

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - ROC-17721 - REVIEW OF CONDITION - PUBLIC HEARING -
APPLICANT/OWNER: CARS-DB4, LP - Request for a Review of Condition #3 of an approved Rezoning (Z-0099-96) WHICH REQUIRES THAT THE NORTH 200 FEET OF THE SITE SHALL BE LIMITED TO THE PARKING OF VEHICLES at 6300 West Sahara Avenue (APN 163-02-801-005), C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

C.C.: 03/07/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council Approval Letter for Z-99-96

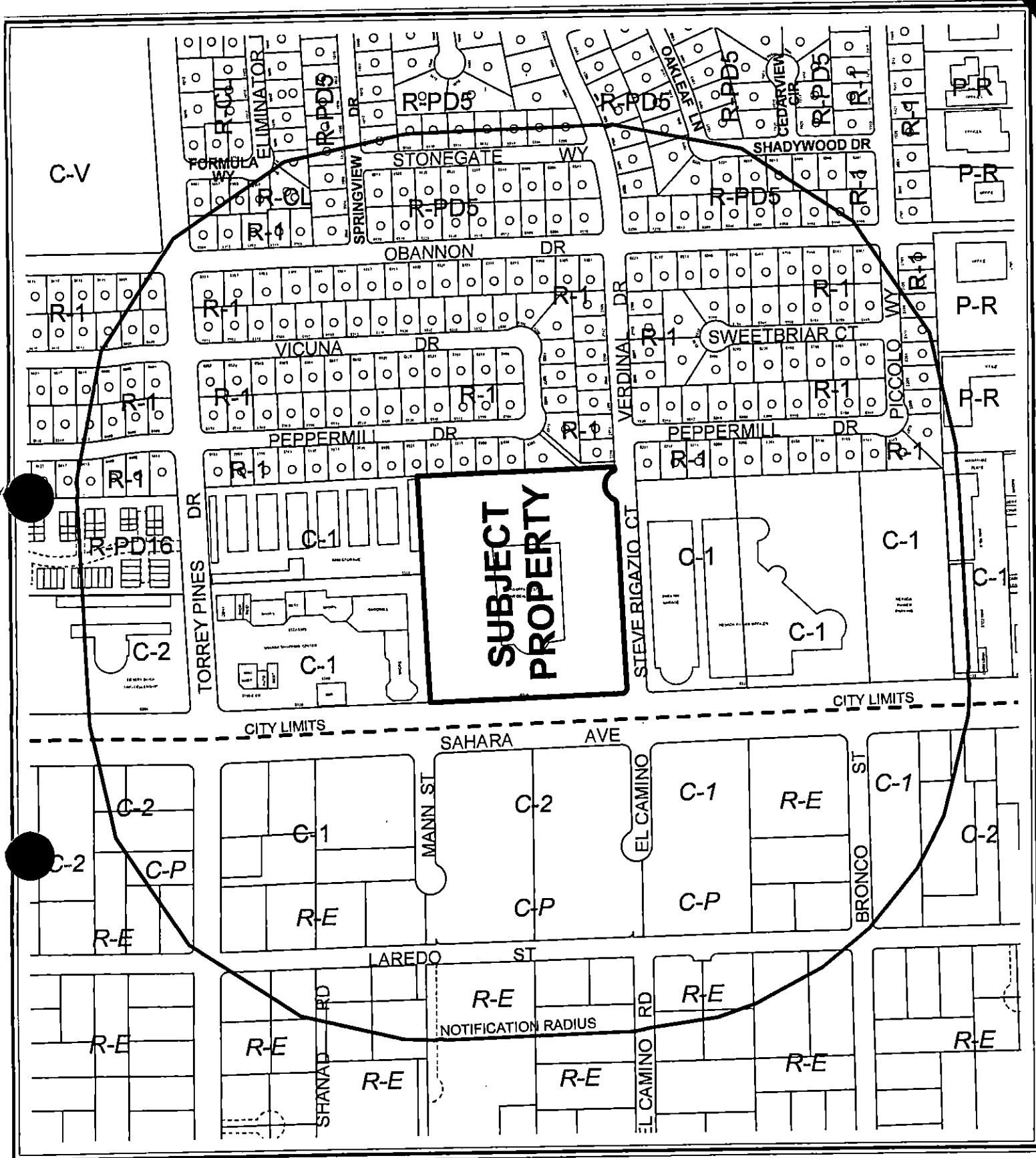
MOTION:

GOYNES – WITHDRAW WITHOUT PREJUDICE Item 6 [ZON-17248], Item 7 [SDR-17249] and Item 14 [VAR-18346]; **HOLD IN ABEYANCE** Item 12 [WVR-18085] and Item 13 [SUP-18084] to 2/22/2007; and **TABLE** Item 19 [ROC-17721] and Item 20 [SDR-17720] – **UNANIMOUS**

MINUTES:

With respect to Item 19 [ROC-17721] and Item 20 [SDR-17720], JOHN KORKOSZ, Planning and Development Department, stated the applicant has requested to table those items.

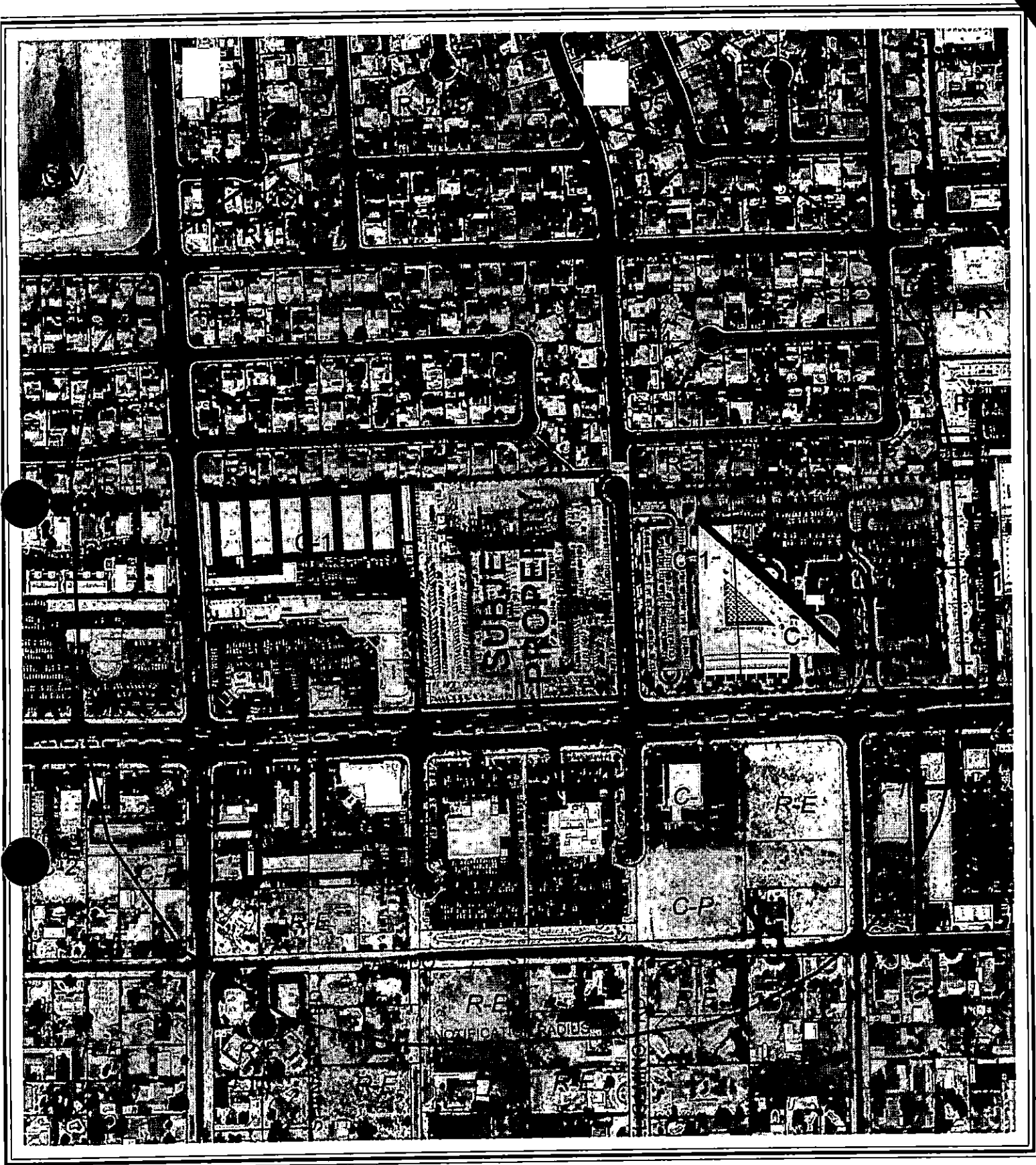
(6:06 – 6:12)



CASE: **ROC-17721**

RADIUS: 1000 FT

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



CASE: ROC-17721

RADIUS: 1000 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 8, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - ROC-17721 - APPLICANT/OWNER: CARS-DB4, LP

STAFF RECOMMENDATION: DENIAL. If Approved, 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-17720) 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.

