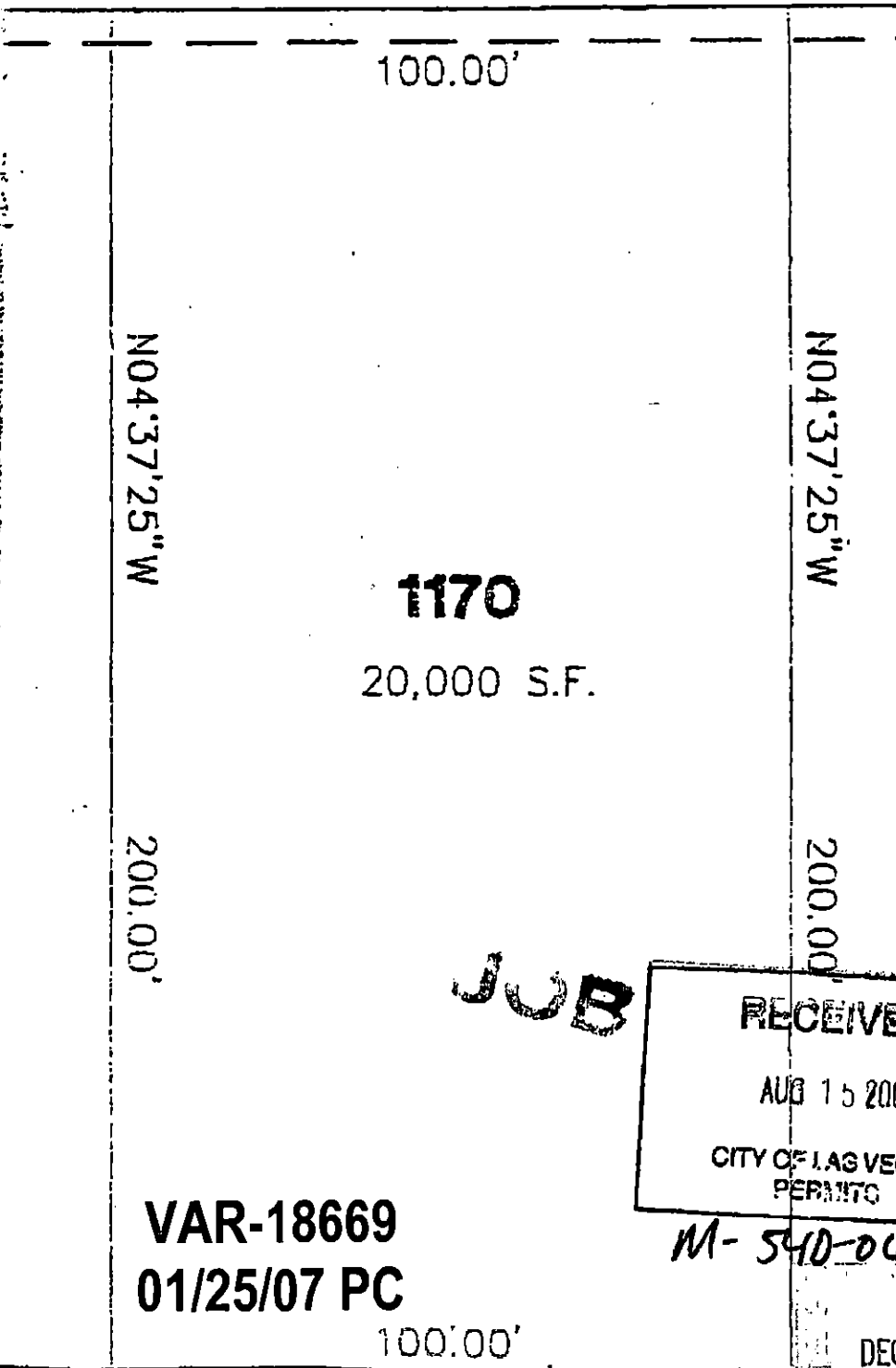
DEC 12 2006

JOB

M-540-06



HUFF MOUNTAIN AVE



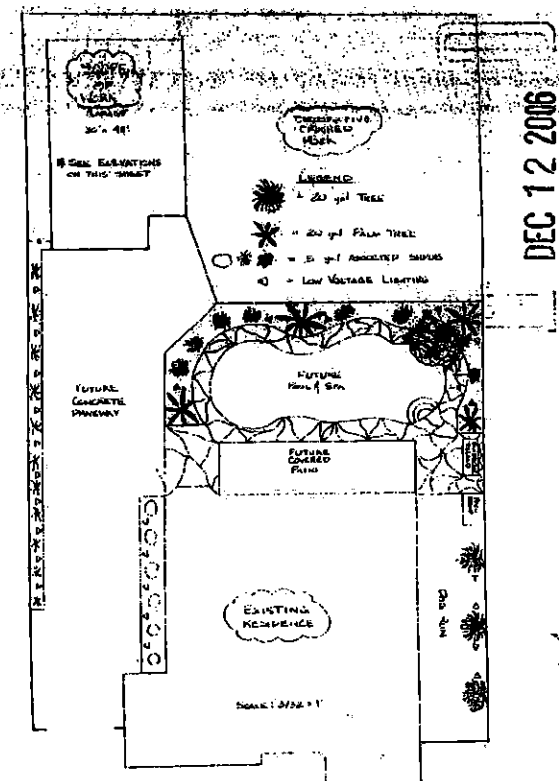
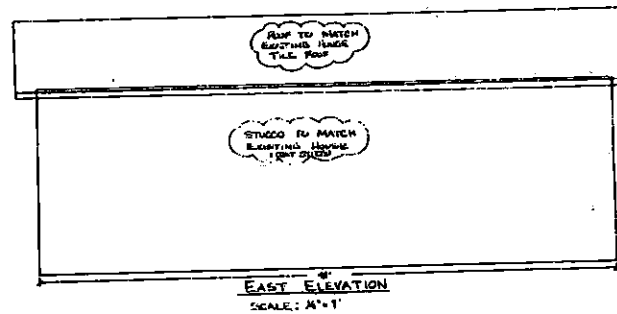
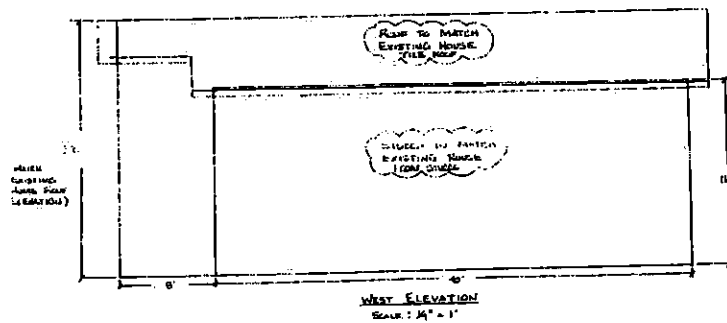
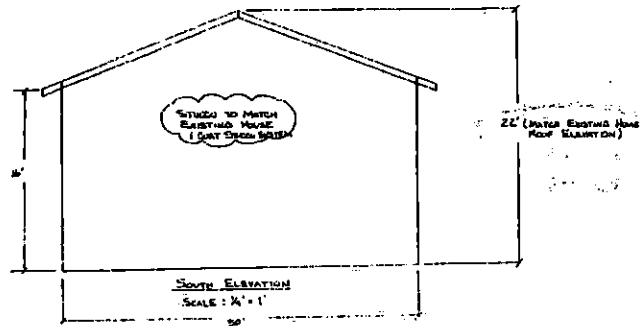
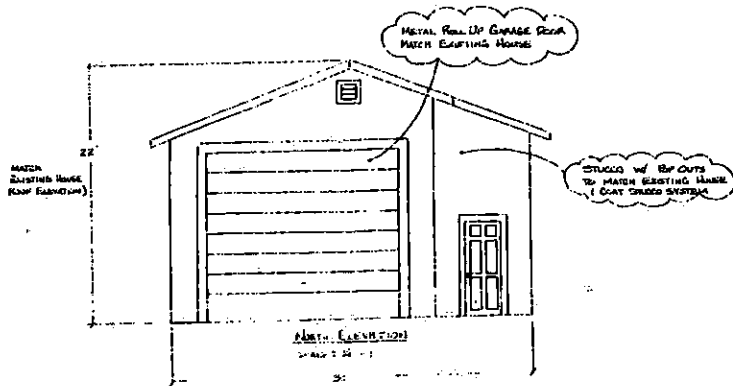
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RECEIVED
AUG 15 2008
CITY OF LAS VEGAS
PERMITS

M-540-06

VAR-18669
01/25/07 PC

DEC 12 2008



DEC 12 2006

11-540-06

AN ACCESSORY STRUCTURE
MUST BE AESTHETICALLY
COMPATIBLE WITH THE
PRINCIPAL DWELLING UNIT.

In Accordance with the City of Las Vegas

RECEIVED
NOV 12 2006
CITY OF LAS VEGAS
PLANNING DEPARTMENT

RECEIVED
NOV 12 2006
CITY OF LAS VEGAS
PLANNING DEPARTMENT

MORRIS RESIDENCE
DETACHED GARAGE &
BACK YARD LANDSCAPE
POOL DESIGN
JAMES MORRIS
1485 W. LAS VEGAS BLVD. SUITE 100
LAS VEGAS, NV 89102
OWNER/BUILDER
JAMES MORRIS

VAR-18669
01/25/07 PC

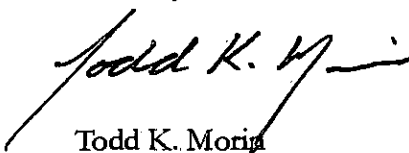
November 28, 2006

City of Las Vegas Planning and Development Department

Dear Sir or Madam:

My name is Todd K. Morin; I reside at 5901 Huff Mountain Ave, Las Vegas Nevada, 89131. I am currently building a detached RV garage at this address. I have submitted all of the required plans and paperwork and have been issued approved stamped plans and building permits from the City of Las Vegas Building Department. Permit No. 06006237 / Plans Check No. M-0540-06. The building that I am constructing is to be used to store a motor home and boat out of the elements. The building height is designed so that a standard type class A motor home will fit inside. My neighbor at 5889 Huff Mountain recently completed construction of an RV garage similar to the one that I am building, it is the same height but with a larger floor plan. Within our development there are both single story and two story homes, some with detached garages and two story casitas located in the backyards. The building is to be constructed with the same standard building materials as the existing home and is designed to architecturally match the existing home. The exterior of the garage will be stucco material painted to match the existing home. The roof of the garage will be constructed of roof tile that is an exact match to the existing home. The interior of the garage will be painted textured drywall. The garage door will be an exact match to existing. After completion of construction the perimeter around the detached garage will be landscaped. At this time the structural framing is complete with roof trusses and roof sheeting installed. As shown on the approved plans it was my design and intent to match the height of the existing home. It was brought to my attention on 11/01/06 by the City of Las Vegas Building inspector that my detached garage was in violation of the height requirements. Upon further investigation working in conjunction with the inspector it was concluded that the detached garage was built as per the approved plans but that the height of the existing home was miss-calculated. The existing house height is 20'-3" from top of foundation to top of roof framing. The detached garage is 21'-9" from top of foundation to top of roof framing. Both the house foundation and the detached garage foundation are at the exact same elevation. This leaves a 1'-6" difference. Therefore please accept this letter for consideration as a request for a zone variance for my detached RV garage currently on hold from any further construction.

Sincerely,



Todd K. Morin

VAR-18669
01/25/07 PC

DEC 12 2006

Telephone Protest/Approval Log

Meeting Date: 1/25/07

Case Number: 18669

Date: 1/17/07
Name: Izela Nejbauer
Address: 5544 Ambrosia Stream
Phone: 258-3295
☒ PROTEST ☐ APPROVE

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

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

Date: _____
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Date: _____
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Phone: _____
☐ PROTEST ☐ APPROVE

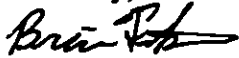
Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, Nevada 89109

To Whom It May Concern:

My name is Brian Fitzpatrick and I reside at 8016 Audubon Canyon St. Las Vegas, Nevada 89131 near the zone variance / special use permit (VAR-18669 / SUP-18671) property currently in review located at 5901 Huff Mountain Ave. Las Vegas, Nevada 89131. This letter states my formal approval of the construction of the detached RV Garage at this property and I have absolutely no issues concerning this.

Sincerely,



Brian Fitzpatrick

101-Phone Protest/Approval Log

Meeting Date: 1/25/07

Case Number: VAL-18669

Date: 1/22/07
Name: Christiana Blase
Address: 5917 Huff Mountain Ave
Phone: 838-0316
☐ PROTEST ☒ APPROVE

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

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

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

Date: _____
Name: _____
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☐ PROTEST ☐ APPROVE

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

Submitted after final agenda

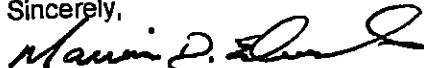
Date 1/25/07 Item # 56

To the Planning and Development Department: Case: VAR-18669

I Marvin D. Edwards Living at 5905 Huff Mountain Ave. Give my approval for Mr & Mrs Morin to continue to build even though it is a foot and a half taller then specs it is ok with me and my family who live right next door to Mr & Mrs Morin.

I would come in person but I have to work on the night of the meeting. I can be reached at anytime on my cell at 702-348-4791.

Sincerely,

 1/20/07

Marvin D. Edwards

Submitted after final agenda

Date 1/25/07 Item #56

1/24/07

City of Las Vegas Planning Commission

RE: 5901 Huff Mountain Ave.

APN #125-12-311-017

VAR-18669

SUP- 18671

Please accept this as a letter of protest against the above listed Special Use Permit and Variance.

Peter & Cindy Vlassopoulos
5900 Castleberry Peak Ave.

ERIC M. CHEESE
5896 CASTLEBERRY PEAK AVE
89131

ROBERT & LOLA DITMAR
5904 CASTLEBERRY PEAK AVE
LAS VEGAS, NV. 89131

Submitted at Planning Commission

Date 01/25/07 Item #56-57

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 25, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-18671 - SPECIAL USE PERMIT RELATED TO VAR-18669 - PUBLIC HEARING - APPLICANT/OWNER: TODD MORIN - Request for a Special Use Permit FOR AN EXISTING NON-HABITABLE ACCESSORY STRUCTURE at 5901 Huff Mountain Avenue (APN 125-12-311-017), R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone, Ward 6 (Ross).

C.C.: 02/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

6

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letter
6. Approval Letter

MOTION:

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

To be heard by the City Council on 02/21/2007

MINUTES:

See Item 56 for related discussion and backup.

(8:15 – 8:45)

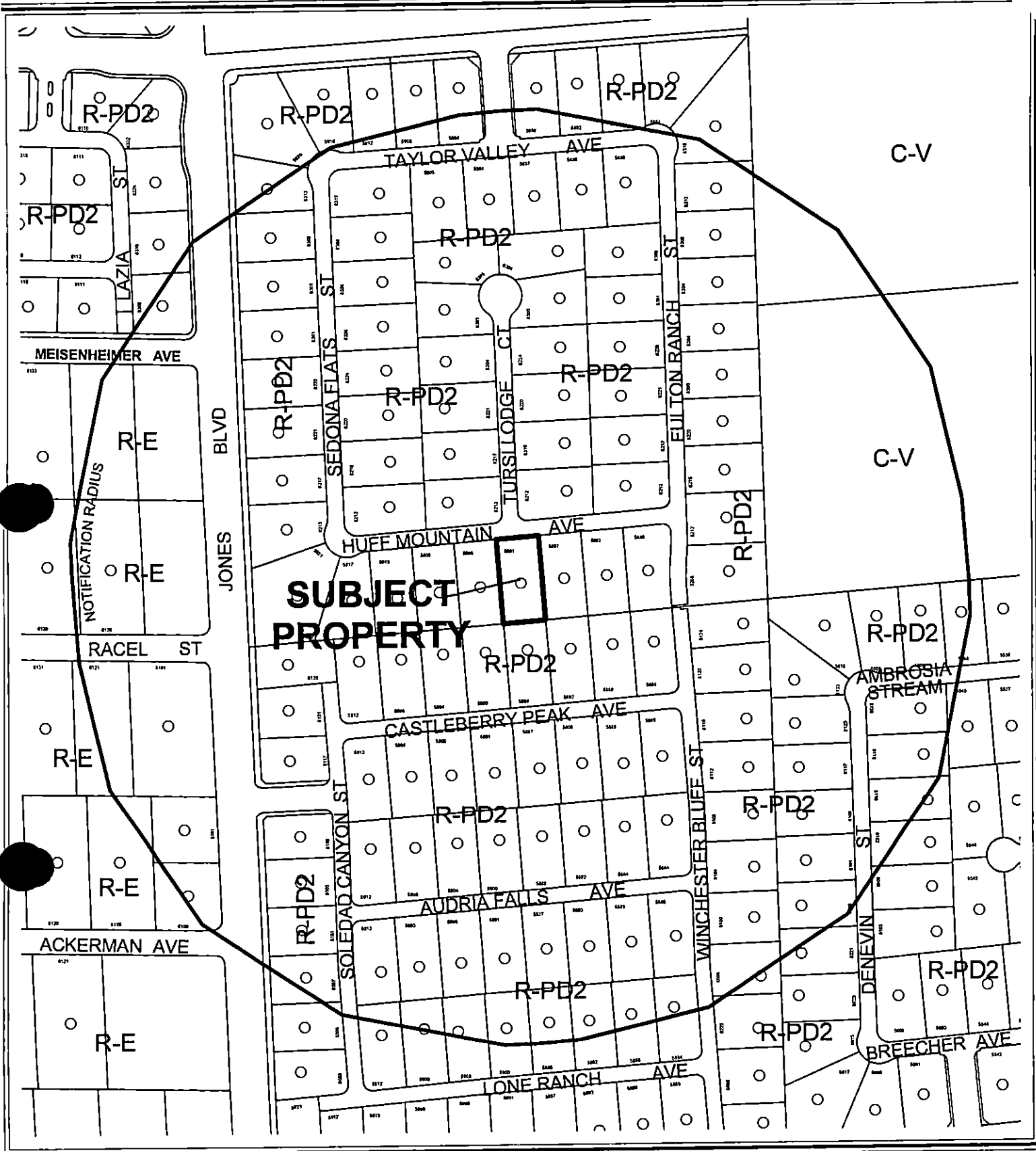
2-926

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 57 – SUP-18671

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Variance (VAR-18669) if approved.
2. This approval shall be void one year from the date of final approval, unless a final inspection has been issued for the accessory structure 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.

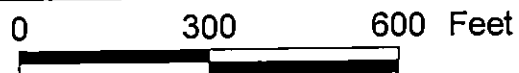


CASE: **SUP-18671**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 25, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-18671 - APPLICANT/OWNER: TODD MORIN

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Variance (VAR-18669) if approved.
2. This approval shall be void one year from the date of final approval, unless a final inspection has been issued for the accessory structure on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-18671 - Staff Report Page One
January 25, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Special Use Permit for an existing Non-Habitable accessory structure on a single family lot located at 5901 Huff Mountain Avenue, east of North Jones Boulevard. A companion Variance (VAR-18669) shall be considered with this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/01/06	City Building Inspector conducted a site visit of the project location and determined the structure exceeded Title 19.08 height regulation for accessory structures. The applicant and building inspector reviewed the height measurement calculations of the existing single family residence and determined the measurement was miscalculated.
08/18/06	Current Planning staff inadvertently approved project plan elevations and floor plans that depicted a non-habitable accessory structure that exceeds Title 19 height limit for accessory structures.
<i>Related Building Permits/Business Licenses</i>	
10/03/06	A Building Permit was issued for the construction of a 22 foot high non-habitable accessory structure located at 5901 Huff Mountain Avenue.
<i>Pre-Application Meeting</i>	
12/06/06	A Pre-application meeting was held with the applicant. Planning staff advised the applicant of Title 19 regulations for non-habitable accessory structures and the requirement for a Special Use Permit and Variance.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was is not required for this type of application nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.46 acre site

SUP-18671 - Staff Report Page Two
January 25, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	DR (Desert Rural Density Residential)	R-PD2 (Residential Planned Development – 2 Units Per Acre)
North	Single Family Residential	DR (Desert Rural Density Residential)	R-PD2 (Residential Planned Development – 2 Units Per Acre)
South	Single Family Residential	DR (Desert Rural Density Residential)	R-PD2 (Residential Planned Development – 2 Units Per Acre)
East	Single Family Residential	DR (Desert Rural Density Residential)	R-PD2 (Residential Planned Development – 2 Units Per Acre)
West	Single Family Residential	DR (Desert Rural Density Residential)	R-PD2 (Residential Planned Development – 2 Units Per Acre)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Iron Mountain Ranch	Y		Y
PD (Planned Development) District	Y		Y
Special Purpose and Overlay Districts			
Northwest Openspace Plan District	Y		Y
Trails		N	Y
Rural Preservation Overlay District		N	Y
Development Impact Notification Assessment		N	Y
Project of Regional Significance		N	Y

DEVELOPMENT STANDARDS

The following Residential Development Standards of Title 19 – Section 19.08.040 apply:

Standard	Required/Allowed	Provided	Compliance
Min. Setbacks			
• Front	NA	-	-
• Side	3 feet	5 feet	Y
• Corner	NA	-	-
• Rear	3 feet	7 feet	Y

SUP-18671 - Staff Report Page Three
January 25, 2007 - Planning Commission Meeting

Min. Distance Between Buildings	6 feet	80	Y
Max. Lot Coverage	• No greater than the floor area of the principal dwelling unit. • Total ground floor areas of all accessory structures shall not cover more than 50 percent of the rear yard.	• Accessory Structure = 1,376 square feet; • Principal Dwelling = 2,432 square feet; 10 percent coverage of the rear yard.	Y
Max. Building Height	2 stories (35 feet maximum), or the height of the main structure - whichever is less.	22 feet (Primary structure is 20 feet)	N*

*A companion Variance (VAR-18669) to allow a 22 foot high building shall be considered.

ANALYSIS

The project requests a Special Use Permit to continue construction of an existing non-habitable accessory structure. The existing structure will be used as a garage for storage of a recreational vehicle.

Current Planning Division inadvertently approved plan elevations and floor plans that do not conform to the accessory structure height regulations. Additionally, the Building Division of Development Services issued a Building Permit (No. 6006237) for the existing structure. A site inspection of the project determined the structure exceeds the height limit.

• General Plan and Zoning

The project is located within the Centennial Hills Sector Plan area and the Iron Mountain Ranch Master Plan area. The property is designated as DR (Desert Rural Density Residential) and is zoned R-PD2 (Residential Planned Development - 2 Units Per Acre). The proposed garage is an acceptable use within the R-PD2 (Residential Planned Development - 2 Units Per Acre) zone per Title 19 – Sections 19.04.020 and 19.08.040.

• Site Plan and Elevations

The site plan depicts a 1,376 square foot building situated within the rear yard of an existing 20,000 square foot single family residential lot. The plan elevations depict the main structure at a height of 20 feet. The existing accessory structure is constructed with a height of 22 feet. Per Title 19 development standards accessory structures are limited to 2 stories (35 feet) or no greater than the height of the main building.

SUP-18671 - Staff Report Page Four
January 25, 2007 - Planning Commission Meeting

FINDINGS

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

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

The existing structure will not create an imbalance among surrounding and future land uses.

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

The residential parcel is a flat dirt lot and the structure will meet accessory structure lot coverage and setback requirements.

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."**

Neighborhood street systems adequately serve the project 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 Special Use Permit will not result in human health and public safety effects that detract from the intent of the General Plan.

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

The use will conform to Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

3

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

SUP-18671 - Staff Report Page Five
January 25, 2007 - Planning Commission Meeting

NOTICES MAILED 152 [Mailed with VAR-18669]

APPROVALS 1

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-18671** APN: **125-12-311-017**

Name of Property Owner: TODD K. MORIN

Name of Applicant: TODD K. MORIN

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: _____

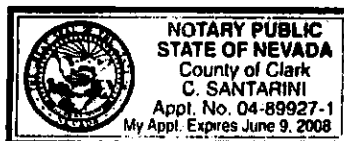
Signature of Property Owner: Todd K. Morin
Print Name: TODD K. MORIN

Print Name: _____

Subscribed and sworn before me

This 10 day of December, 20 06

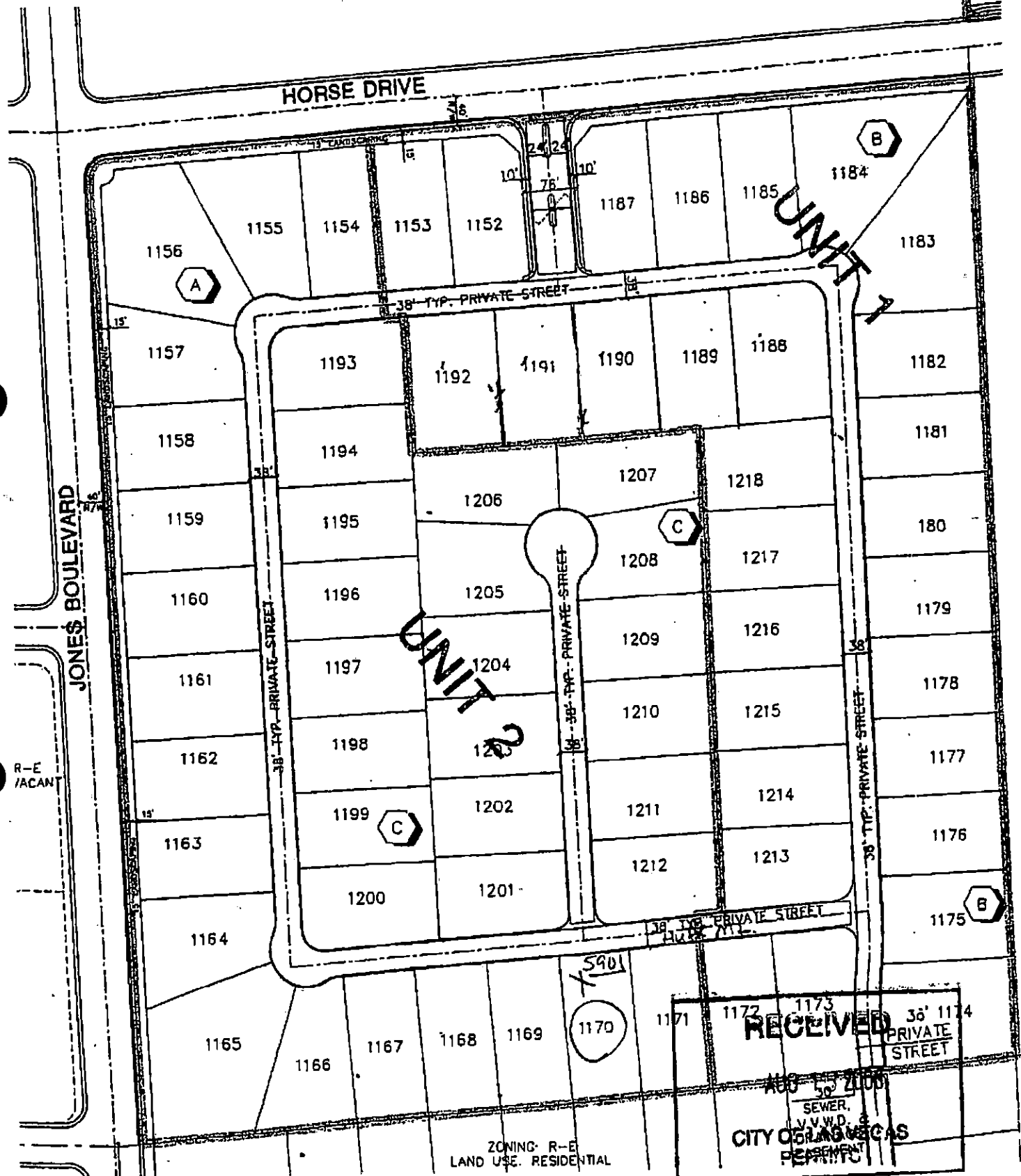
Notary Public in and for said County and State



Statement of Financial Interest.doc
DEC 12 2006

(CLARK COUNTY)
E. VACANT

ZONING R-E (CLARK COUNTY)
LAND USE. VACANT



ZONING R-E
LAND USE. RESIDENTIAL

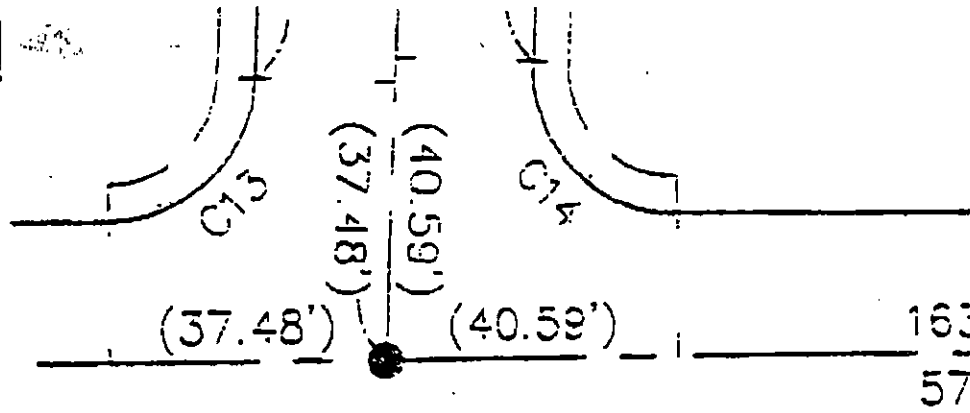
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CITY OF LAS VEGAS
PERMIT

SUP-18671
01/25/07 PC

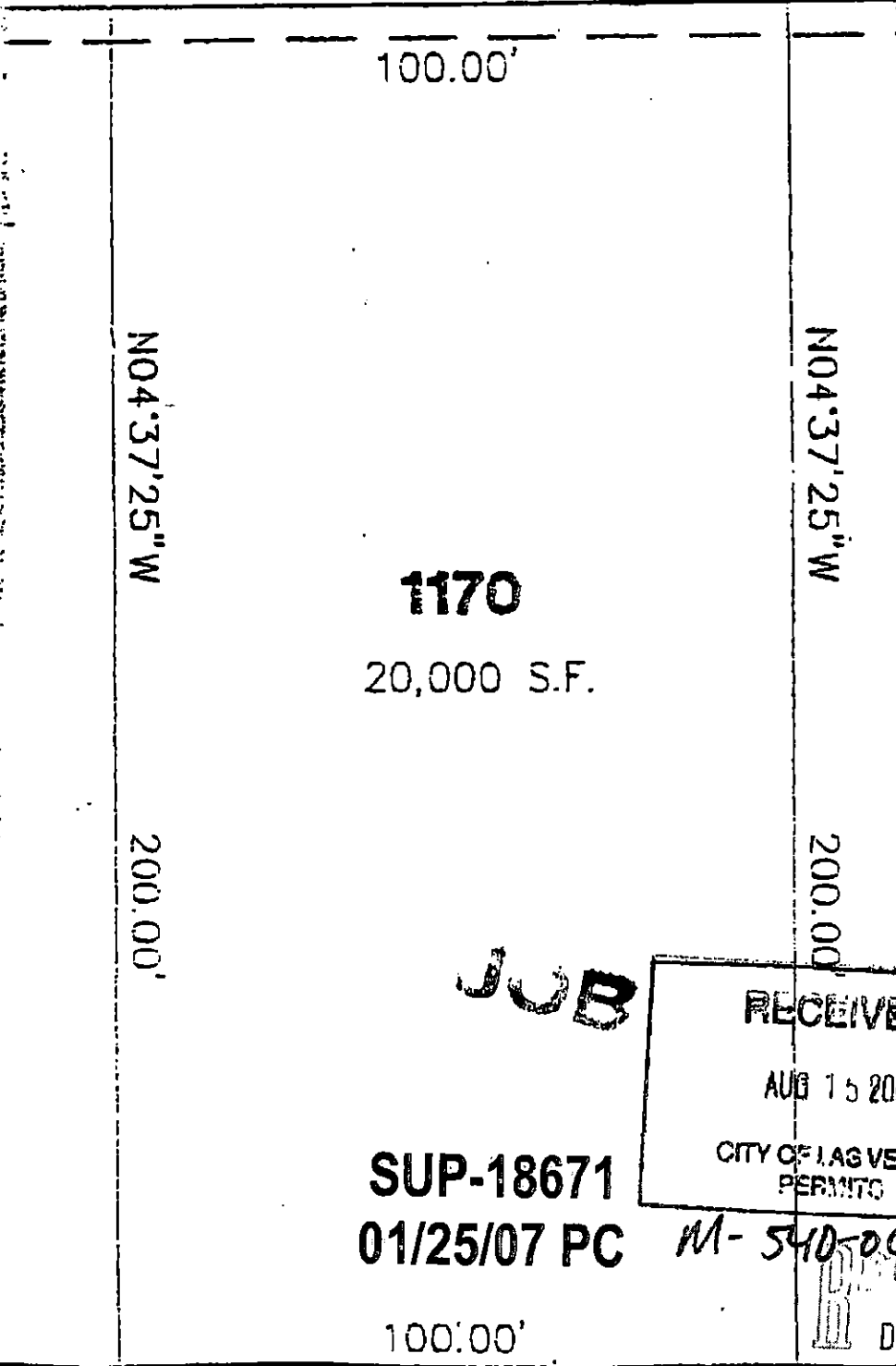
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M-540-06

DEC 12 2006



HUFF MOUNTAIN AVE



1170
20,000 S.F.

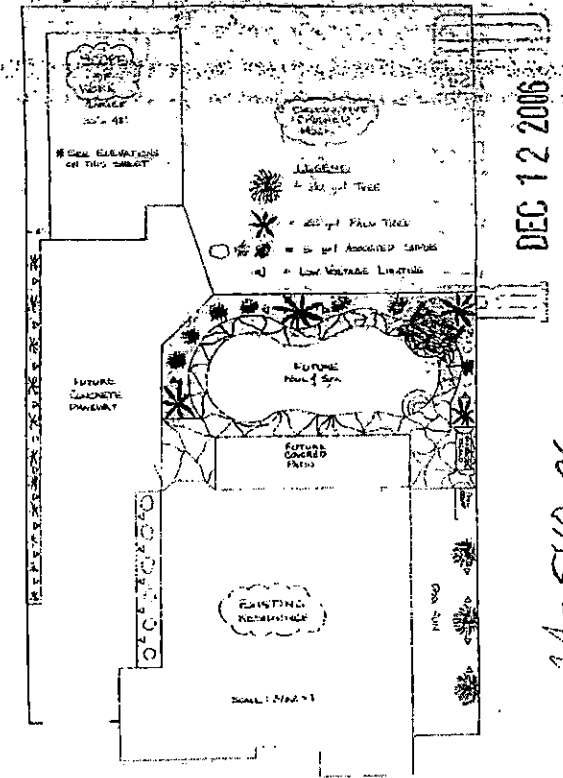
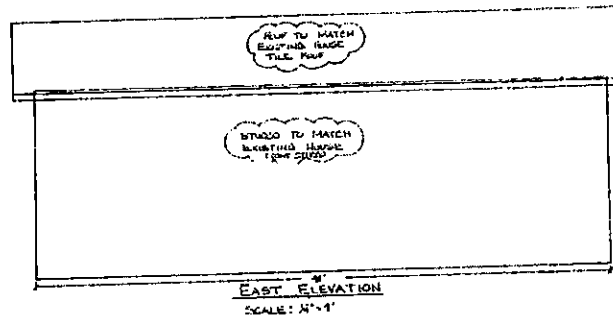
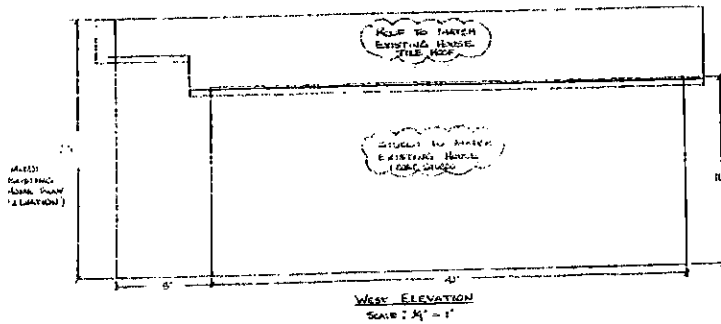
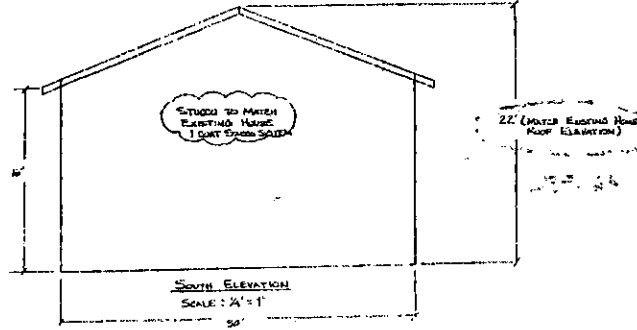
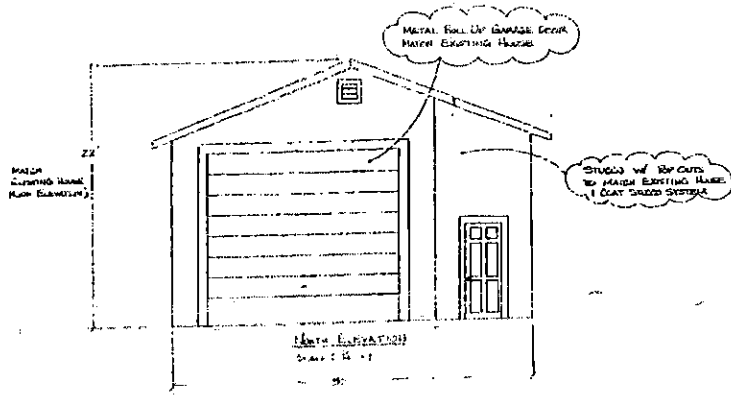
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SUP-18671
01/25/07 PC

RECEIVED
AUG 15 2006
CITY OF LAS VEGAS
PERMITS

M-540-06

DEC 12 2006



DEC 12 2006

M-540-06

AN ACCESSORY STRUCTURE
MUST BE AESTHETICALLY
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PRINCIPAL DWELLING UNIT

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PLANNING
DEPARTMENT
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NO COVER
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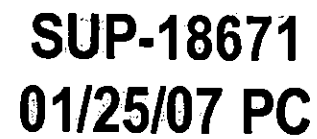
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SUP-18671
01/25/07 PC

DETACHED GARAGE - ELECTRICAL

152



GENERAL STRUCTURAL NOTES

PLASMA POLYMERIZATION

- [illegible]

PAGE 159 (CONTD)

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| 1 | APPOINTMENT SCHEDULE CHIT | 2000 00 |
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DESULTORY ASSUMPTION PLAN

- [illegible]

35

1. Sams (FATHER) LOUVER SAYS, COMPLETE WITH THE LATEST EDITION OF THE GOVERNMENT RULES OF THE UNITED STATES, PRODUCED COPIATION OF THE BEST COPY (UNDER RECEPTION FORM) AT Sams (FATHER) SAYS, BE SIGNED WITH THE CHANCE LISA OF AN ASSIGNED LOUVER SAMS, SOCIETY SAMS (FATHER) SAYS, THE FOLLOWING NUMBER (CHANCE) 00015: 00015 (00015).

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- | NY | DATE | TO (NAME AND ADDRESS) | FROM | NY FILE | NY NO. | NY |
|----|------|--|------|---------|--------|----|
| 6 | | OUTSIDE PLACES RESIDE: ON COMBINATION OF ADDRESS LIST OF TRAILERS
DURING LAST PLACES WHERE THEY WERE ARRESTED AND THE INFORMATION
ON INDEXES IN THE ADDRESS BOOKS OF THE TRAILERS. | | | | |
| 7 | | ALL THE TRAILERS MAY HAVE BEEN IN CONTACT WITH OTHER TRAILERS
WHILE IN THE AREA OF THE TRAILERS. THE TRAILERS MAY HAVE BEEN IN
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WITH OTHER TRAILERS WHILE IN THE AREA OF THE TRAILERS. | | | | |

Maximum Marks: 50

- 1 THE FOLLOWING CASES INVOLVE ALLEGATIONS THAT CERTAIN
PLANE MECHANICS OF WHOO-BOOED HAD ACCESS TO THE PERSONAL
MAIL OF PLANE THE (ALLEGED) CHAIRMAN AND REFUSED FOR THE
COLLECTION WITH BY THAT OFFICE

- DESIGN OF ALL STRUCTURAL MEMBERS AND JOINTS AS REQUIRED BY THE CODES OF PRACTICE FOR LOCALITY, NATIONAL OR INTERNATIONAL STANDARDS, SPECIFICATIONS, STANDARDS OR RELEVANT DOCUMENTATION.

- EXISTING AMMAN BULBS ARE NOT MOUNTED IN LENS
SLEEVES, WHICH MAY THEY BE CONSIDERED AS DISCARDED
AMMAN BULBS

[illegible]

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EXPERIMENTAL PROCEDURES

1. Many more people than in previous years have been able to obtain a passport for the first time. This has been due to the fact that the government has been able to obtain more foreign exchange for the purchase of foreign currency. This has been due to the fact that the government has been able to obtain more foreign exchange for the purchase of foreign currency. This has been due to the fact that the government has been able to obtain more foreign exchange for the purchase of foreign currency.

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15470000 615-253-55

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Source of pollution	USEPA designated water body	USEPA designated water body ID number	USEPA designated water body name	USEPA designated water body ID number	USEPA designated water body name	USEPA designated water body ID number	USEPA designated water body name	USEPA designated water body ID number	USEPA designated water body name
1. All sources	1	1	1	1	1	1	1	1	1
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CONCEAL, DAN DONG, ALPHAS

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 - 100% of employees are

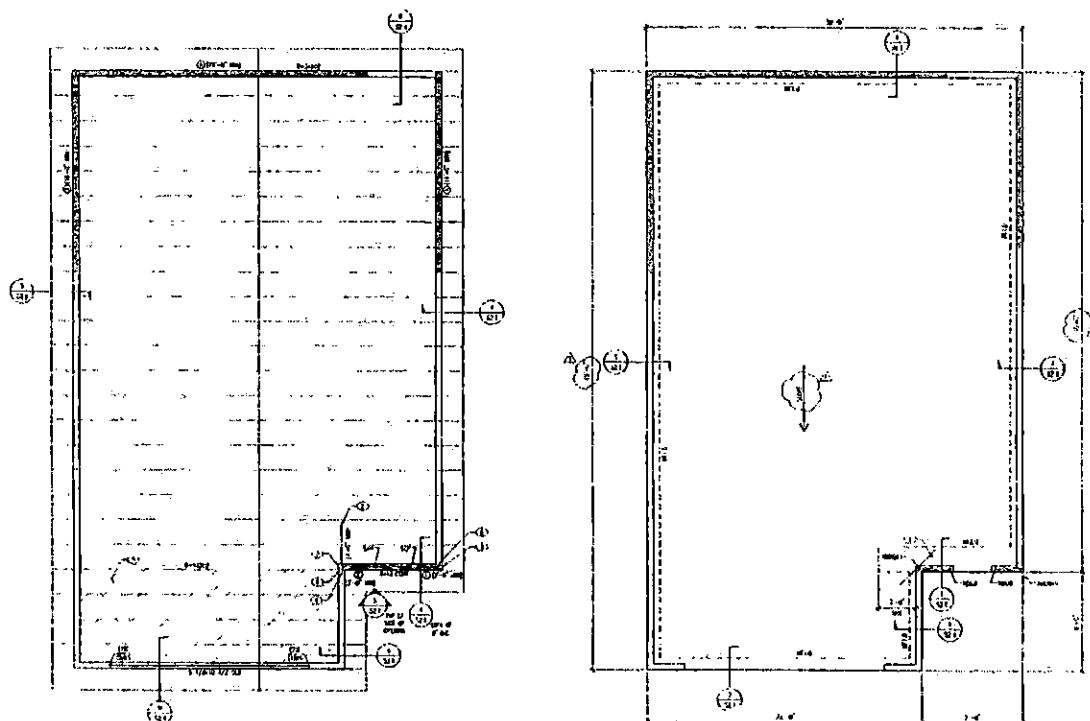
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1. **COMPENSATORY REACTIONS** (change homeostasis in ACUTE phase of ADHESION)
 - **HEART** - increases stroke volume to pump up BP - **NO** (NO RELEASED DUE TO NO-NO)
 - **NO** - GIVE VASODILATOR AND NO-NO HOLD FOR COMPENSATORY REACTIONS
 - **NO** - INCREASED STROKE VOLUME AND CAN GET PUMPING EFFECTIVE
 - **RESPIRATORY** - INCREASED VENTILATION TO INCREASE O₂ DELIVERY TO TISSUES
 - **NO** - INCREASED VENTILATION TO INCREASE O₂ DELIVERY TO TISSUES
 - **ADH** - INCREASED ADH RELEASE TO INCREASE WATER REABSORPTION IN KIDNEYS
 - **RAAS** - INCREASED RAAS RELEASE TO INCREASE BLOOD VOLUME
2. **HEALTHY HEART PUMPING TISSUE** (SAME) - **CONDUCTION** IS THE REQUIREMENT
 - **ADH** - ADH IS IN BLOOD STREAM IN ACUTE PHASE AND INCREASES WATER REABSORPTION IN KIDNEYS TO INCREASE BLOOD VOLUME
 - **NO** - NO IS IN BLOOD STREAM IN ACUTE PHASE AND INCREASES VASODILATION
3. **ALL TISSUES INVOLVED** (INCREASED THE TISSUES OF REPERFUSING TISSUE)
 - **ADH** - ADH IS IN BLOOD STREAM IN ACUTE PHASE AND INCREASES WATER REABSORPTION IN KIDNEYS TO INCREASE BLOOD VOLUME
 - **NO** - NO IS IN BLOOD STREAM IN ACUTE PHASE AND INCREASES VASODILATION

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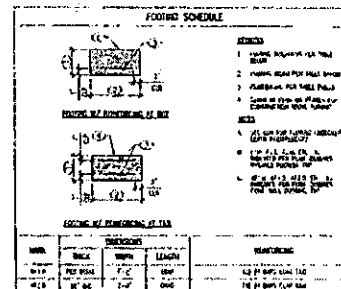
1. **PRODUCTION** - the process of creating goods and services. It involves the transformation of inputs (resources) into outputs (products).
2. **FACTORS OF PRODUCTION** - the resources used in the production process. These include:
- Land
 - Labour
 - Capital
 - Entrepreneurship
3. **PRODUCTION FUNCTION** - a mathematical relationship between the inputs and outputs of a production process. It shows the maximum output that can be produced from a given set of inputs.
4. **PRODUCTION COSTS** - the expenses incurred in the production process. These include:
- Fixed costs
 - Variable costs
 - Total costs
5. **PRODUCTION EFFICIENCY** - the ability to produce goods and services using the minimum amount of resources.
6. **PRODUCTION TECHNOLOGY** - the knowledge and techniques used in the production process.
7. **PRODUCTION SCALES** - the size of the production process. This can be measured in terms of the number of workers, the amount of capital, or the output.
8. **PRODUCTION SCHEDULE** - a plan that shows the sequence of production activities and the timing of each activity.
9. **PRODUCTION METHOD** - the way in which goods and services are produced. This can be determined by the technology used and the organization of the production process.
10. **PRODUCTION CAPACITY** - the maximum output that a production process can produce.
11. **PRODUCTION FLEXIBILITY** - the ability to produce a variety of goods and services.
12. **PRODUCTION RELIABILITY** - the ability to produce goods and services consistently.
13. **PRODUCTION QUALITY** - the degree to which goods and services meet the requirements of customers.
14. **PRODUCTION SAFETY** - the ability to produce goods and services without causing harm to people or the environment.
15. **PRODUCTION SUSTAINABILITY** - the ability to produce goods and services in a way that meets the needs of the present without compromising the ability of future generations to meet their own needs.
16. **PRODUCTION INNOVATION** - the development of new products, processes, or technologies.
17. **PRODUCTION COMPETITIVENESS** - the ability of a production process to compete in the market.
18. **PRODUCTION RESILIENCE** - the ability to recover from shocks and disruptions.
19. **PRODUCTION ADAPTABILITY** - the ability to adjust to changing market conditions.
20. **PRODUCTION EFFICACY** - the ability to achieve the desired results of the production process.
21. **PRODUCTION EFFECTIVENESS** - the ability to use resources efficiently.
22. **PRODUCTION PRODUCTIVITY** - the ratio of output to input.
23. **PRODUCTION PROFITABILITY** - the ability to generate a profit from the production process.
24. **PRODUCTION RISK** - the potential for loss or damage in the production process.
25. **PRODUCTION SECURITY** - the ability to protect the production process from threats.
26. **PRODUCTION INTEGRITY** - the ability to maintain the quality and reputation of the production process.
27. **PRODUCTION TRANSPARENCY** - the ability to provide information about the production process.
28. **PRODUCTION ACCOUNTABILITY** - the ability to be held responsible for the production process.
29. **PRODUCTION ETHICS** - the moral principles that guide the production process.
30. **PRODUCTION LEGALITY** - the ability to comply with the law in the production process.
31. **PRODUCTION COMPLIANCE** - the ability to follow the rules and regulations of the production process.
32. **PRODUCTION CONFORMANCE** - the ability to meet the requirements of the production process.
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RECEIVED
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ATTN: INSURANCE
MANAGER
NY 540-6400



ROOF FRAMING PLAN

FOUNDATION PLAN

[illegible]

FOUNDATION PUM NOTES

1. CONTINUED TO REPORT AN INCREASED RISK OF CONSUMPTION OF HIGHLY SALT-ENRICHED FOODS
2. RECENTLY, THE FOLLOWING RISK OF CONSUMPTION OF HIGHLY SALT-ENRICHED FOODS WAS
3. IDENTIFIED: THE FOLLOWING RISK OF CONSUMPTION OF HIGHLY SALT-ENRICHED FOODS WAS
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8. IDENTIFIED: THE FOLLOWING RISK OF CONSUMPTION OF HIGHLY SALT-ENRICHED FOODS WAS
9. IDENTIFIED: THE FOLLOWING RISK OF CONSUMPTION OF HIGHLY SALT-ENRICHED FOODS WAS
10. IDENTIFIED: THE FOLLOWING RISK OF CONSUMPTION OF HIGHLY SALT-ENRICHED FOODS WAS

READING FLAM AGILES

GENERAL

1. Write an interview and evaluation report for candidate. Review background and history.
2. Prepare each to find primary candidate related to be reviewed and evaluate their experience and work.
3. Review and evaluate the results of the interview of the candidate and the results of the evaluation and the results of the interview.
4. Review the results of the interview and the results of the evaluation and the results of the interview.
5. Review the results of the interview and the results of the evaluation and the results of the interview.

STUDY 1

- [illegible]

^a Figures were based on 100 trials.

- [illegible]

10/10/2010

2. IN PLACE SAFE/NOTES
21. REFUSE TO OPEN AND PLACE UNDER HAND FOR WHEELS TO PLACE UNDER IN OPENING AND STATE OF WHEEL FROM THE 1940S; EACH ONE OF THEM WERE NOT USED IN RECENT NON-SAFE USE.
22. REFUSE TO OPEN AND IN PLACES FOR PLACING THE WHEELS AND THE WHEELS IN THE WHEELS.

1. **Introduction**
 2. **Methodology**
 3. **Results and Discussion**
 4. **Conclusion**
 5. **References**

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STRENGTH
Training & Fitness
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Abstract

6. Level with
crackles
to 15 mm

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FOUNDATION PLAN SYMBOL LEGEND
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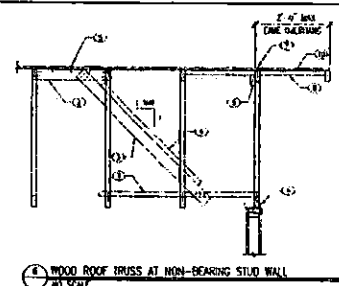
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MORIN RESIDENCE DETACHED GARAGE
1500 HUFF MOUNTAINS
LAUREL, IN 47131

FOUNDATION AND FRAMING DETAILS

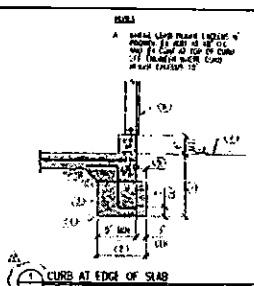


1 WOOD ROOF TRUSS AT NON-BEARING STUD WALL
NO SCALE

- NOTES**
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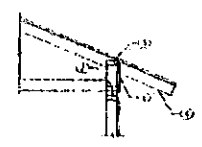
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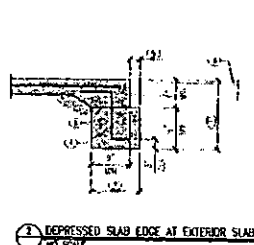
2 CURB AT EDGE OF SLAB
NO SCALE

- NOTES**
1. SEE SHEET FOR ROOF TRUSS DETAILS.
 2. SEE SHEET FOR ROOF TRUSS DETAILS.
 3. SEE SHEET FOR ROOF TRUSS DETAILS.
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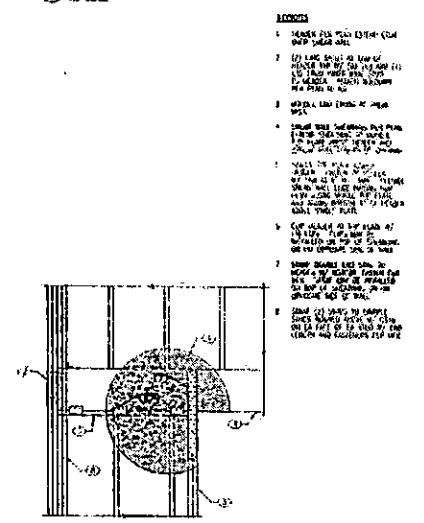
3 HIGH HEEL ROOF TRUSS AT STUD WALL
NO SCALE

- NOTES**
1. SEE SHEET FOR ROOF TRUSS DETAILS.
 2. SEE SHEET FOR ROOF TRUSS DETAILS.
 3. SEE SHEET FOR ROOF TRUSS DETAILS.
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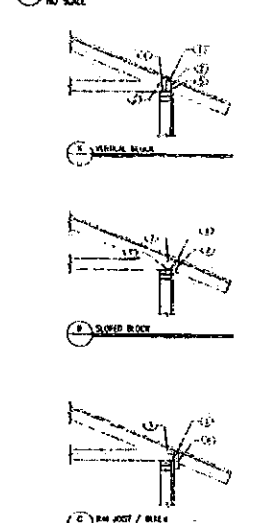


4 DEPRESSED SLAB EDGE AT EXTERIOR SLAB
NO SCALE

- NOTES**
1. SEE SHEET FOR ROOF TRUSS DETAILS.
 2. SEE SHEET FOR ROOF TRUSS DETAILS.
 3. SEE SHEET FOR ROOF TRUSS DETAILS.
 4. SEE SHEET FOR ROOF TRUSS DETAILS.
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 8. SEE SHEET FOR ROOF TRUSS DETAILS.
 9. SEE SHEET FOR ROOF TRUSS DETAILS.
 10. SEE SHEET FOR ROOF TRUSS DETAILS.



5 EXTENDED GARAGE TRAILER AT SHEAR WALL
NO SCALE



6 WOOD ROOF TRUSS AT STUD WALL
NO SCALE

- NOTES**
1. SEE SHEET FOR ROOF TRUSS DETAILS.
 2. SEE SHEET FOR ROOF TRUSS DETAILS.
 3. SEE SHEET FOR ROOF TRUSS DETAILS.
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 9. SEE SHEET FOR ROOF TRUSS DETAILS.
 10. SEE SHEET FOR ROOF TRUSS DETAILS.

SUP-18671
01/25/07 PC



VAR-18669 & SUP-18671 - APPLICANT/OWNER: TODD MORIN
5901 HUFF MOUNTAIN AVENUE
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06



VAR-18669 & SUP-18671 - APPLICANT/OWNER: TODD MORIN
5901 HUFF MOUNTAIN AVENUE
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06



VAR-18669 & SUP-18671 - APPLICANT/OWNER: TODD MORIN
5901 HUFF MOUNTAIN AVENUE
JANUARY 25, 2007 PLANNING COMMISSION

12/22/C

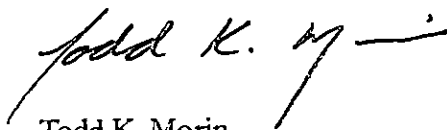
November 28, 2006

City of Las Vegas Planning and Development Department

Dear Sir or Madam:

My name is Todd K. Morin; I reside at 5901 Huff Mountain Ave, Las Vegas Nevada, 89131. I am currently building a detached RV garage at this address. I have submitted all of the required plans and paperwork and have been issued approved stamped plans and building permits from the City of Las Vegas Building Department. Permit No. 06006237 / Plans Check No. M-0540-06. The building that I am constructing is to be used to store a motor home and boat out of the elements. The building height is designed so that a standard type class A motor home will fit inside. My neighbor at 5889 Huff Mountain recently completed construction of an RV garage similar to the one that I am building, it is the same height but with a larger floor plan. Within our development there are both single story and two story homes, some with detached garages and two story casitas located in the backyards. The building is to be constructed with the same standard building materials as the existing home and is designed to architecturally match the existing home. The exterior of the garage will be stucco material painted to match the existing home. The roof of the garage will be constructed of roof tile that is an exact match to the existing home. The interior of the garage will be painted textured drywall. The garage door will be an exact match to existing. After completion of construction the perimeter around the detached garage will be landscaped. At this time the structural framing is complete with roof trusses and roof sheeting installed. As shown on the approved plans it was my design and intent to match the height of the existing home. It was brought to my attention on 11/01/06 by the City of Las Vegas Building inspector that my detached garage was in violation of the height requirements. Upon further investigation working in conjunction with the inspector it was concluded that the detached garage was built as per the approved plans but that the height of the existing home was miss-calculated. The existing house height is 20'-3" from top of foundation to top of roof framing. The detached garage is 21'-9" from top of foundation to top of roof framing. Both the house foundation and the detached garage foundation are at the exact same elevation. This leaves a 1'-6" difference. Therefore please accept this letter for consideration as a request for a zone variance for my detached RV garage currently on hold from any further construction.

Sincerely,



Todd K. Morin

SUP-18671
01/25/07 PC

DEC 12 2006

Telephone Protest/Approval Log

Meeting Date: 1/25/07

Case Number: 18671

Date: 1/17/07
Name: Isela Nejbauer
Address: 5544 Ambrosia
Stream
Phone: 258-3295
☒ PROTEST ☐ APPROVE

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

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

Date: _____
Name: _____
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☐ PROTEST ☐ APPROVE

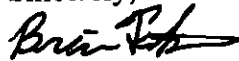
Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, Nevada 89109

To Whom It May Concern:

My name is Brian Fitzpatrick and I reside at 8016 Audubon Canyon St. Las Vegas, Nevada 89131 near the zone variance / special use permit (VAR-18669 / SUP-18671) property currently in review located at 5901 Huff Mountain Ave. Las Vegas, Nevada 89131. This letter states my formal approval of the construction of the detached RV Garage at this property and I have absolutely no issues concerning this.

Sincerely,



Brian Fitzpatrick

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 25, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-18908 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: FFPW MEDICAL DEVELOPMENT, LLC - Request for a Variance TO ALLOW A 33 PERCENT LOT COVERAGE WHERE 30 PERCENT IS THE MAXIMUM LOT COVERAGE ALLOWED on 5.0 acres at 9040 and 9092 West Cheyenne Avenue (APNs 138-08-401-008 and 009), U (Undeveloped) Zone under Resolution of Intent to O (Office) Zone, Ward 4 (Brown).

C.C.: 02/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

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

MOTION:

STEINMAN – APPROVED subject to conditions – **UNANIMOUS** with **DUNNAM** abstaining as the architect is a business associate

To be heard by the City Council on 02/21/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open for Item 58 [VAR-18908] and Item 59 [SDR-18660].

DOUG RANKIN, Planning Manager, stated that the applicant has since revised their plans from what the City Council previously approved. The new project is substantially larger in scope thereby requiring a lot-coverage Variance that staff was unable to support. **MR. RANKIN** recommended both applications be denied.

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 58 – VAR-18908

MINUTES – Continued:

ATTORNEY BOB GRONAUER, 3800 Howard Hughes Parkway, briefed the Commissioners about the Zone change from Commercial to residential in March 2006 and back to Office Professional in September 2006. Per Code, the building square footage should be based off net acreage rather than gross acreage and is the reason for the requested Variance. He pointed out the legal hardship of the property as it is narrow in shape and added that the placement of buildings on the site associated with existing neighbors adds to the hardship. ATTORNEY GRONAUER assured the Commissioners that the condition imposed by COUNCILMAN BROWN requiring attention to the rear block wall would be honored and noted that all parking requirements would continue to be met. He respectfully requested approval as the deviation of lot coverage is only three percent.

MANIJEHMOAYER MALEKI, 3216 Campbell Road, expressed concern for the temporary fence now in existence. CHAIRMAN DAVENPORT confirmed the fence is temporary and ATTORNEY GRONAUER confirmed that a six-foot high block wall would replace the chain-link fence. ATTORNEY GRONAUER added that an appropriate landscaped buffer would be included along with the block wall.

CHAIRMAN DAVENPORT declared the Public Hearing closed for Item 58 [VAR-18908] and Item 59 [SDR-18660].

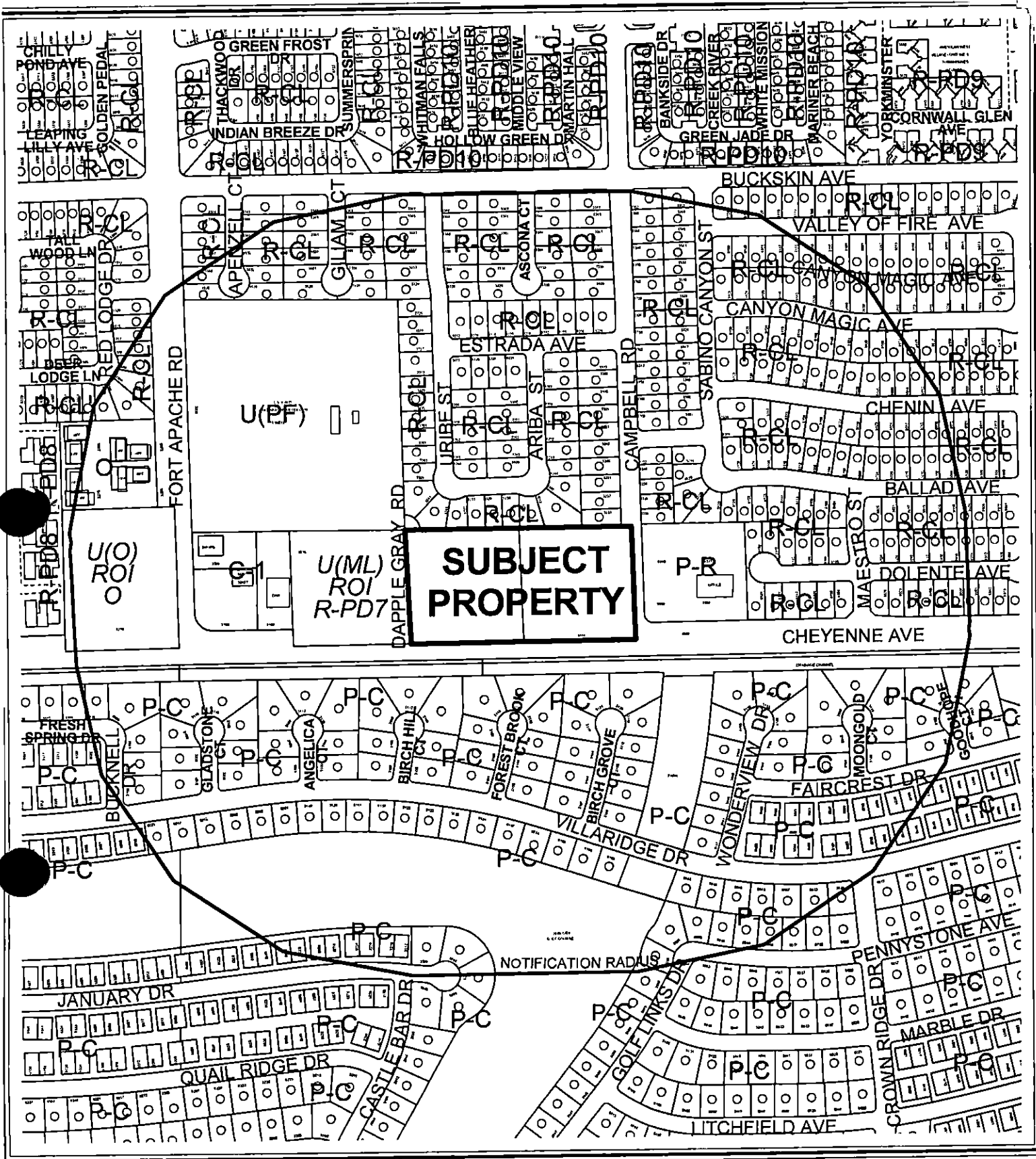
(8:44 – 8:51)

2-2013

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-18660) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.