ROC-17721 - Staff Report Page One
February 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Review of Condition #3 of the approved Rezoning (Z-0099-96) which required that the north 200 feet of the site be limited to the parking of vehicles at 6300 West Sahara Avenue. The applicant proposes to remodel and expand the existing facility and will encroach upon the 200-foot limitation set forth by Z-0099-96, Condition #3.

A companion Site Development Plan Review (SDR-17720) request has been filed for an expansion and renovation at the existing Automobile Dealership. The proposed expansion will include a new 11,137 square-foot service drop off area, a 3,255 square-foot vehicle delivery area, and a 25,760 square-foot service area addition located within the mentioned 200-foot area of the site limited to parking only.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/16/96	The City Council approved a Rezoning and Plot Plan Review (Z-0099-96) for a New Car Dealership. Planning Commission and staff recommended approval.
9/16/05	Code Enforcement Case# 33946: Displaying autos in the landscape areas
6/22/06	Code Enforcement Case# 43718: Displaying autos in the landscape areas
4/13/06	Planning Commission denied a request for a Site Development Plan Review (SDR-12032) to keep four cement landscape display pads in the front landscape perimeter buffer area. Staff recommended denial.
11/16/06	Code Enforcement Case# 48063: Illegal signage.
12/8	The Planning Commission voted to hold this request for a Review of Condition #3 of the approved Rezoning (Z-0099-96) in abeyance until the February 8, 2007 Planning Commission Meeting per the applicants request. Staff recommended denial.
<i>Related Building Permits/Business Licenses</i>	
4/24/98	C-54-97: New construction for a 64,807 square foot auto dealership
5/3/98	Building Certificate of Occupancy issued by the City of Las Vegas Building & Safety Department
5/03/05	Business Licenses # A19-00143 (Auto rental agency) & A16-01002 (Automobile sales) for Desert Toyota & Scion of Southern Nevada,
8/12/06	L-2096-05: Full cantilevered shade structure installed

ROC-17721 - Staff Report Page Two
February 8, 2007 - Planning Commission Meeting

<i>Pre-Application Meeting</i>	
07/07/06	A pre-application meeting was held with staff concerning the condition restricting construction in the 200 feet of the northern portion of the site placed by case #Z-0099-96. The applicant was informed that they will also need to submit a Site Development Plan Review in addition to the Review of Conditions application.
<i>Neighborhood Meeting</i>	
08/23/06	The applicant states in the justification letter that a neighborhood meeting was held with approximately 10 neighbors present. The meeting time, location, and attendance were not provided with the application.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	8.76 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Auto Dealership	GC (General Commercial)	C-2 (General Commercial)
North	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Clark County - Auto Dealership	Clark County	Clark County
East	Electric Utility Offices	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

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

ROC-17721 - Staff Report Page Three
February 8, 2007 - Planning Commission Meeting

ANALYSIS

The Condition #3 of the Rezoning application Z-0099-96 reads as follows:

“3. The north 200 feet of the site shall be limited to the parking of vehicles.”

The existing condition stems from a historical agreement between the neighbors and the applicant regarding the limitation to the 200 feet north of the site being limited to employee parking only. The condition was placed there to prevent the development of service bays within proximity of single-family residential. Although the applicant states that a neighborhood meeting was held, no petitions of support have been filed with the application. There is no substantial reason for removing condition #3, which in effect gives no merit to approving SDR 17720.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

ASSEMBLY DISTRICT 5

SENATE DISTRICT 8

NOTICES MAILED 273 (Mailed with SDR-17720)

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ROC-17721 APN: 163-028-01-005

Name of Property Owner: CARS DB4, L.P.

Name of Applicant: Bob Olufs, Autonation

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

☐ Yes

☒ No

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

City Official: n/a

Partner(s): n/a

APN: n/a

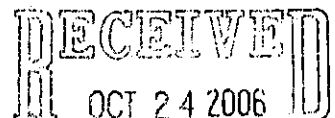
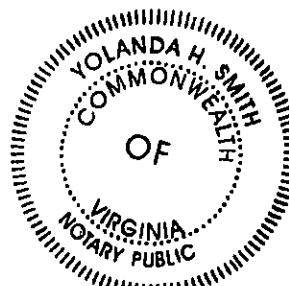
Signature of Property Owner: _____

Print Name: _____

Subscribed and sworn before me

This 20 day of October, 20 06

Yolanda H. Smith
Notary Public in and for said County and State







October 20, 2006

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

Re: Desert Toyota Remodel and Addition (6300 W. Sahara)
APN: 163-028-01-005

Dear Planning Staff,

This letter will serve as the justification letter required for the submittal of the review of condition application (ROC) and the site development review application (SDR) for the above referenced project.

It is the intent of the owner and the owner's tenant Desert Toyota to remodel and expand the existing facility at 6300 W. Sahara. The expansion of the facility will include, a new 11,137 s.f. service drop off area, 3,255 s.f. vehicle delivery area, and 25,760 s.f. service area addition. These additions are required to meet the space requirements set forth by Toyota as well as meet the needs of existing customers. The facility will also undergo on interior and exterior remodel of the existing building in order to meet the requirements of Toyota image standards. The exterior remodel will consist of repointing of the building, replacement of existing storefront, addition of a new Toyota Entry portal.

The expansion of the service bays to the north of the building will encroach on the existing 200'-0" setback which was required as part of condition #3 (Z-99-96 October 25, 1996). Therefore we are applying for a review of condition to remove this condition entirely; instead we will provide the minimum setback as required for residential adjacency. See site plan and site-section A, which indicates the new building to be compliant with the 3:1 setback requirements.

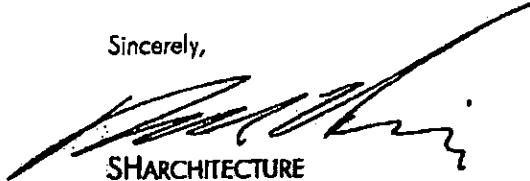
A pre-application meeting was held on 7-7-06, at which time planning staff recommended that a neighborhood meeting be organized to discuss the setback. A neighborhood meeting was held on 8-23-06; approximately 10 neighbors were present along with Dealership management. The neighbors seemed supportive of the change in the setback.

ROC-17721
SDR-17720
02/08/07 PC

RECEIVED
OCT 24 2006

We believe that the current plans are fully compliant with Title 19 requirements and previous zoning conditions except for condition #3; therefore we seek a recommendation for approval from planning staff. Please contact me at 498-5883 with any questions regarding this application.

Sincerely,



SHARCHITECTURE
Philip Haderlie, AIA
Project Manager

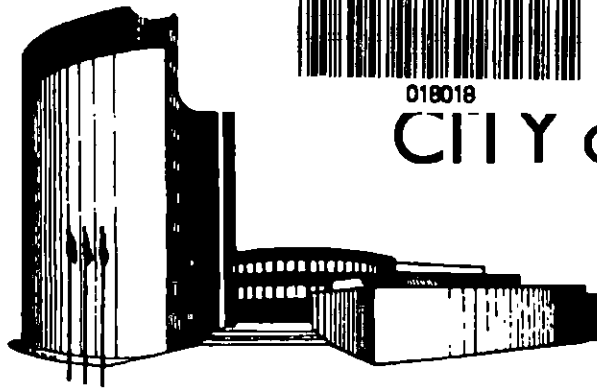
cc: Bob Olufs, Automation

1768.

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
MATTHEW Q. CALLISTER
MICHAEL J. McDONALD
GARY REESE

CITY MANAGER
LARRY K. BARTON



CITY of LAS VEGAS

October 25, 1996

Mr. Joseph Macchiavema
6240 West Patrick Lane
Las Vegas, Nevada 89118

RE: Z-99-96 - ZONING RECLASSIFICATION RELATED TO GPA-44-96

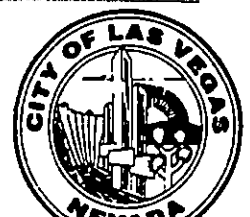
Dear Mr. Macchiavema:

The City Council at a regular meeting held October 18, 1996 APPROVED the request for a Rezoning on property located on the northwest corner of Sahara Avenue and Verdinal Drive, from: N-U (Non-Urban), to: C-2 (General Commercial), proposed use: Three-Story 183,000 Square Foot Auto Dealership With Auto Service Area, subject to:

1. Approval of a General Plan Amendment to make the zoning consistent with the plan.
2. No access shall be permitted to Verdinal Drive, unless a reasonable alternative is permitted by the City.
3. The north 200 feet of the site shall be limited to the parking of vehicles.
4. Construct a nominal eight foot high decorative wall along the north property line subject to obtaining a Variance.
5. Provide a minimum 10 foot wide landscape planter along the north property line and install 38 inch box trees 20 feet on center with a three foot high berm as required by the Planning and Development Department. The use of drought tolerant landscaping is encouraged.
6. Provide minimum 10 foot wide landscape planters along Sahara Avenue and Verdinal Drive and install 24 inch box trees 30 feet on center as required by the Planning and Development Department. The use of drought tolerant landscaping is encouraged.
7. No public address system shall be permitted.
8. All light shall be directed so that light falls only on the subject site.
9. Vehicles shall not be test driven on any residential street.
10. All repair work shall be done within an enclosed building.