CASE: **VAR-18908**

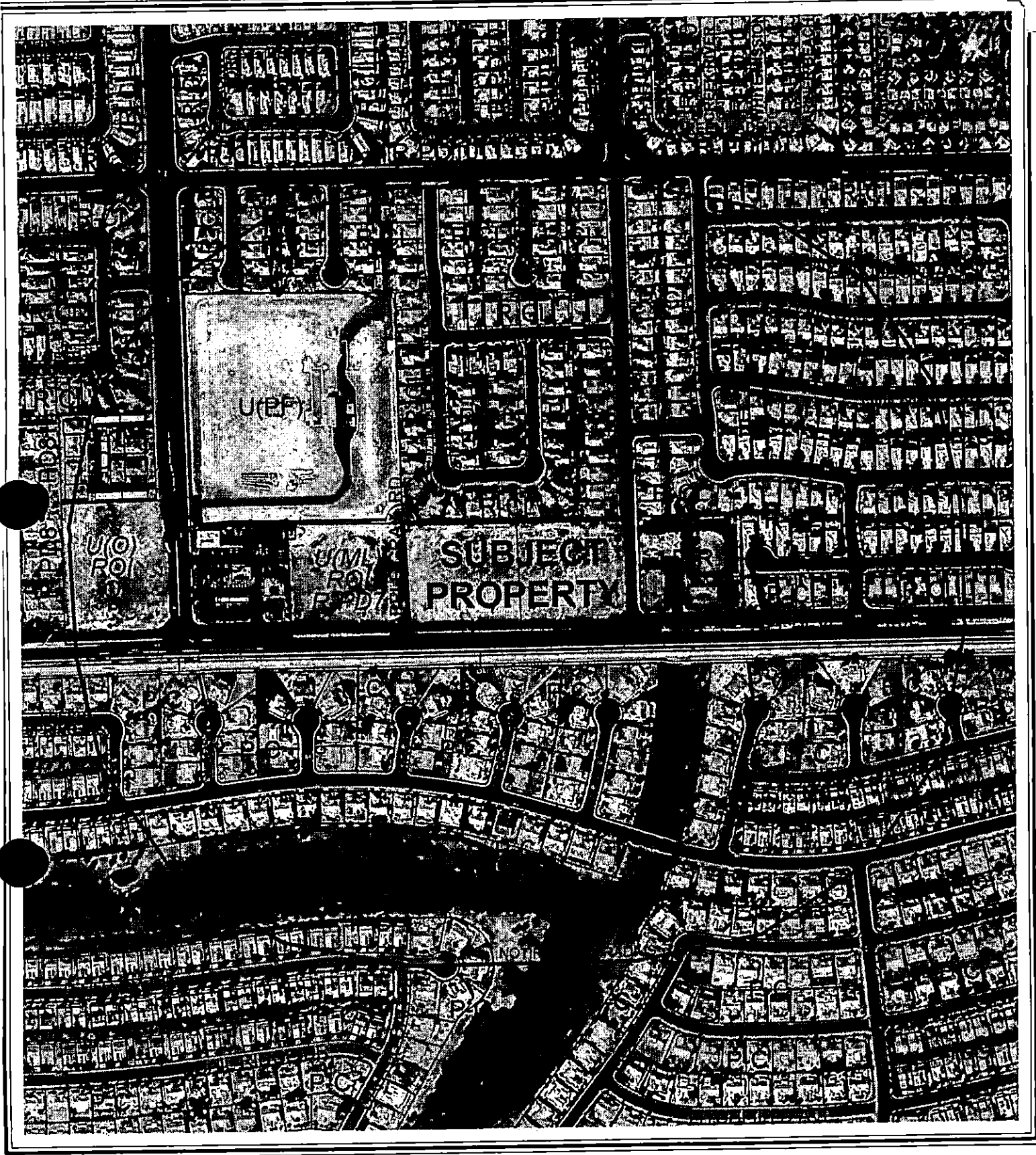
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) [GPA (GPA Designation) GENERAL PLAN DESIGNATION]

0 500 Feet





0 500 Feet

CASE: **VAR-18908**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) [GPA (GPA Designation) GENERAL PLAN DESIGNATION]



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 25, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-18908 - APPLICANT/OWNER: FFPW MEDICAL DEVELOPMENT, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-18660) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-18908 - Staff Report Page One
January 25, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow 33 percent lot coverage where 30 percent is the maximum lot coverage allowed on 4.16 acres at 9040 and 9092 West Cheyenne Avenue. The proposed development is not consistent with city standards because the site exceeds the maximum lot coverage in an O (Office) Zoning District. Staff cannot support as it is the result of a self-imposed hardship.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/25/02	The Planning Commission tabled requests to amend a portion of the Centennial Hills Sector Plan (GPA-0008-02) from ML (Medium-Low Density Residential) to O (Office) and to Rezone (Z-0022-02) from U (Undeveloped) [ML (Medium-Low Density Residential) General Plan Designation] to O (Office) on 2.5 acres adjacent to the north side of Cheyenne Avenue, approximately 600 feet east of Fort Apache Road. Staff recommended denial of both requests.
08/21/02	The City Council approved a request to amend a portion of the Centennial Hills Sector Plan (GPA-0011-02) from ML (Medium-Low Density Residential) to O (Office) on 10.00 acres adjacent to the northwest and northeast corner of Campbell Road and Cheyenne Avenue. The City Council also approved a Rezoning (Z-0063-02) from U (Undeveloped) [ML (Medium-Low Density Residential) General Plan Designation] to O (Office) on 5.0 acres adjacent to the northwest corner of Cheyenne Avenue and Campbell Road. The previous actions on the site (GPA-0008-02 and Z-0022-02) were expunged. Planning Commission and staff recommended approval.
05/21/03	The City Council approved a General Plan Amendment (GPA-1016) to SC (Service Commercial) and a Rezoning (ZON-1017) on the subject site. The City Council amended the Rezoning application (ZON-1017) to N-S (Neighborhood Service). The Planning Commission recommended approval.
11/05/03	The City Council approved a request for a Site Development Plan Review (SDR-2871) for a proposed 77,000 square foot mini-warehouse facility with Recreational Vehicle and Boat Storage located adjacent to the north side of Cheyenne Avenue, approximately 340 feet east of Fort Apache Road. The Planning Commission and staff recommended approval.

VAR-18908 - Staff Report Page Two
January 25, 2007 - Planning Commission Meeting

05/06/04	The Planning and Development Department approved an administrative site plan and elevation drawing for a proposed slim-line wireless communication facility at the northwest corner of the subject site.
07/22/04	The Department of Building and Safety issued a building permit (#04019515) for a monopole and slim-line antennas at 9176 West Cheyenne Avenue. A final inspection was approved for the block wall enclosure on 12/03/04, but no final inspection for the wireless facility was approved.
08/04/04	The City Council approved the request for an Extension of Time (EOT-4691) on an approved Rezoning (Z-0063-02) from U (Undeveloped) [ML (Medium-Low Density Residential) General Plan Designation] to O (Office) on 2.68 acres adjacent to the north side of Cheyenne Avenue, approximately 340 feet west of Campbell Road.
09/15/04	The City Council approved the request for a Rezoning (ZON-4699) from U (Undeveloped) [O (Office) General Plan Designation] to O (Office) on 2.5 acres adjacent to the northwest corner of Cheyenne Avenue and Campbell Road. The Planning Commission and staff recommended approval.
09/15/04	The City Council approved a Vacation (VAC-4700) application for a Petition to Vacate U.S. Government Patent Easements generally located west of Campbell Road, north of Cheyenne Avenue. The Planning Commission and staff recommended approval.
12/02/04	The Planning Commission approved a request for a Tentative Map (TMP-5356) for a one-lot commercial subdivision on 5.36 acres adjacent to northwest corner of Cheyenne Avenue and Campbell Road. Staff recommended approval.
03/01/06	The City Council approved a General Plan Amendment (GPA-10763) to change the land use designation on this site from O (Office) and SC (Service Commercial) to ML (Medium-Low Density Residential), a Rezoning (ZON-10766) to R-PD7 (Residential Planned Development - 7 Units Per Acre), a Variance (VAR-10765) to allow a reduction in required open space, and a Site Development Plan Review (SDR-10769) for a proposed 56-lot single-family residential development with this item. The City Council approved SDR-10769 for a maximum of 55 lots. The Planning Commission and staff recommended denial.
09/06/06	The City Council approved a General Plan Amendment (GPA-14417) to change the land use designation on this site from ML (Medium-Low Density Residential), to O (Office) and to a Rezoning (ZON-14420) from: U (Undeveloped) [ML (Medium-Low Density Residential) Master Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units per acre) to: O (Office), and a Site Development Plan Review (SDR-14423) for a 58,400 square foot office development.
10/05/06	The City Council approved a request for a Tentative Map (TMP-16175) for a one-lot commercial subdivision on 5.0 acres at 9040 and 9092 West Cheyenne Avenue.

VAR-18908 - Staff Report Page Three
January 25, 2007 - Planning Commission Meeting

Pre-Application Meeting	
11/20/06	A pre-application meeting was held. It was noted that this would be a major amendment to the approved Site Development Plan Review (SDR-14423). After reviewing the submittal, staff discovered that the applicant supplied an incorrect acreage total for the site. The Site Development Plan Review application supplied a gross acreage where it should have been net acreage for the site. As calculated in net acres, the site exceeds the maximum lot coverage for an O (Office); therefore, the application needs a Variance.
Neighborhood Meeting	
A neighborhood meeting was not held, nor was one required.	

Details of Application Request	
Site Area	
Net Acres	4.16

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	O (Office)	U (Undeveloped) Under Resolution of Intent to O (Office)
North	Single Family Residential	ML (Medium-Low Density Residential)	R-CL (Single Family Compact-Lot)
South	Single Family Residential	ML (Medium-Low Density Residential)	P-C (Planned Community)
East	Office Buildings	O (Office)	P-R (Professional Office and Parking)
West	Undeveloped	ML (Medium-Low Density Residential)	U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation]

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

JM

VAR-18908 - Staff Report Page Four
January 25, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 Development Standards

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	NA	NA
Min. Lot Width	100 Feet	608 Feet	Y
Min. Setbacks • Front • Side • Corner • Rear	25 Feet 10 Feet 15 Feet 15 Feet	25 Feet 15 Feet NA NA	Y
Max. Lot Coverage	30%	33%	N*
Max. Building Height	2 stories or 35 feet	2 stories and 35 Feet	Y
Trash Enclosure	Yes	Yes	Y
Mech. Equipment	Yes	Yes	Y

A Variance (VAR-18908) application is required.

VAR-18908 - Staff Report Page Four
January 25, 2007 - Planning Commission Meeting

ANALYSIS

The previous application, Site Development Plan Review (SDR-14423); supplied an incorrect acreage total for the site. The Site Development Plan Review supplied a gross acreage of five acres where it should have been 4.16 net acres for the site. The proposed plan shows 33 percent lot coverage where 30 percent maximum lot coverage is permitted for an O (Office) Zoning District. Therefore, the application needs a Variance.

The applicant has supplied a different office layout and increased the office floor area. Per Title 19.18 the increase in the floor area necessitates a Major Amendment, or a Site Development Plan Review. The applicant is proposing four single story office buildings and three 2-story office buildings totaling 28,000 square feet of medical office space and 32,160 square feet of professional offices on the 4.16 acre site. On 09/06/06, a Site Development Plan Review (SDR-14423) was approved for the site for a 58,400 square-foot office development consisting of one 2-story and four single story office buildings totaling 36,400 square feet of medical office space and 22,000 square feet of professional offices. This included a General Plan Amendment (GPA-14417) to change the land use designation on this site from ML (Medium-Low Density Residential), to O (Office) and a Rezoning (ZON-14420) from U (Undeveloped) [ML (Medium-Low Density Residential) Master Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units Per Acre) to O (Office).

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

VAR-18908 - Staff Report Page Five
January 25, 2007 - Planning Commission Meeting

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship. An 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

7

ASSEMBLY DISTRICT 4

SENATE DISTRICT 6

NOTICES MAILED 428 [Mailed with SDR-18660]

APPROVALS 1

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-18908** APN: 138-08-401-008&009

Name of Property Owner: FFPW MEDICAL DEVELOPMENT, LLC

Name of Applicant: SCOTT WALKER

Name of Representative: JOHN DAVID BURKE ARCHITECT

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

☒ Yes

☐ No

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

City Official: SAMUEL DUNNAM

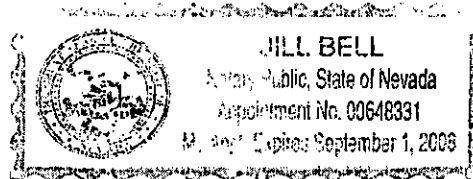
Partner(s): Real Estate Partners with John David Burke (DBA: Badd Investments LLC)

APN: 16232202009

Signature of Property Owner: [Signature]
Print Name: Greg S. Walker

Subscribed and sworn before me

This 22 day of December, 2006
Jill Bell
Notary Public in and for said County and State

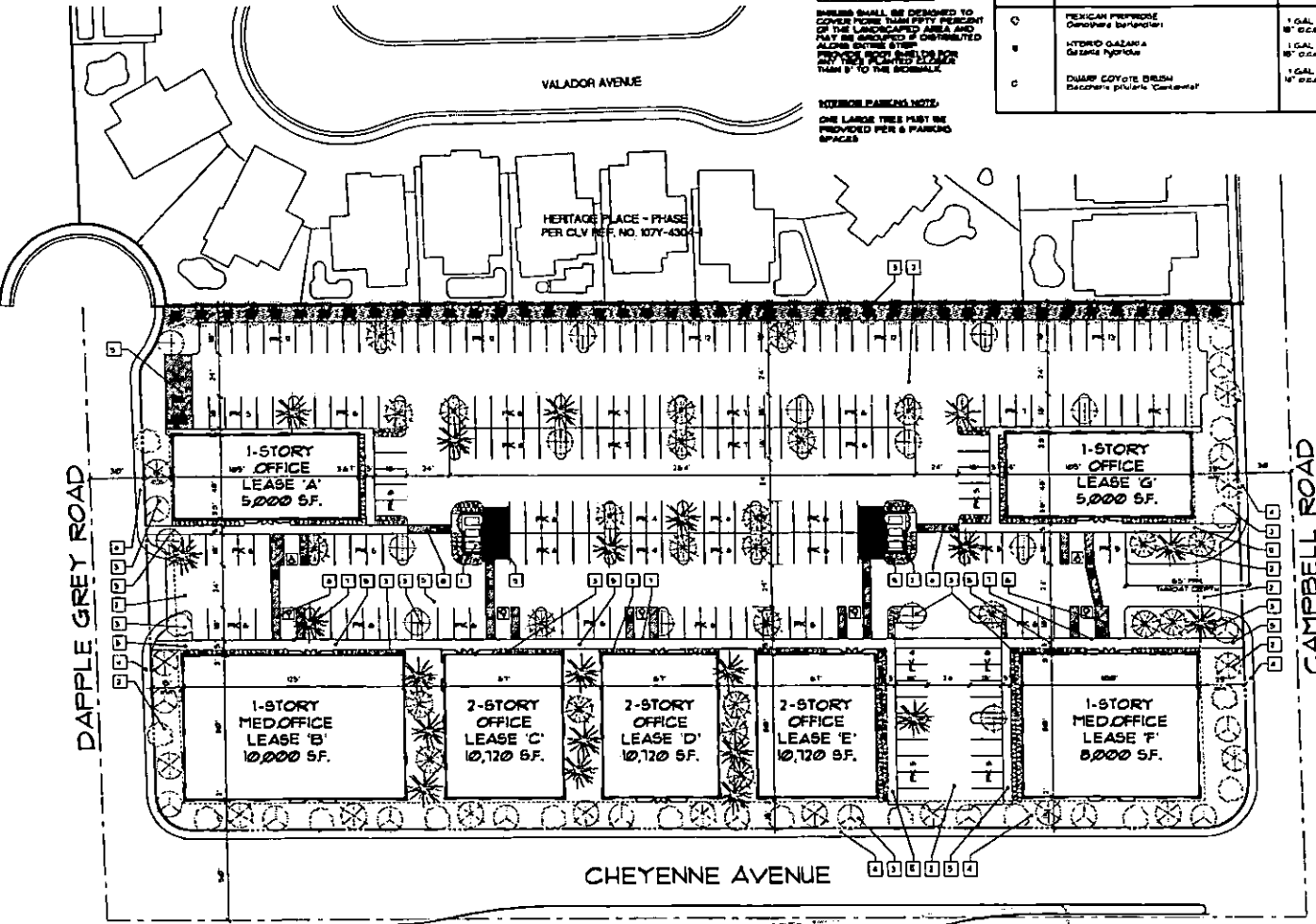


LANDSCAPE LEGEND

SYMBOL	LARGE TREES	TYPE	SIZE	SYMBOL	LARGE TREES	TYPE	SIZE	SYMBOL	SHRUBS	SIZE
	SHADEMASTER MONEY LEAF	LARGE DECIDUOUS	24" box		CAROLINA LAUREL CHERRY	MEDIUM EVERGREEN	15 gallon		EVERGREEN EUCYTHOUS	5 GAL
	SWEET ACACIA	MEDIUM EVERGREEN	15 gallon		CATALPA ACACIA	MEDIUM DECIDUOUS	15 gallon		COTTON WREATH CREEPER	5 GAL
	ARIZONA ASH	LARGE DECIDUOUS	24" box		CHASTE TREE	MEDIUM EVERGREEN	15 gallon		TEXAS RANGER	5 GAL
	SOUTHERN LIVE OAK	LARGE EVERGREEN	24" box		ALEPPO PINE	LARGE EVERGREEN	24" box		FEATHERED CASSIA	5 GAL
					PRUNELLA CAROLINIANA					

KEYNOTES

#	description
1	6'-6" HIGH CONCRETE BLOCK TRASH ENCLOSURE WITH PAIR OF UNCOATED IRON GATES WITH STAMPED METAL BACKING AND LIFT PIN LOCATION
2	2" A.C. PAVING
3	LANDSCAPED AREA - BY OTHERS
4	CONCRETE SIDEWALK CURB & GUTTER AS PER CITY OF LAS VEGAS
5	8" CONCRETE SIDEWALK, UNCOLORED FINISH
6	HANDICAP ACCESSIBLE AISE
7	HANDICAP CURB
8	HANDICAP ACCESSIBLE ROUTE
9	10' X 35' LOADING ZONE



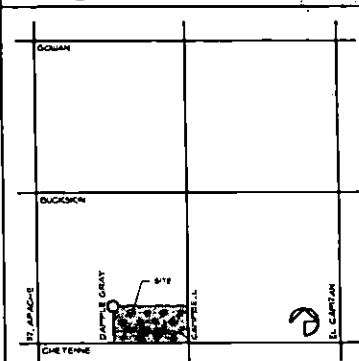
1 SITE PLAN
SCALE: 1" = 30'-0"

DEC 22 2006

PROJECT DATA

REQUIRED ZONING:	D	
EXISTING ZONING:	D	
AREA SUMMARY		
USE	HEIGHT	AREA
MEDICAL LEASE 'A'	1-STORY	5,000 SF.
MEDICAL LEASE 'B'	1-STORY	5,000 SF.
OFFICE LEASE 'C'	1-STORY	10,120 SF.
OFFICE LEASE 'D'	2-STORY	10,120 SF.
OFFICE LEASE 'E'	2-STORY	10,120 SF.
MEDICAL LEASE 'F'	1-STORY	5,000 SF.
MEDICAL LEASE 'G'	1-STORY	5,000 SF.
TOTAL		60,480 SF.
REQUIRED PARKING		
USE	AREA	FACTOR
PER OFFICE	2,000 SF.	1500
PER MED OFFICE	10,000 SF.	1475
PER MEDICAL	10,000 SF.	1500
PER TOTAL	32,000 SF.	1500
		TOTAL 32.0
EXISTING PARKING	261 SPACES	
SITE AREA:	50,000 SF., 4.4 ACRES	
BUILDING COVERAGE	33%	
APR	138-28-421-000 138-24-421-000	

LOCATION



REVISIONS
K K K K

jon
adul
durke, architect

CHEYENNE WEST
MEDICAL CENTRE
for: FFW, LLC.
city of Las Vegas Nevada

date
proj. no.
drwn. by
chkd. by

sheet no.
A1

VAR-18908
01/25/07 PC

December 21, 2006

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING & DEVELOPMENT
731 South Fourth Street
Las Vegas, Nevada 89101

Re: Justification Letter -- Variance Request
Office Project
9040 and 9092 West Cheyenne Avenue
Tax Assessor's Parcel No.: 138-08-401-008 & 009

The plans we are submitting today for your review depict a one and two story office project previously approved under ZON-14420, SDR-14423 and TMP-16175. This is a request for a variance to allow 60,160 s.f. of building where 58,400 s.f. was previously approved (SDR 14423).

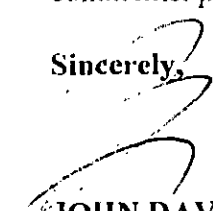
Due to the fact that the allowable building coverage is based on net and not gross site area, the applicant feels that an excessive amount of his initial gross square footage has been dedicated to the City for streets. The initial site area of 233,173 square feet has been reduced to a net of 181,063 square feet. That's a 22.4% reduction – almost a quarter of the property. This has created a hardship on his allowable building coverage.

The building coverage based on gross is 25.8%. The coverage based on net is 33.2% where 30% is allowable. This request is for a 1,760 square foot increase over what has previously been approved. That works out to a requested increase of 3%. Based on the hardship created by the dedication of streets on three sides of the property, the applicant feels this is a reasonable request.

Otherwise, these plans are consistent with the master plan and with the requirements of City of Las Vegas Zoning Code and all previous approvals.

We respectfully request your consideration in this matter. If you have any questions or comments, please call.

Sincerely,


JOHN DAVID BURKE, ARCHITECT

VAR-18908
01/25/07 PC

Telephone Protest/Approval Log

Meeting Date: 1/25/07

Case Number: VAR-18908

Date:

1/12/07

Name:

Louise Joyce

Address:

3248 Ariba

Phone:

254-8566

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PROTEST

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APPROVE

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APPROVE

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 25, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-18660 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-18908 - PUBLIC HEARING - APPLICANT/OWNER: FFPW MEDICAL DEVELOPMENT, LLC
- Request for a Site Development Plan Review FOR A PROPOSED 60,160 SQUARE-FOOT OFFICE DEVELOPMENT on 4.16 acres at the northeast corner of Campbell Road and Cheyenne Avenue (APNs 138-08-401-008 and 009), U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution of Intent to O (Office) Zone, Ward 4 (Brown).

C.C.: 02/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

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

MOTION:

STEINMAN – APPROVED subject to conditions – **UNANIMOUS** with **DUNNAM** abstaining as the architect is a business associate

To be heard by the City Council on 02/21/2007

MINUTES:

See Item 58 for related discussion.

(8:44 – 8:51)
2-2013

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 59 – SDR-18660

CONDITIONS:

Planning and Development

1. Conformance to the Conditions of Approval for Variance (VAR-18908) shall be required, if approved.
2. Approval of this application shall expunge the previous Site Development Plan Review (SDR-14423), if approved.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All development shall be in conformance with the site plan, and landscape plan, date stamped 12/11/06, and building elevations, date stamped 01/19/07 except as amended by conditions herein.
5. A Waiver to allow 41 trees in the parking lot landscape finger area where 45 trees in the parking lot landscape finger area are the minimum required is hereby approved.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
8. 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. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 59 – SDR-18660

CONDITIONS –Continued:

lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

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. Coordinate with the City Surveyor to determine whether a Merger and Re-Subdivision Map or other map is necessary; comply with the recommendations of the City Surveyor.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

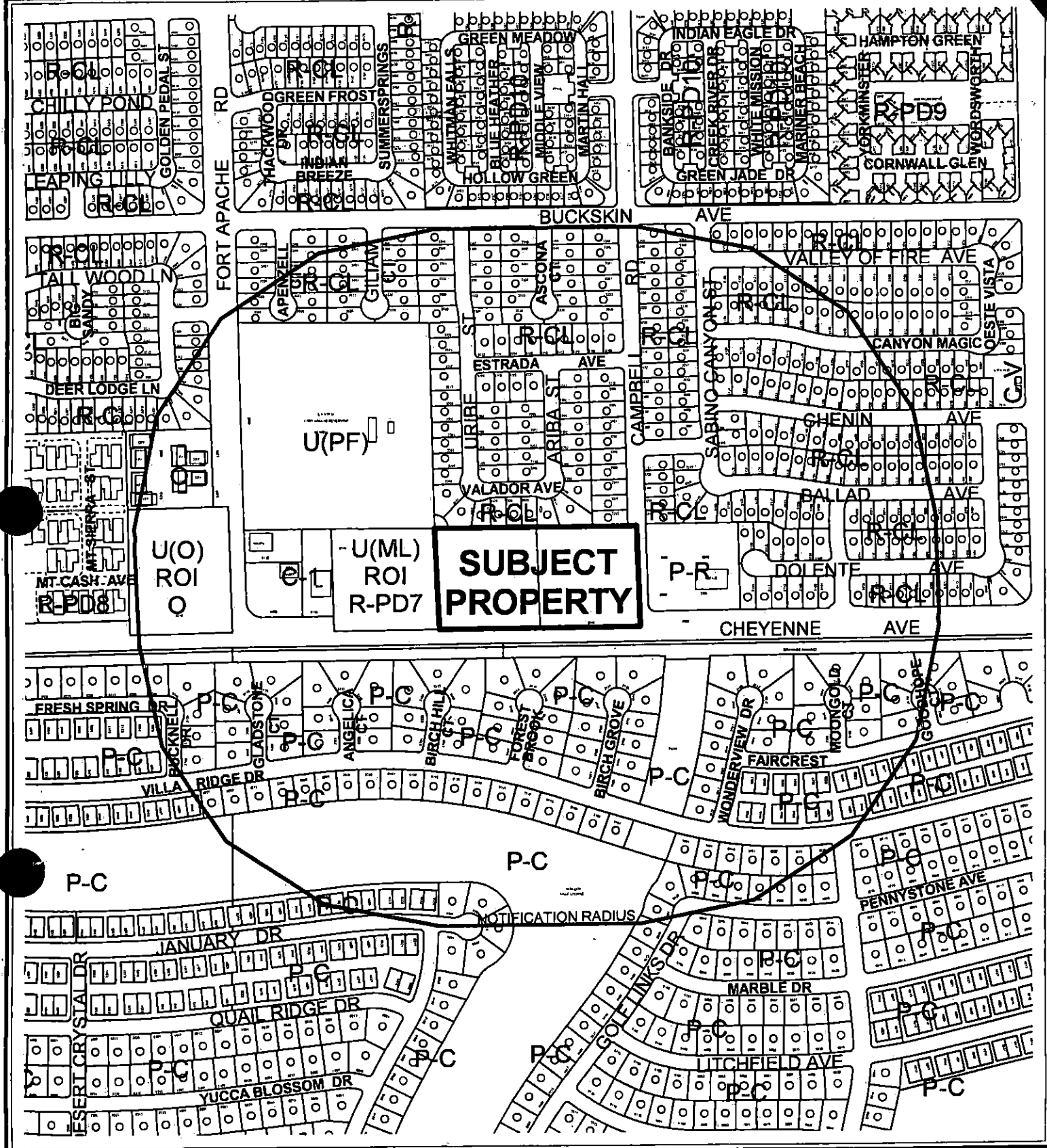
Public Works

14. Coordinate with the City Surveyor to determine the appropriate mapping method for this site; comply with the recommendations of the City Surveyor.
15. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
16. Submit an application for a deviation from Standard Drawing #222a for the driveways accessing this site from Campbell Road and Dapple Grey Drive.
17. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
18. 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

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 59 – SDR-18660

CONDITIONS –Continued:

- #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.
19. Site development to comply with all applicable conditions of approval for ZON-14420 and all other applicable site-related actions.
 20. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the ITS Communication Infrastructure Phase III project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Surveyor.
 21. The Applicant shall work with staff prior to submittal of a Site Development Plan Review to ensure that the final elevations of building pad(s) and parking lot are to the lowest height allowed by the Regional Flood Control District Manual and shall submit an exterior wall plan with the Site Development Plan Review showing existing and proposed grades, proposed wall heights and maximum retaining wall heights at the perimeters of the site.

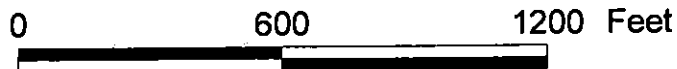


CASE: **SDR-18660**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [O (OFFICE) GENERAL PLAN LAND USE DESIGNATION]
UNDER RESOLUTION OF INTENT O (OFFICE)





CASE: **SDR-18660**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [O (OFFICE) GENERAL PLAN LAND USE DESIGNATION]
UNDER RESOLUTION OF INTENT O (OFFICE)



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JANUARY 25, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-18660 - APPLICANT/OWNER: FFPW MEDICAL DEVELOPMENT, LLC**

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

1. Conformance to the Conditions of Approval for Variance (VAR-18908) shall be required, if approved.
2. Approval of this application shall expunge the previous Site Development Plan Review (SDR-14423), if approved.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All development shall be in conformance with the site plan, and landscape plan, date stamped 12/11/06, and building elevations, date stamped 01/19/07 except as amended by conditions herein.
5. A Waiver to allow 41 trees in the parking lot landscape finger area where 45 trees in the parking lot landscape finger area are the minimum required is hereby approved.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
8. 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).

JM

SDR-18660 - Conditions Page Two
January 25, 2007 - Planning Commission Meeting

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. 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.
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. Coordinate with the City Surveyor to determine whether a Merger and Re-Subdivision Map or other map is necessary; comply with the recommendations of the City Surveyor.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. Coordinate with the City Surveyor to determine the appropriate mapping method for this site; comply with the recommendations of the City Surveyor.
15. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
16. Submit an application for a deviation from Standard Drawing #222a for the driveways accessing this site from Campbell Road and Dapple Grey Drive.
17. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
18. 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

SDR-18660 - Conditions Page Three
January 25, 2007 - Planning Commission Meeting

#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.

19. Site development to comply with all applicable conditions of approval for ZON-14420 and all other applicable site-related actions.
20. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the ITS Communication Infrastructure Phase III project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Surveyor.
21. The Applicant shall work with staff prior to submittal of a Site Development Plan Review to ensure that the final elevations of building pad(s) and parking lot are to the lowest height allowed by the Regional Flood Control District Manual and shall submit an exterior wall plan with the Site Development Plan Review showing existing and proposed grades, proposed wall heights and maximum retaining wall heights at the perimeters of the site.

SDR-18660 - Staff Report Page One
January 25, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing four single story office buildings and three 2-story office buildings totaling 28,000 square feet of medical office space and 32,160 square feet of professional offices on the 4.16 acre site.

The proposed development is not consistent with city standards because the site exceeds the maximum lot coverage in an O (Office) Zoning District. Staff cannot support as it is the result of a self-imposed hardship.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/25/02	The Planning Commission tabled requests to amend a portion of the Centennial Hills Sector Plan (GPA-0008-02) from ML (Medium-Low Density Residential) to O (Office) and to Rezone (Z-0022-02) from U (Undeveloped) [ML (Medium-Low Density Residential) General Plan Designation] to O (Office) on 2.5 acres adjacent to the north side of Cheyenne Avenue, approximately 600 feet east of Fort Apache Road. Staff recommended denial of both requests.
08/21/02	The City Council approved a request to amend a portion of the Centennial Hills Sector Plan (GPA-0011-02) from ML (Medium-Low Density Residential) to O (Office) on 10.00 acres adjacent to the northwest and northeast corner of Campbell Road and Cheyenne Avenue. The City Council also approved a Rezoning (Z-0063-02) from U (Undeveloped) [ML (Medium-Low Density Residential) General Plan Designation] to O (Office) on 5.0 acres adjacent to the northwest corner of Cheyenne Avenue and Campbell Road. The previous actions on the site (GPA-0008-02 and Z-0022-02) were expunged. Planning Commission and staff recommended approval.
05/21/03	The City Council approved a General Plan Amendment (GPA-1016) to SC (Service Commercial) and a Rezoning (ZON-1017) on the subject site. The City Council amended the Rezoning application (ZON-1017) to N-S (Neighborhood Service). The Planning Commission recommended approval.
11/05/03	The City Council approved a request for a Site Development Plan Review (SDR-2871) for a proposed 77,000 square foot mini-warehouse facility with Recreational Vehicle and Boat Storage located adjacent to the north side of Cheyenne Avenue, approximately 340 feet east of Fort Apache Road. The Planning Commission and staff recommended approval.

SDR-18660 - Staff Report Page Two
January 25, 2007 - Planning Commission Meeting

05/06/04	The Planning and Development Department approved an administrative site plan and elevation drawing for a proposed slim-line wireless communication facility at the northwest corner of the subject site.
07/22/04	The Department of Building and Safety issued a building permit (#04019515) for a monopole and slim-line antennas at 9176 West Cheyenne Avenue. A final inspection was approved for the block wall enclosure on 12/03/04, but no final inspection for the wireless facility was approved.
08/04/04	The City Council approved the request for an Extension of Time (EOT-4691) on an approved Rezoning (Z-0063-02) from U (Undeveloped) [ML (Medium-Low Density Residential) General Plan Designation] to O (Office) on 2.68 acres adjacent to the north side of Cheyenne Avenue, approximately 340 feet west of Campbell Road.
09/15/04	The City Council approved the request for a Rezoning (ZON-4699) from U (Undeveloped) [O (Office) General Plan Designation] to O (Office) on 2.5 acres adjacent to the northwest corner of Cheyenne Avenue and Campbell Road. The Planning Commission and staff recommended approval.
09/15/04	The City Council approved a Vacation (VAC-4700) application for a Petition to Vacate U.S. Government Patent Easements generally located west of Campbell Road, north of Cheyenne Avenue. The Planning Commission and staff recommended approval.
12/02/04	The Planning Commission approved a request for a Tentative Map (TMP-5356) for a one-lot commercial subdivision on 5.36 acres adjacent to northwest corner of Cheyenne Avenue and Campbell Road. Staff recommended approval.
03/01/06	The City Council approved a General Plan Amendment (GPA-10763) to change the land use designation on this site from O (Office) and SC (Service Commercial) to ML (Medium-Low Density Residential), a Rezoning (ZON-10766) to R-PD7 (Residential Planned Development - 7 Units Per Acre), a Variance (VAR-10765) to allow a reduction in required open space, and a Site Development Plan Review (SDR-10769) for a proposed 56-lot single-family residential development with this item. The City Council approved SDR-10769 for a maximum of 55 lots. The Planning Commission and staff recommended denial.
09/06/06	The City Council approved a General Plan Amendment (GPA-14417) to change the land use designation on this site from ML (Medium-Low Density Residential), to O (Office) and to a Rezoning (ZON-14420) from: U (Undeveloped) [ML (Medium-Low Density Residential) Master Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units per acre) to: O (Office), and a Site Development Plan Review (SDR-14423) for a 58,400 square foot office development.
10/05/06	The City Council approved a request for a Tentative Map (TMP-16175) for a one-lot commercial subdivision on 5.0 acres at 9040 and 9092 West Cheyenne Avenue.

SDR-18660 - Staff Report Page Three
January 25, 2007 - Planning Commission Meeting

Pre-Application Meeting	
11/20/06	A pre-application meeting was held. It was noted that this would be a major amendment to the approved Site Development Plan Review (SDR-14423). After reviewing the submittal, staff discovered that the applicant supplied an incorrect acreage total for the site. The Site Development Plan Review application supplied a gross acreage where it should have been net acreage for the site. As calculated in net acres, the site exceeds the maximum lot coverage for an O (Office); therefore, the application needs a Variance.
Neighborhood Meeting	
A neighborhood meeting was not held, nor was one required.	

Details of Application Request	
Site Area	
Net Acres	4.16

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	O (Office)	U (Undeveloped) Under Resolution of Intent to O (Office)
North	Single Family Residential	ML (Medium Low) Residential	R-CL (Single Family Compact-Lot)
South	Single Family Residential	ML (Medium Low) Residential	P-C (Planned Community)
East	Office Buildings	O (Office)	P-R (Professional Office and Parking)
West	Undeveloped	ML (Medium Low) Residential	U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation]

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

SDR-18660 - Staff Report Page Four
January 25, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 Development Standards

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	NA	NA	NA
Min. Lot Width	100 Feet	608 Feet	Y
Min. Setbacks • Front • Side • Corner • Rear	25 Feet 10 Feet 15 Feet 15 Feet	25 Feet 15 Feet NA NA	Y
Max. Lot Coverage	30%	33%	N*
Max. Building Height	2 stories or 35 feet	2 stories and 35 Feet	Y
Trash Enclosure	Yes	Yes	Y
Mech. Equipment	Yes	Yes	Y

A Variance (VAR-18908) application is required.

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

Uses	GFA	Required		Provided	
		Ratio	Parking		Parking
			Regular	Handicap	
Medical Offices	28,000	One space for each 200 S.F. of GFA up to 2,000 S.F., plus one space for each additional 175 S.G.	159		204
Professional Offices	32,160	One space for each 300 S.F. of GFA	108		74
Total			267	7	267
Loading Spaces	60,160		3		3

SDR-18660 - Staff Report Page Five
January 25, 2007 - Planning Commission Meeting

Pursuant to Title 19.08.060, the following residential adjacency standards apply:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	60 Feet	72.5 Feet	Y

Pursuant to Title 19.12, the following landscape standards apply:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree / 6 Spaces	45 Trees	41 Trees*
Buffer:			
Min. Trees			
• North	1 Trees/ 20 Linear Feet	30 Trees	43 Trees
• South		31 Trees	27 Trees
• East	1 Trees/ 20 Linear Feet	9 Trees	13 Trees
• West		13 Trees	12 Trees
	1 Trees/ 30 Linear Feet		
	1 Trees/ 20 Linear Feet		
Min. Zone Width			
• North	8 Feet		10 Feet
• South	15 Feet		25 Feet
• West	15 Feet		15 Feet
• East	15 Feet		15 Feet
			15 extra trees are provided on site.

*Waiver of landscape parking fingers.

ANALYSIS

- Zoning

The proposed medical and professional office development is consistent with the O (Office) Zoning District.

- Residential Adjacency

The site is adjacent to residential properties to the north; therefore, Title 19.08.060 Residential Adjacency Standards apply. This standard requires that no building shall exceed the height of a line drawn from the property line of a protected property at a 3:1 slope. By these standards, Building "A" is 20 feet in height and is required to be 60 feet setback from the protected property to the north. Building "A" is 72.5 feet in distance from the protected property; therefore, is in compliance.

JM

SDR-18660 - Staff Report Page Six
January 25, 2007 - Planning Commission Meeting

- **Site Plan**

The applicant is proposing four single story office buildings and three 2-story office buildings totaling 28,000 square feet of medical office space and 32,160 square feet of professional offices on the 4.16 acre site. On 09/06/06, a Site Development Plan Review (SDR-14423) was approved for the site for a 58,400 square-foot office development consisting of one 2-story and four single story office buildings totaling 36,400 square feet of medical office space and 22,000 square feet of professional offices. This included a General Plan Amendment (GPA-14417) to change the land use designation on this site from ML (Medium-Low Density Residential), to O (Office) and a Rezoning (ZON-14420) from U (Undeveloped) [ML (Medium-Low Density Residential) Master Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units per acre) to O (Office).

The applicant has supplied a different office layout and increased the office floor area. Per Title 19.18 the increase in the floor area necessitates a Major Amendment, or a Site Development Plan Review. In addition, the previous application, Site Development Plan Review (SDR-14423) supplied an incorrect acreage total for the site. The SDR supplied a gross acreage where it should have been net acreage for the site. As calculated in net acres, the site exceeds the maximum lot coverage for an O (Office); therefore, the application needs a Variance.

- **Waivers**

The applicant is requesting a Waiver to allow 41 trees in the parking lot landscape finger area where 45 trees in the parking lot landscape finger area are the minimum required.

- **Landscape Plan**

On the perimeters of the development along Cheyenne Avenue, Campbell Road and Dapple Grey Road, the applicant provides 15 feet of landscape buffer with 24-inch Shademaster Honey Locust, Arizona Ash, and Southern Live Oak spaced appropriately. In the interior, the applicant provides eight feet of landscape buffer with 24-inch Aleppo Pine spaced appropriately.

Title 19.10 Parking, Loading and Traffic standards requires a landscape island for every six uncovered parking spaces. The applicant is providing sufficient landscape islands on the site.

- **Elevation**

The building elevations depict a three 2-story, 35-Foot office building and four, ranging from 20-foot to 23-foot, single-story office buildings with exteriors of stone veneer, painted panels and aluminum window systems.

SDR-18660 - Staff Report Page Seven
January 25, 2007 - Planning Commission Meeting

- Floor Plan

No floor plans were provided with this application.

- Trails

A Pedestrian Path alignment exists along the north side of Cheyenne Avenue, adjacent to the proposed development. A Pedestrian Path is a dedicated route for pedestrians and other trail users proposed for rights-of-way in developed areas where enough right-of-way to accommodate a multi-use trail cross section requirement is not available. The cross section requires less width due to a reduction in amenity but provides an unobstructed path for trail users. The site path is in conformance with the Pedestrian Path cross-section.

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 other commercial development that is occurring at this intersection. However, staff cannot support this development as is not consistent with city standards because the site exceeds the maximum lot coverage in an O (Office) Zoning District. Staff cannot support as it is the result of a self-imposed hardship.

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 proposed development is not consistent with city standards because the site exceeds the maximum lot coverage in an O (Office) Zoning District. Staff cannot support as it is the result of a self-imposed hardship.

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

Cheyenne Avenue, a Primary (100-foot) Arterial, is fully constructed and will provide access to the proposed development. Improvement to Dapple Grey Road and Campbell Road, both 60-foot public streets, will be adequate to meet the requirements of the proposed development.

SDR-18660 - Staff Report Page Eight
January 25, 2007 - Planning Commission Meeting

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

The proposed building materials and landscape materials are appropriate for the area and for the City.

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

The building elevations, design characteristics, and other architectural and aesthetic features are attractive and compatible with development in the area.

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

The proposed development will be subject to permits and final inspection for a Certificate of Occupancy and; therefore, will not compromise the health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 4

SENATE DISTRICT 6

NOTICES MAILED 428 [Mailed with VAR-18908]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-18660** APN: 138-08-401-008 & 009

Name of Property Owner: FFPW MEDICAL DEVELOPMENT, LLC

Name of Applicant: SCOTT WALKER

Name of Representative: JOHN DAVID BURKE ARCHITECT

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

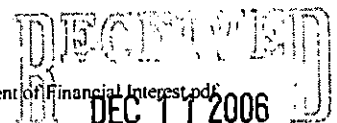
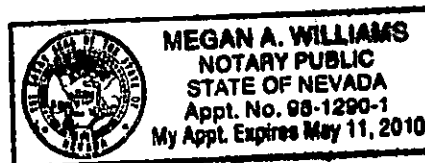
APN: _____

Signature of Property Owner: _____

Print Name: GREGORY SCOTT WALKER

Subscribed and sworn before me

This 4th day of December, 2006
Megan A. Williams
Notary Public in and for said County and State

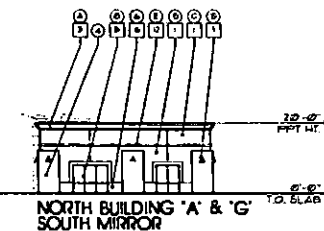
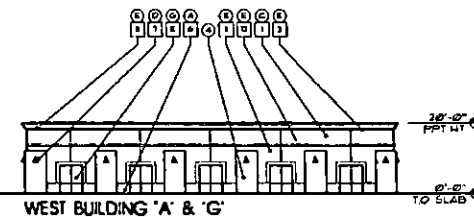
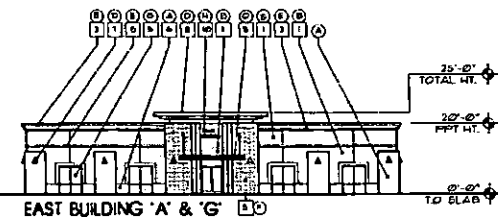
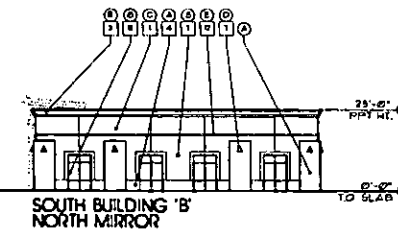
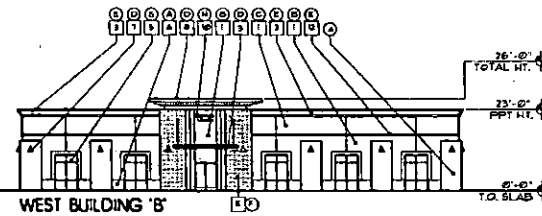
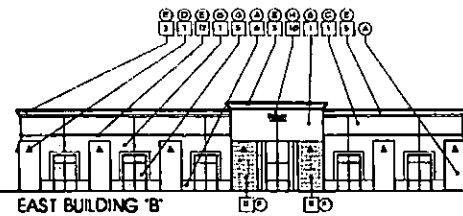
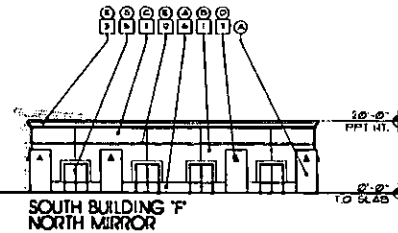
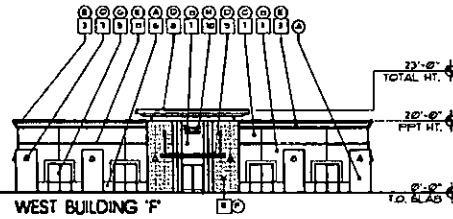
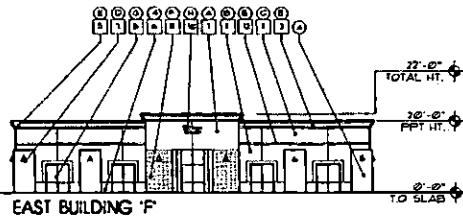


COLOR SCHEME

Sym.	Color/Material	Location	Sym.	Color/Material	Location
1	PRALISE 8758A - MOCHA BROWN	STUCCO DARK FIELD STUCCO PLASTER	11	STONE CONNECTION SLATE TILE VENEER	STONEFRONT FRAMES
2	PRALISE 8759A - COACH HOUSE	STUCCO MEDIUM FIELD	12	'ANGADIA' STANDARD MEDIUM DRIZZLE 40-15 ANCHORED FRAMES	GLAZING
3	PRALISE 8754H - PIEDMONT LANE	STUCCO LIGHT FIELD	13	EVERGREEN ECLIPSE ADVANTAGE ON 'I' SURFACE	MONAGE
4	PRALISE 8757H - FRENCH RED	METAL AWNING ACCENT	14	COLOR 'B' AGAINST A 'C' BACKGROUND COLOR 'A' AGAINST A 'B' BACKGROUND COLOR 'C' AGAINST AN 'A' BACKGROUND	
5	PRALISE 8753H - SENTRY & FENCE	STUCCO TRIM			

KEYNOTES

#	description
1	SYNTHETIC STUCCO FINISH SYSTEM OVERWEATHERING AND 2X FLASHING
2	KEENE '40 STUCCO CONTROL JOINT
3	STUCCO CORNICE
4	STUCCO FASCIA
5	ALUMINUM STOREFRONT DOOR OR WINDOW
6	STUCCO MANGROT
7	DECORATIVE LIGHT SOURCE
8	STANDING SEAM METAL ROOF
9	DECORATIVE STEEL TUBE AWNING
10	SIGNAGE - BY OTHERS
11	SLATE VENEER
12	STUCCO PLANT-ON



ELEVATIONS

SCALE: 1/16" = 1'-0"



JOHN
COUL
DURKE, ARCHITECT
3411 WEST OGDEN ROAD, SUITE 100, LAS VEGAS, NV 89103-1000

CHEYENNE WEST
MEDICAL CENTRE
for: FFPW LLC.
City of Las Vegas Nevada

date: _____
proj. no.: _____
drawn by: _____
chkd. by: _____

sheet no. A2

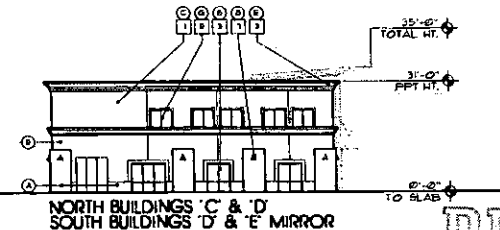
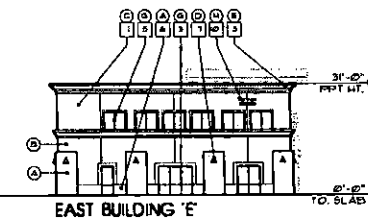
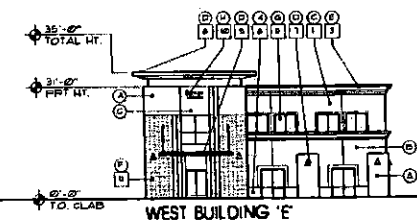
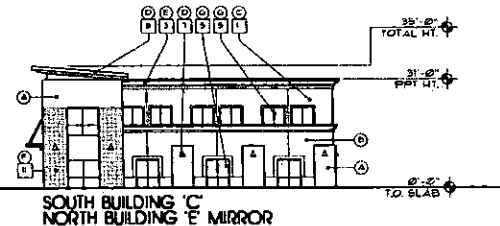
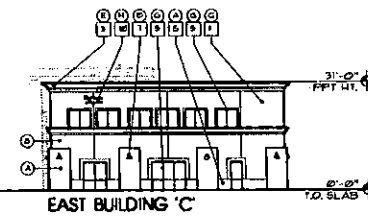
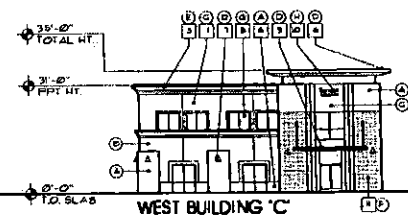
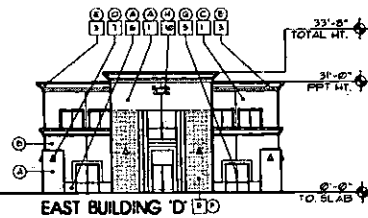
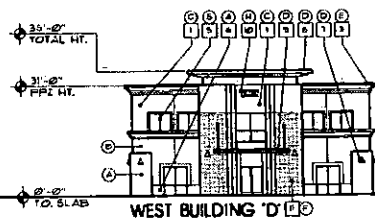
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JAN 19 2007

VAR-18908 - SDR-18660
REVISED 01/25/07 PC

COLOR SCHEME				KEYNOTES	
Sym.	Color/Material	Location	Sym.	Color/Material	Location
(A)	PRAZEE 8726N - MOCHA BROWN	STUCCO DARK FIELD STUCCO PILASTER	(1)	STONE CONNECTION SLATE TILE VENEER	SLATE TILE VENEER
(B)	PRAZEE 8726A - COACH HOUSE	STUCCO MEDIUM FIELD	(2)	ARCADIA STANDING MEDIUM BRONZE AD-3 ANODIZED FRAMES	STOREFRONT FRAMES
(C)	PRAZEE 8741H - PEACOCK LARK	STUCCO LIGHT FIELD	(3)	EVERGREEN ECLIPSE ADVANTAGE	GLAZING ON "D" SURFACE
(D)	PRAZEE 8741N - FRENCH REG	METAL AWNING ACCENT	(4)	COLOR "A" AGAINST A "D" BACKGROUND COLOR "A" AGAINST A "B" BACKGROUND COLOR "C" AGAINST A "A" BACKGROUND	SIGNAGE
(E)	PRAZEE 8731N - SAWYER'S FENCE	STUCCO TRIM			

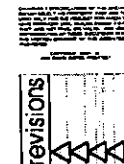
KEYNOTES	
Sym.	Description
(1)	SYNTHETIC STUCCO FINISH SYSTEM OVERHEATING AND TX PLATING
(2)	KEENE "40" STUCCO CONTROL JOINT
(3)	STUCCO CORNICE
(4)	STUCCO FASCIA
(5)	ALUMINUM STOREFRONT DOOR OR WINDOW
(6)	STUCCO BARNSCOT
(7)	DECORATIVE LIGHT SCIENCE
(8)	STANDING SEAM METAL ROOF
(9)	DECORATIVE STEEL TUBE AWNING
(10)	SIGNAGE - BY OTHERS
(11)	SLATE VENEER
(12)	STUCCO PLANT-ON



1 ELEVATIONS

SCALE: 1/16"=1'-0"

RECEIVED
JAN 10 2007



JOHN
DUMC. ARCHITECT
1341 WEST COLEMAN RD. #201 LAS VEGAS, NV 89102 702.731.4863

CHEYENNE WEST
MEDICAL CENTRE
for: FFWJ, LLC.
City of Las Vegas Nevada

date	proj. no.	dwn. by	chkd. by

sheet no.	A3
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VAR-18908 SDR-18660
REVISED 01/25/07 PC

COLOR/MATERIALS BOARD



④ STUCCO DARK FIELD
STUCCO PILASTER
FRAZEE 8126N - MOCHA BROWN



⑤ STUCCO MEDIUM FIELD
FRAZEE 8125A - COACH HOUSE



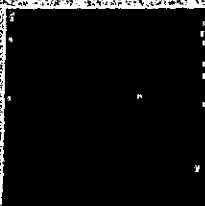
③ STUCCO LIGHT FIELD
FRAZEE 8124M - MEADOWLARK



② METAL AWNING ACCENT
FRAZEE AC11N - FRENCH RED



⑤ STUCCO TRIM
FRAZEE 8231W - SAWYER'S FENCE



⑥ SLATE VENEER
'STONE CONNECTION'
SLATE 1512
CONTACT: 702-735-9186



⑦ STOREFRONT FRAMES:
'ARCADIA' STANDARD MEDIUM BRONZE
4B-4 ANODIZED FRAMES



GLAZING:
BRONZE REFLECTIVE

VAR-18908

SDR-18660

REVISED 01/25/07 PC

APPROVED BY: _____
DATE: _____

CHEYENNE WEST
MEDICAL CENTRE
XPO, LLP, LLC
CITY OF Las Vegas Nevada

John
dabli
burke architect

3411 WEST OGDEN RD, SUITE 140 VEGAS, NV 89103 (702) 645-1501

November 14, 2006

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING & DEVELOPMENT
731 South Fourth Street
Las Vegas, Nevada 89101

Re: Justification Letter – Site Plan Development Review
Office Project
9040 and 9092 West Cheyenne Avenue
Tax Assessor's Parcel No.: 138-08-401-008 & 009

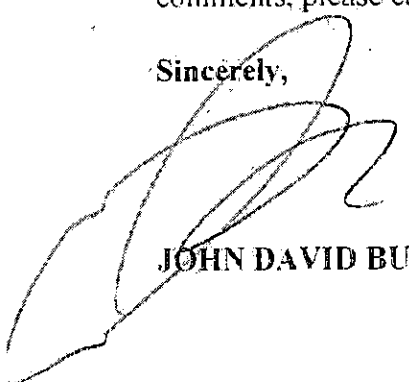
The plans we are submitting today for your review depict a one and to story office project previously approved under ZON-14420, SDR-14423 and TMP-16175. This is a request for a site plan development review to slightly revise the site plan and reduce the requested total building area. Also revised are the exterior elevations of the buildings. There are seven smaller size buildings (previously there were five) and a new architect has been hired (thereby generating new exteriors).

The elevations depict multi-colored stucco exteriors in an earthtone/desert palette with decorative steel tube awnings and standing seam metal roofs. The entries are enhanced with cultured stone veneer. The balance of the elevations are enhanced with aluminum storefront windows/doors and decorative light sconces.

Otherwise, these plans are consistent with the master plan and with the requirements of City of Las Vegas Zoning Code and all previous approvals.

We respectfully request your consideration in this matter. If you have any questions or comments, please call.

Sincerely,



JOHN DAVID BURKE, ARCHITECT

SDR-18660

01/25/07 PC

RECEIVED
DEC 11 2006

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 25, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-18984 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SPANISH VILLAS AT SAHARA, LLC - Request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED on 7.68 acres at 3100-3190 West Sahara Avenue (APN 162-05-403-001 through 003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

C.C.: 02/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Abeyance request by Deborah McCutchen for Items 60 and 61

MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 26 [ZON-17248], Item 27 [SDR-17249], Item 31 [ZON-17693], Item 32 [SDR-17694], Item 35 [ZON-18196], Item 36 [SDR-17727], Item 54 [WVR-18085], Item 55 [SUP-18084] and Item 65 [SUP-18691] to 02/08/2007; Item 24 [ZON-17304], Item 25 [SDR-18676], Item 37 [VAR-18345], Item 60 [VAR-18984] and Item 61 [SDR-18693] to 02/22/2007; Item 38 [GPA-18776] and Item 44 [GPA-19066] to 03/08/2007; TABLE Item 2 [SDR-15322], Item 33 [VAR-17732] and Item 34 [SDR-17730]; and WITHDRAW WITHOUT PREJUDICE Item 66 [SDR-18677] – UNANIMOUS

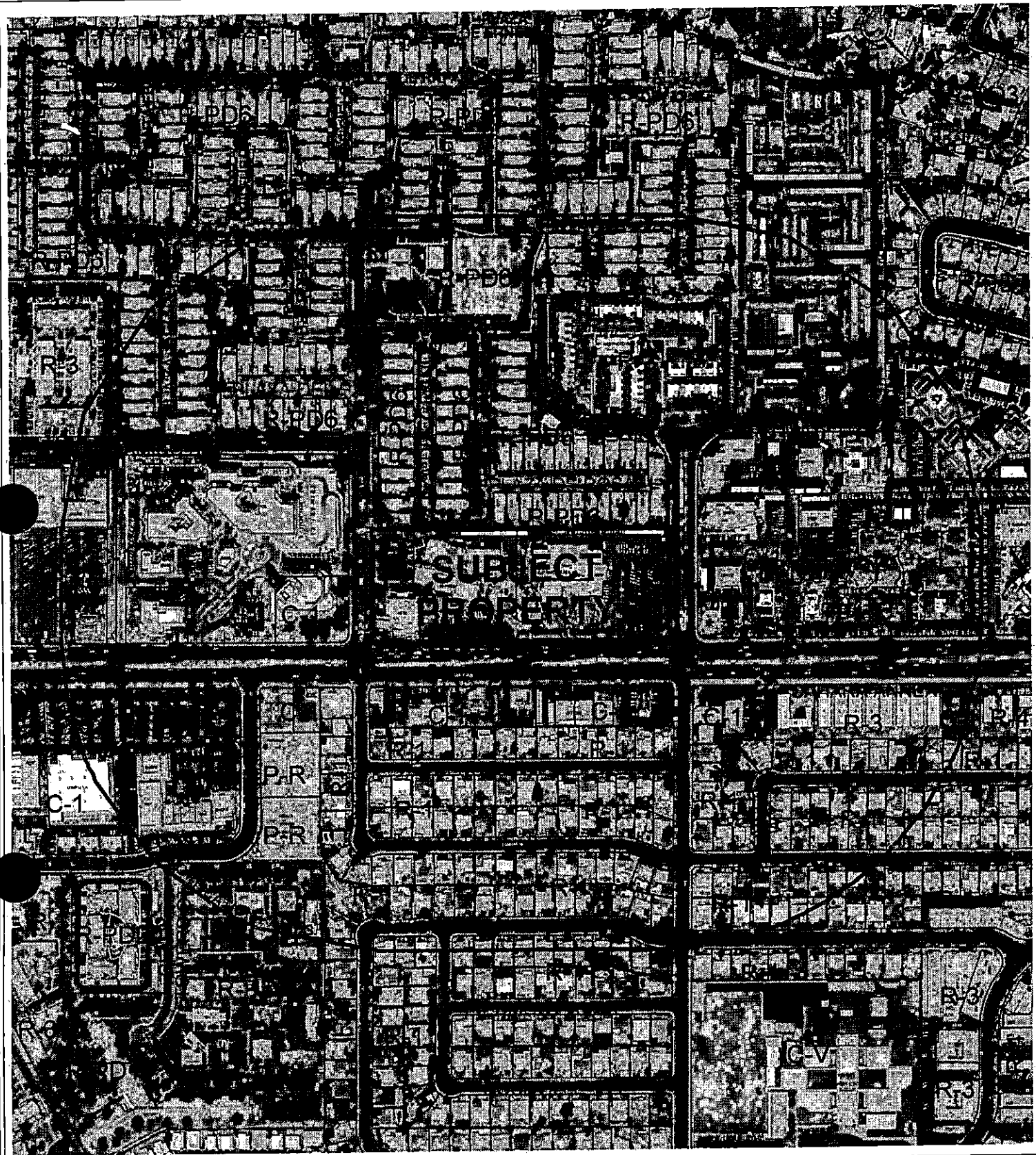
PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 60 – VAR-18984

MINUTES:

Item 24 [ZON-17304], Item 25 [SDR-18676], Item 37 [VAR-18345], Item 60 [VAR-18984] and Item 61 [SDR-18693] were requested to be held in abeyance to the 02/22/2007 Planning Commission meeting.

(6:04 – 6:07)

1-66



CASE: **VAR-18984**

RADIUS: 1000 FT

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

0 300 600 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 25, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-18984 - APPLICANT/OWNER: SPANISH VILLAS AT SAHARA, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-18693 shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-18984 - Staff Report Page One
January 25, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow a 10 foot front yard setback where 20 feet is the minimum setback required on 7.68 acres at 3100-3190 West Sahara Avenue

A related Site Development Plan Review (SDR-18693) for a four-story, 42,000 square-foot office building, with a 1,750 square-foot restaurant with drive-through, a 14,550 square-foot general retail establishment with drive-through and waivers to allow perimeter landscape buffer widths of zero feet along the east property line; two feet along the south property line; six feet along the west property line where 15 feet is the minimum required and to allow interior landscape buffer widths of two feet where eight feet is the minimum required along the north property line on the subject site will be considered concurrently.

The request does not meet the criteria for the approval of variances, as the hardship is self-created and the applicant could revise the development to comply with the setback standards.

BACKGROUND INFORMATION

<i>Pre-Application Meeting</i>	
11/28/06	The Residential Adjacency Standards, landscaping standards, handicap parking requirements, and setback issues were discussed.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application.

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
09/26/73	The Board of City Commissioners approved a Rezoning (Z-0066-73) application for the reclassification of property generally located between West Oakey Boulevard on the north, West Sahara Avenue on the south, South Valley View Boulevard on the west, and Richfield Boulevard on the east, south of Westwood Village Tract and west of Springhurst Townhouses, from R-1 (Single-Family Residential) and R 3 (Medium Density Residential) to R-PD6 (Residential Planned Development - 6 Units per Acre), R-4 (High Density Residential) and C-1 (Limited Commercial). The Planning Commission and staff recommended approval.
09/27/84	The Board of Zoning Adjustment approved a Variance (V-0099-84) to allow auto sales for one day only in the months of February, May, August and November of every year where such is not permitted on property located at 3100 West Sahara Avenue. Staff recommended denial.

VAR-18984 - Staff Report Page Two
January 25, 2007 - Planning Commission Meeting

12/02/04	The Planning Commission accepted a request to Withdraw Without Prejudice a Special Use Permit (SUP-5471) for a Facility to provide testing, treatment, or counseling for drug or alcohol abuse at 3150 West Sahara Boulevard Avenue, Suite #B22. Staff recommended approval.
12/02/04	The Planning Commission accepted a request to Withdraw Without Prejudice a Special Use Permit (SUP-5472) for a Sex Offender Counseling Facility at 3150 West Sahara Boulevard Avenue, Suite #B22. Staff recommended approval.
01/27/05	The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a Special Use Permit (SUP-5783) and Site Development Plan Review (SDR-5779) for a proposed Mixed-Use Development on the properties located at the northwest corner of Sahara Avenue and Richfield Boulevard.
06/01/05	The City Council approved requests for a Special Use Permit (SUP-6219) and for a Site Development Plan Review (SDR-6220) for a seven-story mixed-use development including 303 residential units and 20,250 square-feet of office, and a waiver of the 15-foot rear yard setback. The Planning Commission recommended approval on 04/14/05. Staff had recommended approval.
10/19/05	The City Council approved a request for a Major Amendment to an approved Site Development Plan Review (SDR-8583) for a seven-story mixed-use development, consisting of 325 residential units and 23,695 square feet of office space and a waiver to permit a side yard setback of zero feet where 10 feet is the minimum setback required on 7.78 acres adjacent to the north side of Sahara Boulevard, between Spanish Oaks Drive and Richfield Boulevard.

The following tables are intended to provide information regarding SDR-8583:

STANDARDS	PROVIDED	COMPLIANCE
Min. Setbacks		
• Front	20 Feet	Y
• Side	N/A	N/A
• Corner	15 Feet	Y
• Rear	Zero Feet	N
Max Building Height*	90 Feet	Y
Max. Lot Coverage	32.54 %	Y

VAR-18984 - Staff Report Page Three
January 25, 2007 - Planning Commission Meeting

The site is located within a portion of the Airport Overlay District where building height is limited to a maximum of 200 feet. The new building has a height of 74 feet 3 inches and complies with this standard.

ANALYSIS

This site is located on the north side of Sahara Avenue, between Richfield Boulevard and Spanish Oaks Drive. Because Richfield Boulevard has the least amount of street frontage, per Title 19.20 the Richfield Boulevard property line is the front of this lot. Staff also notes that a variance from Title 19.08.030 C (building height along streets classified as a collector or larger) would be required if Sahara Avenue were to be considered as the front of the lot.

The scope of this project will include the demolition of an existing structure (the former Jose Hog's restaurant) located in the southwest corner of the site and will provide for the construction of a 42,000 square foot, four story office building. This building will be located 10 feet away from the front (Spanish Oaks Drive) property line where a minimum setback of 20 feet is required. Because the site plan could be revised so as to allow compliance with the setback requirements, staff is recommending denial of this variance and of the related Site Development Plan Review application (SDR-18693).

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

VAR-18984 - Staff Report Page Four
January 25, 2007 - Planning Commission Meeting

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by designing a project that does not comply with the setback requirements of the zoning code. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 381 [Mailed with SDR-18693]

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-18984** APN: 162-05-403-001 thru 003

Name of Property Owner: Spanish Villas at Sahara LLC

Name of Applicant: Spanish Villas at Sahara LLC

Name of Representative: Perkowitz & Ruth Architects

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

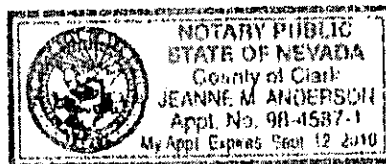
Signature of Property Owner: _____

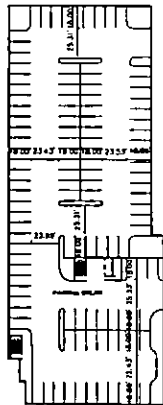
Print Name: _____

Subscribed and sworn before me

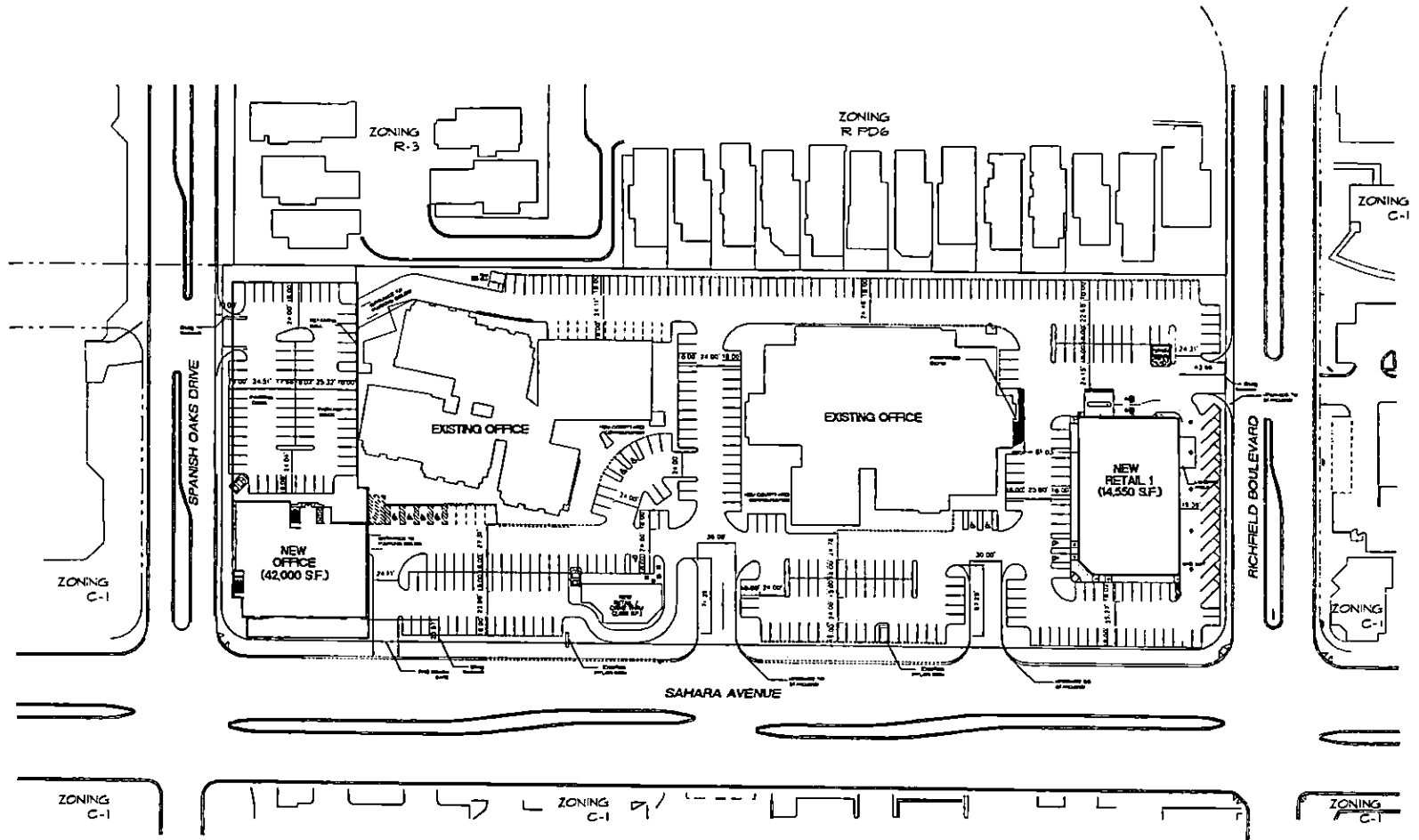
This 1st day of December, 2006

Jeanne M. Anderson
Notary Public in and for said County and State





SPLIT LEVEL PARKING



PARKING SUMMARY

PARKING PROVIDED:
 OPEN SURFACE PARKING = 426 STALLS
 SPLIT LEVEL PARKING = 115 STALLS
TOTAL PROVIDED = 541 STALLS

TOTAL PARKING REQUIRED = 529 STALLS

OFFICE SUMMARY

EXISTING OFFICE = 84,885 S.F.
 NEW OFFICE BUILDING = 42,000 S.F.
TOTAL = 126,885 S.F.

PARKING REQUIRED:

EXISTING OFFICE = 281 STALLS
 (3.3 STALLS FOR EVERY 1000 SF.)
 NEW OFFICE BUILDING = 139 STALLS
 (3.3 STALLS FOR EVERY 1000 SF.)
TOTAL = 421 STALLS

RETAIL SUMMARY

RETAIL 1 = 14,550 S.F.
 STARBUCKS = 2,450 S.F.
TOTAL = 17,000 S.F.

PARKING REQUIRED:

RETAIL 1 = 83 STALLS
 (1 STALL FOR EVERY 175 SF.)
 STARBUCKS = 25 STALLS
 (1 STALL FOR EVERY 100 SF.)
TOTAL = 108 STALLS

SPANISH VILLAS LAS VEGAS, NEVADA

RECEIVED
 JAN 12 2006

SITE PLAN

Perkowitz + Ruth
 ARCHITECTS

111 W. Ocean Blvd. Suite 2100, Long Beach, CA 90802 (562) 628.8000

(714) 850.3400 Costa Mesa, CA

(702) 852.8500 Las Vegas, NV

(703) 330.0400 Washington, DC

(503) 475.9900 Portland, OR



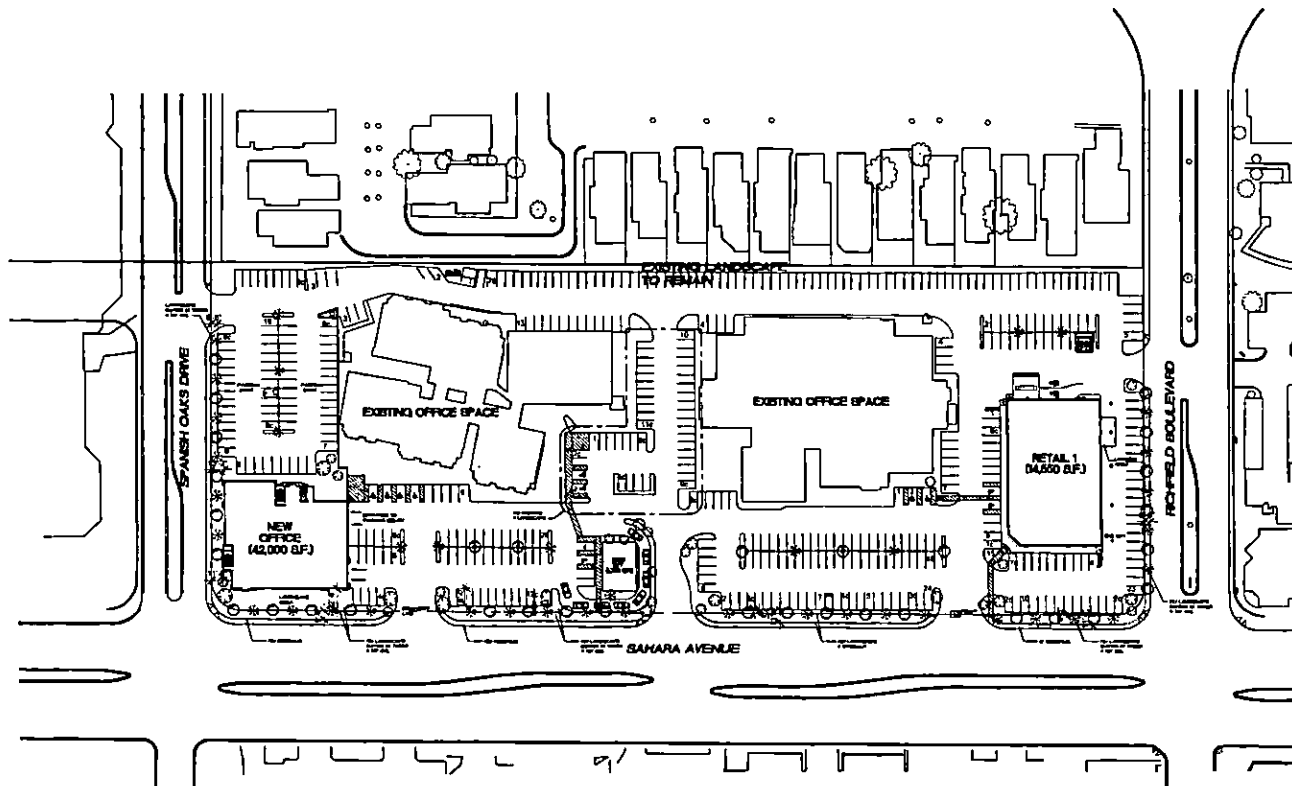
SCALE: 1/8" = 1'-0"



ARCHITECTS
 1963-1977 Date: 11-08-06

VAR-18984
REVISED

SDR-18983
01/25/07 PC



NEW LANDSCAPING
PER CHAPTER 19.12.050
SECTION F, FIGURE 4

RECEIVED
DEC 28 2006

LANDSCAPE PLAN

SPANISH VILLAS

LAS VEGAS, NEVADA

Perkowitz + Ruth
ARCHITECTS

(562) 626.5000

VAR-18984
01/25/07 PC



MEMORANDUM

Date: December 22, 2006
To: **CITY OF LAS VEGAS**
PLANNING AND DEVELOPMENT DEPARTMENT
731 S. Fourth Street
Las Vegas, NV 89101
From: Jin Kang
Project: **Spanish Villa** Project No.: 06-618
APN: 162-05-403-001, 002 & 003
Re: Justification Letter for Setback Variance File No.: 5.1

Perkowitz+Ruth Architects, on behalf of Mr. Howard Mann, respectfully request variance approval for a 7.7 acre site located on the North of Sahara Ave. between Spanish Oaks Drive and Richfield Boulevard.

This variance application requests for a 50% reduction of the required setback distance along Spanish Oaks Drive. The proposed 4 story office building which replaces the existing tavern located at the corner of Sahara Ave. and Spanish Oaks Drive encroach 10' into the required setback along Spanish Oaks Drive which is the designated front yard of the site. A request to designate Sahara Ave. to be designated front yard has been denied. Thus, requesting an approval for this variance.

Document13
NB-MEMO (r. 11/2/00)

VAR-18984
01/25/07 PC

Regional Office: 3980 Howard Hughes Parkway, Suite 450, Las Vegas, NV 89109 • (702) 892-8500
Corporate Office: 111 West Ocean Boulevard, 21st Floor, Long Beach, CA 90802 • (562) 628-8000

**Perkowitz+Ruth**
ARCHITECTS**MEMORANDUM**

Date: January 24, 2007

To: **Attn: Doug Rankin**
CITY OF LAS VEGAS
PLANNING AND DEVELOPMENT DEPARTMENT
731 S. Fourth Street
Las Vegas, NV 89101From: Deborah McCutchen Project: **Spanish Villa**
APN: 162-05-403-001, 002 & 003

Project No.: 06-618

Re: Hold request for SDR-18693

File No.: 5.1

VAR-18694

Perkowitz+Ruth Architects, on behalf of Mr. Howard Mann, respectfully request that Case # SDR-18693 be held from the Planning Commission meeting on January 24, 2007, and be heard by the Planning Commission on February 22, 2007(one month).

We are requesting the hold so that we may meet with the neighbors who were concerned with the notification that was sent out. Additionally, we would meet with the staff to clarify waiver requests.

Document13
NB-MEMO (r. 11/2/00)

Submitted after final agenda

Date 1/25/07 Item #60-61

Regional Office: 3980 Howard Hughes Parkway, Suite 450, Las Vegas, NV 89109 • (702) 892-8500
Corporate Office: 111 West Ocean Boulevard, 21st Floor, Long Beach, CA 90802 • (562) 628-8000

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61-62

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 25, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-18693 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-18984 - PUBLIC HEARING - APPLICANT/OWNER: SPANISH VILLAS AT SAHARA, LLC - Request for a Site Development Plan Review FOR A FOUR-STORY, 42,000 SQUARE-FOOT OFFICE BUILDING, WITH A 1,750 SQUARE-FOOT RESTAURANT WITH DRIVE-THROUGH, A 14,550 SQUARE-FOOT GENERAL RETAIL ESTABLISHMENT WITH DRIVE-THROUGH AND A WAIVERS TO ALLOW PERIMETER LANDSCAPE BUFFER WIDTHS OF ZERO FEET ALONG THE EAST PROPERTY LINE; TWO FEET ALONG THE SOUTH PROPERTY LINE; SIX FEET ALONG THE WEST PROPERTY LINE WHERE 15 FEET IS THE MINIMUM REQUIRED AND TO ALLOW INTERIOR LANDSCAPE BUFFER WIDTH OF 2 FEET WHERE 8 FEET IS THE MINIMUM REQUIRED ALONG THE NORTH PROPERTY LINE on 7.68 acres at 3100-3190 West Sahara Avenue (APN 162-05-403-001 through 003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

C.C.: 02/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 26 [ZON-17248], Item 27 [SDR-17249], Item 31 [ZON-17693], Item 32 [SDR-17694], Item 35 [ZON-18196], Item 36 [SDR-17727], Item 54 [WVR-18085], Item 55 [SUP-18084] and Item 65 [SUP-18691] to 02/08/2007; Item 24 [ZON-17304], Item 25 [SDR-18676], Item 37 [VAR-18345], Item 60 [VAR-18984] and Item 61 [SDR-18693] to 02/22/2007; Item 38 [GPA-18776] and Item 44 [GPA-19066] to 03/08/2007; TABLE Item 2 [SDR-15322], Item 33 [VAR-17732] and Item 34 [SDR-17730]; and WITHDRAW WITHOUT PREJUDICE Item 66 [SDR-18677] – UNANIMOUS

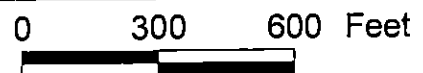
PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 61 – SDR-18693

MINUTES:

Item 24 [ZON-17304], Item 25 [SDR-18676], Item 37 [VAR-18345], Item 60 [VAR-18984] and Item 61 [SDR-18693] were requested to be held in abeyance to the 02/22/2007 Planning Commission meeting.

(6:04 – 6:07)

1-66





0 300 600 Feet

CASE: SDR-18693

RADIUS: 1000 FT

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



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JANUARY 25, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-18693 - APPLICANT/OWNER: SPANISH VILLAS AT SAHARA, LLC**

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

1. This approval shall be void two years from the date of final approval, unless a 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 01/12/07, landscape plan, date stamped 12/28/06 and building elevations, date stamped 12/12/06 except as amended by conditions herein.
3. A Waiver from Title 19.12.040A is hereby approved, to allow perimeter landscape buffer widths of zero feet along the east property line; two feet along the south property line; and six feet along the west property line where 15 feet is the minimum required and to allow interior landscape buffer widths of two feet where eight feet is the minimum required along the north property line
4. An Exemption from Title 19.12.040B is hereby approved, to allow five trees in the north property line buffer where 48 are required.
5. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit, to reflect the provision of two van-accessible handicap spaces and two loading spaces.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: the provision of parking lot trees at a ratio of one tree for every six spaces, to be provided with parking lot planters that meet the requirements of Title 19.10.

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SDR-18693 - Conditions Page Two
January 25, 2007 - Planning Commission Meeting

7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
8. Coordinate with the City Surveyor to determine whether a Reversionary Map or other Map is necessary. If such a map is required, it shall record prior to the issuance of the Building Permit.
9. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. 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.
13. 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.
14. 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.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

SDR-18693 - Conditions Page Three
January 25, 2007 - Planning Commission Meeting

Public Works

16. Provide sufficient protection of the existing public sewer line located within the 10 foot Public Sewer Easement located within the southwest portion of this site during construction of this site. Alternatively, provide a relocation and abandonment plan acceptable to the Department of Public Works prior to the submittal of any construction drawings for this site.
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. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
18. Submit an application for a deviation from Standard Drawing #222a for the driveways accessing this site from Sahara Avenue, Richfield Boulevard, and Spanish Oaks Drive.
19. Landscape and maintain all unimproved right-of-way, if any, on Sahara Avenue adjacent to this site.
20. Obtain an Occupancy Permit from the Nevada Department of Transportation (NDOT) for all landscaping and private improvements in the Sahara Avenue public right-of-way adjacent to this site.
21. 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.

SDR-18693 - Conditions Page Four
January 25, 2007 - Planning Commission Meeting

22. 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 submittal of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
23. 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.
24. Construct a bus turnout/deceleration lane east of the middle driveway accessing this site at a location acceptable to the City of Las Vegas Traffic Engineer.

SDR-18693 - Staff Report Page One
January 25, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a four-story, 42,000 square-foot office building, with a 1,750 square-foot restaurant with drive-through, a 14,550 square-foot general retail establishment with drive-through and waivers to allow perimeter landscape buffer widths of zero feet along the east property line; two feet along the south property line; six feet along the west property line where 15 feet is the minimum required and to allow interior landscape buffer widths of two feet where eight feet is the minimum required along the north property line on 7.68 acres at 3100-3190 West Sahara.

A related Variance (VAR-18984) to allow a 10 foot front yard setback where 20 feet is the minimum setback required will be considered concurrently.

BACKGROUND INFORMATION

<i>Pre-Application Meeting</i>	
11/28/06	The Residential Adjacency Standards, landscaping standards, handicap parking requirements, and setback issues were discussed.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application.

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/26/73	The Board of City Commissioners approved a Rezoning (Z-0066-73) application for the reclassification of property generally located between West Oakey Boulevard on the north, West Sahara Avenue on the south, South Valley View Boulevard on the west, and Richfield Boulevard on the east, south of Westwood Village Tract and west of Springhurst Townhouses, from R-1 (Single-Family Residential) and R 3 (Medium Density Residential) to R-PD6 (Residential Planned Development - 6 Units per Acre), R-4 (High Density Residential) and C-1 (Limited Commercial). The Planning Commission and staff recommended approval.
09/27/84	The Board of Zoning Adjustment approved a Variance (V-0099-84) to allow auto sales for one day only in the months of February, May, August and November of every year where such is not permitted on property located at 3100 West Sahara Avenue. Staff recommended denial.
12/02/04	The Planning Commission accepted a request to Withdraw Without Prejudice a Special Use Permit (SUP-5471) for a Facility to provide testing, treatment, or counseling for drug or alcohol abuse at 3150 West Sahara Boulevard Avenue, Suite #B22. Staff recommended approval.

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SDR-18693 - Staff Report Page Two
January 25, 2007 - Planning Commission Meeting

12/02/04	The Planning Commission accepted a request to Withdraw Without Prejudice a Special Use Permit (SUP-5472) for a Sex Offender Counseling Facility at 3150 West Sahara Boulevard Avenue, Suite #B22. Staff recommended approval.
01/27/05	The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a Special Use Permit (SUP-5783) and Site Development Plan Review (SDR-5779) for a proposed Mixed-Use Development on the properties located at the northwest corner of Sahara Avenue and Richfield Boulevard.
06/01/05	The City Council approved requests for a Special Use Permit (SUP-6219) and for a Site Development Plan Review (SDR-6220) for a seven-story mixed-use development including 303 residential units and 20,250 square-feet of office, and a waiver of the 15-foot rear yard setback. The Planning Commission recommended approval on 04/14/05. Staff had recommended approval.
10/19/05	The City Council approved a request for a Major Amendment to an approved Site Development Plan Review (SDR-8583) for a seven-story mixed-use development, consisting of 325 residential units and 23,695 square feet of office space and a waiver to permit a side yard setback of zero feet where 10 feet is the minimum setback required on 7.78 acres adjacent to the north side of Sahara Boulevard, between Spanish Oaks Drive and Richfield Boulevard.

The following tables are intended to provide information regarding SDR-8583:

<i>STANDARDS</i>	<i>PROVIDED</i>	<i>COMPLIANCE</i>
Min. Setbacks		
• Front	20 Feet	Y
• Side	N/A	N/A
• Corner	15 Feet	Y
• Rear	Zero Feet	N
Max Building Height*	90 Feet	Y
Max. Lot Coverage	32.54 %	Y

SDR-18693 - Staff Report Page Three
January 25, 2007 - Planning Commission Meeting

USES	UNITS	REQUIRED			PROVIDED	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
<u>Condominiums</u>						
Studios	22	1.25 spaces/unit	28 spaces			
1-bedroom	49	1.25 spaces/unit	62 spaces			
2-bedroom	202	1.75 spaces/unit	354 spaces			
3-bedroom	30	2.00 spaces/unit	60 spaces			
Guest space	303	1/6 units	51 spaces			
Office	20,250 SF.	1 spaces/300 SF GFA	68 spaces			
Total			623 spaces	13 spaces	683 spaces	19 spaces

STANDARDS	REQUIRED		PROVIDED
	Ratio	Trees	
Parking Area	1 Trees/6 uncovered spaces + half of all trees at end of rows	24 Trees	24 Trees
Buffer:			
• Min. Trees (Sahara/Richfield/Spanis h Oaks)	1 – 24-in. Box Tree/20 Linear Feet	84 Trees	84 Trees
• Min. Trees (north PL)	1 – 24-in. Box Tree/30 Linear Feet	32 Trees	50 Trees
• Min. Zone Width	8 Feet		8 Feet
• Wall height	8 Feet		8 Feet

SDR-18693 - Staff Report Page Four
January 25, 2007 - Planning Commission Meeting

Details of Application Request	
Site Area	
Net Acres	7.68

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single Family Residential	L (Low Density Residential)	R-PD6 (Residential Planned Development – 6 Units Per Acre)
South	Offices, Restaurant, Cash Loan	SC (Service Commercial)	C-1 (Limited Commercial)
East	Office, Bank	SC (Service Commercial)	C-1 (Limited Commercial)
West	Office Complex, Bank	SC (Service Commercial)	C-1 (Limited Commercial)

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

The site is located within a portion of the Airport Overlay District where building height is limited to a maximum of 200 feet. The new building has a height of 74 feet 3 inches and complies with this standard.

DEVELOPMENT STANDARDS

Per Title 19.08, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	7.68 Acres	Y
Min. Lot Width	100 Feet	360 Feet	Y
Min. Setbacks – Office Building			
• Front	• 20 Feet	• 10 Feet	• N*
• Side	• 10 Feet	• 25 Feet	• Y
• Corner	• 15 Feet	• 20 Feet	• Y
• Rear	• 20 Feet	• 40 Feet	• Y

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SDR-18693 - Staff Report Page Five
January 25, 2007 - Planning Commission Meeting

Min. Setbacks – Restaurant	• 20 Feet • 10 Feet • 15 Feet • 20 Feet	• 400 Feet • 280 Feet • 20 Feet • 520 Feet	• Y • Y • Y • Y
Min. Setbacks – Retail Building	• 20 Feet • 10 Feet • 15 Feet • 20 Feet	• 820 Feet • 110 Feet • 70 Feet • 40 Feet	• Y • Y • Y • Y
Max. Building Height	N/A	74 Feet 3 Inches	Y

*A variance to allow a reduction of the front setback will be considered under related application VAR-18984.

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	222 Feet 9 inches	222 Feet 9 inches	Y
Adjacent development matching setback	5 Feet	222 Feet 9 inches	Y
Trash Enclosure	50 Feet	66 Feet	Y

Per Title 19.12, the following standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces	80 Trees	31	N
Buffer:				
Min. Trees (North prop. line)	1 Tree/20 Linear Feet	48 Trees	0 Trees	N
Min. Trees (South, East and West prop. lines)	1 Tree/30 Linear Feet	56 Trees	69 Trees	Y
Min. Zone Width North prop line	8 Feet		2 Feet	N
South prop line	15 Feet		2 Feet	N
East prop line	15 Feet		0 Feet	N
West prop line	15 Feet		6 Feet	N

SDR-18693 - Staff Report Page Six
January 25, 2007 - Planning Commission Meeting

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required Parking		Provided Parking		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Retail	14,500	One space for every 175 SF	83				
Restaurant, Less than 2,000 square feet (with Drive-Through)	1,750	One Space for every 100 SF	18				
Professional Offices	126,885	One space for each 300 S.F. of GFA	423				
TOTAL (including handicap)			524	11	562	11	Y*
Loading Spaces	60,160			3	1	3	N**

*Two Accessible Parking spaces need to be provided. This issue has been addressed as condition of approval #5.

**Two additional loading spaces need to be provided. This issue has also been addressed within condition #5.

Waivers/Exemptions		
Request	Requirement	Staff Recommendation
Two foot landscape buffer along north prop line	8 feet	Approval
Two foot landscape buffer along south prop line	15 Feet	Approval
No landscape buffer along east prop line	15 Feet	Approval

SDR-18693 - Staff Report Page Seven
January 25, 2007 - Planning Commission Meeting

Six foot landscape buffer along west prop line	15 Feet	Approval
Five trees in the north prop line buffer	48 trees	Approval
31 trees in parking lot.	80 trees	Denial

ANALYSIS

This site is located on the north side of Sahara Avenue, between Richfield Boulevard and Spanish Oaks Drive. Because Richfield Boulevard has the least amount of street frontage, per Title 19.20 the Richfield Boulevard property line is the front of this lot. Staff also notes that a variance from Title 19.08.030 C (building height along streets classified as a collector or larger) would be required if Sahara Avenue were to be considered as the front of the lot.

The scope of this project will include the demolition of an existing structure (the former Jose Hog's restaurant) located in the southwest corner of the site and will provide for the construction of a 42,000 square foot, four story office building. This building will be located 10 feet away from the front (Spanish Oaks Drive) property line where a minimum setback of 20 feet is required. This setback issue will be considered under related application VAR-18984. Because the site plan could be revised so as to allow compliance with the setback requirements, staff is recommending denial of the variance and of this application.

An 86-space parking deck will be constructed immediately to the north of the proposed office building. In addition, a 1,750 square foot restaurant with drive-thru will be constructed in the south-central portion of the site, and a 14,550 square foot retail building will be constructed on the northwest corner of Richfield Boulevard and Sahara Avenue.

The other three existing buildings will remain. The parking lot will be reconfigured to include the deletion of the circular drive located immediately to the north of the driveway located in the middle of the site. The redesigned parking area will also include 31 new trees. However, based on the requirements of the Zoning Code, a parking lot of this size requires 80 trees. The applicant has requested a waiver of this requirement to allow a reduction in the amount of trees. Staff notes that the applicant is proposing to reconfigure the parking lot as part of this request, and that additional parking lot planter islands can be provided as part of this reconfiguration, perhaps by deleting some or all of the 38 excess parking spaces that are proposed. Therefore, staff does not support this waiver. This issue is addressed within Condition #6 of staff's recommendations.

The applicant is proposing to place additional trees in amounts that comply with city standards along the south, east, and west property lines.

SDR-18693 - Staff Report Page Eight
January 25, 2007 - Planning Commission Meeting

There are existing property line buffers along at least portions of all property lines. Because expanding these buffers to comply with city standards would severely impact the vehicular circulation of this site, staff has no objection to the applicant's waiver request, which would allow the buffers to remain in their current condition. This issue is addressed within Condition #3 of staff's recommendations.

There are three existing pine trees in the west portion of the landscape buffer along the north property line, and two palm trees in the east portion. The applicant has requested to place no additional trees in this buffer, where 48 are required. This buffer area is adjacent to single family dwellings, most of which have mature trees on their side of the wall. Because these mature trees are very close to the property line, and in some cases overhang the property line, staff has determined that there is not sufficient room for the placement of additional trees on the applicant's side of the wall, and has no objection to approval of this waiver if the application is approved. This issue is addressed within Condition #4 of staff's recommendations.

The elevations for all three buildings depict stucco exteriors with concrete tile roofs and stone accents which are compatible with the existing on-site buildings.

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

SDR-18693 - Staff Report Page Nine
January 25, 2007 - Planning Commission Meeting

In regard to "1":

The inability of the applicant to prepare a site plan that complies with the setback standards indicates that this application is too intense for the subject site and not compatible with adjacent development.

In regard to "2":

The proposed development is not compatible with the setback or landscaping standards of the zoning code. While staff believes the landscaping issues are resolvable, there is no hardship associated with this site which would allow staff to recommend approval of either the setback variance VAR-18984 or this application.

In regard to "3":

This project will not adversely impact adjacent streets.

In regard to "4":

The building and landscape materials are typical for commercial development along this portion of Sahara Avenue.

In regard to "5":

The elevations for the new buildings are compatible with the existing on-site buildings and other development in the area. However, the site plan does not comply with the setback standards and is too intense for the subject site.

In regard to "6":

The proposed development will be subject to regular inspections for permitting and licensing and will; therefore, not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

SDR-18693 - Staff Report Page Ten
January 25, 2007 - Planning Commission Meeting

NOTICES MAILED 381 [Mailed with VAR-18984]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-18693** APN: 162-05-403-001 thru 003

Name of Property Owner: Spanish Villas at Sahara LLC

Name of Applicant: Spanish Villas at Sahara LLC

Name of Representative: Perkowitz & Ruth Architects

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: _____

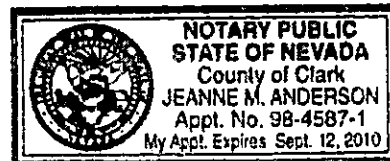
Signature of Property Owner: _____

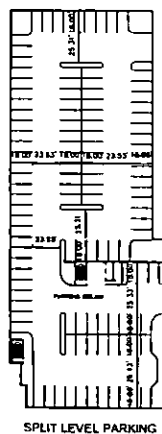
Print Name: HOWARD S. MANN

Subscribed and sworn before me

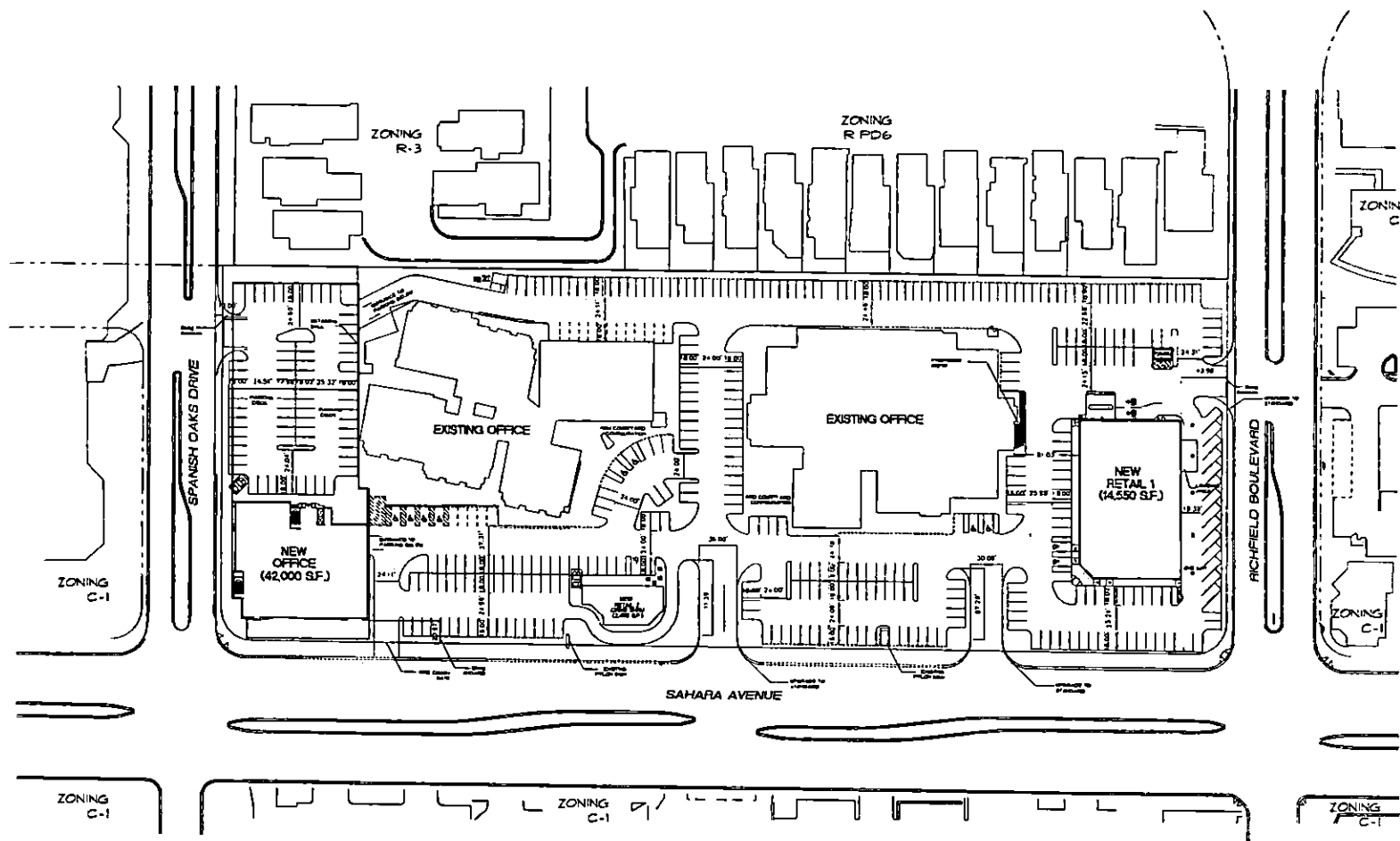
This 7th day of December, 2006

Jeanne M. Anderson
Notary Public in and for said County and State





SPLIT LEVEL PARKING



PARKING SUMMARY

PARKING PROVIDED:
 OPEN SURFACE PARKING = 426 STALLS
 SPLIT LEVEL PARKING = 115 STALLS
TOTAL PROVIDED = 541 STALLS

TOTAL PARKING REQUIRED = 529 STALLS

OFFICE SUMMARY

EXISTING OFFICE = 64,885 S.F.
 NEW OFFICE BUILDING = 42,866 S.F.
TOTAL = 126,885 S.F.

PARKING REQUIRED:

EXISTING OFFICE = 281 STALLS
 (3.3 STALLS FOR EVERY 1006 SF.)
 NEW OFFICE BUILDING = 139 STALLS
 (3.3 STALLS FOR EVERY 1000 SF.)
TOTAL = 421 STALLS

RETAIL SUMMARY

RETAIL 1 = 14,550 S.F.
 STARBUCKS = 2,450 S.F.
TOTAL = 17,886 S.F.

PARKING REQUIRED:

RETAIL 1 = 83 STALLS
 (1 STALL FOR EVERY 175 SF.)
 STARBUCKS = 25 STALLS
 (1 STALL FOR EVERY 100 SF.)
TOTAL = 108 STALLS

SPANISH VILLAS LAS VEGAS, NEVADA

RECEIVED
 JAN 12 2007

SITE PLAN

Perkowitz+Ruth
 ARCHITECTS

111 W. Ocean Blvd, Suite 2108, Long Beach, CA 90802 [562] 628-8000

[714] 856-3400 Costa Mesa CA

[702] 852-8500 Las Vegas, NV

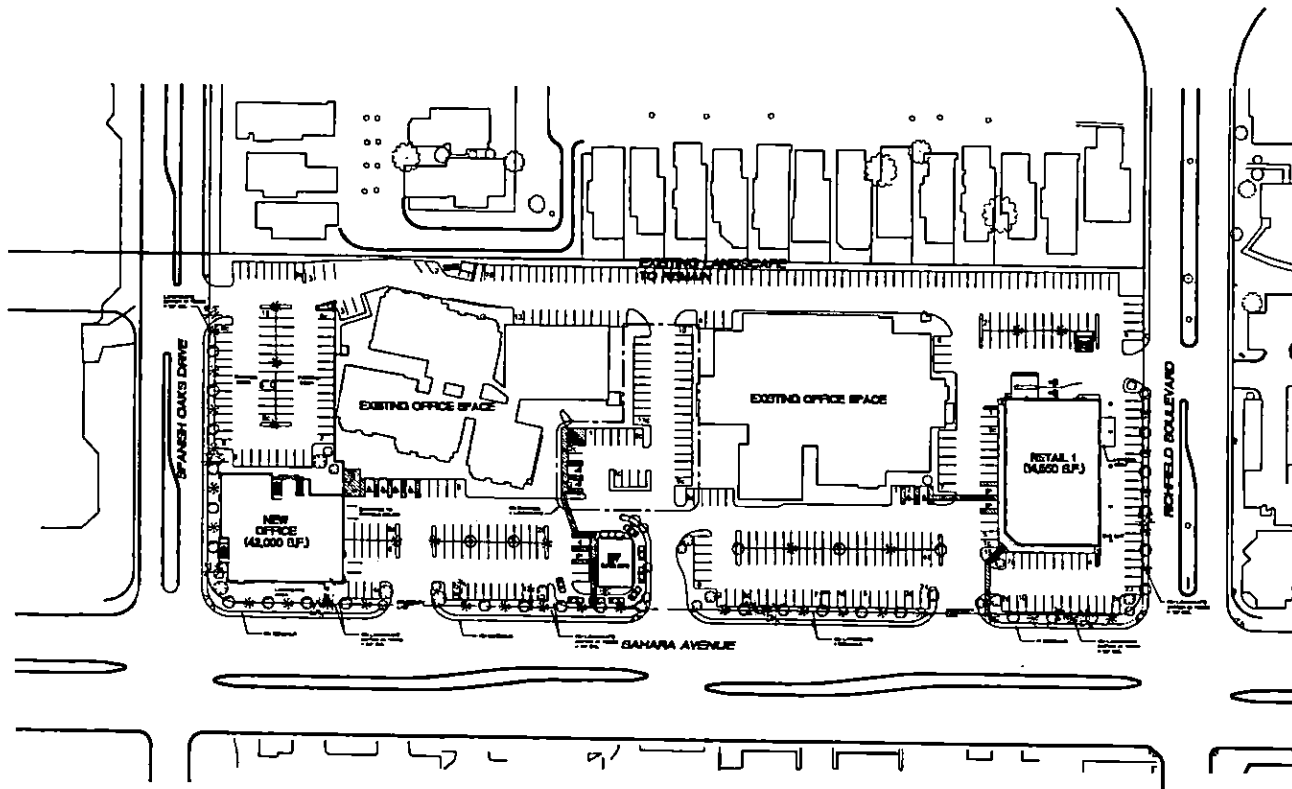
[763] 390-0400 Washington, DC

[503] 472-9903 Portland, OR



VAR-18984
REVISED

SDR-18983
01/25/07 PC



NEW LANDSCAPING
PER CHAPTER 19.12.050
SECTION F, FIGURE 4

RECEIVED
DEC 28 2006

LANDSCAPE PLAN

SPANISH VILLAS

LAS VEGAS, NEVADA

Perkowitz+Ruth
ARCHITECTS

3700 S. MOUNTAIN VIEW AVE., SUITE 200, LAS VEGAS, NV 89102 (502) 628-8000

DATE: 01/25/07

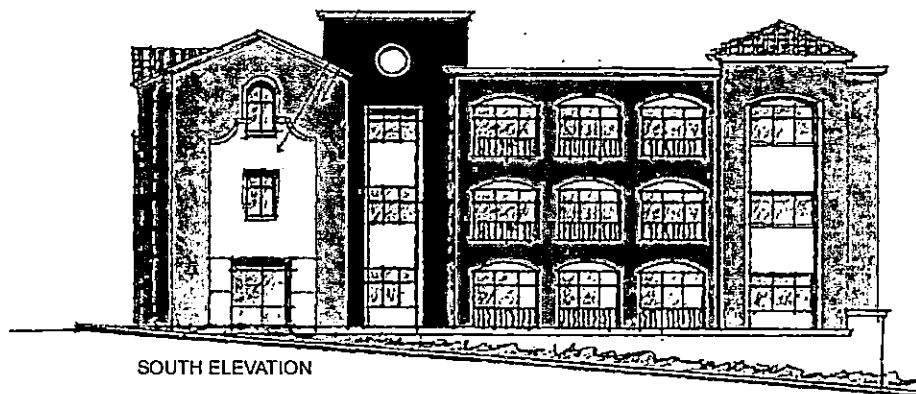
PROJECT: 18693

CLIENT: PERKOWITZ+RUTH

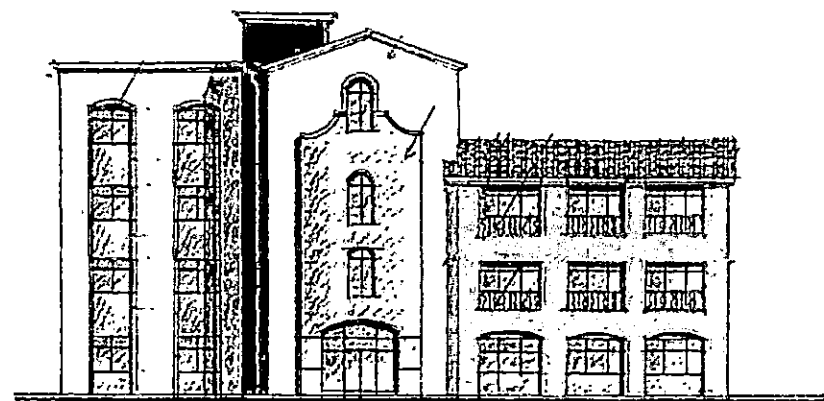
SDR-18693
REVISED
01/25/07 PC



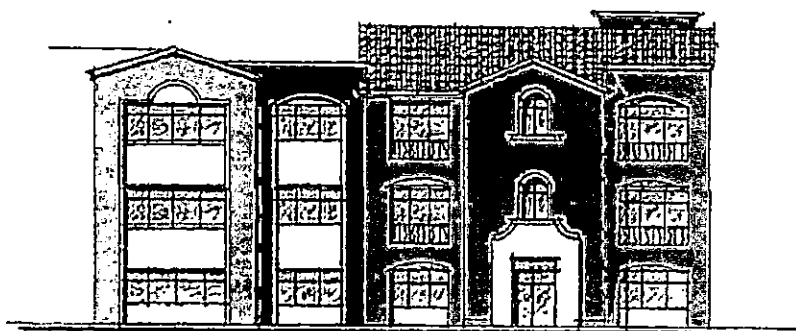
PR
ARCHITECTS
1000 Date 11-11-06



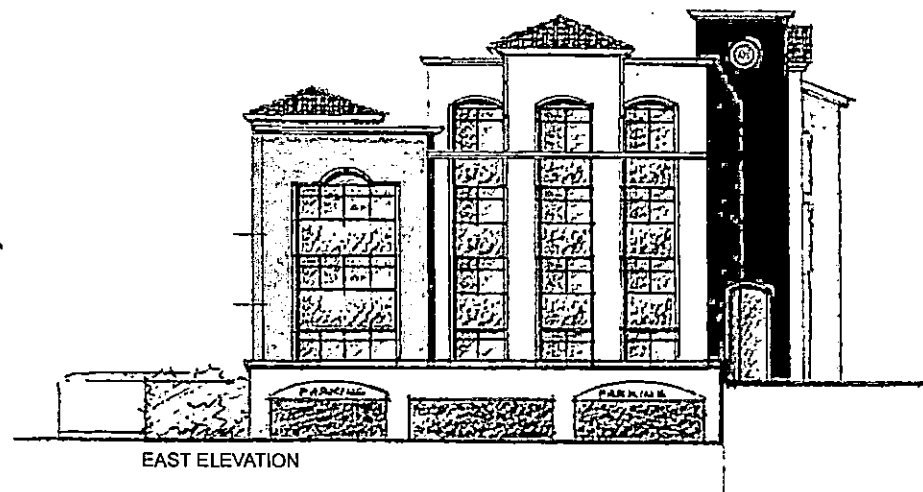
SOUTH ELEVATION



NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION

OFFICE BUILDING

COLOR ELEVATION

SDR-18693
01/25/07 PC

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

Job #: 06-218

Date: 12/06/06

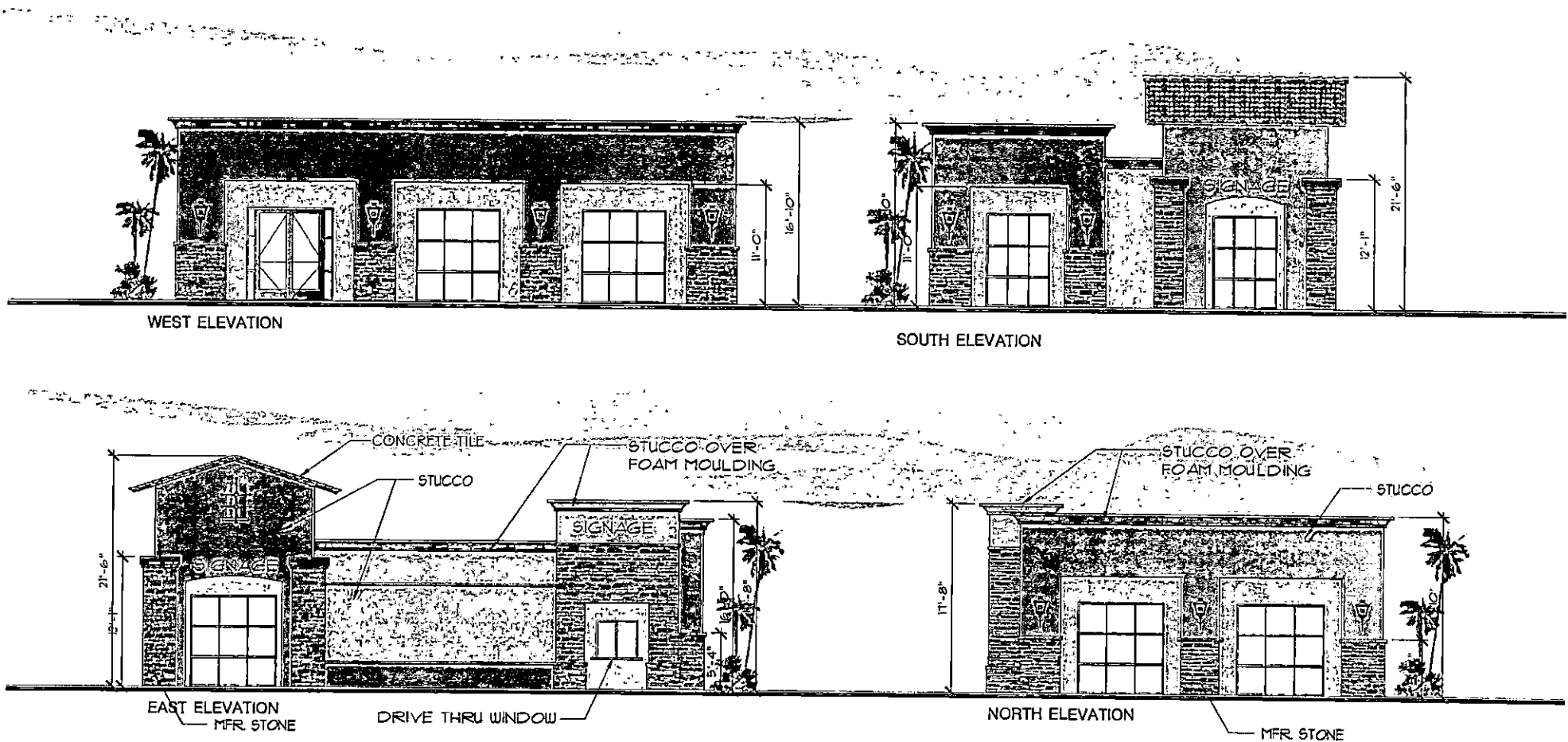
File Name: 06-618 Office Elev01.dwg



Perkowitz+Ruth
ARCHITECTS

4000 Howard Hughes Parkway
Suite 450A & 450B, New York, NY 10019
702.892.8500 fax 702.892.8514

DEC 12 2006



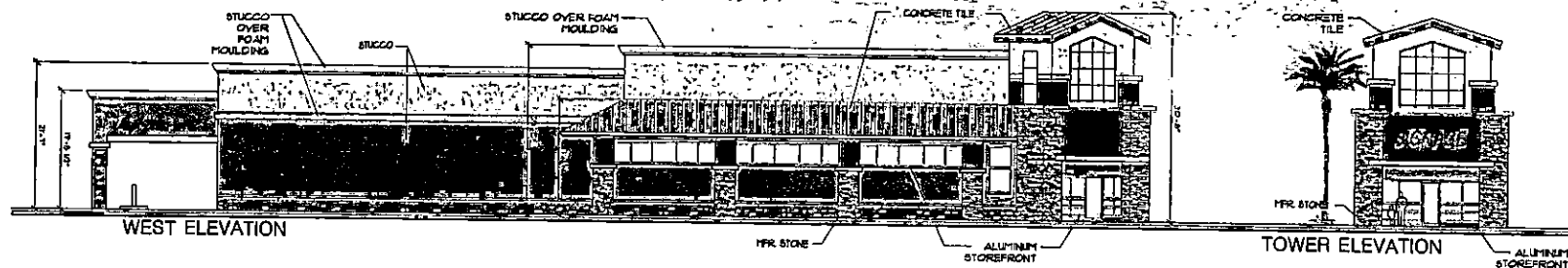
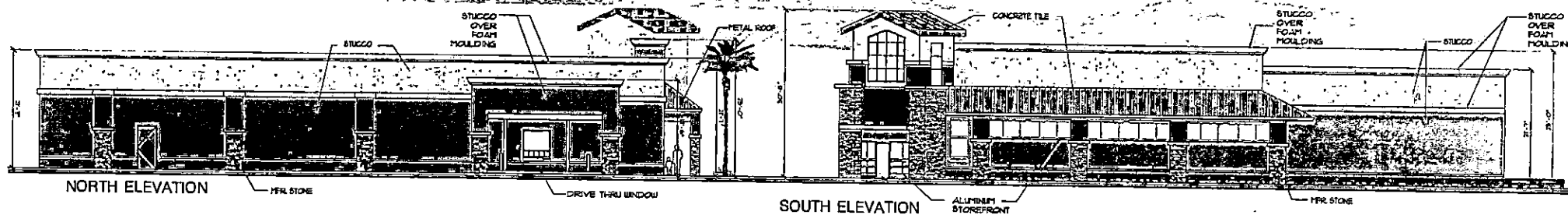
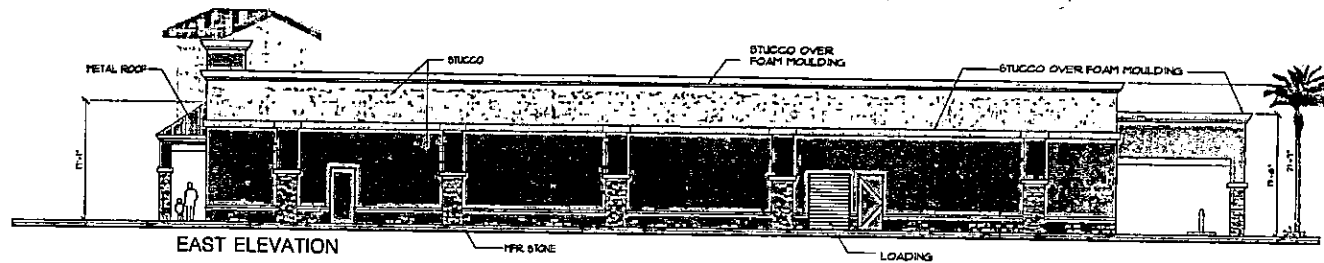
NEW RETAIL/ DRIVE THRU COLOR ELEVATION

Scale: 1/100
Job #: 06-218
Date: 12/06/05
File Name: 06-618 NEW RETAIL/DRIVE THRU Elev01.ai

SDR-18693

01/25/07 PC





NEW RETAIL COLOR ELEVATION

Scale: 1/100

Job #: 06-218

Date: 12/06/06

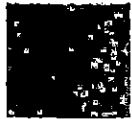
File Name: 06-618 NEW RETAIL Elev01.ai

Perkowitz+Ruth
ARCHITECTS
3988 Howard Hughes Parkway
Suite 450, Las Vegas, NV 89189
702.892.8500 fax 702.892.8514

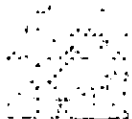
RECEIVED
DEC 12 2006

SDR-18693
01/25/07 PC

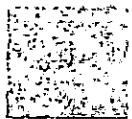
FINISHES



FRAZEE
7774D
DESERT VISTA
LRV 41



FRAZEE
7741W
SILVERED PECAN
LRV 75



FRAZEE
7763M
HIGHLAND BUFF
LRV 57



FRAZEE
8305D
JERICHO BROWN
LRV 19

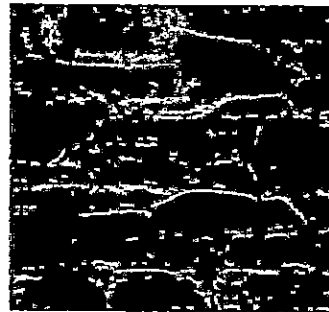


FRAZEE
8843M
SHALLOW ROdT
LRV 39



FRAZEE
AC128N
RICH BURGUNDY
LVR 9

STONE VENEER



Field Ledge
Veneto 

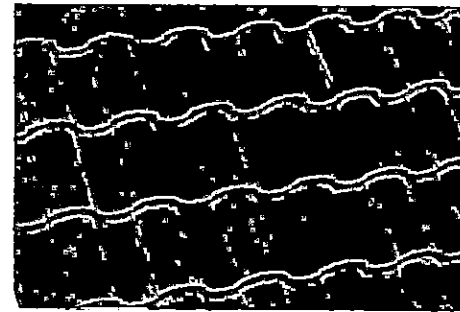
STOREFRONT

Standard Medium Bronze
AB - 5



60 Bonner Street, Stamford, CT 06902-4510
tel: 203-316-8555 fax: 203-316-8800
Fax: 203-316-8800 info@arcadiaproducts.com

ROOF TILE



Product No: 3680



Name: Los Padres Blend

Description: Terracotta, Tan, Gray Blend

Styles: Capistrano, Malibu, Bel Air

GLAZING



SPANISH VILLAS - MATERIAL BOARD

LAS VEGAS

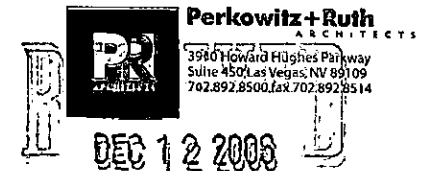
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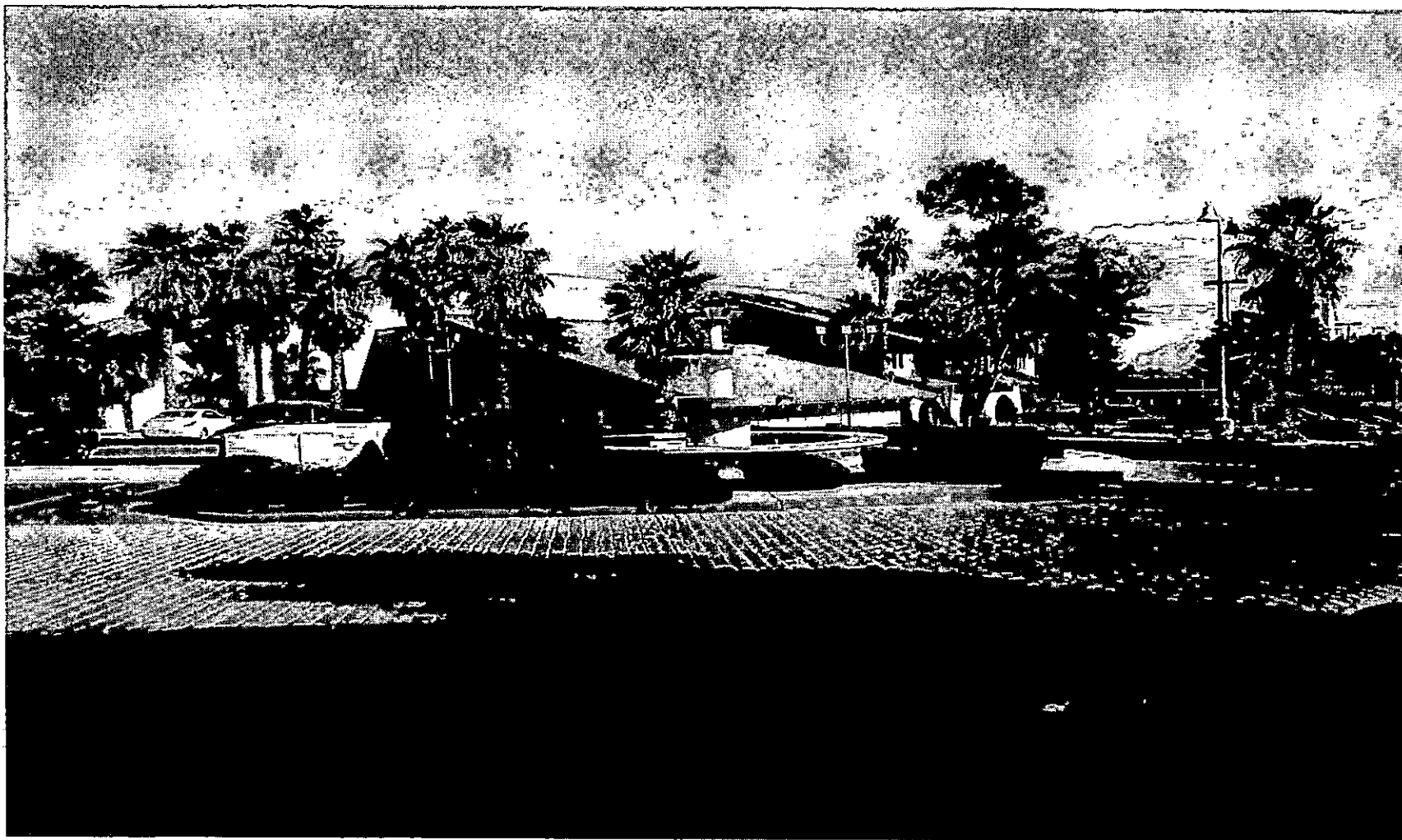
Job #: 06-618.11

Date: 12/05/06

File Name: 06-618_Material Board.dwg

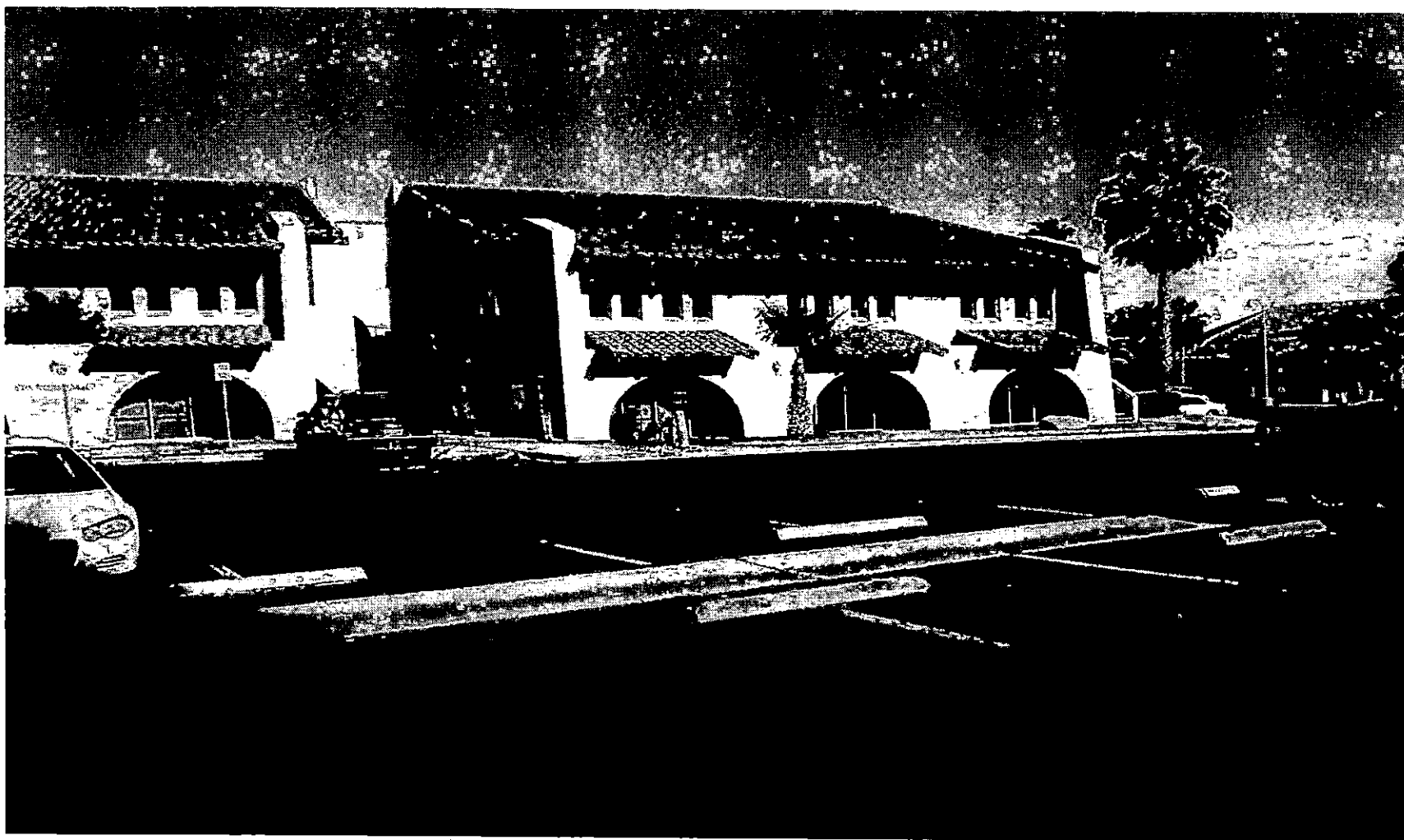
SDR-18693
01/25/07 PC





VAR-18984 & SDR-18693 - APPLICANT/OWNER: SPANISH VILLAS AT SAHARA, LLC
3100-3190 WEST SAHARA AVENUE
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06



VAR-18984 & SDR-18693 - APPLICANT/OWNER: SPANISH VILLAS AT SAHARA, LLC
3100-3190 WEST SAHARA AVENUE
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06



VAR-18984 & SDR-18693 - APPLICANT/OWNER: SPANISH VILLAS AT SAHARA, LLC
3100-3190 WEST SAHARA AVENUE
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06

MEMORANDUM

Date: December 12, 2006
To: **CITY OF LAS VEGAS**
PLANNING AND DEVELOPMENT DEPARTMENT
731 S. Fourth Street
Las Vegas, NV 89101
From: Jin Kang
Project: **Spanish Villa** Project No.: 06-618
APN: 162-05-403-001, 002 & 003
Re: Justification Letter File No.: 5.1

Perkowitz+Ruth Architects, on behalf of Mr. Howard Mann, respectfully request Site Development Plan review approval for a 7.7 acre site located on the North of Sahara Avenue between Spanish Oaks Drive and Richfield Boulevard. The site is C-1, Limited Commercial District zoning currently consisting of three parcels with an existing building in each parcel.

The existing building on Parcel 162-05-403-001, Hose Hogs, to be demolished and replaced with a 4 story, 42,000 sf office building with a sublevel parking lot. The proposed building height complies with the 3:1 residential adjacency requirements.

The existing office building on parcel 162-05-403-002 is proposed with new exterior paints and decorative trims and entrance element. A single story, 1,750 sf drive-thru is proposed west of the site ingress from Sahara.

The existing office building on parcel 162-05-403-003 is proposed with new exterior paints and decorative trims. A single story, 14,550 sf grocery/drug store with a drive thru is proposed at the corner of Sahara Avenue and Richfield Boulevard.

The proposed site development conforms to Title 29 Development Code except a waiver is requested for the parking lot landscape requirements and that Sahara to be designated the front of the site for the building setback requirements.

Additionally, we are requesting that Sahara to be designated the front of the site for the building setback requirements.

Document13
NB-MEMO (r. 11/2/00)

SDR-18693
01/25/07 PC

Regional Office: 3980 Howard Hughes Parkway, Suite 450, Las Vegas, NV 89129 • (702) 892-8500
Corporate Office: 111 West Ocean Boulevard, 21st Floor, Long Beach, CA 90802 • (562) 628-8000

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 25, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-18637 - SPECIAL USE PERMIT - PUBLIC HEARING – APPLICANT/OWNER: DAN MARTINEZ - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT on 1.39 acres at 709-731 Fremont Street (APN 139-34-612-084), C-2 (General Commercial) Zone, Ward 5 (Weekly).

C.C.: 02/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 02/21/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open for Item 62 [SUP-18637] and Item 63 [SDR-18638].

DOUG RANKIN, Planning Manager, expressed support of the both applications and noted that the site is located within the Fremont East Entertainment District. The applicant is providing a 15,892 square foot entertainment commercial space in order to meet those associated standards. **MR. RANKIN** confirmed there is a condition requiring Federal Aviation Administration approval and a Director's Permit prior to the issuance of Building Permits.

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 62 – SUP-18637

MINUTES:

DAN MARTINEZ, 709 Fremont Street, agreed to all conditions.

TODD FARLOW, 240 North Nineteenth Street, expressed gratitude to the applicant for his desire to develop in the Downtown area.

TED RUSSEL, Las Vegas resident, inquired the distance between the main tower and Fremont Street and MR. MARTINEZ replied that the main tower would directly abut Fremont Street and confirmed he would provide additional details to MR. FARLOW subsequent to the hearing. MR. FARLOW expressed concern for an appropriate setback as he would request that Fremont Street be extended to Eighth Street.

COMMISSIONER EVANS inquired about the intent to build and MR. MARTINEZ confirmed fruition is desired though he was unable to estimate a time of completion. MR. MARTINEZ accepted the advice of COMMISSIONER GOYNES in that all efforts to create an energy efficient building would be made.

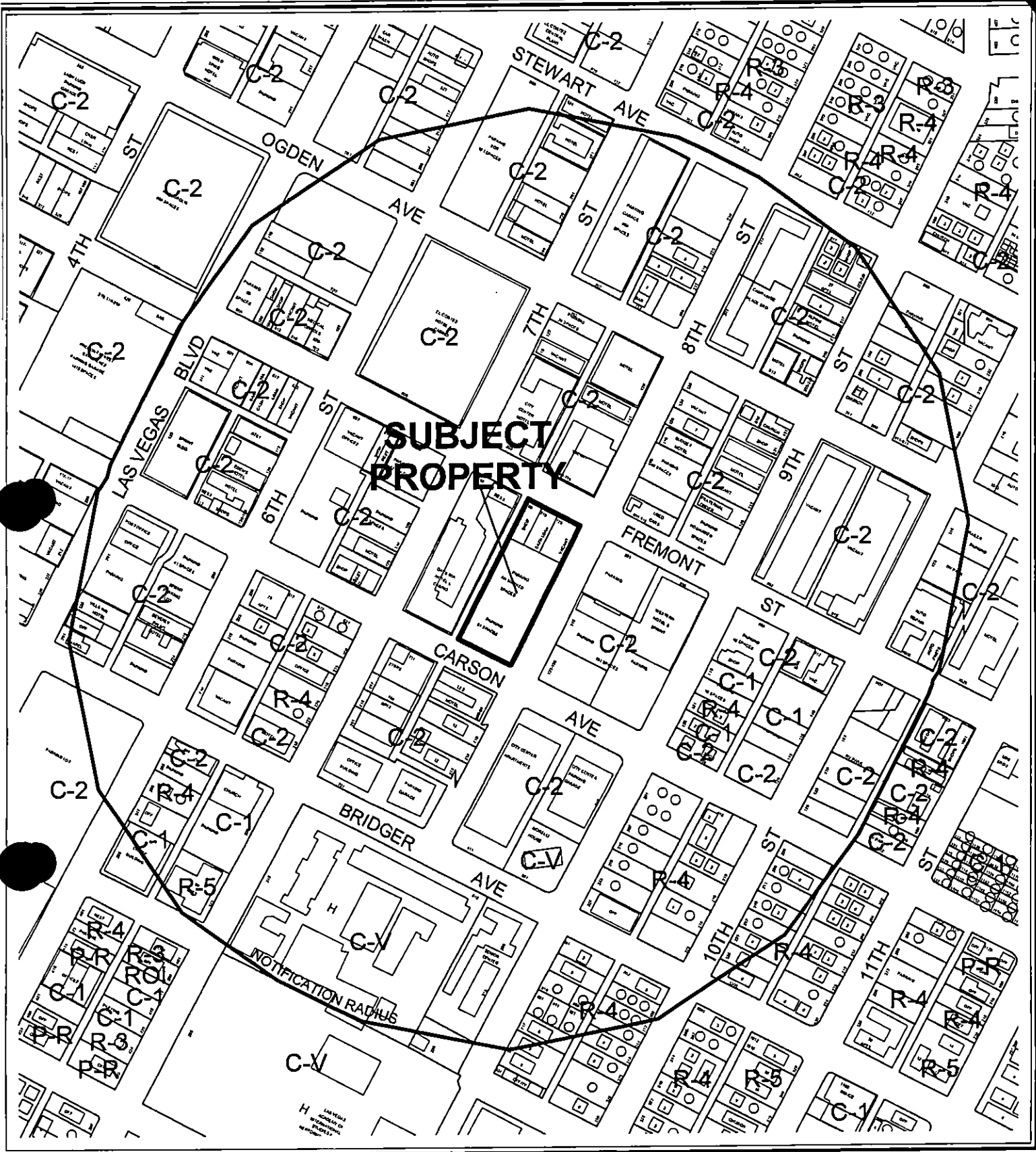
CHAIRMAN DAVENPORT declared the Public Hearing closed for Item 62 [SUP-18637] and Item 63 [SDR-18638].

(8:51 – 8:56)
2-2321

CONDITIONS:

Planning and Development

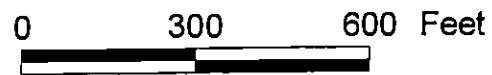
1. Conformance to the conditions of approval for Site Development Plan Review (SDR-18638).
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. 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.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.