RECEIVED
OCT 24 2006

ROC-17721
SDR-17720
02/08/07 PC



Mr. Joseph Macchiavema

October 25, 1996

RE: Z-99-96 - ZONING RECLASSIFICATION RELATED TO GPA-44-96

Page 2.

11. All vehicles awaiting repair shall be screened from the view of the abutting single family residences to the north of the site.
12. A minimum of 150 spaces shall be allocated for employee parking.
13. Side wall lighting shall be installed at the top level of the building as required by the Planning and Development Department. No overhead poles shall be permitted.
14. A solid wall shall be constructed along the north side of the garage, provided it can be properly ventilated, as required by the Planning and Development Department.
15. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet to provide for transportation hazards.
16. Provide plans showing accessible exterior routes from public transportation stops, accessible parking and passenger loading zones and public sidewalks to the accessible building entrances(s) prior to the issuance of building permits as required by the Planning and Development Department. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.
17. Construct half-street improvements on Verdinal Drive and construct all incomplete half-street improvements on Sahara Avenue adjacent to the overall site concurrent with the first phase of development anywhere on this site as required by the Department of Public Works.
18. Remove all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards as required by the Department of Public Works.
19. Meet with the Traffic Engineer for assistance in the possible redesign of the proposed driveway access, parking lot layout, and on-site circulation prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.
20. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of grading, building or off-site permits. The Traffic Impact Analysis shall determine traffic signal contribution requirements and shall also include a section addressing Standard Drawings #201.1, #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. The Traffic Impact Analysis shall also propose methods of mitigating the introduction of commercial traffic from this site into the residential neighborhood on Verdinal Drive to the north. The Traffic Impact Analysis must address the potential for a cul-de-sac on Verdinal Drive. If determined to be feasible, the applicant shall pay for the street closure of Verdinal Drive. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the 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.
21. Landscape and maintain all unimproved right-of-way on Sahara Avenue adjacent to this site as required by the Department of Public Works.

Mr. Joseph Macchiaverna

October 25, 1996

RE: Z-99-96 - ZONING RECLASSIFICATION RELATED TO GPA-44-96

Page 3.

22. File for an Occupancy Permit for all landscaping and private improvements in the Sahara Avenue public right-of-way adjacent to this site prior to the issuance of any permits as required by the Department of Public Works.
23. Conformance to the plot plan as amended by the above conditions.
24. Conformance to the building elevations.
25. Resolution of Intent with a twelve month time limit.
26. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
27. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.
28. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).
29. All City Code requirements and design standards of all City departments must be satisfied.
30. Parking and driveway plans must first be approved by the Traffic Engineer.
31. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of a building or grading permit, whichever occurs first.
32. 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.
33. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

A Rezoning under a Resolution of Intent expires if it is not exercised prior to the expiration of the Resolution of Intent unless a request for an Extension of Time is duly filed with the Planning and Development Department for consideration and approval by the City Council.

Sincerely,



BARBARA JO RONEMUS
Acting City Clerk *jc*

/cmp

cc: (See Attached)

Mr. Joseph Macchiavema

October 25, 1996

RE: Z-99-96 - ZONING RECLASSIFICATION RELATED TO GPA-44-96

Page 4.

**cc: Planning & Development Dept.
Dept. of Public Works
Dept. of Fire Services
Land Development Services
Traffic Engineering**

**Mr. R. Douglas Spedding
R.D.S., Inc.
4380 East Alameda Avenue
Glendale, Colorado 80222**

**Ms. Cappy Hayes/Ms. Lora Vennettill
VTN Nevada
2727 South Rainbow Boulevard, Suite 101
Las Vegas, Nevada 89102**

**Attorney John T. Moran, Jr.
830 South Fourth Street, Suite 400
Las Vegas, Nevada 89101**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - SDR-17720 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ROC-17721 - PUBLIC HEARING - APPLICANT/OWNER: CARS-DB4, LP. - Request for a Site Development Plan Review FOR A 41,680 SQUARE FOOT EXPANSION TO AN EXISTING AUTOMOTIVE DEALERSHIP AND A WAIVER TO ALLOW ZERO FEET OF LANDSCAPE BUFFER ALONG THE WESTERN PERIMETER WHERE EIGHT FEET IS REQUIRED on 8.76 acres at 6300 West Sahara Avenue (APN 163-02-801-005), C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

C.C.: 03/07/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

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

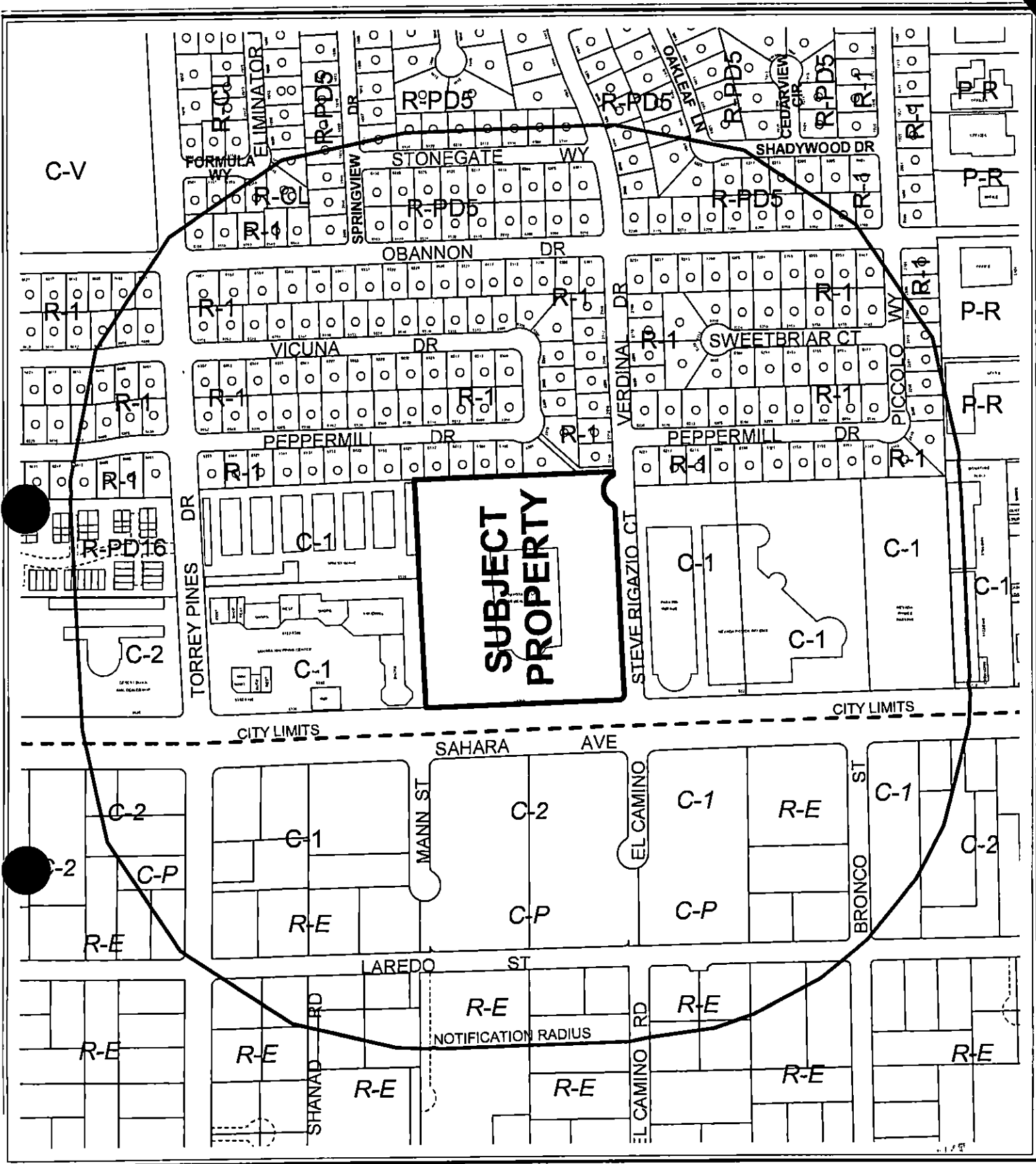
MOTION:

GOYNES – WITHDRAW WITHOUT PREJUDICE Item 6 [ZON-17248], Item 7 [SDR-17249] and Item 14 [VAR-18346]; **HOLD IN ABEYANCE** Item 12 [WVR-18085] and Item 13 [SUP-18084] to 2/22/2007; and **TABLE** Item 19 [ROC-17721] and Item 20 [SDR-17720] – **UNANIMOUS**

MINUTES:

With respect to Item 19 [ROC-17721] and Item 20 [SDR-17720], JOHN KORKOSZ, Planning and Development Department, stated the applicant has requested to table those items.

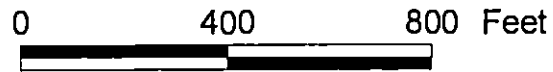
(6:06 – 6:12)



CASE: **SDR-17720**

RADIUS: 1000 FT

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



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: FEBRUARY 8, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ABEYANCE - SDR-17720 - APPLICANT/OWNER: CARS-DB4, LP.**

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

1. Conformance to the conditions for Review of Condition (ROC-17721) if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 10/24/06, except as amended by conditions herein.
4. A Waiver from Title 19.12 is hereby approved, to allow a zero foot landscape buffer along the western perimeter where eight feet is 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 building permit, to reflect the changes herein.
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 to show additional landscape buffers and additional trees.
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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February 8, 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 luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. Properly striped and located parking spaces shall be provided to accommodate 18 handicapped accessible parking spaces.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. 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.
15. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. 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

SDR-17720 - Conditions Page Three
February 8, 2007 - Planning Commission Meeting

shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

16. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

SDR-17720 - Staff Report Page One
February 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Site Development Plan Review for an expansion and renovation at an existing Automobile Dealership located at 6300 West Sahara Avenue. The applicant's proposal will include a new 11,137 square-foot service drop off area, a 3,255 square-foot vehicle delivery area, and a 25,760 square-foot service area addition. The existing facility will also undergo an interior and exterior remodel for a total gross floor area of 108,290 square feet.

An associated Review of Conditions (ROC-17721) application has been submitted in conjunction with this Site Development Plan Review. The expansion of the existing facility will encroach into the 200-foot area located on the northern half of the site which has been limited to parking only set forth by Z-0099-96, Condition #3.

BACKGROUND INFORMATION

Related/Relevant City Actions by P&D, Fire, Bladg, etc.	
Month/date/year	Action
10/16/96	The City Council approved a Rezoning and Plot Plan Review (Z-0099-96) for a New Car Dealership. Planning Commission and staff recommended approval.
9/16/05	Code Enforcement Case# 33946: Displaying autos in the landscape areas
6/22/06	Code Enforcement Case# 43718: Displaying autos in the landscape areas
4/13/06	Planning Commission denied a request for a Site Development Plan Review (SDR-12032) to keep four cement landscape display pads in the front landscape perimeter buffer area and a waiver to perimeter landscape standards. Staff recommended denial.
11/16/06	Code Enforcement Case# 48063: Illegal signage.
12/08/06	The Planning Commission voted to hold this request for a Site Development Plan Review (SDR-17720) for an expansion and renovation of an existing automobile dealership located at 6300 West Sahara Avenue in abeyance until the February 8, 2007 Planning Commission Meeting per the applicants request.
Related/Building Permits/Business/Licenses	
Month/date/year	Description
4/24/98	C-54-97: New construction for a 64,807 square foot auto dealership
5/3/98	Building Certificate of Occupancy issued by the City of Las Vegas Building & Safety Department
5/03/05	Business Licenses # A19-00143 (Auto rental agency) & A16-01002 (Automobile sales) for Desert Toyota & Scion of Southern Nevada,
8/12/06	L-2096-05: Full cantilevered shade structure installed

SDR-17720 - Staff Report Page Two
February 8, 2007 - Planning Commission Meeting

Pre-Application Meeting	
07/07/06	A pre-application meeting was held with staff concerning the condition restricting construction in the 200 feet of the northern portion of the site placed by case #Z-0099-96. The applicant was informed that they will also need to submit a Site Development Plan Review in addition to the Review of Conditions application.
Neighborhood Meeting	
08/23/06	The applicant states in the justification letter that a neighborhood meeting was held with approximately 10 neighbors present. The meeting time, location, and attendance were not provided.

Details of Application Request	
Site Area	
Net Acres	8.76 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Auto Dealership	GC (General Commercial)	C-2 (General Commercial)
North	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Clark County - Auto Dealership	Clark County	Clark County
East	Electric Utility Offices	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

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

SDR-17720 - Staff Report Page Three
February 8, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply.

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	381, 585 square feet	NA
Min. Lot Width	100 Feet	582 feet	Y
Min. Setbacks			
• Front	20 Feet	122 Feet	Y
• Side	10 Feet	98 Feet	Y
• Corner	15 Feet	NA	NA
• Rear	20 Feet	78 Feet	Y
Max. Lot Coverage	50 %	28%	Y
Max. Building Height	N/A	27 feet, 8 inches (3 stories)	Y
Trash Enclosure	Covered/screened	Existing trash enclosure screened	Y
Mech. Equipment	Covered/screened	None shown*	Y

*Although this is an existing facility, no mechanical equipment is shown regarding the areas of expansion on the provided plans. A condition of approval requiring that all mechanical equipment be screened from view has been included.

Pursuant to Title 19.08.060 the following standards apply.

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	72 feet 6 inches	72 feet 8 inches	Y
Adjacent development matching setback	NA	NA	NA
Trash Enclosure	50 feet	200 feet	Y

SDR-17720 - Staff Report Page Four
February 8, 2007 - Planning Commission Meeting

Pursuant to 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/Space	Zero Trees		N***
Buffer: Min. Trees	1 Tree/ 20 Linear Feet	29 Trees*	29	Y
	1 Tree/ 30 Linear Feet	21 Trees**	14	N
TOTAL		50 Trees	43	N
Min. Zone Width	8 Feet		Zero	N
Wall Height	6 Feet		8 Feet	Y

*One tree per 20 linear feet must be provided on commercially zoned properties adjacent to residential. This standard was increased to 29 on conditional of approval to Z-99-96

**One tree per 30 linear feet must be provided for the remaining eastern, western, and southern perimeter. Z-99-96 approved a waiver to allow 17 trees where 21 were required. Further reduction in trees came from an expansion into the landscape areas for unauthorized display areas.

***The parking lot for this automobile dealership does not have parking lot trees because it was constructed prior to the parking lot tree requirements per Title 19.12.

Pursuant to Title 19.10, the following parking standards apply:

Pursuant to Title 17.10, the following parking minimums apply:							
Parking Requirements:							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Auto Dealership	48,500 sq ft	1 stall per 500 sq ft GFA	97				
Auto Repair	59,790 sq ft	5 stalls + 1 per 200 sq ft GFA	304				
Employee Parking			150*				
SubTotal			551	12	880	16**	
TOTAL			551	12	880	16**	N
Loading Spaces			4		0		N

* 150 Spaces are required per condition #12 of Z-99-96 for employee parking.

SDR-17720 - Staff Report Page Five
February 8, 2007 - Planning Commission Meeting

** Per Title 19.10, for parking lots totaling 500 to 1,001 provided parking spaces, the total number of accessible parking required is determined by taking 2% of the total provided. As the applicant is providing 880 spaces, the required number of accessible spaces is 18.

Waivers		
Request	Requirement	Staff Recommendation
Zero feet of landscape buffer along the western perimeter where eight feet is required.	Eight feet of landscape buffer is required along the interior perimeter and 15 feet is required along the public ROW.	Denial
43 trees where 50 are required	1 Tree/ 20 Linear Feet adjacent to residentially zoned property. 1 Tree/ 30 Linear Feet adjacent to public ROWs	Denial

ANALYSIS

The applicant proposes a 41,680 square foot expansion to the existing Automobile Dealership. The cumulative total area of the expansion and existing dealership is approximately 108,290 square feet. A significant issue regarding this Site Plan Review is the auto body repair shop proposed within the northern 200-feet of the site that has been restricted to the parking of vehicles only.

- General Plan/ Zoning**

The subject property is located within the GC (General Commercial) Land Use area as shown on the Southwest Sector Map of the General Plan and is in the C-2 (General Commercial) Zoning District. Although an expansion could be compatible with the established land use patterns along Sahara Avenue, this proposal revisits the potential conflicts with the single family homes to the north of the site. The original Rezoning (Z-99-96) mitigated this conflict through the requirement of a 200-foot building restriction along the north of the site and landscape screening.