CASE: SUP-18637

RADIUS: 1000 FT

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





0 300 600 Feet

CASE: **SUP-18637**

RADIUS: 1000 FT

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



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 25, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-18637 - APPLICANT/OWNER: DAN MARTINEZ

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions of approval for Site Development Plan Review (SDR-18638).
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. 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.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-18637 - Staff Report Page One
January 25, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This project is a request for a Special Use Permit (SUP-18637) to allow a 40-story mixed-use development consisting of 395 residential units, 15,892 square feet of commercial retail space and 9,050 square feet of office space on 1.39 acres at 709-731 Fremont Street. A companion Site Development Plan Review (SDR-18638) will be heard with this item. The applicant states that the goal is to build a project that will be affordable to those downtown employees who would also like to live downtown.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/15/04	City Council approved SUP-5362 for a restaurant with bar for 731 Fremont Street
06/01/05	City Council approved SUP-6267 for a tavern for 719 Fremont Street.
01/25/07	Special Use Permit (SUP-18637) for a Mixed-Use development will be heard with this item.
<i>Pre-Application Meeting</i>	
09/13/06	The applicant was advised of the two applications and three waivers that would be necessary to move the project forward.
<i>Neighborhood Meeting</i>	
09/13/06	The applicant was advised no neighborhood meeting would be required.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.39 acres
Net Acres	1.28 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant lot	C (Gen. Commercial)	C-2 (Gen. Commercial)
North	Vacant building	C (Gen. Commercial)	C-2 (Gen. Commercial)
South	Motel	Mixed-Use	C-2 (Gen. Commercial)
East	Vacant lot	C (Gen. Commercial)	C-2 (Gen. Commercial)
West	Motel	C (Gen. Commercial)	C-2 (Gen. Commercial)

SUP-18637 - Staff Report Page Two
January 25, 2007 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Overlay District	X		Y
G-O (Gaming Enterprise Overlay) District		X	N/A
A-O (Airport Overlay) District	X		Y
Downtown Casino Overlay District		X	N/A
Downtown Entertainment Overlay District	X		Y
Live/Work Overlay District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The Downtown Centennial Plan addresses certain site development standards, which are detailed below:

<i>Standards</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	60,394 sq.ft.	N/A
Min. Lot Width	N/A	155 ft.	N/A
Min. Setbacks			
• Front	N/A	0 Feet	N/A
• Side	N/A	0 Feet	N/A
• Corner	N/A	0 Feet	N/A
• Rear	N/A	0 Feet	N/A
Max. Lot Coverage	Up to 100 %	89.3%	N/A
Max. Building Height	N/A	472'-9"	N/A
Trash Enclosure	Enclosed/Covered	Enclosed/Covered	Y
Loading Zone	1	1	Y
F.A.R.	N/A	14.1%	N/A
Mech. Equipment	Screened	Screened	Y

SUP-18637 - Staff Report Page Three
January 25, 2007 - Planning Commission Meeting

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	N/A	N/A	0
Streetscape Treatment: 8 th Street	1 Palm Tree/30' o.c. (min. 25' height)	14	10
Streetscape Treatment: Carson Avenue	1 Shade Tree/30' o.c. (min. 25' height)	5	4
Streetscape Treatment: Fremont Street	1 Shade Tree/30' o.c. (min. 25' height)	5	4

As with other development standards, the property is exempt from the automatic application of the parking requirements listed in Title 19.10 due to its being located within the boundaries of the Downtown Centennial Plan area. The following table compares the parking requirements listed in Title 19.10 with the amount of parking to be provided for the development:

Uses	GFA	Recommended			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Retail	15,892 SF	1 per 175 SF	91	4	149	4
Office	9,050 SF	1 per 300 SF	30	2	40	2
Residential	395 units	1 per unit	395	8	395	8
Total			516	14	584	14 of 584

The parking provided is greater than the minimum normally required for a downtown mixed-use project. This allows flexibility in case some of the retail space is used for entertainment venues which call for greater parking.

SUP-18637 - Staff Report Page Four
January 25, 2007 - Planning Commission Meeting

ANALYSIS

- **Zoning**

The commercial use located at the ground floor is permitted in accordance with the requirements of the C-2 (General Commercial) zoning district. The Special Use Permit for a Mixed-Use structure requires non-residential uses on the ground floor and architectural features that distinguish the separate uses within the building; the proposed development is in conformance with these requirements.

- **Site Plan**

This projects site plan has the residential lobby directly off of the parking garage with additional access off the Fremont Street frontage. The retail space is clustered along Fremont Street on both the ground and 2nd levels with the office space totally on the 2nd level. Ingress/egress to the parking garage is located off of 8th Street with an additional egress off of Carson Avenue. This limits the area for landscape treatments. One loading dock area is located off of the west alley and provides for loading to take place without blocking the flow of traffic on the public streets or within the parking garage. Overall the project uses it's footprint for maximum commercial advantage.

- **Elevation**

Contemporary materials are used on the building exterior, which include composite aluminum panels, painted pre-cast concrete, insulated glass and an aluminum louver system. There is sufficient vertical relief that extends the entire height of the building from the ground level to the penthouse that meets the intent of the Centennial Plan requirements. The addition of the balconies provides additional off-set to the stepback requirement to render it a mute issue. The parking structure is situated behind the tower structure and has metal louver screens on the first two levels. Three separate metal panel canopies are included, one over the parking garage entrance and the other two off of the retail spaces on 8th Street and Fremont Street.

- **Floor Plan**

The symmetry of the floor plan allows for efficient access from the parking structure to the elevator lobbies, and contributes to the effectiveness of the pedestrian circulation within the structure. The amenities for the residential units will be located atop the parking structure on the ninth level. There are several unit floor plans that will encourage a wide spectrum of residents from different backgrounds. This will add to the energy of the Entertainment District.

SUP-18637 - Staff Report Page Five
January 25, 2007 - Planning Commission Meeting

FINDINGS

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

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

The proposed development will be compatible with adjacent development, and will assist in improving the energy needed in order for the Entertainment District to be successful.

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

This project is ideally located within the Entertainment District and will seamlessly blend in with the surroundings.

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 existing streets offer adequate access to the buildings' parking garage. In addition, the Region Transportation Commission has a bus route along Fremont Street with additional routes just two blocks away on Las Vegas Boulevard to serve this development.

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

The proposed development is consistent with the General Plan, and is generally consistent with the requirements of Title 19 and the Downtown Centennial Plan. Waivers have been requested for elements of the development that do not strictly conform to the Centennial Plan requirements in conjunction with the Site Development Review (SDR-18638).

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

This Special Use Permit request meets all of the requirements called for in Title 19.04 for a mixed-use development.

SUP-18637 - Staff Report Page Six
January 25, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 121 [Mailed with SDR-18638]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-18637 APN: 139-34-612-084

Name of Property Owner: DAN MARTINEZ

Name of Applicant: JUSTEN MARTINEZ

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: Dan Martinez

Print Name: Dan, Stephany Martinez

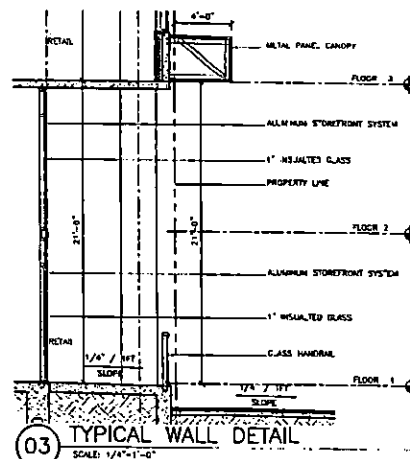
Subscribed and sworn before me

This 2nd day of September 2006

Angela C. Luna Santa Fe, New Mexico

Notary Public in and for said County and State



[illegible]

BENCHMARK

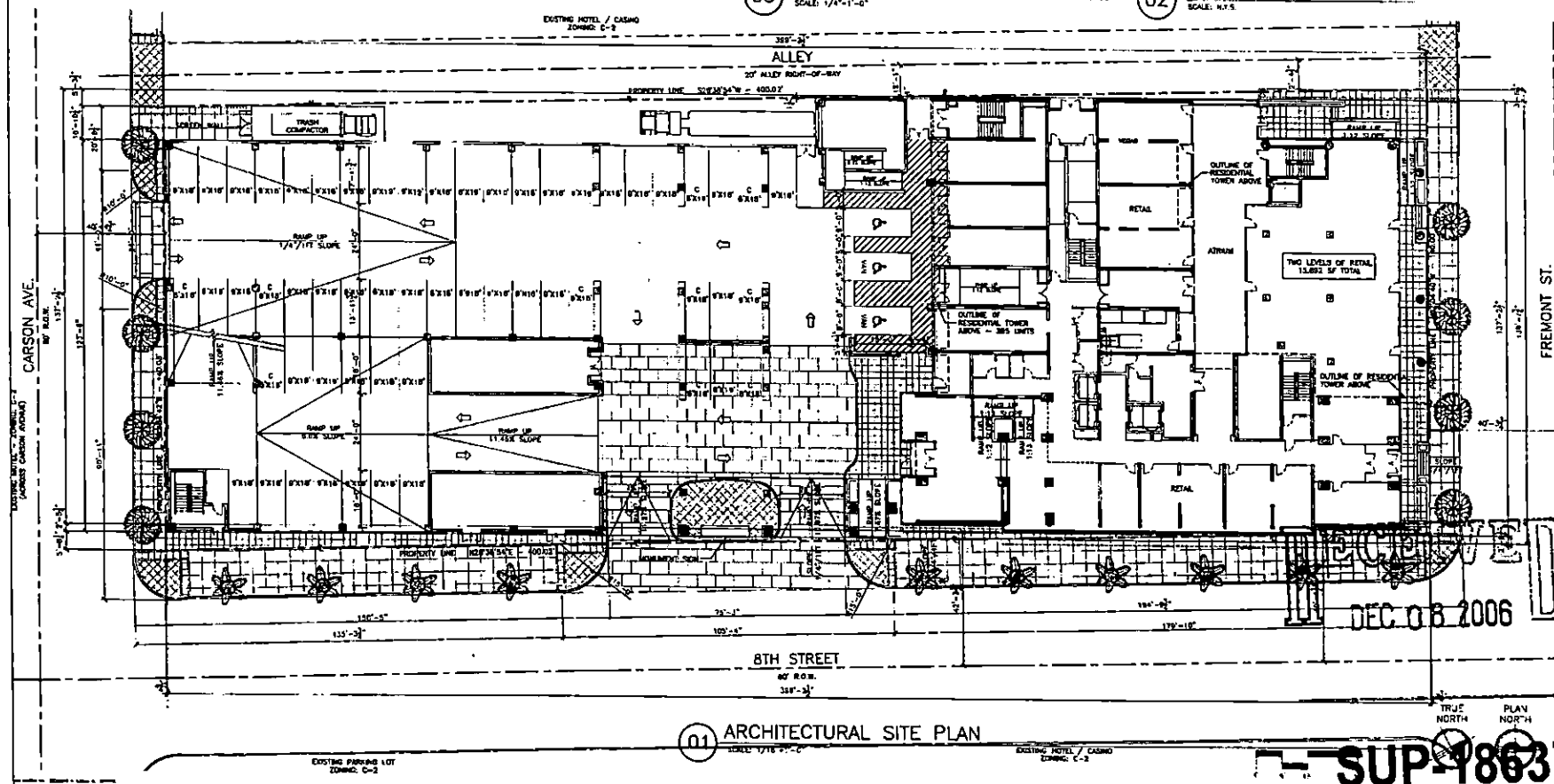
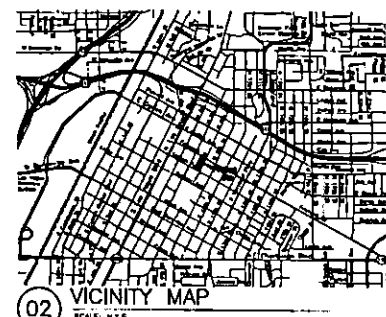
CITY OF LAS VEGAS BENCHMARK NO. 0031 3425 ROAD
A SIGN AND PLATE IN TOP OF CURB AT THE
NORTHWEST CORNER OF FREIGHT & 37th STREET.
ELEVATION = 3022.08 FEET (CHINA '88)

PAIRS OF BEARINGS:

THE BEARING OF SOUTH 27°36' WEST FOR THE
CORNER OF SOUTH CORNER AS SHOWN BY MAP
RECORDED IN FILE #7 OF SURVEYS IN THE
CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY,
NEVADA.

LEGAL DESCRIPTION:

BEING A PORTION OF THE SOUTH EAST QUARTER (NE1/4) OF THE NORTH EAST QUARTER (NE1/4) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 41 EAST 35-36 CITY OF LAS VEGAS, CLACK COUNTY, NEVADA



COPYRIGHT © 2005

NEON
HEIGHTS
LAS VEGAS, NEVADA
777 FREMONT

**Martinez &
Associates**



FOR PLANNING COMMISSION SUBMITTAL

Deaton & Cartwright

OverCity
Service Group

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ANDREWS

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Job No.	Issue Date
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5045.00	11.21.06
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	(trans) Package
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PLANNING COMMISSION SUBMITTAL

Short Title

ARCHITECTURAL SITE PLAN

Exhibit Number

EN ROUTE PÉLAGIQUE

A1.01

LAURENCE J. COHEN

SUP-48637

01/25/07 PC

Justification Letter

To: City of Las Vegas
Regarding: APN 139-34-612-084

My name is Justen Martinez of Martinez & Associates. Our company is a family owned operation that had owned and managed over 1000 apartment units in Texas for over 10 years. Prior to being in the multifamily business, my father Dan Martinez was a McDonald's franchisee in San Francisco and Santa Fe in the 1980's. He sold his stores in 1989 and became an international investor in the Philippines where he built low income housing for the Philippine government. He also has built several luxury homes in Santa Fe. Last year we sold all of the apartment complexes in Texas and have bought vacant land here in Las Vegas where I currently reside. I have spent almost two years working on this project and it will be ready to be built by the summer of 2007. We are in agreement with this city's vision of improving downtown Las Vegas.

We would like to build a 395 unit condominium building with 15,892 square feet of entertainment retail at the SW corner of Fremont and 8th St. The building will also include 9,050 square feet of office space. Our team includes Gromatzky Dupree and Associates (GDA), an architectural firm in Dallas. They recently received several awards including the 2005 Golden Nugget Award for "Best High Rise Apartment Project". GDA has designed our building, so that it could be built using a form of construction called "Tunnel Forming". This method of construction uses forms that will be filled with concrete and repeated identically every floor. This will allow us to build each floor in a matter of days rather than weeks.

Our goal for this building is to make it more affordable than what is currently proposed here in Las Vegas. We are trying to keep the selling price per square foot on average of \$400. With our apartment management skills, we know that we can have the lowest association fees than anyone. I believe that this project will appeal to a local resident working downtown, an out of state resident looking for a 1st or 2nd home, and to the condominium investor looking for future gain based on the improvement of downtown Las Vegas.

I would like to start construction immediately as I have been working very hard on this project. We have already done much of the preliminary work such as obtaining a Topographic Map & Boundary Survey, Traffic Impact Study, Phase I Environmental Site Assessment and Geotechnical Exploration Report. All reports done to date warrant the building of a 40 story structure. We are currently in the process of getting this project to construction document ready.

We are committed to this building and have lenders eager to give us construction financing. I currently have \$300,000 in a Wells Fargo Bank checking account to cover current operating expenses. We have \$4,000,000 in escrow from sales of two our vacant parcels. We have another \$3,500,000 in a Bank One savings account. We also own all of our parcels outright without monetary liens.

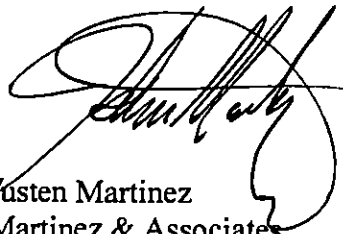
RECEIVED
DEC 08 2006

SUP-18637
01/25/07 PC

We are requesting a waiver of building to the property line. This would give us a minimum back of curb radius. We are also requesting a waiver of step back. This would allow us to use tunnel form construction. Finally we are requesting a possible streetscape waiver. We understand that downtown redevelopment would super cede our plans.

Martinez & Associates would greatly appreciate the City of Las Vegas to allow us to help rebuild downtown to a new destination spot. We believe that the design of this building would fit in perfectly with its surroundings. Combined with a realistic pricing of the condominiums and association fees will add immediate value and credibility to downtown Las Vegas.

Respectfully,



Justen Martinez
Martinez & Associates
1729 Wandering Winds Way
Las Vegas, NV 89128
(702) 274-3808 cell

RECEIVED
DEC 08 2006

SUP-18637
01/25/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 25, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-18638 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-18637 - PUBLIC HEARING – APPLICANT/OWNER: DAN MARTINEZ - Request for a Site Development Plan Review FOR A 40-STORY, 395-UNIT CONDOMINIUM DEVELOPMENT WITH 15,892 SQUARE FEET OF RETAIL SPACE AND 9,050 SQUARE FEET OF OFFICE SPACE AND WAIVERS OF THE DOWNTOWN BUILDING STEPBACK, PARKING STRUCTURE STEPBACK, AND DOWNTOWN STREETSCAPE REQUIREMENTS on 1.39 acres at 709-731 Fremont Street (APN 139-34-612-084), C-2 (General Commercial) Zone, Ward 5 (Weekly).

C.C.: 02/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 02/21/2007

MINUTES:

See Item 62 for related discussion.

(8:51 – 8:56)
2-2321

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 63 – SDR-18638

CONDITIONS:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 12/08/06, except as amended by conditions herein.
3. A Waiver from the Downtown Centennial Plan is hereby approved, to allow for no stepback at the 4th, 11th and 18th levels.
4. A Waiver from the Downtown Centennial Plan is hereby approved, to allow for no parking structure stepback.
5. A Waiver from the Downtown Centennial Plan Streetscape is hereby approved, to allow for 10 trees on 8th Street where 14 are required, to allow for 4 trees on Carson Avenue where 5 are required, to allow a 9'-6" wide sidewalk and amenity area where 16' wide is required on Fremont Street, to allow a 9'-7" wide sidewalk and amenity area where 16' wide is required on Carson Avenue and to allow an 14'-6" wide sidewalk and amenity area where 16' wide is required on 8th Street.
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. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
8. 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.

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 63 – SDR-18638

CONDITIONS – Continued:

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. 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 Master Sign Plan shall be submitted for approval by the City of Las Vegas Downtown Entertainment Overlay Design Review Committee for all proposed signage prior to being issued a sign permit.
13. 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.
14. 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.
15. 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.
16. Prospective buyers shall be informed that views may be obscured by future adjacent development and this information shall be included in project CC & R's.
17. 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.
18. Aerial encroachment agreements must be secured from the City of Las Vegas Public Works Department for the three proposed metal canopies that extend over the sidewalks on Fremont and 8th Street.
19. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 63 – SDR-18638

CONDITIONS – Continued:

20. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 12/08/06, except as amended by conditions herein.

Public Works

21. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; comply with the recommendations of the City Surveyor.
22. Dedicate a 10-foot radius on the southwest corner of Fremont Street and Eighth Street and dedicate a 10-foot radius on the northwest corner of Eighth Street and Carson Avenue.
23. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Downtown Centennial Design Standards (except as amended by conditions herein) 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.
24. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the "Fremont Street Pedestrian Improvements" project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
25. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.
26. Submit an Encroachment Agreement for all landscaping, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site. The proposed building shall be designed and constructed such that there are no balconies or other permanent structures within or overlying the public right-of-way adjacent to this site.
27. 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.
28. Coordinate with the Collection System Planning Section of the Department of Public Works to determine public sewer connection requirements prior to the issuance of any permits or the submittal of a map for this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 63 – SDR-18638

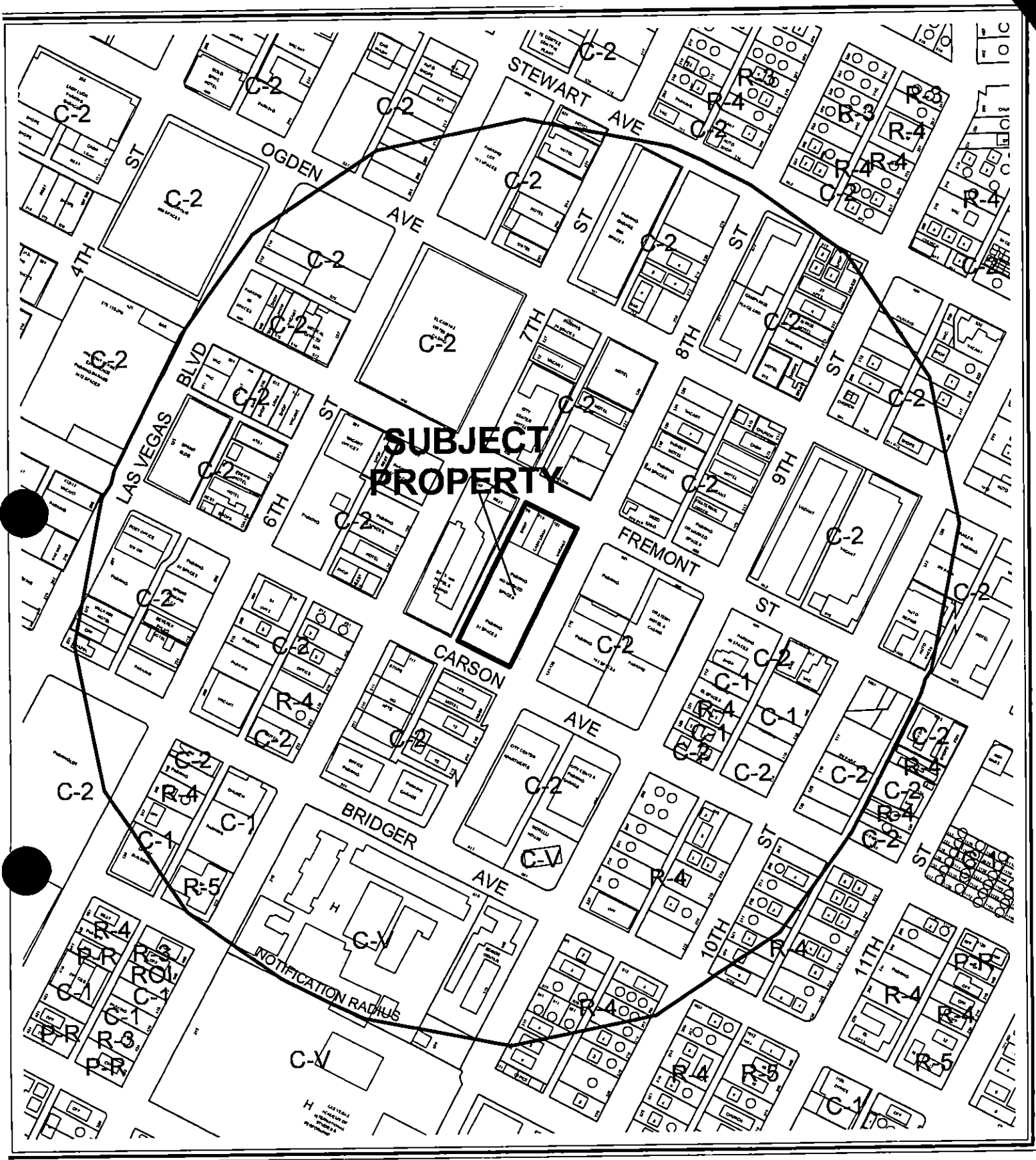
CONDITIONS – Continued:

29. 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.
30. 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.
31. 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.
32. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.
33. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 63 – SDR-18638

CONDITIONS – Continued:

City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.



CASE: **SDR-18638**
RADIUS: 1000 FT
ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JANUARY 25, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-18638 - APPLICANT/OWNER: DAN MARTINEZ**

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

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 12/08/06, except as amended by conditions herein.
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SDR-18638 - Conditions Page Two
January 25, 2007 - Planning Commission Meeting

8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
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SDR-18638 - Conditions Page Three
January 25, 2007 - Planning Commission Meeting

19. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.
20. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 12/08/06, except as amended by conditions herein.

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21. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; comply with the recommendations of the City Surveyor.
22. Dedicate a 10-foot radius on the southwest corner of Fremont Street and Eighth Street and dedicate a 10-foot radius on the northwest corner of Eighth Street and Carson Avenue.
23. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Downtown Centennial Design Standards (except as amended by conditions herein) 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.
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26. Submit an Encroachment Agreement for all landscaping, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site. The proposed building shall be designed and constructed such that there are no balconies or other permanent structures within or overlying the public right-of-way adjacent to this site.
27. 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.
28. Coordinate with the Collection System Planning Section of the Department of Public Works to determine public sewer connection requirements prior to the issuance of any permits or the submittal of a map for this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

SDR-18638 - Conditions Page Four
January 25, 2007 - Planning Commission Meeting

29. 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.
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31. 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.
32. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.
33. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

SDR-18638 - Staff Report Page One
January 25, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This project is a request for a Site Development Plan Review to allow a 40-story mixed-use development consisting of 395 residential units, 15,892 square feet of commercial retail space and 9,050 square feet of office space with waivers of the stepback, parking structure stepback and downtown streetscape requirements of the Downtown Centennial Plan on 1.39 acres at 709-731 Fremont Street. A companion Special Use Permit (SUP-18637) for a Mixed-Use development will be heard with this item.

The applicant of this single tower mixed-use project states that the goal is to build a project that will be affordable to those downtown employees who would also like to live downtown. The aim is to keep construction costs under \$400 a square foot. They plan to do this with a construction method called "Tunnel Forming" that uses forms that are filled with concrete and repeated identically on every floor. Since the project is also located within the Fremont East Entertainment District, 15,892 square feet of entertainment commercial space is being provided on the first two levels of the development. The provided office space will be utilized primarily for the projects administrative offices.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/15/04	City Council approved SUP-5362 for a restaurant with bar for 731 Fremont Street
06/01/05	City Council approved SUP-6267 for a tavern for 719 Fremont Street.
01/25/07	Special Use Permit (SUP-18637) for a Mixed-Use development will be heard with this item.
<i>Pre-Application Meeting</i>	
09/13/06	The applicant was advised of the two applications and three waivers that would be necessary to move the project forward.
<i>Neighborhood Meeting</i>	
09/13/06	The applicant was advised no neighborhood meeting would be required.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.39 acres
Net Acres	1.28 acres

SDR-18638 - Staff Report Page Two
January 25, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant lot	C (General Commercial)	C-2 (General Commercial)
North	Vacant building	C (General Commercial)	C-2 (General Commercial)
South	Motel	Mixed-Use	C-2 (General Commercial)
East	Vacant lot	C (General Commercial)	C-2 (General Commercial)
West	Motel	C (General Commercial)	C-2 (General Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Downtown Centennial Plan	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
Downtown Overlay District	X		Y
G-O (Gaming Enterprise Overlay) District		X	N/A
A-O (Airport Overlay) District	X		Y
Downtown Casino Overlay District		X	N/A
Downtown Entertainment Overlay District	X		Y
Live/Work Overlay District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The Downtown Centennial Plan addresses certain site development standards, which are detailed below:

SDR-18638 - Staff Report Page Three
January 25, 2007 - Planning Commission Meeting

<i>Standards</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	60,394 sq. ft.	N/A
Min. Lot Width	N/A	155 ft.	N/A
Min. Setbacks			
• Front	N/A	0 Feet	N/A
• Side	N/A	0 Feet	N/A
• Corner	N/A	0 Feet	N/A
• Rear	N/A	0 Feet	N/A
Max. Lot Coverage	Up to 100 %	89.3%	N/A
Max. Building Height	N/A	472'-9"	N/A
Trash Enclosure	Enclosed/Covered	Enclosed/Covered	Y
Loading Zone	1	1	Y
F.A.R.	N/A	14.1%	N/A
Mech. Equipment	Screened	Screened	Y

This project meets the minimum standards required by the Downtown Centennial Plan.

A2) Residential Adjacency Standards

The Residential Adjacency Standards do not apply to this project as it borders no residential zone and is within the Las Vegas Downtown Centennial Plan area.

A3) Parking and Traffic Standards

As with other development standards, the property is exempt from the automatic application of the parking requirements listed in Title 19.10 due to its being located within the boundaries of the Downtown Centennial Plan area. The following table compares the parking requirements listed in Title 19.10 with the amount of parking to be provided for the development:

Uses	GFA	Recommended		Provided		
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Retail	15,892 SF	3 per 1,000 SF	48	2	149	4
Office	9,050 SF	3 per 1,000 SF	28	2	40	2
Residential	395 units	1 per unit	395	8	395	8
Total			471	12	584	14 of 584

The parking provided is greater than the minimum normally recommended for a downtown mixed-use project. This allows flexibility in case some of the retail space is used for entertainment venues which call for greater parking.

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January 25, 2007 - Planning Commission Meeting

A4) Landscape and Open Space Standards

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

<i>Standards</i>	<i>Required</i>		<i>Provided</i>
	Ratio	Trees	
Parking Area	N/A	N/A	0
Streetscape Treatment: 8 th Street	1 Palm Tree/30' o.c. (min. 25' height)	14	10
Streetscape Treatment: Carson Avenue	1 Shade Tree/30' o.c. (min. 25' height)	5	4
Streetscape Treatment: Fremont Street	1 Shade Tree/30' o.c. (min. 25' height)	5	4

Due to the parking garage ingress/egress off of both Carson Avenue and 8th Street there is not enough room for the required number of trees or sidewalk width. A waiver (streetscape) of this condition is included with this application. There is no clearly apparent reason not to install the required five shade trees on Fremont Street and thus staff recommends that all five trees be installed.

Waivers		
Request	Requirement	Staff Recommendation
Remove	Building setback @ 4th, 11th & 18 th floors	Approval
Reduce	10' sidewalk widths and trees every 30'	Approval
Remove	Parking Structure setback	Approval

ANALYSIS

- Zoning

The commercial use located at the ground floor is permitted in accordance with the requirements of the C-2 (General Commercial) zoning district. The residential units are only permitted upon approval of a Special Use Permit; Special Use Permit (SUP-18637) has been filed as a companion case. The Special Use Permit for a Mixed-Use structure requires non-residential uses on the ground floor and architectural features that distinguish the separate uses within the building; the proposed development is in conformance with these requirements.

YK

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January 25, 2007 - Planning Commission Meeting

- **Site Plan**

This projects site plan has the residential lobby directly off of the parking garage with additional access off the Fremont Street frontage. The retail space is clustered along Fremont Street on both the ground and 2nd levels with the office space totally on the 2nd level. Ingress/egress to the parking garage is located off of 8th Street with an additional egress off of Carson Avenue. This limits the area for landscape treatments. One loading dock area is located off of the west alley and provides for loading to take place without blocking the flow of traffic on the public streets or within the parking garage. Overall the project uses it's footprint for maximum commercial advantage.

- **Waivers**

The development requires waivers from the Downtown Centennial Plan requirement for building setback, parking structure setback and streetscape treatments. The configuration of the building with balconies and the modern sleek façade provides sufficient variation to the appearance of the building to justify the setback waiver and is consistent with the design goals of the Centennial Plan. The applicant has also requested a waiver from the streetscape requirements due to the reduced street frontage available for landscaping due to the parking garage egress/ingress. The applicant is requesting a waiver from the required sidewalk width and the five foot wide amenity area for the entire project. The waiver is to allow 10 trees on 8th Street when 14 are required and to allow for 4 trees where 5 are required on Carson Avenue. The applicant is also requesting that 4 trees be permitted where 5 is required on Fremont Street. Staff does not support this portion of the requested waivers.

- **Elevation**

Contemporary materials are used on the building exterior, which include composite aluminum panels, painted pre-cast concrete, insulated glass and an aluminum louver system. There is sufficient vertical relief that extends the entire height of the building from the ground level to the penthouse that meets the intent of the Centennial Plan requirements. The addition of the balconies provides additional off-set to the setback requirement to render it a mute issue. The parking structure is situated behind the tower structure and has metal louver screens on the first two levels. Three separate metal panel canopies are included, one over the parking garage entrance and the other two off of the retail spaces on 8th Street and Fremont Street.

- **Floor Plan**

The symmetry of the floor plan allows for efficient access from the parking structure to the elevator lobbies, and contributes to the effectiveness of the pedestrian circulation within the structure. The amenities for the residential units will be located atop the parking structure on the ninth level. There are several unit floor plans that will encourage a wide spectrum of residents from different backgrounds. This will add to the energy of the Entertainment District.

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January 25, 2007 - Planning Commission Meeting

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 will be compatible with adjacent development, and will assist in improving the energy needed in order for the Entertainment District to be successful.

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 proposed development is consistent with the General Plan, and is generally consistent with the requirements of Title 19 and the Downtown Centennial Plan. Waivers have been requested for elements of the development that do not strictly conform to the Centennial Plan requirements.

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

The traffic circulation for the site has been designed so as to reduce impacts to Carson Avenue and 8th Street and the surrounding neighborhood with two driveway entrances to the project. A loading dock with access off of the west alley will reduce the traffic interruptions when residents are moving into and out of the project.

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

The proposed landscape materials are appropriate for the area and conform closely to the Downtown Centennial Plan requirements. The proposed building materials are appropriate for the area and the City.

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

Adequate care has been exercised in detailing the building facade in order to create an orderly and harmonious appearance between the tower and the attached parking structure. At the same time there are vertical architectural elements that unite the structure as a whole. The addition of balconies with each unit also provides additional architectural relief to the buildings exterior.

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January 25, 2007 - Planning Commission Meeting

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

The development will be subject to ongoing inspections and therefore will not compromise the public health, safety, and welfare or the overall objectives of the General Plan.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 121 [Mailed with SUP-18637]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-18638** APN: 139-34-612-084
Name of Property Owner: JAN MARTINEZ
Name of Applicant: JUSTEN MARTINEZ

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: _____

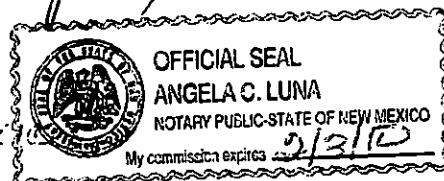
Print Name: DAN STEPHAN MARTINEZ

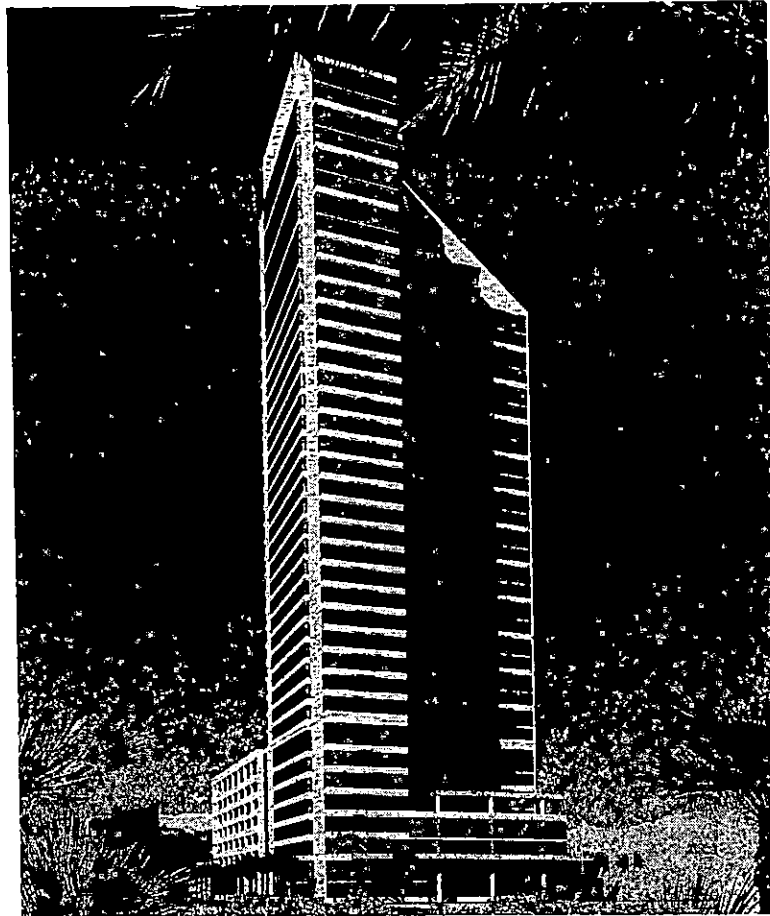
Subscribed and sworn before me

This 2nd day of September, 2006

Angela C. Luna San Juan, New Mexico

Notary Public in and for said County and State



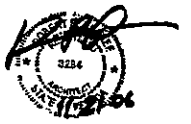


Developer:
Martinez & Associates
 Las Vegas, Nevada

NEON HEIGHTS
 LAS VEGAS, NEVADA
 777 fremont street

PLANNING & DEVELOPMENT SUBMITTAL DOCUMENTS
SITE DEVELOPMENT REVIEW (SDR)
 ISSUED: 11/21/2006

RECEIVED
 DEC 08 2006



Architect:
ROBERT B. DUPREE
 REGISTERED ARCHITECT
 NEVADA LICENSE #3284

c/o Gerald D. Dupree and Associates
 2525 Cote Ave., Suite 300
 Dallas, Tx. 75204
 Phone: (214) 871-4407
 Fax: (214) 871-4409
 www.gdandd.com

SDR-18638
01/25/07 PC

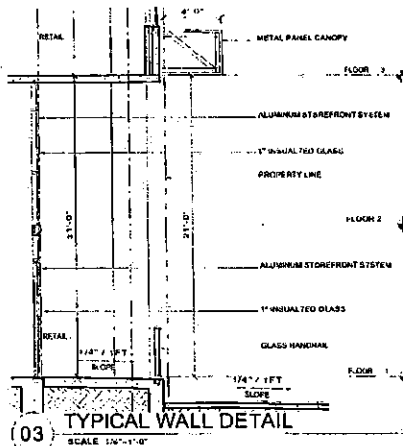
- COMMERCIAL
MULTI-FAMILY
PAVEMENT
PARKING
STREET
PARKING METER
EXISTING LIGHT POLE
TYPICAL PALM TREE.

TYPICAL SHADE TREE

[illegible]

PARKING ANALYSIS										
Researched Eastern Parking:		1	2	3	4	5	6	7	8	9
average	1	42	56	84	56	56	48	35	37.7	ave.
maximum	14	24	24	24	24	24	18	150	24	
minimum	2	2	2	2	2	2	1	14	4	
lowest garage	7	7	7	7	7	7	6	11	7.8%	
total	79	48	88	88	88	88	79	56.9	79	
average auto	22	178	24	265	24	265	24	265	22	257.50 auto

Typical parking spaces dimensions		East Parking Garage	
Standard 20' x 10'	9 x 10	Notes:	1
Standard 10' x 10'	9 x 11	Notes: 1. to 10' of East Garage	
Standard 10' x 10'	12' x 10'	2. to 10' of East Garage	
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BENCHMARKS

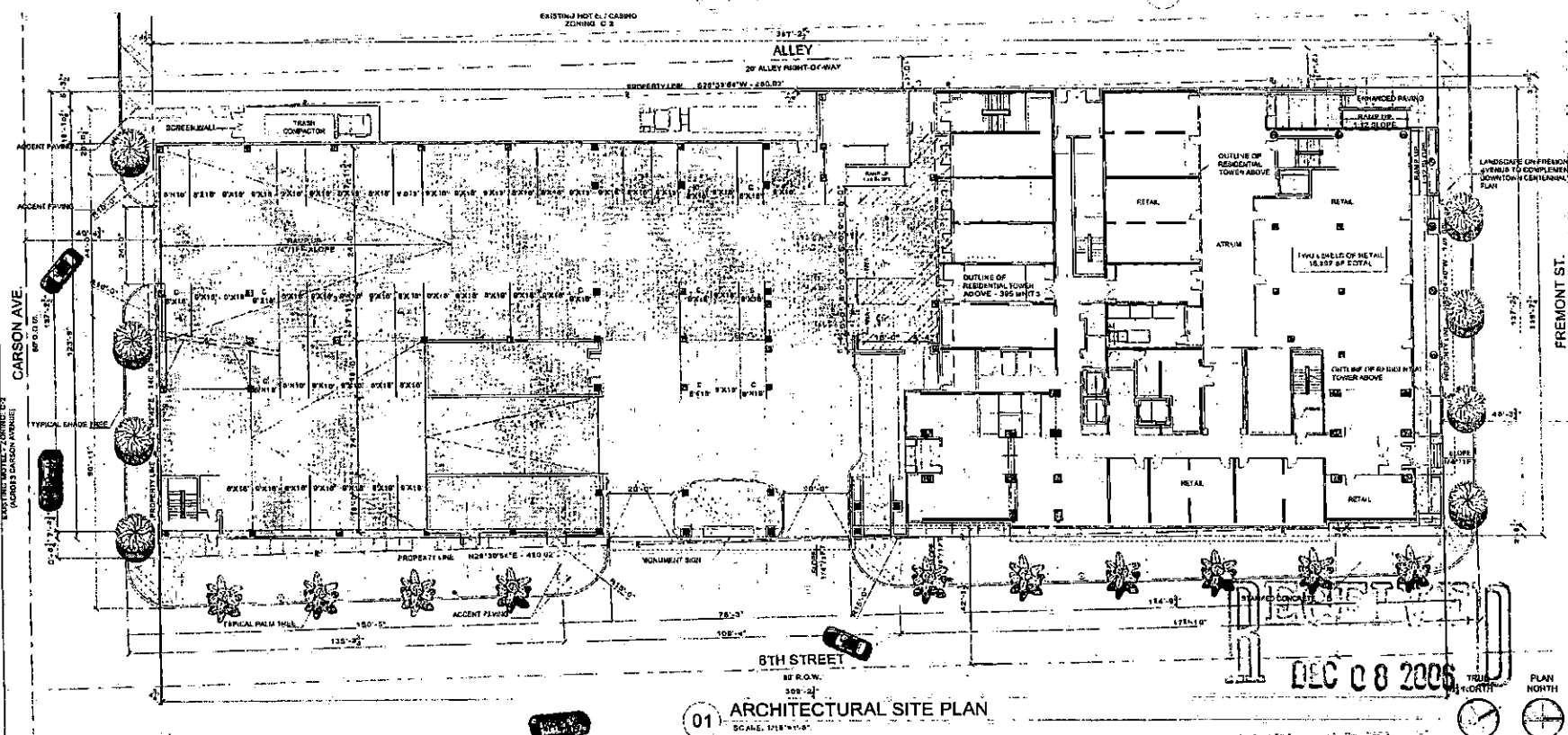
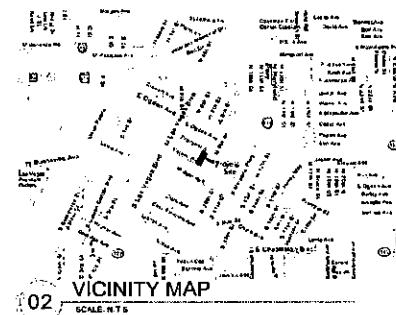
CITY OF LAS VEGAS BENCHMARK NO. 8081245 USMC
A REKET AND PLATE IN TOP OF CURB AT THE
NORTHWEST CORNER OF FREIGHT & 7TH STREET.
ELEVATION = 2002.04 FEET (MAY 78)

BASIS OF BEARINGS:

THE APPEARANCE OF NORTH 26°19'46" VERY FOR THE
CENTRAL OF NORTH STREET AS SHOWN BY SAN
RECORDED MAPS OF 1890 TO 1900 SURVEYS IN THE
CLARK COUNTY RECORDERS OFFICE CLARK COUNTY
NEVADA

LEGAL DESCRIPTION:

BEING A PORTION OF THE SOUTH EAST QUARTER
(SE 1/4) OF THE NORTH EAST QUARTER (NE 1/4) OF
SECTION 34 TOWNSHIP 18 SOUTH RANGE 51 EAST
N.D. CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.



01 ARCHITECTURAL SITE PLAN
SCALE: 1/8"=1'-0"

NOTE:
CONCEPTUAL LANDSCAPE ONLY; THE FINAL LANDSCAPE PLAN
TO BE SUBMITTED BY LANDSCAPE ARCHITECT.

EXISTING MOTIV. / CAS-NL
To MINS. 6.3

SDR-18638
01/25/07 PC

ROBERT B. DUPREE
REGISTERED ARCHITECT
NEVADA LICENSE 83794

U/O Geomatrix Design and Associates
2628 Galt Ave., Suite 200
Dallas, Tx. 75204
Phone: (754) 872-8078
Fax: (214) 872-8852
www.geomatrix.com

4/10/2016 4:26:46

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HEIGHTS
LAS VEGAS, NEVADA
777 FREMONT

**Martinez &
Associates**



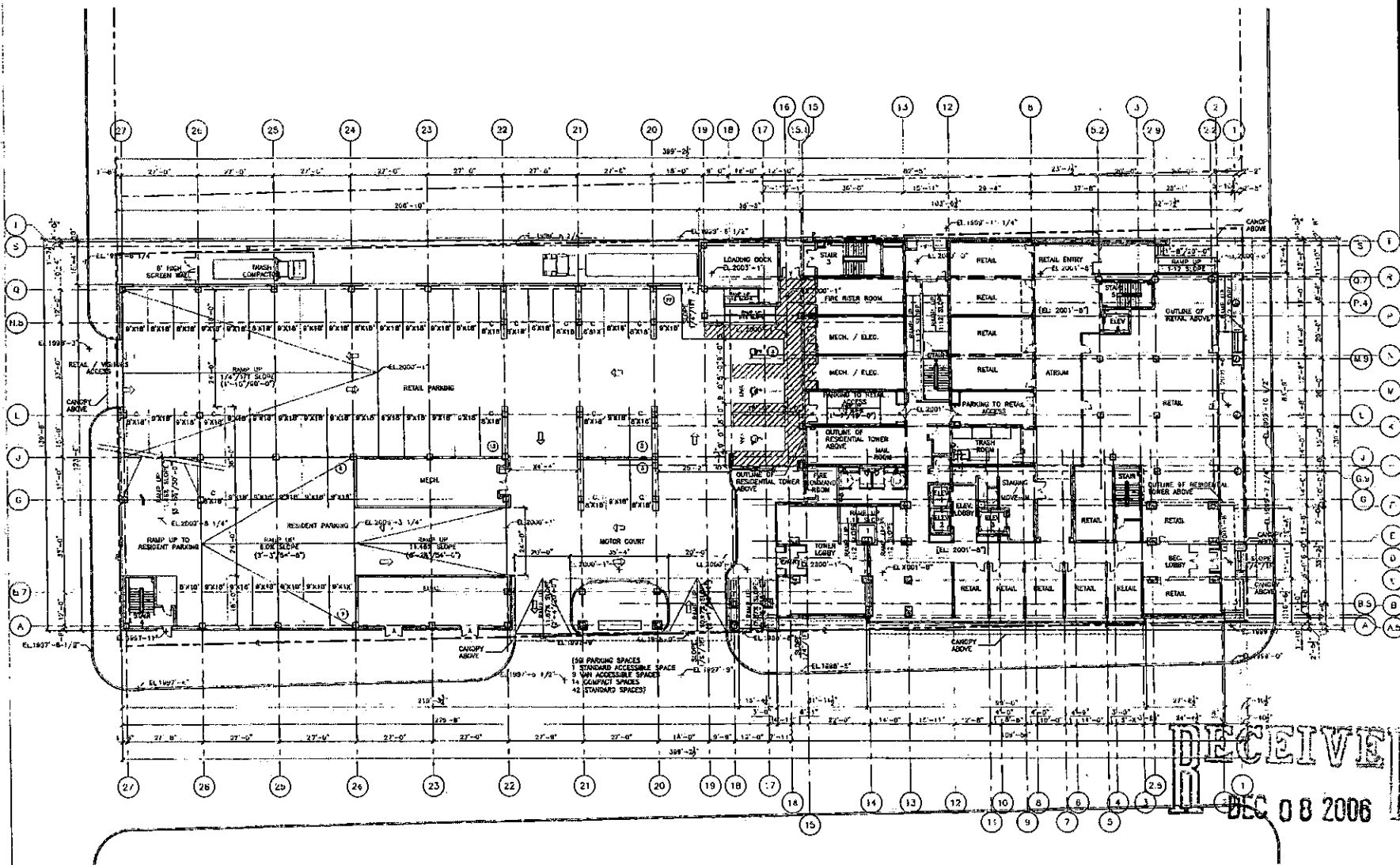
Design Team

1. What is the purpose of the study?
 2. What are the research objectives?
 3. What is the research methodology?
 4. What are the results of the study?
 5. What are the conclusions of the study?
 6. What are the limitations of the study?
 7. What are the implications of the study?
 8. What are the future research directions?
 9. What are the contributions of the study?
 10. What are the key findings of the study?

[illegible]

ISSUES AND MEMORANDUM		
No.	Date	Memorandum
▲		
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Job No.		Issue Date
5045.00		11.21.06
Issue Package		
PLANNING COLLISSION SUBMITTAL		
Sheet Title		
ARCHITECTURAL SITE PLAN		
CONCEPTUAL LANDSCAPE PLAN		
Sheet Number		

A1.01



01 LEVEL 01 FLOOR PLAN
SCALE: 1/16" = 1'-0"

SDR-18638
01/25/07 PC

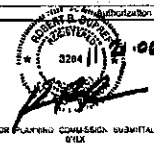
ROBERT B. DUPREE
REGISTERED ARCHITECT
RENEWAL LICENSE 4304

C/O. GreaterCity Design and Associates
2528 Cole Ave., Suite 300
Dallas, TX 75204
Phone: (214) 571-8878
Fax: (214) 571-8885
www.greatercity.com

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**NEON
HEIGHTS**
LAS VEGAS, NEVADA
777 FREMONT

**Martinez &
Associates**



Design Team	
Architect	Robert B. Dupree
Architectural Designer	Robert B. Dupree
Interior Designer	Robert B. Dupree
Structural Engineer	Robert B. Dupree
MEP Engineer	Robert B. Dupree
Cost Estimator	Robert B. Dupree
Project Manager	Robert B. Dupree
Client Representative	Robert B. Dupree

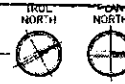
Issues and Revisions	
No.	Description
1	Issue 1: Initial Design
2	Issue 2: Revised Design
3	Issue 3: Final Design
4	Issue 4: Construction Documents
5	Issue 5: Construction Documents
6	Issue 6: Construction Documents
7	Issue 7: Construction Documents
8	Issue 8: Construction Documents
9	Issue 9: Construction Documents
10	Issue 10: Construction Documents
11	Issue 11: Construction Documents
12	Issue 12: Construction Documents
13	Issue 13: Construction Documents
14	Issue 14: Construction Documents
15	Issue 15: Construction Documents
16	Issue 16: Construction Documents
17	Issue 17: Construction Documents
18	Issue 18: Construction Documents
19	Issue 19: Construction Documents
20	Issue 20: Construction Documents
21	Issue 21: Construction Documents
22	Issue 22: Construction Documents
23	Issue 23: Construction Documents
24	Issue 24: Construction Documents
25	Issue 25: Construction Documents
26	Issue 26: Construction Documents
27	Issue 27: Construction Documents

Job No. 5045.00 Issue Date 11.21.06

Issue Package PLANNING COMMISSION SUBMITTAL

Sheet Title LEVEL 01 FLOOR PLAN

Sheet Number A2.01



C/O Chromazdy Oguzs and Associates
2020 Cole Ave., Suite 300
Dallas, Tx. 75201
Phone: (214) 671-6077
Fax: (214) 671-5366
www.pfsltd.com

ANALYST: D. J. B.

Project

LAS VEGAS, NEVADA
777 FREMONT

**Martinez &
Associates**



FOR PLANNING COMMISSION SUBMITTAL
ONLY

Design Team

[illegible][illegible]

Job No.	Issuing Date
5045 00	11 21 0

ISSUE PACKAGE

PLANNING COMMISSION SUBMITTA

Sheet Title: _____
 (Leave blank for title)

Sheet Number:

A2.02

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DEC 08 2006

DEC 08 2006

SDR-18638

01/25/07 PC

ROBERT B. DUPREE
REGISTERED ARCHITECT
NEVADA LICENSE #A-14

C/O Greenway Design and Associates
2024 Cal Ave., Suite 200
Dallas, TX 75208
Phone (214) 871-8000
Fax (214) 871-8000
www.rbdar.com

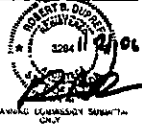
DATE: 12/08/06

NEON
HEIGHTS

LAS VEGAS, NEVADA
777 FREMONT

Martinez &
Associates

Professional Seal



FOR PLANNING COMMISSION SUBMITTAL ONLY

Design Team

ARCHITECT: Robert B. Dupree
DESIGNER: Robert B. Dupree
DATE: 12/08/06

Project and Revision

No.	Date	Description
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Job No. 5045.00

Issue Date 11.21.06

Issue Package

PLANNING COMMISSION SUBMITTAL

Sheet Title

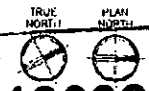
LEVEL 03 FLOOR PLAN

Sheet Number

A2.03

01 LEVEL 03 FLOOR PLAN
SCALE: 1/16"=1'-0"

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DEC 08 2006



SDR-18638
01/25/07 PC

ROBERT B. DUPREE
REGISTERED ARCHITECT
STATE OF NEVADA #126

City: Henderson, Nevada and Associates
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Fax: (702) 571-8888
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Project

NEON
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LAS VEGAS, NEVADA
777 FREMONT

Martinez &
Associates

Architect



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Design Team

Architect: Robert B. Dupree
Architect's Title: Registered Architect
Architect's License No.: 126
Architect's State: Nevada
Architect's Date: 11/21/06
Architect's Address: 2018 Cole Ave., Suite 202, Henderson, NV 89002
Architect's Phone: (702) 571-8888
Architect's Fax: (702) 571-8888
Architect's Website: www.rbdupree.com

Table and Measurement

No.	Date	Description
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Sub No. Issue Date

5045.00 11.21.06

Issue Package

PLANNING COMMISSION SUBMITTAL

Sheet Title

LEVEL 05 FLOOR PLAN

Sheet Number

A2.05

Approved by

Signature

Date

11/21/06

11/21/06

11/21/06

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11/21/06

01 LEVEL 05 FLOOR PLAN
Scale: 1/16"=1'-0"

TRUE
NORTH

PLAN
NORTH

SDR-18638

01/25/07 PC

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**Martinez &
Associates**

Author's address:



Design Team

Ընթերցող ԸՆԹԵՐՑՈՂ	Խորհրդակց. և օգնականներ ԶԳՆ Փաստաթղթերի կառույց ԶՆՆ ԿԱՐԳԻ, ԿԱՐԳՆԵՐ ԽՈՒ. ՈՒՅ ԵՄ ԽՈՒՆ ԲԱՑ Ընթերցող, ԿԱՐԳԻ ԿԱՐԳՆԵՐ
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Sheet Number

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01 LEVEL 06 FLOOR PLAN
SCALE: 1/16"=1'-0"

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Fax: (214) 241-9600
e-mail: gsc@usgs.gov

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777 FREMONT

**Martinez &
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Region Team

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LEVEL 06 FLOOR PLAN

Serial Number

A2.08

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DOI: 10.1002/anie

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REGISTERED ARCHITECT
NEVADA LICENSE #400

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Design Team

Architect: ROBERT B. DUPREE
Architect's Title: ARCHITECT
Architect's License: 400
Architect's Registration State: NV
Architect's Registration Date: 11/24/06
Architect's Registration Expires: 11/24/11
Architect's Registration Renewal Fee: \$100.00
Architect's Registration Renewal Date: 11/24/11
Architect's Registration Renewal Fee: \$100.00
Architect's Registration Renewal Date: 11/24/11

Issues and Revisions

No.	Date	Description
1	11.21.06	Issue Package
2	11.21.06	PLANNING COMMISSION SUBMITTAL

Job No. 5045.00 Issue Date 11.21.06

Issue Package

PLANNING COMMISSION SUBMITTAL

Sheet Title

LEVEL 09 FLOOR PLAN (SWIMMING POOL LEVEL)

Sheet Number

A2.09

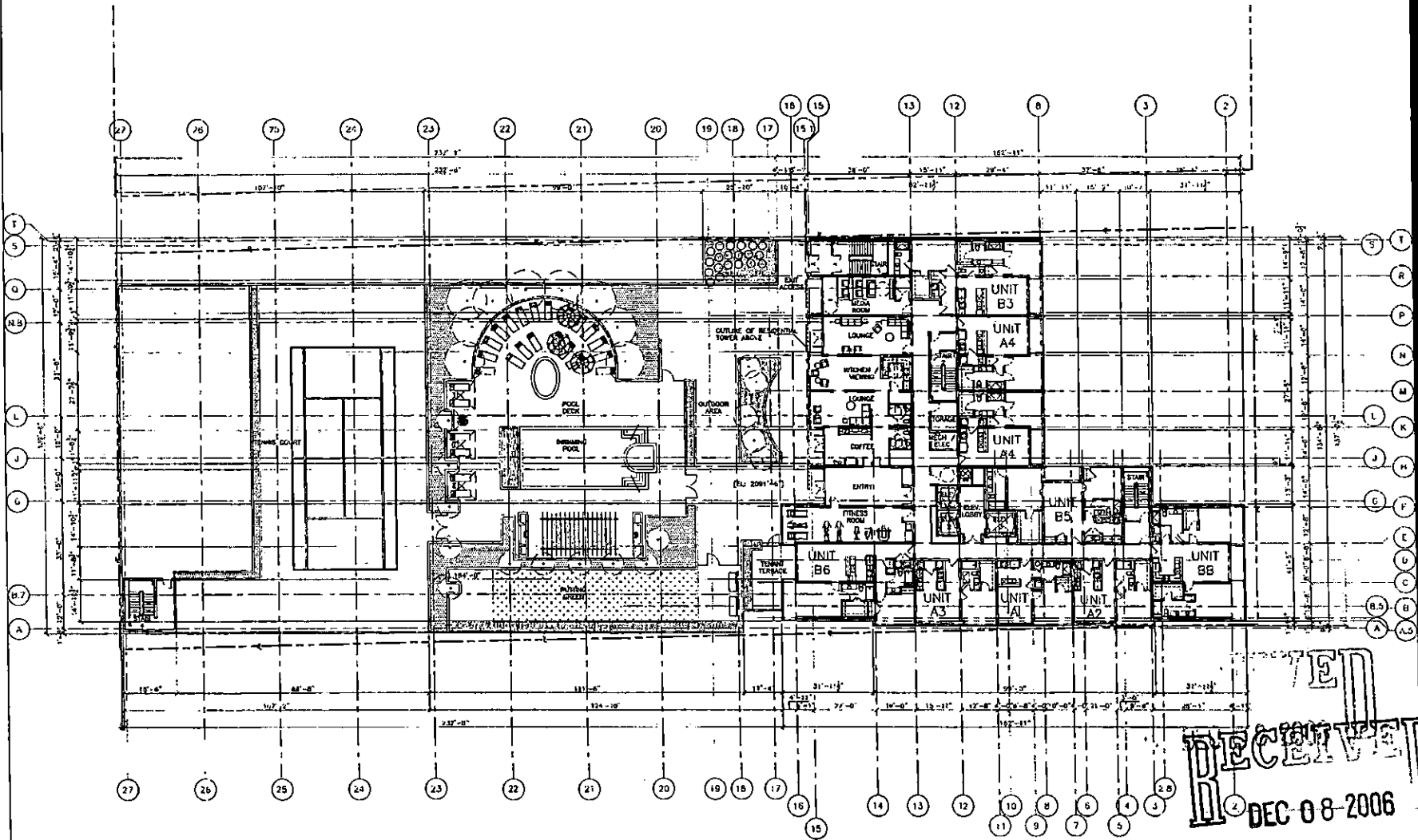
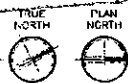
01 LEVEL 09 FLOOR PLAN (SWIMMING POOL LEVEL)

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

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DATE: 11/21/06

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LAS VEGAS, NEVADA
777 FREMONT

Martinez &
Associates

Authorization



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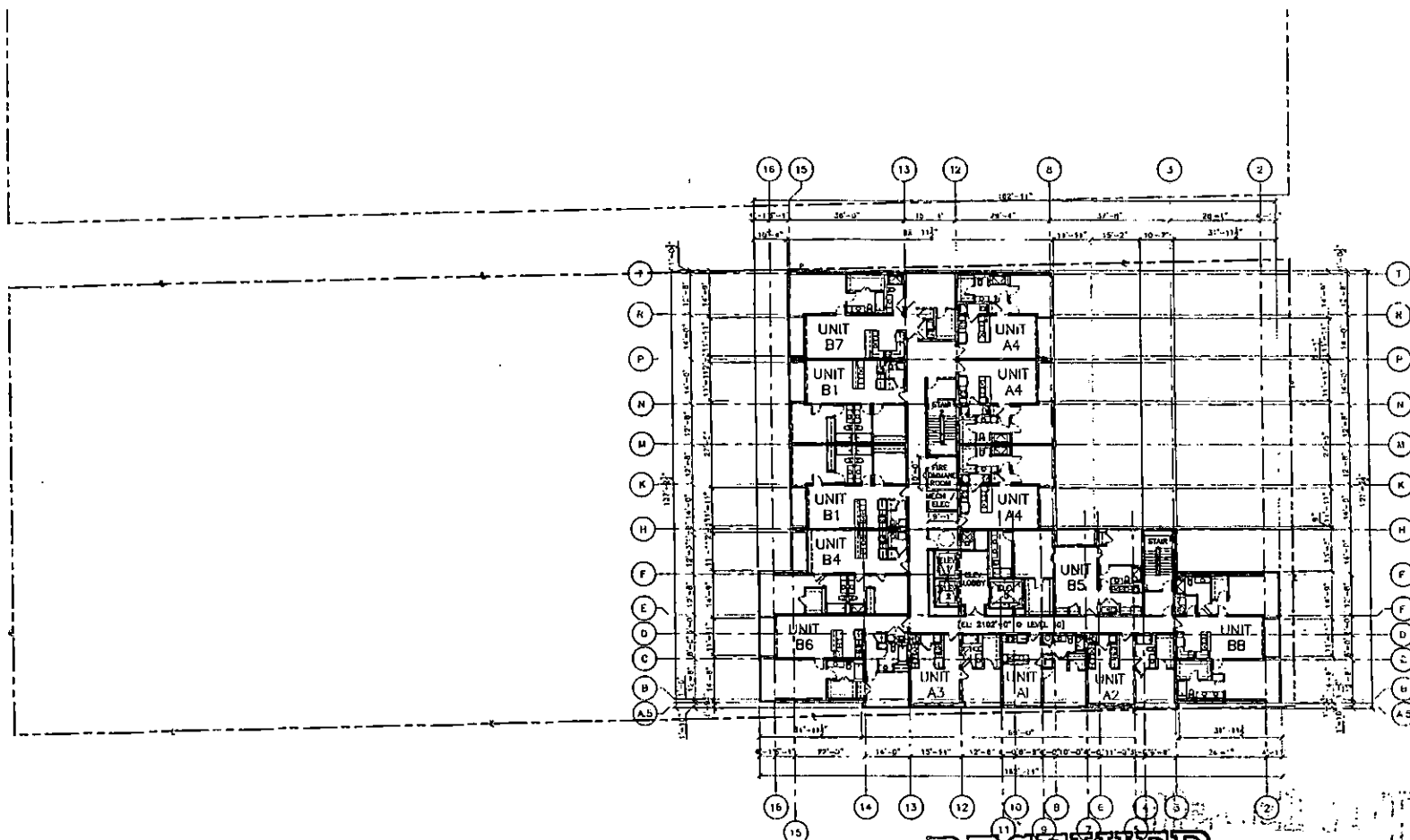
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LEVELS 10, 20, 30 FLOOR PLAN (FIRE COMMAND ROOM)

Sheet Number

A2.10

DATE: 11/21/06



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01 LEVELS 10, 20, 30 FLOOR PLAN (FIRE COMMAND ROOM)
SCALE: 1/16"=1'-0"

TRUE NORTH
PLAN NORTH

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Author/Checker



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Design Team

Project: NEON HEIGHTS
Location: 777 FREMONT
Client: MARTINEZ & ASSOCIATES
Architect: ROBERT B. DUPREE
Date: 12/14/06
Scale: 1/8" = 1'-0"

Issues and Revisions

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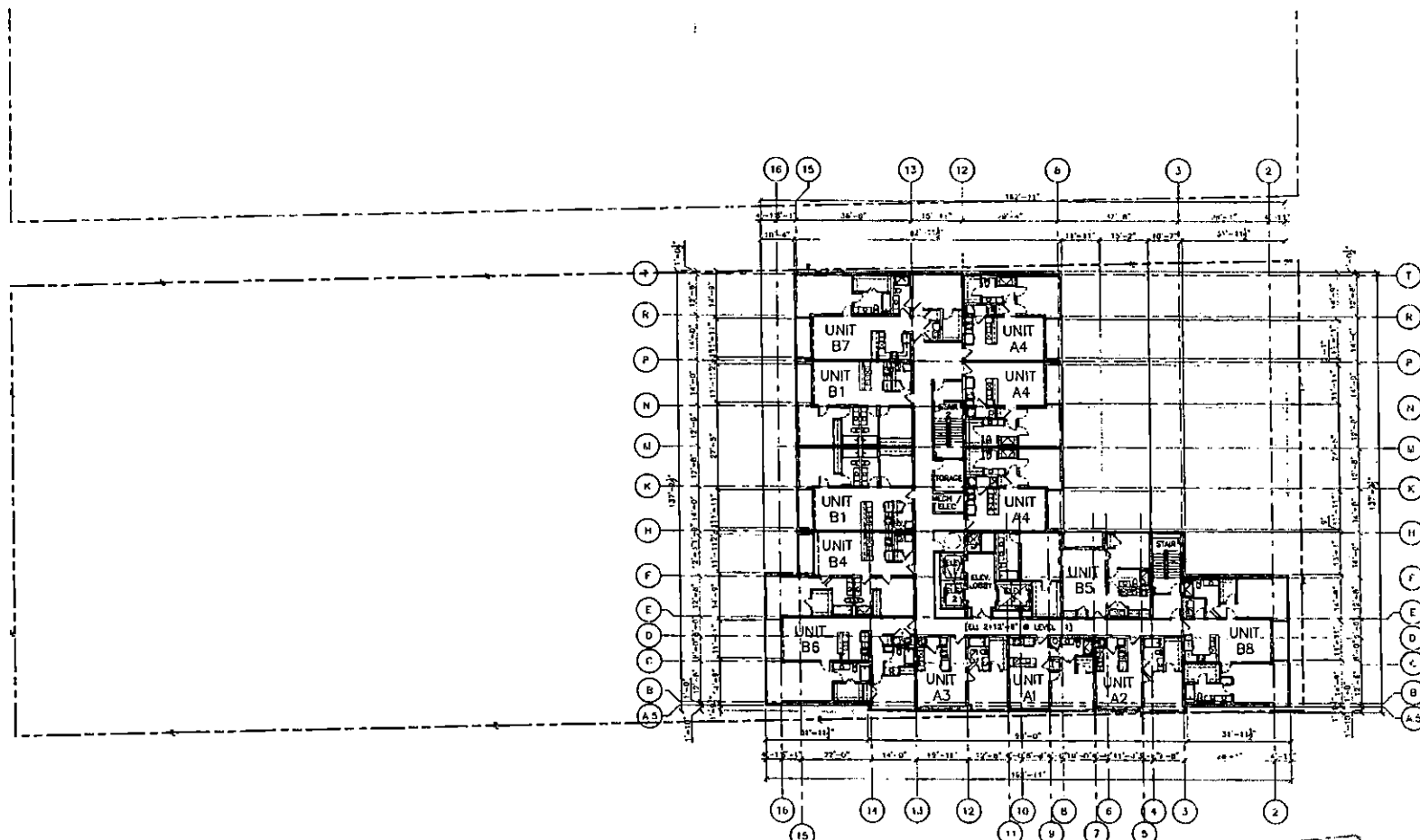
LEVELS 11 - 32 FLOOR PLAN

(TYPICAL FLOOR PLAN)

Block Number

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01 LEVELS 11-19, 20-19, 31-32 FLOOR PLAN (TYPICAL FLOOR PLAN)
Scale: 1/8" = 1'-0"

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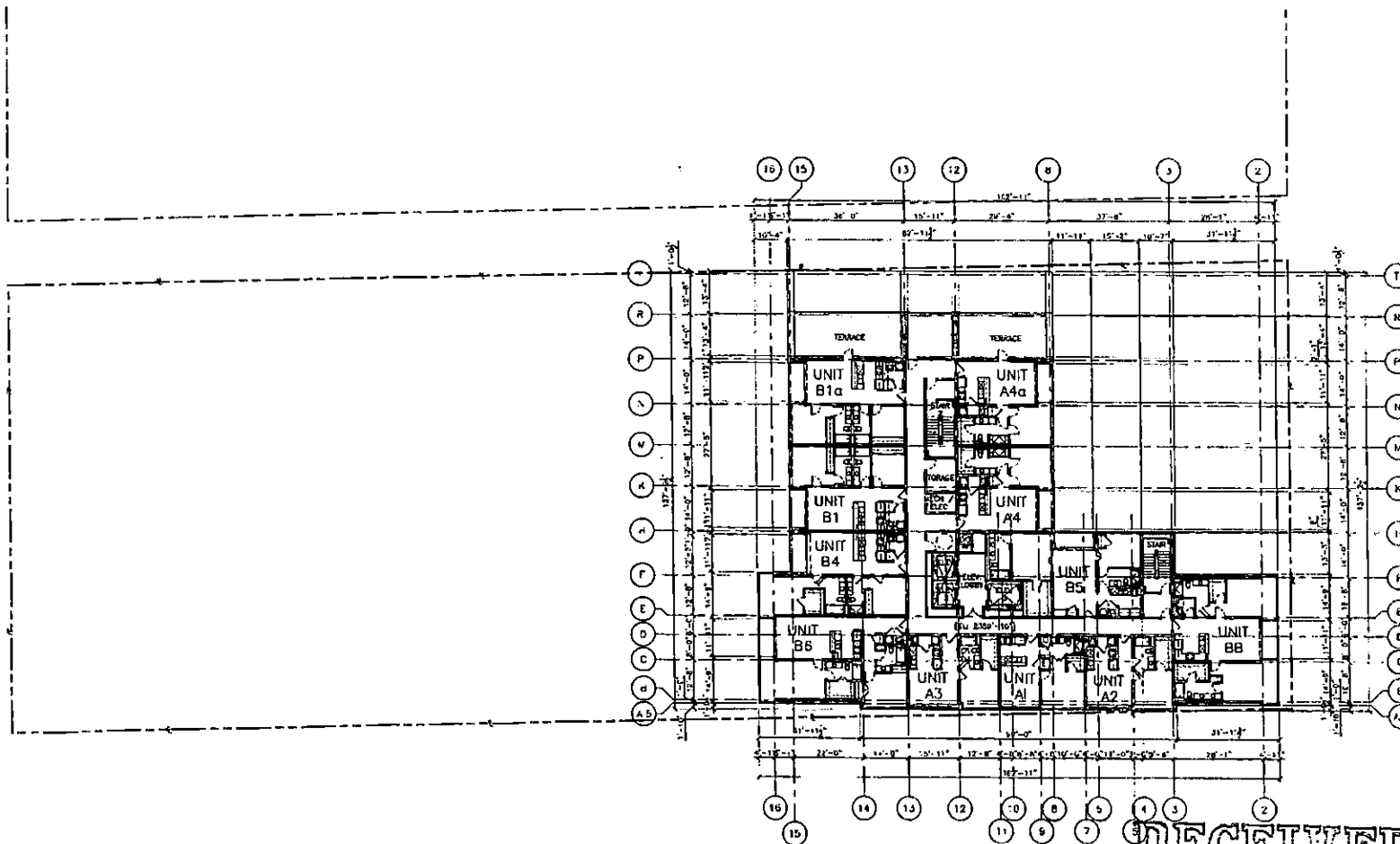
01 LEVEL 33 FLOOR PLAN
SCALE: 1/8" = 1' 0"

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01 LEVEL 34 FLOOR PLAN
SCALE: 1/8"=1'-0"

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TRUE NORTH
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Interior Designer: Robert B. Duprie
Structural Engineer: Robert B. Duprie
Mechanical Engineer: Robert B. Duprie
Electrical Engineer: Robert B. Duprie
Civil Engineer: Robert B. Duprie
Landscape Architect: Robert B. Duprie
Other: Robert B. Duprie

Issues and Revisions

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Sheet Title
LEVEL 34 FLOOR PLAN

Sheet Number

A2.13

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FILE MANAGING COMPASS
GUY

Design Team

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ABSTRACT
 This paper is a review of the literature on the effects of the 1997 Asian financial crisis on the economies of the Asian countries. The paper discusses the impact of the crisis on the economies of the Asian countries, the role of the International Monetary Fund (IMF) in the crisis, and the role of the World Bank in the crisis. The paper also discusses the impact of the crisis on the economies of the Asian countries, the role of the International Monetary Fund (IMF) in the crisis, and the role of the World Bank in the crisis.