SDR-17720 - Staff Report Page Six
February 8, 2007 - Planning Commission Meeting

- **Site Plan (Z-0099-96)**

As condition of approval #3, a portion of the proposed expansion is within an area that was conditionally restricted to parking only. The restriction of building in this area was initially placed so as to prevent the construction of a service facility within close proximity to the residential neighborhood adjacent to the north of the subject property. A Review of Conditions (ROC-17721) has been submitted in response the 200-foot site restriction.

The proposed 41,680 square foot expansion has provided no remedy or design alternative to the detrimental use addressed in Condition #3 of the approved Rezoning and concurrent Site Plan Review Z-99-96 other than to remove this condition. As this condition was specifically placed to protect the neighbors from any further commercial expansion towards their homes, staff is recommending denial.

- **Elevations & Residential Adjacency**

There is the possibility of a potential design problem with the elevated parking deck of the new service bay addition. The privacy of the rear yards within the residential neighborhoods to the north could be compromised by employees and customers looking down from the parking area. There is an existing 12-foot landscape buffer with trees providing additional screening; however, there still may be a possibility of visual intrusion, leading to an undesirable or obnoxious situation for the affected neighbors to the immediate north.

- **Landscaping**

The proposed expansion also requires waivers to both the perimeter and parking lot landscape requirements as the additional square footage will increase the total parking requirement. This increase in gross floor area will thus have a significant impact to the overall site design.

Site Development Plan Review Z-99-96 approved a waiver to allow 17 trees where 21 were required. Since that approval a further reduction in trees resulted from an unauthorized expansion into the landscape areas for display areas. The applicant was cited by Code Enforcement at which point the applicant submitted a request for a Site Development Plan Review (SDR-12032) to keep four cement landscape display pads in the front landscape perimeter buffer area and a waiver to perimeter landscape standards. Planning Commission denied the request.

As the increased intensity is not being tempered with any additional landscaping to an already landscape-deficient site, staff is recommending denial.

SDR-17720 - Staff Report Page Seven
February 8, 2007 - Planning Commission Meeting

FINDINGS

The following findings must be made for an SDR:

- 1. The proposed development is compatible with adjacent development and development in the area;**
- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**
- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**
- 4. Building and landscape materials are appropriate for the area and for the City;**
- 5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**
- 6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

In regard to "1":

Without approval of Condition #3 of the approved Site Plan (Z-99-96) the proposed development is incompatible with adjacent single-family residential development to the immediate north of the project. Out of concern for the detrimental impact that an auto repair facility would have so close to residentially zoned property, the Planning Commission approved the previous Site Development Plan Review with the explicit condition to restrict that area to parking only. Staff continues to support this by recommending denial.

In regard to "2":

The proposed expansion of the existing development is consistent with the General Plan and Title 19.04 and 19.08. However, per 19.12 Landscape, Wall and Buffer Standards, a request for a waiver for the absence of adequate landscape buffers and limited parking lot landscaping is required. Therefore the application request is not compliant with Title 19 in entirety.

In regard to "3":

The existing site access and circulation has not negatively impacted adjacent roadways or neighborhood traffic in the past ten years since approval. There is little expected increase on traffic with the proposed expansion.

SDR-17720 - Staff Report Page Eight
February 8, 2007 - Planning Commission Meeting

In regard to "4":

Although the existing landscape materials are appropriate for this area and for the City; overall there is a significant deficiency in provided quantities of landscaping material.

In regard to "5":

Although the proposed building elevations are compliant with the residential adjacency standards as listed in Title 19.08, the provided elevations only depict the view of the proposed addition as being screened from the residential side of the adjacent properties. No mention has been given as to ensuring the privacy of the rear yards within the residential neighborhoods as seen from the elevated parking deck of the new service bay addition. A potential design problem may possibly lead to an undesirable or obnoxious situation for the affected neighbors to the immediate north.

In regard to "6":

The appropriate measures are taken in securing and protecting the public health, safety and general welfare through the inspections required of Building and Safety for all commercial construction, through the Business Licensing Division for all licensed commercial activity, and through Code Enforcement for the general application of the Las Vegas Municipal Code.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

ASSEMBLY DISTRICT 5

SENATE DISTRICT 8

NOTICES MAILED 273 (Mailed with ROC-17721)

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SDR-17720

Case Number: _____ APN: 163-028-01-005

Name of Property Owner: CARS DB4, L.P.

Name of Applicant: Bob Olufs, Autonation

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

☐ Yes

☒ No

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

City Official: n/a

Partner(s): n/a

APN: n/a

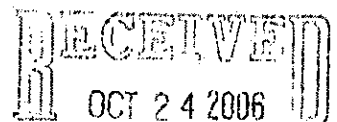
Signature of Property Owner: _____

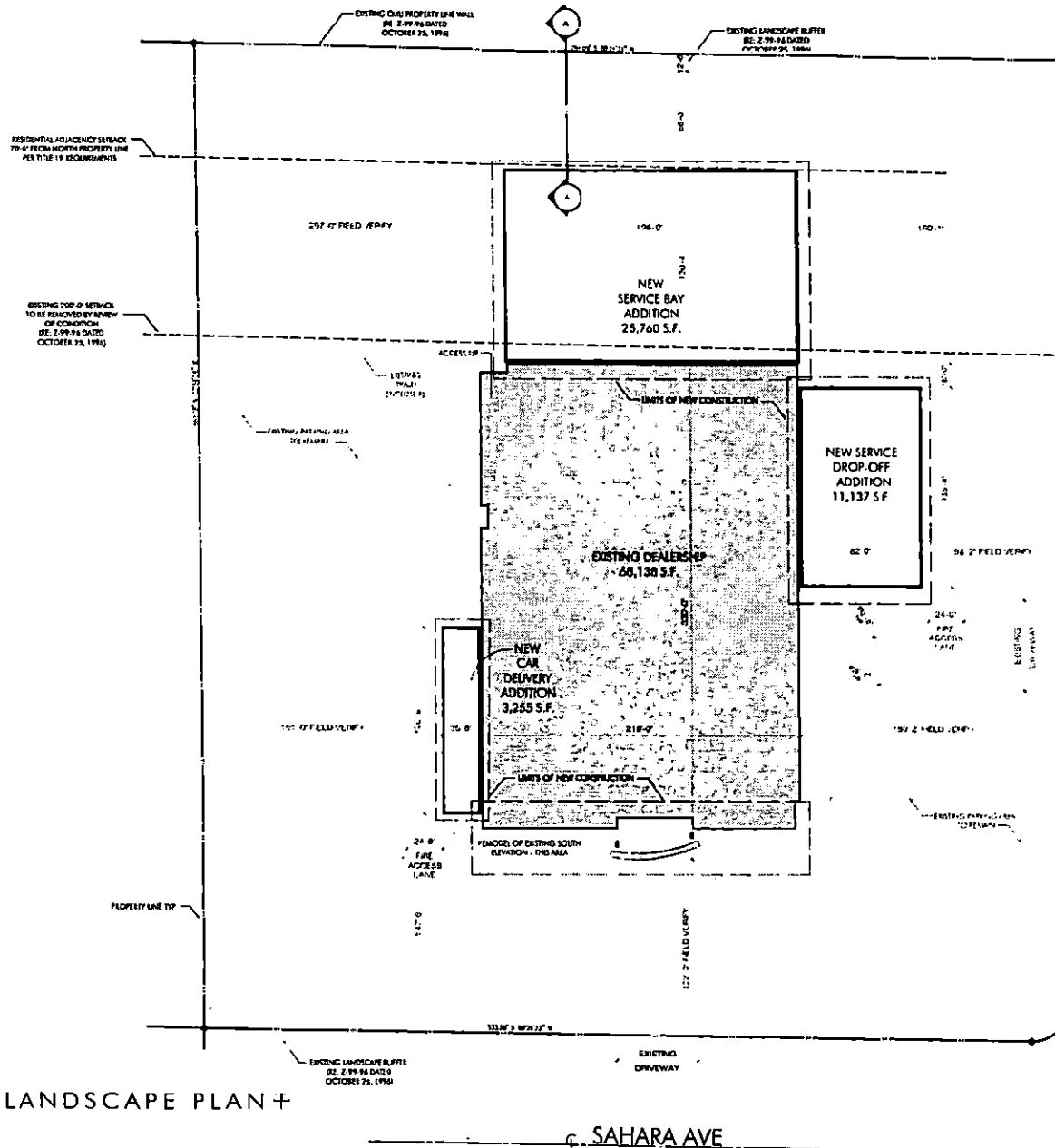
Print Name: _____

Subscribed and sworn before me

This 20 day of October, 20 06

Yolanda H. Smith
Notary Public in and for said County and State





ACCUSABLE PLAYING DEPICTED IN SERIES

VICINITY MAP 175 NORTH

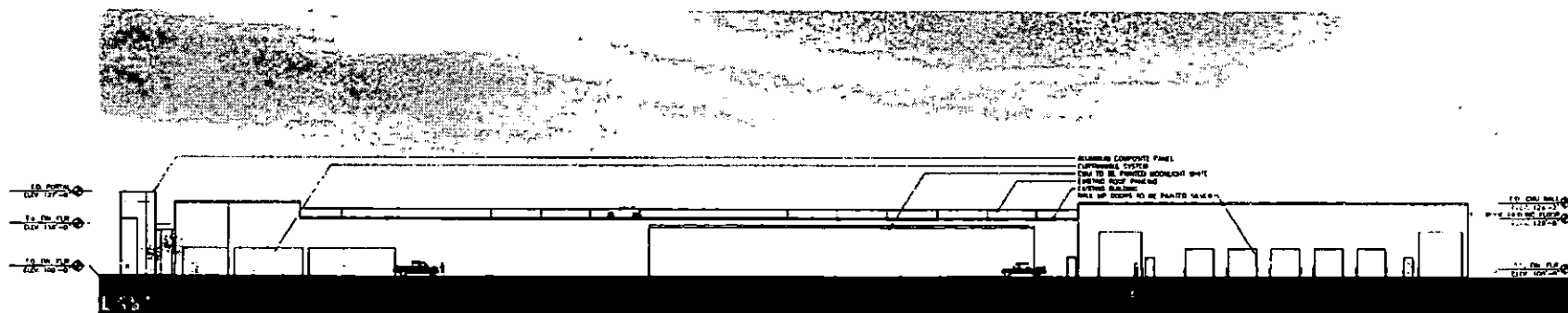
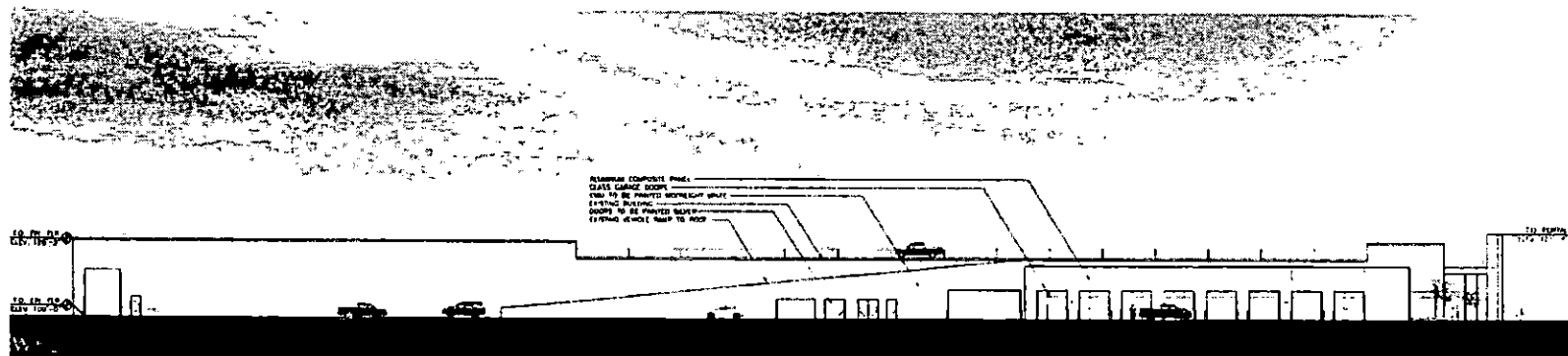
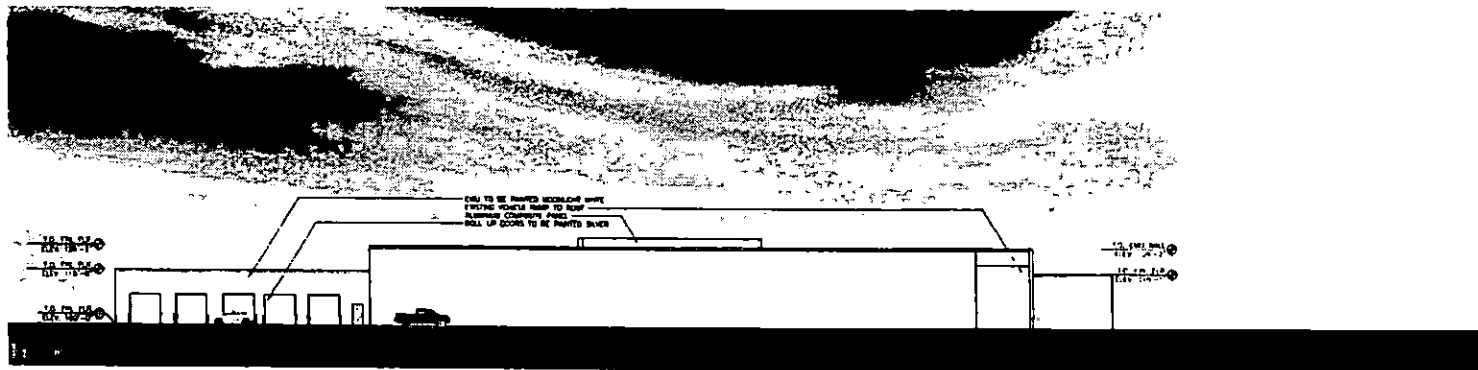
SITE/LANDSCAPE PLAN