Issues and Findings

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Sheet Title
LEVEL 35 FLOOR PLAN
Sheet Number

A2.14

01 LEVEL 35 FLOOR PLAN
SCALE: 1/8"=1'-0"

TRUE NORTH	FLAT NORTH
100	100
90	90
80	80
70	70
60	60
50	50
40	40
30	30
20	20
10	10
0	0
10	10
20	20
30	30
40	40
50	50
60	60
70	70
80	80
90	90
100	100

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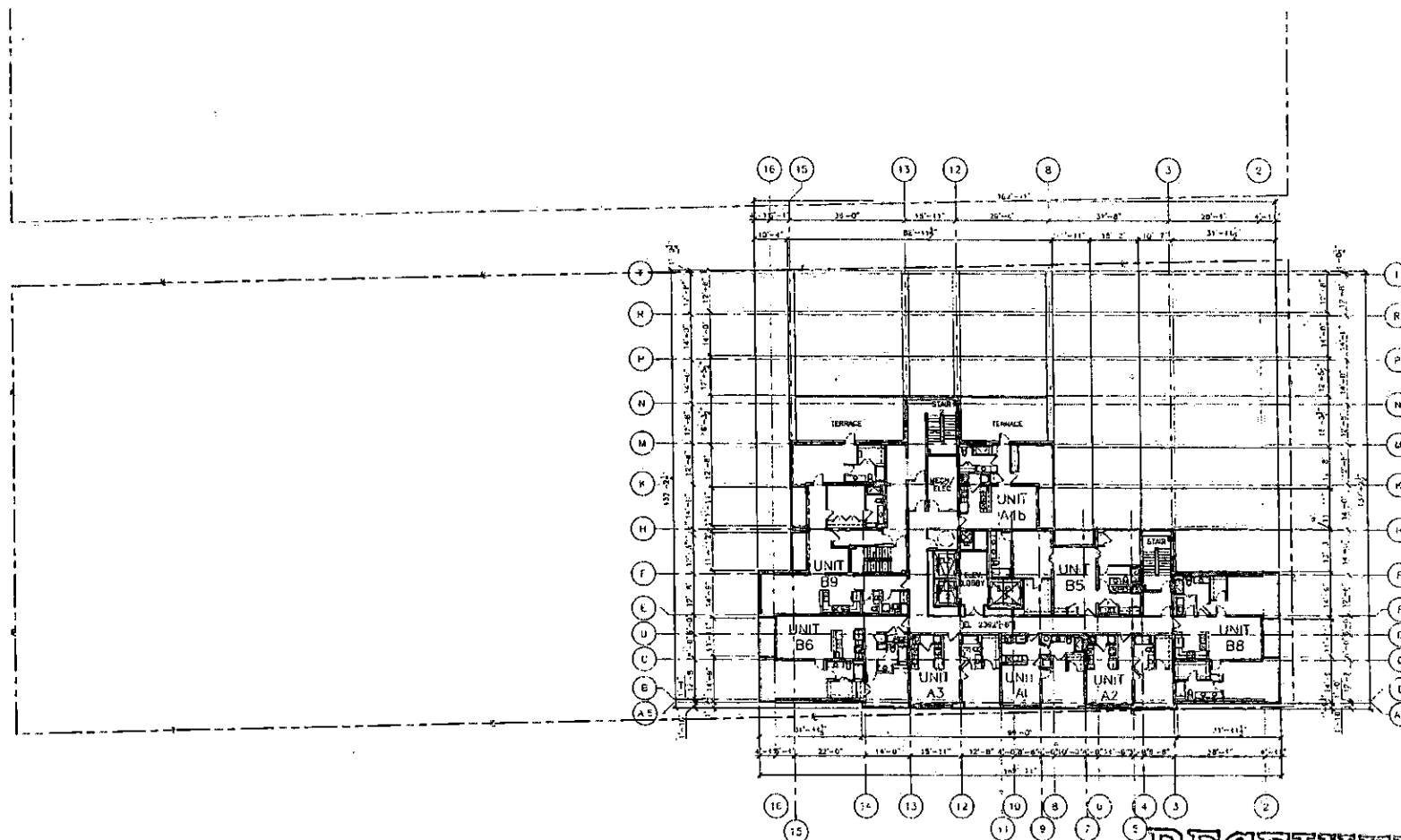
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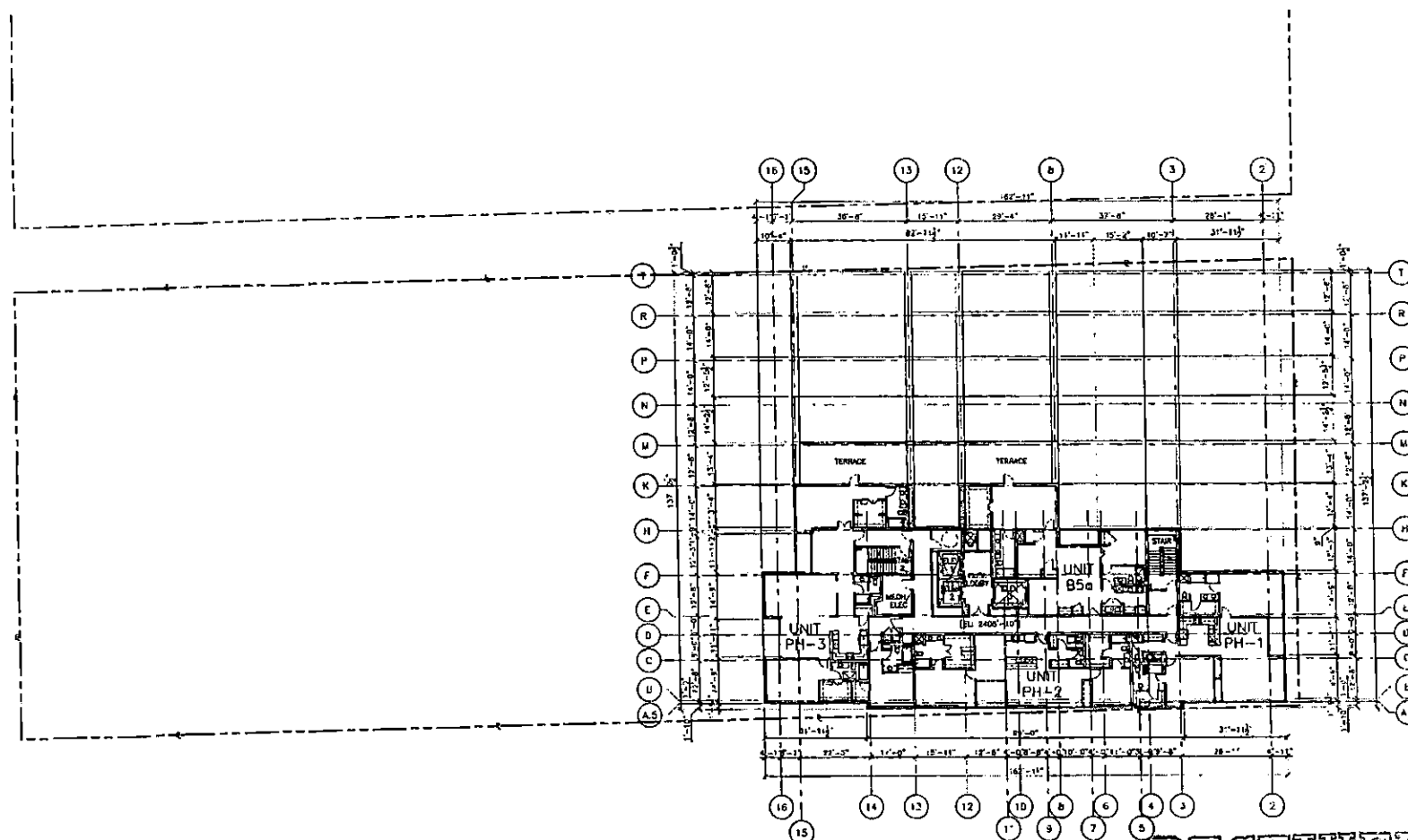
Edward Teller

LEVEL 37 FLOOR PLAN

Sheet 11 of 11

STATE: NEW YORK

A2.16



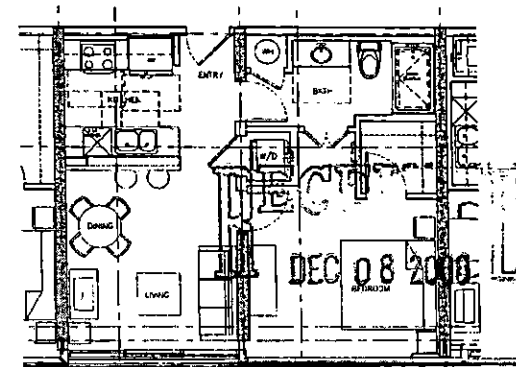
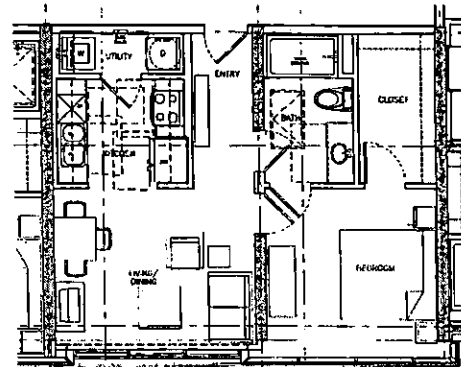
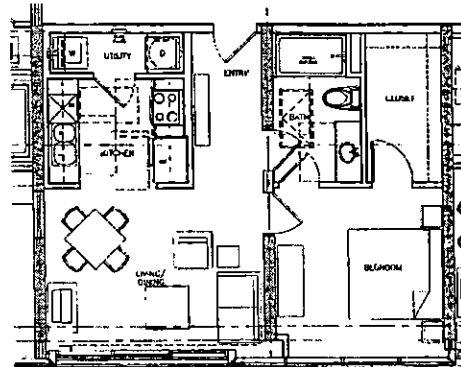
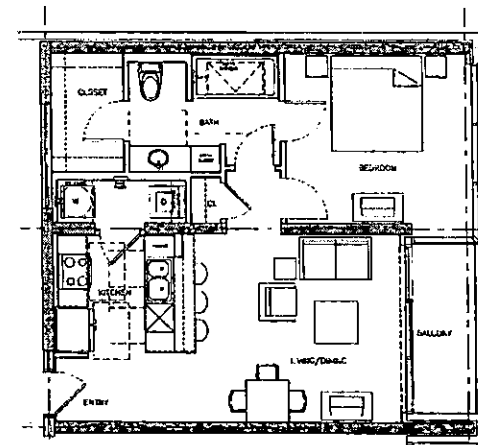
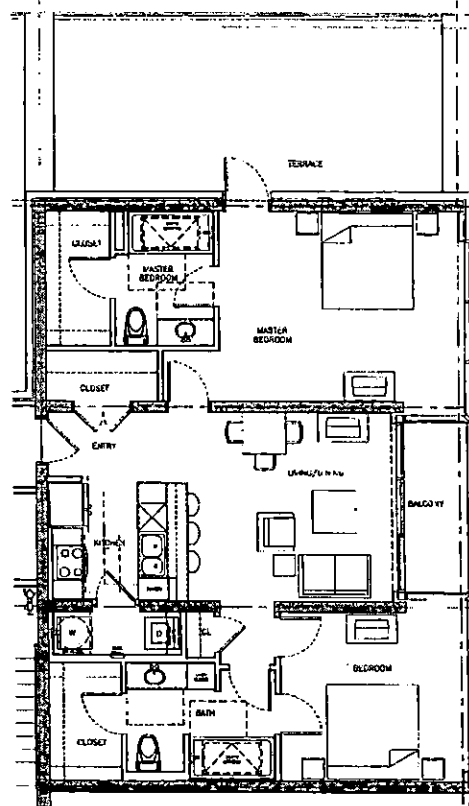
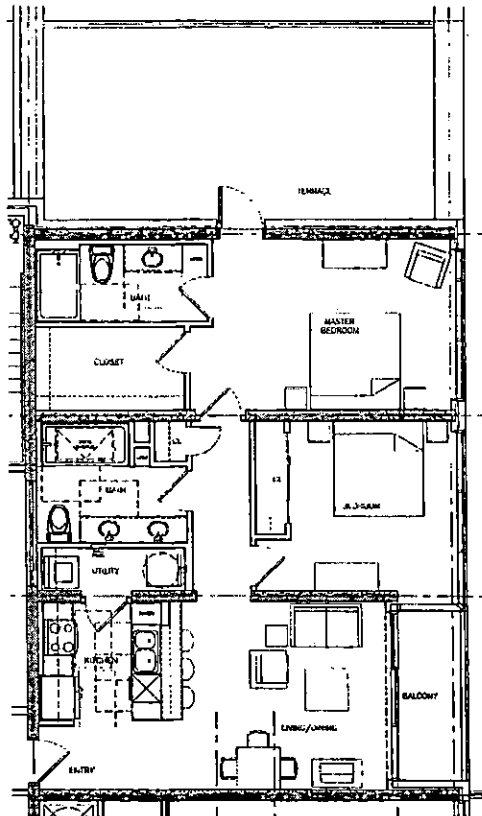
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01 LEVEL 37 FLOOR PLAN

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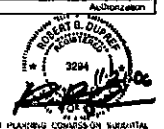
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**Martinez &
Associates**



Design Team

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SCALE 1/4"=1'-0"

UNIT 1

Scale 1/4" = 1'-0"

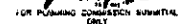
Page 10

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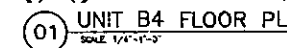
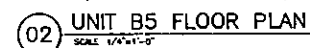
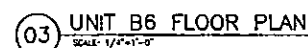
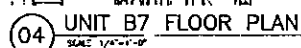
UNIT FLOOR PLAN

Sheet Number

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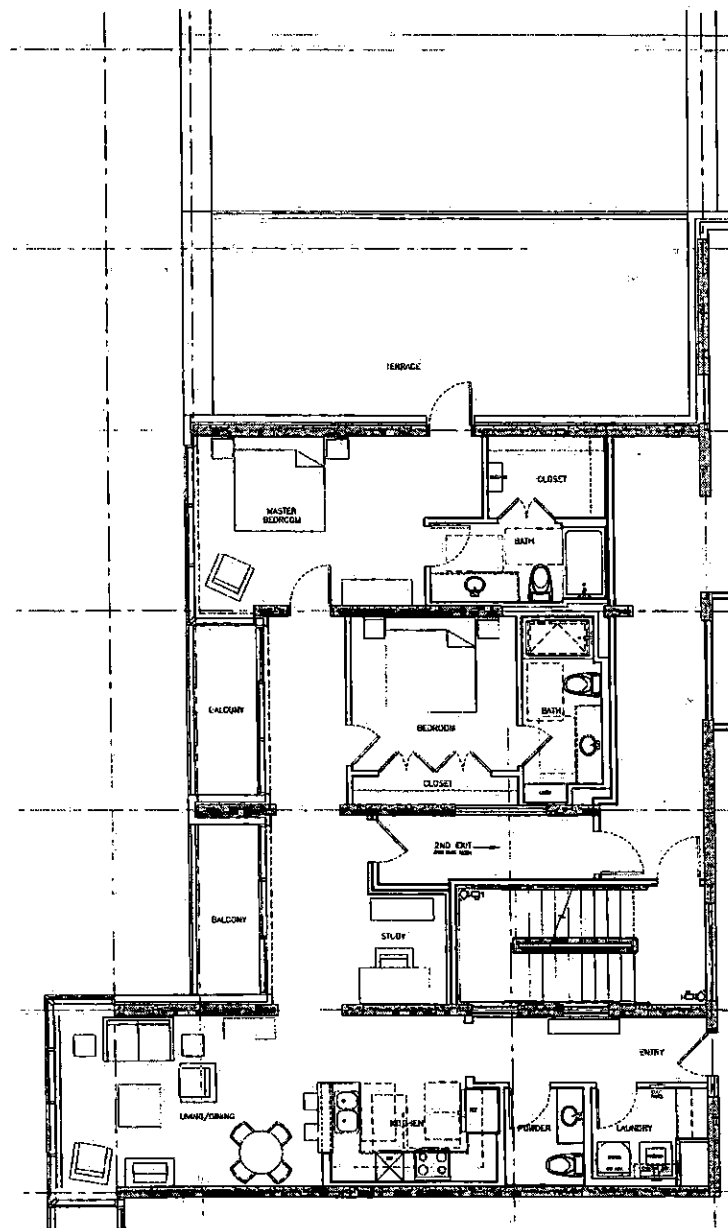
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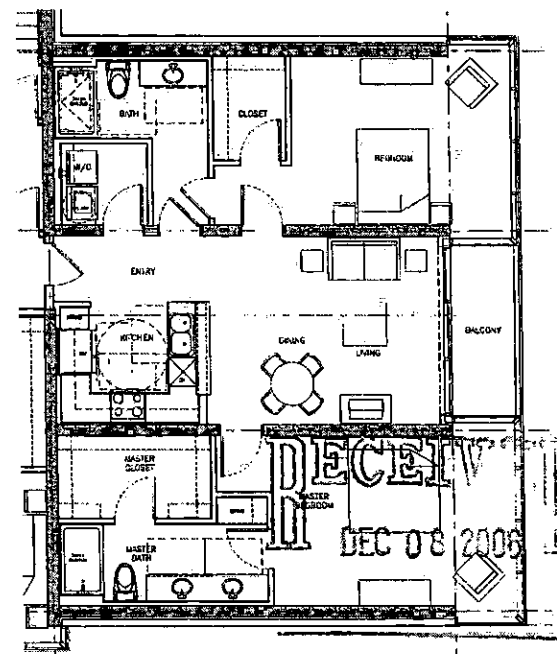


PL 100-690
SDR-18638

01/25/07 PC



02 UNIT B9 FLOOR PLAN
SCALE: 1/4"=1'-0"



01 UNIT B8 FLOOR PLAN
SCALE: 1/4"=1'-0"

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Martinez &
Associates

ROBERT B. DUPREE
REGISTERED ARCHITECT
3294 11/18/06
FOR PLANNING COMMISSION SUBMITTAL ONLY

Design Team
OWNER: NEON HEIGHTS
ARCHITECT: MARTINEZ & ASSOCIATES
PLANNING COMMISSION SUBMITTAL ONLY

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Job No. 5045.00 Issue Date 11.21.06

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Sheet Number A2.53

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HEIGHTS
LAS VEGAS, NEVADA
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Submittal

FOR PLANNING COMMISSION SUBMITTAL
JOB #

Design Team

OWNER: NEON HEIGHTS
DEVELOPER: JHB Development, Inc.
ARCHITECT: RBD
INTERIOR DESIGNER: JHB
Landscape Architect: JHB
ENGINEER: JHB
PLUMBING: JHB
ELECTRICAL: JHB
MECHANICAL: JHB
FIRE PROTECTION: JHB
SPECIALTY: JHB
GENERAL CONTRACTOR: JHB

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Job No. 5045.00 Issue Date 11.21.06

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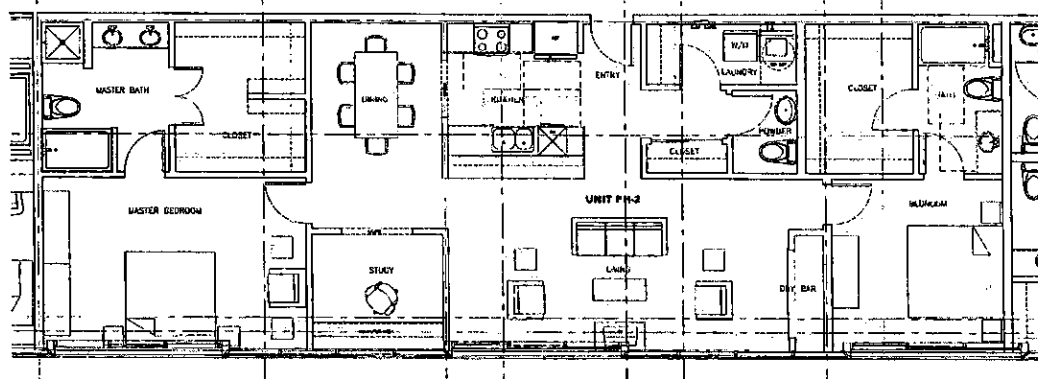
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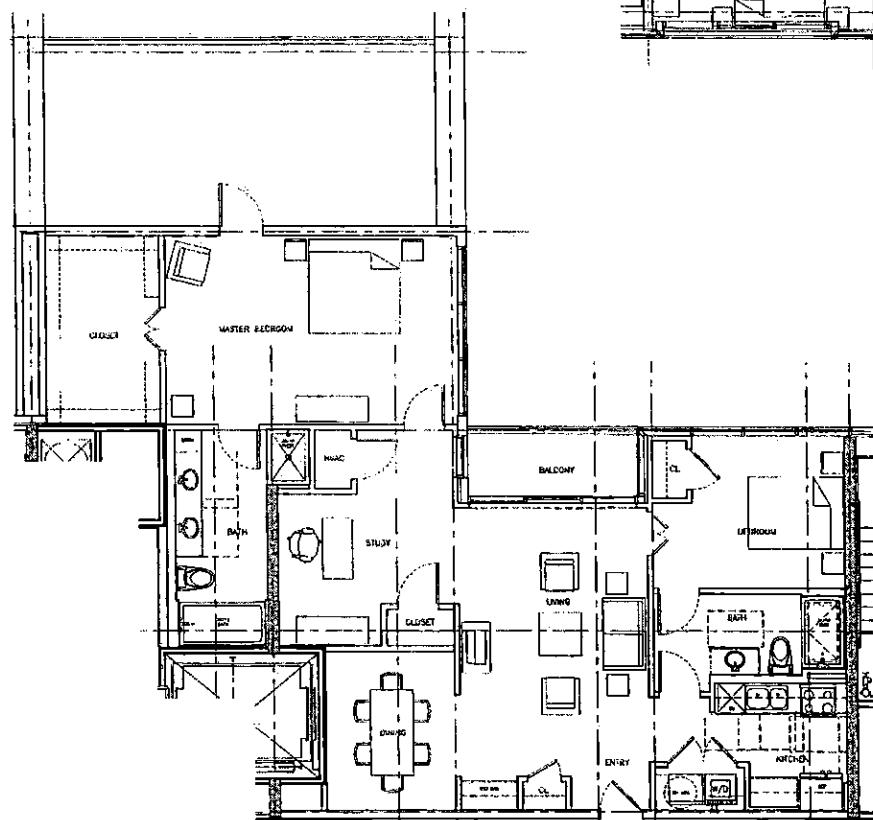
Sheet Number

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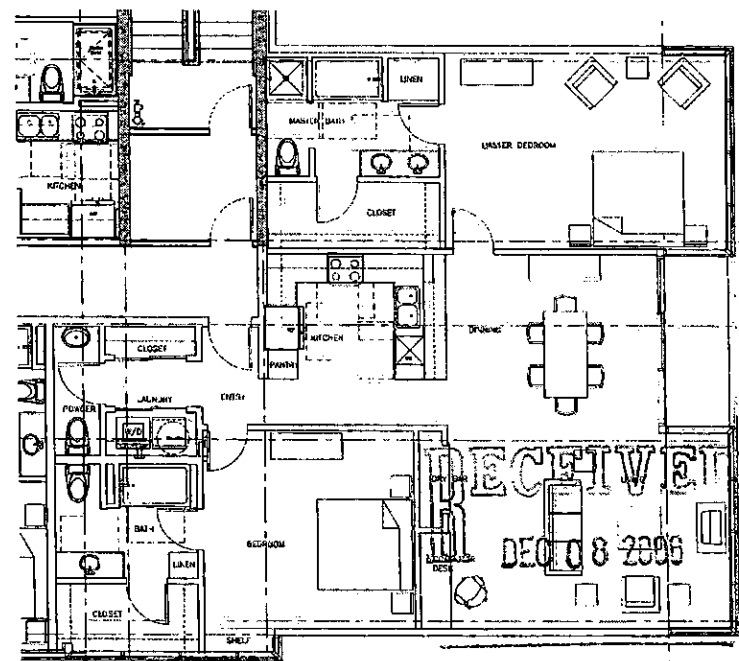
01/25/07



03 UNIT PH-2 FLOOR PLAN
SCALE: 1/4"=1'-0" PENTHOUSE LEVEL UNIT (LEVEL 32)

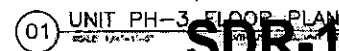
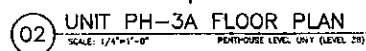


02 UNIT B5a FLOOR PLAN
SCALE: 1/4"=1'-0" PENTHOUSE LEVEL UNIT (LEVEL 32)



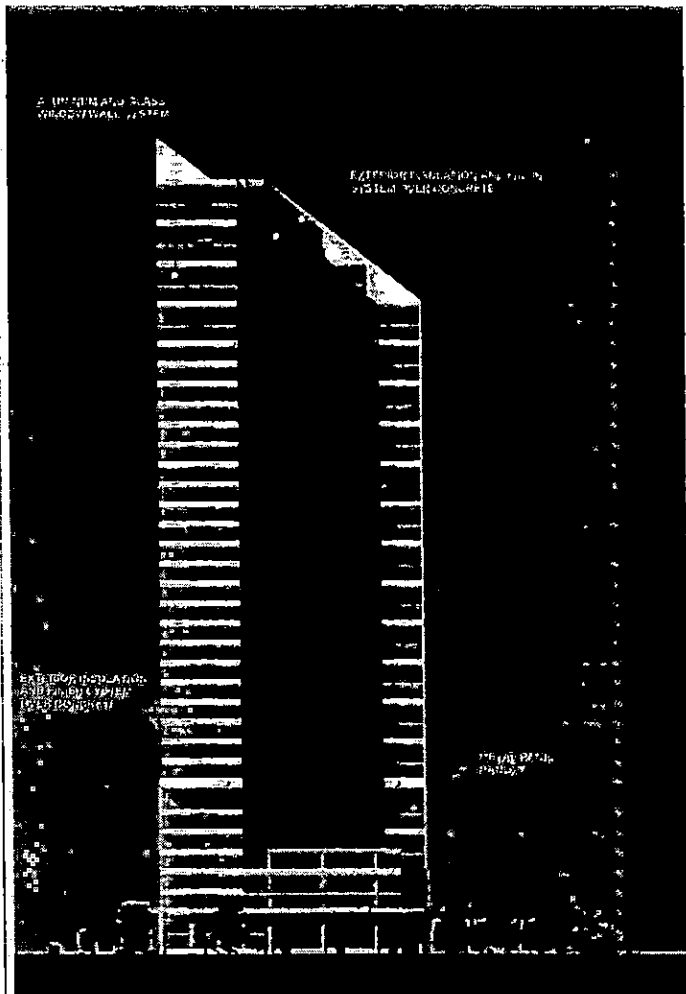
01 UNIT PH-1 FLOOR PLAN
SCALE: 1/4"=1'-0" PENTHOUSE LEVEL UNIT (LEVEL 32)

SDR-18638
01/25/07 PC



A2.55

SDR-18638
01/25/07 PC



01 NORTH ELEVATION

NOTE: BUILDING SIGNAGE COLOR, SIZE AND LOCATION PER CITY APPROVAL.



02 EAST ELEVATION

NOTE: BUILDING SIGNAGE COLOR, SIZE AND LOCATION PER CITY APPROVAL.

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SDR-18638
01/25/07 PC

ROBERT B. DUPREE
REGISTERED ARCHITECT
1000-171000-0001

1000-171000-0001
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1000-171000-0001

NEON
HEIGHTS
LAS VEGAS, NEVADA
777 FREMONT

Martinez &
Associates



Design Team

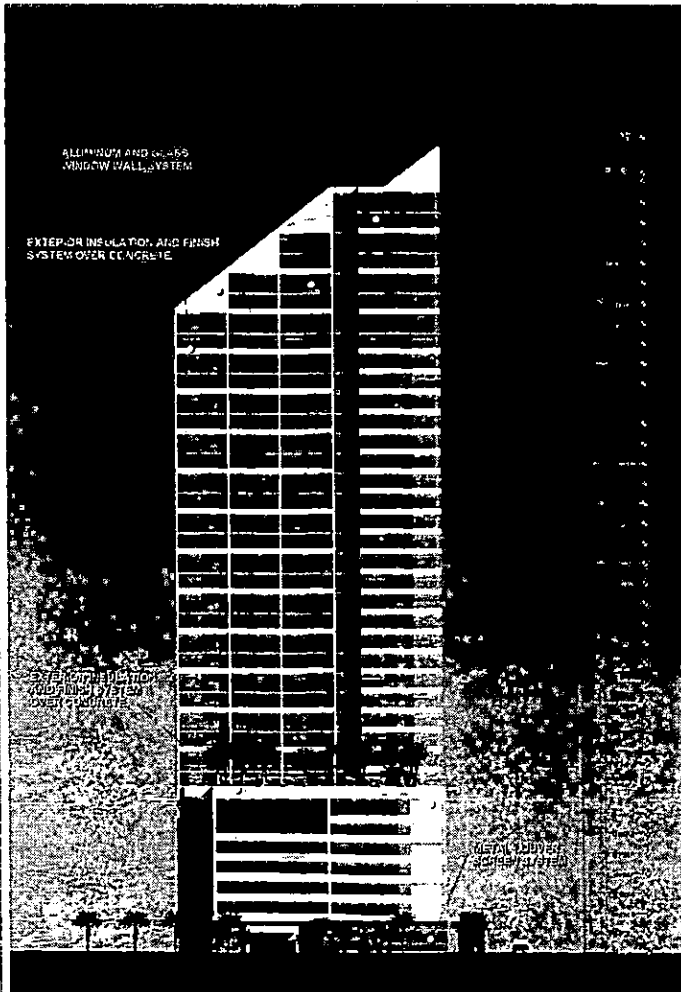
Project Manager
Architect
Interior Designer
Landscape Architect
Civil Engineer
Mechanical Engineer
Electrical Engineer
Plumbing Engineer
Fire Protection Engineer
Structural Engineer
Soils Engineer
Surveyor
Other

Name and Address

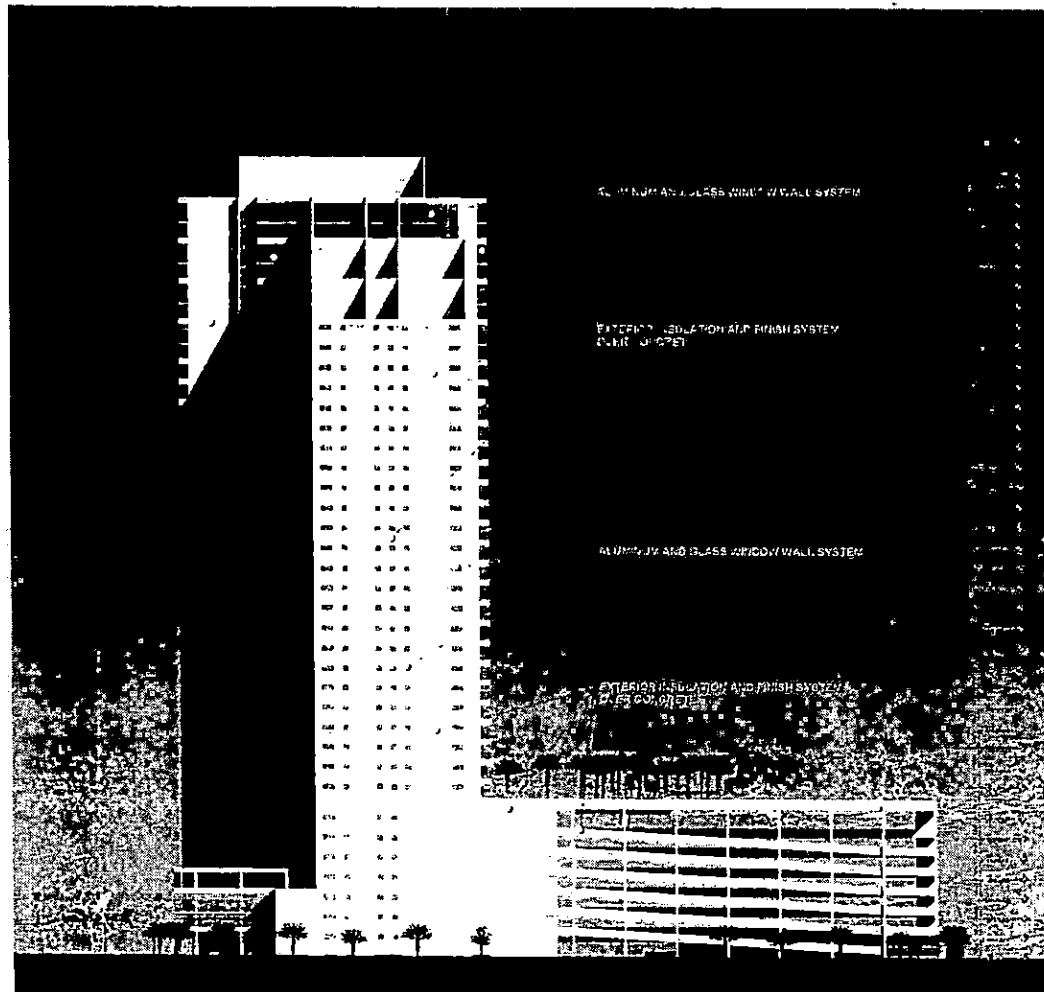
No. Date Location

Job No. 5045.00
Issue Date 11.21.06
Issue Package
PLANNING COMMISSION SUBMITTAL
Sheet Title
Building Elevations
Sheet Number

A5.01



01 SOUTH ELEVATION
NOTE: BUILDING SIGNAGE COLOR, SIZE AND LOCATION PER CITY APPROVAL.



02 WEST ELEVATION
NOTE: BUILDING SIGNAGE COLOR, SIZE AND LOCATION PER CITY APPROVAL.

APPROVED
DEC 18 2006

SDR-18638
01/25/07 PC

ROBERT B. DUPREE
REGISTERED ARCHITECT

1000 University Drive and Associates
2025 Oak Ave., Suite 200
Bakers, TX 75206
Phone: (214) 467-1000
Fax: (214) 467-1000

10/10/06 11:00

Project

NEON
HEIGHTS
LAS VEGAS, NEVADA
777 FREMONT

Martinez &
Associates

Authorization



Design Team

Architect: Martinez & Associates
1000 University Drive and Associates
2025 Oak Ave., Suite 200
Bakers, TX 75206
Phone: (214) 467-1000
Fax: (214) 467-1000
Project: 01/25/07 PC

Project and Drawings

No.	Date	Description

Job No: 5045.00 Issue Date: 11.21.06

Issue Package: PLANNING COMMISSION SUBMITTAL

Sheet Title: Building Elevations

Sheet Number: A5.02

506 DEBATE © 2007

LAS VEGAS, NEVADA
777 FREMONT

**Martinez &
Associates**

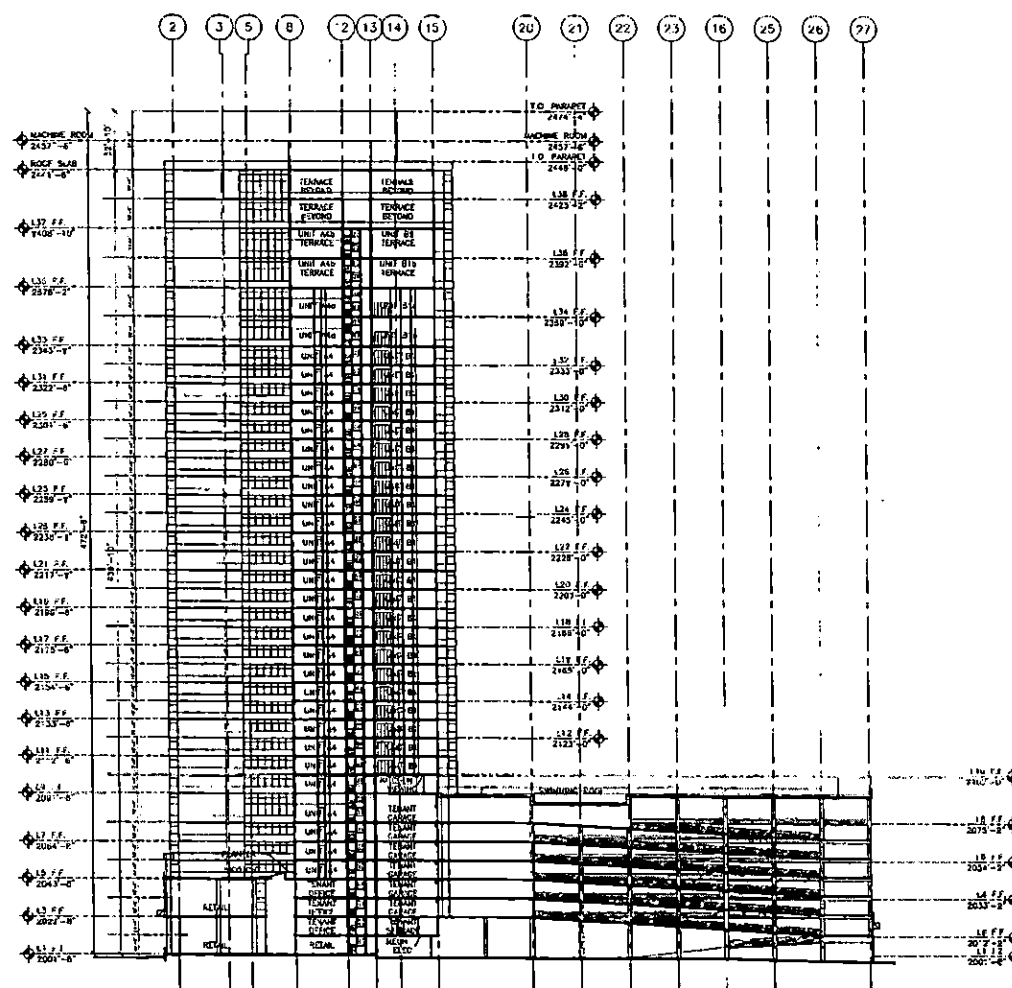
AUTHORIZED TO RELEASE
 3284 11-2
 FOR PLANNING COMMISSION SUBMITTAL ONLY

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Issue Package
PLANNING COMMISSION SUBMITTAL

Shows Title
BUILDING SECTION
Sheet Number

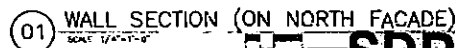
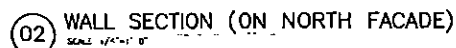
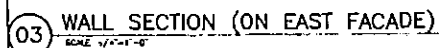
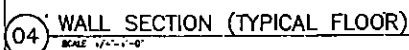
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01 BUILDING SECTION (NORTH SOUTH SECTION)

SDR-18638
01/25/07 PC



comp. 1

SDR-18638

01/25/07 PC

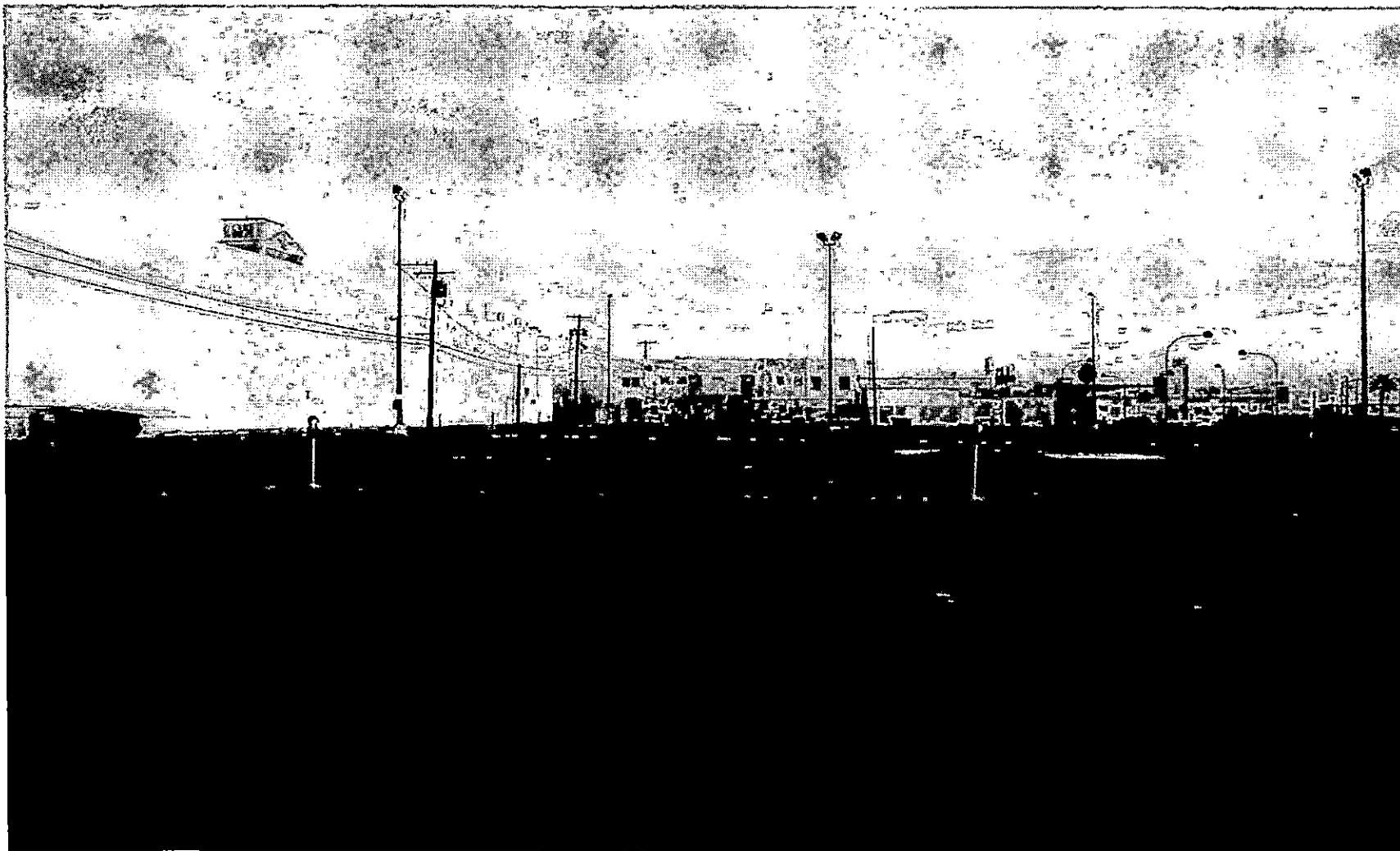
SDR 18638				
Dan Martinez				
NWC Carson & 8th				
Proposed 395 unit multi-family development.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	RES. CONDO/TOWNHOUSE [DWELL]	395	5.86	2,315
AM Peak Hour			0.44	174
PM Peak Hour			0.52	205
(heaviest 60 minutes)				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	9.05	11.01	100
AM Peak Hour			1.55	14
PM Peak Hour			1.49	13
(heaviest 60 minutes)				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	15.892	42.94	682
AM Peak Hour			1.03	16
PM Peak Hour			3.75	60
(heaviest 60 minutes)				
Total	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	RES. CONDO/TOWNHOUSE [DWELL]	395		3,097
AM Peak Hour				204
PM Peak Hour				278
(heaviest 60 minutes)				
Existing traffic on all nearby streets: counts not available for 8th				
Fremont Street				
Average Daily Traffic (ADT)	8,009			
PM Peak Hour	641			
(heaviest 60 minutes)				

Carson Avenue				
Average Daily Traffic (ADT)	3,996			
PM Peak Hour (heaviest 60 minutes)	320			
7th Street				
Average Daily Traffic (ADT)	2,984			
PM Peak Hour (heaviest 60 minutes)	239			
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Fremont Street	12240			
Carson Avenue	15300			
7th Street	15300			
This project will add approximately 3,097 trips per day on 6th, Fremont, 7th and Carson. This will increase expected volumes by about 39 percent on Fremont, 77 percent on Carson and 104 percent on 7th. Fremont is at about 65 percent of capacity, Carson at about 26 percent of capacity and 7th is at about 19 percent of capacity. Counts are not available for 8th Street, but it is believed to be under capacity.				
Based on Peak Hour use, this development will add roughly 278 additional cars into the area, which works out to about nine every two minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



SUP-18637 & SDR-18638 - APPLICANT/OWNER: DAN MARTINEZ
709-731 FREMONT STREET
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06



SUP-18637 & SDR-18638 - APPLICANT/OWNER: DAN MARTINEZ
709-731 FREMONT STREET
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06

Justification Letter

To: City of Las Vegas

Regarding: APN 139-34-612-084

My name is Justen Martinez of Martinez & Associates. Our company is a family owned operation that had owned and managed over 1000 apartment units in Texas for over 10 years. Prior to being in the multifamily business, my father Dan Martinez was a McDonald's franchisee in San Francisco and Santa Fe in the 1980's. He sold his stores in 1989 and became an international investor in the Philippines where he built low income housing for the Philippine government. He also has built several luxury homes in Santa Fe. Last year we sold all of the apartment complexes in Texas and have bought vacant land here in Las Vegas where I currently reside. I have spent almost two years working on this project and it will be ready to be built by the summer of 2007. We are in agreement with this city's vision of improving downtown Las Vegas.

We would like to build a 395 unit condominium building with 15,892 square feet of entertainment retail at the SW corner of Fremont and 8th St. The building will also include 9,050 square feet of office space. Our team includes Gromatzky Dupree and Associates (GDA), an architectural firm in Dallas. They recently received several awards including the 2005 Golden Nugget Award for "Best High Rise Apartment Project". GDA has designed our building, so that it could be built using a form of construction called "Tunnel Forming". This method of construction uses forms that will be filled with concrete and repeated identically every floor. This will allow us to build each floor in a matter of days rather than weeks.

Our goal for this building is to make it more affordable than what is currently proposed here in Las Vegas. We are trying to keep the selling price per square foot on average of \$400. With our apartment management skills, we know that we can have the lowest association fees than anyone. I believe that this project will appeal to a local resident working downtown, an out of state resident looking for a 1st or 2nd home, and to the condominium investor looking for future gain based on the improvement of downtown Las Vegas.

I would like to start construction immediately as I have been working very hard on this project. We have already done much of the preliminary work such as obtaining a Topographic Map & Boundary Survey, Traffic Impact Study, Phase I Environmental Site Assessment and Geotechnical Exploration Report. All reports done to date warrant the building of a 40 story structure. We are currently in the process of getting this project to construction document ready.

We are committed to this building and have lenders eager to give us construction financing. I currently have \$300,000 in a Wells Fargo Bank checking account to cover current operating expenses. We have \$4,000,000 in escrow from sales of two our vacant parcels. We have another \$3,500,000 in a Bank One savings account. We also own all of our parcels outright without monetary liens.

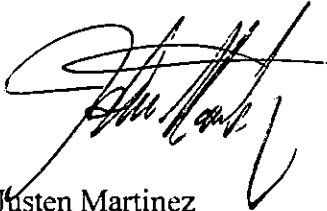
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We are requesting a waiver of building to the property line. This would give us a minimum back of curb radius. We are also requesting a waiver of step back. This would allow us to use tunnel form construction. Finally we are requesting a possible streetscape waiver. We understand that downtown redevelopment would super cede our plans.

Martinez & Associates would greatly appreciate the City of Las Vegas to allow us to help rebuild downtown to a new destination spot. We believe that the design of this building would fit in perfectly with its surroundings. Combined with a realistic pricing of the condominiums and association fees will add immediate value and credibility to downtown Las Vegas.

Respectfully,



Justin Martinez
Martinez & Associates
1729 Wandering Winds Way
Las Vegas, NV 89128
(702) 274-3808 cell

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SDR-18638
01/25/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 25, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-18685 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: VEGAS CASH - OWNER: CHARLESTON HEIGHTS SHOPPING CENTER, LLC - Request for a Special Use Permit FOR A PROPOSED AUTO TITLE LOAN ESTABLISHMENT; A WAIVER OF THE 1,000 FOOT DISTANCE SEPARATION REQUIREMENT FROM 2 FINANCIAL INSTITUTIONS - SPECIFIED, A WAIVER OF THE 200-FOOT DISTANCE SEPARATION REQUIREMENT FROM A PARCEL ZONED FOR RESIDENTIAL USE, AND A WAIVER OF THE MINIMUM SQUARE FOOTAGE REQUIREMENT at 4923 Alta Drive (APN 138-36-701-018), C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 02/21/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

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

MOTION:

TRUEDELL – APPROVED subject to conditions – UNANIMOUS

CHAIRMAN DAVENPORT disclosed that although the owner lives in the same housing subdivision as he, there would not be a conflict and he would vote on the matter.

To be heard by the City Council on 02/21/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

DOUG RANKIN, Planning Manager, recommended denial of the permit because of the close proximity to nearby residential use and two other financial institutions.

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 64 – SUP-18685

MINUTES – Continued:

CHRISTINE KUZIL, 4921 Alta Drive, explained the request is to move from one suite to a larger suite within the same shopping center. This would allow the increase of square footage as they have conducted business at that location for nine years. She confirmed there is no desire to add services, merely to move all existing services from one suite to another. MR. RANKIN verified there are two other loan centers within the distance requirement.

TODD FARLOW, 240 North Nineteenth Street, inquired whether the existing Special Use Permit could be used by another owner with a similar business. MR. RANKIN verified that it could be established within 180 days without appearing before the Commission.

COMMISSIONER DUNNAM suggested all existing rights be expunged prior to approval and MS. KUZIL agreed to expunge existing rights with the caveat of approval for the new location.

DEPUTY CITY ATTORNEY BRYAN SCOTT confirmed for COMMISSIONER TRUESDELL that if the applicant agrees to expunge existing rights, it would eliminate the chance of a similar business opening at that location. The applicant can expunge her rights in exchange for approval at the new location and MS. KUZIL agreed.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

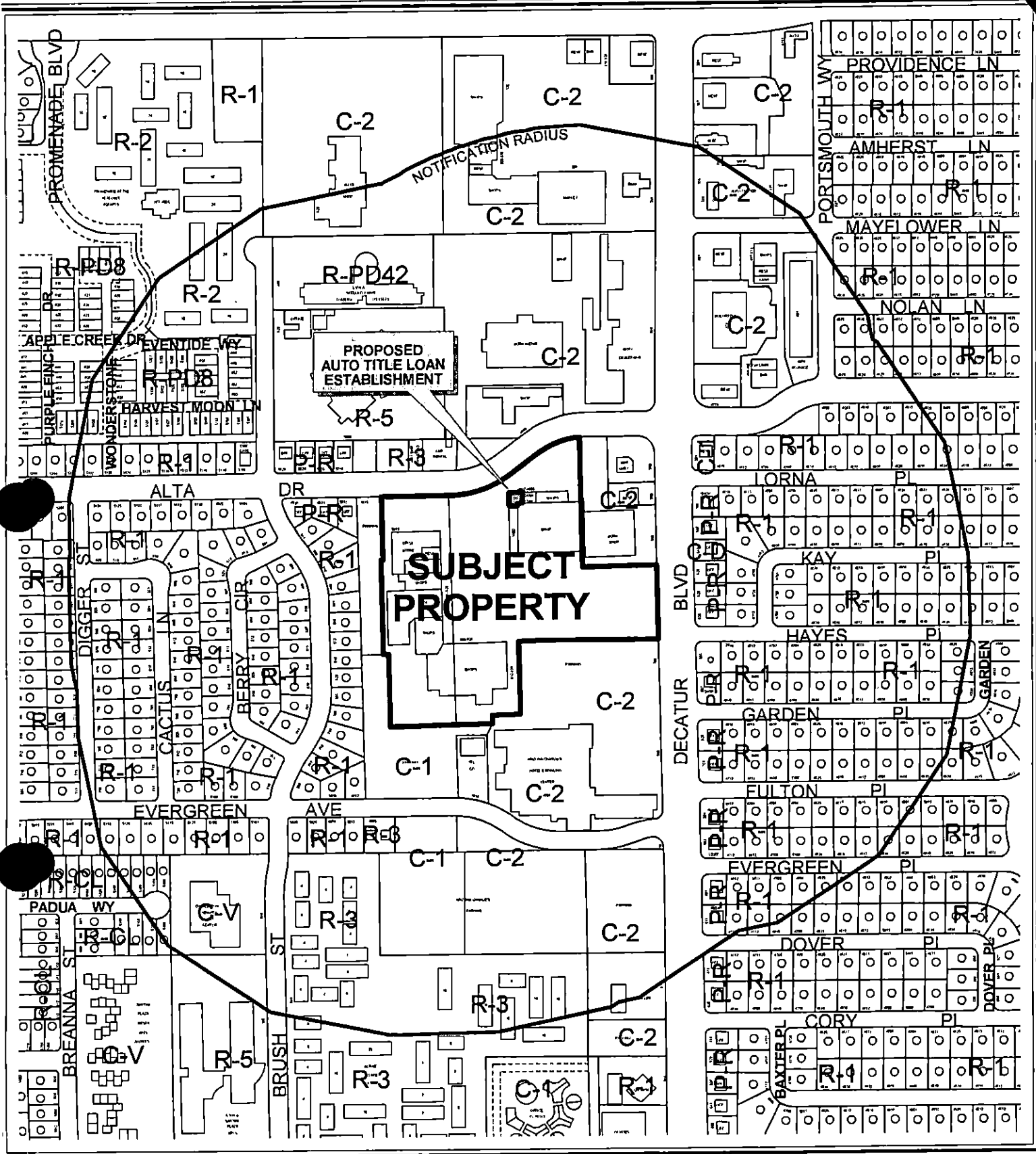
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2-2555

CONDITIONS:

Planning and Development

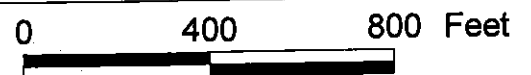
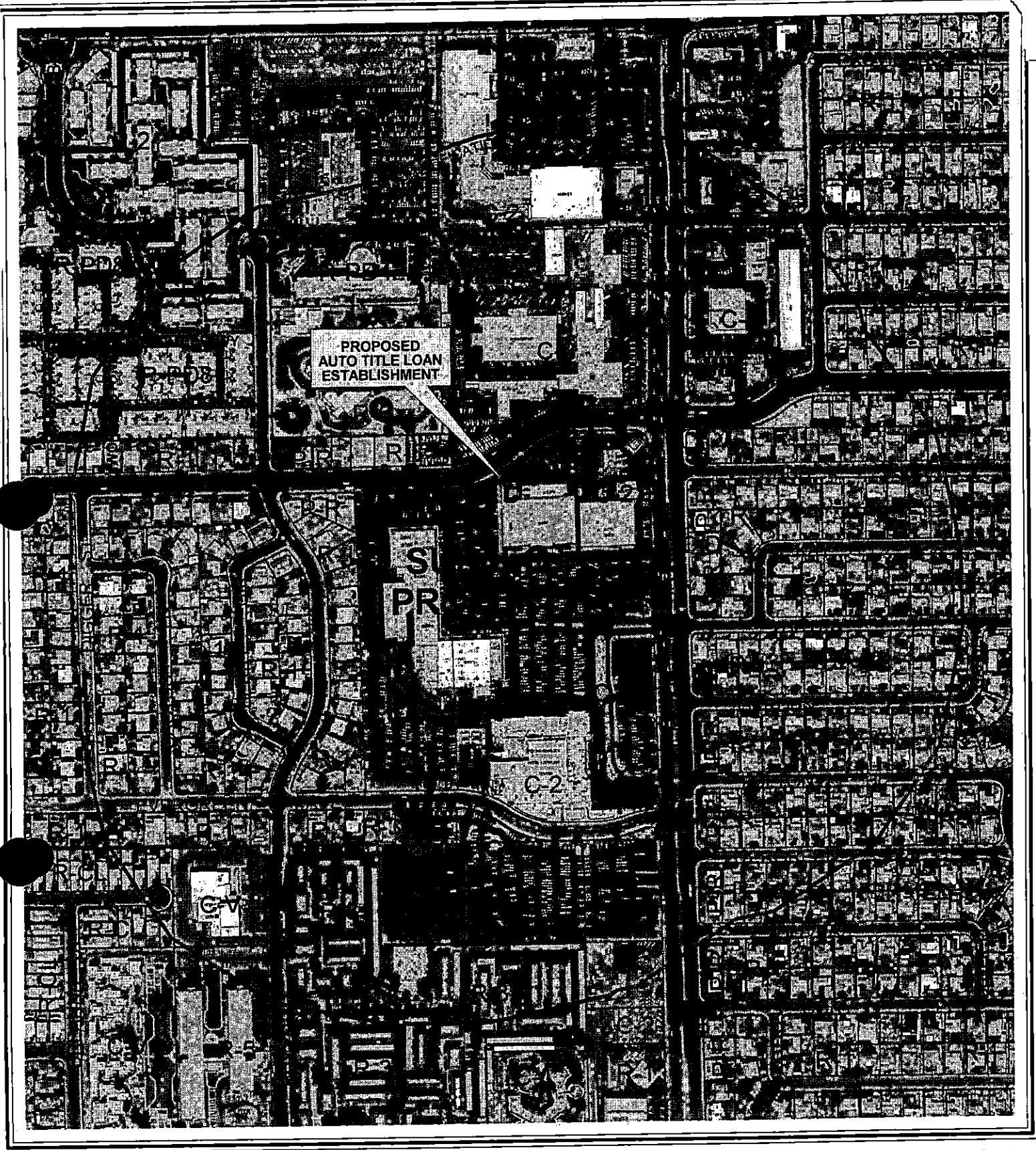
1. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.
2. Waiver of the 1,000 foot minimum separation requirement from another financial institution is hereby granted.
3. Waiver of the 200 foot minimum separation requirement from residentially zoned property is hereby granted.
4. Waiver of the minimum square footage requirement for Auto Title Loan use is hereby granted.



CASE: SUP-18685

RADIUS: 1000 FT

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



CASE: SUP-18685
RADIUS: 1000 FT
ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 25, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-18685 - APPLICANT: VEGAS CASH - OWNER:
CHARLESTON HEIGHTS SHOPPING CENTER, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.
2. Waiver of the 1,000 foot minimum separation requirement from another financial institution is hereby granted.
3. Waiver of the 200 foot minimum separation requirement from residentially zoned property is hereby granted.
4. Waiver of the minimum square footage requirement for Auto Title Loan use is hereby granted.

SUP-18685 - Staff Report Page One
January 25, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Special Use Permit for a proposed Auto Title Loan Establishment, a Waiver of the 1,000 foot distance separation requirement from another financial institution, a Waiver of the 200-foot distance separation requirement from a parcel zone for residential use, and a Waiver of the minimum square footage requirement for Auto Title Loan use. The project is located at 4923 Alta Drive, southeast corner of Decatur Boulevard at Alta Drive.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/24/06	Development Services – Current Planning Staff advised the applicant of the requirement for a Special Use Permit for the proposed Auto Title Loan business at the subject address.
10/11/06	Development Services – Current Planning staff determined that a Special Use Permit is required for the proposed use.
<i>Related Building Permits/Business Licenses</i>	
11/02/06	Business license applications to allow for the operation of a finance company and auto title loan company (Fo2 and F14) to be located at 4923 Alta Drive were denied by Business Services Division due to the determination that a Special Use Permit is required through the Planning and Development Department.
<i>Pre-Application Meeting</i>	
11/13/06	A Pre-application meeting was held with the applicant. Planning staff advised the applicant of Title 19 parking requirements for the proposed use as well as the distance separation requirements.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of application nor was one held.	

<i>Details of Application</i>		
Special Use Permit Requested	Minimum Square footage required	Minimum Square footage proposed
Auto Title Loan	1,500 square feet	1,428 square feet

SUP-18685 - Staff Report Page Two
January 25, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial	SC (Service Commercial)	C-2 (General Commercial)
North	Commercial	GC (General Commercial) SC (Service Commercial)	C-2 (General Commercial)
South	Commercial	SC (Service Commercial)	C-2 (General Commercial)
East	Commercial	SC (Service Commercial)	C-2 (General Commercial)
West	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required Parking		Provided Parking		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Auto Title Loan	1,428	1 space for each 250 square feet of gross floor area	6	1	6	1	Y
SubTotal			6		6		Y
TOTAL (including handicap)			6		6		Y
Loading Spaces			1		1		Y

SUP-18685 - Staff Report Page Three
January 25, 2007 - Planning Commission Meeting

Waivers		
Request	Requirement	Staff Recommendation
Separation distance from other financial institution	1,000 feet	Denial
Separation distance from residentially zoned property	200 feet	Denial
Minimum square footage for Auto Title Loan use	1,500	Denial

ANALYSIS

The project proposes establishment of an Auto Title Loan business located at 4923 Alta Drive within an existing retail/commercial center. The business will be relocated from 4921 Alta Drive to a larger tenant suite directly adjacent to the current location.

- **General Plan and Zoning**

The project is located within an area designated as SC (Service Commercial) in the General Plan and is within the C-2 (General Commercial) Zone. Per Title 19.04, an Auto Title Loan business is a permitted use within the C-2 (General Commercial) Zone with a Special Use Permit.

- **Floor Plan**

The minimum square footage for the proposed financial institution requires a minimum of 1,500 square feet. The square footage of the proposed office is 1,428 square feet. A Waiver of the minimum square footage requirement is included in this request.

- **Parking**

Six parking spaces are required for the proposed use and will be provided on-site within the existing commercial center.

- **Distance Separation**

The project will be located at an existing retail and commercial center located at 4923 Alta Drive. Pursuant to Title 19.04, the project is required to show conformance with the distance separation requirements from existing financial institutions and residentially zoned districts. Financial institutions may not be located within 1,000 feet of another financial institution, and cannot be located within 200 feet of residentially zoned property. Two existing financial institutions with active business licenses located at 459 South Decatur (check cashing service) and 803 South Decatur (finance company) are within a 1,000 lineal foot radius of the proposed project site. Furthermore, the proposed use is within the 200 feet distance separation requirement of residential uses.

SUP-18685 - Staff Report Page Four
January 25, 2007 - Planning Commission Meeting

Planning staff coordinated with Business Services Enforcement (BSE) Section to determine the status of other financial institutions in operation (December 2006 to January 2007) surrounding the project site. Staff determined 2 other businesses currently operate without license at 439 South Decatur (U.S. Auto Title Loans) and 4921 Alta Drive (Cash Out) respectively and Notices of Violation were issued by BSE for unlicensed businesses at each address.

On January 8, 2007 BSE received a call from the manager of U.S. Auto Title Loans informing the city of a pending change of location to 5000 West Charleston Boulevard, Suite 1. Additionally on January 9, 2007 BSE determined that a change of name was not fully executed and this was discussed with the manager for Cash Out (Vegas Cash). Vegas Cash is the applicant for this Special Use Permit application to relocate from 4921 to 4923 Alta Drive. The BSE has determined that the businesses are allowed to continue operating at the current locations until they have been approved for the new addresses.

All financial institutions reviewed as under this application request are considered nonconforming under Title 19.16.030. Planning staff considers the project vicinity as having an over concentration of licensed and unlicensed financial institutions and does not recommend approval of the Special Use Permit and requested.

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 will not comply with Title 19 distance separation requirements for financial institutions and protected residential uses and as such the proposal is considered incompatible with existing and projected land uses.

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

The project will be located within an existing commercial center and would not intensify land use in the project 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."**

Adequate vehicular access is provided to the project site and will not degrade street operations.