6 SAHARA AVE

DESTER JOYCE, ADDITION
6300 WEST SAHARA AVENUE #10

RECEIVED
OCT 24 2008

02/08/07 PC



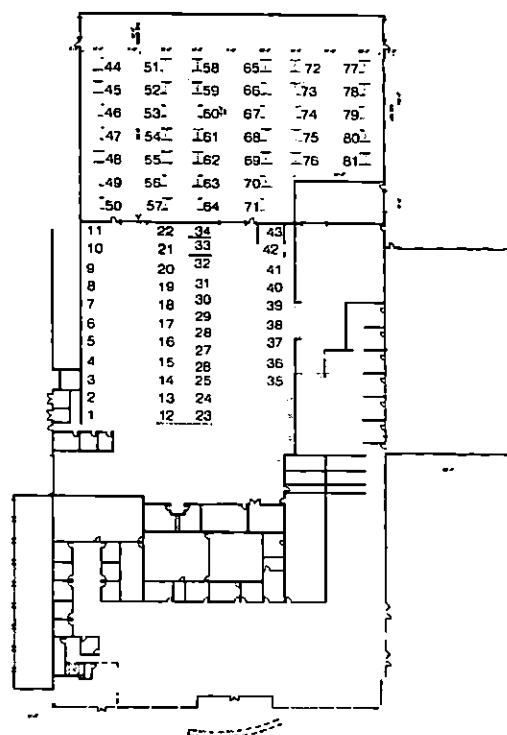
ELEVATIONS

RECEIVED
OCT 24 2006

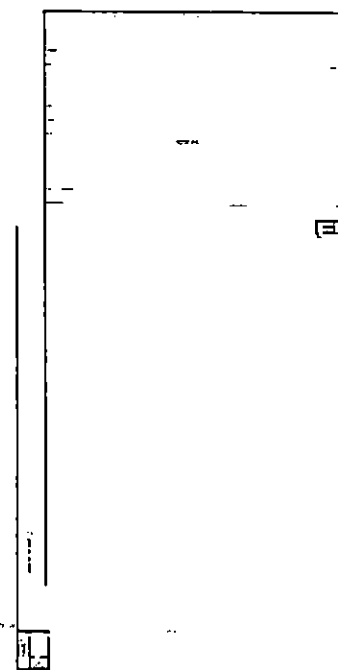
DESIGN REVIEW
SUBMITTED

02/08/07 PC

DESERTION OF A ADDITION
6700 WEST SAGINAW AVENUE
CONCEPT DESIGN



FLOOR PLAN



ROOF PLAN

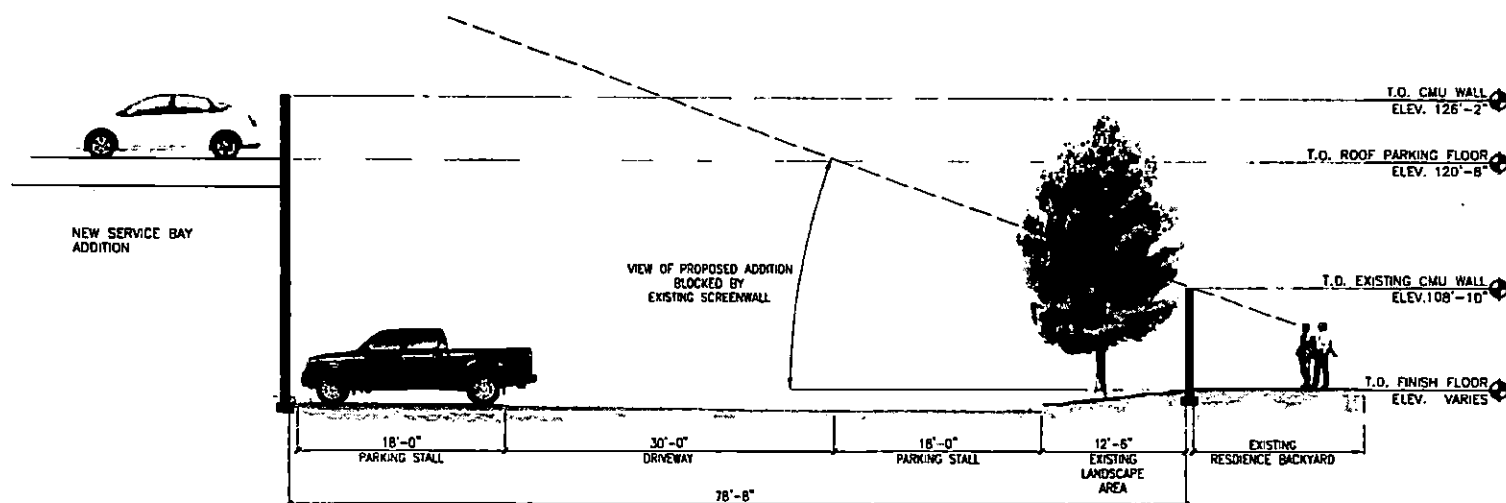
DESERT TOYOTA ADDITION
6500 WEST SARAH AVENUE

SDR-17720
02/08/07 PC

RECEIVED
OCT 24 2006



INTERIOR SHOWROOM



SITE SECTION

DESERT TOYOTA ADDITION
6300 WEST SAHARA AVENUE
CONCEPT DESIGN

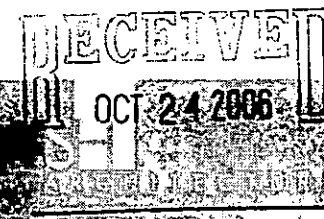
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OCT 24 2006