SUP-18685 - Staff Report Page Five
January 25, 2007 - Planning Commission Meeting

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

The project will not result in any detrimental effects to human health and public safety.

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

The project does not conform to Title 19.04 regulations for Auto Title Loan businesses.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

21

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 431

APPROVALS 0

PROTESTS 0

ELECTRICAL NOTES

1. ALL EXISTING ELECTRICAL, FUSE SWITCH AND FUSES TO REMAIN VERIFY FUSE COVER GILTY. ADDITIONAL DEFECTS AND FINDINGS ARE SHOWN
2. ALL ELECTRICAL MATERIALS AND INSTALLATION THERE OF SHALL BE IN COMPLIANCE WITH THE NATIONAL ELECTRICAL CODE (LATEST EDITION) AND ALL STATE LOCAL REQUIREMENTS
3. THE ELECTRICAL CONTRACTOR SHALL DETERMINE THE ELECTRICAL REQUIREMENTS OF THE ACTUAL EQUIPMENT TO BE INSTALLED AND SHALL INSTALL ANY BRANDED FEEDERS PANELS AND DISCONNECTS AS REQUIRED FOR RELIABLE OPERATION
4. UNDER EXTENSIONS SHALL BE PROVIDED AND INSTALLED PER LOCAL CODE

WALLS LEGEND

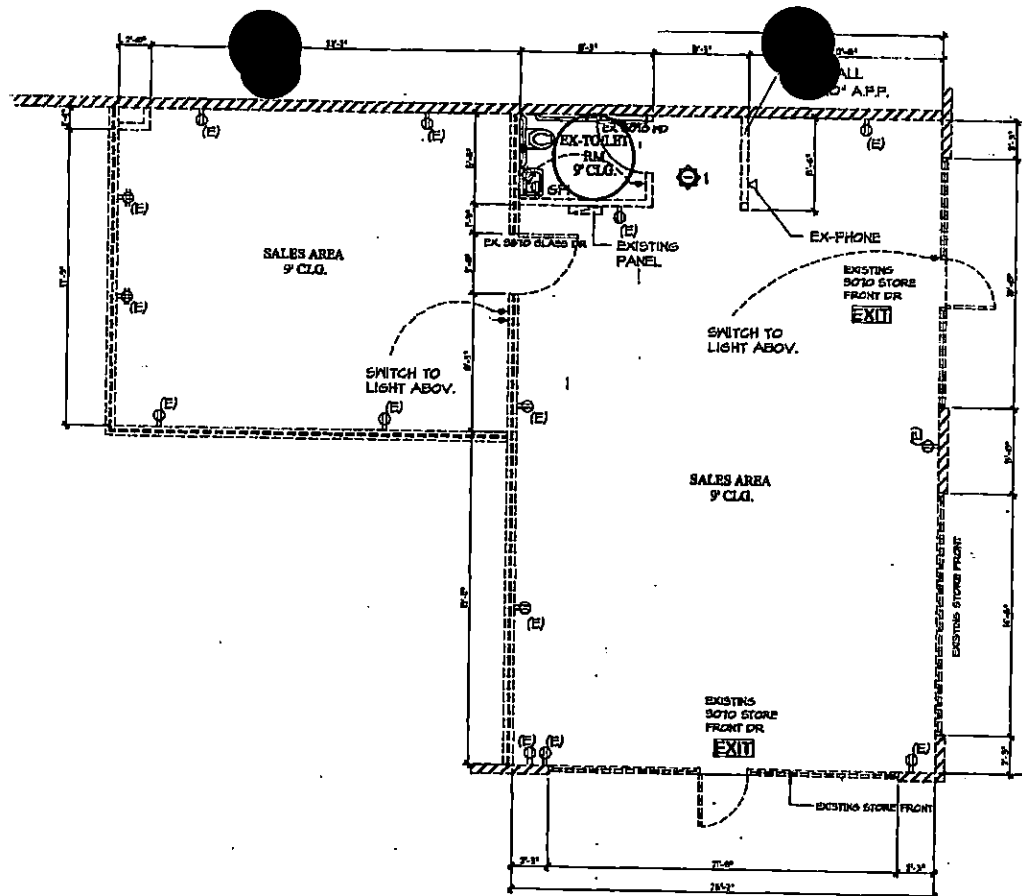
 EXISTING BUILDING SHELL

EX-NEM DEMISING WALL - 6"
20 GA. METAL STUDS @ 16"
O.C. WITH R19 BATT
INSULATION AND 1/2" TYPE "X"
GYF. BD. FLOOR TO
UNDERSIDE OF ROOF
DECK, CURRENT TENANT SIDE
ONLY

----- EXISTING WALL

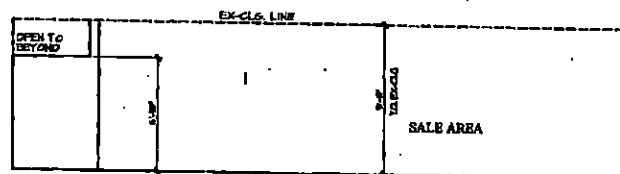
KEYNOTES

- ① AT FRONT DOOR PROVIDE LABEL ON DOOR HEAD STATING:
 * THIS DOOR IS TO REMAIN UNLOCKED DURING BUSINESS HOURS
- ② ALL EXIT DOOR(S) SHALL BE OPERABLE FROM THE INSIDE WITHOUT THE USE OF A KEY OR ANY OTHER MECHANISM OR EFFORT. ALL THRESHOLDS SHALL MEET ACCESSIBILITY CODE REQUIREMENTS
- ③ TOILET ROOM SHALL HAVE NON-ABSORBENT FLOORING AND 6" HIGH BASE. ALL WALLS WITHIN 3 FEET OF A WALLS CLOSET SHALL HAVE NUL SYSTEM BOARD AND NON-ABSORBENT SURFACES TO HEIGHT OF 4 FEET. FUR CURRENT BIC
- ④ FULL HEIGHT POST - FLOOR TO CEILING



EXISTING FLOOR PLAN

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



"1" INTERIOR ELEVATION

**VEGAS CASH
4928 ALTA DR.
LAS VEGAS, NEVADA**

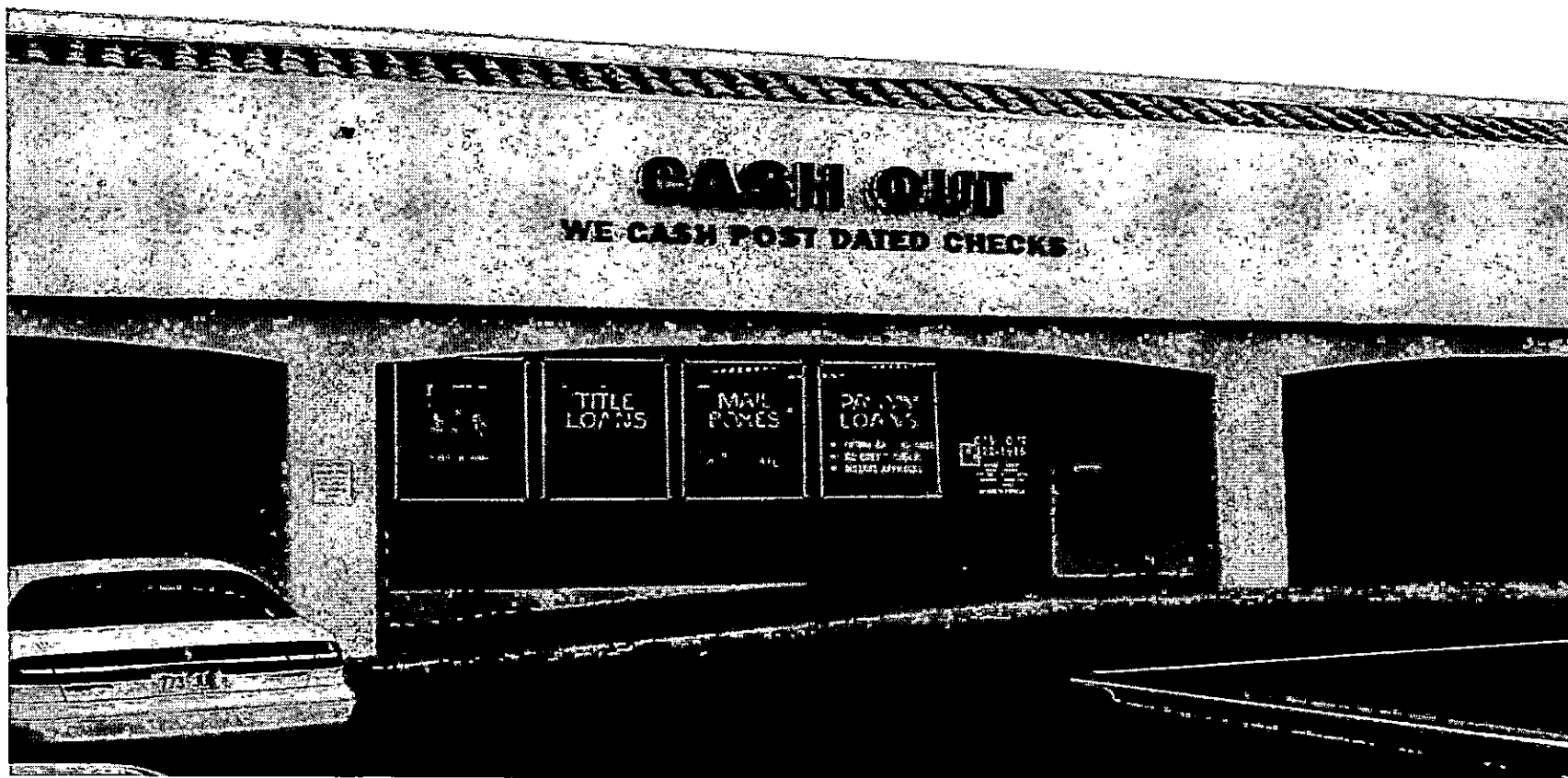
DATE	DRAWN BY	CHECKED	JOB NO.
REVISION			81910
			REVISION
			DATE

SHEET TITLE:
EX-FLOOR PLAN (AS-BUILT)
AND EX-ELECTRICAL PLAN

T1-1

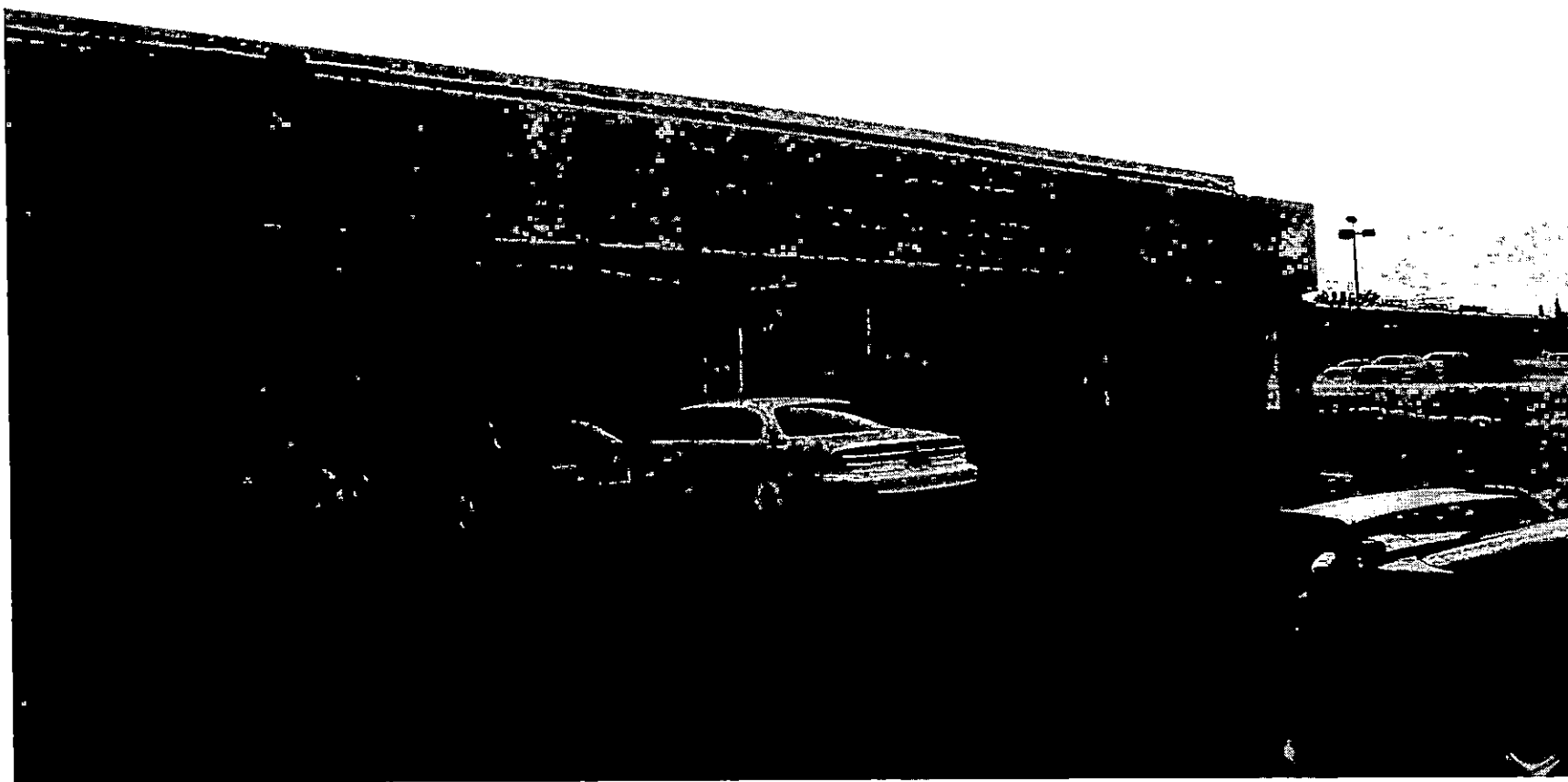
SUP-18685
01/25/07 PC

RECEIVED
DEC 12 2006



SUP-18685 - APPLICANT: VEGAS CASH - OWNER: CHARLESTON HEIGHTS SHOPPING CENTER, LLC
4923 ALTA DRIVE
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06



SUP-18685 - APPLICANT: VEGAS CASH - OWNER: CHARLESTON HEIGHTS SHOPPING CENTER, LLC
4923 ALTA DRIVE
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 25, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-18691 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: FREANEL & SON CHEYENNE, LLC - Request for a Special Use Permit FOR A PROPOSED AUTO TITLE LOAN ESTABLISHMENT AND A WAIVER OF THE 1,000-FOOT DISTANCE SEPARATION REQUIREMENT FROM ANOTHER FINANCIAL INSTITUTION, SPECIFIED at 7350 West Cheyenne Avenue, Suite #111 and #112 (APN 138-10-403-031), C-1 (Limited Commercial) Zone, Ward 4 (Brown).

IF APPROVED: C.C.: 02/21/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0
0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Abeyance request by Lucy Stewart and protest letter by Craig Keough

MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 26 [ZON-17248], Item 27 [SDR-17249], Item 31 [ZON-17693], Item 32 [SDR-17694], Item 35 [ZON-18196], Item 36 [SDR-17727], Item 54 [WVR-18085], Item 55 [SUP-18084] and Item 65 [SUP-18691] to 02/08/2007; Item 24 [ZON-17304], Item 25 [SDR-18676], Item 37 [VAR-18345], Item 60 [VAR-18984] and Item 61 [SDR-18693] to 02/22/2007; Item 38 [GPA-18776] and Item 44 [GPA-19066] to 03/08/2007; **TABLE** Item 2 [SDR-15322], Item 33 [VAR-17732] and Item 34 [SDR-17730]; and **WITHDRAW WITHOUT PREJUDICE** Item 66 [SDR-18677] – **UNANIMOUS**

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 65 – SUP-18691

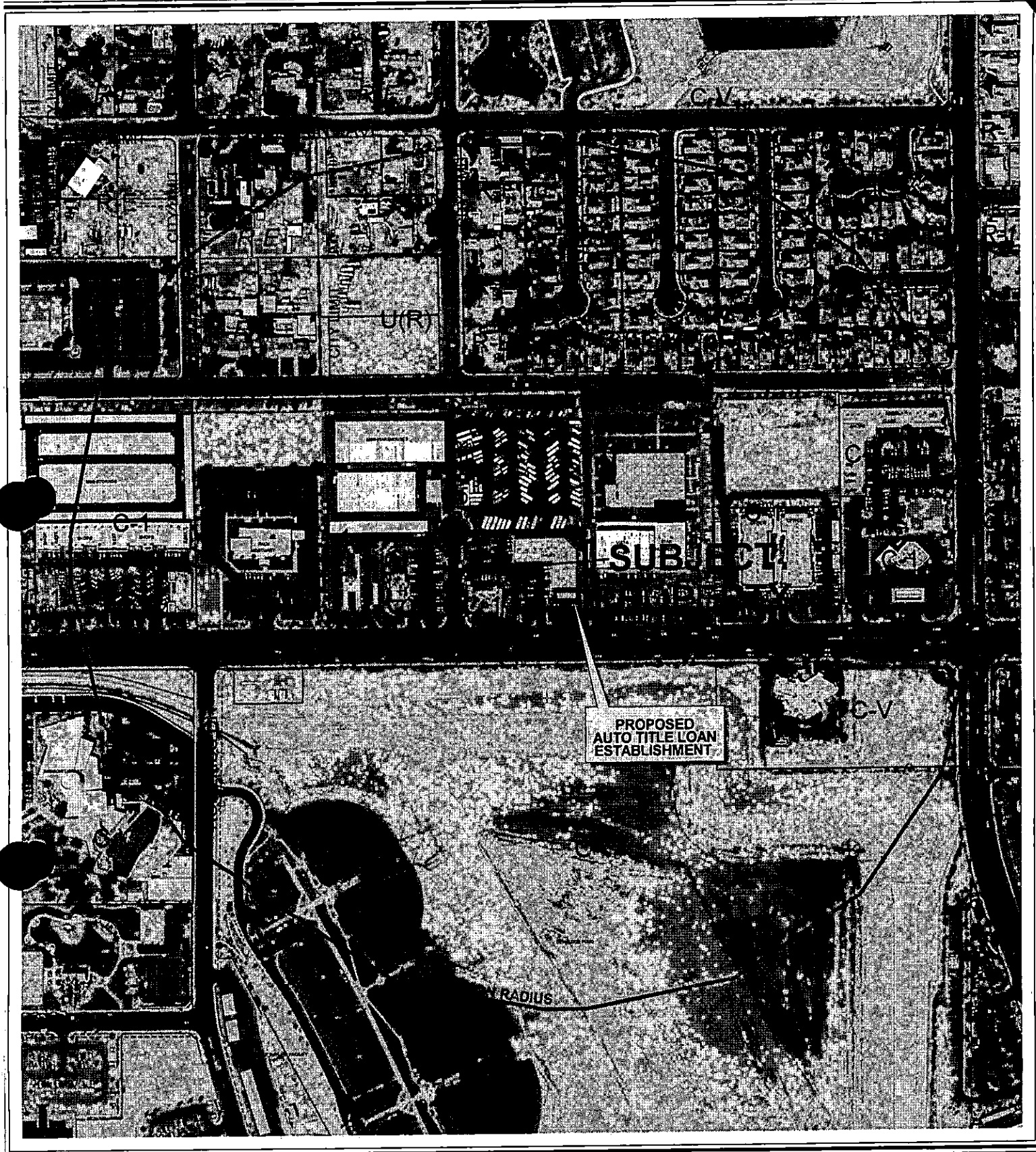
MINUTES:

Item 26 [ZON-17248], Item 27 [SDR-17249], Item 31 [ZON-17693], Item 32 [SDR-17694], Item 35 [ZON-18196], Item 36 [SDR-17727], Item 54 [WVR-18085], Item 55 [SUP-18084] and Item 65 [SUP-18691] were requested to be held in abeyance to the 02/08/2007 Planning Commission meeting.

(6:04 – 6:07)

1-66





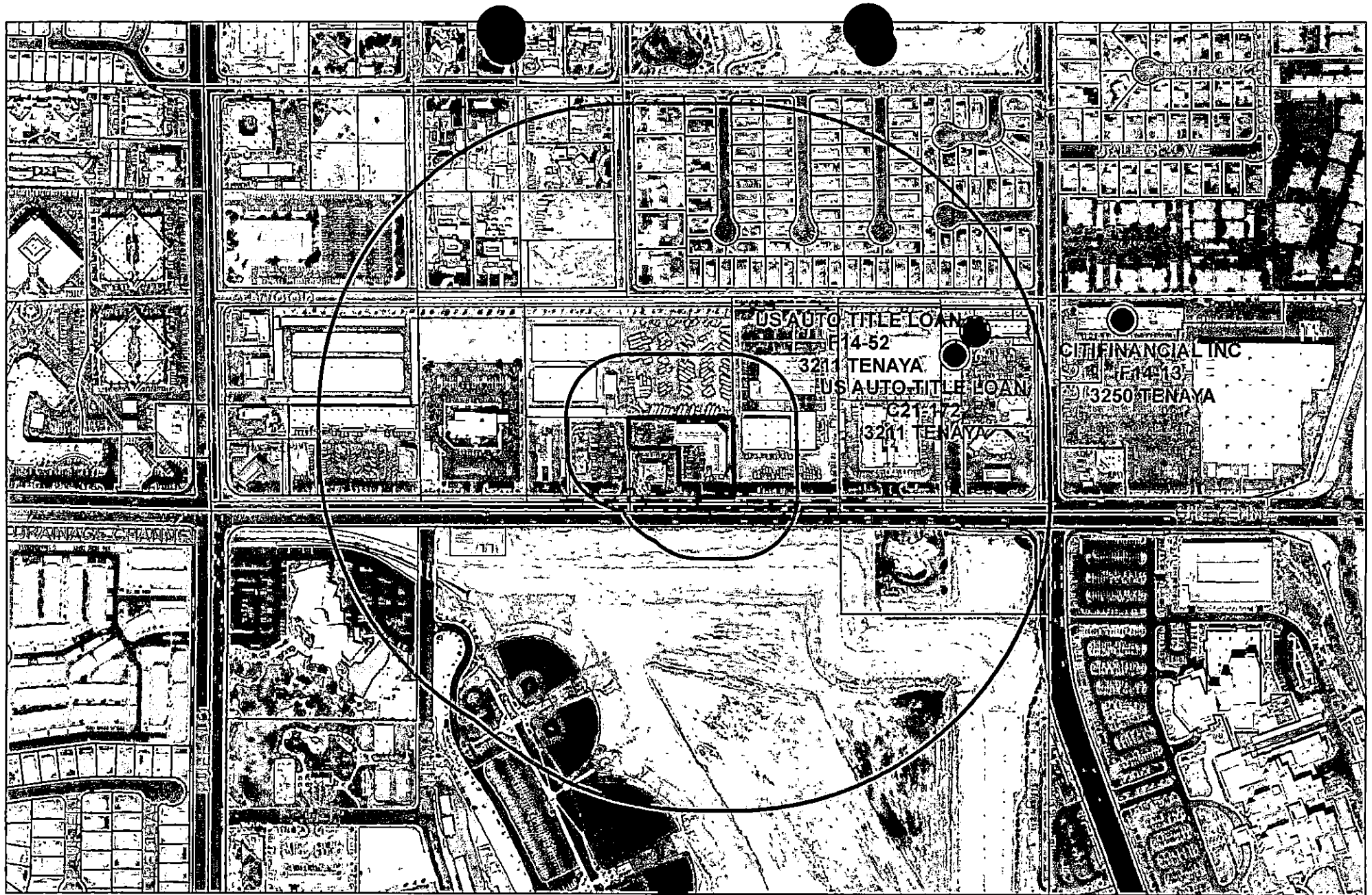
CASE: SUP-18691

RADIUS: 1000 FT

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

0 400 Feet





SUP-18691
Financial Institution

Financial Business Locations

-  Finance Company
-  Automobile Title Loan
-  Auto Pawnbroker
-  Financial Institution, Specified
(Check Cashing Service)
-  Financial Institution, Specified
(Check Cashing Service with Gross)
-  Check Cashing Service Limited

-  Subject Property
-  Residential Property



0 280 560 1,120 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 25, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-18691 - APPLICANT: CHECK CITY - OWNER: FREANEL & SON CHEYENNE, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the Minimum Requirements of conditions one through six under LVMC Title 19.04.050 for Auto Title Loan use.
2. A Waiver is hereby approved to allow an Auto Title Loan to be located 660 feet from another financial institution where a 1,000-foot separation is the minimum required.
3. 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.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-18691 - Staff Report Page One
January 25, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed Auto Title Loan establishment and a waiver of the 1,000-foot distance separation requirement from another financial institution, specified at 7350 West Cheyenne Avenue, Suite #111 and #112.

The proposed Auto Title Loan establishment is not considered compatible with the area as it requires a distance separation waiver from another financial institution. The proposed Auto Title Loan cannot be conducted in a manner that is harmonious and compatible with surrounding land uses. Denial of this Special Use Permit request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/05/95	The Planning Commission approved a plot plan and building elevation review for a proposed retail commercial center on property at the northeast corner of Cheyenne Avenue and Pioneer Way. Staff recommended approval
04/25/95	The Board of Zoning Adjustment approved a Variance (V-0050-95) to allow 101 parking spaces where 138 parking spaces are the minimum required for a commercial property at this location. Staff recommended denial.
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this Special Use Permit request.	
<i>Pre-Application Meeting</i>	
11/14/06	A pre-application meeting was held. Submittal requirements were discussed, the applicant was informed that a detailed parking analysis would be required, and that photos would be required.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.30

SUP-18691 - Staff Report Page Two
January 25, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Outdoor Storage	SC (Service Commercial)	C-1 (Limited Commercial)
South	Park/Undeveloped	PF (Public Facilities)	C-V (Civic)
East	Retail	SC (Service Commercial)	C-1 (Limited Commercial)
West	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175-Foot)	X		Y
Trails (Pedestrian Path)	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							Compliance
Use	Gross Floor Area or Number of Units	Parking Ratio	Required Parking		Provided Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Furniture Store	2,000 SF	1:500	4				
General Retail	10,670 SF	1:175	61				
Sub-Total			65	3	73	3	Y
TOTAL			65		73		Y
Loading Spaces			2		Zero		N

SUP-18691 - Staff Report Page Three
January 25, 2007 - Planning Commission Meeting

Waivers		
Request	Requirement	Staff Recommendation
To allow a distance separation of approximately 660 feet where a 1,000-foot distance separation is the minimum required.	No auto title loan use may be located closer than one thousand feet from any other auto title loan use, auto pawn use or specified financial institution use.	This waiver is not supported and therefore; denial of this request is recommended. If approved conditions have been added to permit this deviation from requirements, if approved.

ANALYSIS

- **Zoning**

The C-1 (Limited Commercial) Zoning District is intended to provide most retail shopping and personal services, and may be appropriate for mixed-use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 (Limited Commercial) District is consistent with the SC (Service Commercial) Land Use category of the General Plan.

- **Use**

The request is for a Special Use Permit for a proposed Auto Title Loan Establishment and a waiver of the 1000-foot separation requirement from an existing financial institution, specified.

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 Auto Title Loan establishment requires a waiver from Title 19.04 requirements and is therefore not consistent with the City of Las Vegas Zoning Code. The waiver is intended to prevent an over saturation of similar type uses that are considered intense in nature. The proposed Auto Title Loan is not harmonious and compatible with surrounding land uses due to the requested waiver and denial of this request is recommended.

JM

SUP-18691 - Staff Report Page Four
January 25, 2007 - Planning Commission Meeting

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

The subject property is a small multi-tenant retail building and is suitable for this and other similar type development.

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

The proposed Auto Title Loan establishment is located in a multi-tenant retail development along Cheyenne Avenue. Cheyenne Avenue is a 100-foot Primary Arterial and will adequately meet the traffic requirements of the proposed use.

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

Approval of this Special Use Permit would create a saturation of similar uses in this area. This would be considered contrary to the overall objectives of the General Plan; therefore, denial of this application is recommended.

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

AUTO TITLE LOAN [C-1]

(*1) The use shall comply with all applicable requirements of LVMC Title 6.

(*2) The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.

(3) No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

(4) Window signs shall not:

(a) Cover more than twenty percent of the area of all exterior windows;

(b) Include flashing lights or neon lighting; or

(c) Include any text other than text that indicates the hours of operation and whether the business is open or closed.

SUP-18691 - Staff Report Page Five
January 25, 2007 - Planning Commission Meeting

(5) The hours of operation shall not extend beyond the hours of eight a.m. to eleven p.m.

(6) The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).

(7) No auto title loan use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto title loan use may be located closer than one thousand feet from any other auto title loan use, auto pawn use or specified financial institution use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

The site does not meet with the distance separation requirements of #7 related to another financial institution, specified. A waiver has been requested to permit this deviation from standards, if approved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

5

ASSEMBLY DISTRICT 37

SENATE DISTRICT 6

NOTICES MAILED 118

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-18691** APN: 138-10-403-031

Name of Property Owner: Freanel & Son Cheyenne LLC

Name of Applicant: Check City

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: *Frederick J. Stamm*

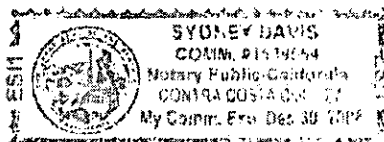
Print Name: FREDERICK J. STAMM

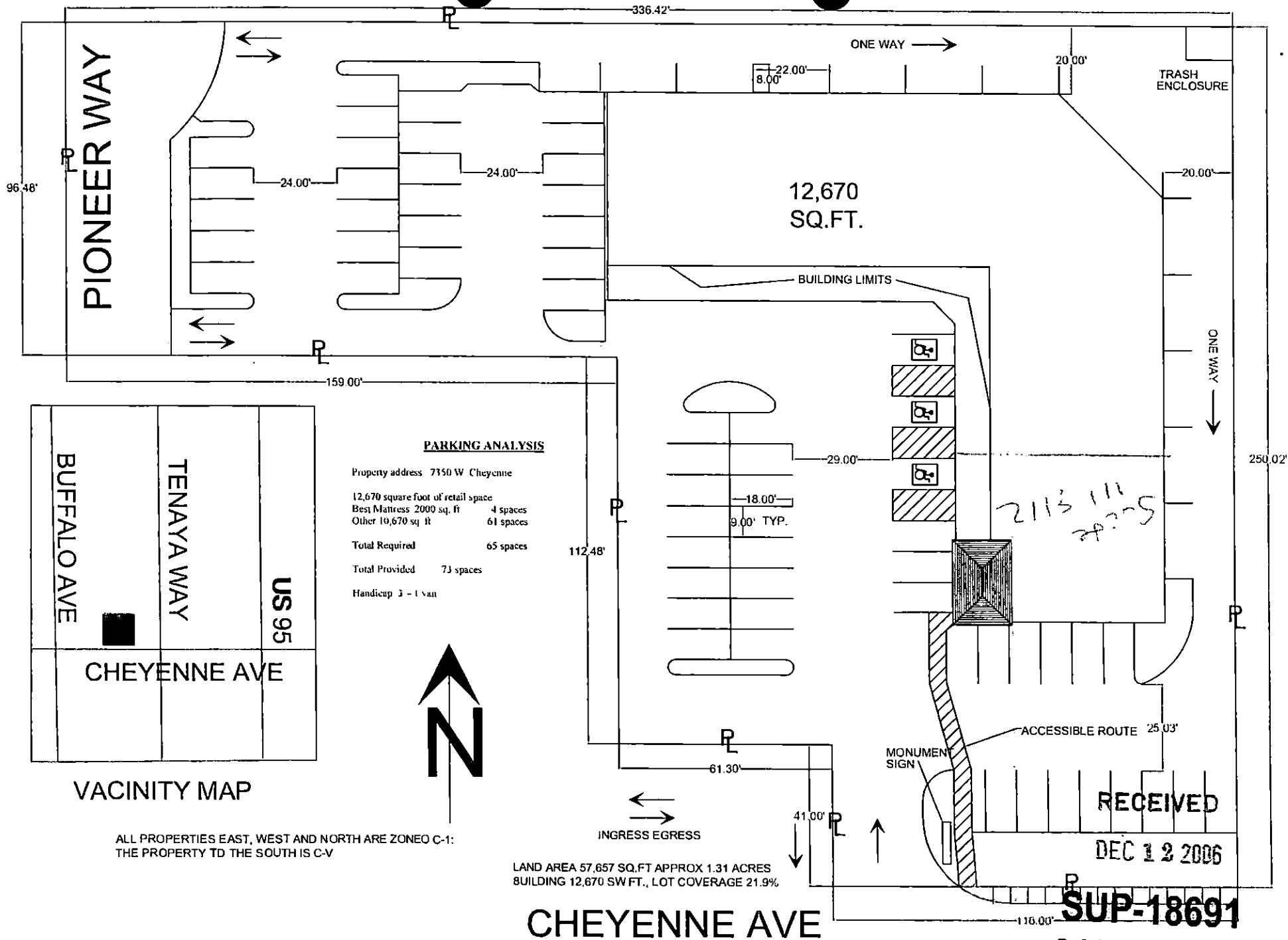
Subscribed and sworn before me

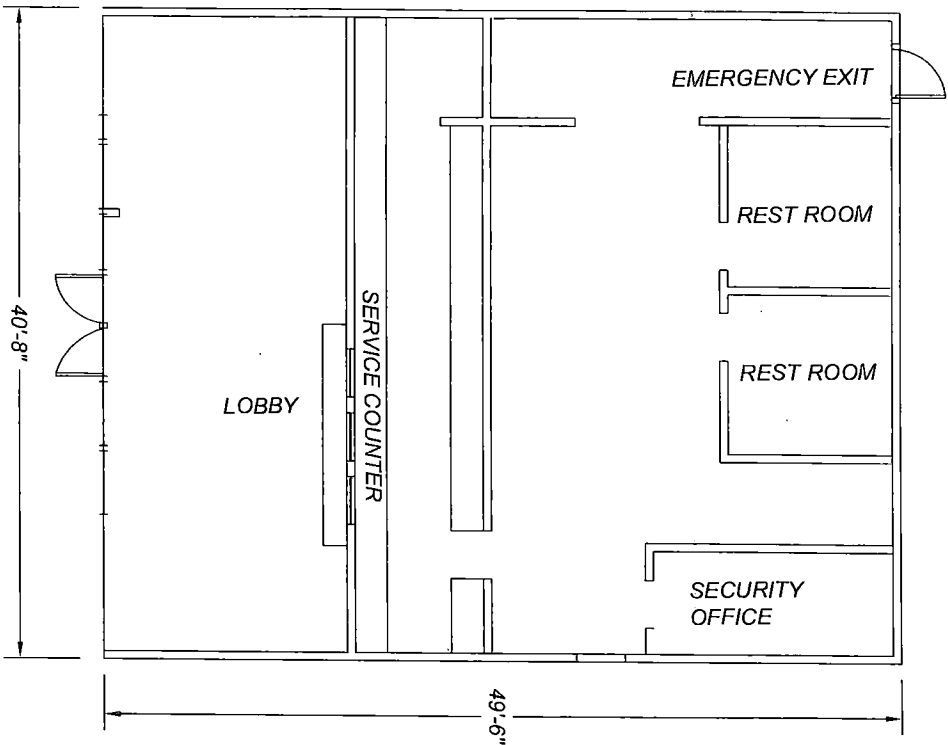
This 19th day of November, 2006

Sydney Davis

Notary Public in and for said County and State







FLOOR PLAN

SCALE 1/8" = 1'-0"

7350 W CHEYENNE
AVE
SUITE 111 & 112

RECEIVED

DEC 12 2006

SUP-18691
01/25/07 PC

SUP-18691

01/25/07 PC





West Cheyenne Plaza

RED ROCK RUNNING
COMPANY

RE/MAX
Premier Group
437-7774

Countrywide
HOME LOANS

BEST
MATTRESS

NAIL
QUEST

FLAIR
CLEANERS

Curves

GROOMING
BY DARCY

7350

SALES & SERVICE
DS

RE/MAX
Premier Group

1ST TITLE

SALES COMPANY

MACO'S

SUP-10791
01/23/81 PC

BEST MATTRES

7350

RECEIVED

SUP-18631
01/25/07 PC



SUP-18691
01/23/07 PC



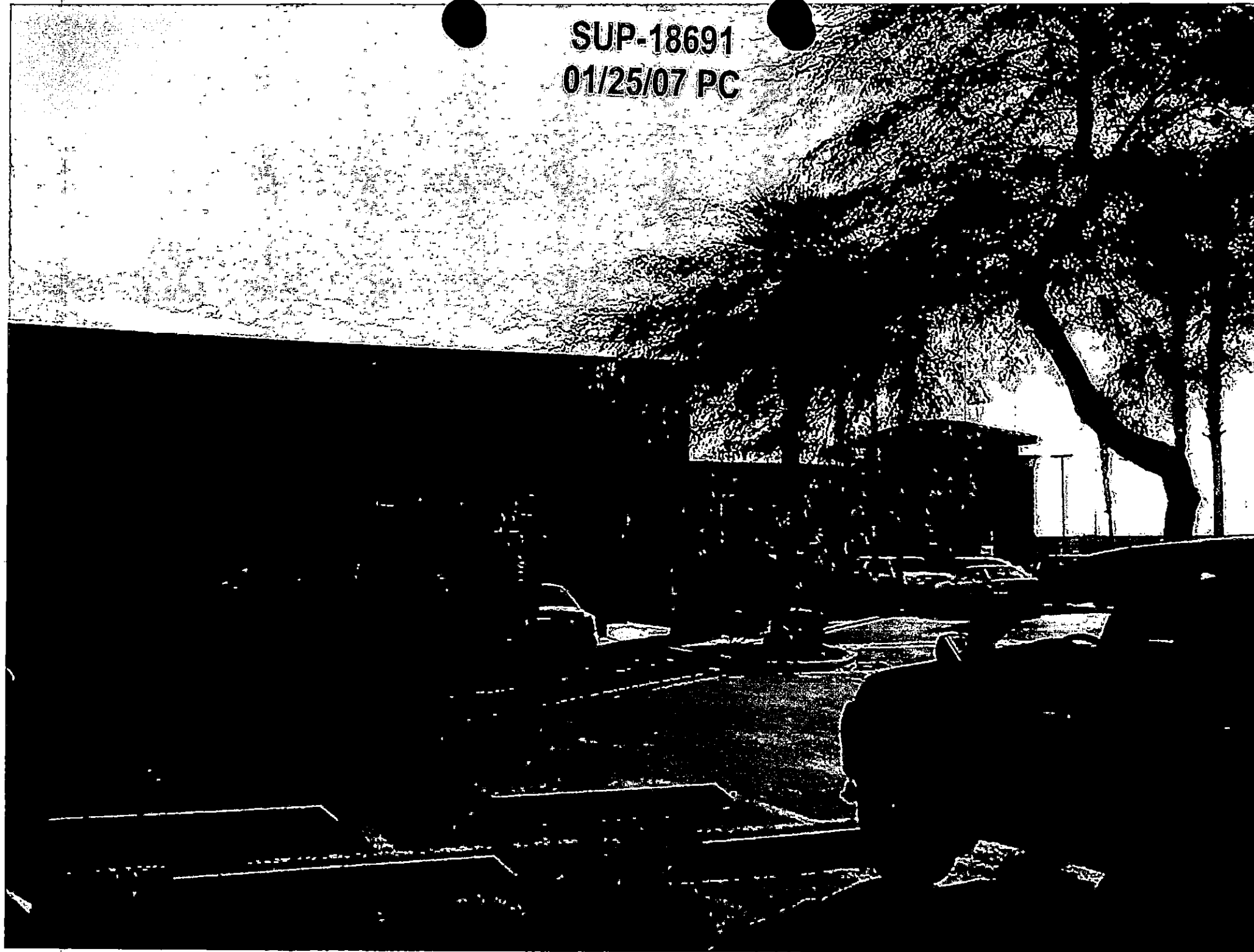
SUP-18691
01/25/07 PC

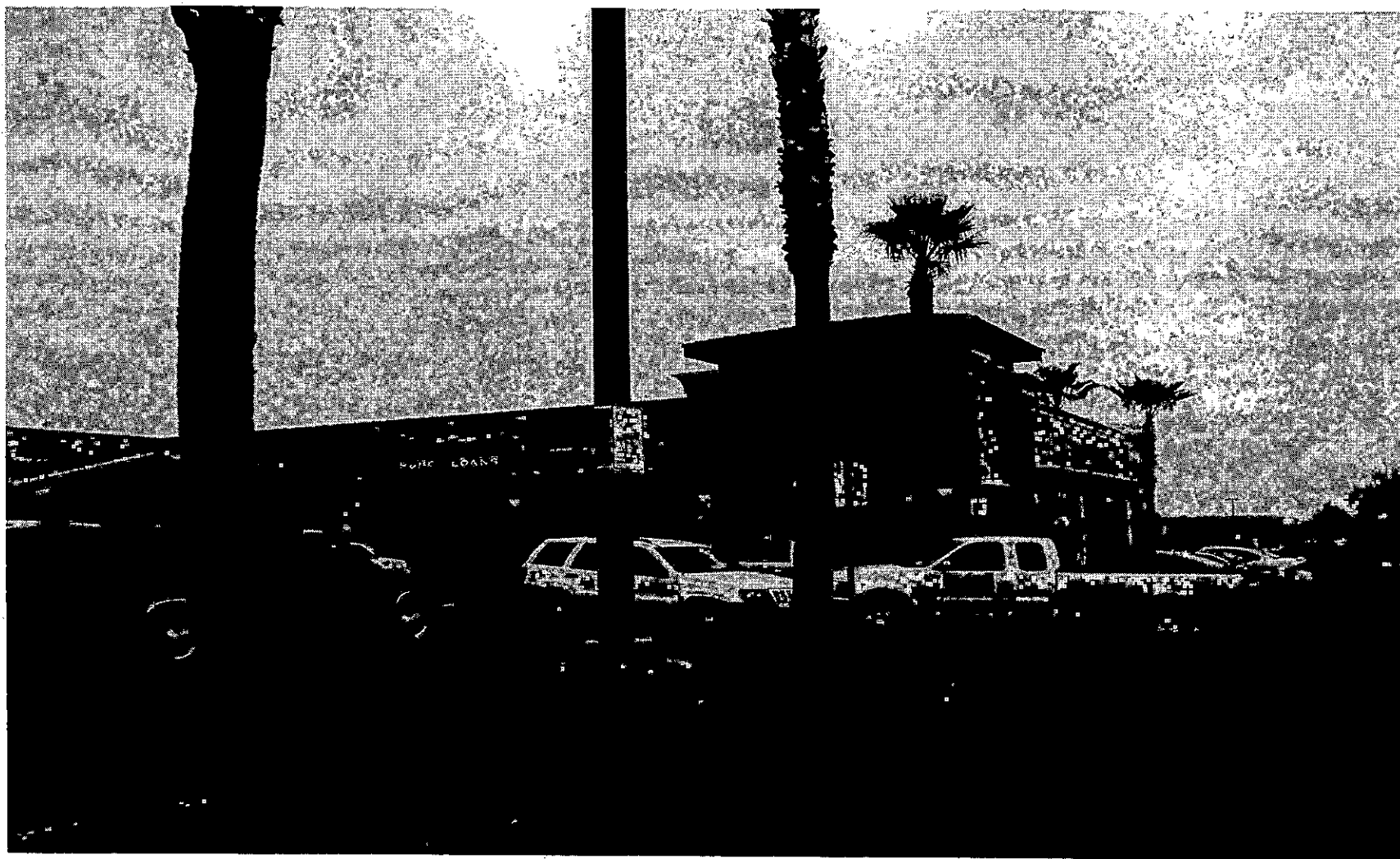


SUP-18691
01/25/07 PC



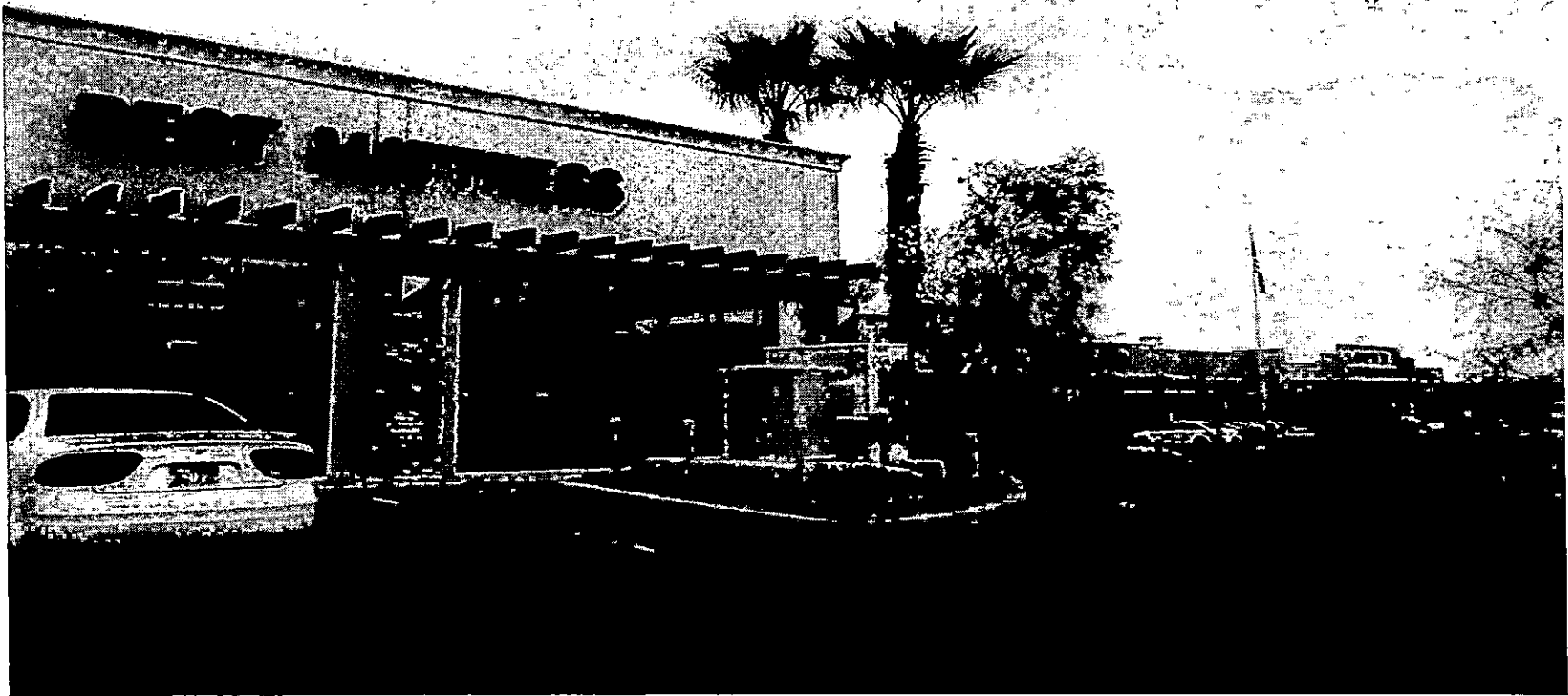
SUP-18691
01/25/07 PC





SUP-18691 - APPLICANT: CHECK CITY - OWNER: FREANEL & SON CHEYENNE, LLC
7350 WEST CHEYENNE AVENUE, SUITE #111 AND #112
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06



SUP-18691 - APPLICANT: CHECK CITY - OWNER: FREANEL & SON CHEYENNE, LLC
7350 WEST CHEYENNE AVENUE, SUITE #111 AND #112
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06



SUP-18691 - APPLICANT: CHECK CITY - OWNER: FREANEL & SON CHEYENNE, LLC
7350 WEST CHEYENNE AVENUE, SUITE #111 AND #112
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06

*LAS Consulting, Inc.
856 E. Sahara #201
Las Vegas, NV 89104
(702) 499-6469-Cell
(702) 341-8489-fax*

December 19, 2006

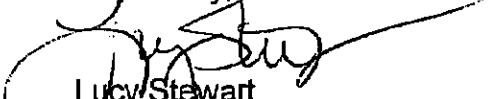
Nathan Goldberg
City of Las Vegas
Planning & Development
739 South Fourth Street
Las Vegas, NV. 89101

RE: APN 138-10-403-031
7350 W. Cheyenne #111 & 112 (revised)

Dear Sir or Madam:

Please accept this letter as our request for a use permit for an auto title loan/financial institution, located at 7350 W. Cheyenne #111 & 112. My client would like to convert an existing building (former mattress store) to a payday loan, check cashing, title loan business. The potential site needs a waiver to the separation requirement from another similar business because it is approximately 890 feet from another similar business. That business is oriented towards Tenaya while this [potential site is oriented to Cheyenne. This site meets the 200 ft requirement for a separation from residential. There is more than adequate parking within the shopping center, and this use will be a welcome addition to the area. Thank you for your consideration in this matter. Please contact me with any questions regarding this matter.

Yours truly,


Lucy Stewart
LAS Consulting, Inc.

RECEIVED
DEC 19 2006

**SUP-18691
01/25/07 PC
REVISED**

*LAS Consulting, Inc.
856 E. Sahara, #201
Las Vegas, NV 89104
(702) 499-6469-cell.
(702) 341-8489-fax*

Ms. Margo Wheeler, Director
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101 (Map)
Phone: (702) 229-6301
Fax: (702) 474-7463

RECEIVED
CITY CLERK

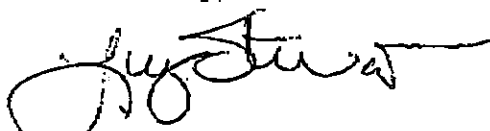
2007 JAN 25 P 4: 01

RE: Agenda item #65, January 25, 2007 Planning Commission meeting
SUP-18691

Dear Ms. Wheeler:

Please accept this letter as a request to hold the above referenced item. We would like to be heard on the February 8th Planning Commission meeting. Thank you for your assistance in this matter.

Yours truly,


Lucy Stewart

Cc.
Douglas Rankin, Current Planning Manager
Jay Brown

Submitted after final agenda

Date 1/25/07 Item #65



125 Cassia Way
Henderson, NV 89014
(702) 568-7000
fax (702) 568-7001

January 25, 2007

Douglas J. Rankin, Current Planning Mgr.
Planning and Development Dept.
Current Planning Division
Development Services Center
731 So. Fourth Street
Las Vegas, NV 89101

RE: Special Use Permit Application **SUP-18691**
Planning Meeting: Jan. 25, 2007 6:00pm

Dear Mr. Rankin,

In reference to the above application for a Check City, I would like to state my objection to this type of establishment. I feel that there are enough issues in this vicinity.

Please accept this as my written objection regarding this permit.

Thank you for your time.

Sincerely,

Craig Keough, President
Star Nursery, Inc.

cc: Councilman Larry Brown
City of Las Vegas
City Hall, 10th Floor
400 Stewart Ave.
Las Vegas, NV 89101

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 25, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-18677 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CENTEX HOMES - Request for a Site Development Plan Review FOR A PROPOSED 94-UNIT, 3-STORY CONDOMINIUM DEVELOPMENT AND A WAIVER TO ALLOW A PERIMETER LANDSCAPE BUFFER WIDTH OF FIVE FEET WHERE SIX FEET IS THE MINIMUM REQUIRED on 4.43 acres adjacent to the west side of Rock Springs Drive, approximately 300 feet south of Lake Mead Boulevard (APN 138-22-701-009), U (Undeveloped) Zone [H (High Density Residential) General Plan Designation] under Resolution of Intent to R-4 (High Density Residential), Ward 1 (Tarkanian).

C.C.: 02/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Request to withdraw without prejudice by Aimee Ignatowicz

MOTION:

GOYNES – Motion to **HOLD IN ABEYANCE** Item 26 [ZON-17248], Item 27 [SDR-17249], Item 31 [ZON-17693], Item 32 [SDR-17694], Item 35 [ZON-18196], Item 36 [SDR-17727], Item 54 [WVR-18085], Item 55 [SUP-18084] and Item 65 [SUP-18691] to 02/08/2007; Item 24 [ZON-17304], Item 25 [SDR-18676], Item 37 [VAR-18345], Item 60 [VAR-18984] and Item 61 [SDR-18693] to 02/22/2007; Item 38 [GPA-18776] and Item 44 [GPA-19066] to 03/08/2007; **TABLE** Item 2 [SDR-15322], Item 33 [VAR-17732] and Item 34 [SDR-17730]; and **WITHDRAW WITHOUT PREJUDICE** Item 66 [SDR-18677] – **UNANIMOUS**

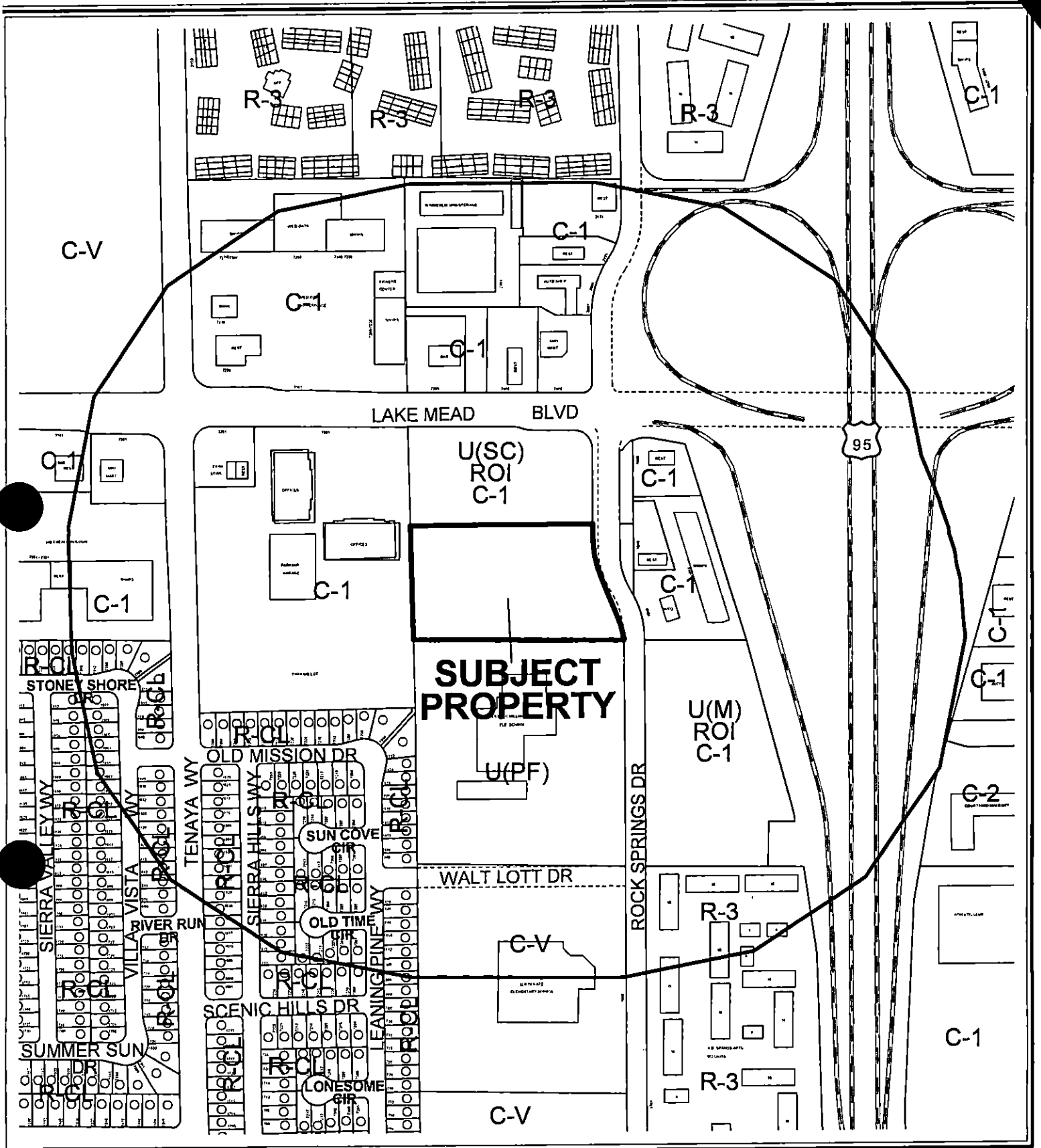
PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 66-- SDR-18677

MINUTES:

Item 66 [SDR-18677] was requested to be withdrawn without prejudice.

(6:04 – 6:07)

1-66



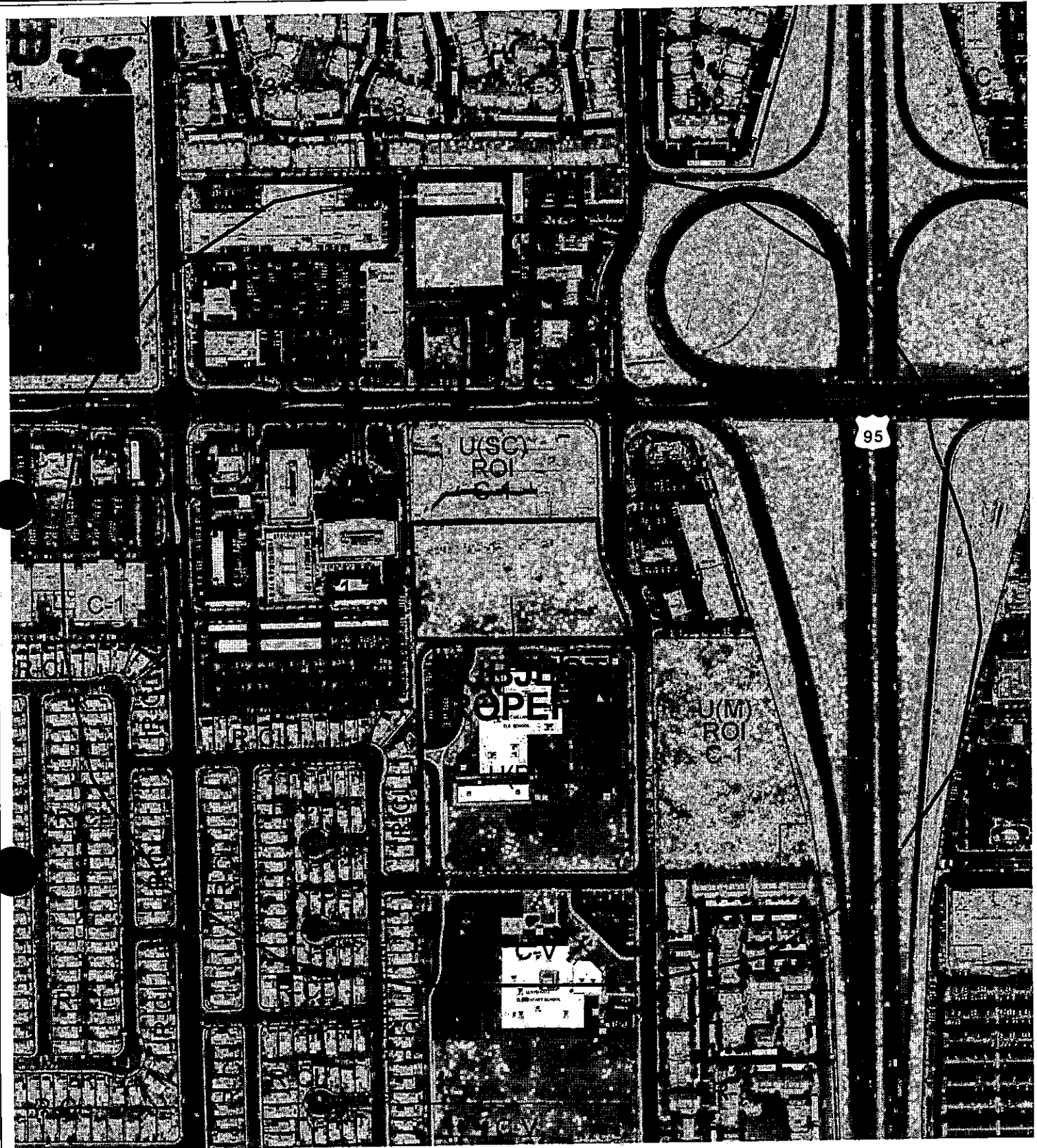
CASE: **SDR-18677**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) [H (HIGH DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO R-4(HIGH DENSITY RESIDENTIAL)





0 300 600 Feet

CASE: **SDR-18677**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) [H (HIGH DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] UNDER
RESOLUTION OF INTENT TO R-4(HIGH DENSITY RESIDENTIAL)



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JANUARY 25, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-18677 - APPLICANT/OWNER: CENTEX HOMES**

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

1. Conformance to the Conditions of Approval for General Plan Amendment (GPA-14318), Rezoning (ZON-14321), Variance (VAR-14322) and Site Development Plan Review (SDR-14323) shall be required, except as amended herein.
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 12/12/06, except as amended by conditions herein.
4. A Waiver from Title 19.12 landscaping requirements is hereby approved, to allow To allow a perimeter landscape buffer width of five feet along a portion of the north property line where a perimeter landscape buffer of six feet is the minimum required, To allow a total of 77 trees in the perimeter landscape buffer, where 87 trees are the minimum required, and To allow zero trees/landscape fingers in the parking lot , where two trees/landscape fingers are the minimum required.
5. The standards for this development include that building height shall not exceed three stories or 38.5 feet, whichever is less.
6. The minimum distance between buildings shall be 20 feet.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time 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.
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.

RL

SDR-18677 - Conditions Page Two
January 25, 2007 - Planning Commission Meeting

9. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. 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.
13. 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.
14. 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.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. The distance from the face of the garage door to the edge of the private drive shall be a maximum of 7 feet or a minimum distance of 18 feet to prevent a car in the driveway from encroaching into the vehicular travel corridor.
17. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. 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.
18. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for this site prior to submittal of a map or any construction drawings, whichever may occur first. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

SDR-18677 - Conditions Page Three
January 25, 2007 - Planning Commission Meeting

19. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-14321 and all other applicable site-related actions
20. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
21. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

SDR-18677 - Staff Report Page One
January 25, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Site Development Plan Review for a proposed 94-lot condominium development and a waiver to allow a perimeter landscape buffer width of five feet where six feet is the minimum required on 4.43 acres adjacent to the west side of Rock Springs Drive, approximately 300 feet south of Lake Mead Boulevard. This proposal is a major modification of a previously approved Site Development Plan Review (SDR-14323) on the subject site, necessitated in large part to accommodate necessary conditions for internal traffic circulation and drainage issues.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
07/27/06	The Planning Commission also voted to withdraw without prejudice a related Variance (VAR-14900) to allow 159 parking spaces where 172 are required. The applicant was able to provide the additional parking and the Variance was no longer necessary.
09/06/06	The City Council approved: • General Plan Amendment (GPA-14318) to amend a portion of the Southwest Sector Plan of the Master Plan from PF (Public Facilities) to H (High Density Residential) to amend a portion of the Southwest Sector Plan of the Master Plan from PF (Public Facilities) to H (High Density Residential), • Rezoning (ZON-14321) from U (Undeveloped) [PF (Public Facilities) Master Plan Designation] to R-4 (High Density Residential), • Variance (VAR-14322) to allow three stories where two stories or 35 feet is the maximum height, and • Site Development Plan Review (SDR-14323) for a proposed three-story, 92-unit residential condominium development. The Planning Commission recommended approval on 7/27/2006 and staff recommended denial.
<i>Related Building Permits/Business Licenses</i>	
No building permits or business licenses have been issued on the subject site.	
<i>Pre-Application Meeting</i>	
11/28/06	A pre-application meeting was held. The applicant was informed of submittal requirements, required waivers, and driveway requirements.

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January 25, 2007 - Planning Commission Meeting

Neighborhood Meeting	
06/26/06	A neighborhood meeting was held as part of the previously approved General Plan Amendment (GPA-14318) at the Johnson Community Center, 340 Villa Monterey Drive. Four persons attended representing the applicant, none of the invited public was in attendance.

Details of Application Request	
Site Area	
Net Acres	4.43

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	H (High Density Residential)	U (Undeveloped) [H (High Density Residential land use designation) under Resolution of Intent to R-4 (High Density Residential)]
North	Retail (Under Construction)	SC (Service Commercial)	U (Undeveloped) [SC (Service Commercial) land use designation] under Resolution of Intent to C-1 (Limited Commercial)
South	School	PF (Public Facilities)	U (Undeveloped) [PF (Public Facilities) land use designation]
East	Retail	SC (Service Commercial)	C-1 (Limited Commercial)
West	Offices	SC (Service Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175-Foot)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

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January 25, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Per Title 19.08:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	6,500 SF	192,835 SF	Y
Min. Setbacks			
• Front	10 Feet	25 Feet	Y
• Side	5 Feet	18 Feet	Y
• Corner	5 Feet	N/A	Y
• Rear	20 Feet	20 Feet	Y
Min. Distance Between Buildings	10 Feet	20 Feet	Y
Max. Building Height	2 Stories/35 Feet	3 Stories/38.5 Feet	Y *

* Approved as a Variance (VAR-14322).

Per Title 19.12:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces	2 Trees	Zero Trees	N*
Buffer:				
Min. Trees	1 Tree/20 Linear Feet	87 Trees	77 Trees	N*
TOTAL		89 Trees	77 Trees	N
Min. Zone Width	10 Feet (R.O.W.)		10 Feet	Y
	6 Feet (interior)		5 Feet	N*

* Waivers have been requested for the noted deficiencies and are addressed on Page 4.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement						
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handi-capped	Regular	Handi-capped
2 Bedroom	65 units	1.75/unit	114			
3 Bedroom	29 units	2/unit	58			
Guest	94 units	1/6 units	16			
Sub-Total			186	2	186	2
TOTAL			188		188	

SDR-18677 - Staff Report Page Four
January 25, 2007 - Planning Commission Meeting

<i>Waivers</i>		
<i>Request</i>	<i>Requirement</i>	<i>Staff Recommendation</i>
To allow a perimeter landscape buffer width of five feet along a portion of the north property line.	Perimeter landscape buffer of six feet is the minimum required.	Approval
To allow a total of 77 trees in the perimeter landscape buffer.	87 trees are the minimum required.	Approval
To allow zero trees/landscape fingers in the parking lot .	Two trees/landscape fingers are the minimum required.	Approval

<i>Comparison with previous approval</i>		
<i>Standards</i>	<i>Approved SDR-14323</i>	<i>Proposed SDR-18677</i>
Min. Lot Size	199,069 SF	192,835 Square Feet
Min. Setbacks		
• Front	11.39 Feet	25 Feet
• Side	6.08 Feet	18 Feet
• Corner	N/A	NA Feet
• Rear	20 Feet	20 Feet
• Between buildings	13.68 Feet	20 Feet
Max. Building Height	3 Stories / 38.5 Feet	3 Stories / 38.5 Feet
Density	20.10 du/a	21.21 du/a
Unit Count	92	94
Open Space	3,802 SF	60,827 SF
4-Plexes	3	8
6-Plexes	8	5
8-Plexes	4	4
Rock Springs Dr. Frontage	3 Four-Plexes	1 Four-Plex and common pool.

ANALYSIS

• General Plan

The Southwest Sector Map of the General Plan designates the parcel as H (High Density Residential), pursuant to previously approved General Plan Amendment (GPA-14318). The density of the project will be consistent with the proposed land use designation for the property. The subject parcel is located within the Airport Overlay District, where any development over 175 feet in height requires Special Use Permit approval. As the proposed structures will be significantly less than 175 feet in height, no Special Use Permit is required.

RL

SDR-18677 - Staff Report Page Five
January 25, 2007 - Planning Commission Meeting

- **Zoning**

The density of the project (21.21 du/ac) will conform to the R-4 (High Density Residential) density limit of 50 units per acre. The development conforms to the R-4 (High Density Residential) development standards, with the exception of the height limit, for which a Variance (VAR-14322) has been previously approved.

- **Site Plan**

The site plan shows one four-plex along Rock Springs Drive; two eight-plexes, a four-plex and a six-plex along the south property line; six four-plexes perpendicular to the north property line; and four six-plexes and two eight-plexes in the center of the site. A 51-foot, single-access, gated driveway and an additional 25-foot fire access are shown to Rock Springs Drive, and a 25-foot wide drive system is provided around the development. The multiplexes in the center and the four-plexes along the north property line face one another across common plaza elements. The multiplexes along the south property line front a 1.11 acre common area. A pool is located near the entrance of the site. A total of 60,827 square feet of common space is provided. Most of the guest parking is located in the northeast corner of the site or along the eastern boundary of the central common space, with an additional six spaces along the north property line, four along the in front of the southernmost multiplexes, four around the westernmost multiplexes, and four along the west side of the central common plaza. The increase in the number of units from 92 to 94 is the result of replacing three six-plex buildings with five four-plex buildings in order to improve site design for drainage and traffic.

- **Waivers**

A Waiver from Title 19.12 landscaping requirements are requested to allow a perimeter landscape buffer width of five feet along a portion of the north property line where a perimeter landscape buffer of six feet is the minimum required, To allow a total of 77 trees in the perimeter landscape buffer, where 87 trees are the minimum required, and To allow zero trees/landscape fingers in the parking lot , where two trees/landscape fingers are the minimum required. These requests are associated with drainage and traffic circulation issues that have arisen since the approval of a previous Site Development Plan Review (SDR-14323) and staff recommends approval of these waivers.

- **Landscape Plan**

The original landscaping plan submitted with previously approved Site Development Plan Review (SDR-14323) contained a sufficient number of perimeter trees. However, the site plan has been revised and resubmitted in the current application as a major modification to better address concerns about drainage and traffic circulation. As a result, the waivers addressed above are necessary to accommodate the required drainage and new building placement. As such, staff recommends approval of the waivers.

SDR-18677 - Staff Report Page Six
January 25, 2007 - Planning Commission Meeting

- **Elevation**

The elevations show two- and three-story multiplexes with garages and unit entrances on the first floor. The allowable height under the existing R-4 (High Density Residential) zoning requirements is typically limited to two stories or 35 feet, whichever is less; the proposed development will be three stories and 35 feet. An approved Variance (VAR-14322) allows subject deviation of one story higher than that is typically allowed. The color palette provided indicates that the elevations will include several medium and dark earth tone colors that are appropriate for the city and the immediate area.

- **Floor Plan**

The floor plans show a typical attached townhouse multiplex design with garages on the first floor, kitchen and living room on the second floor, and bedrooms on the third floors. The applicant has two garage designs: a typical two-car side by side design and a two-car tandem layout that is contrary to parking standards. The second space provided by this layout for each tandem garage is not included in the parking analysis. The site plan nonetheless indicates sufficient parking for the proposed development.

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 high density residential development surrounded by commercial and public facilities land uses is an appropriate intensity for the use of the subject site and is compatible with the surrounding neighborhood.

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, with the appropriately requested waivers and approved height Variance, is compliant with the General Plan, Landscape, Wall and Buffer Standards and other requirements of Title 19.

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

SDR-18677 - Staff Report Page Seven
January 25, 2007 - Planning Commission Meeting

The 25-foot internal drives and location of onsite parking will not negatively impact the neighborhood. Rock Springs Drive is sufficient to handle the increased traffic associated with this application.

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

The building and landscape materials are similar to those used elsewhere in the city; therefore, they are appropriate. Seven trees and 14 shrubs are identified on the landscape plan that are appropriate to the regional desert landscape, and the stucco structures are appropriate and compatible with their environs.

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 design is harmonious and compatible with existing development in the neighborhood. While an existing variance allows the structures to be three stories where only two stories are otherwise permitted, the buildings will not exceed 35 feet, and will blend well with the surrounding commercial development. The colors provided are appropriate to the surrounding areas as well.

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

By conformance to conditions, appropriate measures will be taken to secure and protect the public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

8

ASSEMBLY DISTRICT 37

SENATE DISTRICT 6

NOTICES MAILED 138

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-18677** APN: 138-22-701-009
Name of Property Owner: Centex Homes
Name of Applicant: Centex 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: X

Print Name: John Yturri



Subscribed and sworn before me

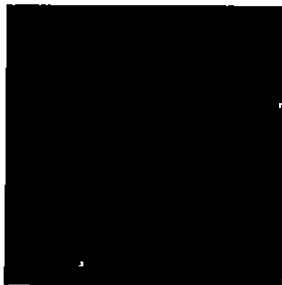
This 5 day of December 20 06

Lorna M. Wurst
Notary Public in and for said County and State

NOTARY PUBLIC
COUNTY OF CLARK
LORNA M. WURST
June 13, 2008



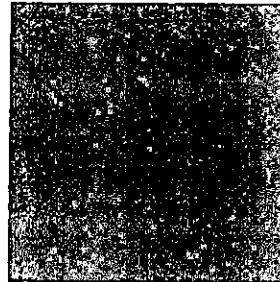
Stucco #2
SW 6159 :: High Tea



Stucco #1 (Accent)
SW 6335 :: Fired Brick



Stucco #3
SW 6138 :: Artifact



Stucco #4
SW 6157 :: Favorite Tan



Trim / Garage
SW 7027 ::
Well Bred Brown

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Material Manufacturers ::

Paint

:: Sherwin Williams

SDR-18677

01/25/07 PC

Color Scheme # 1 :: Lake Mead & Rock Springs

Architecture
17301 Wilshire Blvd.
Beverly Hills, CA 90210

Planning
17301 Wilshire Blvd.
Beverly Hills, CA 90210

KTGY GROUP, INC.
17301 Wilshire Blvd.
Beverly Hills, CA 90210
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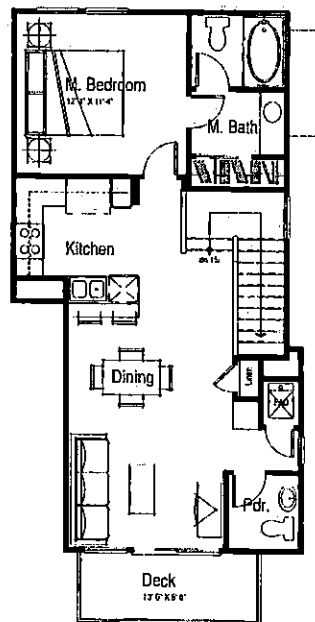
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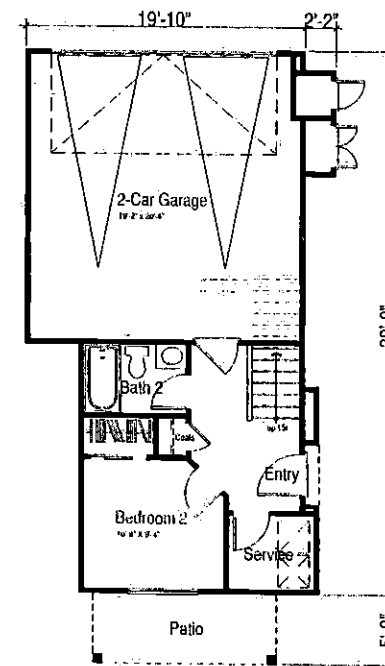
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KTGY No: 2005-1264 :: 12.06.06



Second Floor



First Floor

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Plan Number 1

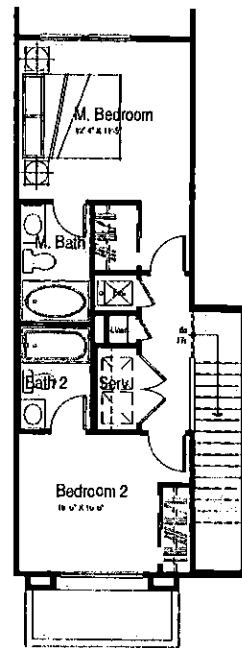
First Floor 300 SF
 Second Floor 692 SF
 Total 992 SF

Conceptual Floor Plans

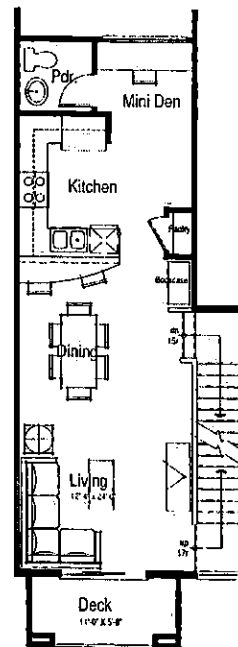
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 Las Vegas, Nevada

Architecture :: Planning **KTGY GROUP, INC.**
 17802 Mitchell Suenb :: Irvine, CA :: P. 949.961.2135 :: F. 949.961.3156 :: www.ktgy.com

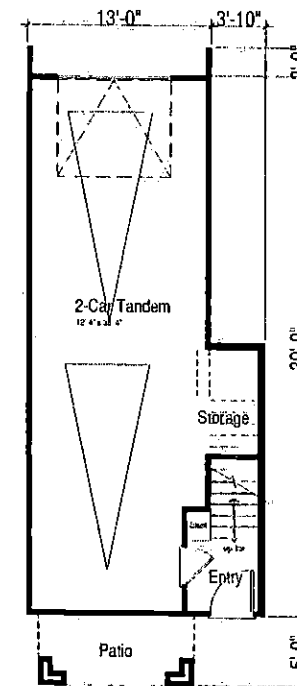
KTGY No: 2005-1264 :: 12.06.06 :: Page



Third Floor



Second Floor



First Floor

SDR-18677
01/25/07 PC

Plan Number 2

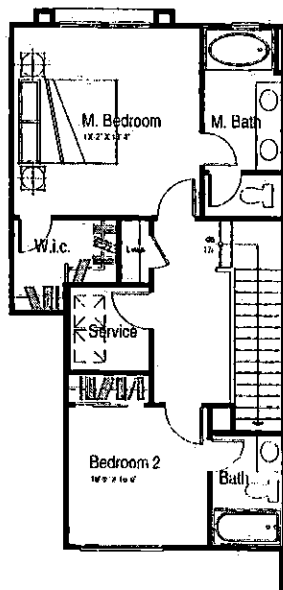
First Floor 62 SF
Second Floor 583 SF
Third Floor 506 SF
Total 1151 SF

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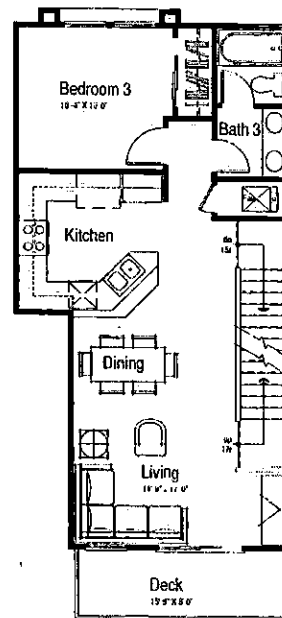
Conceptual Floor Plans

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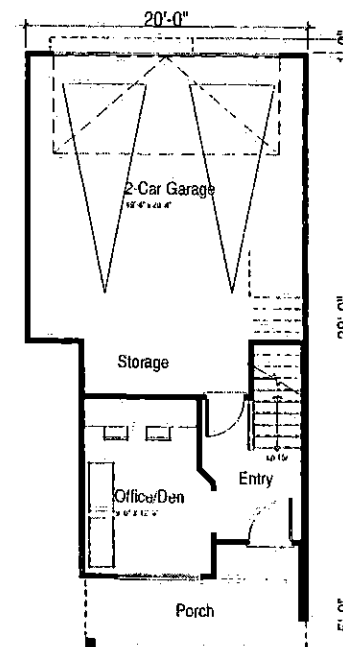
Architecture :: Planning KTG GROUP, INC.
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Third Floor



Second Floor



First Floor

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First Floor	216 SF
Second Floor	694 SF
Third Floor	633 SF
Total	1,543 SF

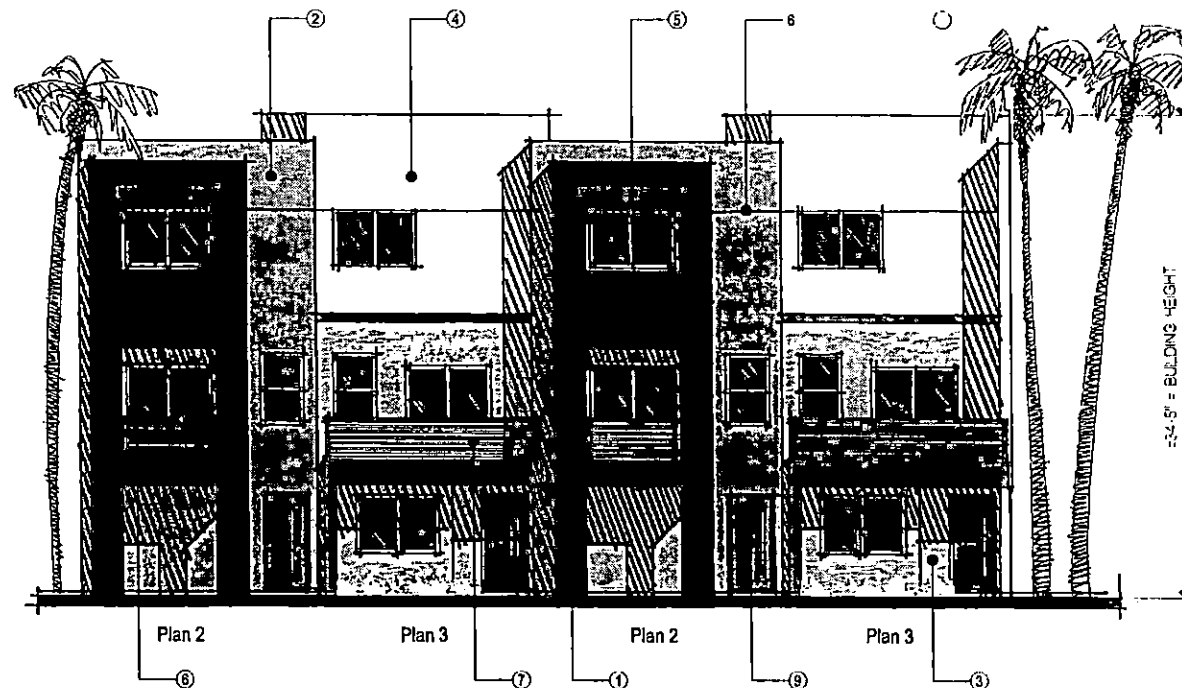
Conceptual Floor Plans

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 Las Vegas, Nevada

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Building Materials List

① Stucco # 1	④ Stucco # 4	⑦ Metal Handrail
② Stucco # 2	⑤ Stucco Wrapped Awning	⑧ Control Joint
③ Stucco # 3	⑥ Sliding Glass Door	⑨ Entry Door



Stucco # 1 SW 6125 Fend Brk	Stucco # 2 SW 6158 High Tex	Stucco # 3 SW 6138 Accent	Stucco # 4 SW Favorite Tan	Trim / Garage SW 7027 Wall-Bred Brown
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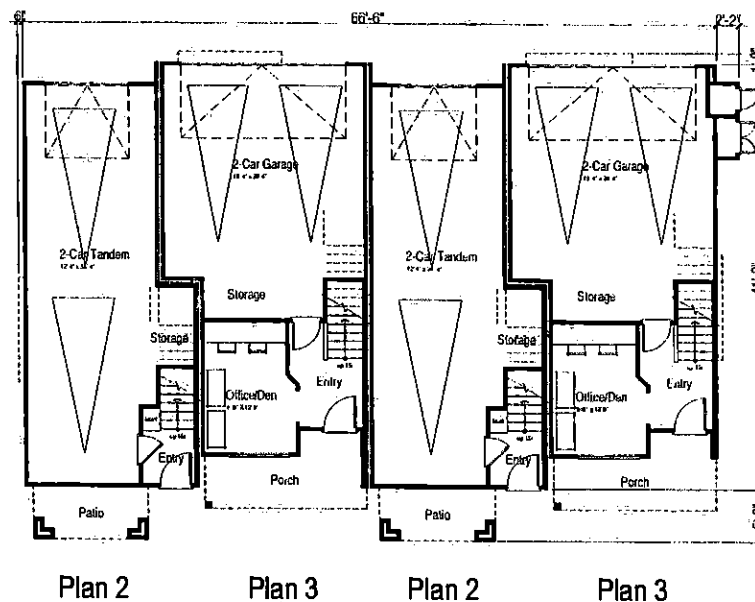
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Conceptual Front Elevation

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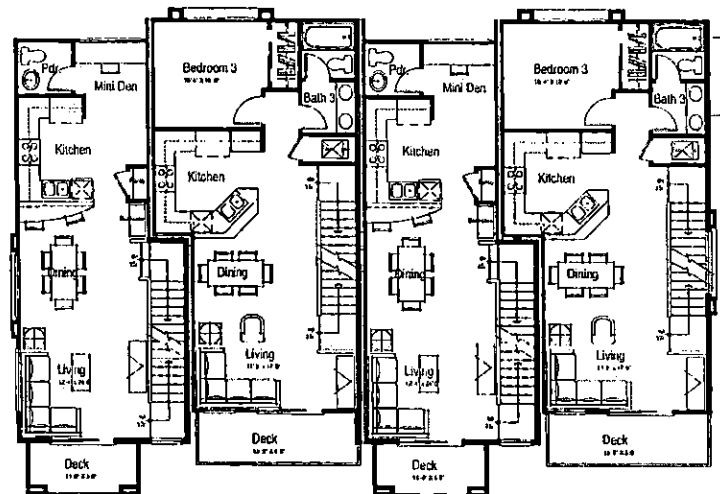
Conceptual Building Composite - First Floor

'4-Plex' Building A

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Las Vegas, Nevada

Architecture :: Planning KTG GROUP, INC.
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Plan 2

Plan 3

Plan 2

Plan 3

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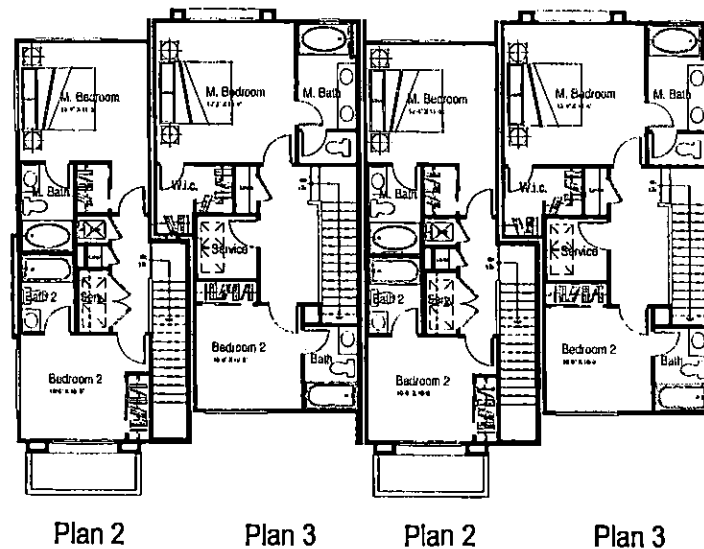
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Conceptual Building Composite - Second Floor

'4-Plex' Building A

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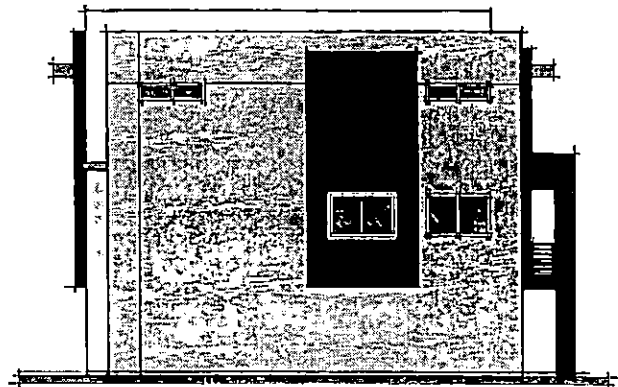
SDR-18677
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Conceptual Building Composite - Third Floor

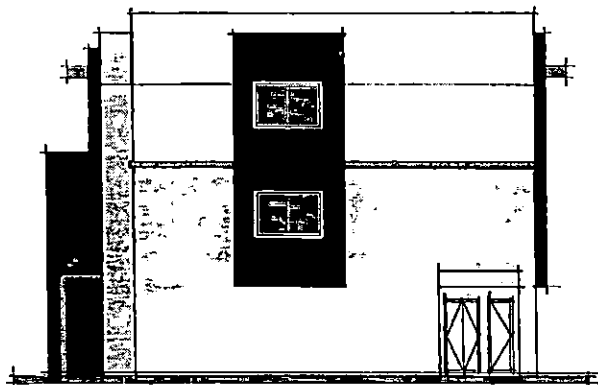
'4-Plex' Building A

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Left



Right



Rear

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SDR-18677

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4-Plex Building A

Conceptual Elevations

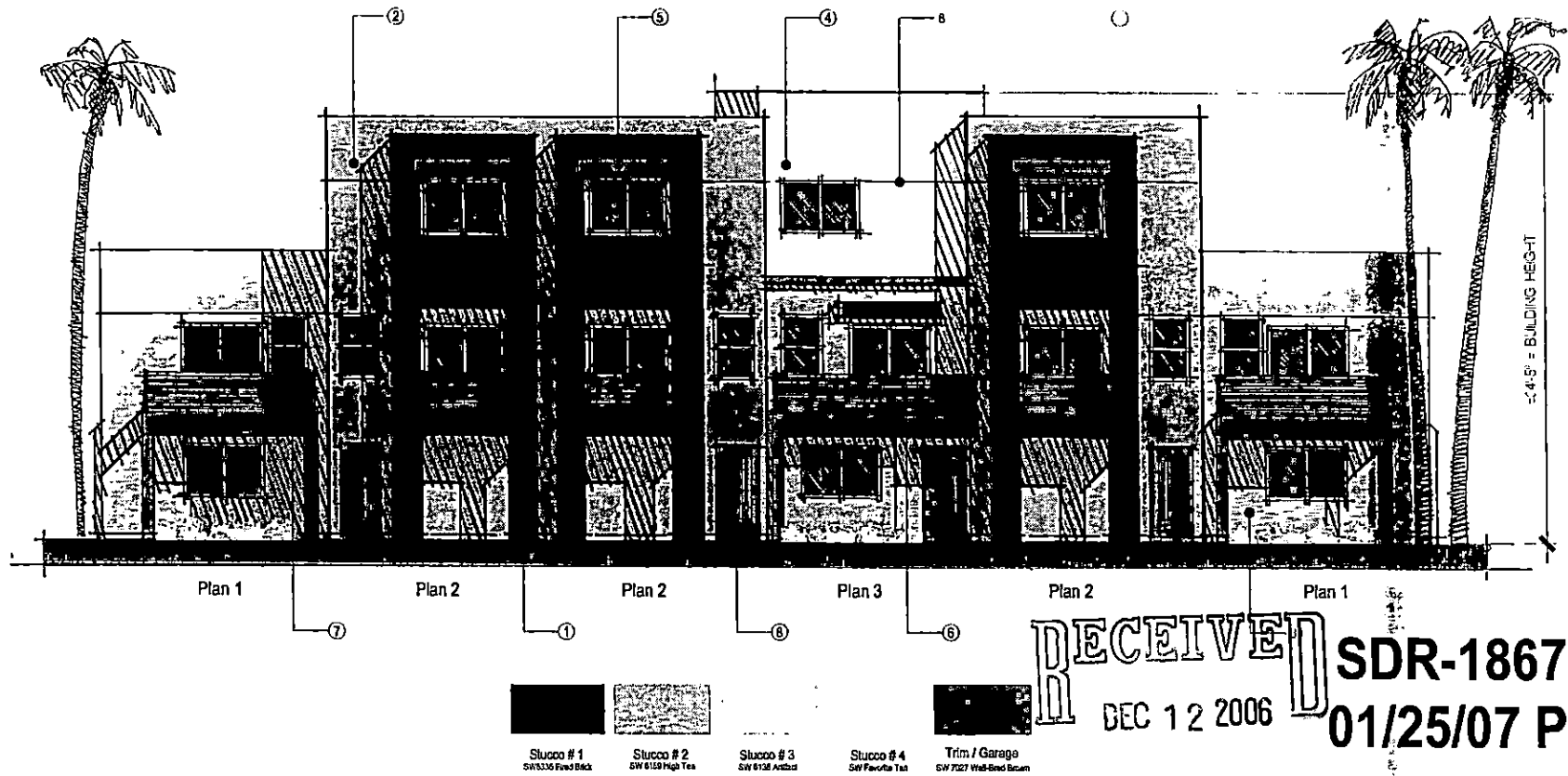
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Building Materials List

① Stucco # 1	④ Stucco # 4	⑦ Metal Handrail
② Stucco # 2	⑤ Stucco Wrapped Awning	⑧ Control Joint
③ Stucco # 3	⑥ Sliding Glass Door	⑨ Entry Door



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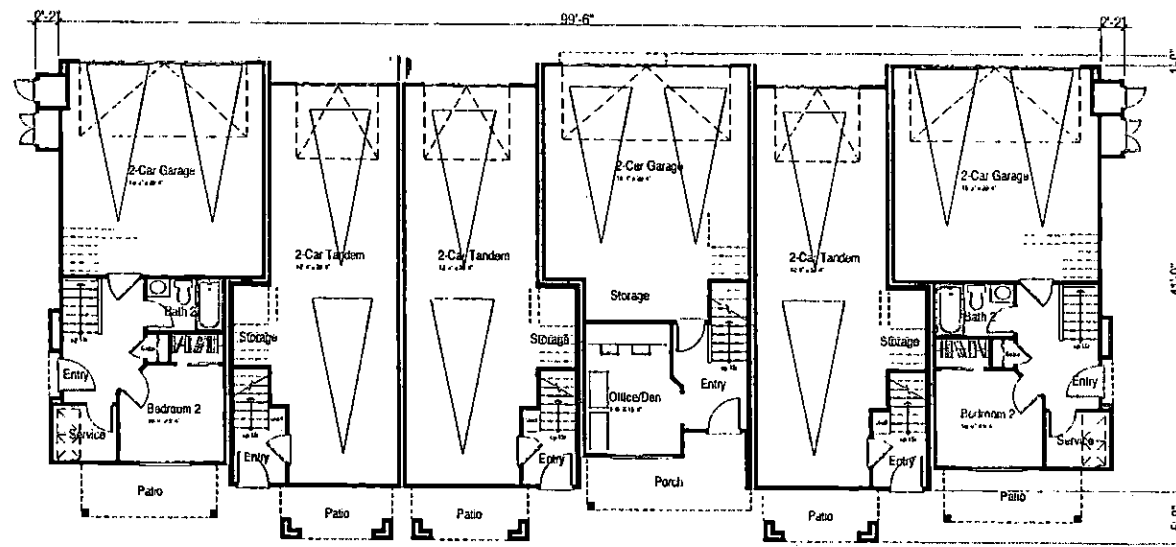
Conceptual Front Elevation

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Las Vegas, Nevada

'6-Plex' Building B

Architecture :: Planning KTGy GROUP, INC.
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Plan 1

Plan 2

Plan 2

Plan 3

Plan 2

Plan 1

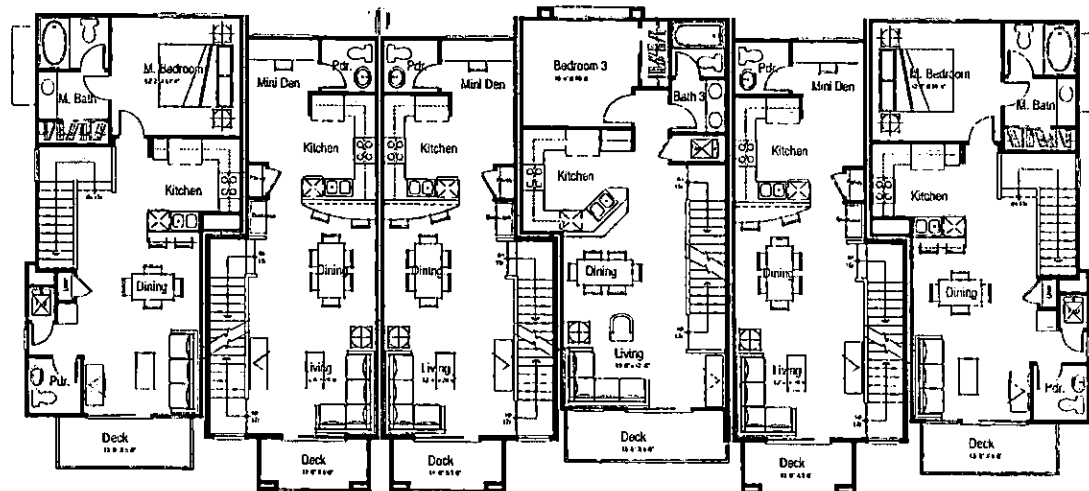
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Conceptual Building Composite - First Floor

'6-Plex' Building B

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Plan 1

Plan 2

Plan 2

Plan 3

Plan 2

Plan 1

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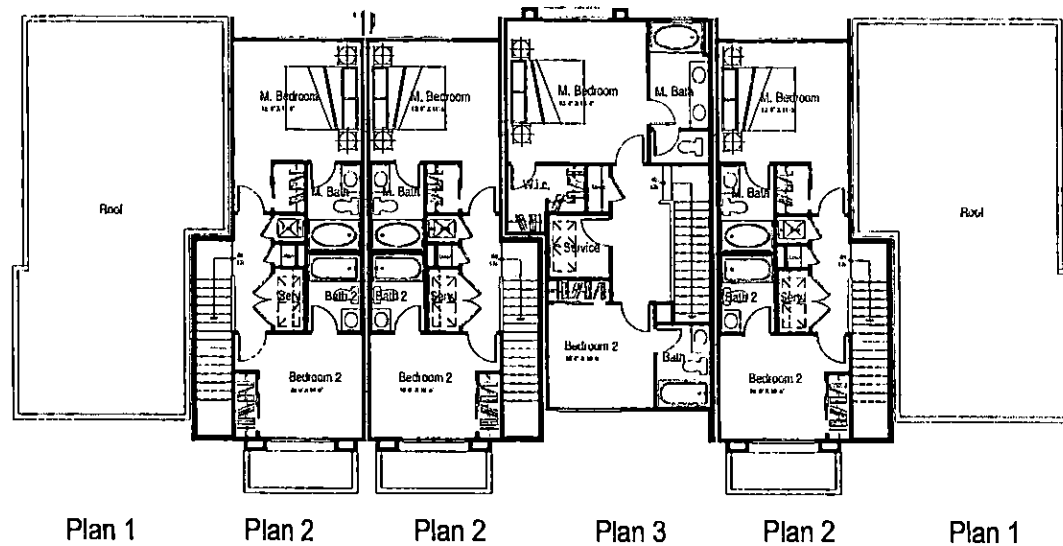
Conceptual Building Composite - Second Floor

'6-Plex' Building B

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Architecture :: Planning KTGy GROUP, INC.
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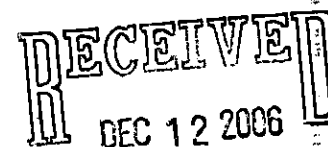
Conceptual Building Composite - Third Floor

'6-Plex' Building B

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Architecture :: Planning **KTGY GROUP, INC.**
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KTGY No: 2005-1264 :: 12.06.06 :: Page



Rear

SDR-18677
01/25/07 PC

'6-Plex' Building B

Conceptual Elevations

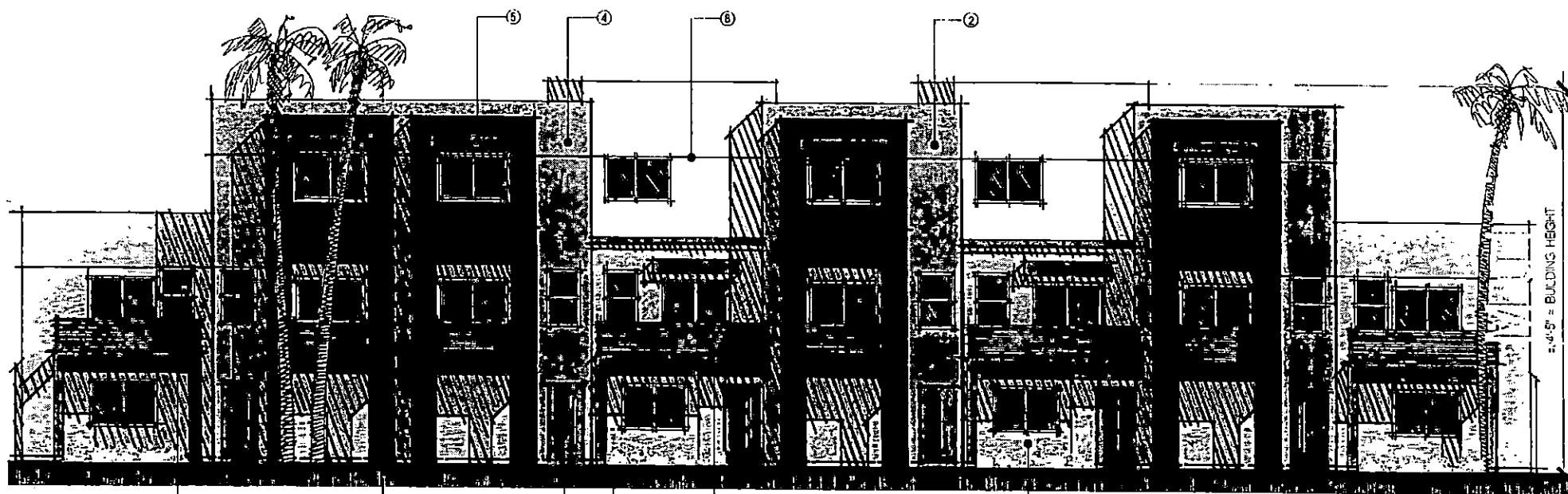
Lake Mead and Rocksprings :: Centex Homes
Las Vegas, Nevada

Architecture :: Planning **KTGY GROUP, INC.**
17824 Birchdale South :: Irvine, CA :: P.949.861.2123 :: F.949.851.0158 :: www.ktgy.com

KTGY No: 2005-1264 : : 12.06.06 : : Page

Building Materials List

- | | | |
|--------------|-------------------------|------------------|
| ① Stucco # 1 | ④ Stucco # 4 | ⑦ Metal Handrail |
| ② Stucco # 2 | ⑤ Stucco Wrapped Awning | ⑧ Control Joint |
| ③ Stucco # 3 | ⑥ Sliding Glass Door | ⑨ Entry Door |



Plan 1

Plan 2

Plan 2

Plan 3

Plan 2

Plan 3

Plan 2

Plan 1



Stucco # 1
SW 5025 Pined Bole



Stucco # 2
SW 6159 High Tide



Stucco # 3
SW 6130 Arctic



Stucco # 4
SW 7027 Wall-Bed Brown



Trim / Garage
SW 7027 Wall-Bed Brown

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SDR-18677
01/25/07 PC

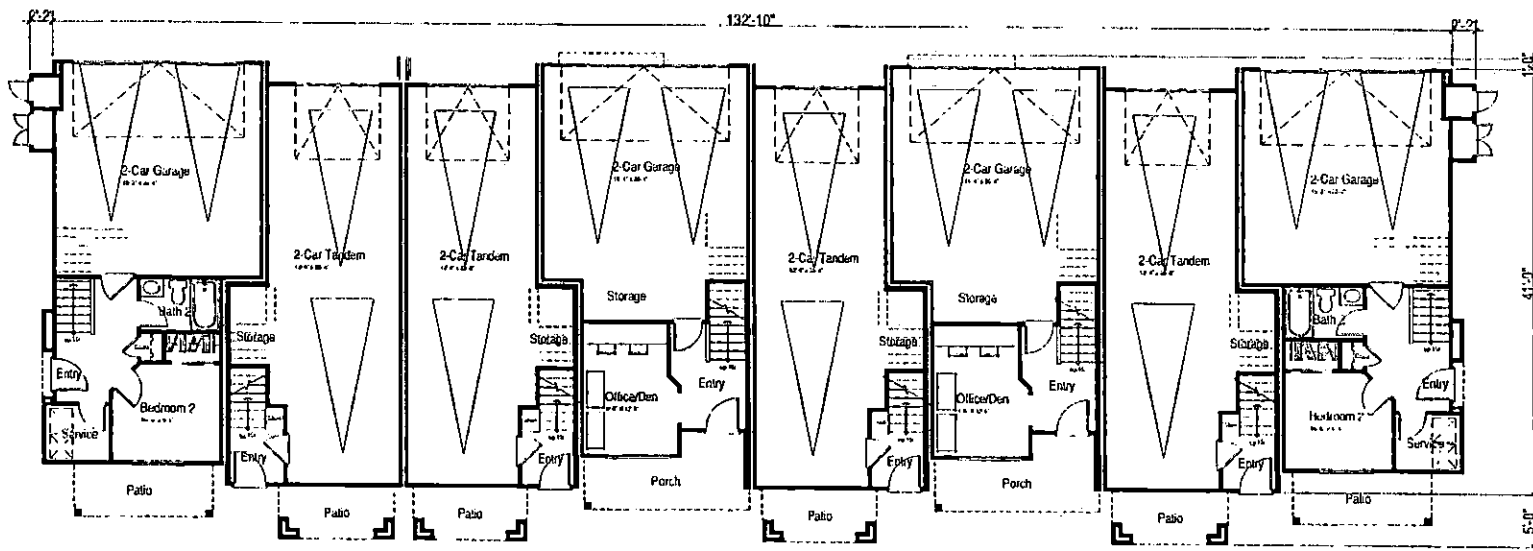
Conceptual Front Elevation

Lake Mead and Rocksprings :: Centex Homes
Las Vegas, Nevada

'8-Plex' Building C

Architecture :: Planning KTGy GROUP, INC.
17662 Mitchell South :: Irvine, CA :: P: 949.851.2133 :: F: 949.851.5154 :: www.ktgy.com

KTGY No: 2005-1264 :: 12.06.06 :: Page



Plan 1

Plan 2

Plan 2

Plan 3

Plan 2

Plan 3

Plan 2

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Conceptual Building Composite - First Floor

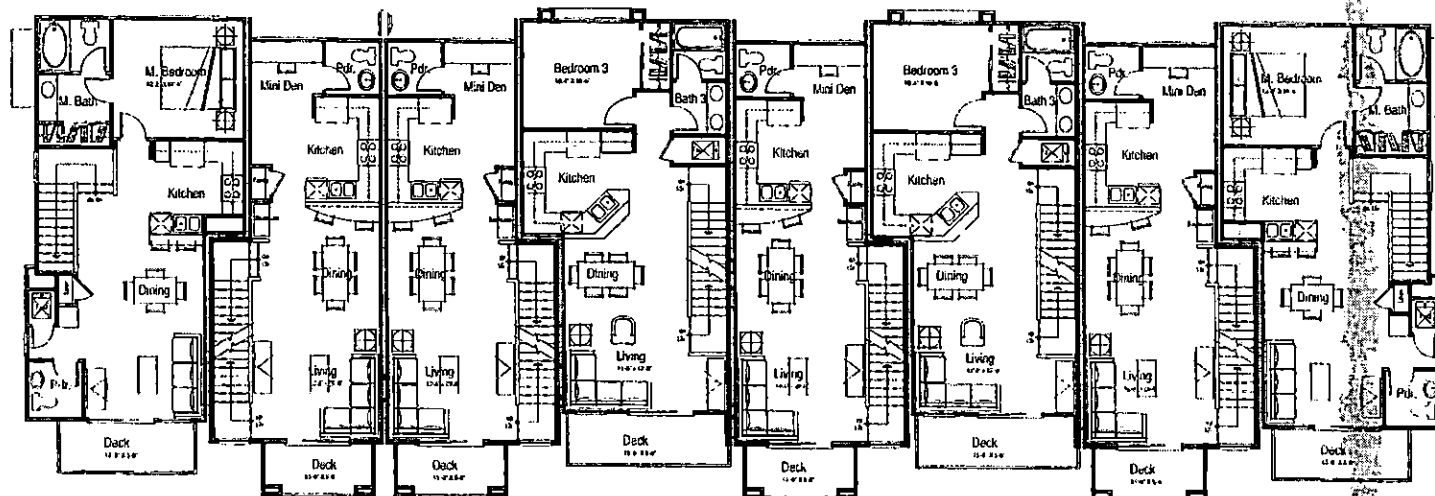
SDR-18677

'8-Plex' Building C

Lake Mead and Rocksprings :: Centex Homes
Las Vegas, Nevada

01/25/07 PC

Architecture :: Planning KTGy GROUP, INC.
32992 Highway 3942 :: Irvine, CA :: P: 949.851.5153 :: F: 949.851.5150 :: www.ktgy.com



Plan 1

Plan 2

Plan 2

Plan 3

Plan 2

Plan 3

Plan 2

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Conceptual Building Composite - Second Floor

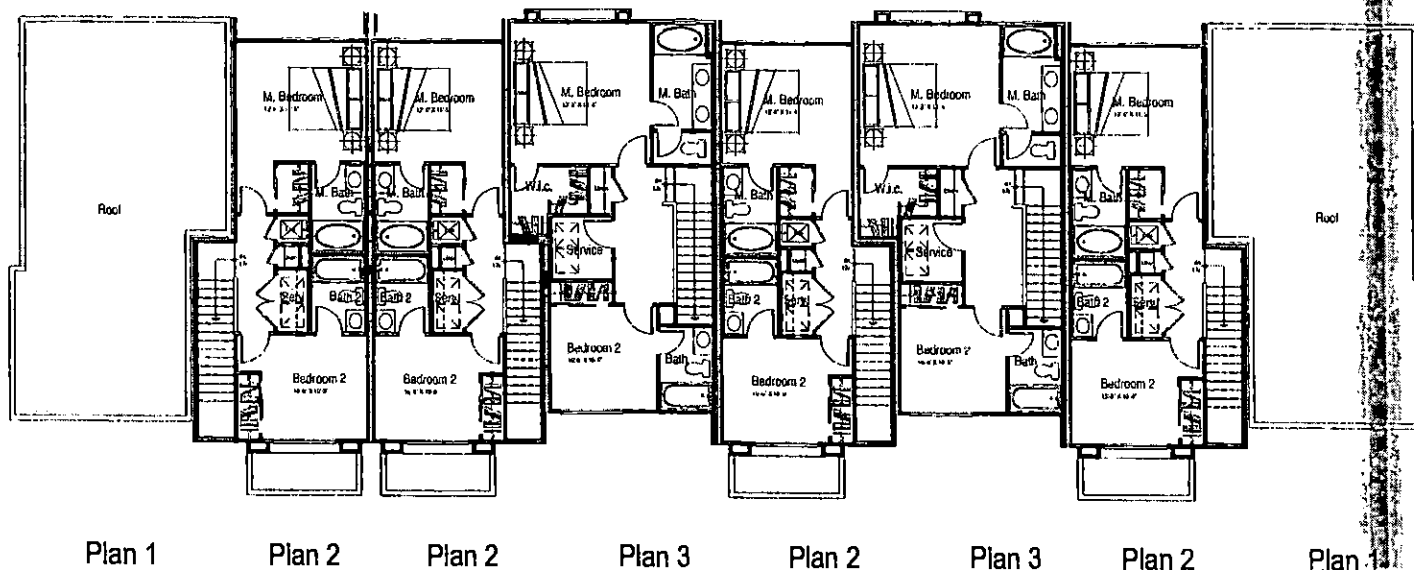
SDR-18677

'8-Plex' Building C

Lake Mead and Rocksprings :: Centex Homes
Las Vegas, Nevada

01/25/07 PC

Architecture :: Planning KTG GROUP, INC.
1022 Mitchell South :: Irvine, CA :: P: 949.861.2112 :: F: 949.861.6100 :: www.ktg.com



Plan
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Conceptual Building Composite - Third Floor

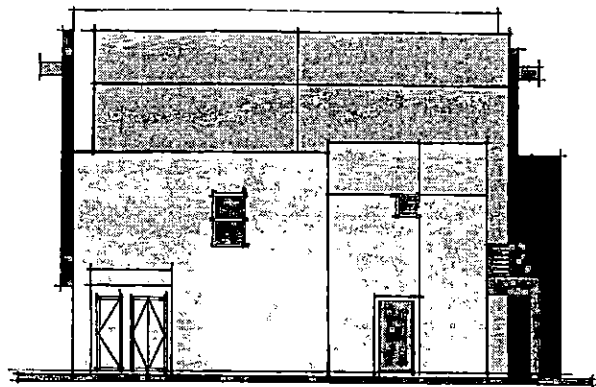
SDR-18677

'8 Plex' Building C

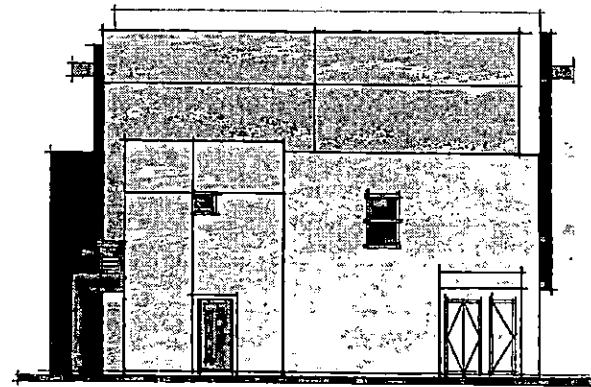
Lake Mead and Rocksprings :: Centex Homes **01/25/07 PC**
 Las Vegas, Nevada

Architecture :: Planning **KTGY GROUP, INC.**
 17902 Mitchell South :: Irvine, CA 92614-6511 :: P. 949.851.2138 :: F. 949.851.2159 :: www.ktgy.com

KTGY No. 2005-1262 12 05 05



Left



Right



Rear

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Conceptual Elevations

Lake Mead and Rocksprings :: Centex Homes
Las Vegas, Nevada

SDR-18677
01/25/07 PC

'8-Plex' Building C

Architecture & Planning **KTGY GROUP, INC.**
17993 Pluribus South :: Irvine, CA :: P: 949.851.2122 :: F: 949.851.5158 :: www.ktgy.com



SDR-18677 - APPLICANT/OWNER: CENTEX HOMES
WEST SIDE OF ROCK SPRINGS DRIVE, APPROXIMATELY 300 FEET SOUTH OF LAKE MEAD BOULEVARD
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06



SDR-18677 - APPLICANT/OWNER: CENTEX HOMES
WEST SIDE OF ROCK SPRINGS DRIVE, APPROXIMATELY 300 FEET SOUTH OF LAKE MEAD BOULEVARD
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06



December 12, 2006
Project No. 041.0617

City of Las Vegas
Comprehensive Planning Department
Current Planning Division
731 South Fourth Street
Las Vegas, NV 89101

**RE: REQUEST FOR SITE DEVELOPMENT PLAN REVIEW
ROCK SPRINGS
Lake Mead & Rock Springs APN: 138-22-701-009**

City Staff,

On behalf of Centex Homes, Orion Engineering and Surveying is submitting Site Development Plan Review for a proposed 94 unit condominium development generally located at the southwest corner of Lake Mead and Rock Springs adjacent to the James McMillan Elementary School.

The intent of the proposed project is to provide a 94-home condominium community, on 4.73+/- gross acres yields a density of 19.87 dwelling units per acre. This application is in conjunction with the previously approved entitlements: (GPA-14318, ZON-14321, VAR-14332 and VAR-14900). The purpose of this request is to develop a currently vacant parcel in a manner consistent with the City Plan and existing surrounding development. Existing surrounding land use includes C-1 commercial development along both Lake Mead Boulevard and Rock Springs Road adjacent to the northerly, easterly and westerly site boundaries, with James McMillan School adjacent to the southerly site boundary. An existing residential community is located generally southeast of the site boundary on Rock Springs Road.

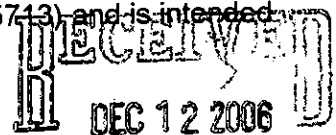
The project consists of a combination of 4, 6 and 8 unit buildings, active recreation center and pedestrian access path connecting the project units.

Prior Approvals Being Utilized

Previously a variance of height limitation, Variance-14322, allowing 3 story units was approved and will apply to this project. Additionally, a deviation from standard, allowing a reduction of the entry to 50' where 100' is required was previously approved (Deviation # 157-13) and is intended to be utilized for the new submittal.

Additional Considerations

We will be requesting an additional deviation from standard to allow for an inverted street

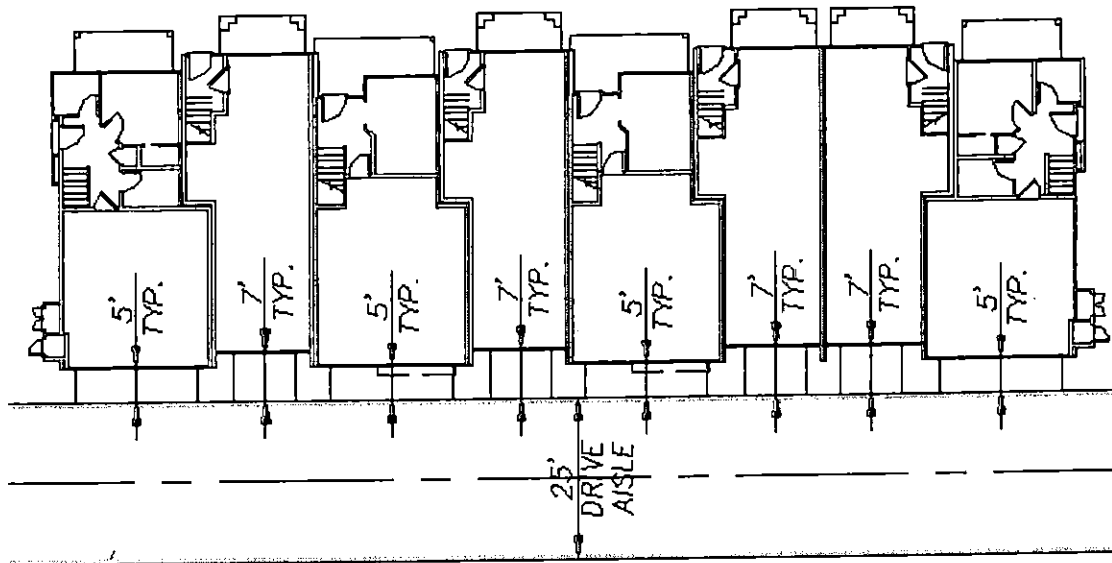


section to allow for better design of the street to driveway to garage transitions.

The project will be required to convey storm and nuisance flows from offsite at the southwest corner of the property, along the south boundary, to Rock Springs. As a result drainage facilities will need to be constructed onsite along the south boundary. These facilities could consist of surface, subsurface or a combination of to convey the runoff. As a result of this we are requesting that the landscape requirements, particularly in the 6' perimeter landscape requirement, allow flexibility in planting deep rooted plantings. The project landscape objectives will more than make up for this consideration.

The city's policy on driveway lengths, 6' or less, 18' or greater is not entirely met with the plan. The plan has a minimum driveway length of 5' and because of the desire to create architectural relief the driveways vary as shown in the following exhibit and matrix of setbacks. We believe the city will agree with the architectural objectives and allow the variation.

Typical 8 Plex Building and Driveway Lengths



Tabulation of Driveway Lengths

5' Driveways	7' Driveways
46	48*

* Building 14 has a 6'+ Driveway at the easterly most unit due to the drive curve

Parking Required:

1.75 Parking Spaces/2-bedroom @ 65 2-bedroom	= 113.75 parking spaces
2.00 Parking Spaces/3-bedroom @ 29 3-bedroom	= 58 parking spaces
1.00 Guest Parking Spaces/6 units @ 94 units	= 15.67 parking spaces

Total Parking Required = 187.42 parking spaces

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SDR-18677
01/25/07 PC

Parking Provided:

6 Parking Spaces/4-Plex @ 8 4-Plex = 48 Parking Spaces
9 Parking Spaces/6-Plex @ 5 6-Plex = 45 Parking Spaces
12 Parking Spaces/8-Plex @ 4 8-Plex = 48 Parking Spaces
Open Parking = 37 Parking Spaces
Compact Parking = 8 Parking Spaces
Handicap Parking = 2 Parking Spaces

Total Parking Required Provided = 188 parking spaces

Additionally, there are an additional 47 non-countable tandem spaces in the units for an overall total of 235 parking spaces.

Open Space:

The provided open space includes open areas for outdoor recreation and amenities for residents of the proposed neighborhood. The open space calculation is as follows:

Provided:

Common Element A = 48,211 sf (1.11 acres)
Common Element B = 12,616 sf (0.29 acres)

TOTAL = 60,827 square feet (1.40 acres) OPEN SPACE

Development Standards:

The proposed setbacks for this development are as follows:

Front: 10'
Side: 5'
Rear: 20'

We look forward to working with staff and securing your support and the approval of the plan by Planning Commission and if necessary City Council.

Should you require any additional information feel free to call our office at 739-5921.

Sincerely,



Barry C. Bender, PE, PLS
Coordinator, Planning, Engineering and Surveying

cc: Michael Gray, Centex
Lorna Meyer, Centex
Tom Nichols, Centex

Bob Stone, Nuvis
Edward Montano, KTG

Dean Rasmuson, Orion
Aimee Ignatowicz, Orion

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DEC 12 2006

SDR-18677
01/25/07 PC



January 23, 2007

City of Las Vegas
Current Planning
731 S. Fourth Street
Las Vegas, NV 89101

RE: REQUEST WITHDRAW OF ITEMS SDR-18677 & TMP-18906
Site Development Plan Review (SDR-18677)
Tentative Map (TMP-18906)
APN: 138-22-701-009
Lake Mead & Rock Springs

Dear Staff,

On behalf of our client, Centex Homes, Orion Engineering and Surveying, Inc. are requesting that the applications **SDR-18677 & TMP-18906** be withdrawn.

Please feel free to contact our office if you have any questions or require additional information.

Respectfully,

A handwritten signature in black ink, appearing to read "Aimee Ignatowicz", is written over a large, stylized, looping flourish.

Aimee Ignatowicz
Assistant Planner

CC: Centex Homes

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 25, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - TXT-17570 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - Discussion and possible action to amend Title 19 of the Las Vegas Municipal Code to revise the standards for Mixed-Use Development, institute Transit-Oriented Development standards, and to revise associated standards accordingly.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Memo to Planning Commissioners

MOTION:

GOYNES – TABLED – Motion carried with TRUESDELL voting NO

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

FLINN FAGG, Department of Planning and Development, reported that since this item was last heard there have been additional concerns and questions raised. He requested abeying the matter to prepare additional exhibits and provide information relative to the ordinance. He noted there is a copy in the backup of three choices relative to how the airport overlay regulations are applied.

MIKE LOGHIDES, Airport Program Administrator for Clark County's Department of Aviation, appeared at the request of the Commission. **CHAIRMAN DAVENPORT** inquired about the timeframe for approval of items that have been before the Planning Commission. **MR. LOGHIDES** responded that the turnaround time is dependant upon what kind of permit is necessary but some cases have been completed within 48 hours. If the project would penetrate Part 77 surfacing by more than 200 feet, a Variance would be necessary. The Director of Aviation is not able to grant a Director's Permit and that process could take anywhere from 30 to

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 67 – TXT-17570

MINUTES – Continued:

60 days.

GREG BORGEL, 300 South Fourth Street, recollected concerns about the timeframe issue and also the issue pertaining to the generalized Mixed Use ordinance and the request for a more comprehensive ordinance. He requested to be involved with the staff working to address those concerns. MR. BORGEL noted that in addition to Clark County's internal process of their documents, the ordinance could require the Federal Aviation Administration's (FAA) approval first which could potentially could take 90 days up to six months. He suggested the City follow the County's current process which is to require the applicant to apply with the FAA before an application is filed with the City rather than holding an item at the Planning Commission level until approval of the FAA and Director's Permit is granted by the County. Choosing to allow an applicant to apply first and then waiting for any and all approvals could add a significant amount of time to the process.

MR. LOGHIDES confirmed that the FAA process normally takes 45 to 60 days and any additional time usually signifies a great deal of discrepancies with the proposed project. If approval is granted at the Planning Commission level based on the fact the applicant has applied to the FAA, the applicant might be subjected to return before the Planning Commission. MR. LOGHIDES explained that a Director's Permit or Variance could not be granted if the project as proposed penetrates Part 77 by more than 200 feet. The 200-foot area of concern is determined by the proposed building in relation to the runways and whether there would be a proposed hazard and/or obstacle.

COMMISSIONER TRUESDELL thanked staff for providing extensive backup material. He expressed concern that while the City is attempting to address the ordinance, it could significantly delay development and negatively affect the process. He stated it should be the due diligence of the developer to propose something within the scope of approval for all entities.

MR. LOGHIDES clarified for COMMISSIONER TROWBRIDGE that the applicant would submit the proposal to the FAA first and get their determination. The Clark County Department of Aviation would not approve the proposal if the FAA determined the proposed was hazardous and does not consider a proposal unless the applicant provides some finding from the FAA.

Upon COMMISSIONER TROWBRIDGE'S comments, MR. LOGHIDES indicated that in the County, every effort is made not to grant any entitlements for a project that could potentially be found hazardous and it is within the City's discretion to monitor such applications. COMMISSIONER STEINMAN recollected MR. LOGHIDES' previous comments about the

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 67 – TXT-17570

MINUTES – Continued:

selling of units prior to FAA approval, and questioned whose responsibility it is to avoid such litigation issues. MR. LOGHIDES was unable to outline those liabilities and stated he is only familiar with that matter because the County has been sued about it.

COMMISSIONER EVANS expressed gratitude for MR. LOGHIDES' edification on the aviation regulation matters. The focus should remain on safety regardless of the abundant applications for high rise projects as many projects merely seek entitlements and might not come to fruition. It has been difficult for the entities within the entire Valley to determine the genuine interest to develop.

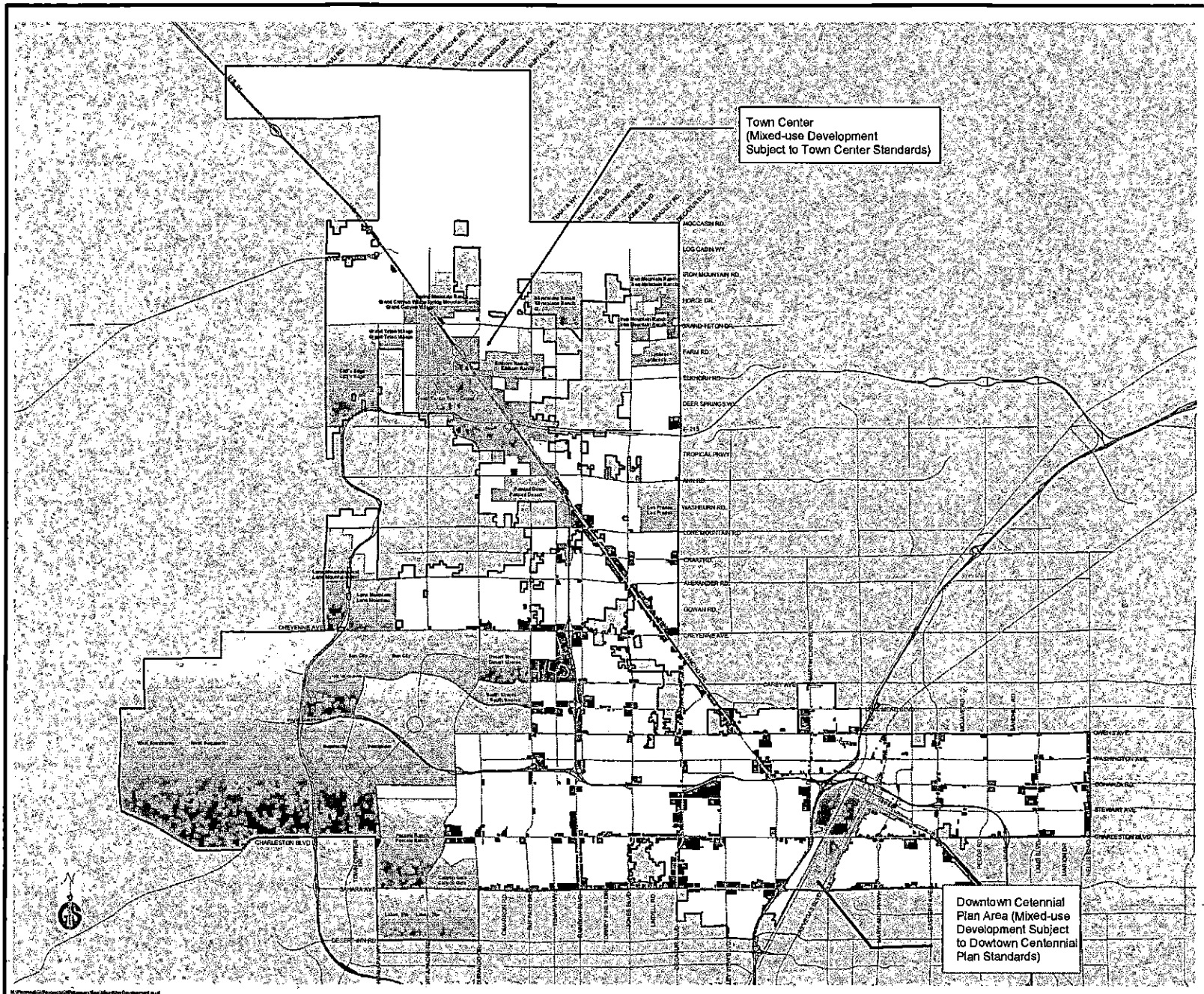
COMMISSIONER GOYNES queried whether the Statosphere Tower was or still remains a hazard and MR. LOGHIDES replied that it was a hazard at the time it was approved. As a result of the approval, the FAA changed the way aircraft fly in and out of McCarran Airport and that change has been in effect ever since. COMMISSIONER EVANS confirmed that the flight path had changed and is modified according to weather conditions also. It is the Commission's duty to decipher for the community whether such proposals are safe and reasonable and, above all, to keep the public informed about such risks.

CHAIRMAN DAVENPORT commented that if something is approved by the Planning Commission but does not move forward as it awaits other necessary approvals, the public should be renoticed to avoid the misconception that the project was approved entirely.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(6:28 – 6:48)

1-825



City of Las Vegas

Mixed Use Development

-  N-S - Neighborhood Services
-  C-1 - Limited Commercial
-  C-2 - General Commercial
-  C-PB - Planned Business Park
-  Las Vegas Downtown Centennial Plan
-  Town Center
-  Master Planned Communities

Mixed Use Development
Regulations Apply to the
N-S, C-1, C-2, And C-PB
Zoning Districts

TXT-17570
01/25/07 PC



GIS maps are normally produced
only for the use of the City
Due to continuous development activity
this map is for reference only
Geographic Information System
Planning & Development Dept
702.258.4501



Printed: October 03, 2006

City of Las Vegas Transit Oriented Development

-  C-1 - Limited Commercial
-  C-2 - General Commercial
-  Las Vegas Downtown Centennial Plan
-  Town Center
-  Master Planned Communities

Potential BRT Corridors

-  5th Street Line
-  Boulder Highway Line
-  Rancho Line
-  Sahara Line

Transit Oriented Development
Regulations Apply to the
C-1 And C-2 Zoning Districts
Along Transit Lines

TXT-17570
01/25/07 PC

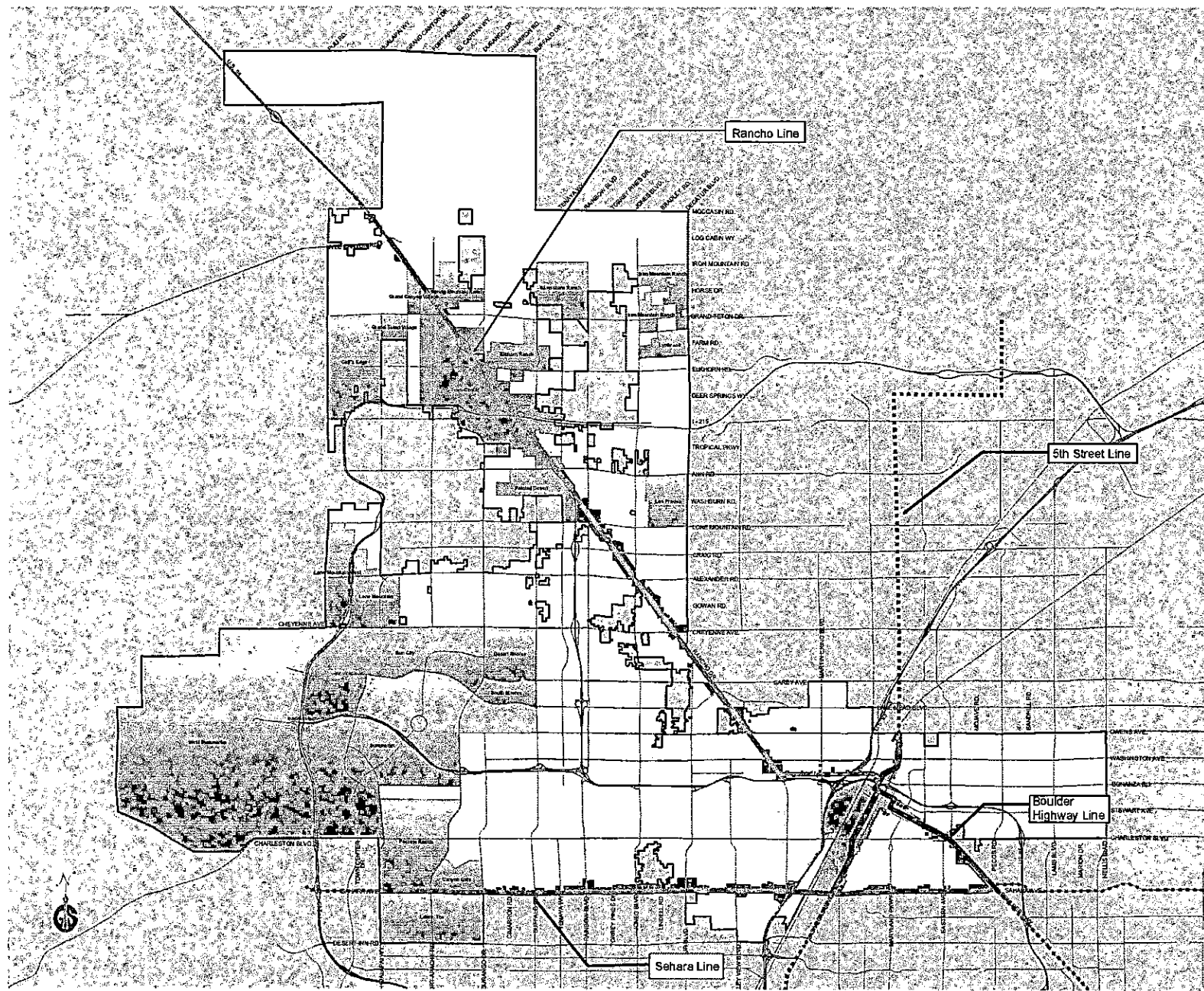


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Geographic Information Systems
Planning & Development Dept.
702-258-1001

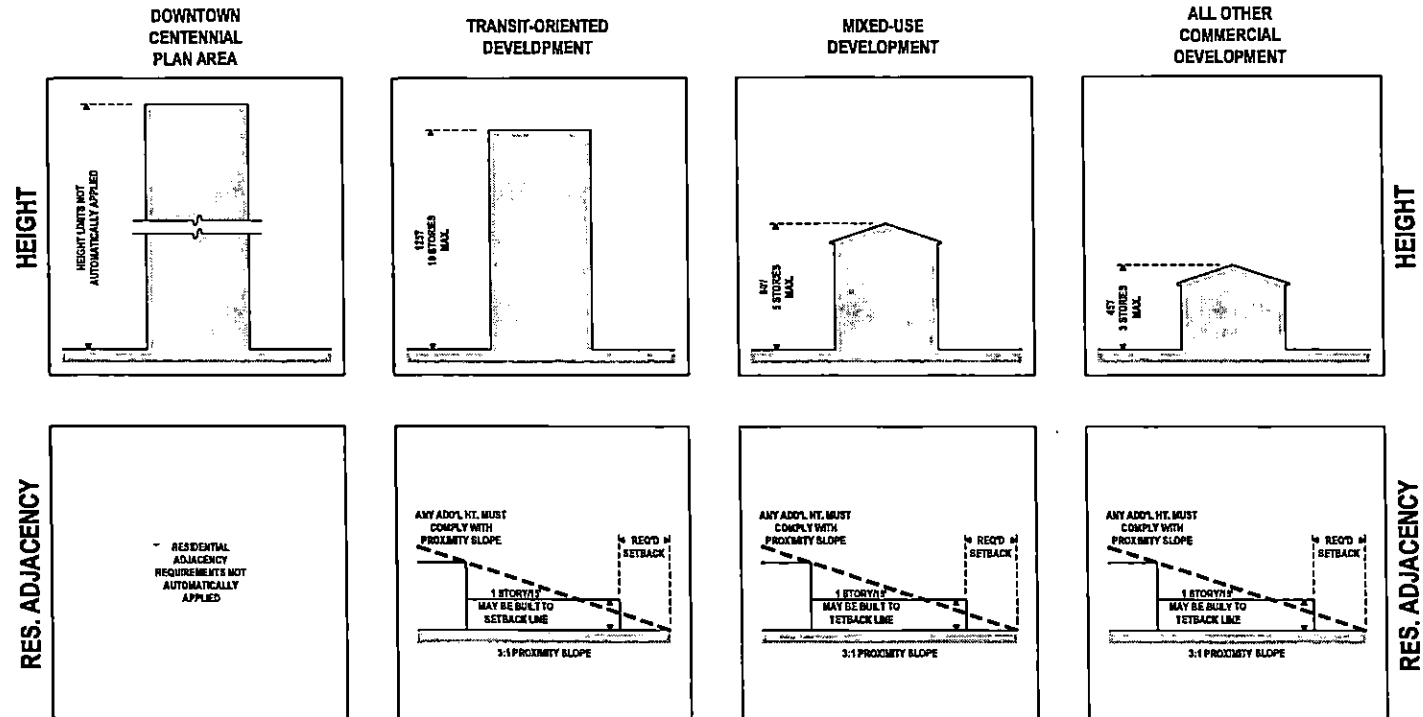


Printed: October 03, 2005



MORE INTENSE

LESS INTENSE



ZONING DISTRICTS
LOCATION REQUIREMENTS
MINIMUM PARCEL SIZE
FRONT/CORNER SIDE SETBACK
BUILD-TO LINE REQUIREMENT
LOT COVERAGE
PEDESTRIAN OPEN SPACE/PLAZA
STREETSCAPE
LANDSCAPE BUFFER ADJ. TO RES.

PER CENTENNIAL PLAN CENTENNIAL PLAN AREA
N/A
0'
60% OF FRONTAGE
UP TO 100%
(AS HEIGHT BONUS ONLY)
REQUIRED
N/A

C-1, C-2
WITHIN 660' OF BRT/LIGHT RAIL STATION
2 ACRES
10'
60% OF FRONTAGE
UP TO 85%
REQUIRED
REQUIRED
PER TITLE 19.12; ADD'L. REQUIREMENTS

N-S, C-1, C-2, C-PB
FRONTAGE ON PRIMARY ARTERIAL
1 ACRE
10' (C-1, C-2)
60% OF FRONTAGE
UP TO 75%
REQUIRED FOR CERTAIN THRESHOLDS
REQUIRED
PER TITLE 19.12; ADD'L. REQUIREMENTS

N/A
N/A
PER ZONING DISTRICT
PER ZONING DISTRICT
PER ZONING DISTRICT
PER ZONING DISTRICT
PER TITLE 19.08
N/A
PER TITLE 19.12

ZONING DISTRICTS
LOCATION REQUIREMENTS
MINIMUM PARCEL SIZE
FRONT/CORNER SIDE SETBACK
BUILD-TO LINE REQUIREMENT
LOT COVERAGE
PEDESTRIAN OPEN SPACE/PLAZAS
STREETSCAPE
LANDSCAPE BUFFER ADJ. TO RES.

TXT-17570

**MIXED-USE/TRANSIT-ORIENTED DEVELOPMENT STANDARDS
(DRAFT #1)**

01/25/07 PC

PLANNING & DEVELOPMENT DEPARTMENT
CITY OF LAS VEGAS
DECEMBER 2006

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 25, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - TXT-17570 - APPLICANT: CITY OF LAS VEGAS

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

1. Title 19.02.040 is hereby amended as follows:

19.02.040 PURPOSE OF ZONING DISTRICTS

B. Commercial Districts

2. N-S Neighborhood Service District. The purpose of the N-S District is to provide for the development of convenience retail shopping, services, and professional offices principally serving neighborhood needs and compatible in scale, character and intensity with adjacent residential development. Limited mixed-use development may also be allowed as appropriate. This district is intended to be located at intersections of streets designated as collector or larger. The N-S District should also be used as a buffer between residential and more intense retail/commercial uses. The N-S District is consistent with the Service Commercial and Neighborhood Center categories of the General Plan.

2. Title 19.040.010 is hereby amended as follows:

TXT-17570 - Conditions Page Two
January 25, 2007 - Planning Commission Meeting

19.04.010 LAND USE TABLES

Table 2 – Land Use Table
Residential & Lodging

USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Condominium							P	P	P	P			€	€	€	€	€	€			
Description: A multi-family dwelling or a commercial building within which the occupied area is owned individually and the structure, land, common open space area and facilities are owned by all of the owners on a proportional, undivided basis.																					
Conditional Use Regulations (for residential condominiums only): 1. The use is limited to the following area: The Downtown Las Vegas Redevelopment Area, as established by Ordinance Nos. 3218, 3339, 3637 and 4036. 2. The condominium use shall be developed only in connection with ground level nonresidential development, and, in the case of a multi floor structure, shall not itself be permitted on the ground floor, except for access and entryways. 3. Structures associated with the use shall comply with the following design criteria: a. The primary resident/guest entryway to the condominium use shall be independent of ground floor commercial uses, and shall be directly from and oriented to a street. b. The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and colors.																					
On-site Parking Requirement: Calculated by the capacity of each unit as described below, plus one additional guest space for every 6 units spread throughout the development. 1. Studio and One Bedroom Units – 1.25 spaces per unit. 2. Two Bedroom Units – 1.75 spaces per unit. 3. Three Bedroom and Above Units – Two spaces per unit.																					

TXT-17570 - Conditions Page Three
January 25, 2007 - Planning Commission Meeting

Table 2 – Land Use Table
Mixed Uses

USE:	RESIDENTIAL										COMMERCIAL					INDUSTRIAL					
Mixed-Use	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
								S	S				S	S	S		S	S	S		
Description: A combination of certain residential and nonresidential uses on a single parcel, or a mix of certain residential and nonresidential uses within an area that is zoned for either residential or nonresidential use. The combination of a residential component and a commercial and/or civic component within a single building or within a single integrated development, where pedestrian access, vehicular access and or parking functions for the residential, commercial and civic uses are shared.																					
Minimum Special Use Permit Requirements:																					
1. Residential uses permitted as of right in the R-3 and R-4 Zoning Districts may be permitted by means of Special Use Permit within a P-R, N-S, O, C-1, C-2, or C-PB Zoning District. 2. Nonresidential uses permitted as of right in the P-R, N-S, O, and C-1 Zoning Districts may be permitted by means of a Special Use Permit within an R-3 or R-4 Zoning District. 3. When residential and nonresidential uses are approved for a single parcel: a. The nonresidential use shall be located at ground level fronting the primary public right-of-way, and the primary entryway to that use shall be directly from and oriented to a street; and b. The overall architecture of the front elevation shall highlight the difference in uses through variations in volume and proportion, and shall be treated as a cohesive whole through finishes and colors. 2. Mixed-use developments shall have frontage on a minimum 100-foot wide Primary Arterial roadway as designated by the Master Plan of Streets and Highways. 3. Mixed-use developments shall have a net minimum parcel size of one acre (43,560 square feet). 4. Buildings within a mixed-use development shall be located directly at the front yard setback and corner side yard setback lines for a minimum of 60% of the frontage width. 5. Commercial businesses or civic uses shall be located at the ground level fronting the primary public rights-of-way, and shall have direct pedestrian access from the public sidewalks. 6. When located in a building that fronts on public rights-of-way, residential uses shall not be permitted on the ground floor, and shall be located at or above the second story of the building. Residential uses may be located on the ground floor of any building that is located at the interior of the development site and does not front on a perimeter street. 7. Surface parking lots shall be located to the side or the rear of the principal building(s) on the site, and shall be screened from view of the adjacent rights-of-way by the principal building(s) or a landscape buffer in conformance with the requirements of Title 19.10. Parking structures shall not be located along the street frontages of the development site, but shall be screened from view of the adjacent rights-of-way by the principal building(s). 8. A streetscape treatment shall be provided along all street frontages, and shall consist of a minimum ten-foot wide sidewalk and five-foot wide amenity zone located immediately behind the curb abutting the right-of-way. Shade trees shall be provided in the required amenity zone, with a maximum spacing of 30 feet on-center. The minimum tree size upon installation shall be a 24-inch box. 9. Landscape buffers shall be provided in accordance with the requirements of Title 19.12; however, where a mixed-use development immediately abuts a residential property, the minimum tree size required in the buffer areas shall be increased to a minimum 36-inch box at a maximum of 20 feet on-center. 10. Pedestrian open spaces and plazas shall be required for any mixed-use development with over 15,000 gross square feet of commercial area and/or 50 residential units. In addition to the requirements contained in Title 19.08, the following additional regulations shall apply: a. The following features qualify as pedestrian open spaces and plazas: 1) Plazas. 2) Recreation space or usable green space. 3) Outdoor dining areas. 4) Courtyards. b. Streetscape treatments and landscape buffer areas cannot be included as pedestrian open spaces or plazas. c. Pedestrian open spaces and plazas shall be available to the general public, and shall be accessible from the public sidewalk abutting the property. d. A minimum of 100 square feet of pedestrian open space area shall be required for each 10,000 square feet of net site area. The minimum size for any individual pedestrian open space feature shall be 250 square feet.																					
On-site Parking Requirement: Parking requirements shall be in accordance with the standards for mixed-use and transit-oriented developments as contained in Title 19.10.																					

TXT-17570 - Conditions Page Four
January 25, 2007 - Planning Commission Meeting

USE:	RESIDENTIAL:												COMMERCIAL:					INDUSTRIAL:			
Transit-Oriented Development	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
																	S	S			
Description: A mixed-use development which is located in close proximity to a bus rapid transit (BRT) or light rail station. A transit-oriented development includes a residential component and a commercial and/or civic component within a single building or within a single integrated development, where pedestrian access, vehicular access and/or parking functions for the residential, commercial and civic uses are shared.																					
Minimum Special Use Permit Requirements:																					
1. Transit-oriented developments shall be located on a parcel within 1,320 feet (1/4 mile) of an existing or planned bus rapid transit (BRT) or a light rail station. The distance shall be measured from the center point of the station structure to any point of the parcel to be developed as a transit-oriented development.																					
2. Residential uses permitted as of right in the R-3 and R-4 Zoning Districts may be permitted by means of a Special Use Permit within the C-1 and C-2 Zoning District. The following use categories, as listed in Table 2 of Title 19.04, shall be prohibited in conjunction with a transit-oriented development:																					
a. Rural & Animal Related uses;																					
b. Auto & Marine-Related uses;																					
c. Industrial & Manufacturing uses;																					
d. Wholesale, Distribution & Storage uses.																					
3. Mixed-use developments shall have a net minimum parcel size of two acres (87,120 square feet).																					
4. Buildings within a transit-oriented development shall be located directly at the front yard setback and corner side yard setback lines for a minimum of 60% of the frontage width.																					
5. Commercial businesses or civic uses shall be located at the ground level fronting the primary public rights-of-way, and shall have direct pedestrian access from the public sidewalks.																					
6. When located in a building that fronts on public rights-of-way, residential uses shall not be permitted on the ground floor, and shall be located at or above the second story of the building. Residential uses may be located on the ground floor of any building that is located at the interior of the development site and does not front on a perimeter street.																					
7. Surface parking lots shall be located to the side or the rear of the principal building(s) on the site, and shall be screened from view of the adjacent rights-of-way by the principal building(s) or a landscape buffer in conformance with the requirements of Title 19.10. Parking structures shall not be located along the street frontages of the development site, but shall be screened from view of the adjacent rights-of-way by the principal building(s).																					
8. A streetscape treatment shall be provided along all street frontages, and shall consist of a minimum ten-foot wide sidewalk and five-foot wide amenity zone located immediately behind the curb abutting the right-of-way. Shade trees shall be provided in the required amenity zone, with a maximum spacing of 30 feet on-center. The minimum tree size upon installation shall be a 24-inch box.																					
9. Landscape buffers shall be provided in accordance with the requirements of Title 19.12; however, where a transit-oriented development immediately abuts a residential property, the minimum tree size required in the buffer areas shall be increased to a minimum 36-inch box at a maximum of 20 feet on-center.																					
10. Pedestrian open spaces and plazas shall be required for all transit-oriented development. In addition to the requirements contained in Title 19.08, the following additional regulations shall apply:																					
a. The following features qualify as pedestrian open spaces and plazas:																					
1) Plazas.																					
2) Recreation space or usable green space.																					
3) Outdoor dining areas.																					
4) Courtyards.																					
b. Streetscape treatments and landscape buffer areas cannot be included as pedestrian open spaces or plazas.																					
c. Pedestrian open spaces and plazas shall be available to the general public, and shall be accessible from the public sidewalk abutting the property.																					
d. A minimum of 100 square feet of pedestrian open space area shall be required for each 10,000 square feet of net site area. The minimum size for any individual pedestrian open space feature shall be 250 square feet.																					
On-site Parking Requirement: Parking requirements shall be in accordance with the standards for mixed-use and transit-oriented developments as contained in Title 19.10.																					

3. Title 19.08.030 is hereby amended as follows:

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19.06.080 A-O AIRPORT OVERLAY DISTRICT

H. Special Use Permit Site Development Plan Approval

1. Any person desiring to erect or increase the height of any structure, or to permit the growth of any tree, or otherwise use property in a manner which would exceed the limitations of this subchapter ~~may apply to the Planning Commission for a Special Use Permit~~ shall submit the request as part of a Site Development Plan Review application. The ~~Special Use Permit Site Development Plan Review~~ application shall be processed in accordance with the ~~Special Use Permit~~ procedures set forth in Subchapter 19.18.060, except that:
 - a. ~~The applicant shall notify the FAA regional office and the Clark County Department of Aviation of the application prior to the time of submission; and~~ The applicant shall provide evidence of having filed Form 7460-1, Notification of Proposed Construction, with the FAA prior to the submittal of the Site Development Plan Review application; and
 - b. Any approval by the Planning Commission must be referred automatically to the City Council for final disposition.
2. The Planning Commission shall not take any action on the Site Development Plan Review application until the applicant has provided a copy of a Director's Permit from the Clark County Department of Aviation or a notice of approval of a Variance from the Airport Hazard Board of Adjustment.
3. Notwithstanding the preceding provisions of this subchapter, no ~~Special Use Permit Site Development Plan Review~~ shall be granted that would allow the establishment or creation of an obstruction or permit a non-conforming use, structure or tree to become a greater hazard to air navigation than it was on the effective date of this subchapter or any amendment thereto.

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4. Title 19.08.030 is hereby amended as follows:

19.08.030 GENERAL

~~C. Building Heights Along Streets Classified as Collector or Larger~~

~~Notwithstanding the maximum building heights established in this chapter, allowable building heights shall be further restricted along street classified as collector or larger, as designated in the Master Plan of Streets and Highways. Buildings may be constructed up to 35 feet in height at the front yard setback line. Any portion of a building over 35 feet in height shall be set back an additional 1 foot from each foot of height in excess of 35 feet, see Figure 2 below. However, the preceding restriction shall not apply to buildings in the Downtown Overlay District or buildings located adjacent to freeways.~~

~~FIGURE 2 BUILDING HEIGHTS ALONG MAJOR STREETS~~

(Renumber remaining sections accordingly)

5. Title 19.08.050 is hereby amended as follows:

19.08.050 COMMERCIAL AND INDUSTRIAL DISTRICT DEVELOPMENT STANDARDS

C. Minimum Standards for Commercial and Industrial Development

1. **General.** The standards set forth in Table 1 are minimum standards that shall apply to the various zoning districts as indicated.

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Table 1. Commercial and Industrial District Development Standards

STANDARD	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Minimum Site Area to Rezone	NA	NA	NA	NA	NA	NA	20 Ac.	NA	NA
Min. Lot Width (ft.) ⁴	60	100	100	100	100	100	100	100	100
Setbacks, Principal Structures									
Min. Front Yard Setback (ft.) ^{4,2}	20	25	25	25	20	20	20	10	10
Min. Side Yard Setback (ft.) ^{4,2}	5	10	10	10	10	10	10	10	10
Min. Corner Side Yard Setback (ft.) ^{4,2}	15 ³	15	15	15	15	15	20	10	10
Min. Rear Yard Setback (ft.) ^{4,2}	15	25	15	25	20	20	15	20	0
Setbacks, Accessory Structures									
Min. Front Yard Setback (ft.)	20	25	25	25	20	20	20	10	10
Min. Side Yard Setback (ft.)	5	8	8	8	8	8	8	8	0
Min. Corner Side Yard Setback (ft.)	15	15	15	15	15	15	20	10	10
Min. Rear Yard Setback (ft.)	8	8	8	8	8	8	8	8	0
Max. Lot Coverage ^{4,1}	50%	30%	30%	30%	50%	50%	50%	NA	NA
Max. Building Height ^{1,2,4,5}	2 stories or 35 feet, whichever is less				NA 3 stories or 45 feet, whichever is less			NA	NA

Notes:

1. ~~Rear Yard Setback, Building Heights. Rear yard setbacks and building heights may be affected by the Residential Adjacency standards set forth in LVMC 19.08.060.~~
2. ~~Height~~
 - a. ~~Non-Residential Building Height When Adjacent to Residential. See Section 19.08.060(B).~~
 - b. ~~P-R and O Districts. The maximum building height in the P-R and O Districts is two stories or 35 feet, whichever is less.~~
 - e. ~~C-D District. Unless otherwise approved by the City Council in a Site Development Plan, building heights in the C-D District shall not exceed:~~

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- ~~(1) One story or twenty feet, whichever is less, for parcels that front on Charleston Boulevard between Rancho Drive and Valley View Boulevard;~~
- ~~(2) Two stories or thirty five feet, whichever is less, for all other parcels.~~
- ~~d. C-1 and C-2 Districts. For parcels that are located within the C-1 and C-2 Districts, but are outside the Neighborhood Revitalization Area, the maximum building height for mixed use development is ten stories, or one hundred fifty feet, whichever is less. For purposes of the foregoing, development is ten stories, or one hundred fifty feet, whichever is less. For purposes of the foregoing, the "Neighborhood Revitalization Area" means the area so designated in the Las Vegas 2020 Master Plan adopted by Ordinance No. 5250, as the boundaries of that area may be amended from time to time.~~
- ~~e. C-PB District. The maximum building height in the C-PB District is five stories or eighty five feet, whichever is less. For parcels of land located within a C-PB Zoning District that are contiguous to or within two hundred feet of a freeway or expressway, the maximum building height for commercial developments shall be six stories or one hundred feet, whichever is less. The maximum height for mixed use developments within the C-PB District is five stories and 55 feet. Notwithstanding the above, in the case of permitted commercial and retail uses, the maximum building height shall be two stories or thirty five feet, whichever is less.~~
- ~~f. Exemptions. Chimney and vent stacks, roof structures for the use of elevators, stairs, tanks, ventilation, and similar necessary mechanical equipment, visual screens which surround mounted mechanical equipment, skylights, whip and mounted antennas and flag poles up to 40 feet in height may be erected above the required height limits. In no case shall structures above the permitted height limit be constructed for the purpose of providing additional floor space.~~
- ~~g. Height along Certain Streets. For additional building height restrictions along streets classified as collector or larger, see Section 19.08.030(C).~~

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3. ~~P-R District~~ A development in the P-R District which is a conversion from an existing residential structure may maintain the existing setbacks. Any additions may also be constructed to the existing established corner setback.
4. ~~Downtown Overlay District~~ All structures in the Downtown Overlay District are exempted from the automatic application of the height limitations, required setbacks and lot coverage requirements specified in this chapter. However, the exemption does not prohibit the City Council from imposing similar or equivalent limitations in connection with the approval of a Site Development Plan in accordance with Subchapter 19.06.060.
5. ~~Gaming Enterprise Overlay District~~ All licensed gaming establishments within the Gaming Enterprise District are exempted from the automatic application of any height limitations specified in this chapter. However, the exemption does not prohibit the City Council from imposing a similar or equivalent height limitation in connection with the approval of a Site Development Plan.
6. ~~C-1 District~~ Senior citizen apartments and mixed-use developments that exceed the permitted lot coverage limitation may be permitted upon approval of a Special Use Permit in accordance with Sections 19.04.050 and 19.18.060. In addition, a mixed-use development shall be subject to all of the following requirements:
 - a. ~~The mixed-use development must contain both residential and commercial uses in the same structure.~~
 - b. ~~Commercial uses shall be located at the front yard setback facing the public right-of-way; and~~
 - c. ~~The residential units shall be located at or above the second story of the mixed-use structure.~~
7. ~~M District~~ Where a property in an M District is adjacent to, or across the street from a residential district, the minimum setback from the property line or street right-of-way line shall be fifty feet. The setback area shall be maintained free and clear of all buildings or industrial uses, except that this area may be used for parking. Such parking use may include parking for industrial equipment and vehicles if parking areas are completely screened from any residential view.

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1. Exceptions to Building Height.

- a. Residential Adjacency Standards. Building heights may be affected by the Residential Adjacency Standards set forth in LVMC 19.08.060.
- b. General Exemptions. The following architectural elements and structures may be erected above the required height limits: Chimney and vent stacks; roof structures for the use of elevators, stairs, tanks, ventilation, and similar necessary mechanical equipment; visual screens which surround mounted mechanical equipment; skylights; and whip and mounted antennas and flag poles up to forty feet in height. In no case shall structures above the permitted height limit be constructed for the purpose of providing additional floor space.
- c. Downtown Overlay District. All structures in the Downtown Overlay District are exempted from the automatic application of height limits; however, the exemption does not prohibit the City Council from imposing a similar or equivalent height limitation in connection with the approval of a Site Development Plan Review application.
- d. Gaming Enterprise Overlay District and Non-Restricted Licensed Properties. All licensed non-restricted gaming properties within the Gaming Enterprise Overlay District or non-restricted licensed resort hotel properties established prior to 16 July 1997 are exempted from the automatic application of any height limitations specified in this Chapter. However, the exemption does not prohibit the City Council from imposing a similar or equivalent height limitation in connection with the approval of a Site Development Plan Review application.
- e. C-D District. Unless otherwise approved by the City Council as part of a Site Development Plan Review application, building heights in the C-D District shall not exceed:
 - 1) One story or twenty feet, whichever is less, for parcels that front on Charleston Boulevard between Rancho Drive and Valley View Boulevard;
 - 2) Two stories or thirty-five feet, whichever is less, for all other parcels as indicated in Table 1 above.

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f. C-1, C-2 and C-PB Districts. Exceptions to the height limits listed in Table 1 above may be approved by City Council as part of a Site Development Plan Review application as follows:

- 1) Mixed-Use Developments. The maximum building height for mixed-use developments may be increased to five stories or 60 feet, whichever is less.
- 2) Transit-Oriented Developments. The maximum building height for transit-oriented developments may be increased to ten stories or 125 feet, whichever is less.
- 3) Parcels Adjacent to Freeways (C-PB District Only). For parcels of land located within a C-PB Zoning District that are contiguous to or within 200 feet of a freeway, the maximum building height shall be six stories or one hundred feet, whichever is less.

2. Exceptions to Setback Requirements.

- a. Residential Adjacency Standards. Building setbacks may be affected by the Residential Adjacency Standards set forth in LVMC 19.08.060.
- b. Downtown Overlay District. All structures in the Downtown Overlay District are exempted from the automatic application of required setbacks; however, the exemption does not prohibit the City Council from imposing a similar or equivalent setback limitation in connection with the approval of a Site Development Plan Review application.
- c. P-R District. A development in the P-R District which is a conversion from an existing residential structure may maintain the existing setbacks. For corner lots, any additions may be constructed to the existing established corner side yard setback.
- d. C-1, C-2 and C-PB Districts. Exceptions to the setback requirements listed in Table 1 above may be approved by City Council as part of a Site Development Plan Review application as follows:
 - 1) Mixed-Use Developments. Front and corner side yard setbacks for mixed-use developments may be reduced to 10 feet.

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- 2) Transit-Oriented Developments. Front and corner side yard setbacks for transit-oriented developments may be reduced to 10 feet.
- e. M District. Where a property in an M District is adjacent to or across the street from a residential district, the minimum setback from the property line or street right-of-way line shall be fifty feet. The setback area shall be maintained free and clear of all buildings or industrial uses, except that this area may be used for parking. Such parking use may include parking for industrial equipment and vehicles if parking areas are completely screened from any residential view.
3. Exceptions to Lot Coverage Requirements.
 - a. Downtown Overlay District. All structures in the Downtown Overlay District are exempted from the automatic application of lot coverage requirements; however, the exemption does not prohibit the City Council from imposing a similar or equivalent requirement in connection with the approval of a Site Development Plan Review application.
 - b. C-1, C-2 and C-PB Districts. Exceptions to the lot coverage requirements listed in Table 1 above may be approved by City Council as part of a Site Development Plan Review application as follows:
 - 1) Mixed-Use Developments. Lot coverage for mixed-use developments may be increased up to a maximum of 75% of the net lot area.
 - 2) Transit-Oriented Developments. Lot coverage for transit-oriented developments may be increased up to a maximum of 85% of the net lot area.
 - 3) Senior Citizen Apartments (C-1 District Only). Senior citizen apartments that exceed the permitted lot coverage may be permitted upon approval of a Special Use Permit in accordance with LVMC 19.04.

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6. Title 19.08.060(B)(5), "Residential Adjacency Standards," is hereby amended as follows:

5. **Waiver.** The requirements of this Section (B) may be waived by the City Council for:

a. ~~Any~~ multi-family residential project that is intended to meet the affordable housing objectives of the General Plan if the City Council determines that the waiver is critical to the viability of the project and that the intent of this Section (B) can be achieved; ~~or,~~

b. ~~Any mixed use development that contains a significant residential element.~~

7. Title 19.10.010(H), "Parking Alternatives," is hereby amended as follows:

3. Mixed-Use and Transit-Oriented Development Parking Requirements. Mixed-use and transit-oriented developments, which are approved in accordance with the requirements of Title 19.04, may utilize the following table for determining parking requirements.

Table 3 Mixed-Use and Transit-Oriented Development Parking Requirements

General Land Use Classification	Weekdays			Weekends		
	Mid-7am	7am-6pm	6pm-Mid	Mid-7am	7am-6pm	6pm-Mid
Office	5%	100%	5%	0%	60%	10%
Retail & Personal Service	0%	100%	80%	0%	100%	60%
Residential	100%	55%	85%	100%	65%	75%
Restaurant	50%	70%	100%	45%	70%	100%
Hotel	100%	65%	90%	100%	65%	80%
Theaters	0%	70%	100%	5%	70%	100%

a. Calculation of Parking Requirement. Calculate the number of spaces required for each use based on the gross square footage utilizing the minimum parking requirements contained in Title 19.04. Applying the general land use category listed above to each proposed use, utilize the percentages to calculate the number of parking spaces required for each time period (six time periods per use). Add the number of spaces required for all applicable land uses to obtain a total parking requirement for each time period. Select the time period with the highest total parking requirement, and utilize that total as the mixed-use or transit-oriented parking requirement.

b. Additional Reductions for Transit-Oriented Development. Additional parking reductions for transit-oriented developments may be approved by City Council in conjunction with a Site Development Plan Review application as follows:

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- i. Dedication of an easement or right-of-way for a transit station or shelter: 5% reduction.
- ii. Provision of a Park and Ride facility with a minimum of 100 spaces dedicated solely to transit users: 10% reduction.

The reduction is calculated by determining the time period with the highest total parking requirement in Table 3, and then applying the qualifying percentage reduction listed above.

- c. Changes of Use. Any change in the commercial uses for an existing approved mixed-use development shall be reviewed by the Planning and Development Department for consistency with the parking requirements listed in the table above. Where the change of use increases the number of parking spaces required, the additional number of spaces shall be provided.

- 4. Parking Demand Analysis. Where the unique operation of a use results in a lesser parking requirement than the standards listed in Title 19.04, a parking reduction may be permitted in conjunction with the submittal of a Parking Demand Analysis. The Parking Demand Analysis shall be approved by way of a Special Use Permit, subject to the requirements listed in Title 19.18. The Parking Demand Analysis shall be signed and sealed by a professional traffic engineer, shall document the weekday and weekend peak parking demand for the proposed use(s) for the site, and shall provide justification for the alternate parking standard.

- 8. Title 19.18.050, "Site Development Plans," is hereby amended as follows:

D. Design Standards

All required Site Development Plans shall meet or exceed the minimum standards established in this Title. ~~In addition, the City's policy document entitled "landscape, Wall and Buffer Standards" is a resource for acceptable standards and design solutions. To the extent that such document establishes minimum requirements and standards and is formally adopted by the City Council, Site Development Plans must comply with that document.~~

E. Criteria for Review of Site Development Plans

The review of Site Development plans is intended to ensure that:

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

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

F. Minor Review of Site Development Plans

1. Minor Review Decisions. Site Development Plans requiring Minor Reviews may be approved administratively by the Director.
2. Minor Review Process. A minor Development Review is initiated by the submission of a Site Development Plan Review application or an application for a Building Permit. If submitted as part of a Building Permit application, issuance of the Building Permit shall constitute approval of the Minor Review and no further action is required.
3. Review By City Council. The administrative approval of Site Development Plan pursuant to this Section (F) shall be final action unless, within 10 days following the approval, a member of the City Council files with the Director a written request for the Council to review the approval. In the event such a request is filed, the Council shall have final authority to approve, deny or modify the Site Development Plan.

G. Major Review of Site Development Plans

1. Major Review. A Major Review of a Site Development Plan is required if:

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- a. The Planning Commission or City Council, through prior action, has determined that the proposed project or improvement shall be processed as a Major Review;
- b. The proposed development contains a building which is four stories or greater in height;
- c. The Director determines that the proposed development could significantly impact the land uses on the site or on surrounding properties.

2. Major Review Process

- b. ~~Drawings, and Plans and Documents Required. Plans describing the proposed development of the property shall be submitted as required by the Director. Complete working drawings are not necessary; however, proposed structures (including building elevations), streets, driveways and access points, on-site circulation and parking, walls, landscaping, building materials, dumpster locations and other improvements must be shown. Preliminary drawings must contain sufficient information to permit the determination of compliance with good planning practices, applicable standards and ordinances. Floor plans are not normally required. For any development site where 20% or more of the aggregate site has a slope of natural grade above 4%, a cross section must be submitted. Each cross section must extend a minimum of 100 feet beyond the limits of the project at each property line, showing the location and finish floor elevations of adjacent structures; the maximum grade differentials; and the elevations of existing and proposed conditions. The following drawings, plans and documents shall be submitted as required by the Director:~~

- 1) Schematic plans showing the location and setbacks of all buildings planned for the site, including driveways and access points, on-site circulation and parking, perimeter and retaining walls, landscaping, trash enclosures and service locations. Complete working drawings are not necessary.
- 2) Building elevations, showing all four elevations of all buildings planned for the site, including material and color selection information.

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- 3) Floor plans showing the use of all rooms, and ingress and egress from the structure.
- 4) For any development site where 20% or more of the aggregate site has a slope of natural grade above 4%, a cross section must be submitted. Each cross section must extend a minimum of 100 feet beyond the limits of the project at each property line, showing the location and finish floor elevations of adjacent structures; the maximum grade differentials, and the elevations of existing and proposed conditions.
- 5) A preliminary trip generation summary shall be required for any development that exceeds the following thresholds:
 - a) A multifamily residential development with 150 units or more;
 - b) A retail or general commercial development with 25,000 square feet of gross floor area or more;
 - c) An office development with 50,000 square feet of gross floor area or more; or
 - d) Any combination of the uses listed above which results in the generation of 100 peak hour trips or more.

The preliminary trip generation summary shall list all uses proposed for the site and the peak hour trip generation for each use.

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9. Title 19.20.020, "Words and Terms Defined," is hereby amended as follows:

Mixed-Use Development. ~~A combination of certain residential and nonresidential uses on a single parcel, or a mix of certain residential and nonresidential uses within an area that is zoned for either residential or nonresidential use.~~ The combination of a residential component and a commercial and/or civic component within a single building or within a single integrated development, where pedestrian access, vehicular access and/or parking functions for the commercial and residential uses are shared.

Transit-Oriented Development. A mixed-use development which is located in close proximity to a bus rapid transit (BRT) or light rail station. A transit-oriented development includes a residential component and a commercial and/or civic component within a single building or within a single integrated development, where pedestrian access, vehicular access and/or parking functions for the commercial and residential uses are shared.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The proposed text amendment will modify the existing mixed-use development regulations, adopt transit-oriented development regulations, and modify a number of associated development standards. The proposed text amendment does not apply to the following areas:

- The Downtown Centennial Plan area;
- The Las Vegas Medical District;
- Centennial Hills Town Center; or
- Master-planned communities.

BACKGROUND INFORMATION

<i>Related Actions</i>	
11/03/99	The City Council approved a text amendment (TA-0004-99) to allow mixed-use development within the boundaries of the Redevelopment Area. The Planning Commission recommended approval of the text amendment on 08/12/99.
01/24/04	The City Council approved a text amendment (TXT-3227), extending the mixed-use development area to be coterminous with the boundaries of the Neighborhood Revitalization Area. The Planning Commission recommended approval of the request on 11/06/03.
12/15/05	The City Council approved a text amendment (TXT-5260), allowing mixed-use development within all commercial districts within the city of Las Vegas. The Planning Commission
01/19/06	A workshop was held with the Planning Commission to discuss the mixed-use regulations. Staff was directed to prepare revisions to the existing regulations based on the concerns raised at the workshop.

A steering committee was assembled by the Planning and Development Department in May 2006 to assist in reviewing the existing and proposed regulations. The following individuals served on the steering committee:

- Alan Schachtman, The Fifield Companies
- Bruce Barton, Territory Incorporated
- Chuck Kubat, Kubat Consulting
- Craig Galati, Lucchesi Galati Architects
- Gary Congdon, Lee & Sakahara Architects
- Matt LaCroix, Clark County School District
- Mike Loghides, Clark County Department of Aviation
- Ric Truesdell, Cornerstone Company
- Terry Murphy, Strategic Solutions

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Meetings were held by the steering committee on 12 June 2006, 30 June 2006 and 13 July 2006. After receiving input from committee members, staff prepared a draft ordinance to address the concerns that had been raised by the Planning Commission. The draft was circulated to steering committee members in August for final comment; the proposed ordinance attached herewith reflects the input of the committee. Minor additions and corrections have been made since the committee reviewed the document in August in order to address questions of city staff and comments made by committee members.

In addition, the draft ordinance was provided to NAIOP (National Association of Industrial and Office Properties) in August for review and comment. A letter regarding the proposed ordinance has been provided by NAIOP, acknowledging participation in the process, and offering a request that the ordinance include additional flexibility in administering the standards for projects where unique conditions exist.

ANALYSIS

In a workshop with the Planning Commissioners held on 19 January 2006, the following issues and concerns were identified relative to mixed-use development and the City's existing regulations:

- Height
- Traffic
- Intensity/Density
- Parking
- Construction Staging
- Impacts to Established Residential Neighborhoods

Staff was tasked to address each of the issues listed above. A discussion of the each of the issues is included in the following section of this report.

In addition to revising the existing mixed-use regulations, staff is proposing to add a Special Use Permit category for transit-oriented development. Transit-oriented development is defined as a mixed-use development that is in direct proximity to either BRT (bus rapid transit) or light rail stations. As the traffic impacts of transit-oriented development can be mitigated to a certain degree by transit, additional intensity of use may be appropriate. The Regional Transportation Commission (RTC) is in the process of developing a BRT line on Boulder Highway; additional lines are in the planning stages for Sahara Avenue, Rancho Drive, and Las Vegas Boulevard North/North Fifth Street. Adoption of the transit-oriented development will assist in coordinating development with the proposed transit lines.

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It should be noted that the proposed amendment does not apply to the Downtown Centennial Plan area, the Las Vegas Medical District, the Centennial Hills Town Center area, or any master-planned community. The applicable mixed-use regulations for those plan areas will remain as currently adopted. It is intended that minor modifications will be made to mixed-use development standards for the Downtown Centennial Plan area at a future date.

The issues addressed by the steering committee include the following:

Height

Mixed-use development is currently allowed in the P-R, N-S, O, C-1, C-2 and C-PB zoning districts. Per Title 19.08, height is limited to two stories in the P-R, N-S and O zoning districts, but no height limit is specified in the C-1, C-2 and C-PB zoning districts. The current version of the mixed-use ordinance limits height of mixed-use projects outside the Neighborhood Revitalization Area to a maximum of ten stories and 150 feet. The current Residential Adjacency Standards require additional setbacks from residential properties through the use of a 3:1 proximity slope, but the proximity slope requirement may be waived for any mixed-used development that contains a significant residential element.

In order to address the concerns relative to height, it is proposed that a base height limit of three stories and 45 feet be established for the C-1, C-2 and C-PB zoning districts, and that additional height be allowed for mixed-use and transit-oriented development. For mixed-use projects, height would be limited to five stories and 60 feet; for transit-oriented development, height would be limited to ten stories and 125 feet. At the advisement of the steering committee, the 3:1 proximity slope requirement of the Residential Adjacency Standards will apply to all commercial development.

The existing exemptions from height requirements for properties within Gaming Overlay Districts will still apply, and will be expanded to all non-restricted gaming facilities. No changes will be made to the height exemptions for properties within the Downtown Centennial Plan area. As there are a number of existing structures adjacent to freeways that currently exceed the proposed height limitations, language will be added to Title 19.08 to allow additional height for commercial development in proximity to freeways. Residential Adjacency Standards will still apply to all development outside of the Downtown Centennial Plan area.

Traffic

Title 19.18 does not currently require the submittal of a Traffic Impact Analysis in conjunction with Site Development Plan Review applications. The requirement for a Traffic Impact Analysis is placed as a condition of approval on Site Development Plan Review applications only when the project generates 100 peak hour trips or more (equivalent to approximately 190 residential units, 27,000 square feet of commercial space, or 64,000 square feet of office space). This presents problems for Planning Commission and City Council, in that traffic generation information is not available at

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the entitlement stage, and impacts are not known until the analysis is submitted later at the permitting stage of a project. Staff has recommended to applicants that an analysis be submitted with the Site Development Plan Review application for mixed-use projects; however, the request is voluntary as no section of the code currently requires the submittal of a Traffic Impact Analysis.

One of the concerns noted by applicants is the cost in preparing an analysis prior to obtaining approval for a development project. In order to address this issue, the steering committee recommended that preliminary traffic generation figures be submitted with Site Development Plan Review applications for projects that will generate more than 100 peak hour trips. As proposed by the ordinance, the applicant will be required to submit a preliminary trip generation summary, listing all uses proposed for the site and the peak hour trip generation for each use. Administratively, a worksheet will be prepared for applicants, which will explain how to obtain data from the ITE (Institute of Transportation Engineers) Trip Generation Manual and the format for submitting the information. This initial information will be adequate to identify impacts to existing roadways, which should be adequate for Planning Commission and City Council review, but will not identify mitigation requirements. A formal Traffic Impact Analysis will still be required prior to the issuance of permits for any development project that exceeds the threshold peak hour trips, and mitigation strategies (if required) will be determined at that time.

Intensity/Density

Title 19.08 does not limit commercial intensity through the use of F.A.R.'s (Floor Area Ratios), nor is a residential density specified for mixed-use projects in commercial zoning districts. The current regulations that ultimately assist in limiting the size of commercial developments include setback requirements, parking requirements, height limits (if applicable), Residential Adjacency Standards (if applicable), perimeter buffer requirements, and lot coverage requirements.

After reviewing solutions used in other communities to limit development intensity, the steering committee felt that the combination of development standards and application of residential protections standards were adequate to control the intensity of commercial development. As mixed-use development has less impact than standard commercial development of the same square footage due to reduced trip generation and economies that result from the sharing of services and infrastructure, a spectrum of development standards has been prepared to address the differing nature of development types and their associated impacts. Standard commercial development will have a three-story height limit and will be subject to the existing parking requirements, setback requirements, and lot coverage requirements as currently contained in Title 19.08. Mixed-use development will have a five-story height limit, with reduced parking, lot coverage and setback requirements; transit-oriented development will be allowed a ten-story height limit, also with reduced parking, lot coverage and setback requirements.

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Through a spectrum of allowable standards, intensity of development will be regulated by the impact of the development type.

Parking

Neither Title 19.04 nor Title 19.10 currently allows any reductions in parking requirements for mixed-use developments. Consequently, mixed-use developments are held to the same parking standards as single-use developments, and a number of Variance applications have been filed over the past year for mixed-use projects outside of the Downtown Centennial Plan area.

In reviewing mixed-use parking requirements that have been adopted by other municipalities, it was the opinion of the steering committee that the peak-hour parking model currently in use by Clark County was the most accurate method to determine the necessary parking for mixed-use developments. In addition, adoption of a common standard will assist to standardize regulations between the jurisdictional bodies in the Las Vegas Valley. The peak-hour parking tabulation requires the applicant to provide the maximum parking required for each use on the site, based on the percentage of occupancy for weekday and weekend time periods. The proposal includes further reductions for transit-oriented developments, as proximity to transit stations will likely reduce parking demand.

In conjunction with the adoption of a mixed-use parking standard, it is proposed that a parking demand analysis process also be established, allowing for alternatives to the parking requirements contained in Title 19.04 where a unique use or operation may result in a lesser parking requirement than identified in the code. The parking analysis would be required to be prepared by a registered traffic engineer, and would be approved through the Special Use Permit process.

Construction Staging

One of the concerns about mixed-use development is related to the staging of construction. Projects of this complexity often require lane closures on adjacent streets, off-site storage areas for materials, and other elements that impact adjacent properties and neighborhoods. The zoning code does not currently address construction staging requirements; approval of construction staging plans occurs as part of the building permit process.

In reviewing possible code amendments relative to construction staging, it was determined that construction staging information was difficult to provide during the entitlement process, as many elements related to construction are not finalized until construction documents are in process. As the impacts of construction staging can often be mitigated, it is recommended that construction staging requirements be placed upon projects as a condition of approval, rather than through an amendment to the zoning code.

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Impacts to Established Residential Neighborhoods

The Residential Adjacency Standards are the primary code requirements that currently assist in protecting residential neighborhoods. However, as previously indicated, the proximity slope requirements currently may be waived for mixed-use developments with a residential component. In addition, mixed-use development is currently allowed in the R-3 (Medium-Density Residential) and R-4 (High-Density Residential) zoning districts, which may impact residential areas.

The proposed ordinance removes the waiver from Residential Adjacency Standards for mixed-use developments, as the steering committee felt the 3:1 proximity slope was a preferable method for regulating the massing development adjacent to residential neighborhoods. The minimum standards for mixed-use development have been modified to require frontage on an arterial roadway; this way, development is directed towards areas where there is adequate roadway capacity and excluded from areas where there is insufficient capacity or ability to handle the traffic generated by the development type. It is also proposed that the landscape buffer requirements be modified for mixed-use developments to require larger trees in the buffer areas, so that additional screening will be provided. Finally, the amendment proposes to eliminate mixed-use development from the R-3 (Medium-Density Residential) and R-4 (High-Density Residential) zoning districts, so as to limit the impact to existing residential neighborhoods.

In addition to the changes described above, the following associated code elements are proposed for revision:

- Title 19.02.040: The description of the N-S (Neighborhood Service) District will be amended to include mixed-use development as a permitted development type.
- Title 19.04.010 – Condominiums: Condominiums are no longer allowed in commercial districts as a stand-alone use, but will continue to be allowed as part of a mixed-use or transit-oriented development.
- Title 19.04.010 – Minimum Standards for Mixed-Use Development: The minimum standards for mixed-use development will be expanded to require streetscape treatments, open space and/or recreational amenities, build-to requirements, and specific standards for parking lots and parking structures. The proposed minimum standards for transit-oriented development are similar to those required for mixed-use development.
- Title 19.04.010 – Height Exemption for Non-Restricted Gaming Facilities: The existing height exemption for properties within the Gaming Enterprise Overlay District will be extended to all non-restricted gaming properties in place prior to July 1997.
- Title 19.06.080: The Airport Overlay District regulations will be amended to require approval from the Clark County Department of Aviation prior to Planning Commission consideration of a Site Development Plan Review application for properties within the overlay areas; in addition, a Special Use Permit application will no longer be required.
- Title 19.08.030: The additional setback required for commercial development along Collector or Arterial streets will be deleted, as it proves contradictory to the proximity slope requirements listed in the Residential Adjacency Standards.

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- Title 19.08.050, Table 1 Notes: The notes section has been reorganized by category for ease of use. Redundant notes have been removed.
- Title 19.20.020: The definition for Mixed-Use Development has been revised, and a definition for Transit-Oriented Development has been added.

The following table summarizes all proposed changes:

Code Requirements	Existing Regulations	Proposed Regulations
Title 19.02.040 Purpose of Zoning Districts	• N-S (Neighborhood Service) Category: Does not currently reference mixed-use development	• N-S amended to allow mixed-use development
Title 19.04.010 Land Use Tables	• Condominiums allowed as a stand-alone use in commercial districts	• Condominiums allowed in commercial districts as part of a mixed-use or transit oriented development
	• Mixed-use development allowed in the R-3, R-4, P-R, N-S, O, C-1, C-2 and C-PB Districts	• Mixed-use development no longer allowed in the R-3, R-4, P-R and O Districts; transit-oriented development allowed in C-1, C-2 and C-PB Districts
	• Minimum standards for mixed-use development require non-residential uses at the ground floor and require architectural variation	• Minimum standards for mixed-use development have been expanded to require frontage on an arterial roadway; a minimum parcel size; a minimum building frontage requirement; parking lot and parking structure requirements; streetscape requirements; additional buffering requirements adjacent to residential; and open space and/or recreational amenity requirements (transit-oriented development standards are similar)
Title 19.06.080 Airport Overlay District	• Any structure over the height limits indicated on the overlay maps requires the submittal of a Special Use Permit application	• Structures that exceed the height limits shall be reviewed as part of a Site Development Plan Review application
	• Applicants required to notify the FAA and Clark County Department of Aviation prior to submittal of application to the City	• Applicants required to provide proof of approval prior to consideration by Planning Commission
Title 19.08.030 Building Heights Along Collectors and Arterials	• Additional front setback required for buildings over 35 feet in height	• Additional setback requirement deleted
Title 19.08.050 Commercial Development Standards	• No height limit in C-1, C-2, C-M and M zoning districts	• 3-story height limit for C-1, C-2 and C-PB district
	• 10 stories/150' height limit for mixed-use development	• 5 stories/55' height limit for mixed-use development, and 10 stories/125' height limit for transit-oriented development

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	• Properties within the Gaming Enterprise Overlay exempt from automatic application of height requirements	• Height exemption extended to include non-restricted licensed resort hotel properties established prior to 16 July 1997
Title 19.08.060 Residential Adjacency Standards	• 3:1 proximity slope may be waived for mixed-use developments	• 3:1 proximity slope waiver deleted
Title 19.10 Parking Alternatives	• No mixed-use parking standard in place	• New mixed-use parking standard proposed; additional parking reductions allowed for transit-oriented development
	• No alternate parking standard provided for unique uses or operations	• Parking Demand Analysis allowed for unique uses or operations upon approval of a Special Use Permit
Title 19.18.050 Site Development Plan Review	• No traffic data required for Site Development Plan Review applications	• Preliminary trip generation required for projects that exceed established thresholds
Title 19.20.020 Definitions	• Definition does not clearly define the intent of the mixed-use regulations	• Definition for mixed-use development modified and expanded; definition for transit-oriented development added

FINDINGS

The proposed ordinance will accomplish the following:

- Revise the existing mixed-use regulations to focus mixed-use development in areas that are appropriate for the development type;
- Create a new use category for transit-oriented development to encourage the development of mass transit and to direct more intense development to areas along transit lines;
- Adopt new parking standards for mixed-use development that are based on specific uses within the development and the ability to share parking between uses;
- Require applicants to submit peak-hour traffic statistics in order to provide Planning Commission and City Council will adequate information to determine impacts of proposed development at the entitlement stage; and
- No longer allow Waivers from Residential Adjacency Standards in order to protect existing residential neighborhoods.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

FF

Memorandum

City of Las Vegas Planning & Development

To: Planning Commission Members
From: Flinn Fagg, Planning Manager
CC: Margo Wheeler, Planning & Development Director
Date: 19 January 2007
Re: Agenda Item #67 – Mixed-Use/Transit-Oriented Development (TXT-17570)

Attached are three options for the approval process for structures which exceed the permitted height limits in the Airport Overlay District. The options are as follows:

- Option #1: Airport approval required prior to Planning Commission consideration;
- Option #2: Airport approval required prior to City Council consideration; and
- Option #3: Airport approval required prior to submittal of a building permit.

The issues related to each option listed above are as follows:

- Option #1: The length of time to secure entitlements would be increased over the current process, but the Planning Commission would see the same development plans as City Council. The applicant would be able to provide any changes required by the FAA or the Clark County Department of Aviation prior to Planning Commission review.
- Option #2: This option reduces the length of time for entitlements, but may require that applications be tabled until the applicant receives approval from the Clark County Department of Aviation. In addition, any changes required by the FAA or the Department of Aviation would require the application to be re-advertised, and any significant modifications to the site plan would require the application to be returned to the Planning Commission. Where such changes are required, the entitlement time frame would be longer than in Option #1.
- Option #3: The length of time to secure entitlements would be the same as current process. Any significant changes to the site plan required by the FAA or the Department of Aviation would require the application to be returned to the Planning Commission and City Council, which would extend the approval process beyond that which is proposed in Option #1.

OPTION #1: ORIGINAL PROPOSAL

19.06.080 A-O AIRPORT OVERLAY DISTRICT

H. Special Use Permit Site Development Plan Approval

1. Any person desiring to erect or increase the height of any structure, or to permit the growth of any tree, or otherwise use property in a manner which would exceed the limitations of this subchapter ~~may apply to the Planning Commission for a Special Use Permit~~ shall submit the request as part of a Site Development Plan Review application. The ~~Special Use Permit Site Development Plan Review~~ application shall be processed in accordance with the ~~Special Use Permit~~ procedures set forth in Subchapter 19.18.060, except that:
 - a. ~~The applicant shall notify the FAA regional office and the Clark County Department of Aviation of the application prior to the time of submission; and The applicant shall provide evidence of having filed Form 7460-1, Notification of Proposed Construction, with the FAA prior to the submittal of the Site Development Plan Review application; and~~
 - b. Any approval by the Planning Commission must be referred automatically to the City Council for final disposition.
2. The Planning Commission shall not take any action on the Site Development Plan Review application until the applicant has provided a copy of a Director's Permit from the Clark County Department of Aviation or a notice of approval of a Variance from the Airport Hazard Board of Adjustment.
3. Notwithstanding the preceding provisions of this subchapter, no ~~Special Use Permit Site Development Plan Review~~ shall be granted that would allow the establishment or creation of an obstruction or permit a non-conforming use, structure or tree to become a greater hazard to air navigation than it was on the effective date of this subchapter or any amendment thereto.

OPTION #2: PRIOR TO CITY COUNCIL

19.06.080 A-O AIRPORT OVERLAY DISTRICT

H. ~~Special Use Permit~~ Site Development Plan Approval

1. Any person desiring to erect or increase the height of any structure, or to permit the growth of any tree, or otherwise use property in a manner which would exceed the limitations of this subchapter ~~may apply to the Planning Commission for a Special Use Permit~~ shall submit the request as part of a Site Development Plan Review application. The ~~Special Use Permit~~ Site Development Plan Review application shall be processed in accordance with the ~~Special Use Permit~~ procedures set forth in Subchapter 19.18.060, except that:
 - a. ~~The applicant shall notify the FAA regional office and the Clark County Department of Aviation of the application prior to the time of submission; and The applicant shall provide evidence of having filed Form 7460-1, Notification of Proposed Construction, with the FAA prior to the submittal of the Site Development Plan Review application; and~~
 - b. Any approval by the Planning Commission must be referred automatically to the City Council for final disposition.
2. The City Council shall not take any action on the Site Development Plan Review application until the applicant has provided a copy of a Director's Permit from the Clark County Department of Aviation or a notice of approval of a Variance from the Airport Hazard Board of Adjustment.
3. Notwithstanding the preceding provisions of this subchapter, no ~~Special Use Permit~~ Site Development Plan Review shall be granted that would allow the establishment or creation of an obstruction or permit a non-conforming use, structure or tree to become a greater hazard to air navigation than it was on the effective date of this subchapter or any amendment thereto.

OPTION #3: PRIOR TO SUBMITTAL OF A BUILDING PERMIT

19.06.080 A-O AIRPORT OVERLAY DISTRICT

H. Special Use Permit Site Development Plan Approval

1. Any person desiring to erect or increase the height of any structure, or to permit the growth of any tree, or otherwise use property in a manner which would exceed the limitations of this subchapter ~~may apply to the Planning Commission for a Special Use Permit~~ shall submit the request as part of a Site Development Plan Review application. The ~~Special Use Permit Site Development Plan Review~~ application shall be processed in accordance with the ~~Special Use Permit~~ procedures set forth in Subchapter 19.18.060, except that:
 - a. ~~The applicant shall notify the FAA regional office and the Clark County Department of Aviation of the application prior to the time of submission; and The applicant shall provide evidence of having filed Form 7460-1, Notification of Proposed Construction, with the FAA prior to the submittal of the Site Development Plan Review application; and~~
 - b. Any approval by the Planning Commission must be referred automatically to the City Council for final disposition.
2. A building permit application for the development shall not be accepted until the applicant has provided a copy a Director's Permit from the Clark County Department of Aviation or a notice of approval of a Variance from the Airport Hazard Board of Adjustment.
3. Notwithstanding the preceding provisions of this subchapter, no ~~Special Use Permit Site Development Plan Review~~ shall be granted that would allow the establishment or creation of an obstruction or permit a non-conforming use, structure or tree to become a greater hazard to air navigation than it was on the effective date of this subchapter or any amendment thereto.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JANUARY 25, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

TXT-18765 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend the Lone Mountain Master Development Plan and Design Standards document and the Lone Mountain West Master Development Plan and Design Standards document to revise the landscape standards, minimum separation requirements, and lighting requirements.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Conditions and Staff Report
2. Supporting Documentation

MOTION:

TRUESDELL – APPROVED subject to conditions and deleting the allowance of Oleanders from the plant palate – **UNANIMOUS**

To be forwarded to City Council in Ordinance Form

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

DOUG RANKIN, Planning Manager, explained the amendment corrects set back issues and lighting standards of the Lone Mountain and Lone Mountain West General Plan. The amendment would also allow the planting of Oleanders as part of the plant palate within Lone Mountain West and Lone Mountain.

COMMISSIONER TRUESDELL questioned if the master developer is required to agree to such amendments and **MR. RANKIN** stated that the two affected plans did not have a master developer and though Focus Group assisted, the City has since adopted the plans as their own. He expressed opposition to the allowance of Oleanders.

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 68 – TXT-18765

MINUTES – Continued:

CHAIRMAN DAVENPORT declared the Public Hearing closed.
(9:02 – 9:05)
2-2553

CONDITIONS:

1. Subsection 3.5.3 of the Lone Mountain and Lone Mountain West Master Development Plans, “Internal Property Lines,” is hereby amended as follows:

3.5.3. Internal Property Lines: Because maintenance of areas narrower than ~~ten~~ five feet ~~(10’)~~ (5’) wide is impractical, building setbacks along internal property lines (side property lines not fronting on a public right-of-way) shall be either two inches (2”) and smaller, or ~~ten~~ five feet ~~(10’)~~ (5’) and greater. ~~For example a setback of five feet is not allowed.~~

2. Subsection 3.10(a) of the Lone Mountain and Lone Mountain West Master Development Plans, “Lighting,” is hereby amended as follows:

(a) Street lighting and installation shall ~~conform to the City of Las Vegas standards be~~ reviewed and approved by the City of Las Vegas.

3. Appendix B of the Lone Mountain and Lone Mountain West Master Development Plans, “Lone Mountain Plant Palette,” is hereby amended as follows:

APPENDIX B

LONE MOUNTAIN PLANT PALETTE

SHRUBS

	BOTANICAL NAME	COMMON NAME
1	Atriplex species	Saltbush
2	Baccharis pilularis ‘Twin Peaks’	Dwarf coyote bush
3	Baccharis sarothroides	Desert broom
4	Cassia species	Cassia and senna
5	Cotoneaster species and cultivars	Cotoneaster
6	Dalea species	Indigo bush
7	Encelia farinosa	Brittlebush
8	Ericameria laricifolia	Turpentine bush

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 68 – TXT-18765

CONDITIONS – Continued:

9	Euonymus species	Euonymus
10	Fallugia paradoxa	Apache plume
11	Feijoa sellowian	Pineapple guava
12	Ilex species	Holly
13	Juniperus species	Juniper
14	Lagerstroemia indica cultivars	Crape myrtle
15	Larrea tridentata	Creosote
16	Leucophyllum species and cultivars	Texas ranger
17	Ligustrum japonicum	Japanese privet
18	Ligustrum lucidum	Glossy privet
19	Myrtus communis	Myrtle
20	Myrtus communis 'Compactus'	Dwarf myrtle
21	Nandina domestica cultivars	Heavenly bamboo
22	<u>Nerium oleander</u>	<u>Oleander</u>
22 23	Photinia fraseri	Fraser's photinia
23 24	Pittosporum tobira	Mock orange
24 25	Pittosporum tobira 'Variegata'	Variegated mock orange
25 26	Pittosporum tobira 'Wheeler's Dwarf'	Dwarf mock orange
26 27	Pyracantha species	Pyracantha
27 28	Raphirolepis indica cultivars	Indian hawthorn
28 29	Rhus ovata	Sugar bush
29 30	Simmondsia chinensis	Jojoba
30 31	Tecoma stans angustata	Yellow bells
31 32	Vauquelinia californica	Arizona rosewood
32 33	Viburnum tinus	Viburnum
33 34	Viburnum tinus 'Compacta'	Dwarf viburnum
34 35	Xylosma congestum	Xylosma

PROHIBITED PLANTS

	BOTANICAL NAME	COMMON NAME
1	Cynodon dactylon	Common Bermuda
2	Morus alba	Fruitless mulberry
3	Olea europaea	Olive tree
4	Nerium oleander	Oleander

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 25, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TXT-18765 - APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL

1. Subsection 3.5.3 of the Lone Mountain and Lone Mountain West Master Development Plans, "Internal Property Lines," is hereby amended as follows:

3.5.3. Internal Property Lines: Because maintenance of areas narrower than ~~ten~~ five feet (10') (5') wide is impractical, building setbacks along internal property lines (side property lines not fronting on a public right-of-way) shall be either two inches (2") and smaller, or ~~ten~~ five feet (10') (5') and greater. ~~For example a setback of five feet is not allowed.~~

2. Subsection 3.10(a) of the Lone Mountain and Lone Mountain West Master Development Plans, "Lighting," is hereby amended as follows:

(a) Street lighting and installation shall ~~conform to the City of Las Vegas standards~~ be reviewed and approved by the City of Las Vegas.

3. Appendix B of the Lone Mountain and Lone Mountain West Master Development Plans, "Lone Mountain Plant Palette," is hereby amended as follows:

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LONE MOUNTAIN PLANT PALETTE

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	BOTANICAL NAME	COMMON NAME
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7	Encelia farinose	Brittlebush
8	Ericameria laricifolia	Turpentine bush

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9	Euonymus species	Euonymus
10	Fallugia paradoxa	Apache plume
11	Feijoa sellowian	Pineapple guava
12	Ilex species	Holly
13	Juniperus species	Juniper
14	Lagerstroemia indica cultivars	Crape myrtle
15	Larrea tridentata	Creosote
16	Leucophyllum species and cultivars	Texas ranger
17	Ligustrum japonicum	Japanese privet
18	Ligustrum lucidum	Glossy privet
19	Myrtus communis	Myrtle
20	Myrtus communis 'Compactus'	Dwarf myrtle
21	Nandina domestica cultivars	Heavenly bamboo
22	<u>Nerium oleander</u>	<u>Oleander</u>
2223	Photinia fraseri	Fraser's photinia
2324	Pittosporum tobira	Mock orange
2425	Pittosporum tobira 'Variegata'	Variegated mock orange
2526	Pittosporum tobira 'Wheeler's Dwarf'	Dwarf mock orange
2627	Pyracantha species	Pyracantha
2728	Raphiolepis indica cultivars	Indian hawthorn
2829	Rhus ovata	Sugar bush
2930	Simmondsia chinensis	Jojoba
3031	Tecoma stans angustata	Yellow bells
3132	Vauquelinia californica	Arizona rosewood
3233	Viburnum tinus	Viburnum
3334	Viburnum tinus 'Compacta'	Dwarf viburnum
3435	Xylosma congestum	Xylosma

PROHIBITED PLANTS

	BOTANICAL NAME	COMMON NAME
1	Cynodon dactylon	Common Bermuda
2	Morus alba	Fruitless mulberry
3	Olea europaea	Olive tree
4	Nerium oleander	Oleander

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January 25, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

Discussion and possible action to amend the Lone Mountain Master Development Plan and Design Standards document and the Lone Mountain West Master Development Plan and Design Standards document to revise the landscape standards, minimum separation requirements, and lighting requirements.

The proposed amendment will correct

BACKGROUND INFORMATION

The Lone Mountain and Lone Mountain West Master Development Plans currently list Oleander as a prohibited plan material. Staff has been directed to remove the plant from the prohibited plant materials list.

In reviewing a recent site plan application, it was noted that the separation requirement listed in Section 3.5.3 of the master plan documents is not consistent the setback standards. The current language states that a minimum of separation of 10 feet is required between a residential structure and internal property lines, while setback standards have allowed five feet.

Finally, the current language regarding neighborhood lighting stipulates that all lights shall conform to City of Las Vegas requirements. As lighting requirements are not specifically codified, the direction in the document is unclear.

ANALYSIS

The plant list contained in Appendix B of the document will be revised to list Oleander as a permitted plant. Oleander is not listed by the State of Nevada as a prohibited plant; the Las Vegas Valley Water District lists Oleander as a variety that requires low to moderate water, and is generally appropriate for the area. Consequently, the request to allow Oleander in the Lone Mountain plan areas is appropriate.

It is proposed that Section 3.5.3 of the documents regarding separation requirements be revised to allow residential dwellings to be located five feet from internal property lines. This is consistent with the application of the standard relative to previous approvals, and is consistent with building code requirements. The change as proposed will remove the conflict in the existing documents.

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Regarding neighborhood lighting for residential areas, the existing language in the plan documents states that lighting shall conform to City of Las Vegas requirements. Currently, there are no codified standards; lighting plans are reviewed by Public Works for consistency with administrative standards. As such, it is proposed that the plan language be modified to require review and approval of lighting plans by the City of Las Vegas. Several neighborhoods within the Lone Mountain plan areas have requested to remove their existing gas lighting due to the associated costs; under the new language, the requests to change out the lighting can be easily reviewed and approved by city staff.

RECOMMENDATION

The proposed text amendment will achieve the following:

- The plant palette list will be modified to include Oleander as a permitted plant material, as it is not prohibited by other regulations and is generally appropriate for the desert environment;
- The separation standards will be modified to be consistent with previous approvals and is consistent with building code requirements; and
- The neighborhood lighting requirements will be modified to accurately reflect the City of Las Vegas review process.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: JANUARY 25, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

DIR-19011 - DIRECTOR'S BUSINESS - PUBLIC HEARING' – APPLICANT/OWNER:
CITY OF LAS VEGAS - Discussion and appointment of Planning Commissioners to the various Department of Planning and Development Design Review Committees.

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **NONE**.

BACKUP DOCUMENTATION:

1. Location Map – Not Applicable
2. Conditions and Staff Report – Not Applicable
3. Supporting Documentation – Not Applicable
4. Justification Letter – Not Applicable

MOTION:

TROWBRIDGE – APPROVED the appointments – UNANIMOUS

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open by way of reading the item.

CHAIRMAN DAVENPORT stated that upon receiving several emails regarding various appointments, the Commissioners would be appointed as follows: COMMISSIONER EVANS and COMMISSIONER TRUESDELL would participate in the Downtown Entertainment Overlay District Design Review Committee. COMMISSIONER STEINMAN and COMMISSIONER DUNNAM would participate in the Centennial Hills Architectural Review Committee. COMMISSIONER TROWBRIDGE and COMMISSIONER GOYNES would participate in the Downtown Signage Preview Committee.

Upon COMMISSIONER TROWBRIDGE'S inquiry, CHAIRMAN DAVENPORT confirmed that the Commissioners need not be sworn in by the City Clerk to participate in the aforementioned Committees.

PLANNING COMMISSION MEETING OF JANUARY 25, 2007
Department of Planning and Development
Item 69 – DIR-19011

MINUTES – Continued:

CHAIRMAN DAVENPORT declared the Public Hearing closed.
(9:05 – 9:07)
2-3010

City of Las Vegas

PLANNING COMMISSION AGENDA **PLANNING COMMISSION MEETING OF: JANUARY 25, 2007**

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

VINCENT JAMES WALTER WALLEY, III, 1301 Sunset Road, presented a map of Sunset Road. He noted that he has composed a letter to secure his federal investments. He mentioned some dispute associated with ownership of the Station casinos.

(9:07 – 9:09)

2-3210

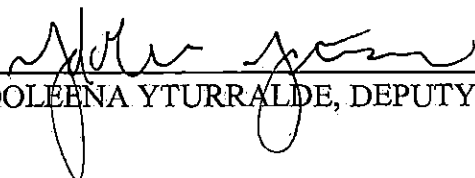
TODD FARLOW, 240 North Nineteenth Street, recollected that the applicant of Items 48 through 50 had stated their intention to utilize a nearby school for open space as there were not any nearby parks in relation to the subject parcel of those items. MR. FARLOW stated that the school keeps those areas locked and assuming there would be access to the school would not be accurate. He also recollected approval of some unique-styled homes off Alta Road and Shadow Lane. Upon visiting the units, he confirmed that although they are strange appearance, they turned out very attractive and he encouraged the Commissioners to visit.

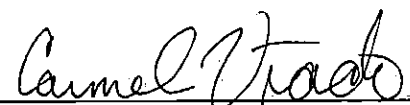
(9:09 – 9:11)

2-3374

MEETING ADJOURNED AT 9:11 P.M.

Respectfully submitted:


YDOLEENA YTURRALDE, DEPUTY CITY CLERK


CARMEL VIADO, DEPUTY CITY CLERK