02/08/07 PC

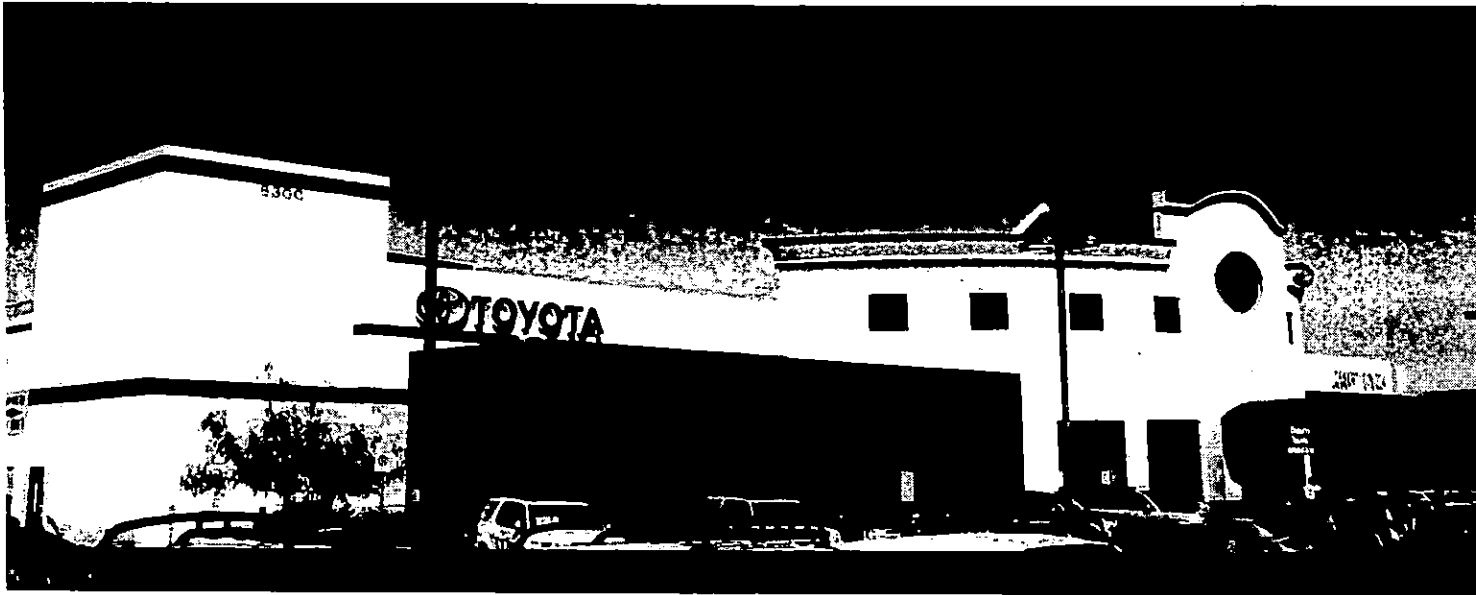


SOUTH ELEVATION

DESERT TOYOTA ADDITION
6300 WEST SAHARA AVENUE
CONCEPT DESIGN



02/08/07 PC



ELEVATION PHOTOS OF EXISTING BUILDING

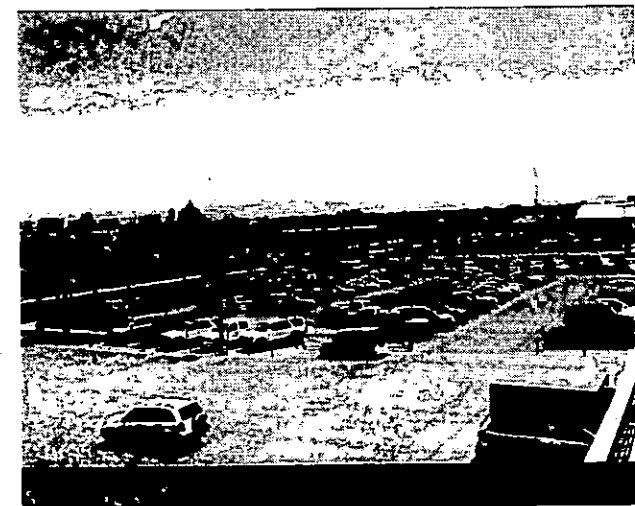
RECEIVED
OCT 24 2006
ARCHITECTURE

DESERT TOYOTA ADDITION
17400 WEST WILLOW AVENUE
CONCEPT DESIGN

02/08/07 PC



EXISTING LANDSCAPE BUFFER



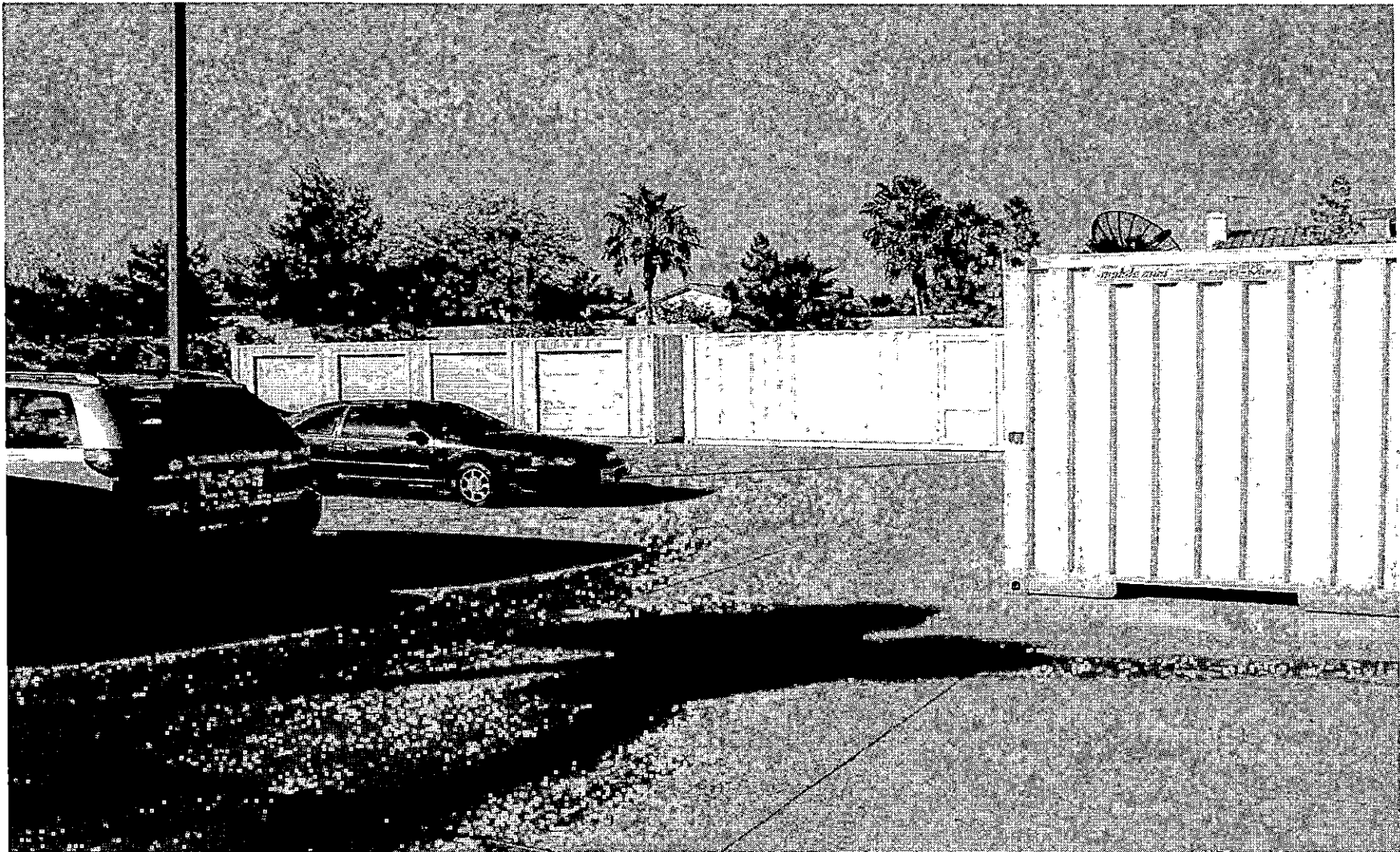
SDR 17720				
Cars-DB4, LP				
6300 W Sahara				
Proposed 41.68 thousand square foot car dealership expansion.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	NEW CAR SALES [1000SF]	41.68	33.34	1,390
AM Peak Hour			2.05	85
PM Peak Hour			2.64	110
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Sahara Avenue				
Average Daily Traffic (ADT)	57,356			
PM Peak Hour	4589			
(heaviest 60 minutes)				
Jones Boulevard				
Average Daily Traffic (ADT)	35,928			
PM Peak Hour	2874			
(heaviest 60 minutes)				
Torrey Pines Drive				
Average Daily Traffic (ADT)	15,146			
PM Peak Hour	1212			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Sahara Avenue	51700			
Jones Boulevard	34300			
Torrey Pines Drive	32585			
This project will add approximately 1,390 trips per day on Sahara, Jones and Torrey Pines. This will increase expected volumes by about 2 percent on Sahara, 4 percent on Jones and 9 percent on Torrey Pines. Torrey Pines is at about 46 percent of capacity, while Sahara and Jones are over capacity.				
Based on Peak Hour use, this development will add roughly 110 additional				

cars into the area; which works out to about two every minute.			
Note that this report assumes all traffic from this development uses all named streets.			



ROC-17721 AND SDR-17720 - APPLICANT/OWNER: CARS-DB4, LP
6300 WEST SAHARA AVENUE
FEBRUARY 8, 2007 PLANNING COMMISSION

11/08/06



ROC-17721 AND SDR-17720 - APPLICANT/OWNER: CARS-DB4, LP
6300 WEST SAHARA AVENUE
FEBRUARY 8, 2007 PLANNING COMMISSION

11/09/06



ROC-17721 AND SDR-17720 - APPLICANT/OWNER: CARS-DB4, LP
6300 WEST SAHARA AVENUE
FEBRUARY 8, 2007 PLANNING COMMISSION

11/09/06



ROC-17721 AND SDR-17720 - APPLICANT/OWNER: CARS-DB4, LP
6300 WEST SAHARA AVENUE
FEBRUARY 8, 2007 PLANNING COMMISSION

11/09/06



ROC-17721 AND SDR-17720 - APPLICANT/OWNER: CARS-DB4, LP
6300 WEST SAHARA AVENUE
FEBRUARY 8, 2007 PLANNING COMMISSION

11/08/06

S
ARCHITECTURE
7373 Peak Drive Suite 250 Las Vegas Nevada 89128
p.702.363.2222 f.702.363.6060 www.sh-architecture.com

October 20, 2006

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

Re: Desert Toyota Remodel and Addition (6300 W. Sahara)
APN: 163-028-01-005

Dear Planning Staff,

This letter will serve as the justification letter required for the submittal of the review of condition application (ROC) and the site development review application (SDR) for the above referenced project.

It is the intent of the owner and the owner's tenant Desert Toyota to remodel and expand the existing facility at 6300 W. Sahara. The expansion of the facility will include, a new 11,137 s.f. service drop off area, 3,255 s.f. vehicle delivery area, and 25,760 s.f. service area addition. These additions are required to meet the space requirements set forth by Toyota as well as meet the needs of existing customers. The facility will also undergo an interior and exterior remodel of the existing building in order to meet the requirements of Toyota image standards. The exterior remodel will consist of repainting of the building, replacement of existing storefront, addition of a new Toyota Entry portal.

The expansion of the service bays to the north of the building will encroach on the existing 200'-0" setback which was required as part of condition #3 (Z-99-96 October 25, 1996). Therefore we are applying for a review of condition to remove this condition entirely; instead we will provide the minimum setback as required for residential adjacency. See site plan and site-section A, which indicates the new building to be compliant with the 3:1 setback requirements.

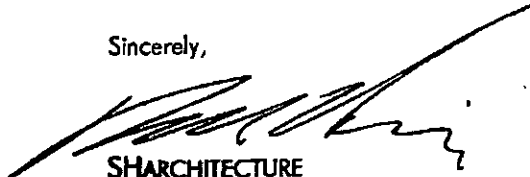
A pre-application meeting was held on 7-7-06, at which time planning staff recommended that a neighborhood meeting be organized to discuss the setback. A neighborhood meeting was held on 8-23-06; approximately 10 neighbors were present along with Dealership management. The neighbors seemed supportive of the change in the setback.

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OCT 24 2006

SDR-17720
02/08/07 PC

We believe that the current plans are fully compliant with Title 19 requirements and previous zoning conditions except for condition #3; therefore we seek a recommendation for approval from planning staff. Please contact me at 498-5883 with any questions regarding this application.

Sincerely,



SHARCHITECTURE
Philip Haderlie, AIA
Project Manager

cc: Bob Olufs, Automation

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

GPA-16294 - GENERAL PLAN AMENDMENT - PUBLIC HEARING -
APPLICANT/OWNER: JOHN HERNANDEZ - Request to Amend a portion of the Southeast Sector Plan of the Master Plan **FROM: L (LOW DENSITY RESIDENTIAL) TO: O (OFFICE)** on 0.17 acres at 410 Spencer Street (APN 139-35-413-125), Ward 3 (Reese).

C.C.: 03/07/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Protest letter by Phillip J. Dabney

MOTION:

GOYNES – DENIED – UNANIMOUS

To be heard by City Council on 3/7/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open for Item 21 [GPA-16294], Item 22 [ZON-16296] and Item 23 [SDR-16292].

JOHN KORKOSZ, Planning and Development Department, stated the proposed conversion of an existing home into an office is inconsistent with the surrounding area and recommended denial. He noted one letter of protest had been received.

KRISTEN NEUMAN, Aptus Architecture, 1200 South 4th Street, appeared on behalf of the

PLANNING COMMISSION MEETING OF FEBRUARY 8, 2007
Planning and Development Department
Item 21 – GPA-16294

MINUTES – Continued:

applicant. She briefly described the location and pointed out the close proximity of similar businesses. MS. NEUMAN noted the site plan had been revised to prevent the need for a parking variance. She stated an attempt had been made to coordinate with the owners of the adjacent parking area, but the owners had not been interested. She agreed to all conditions and respectfully requested approval.

TODD FARLOW, 240 North 19th Street, expressed opposition to further encroachment into the residential area by commercial development.

ATTORNEY PHIL DABNEY, Board member of the Nevada Treatment Center, 1721 East Charleston Boulevard, appeared in opposition as the proposal is incompatible and inappropriate for the area and noted the proposed site has been the site of numerous criminal activities. He acknowledged that the Treatment Center had decided not to agree to the applicant's request to rent parking spaces because it would negatively impact the parking needed for the Center.

In response to COMMISSIONER TROWBRIDGE'S inquiry, MS. NEUMAN stated she had not acquired any support letters.

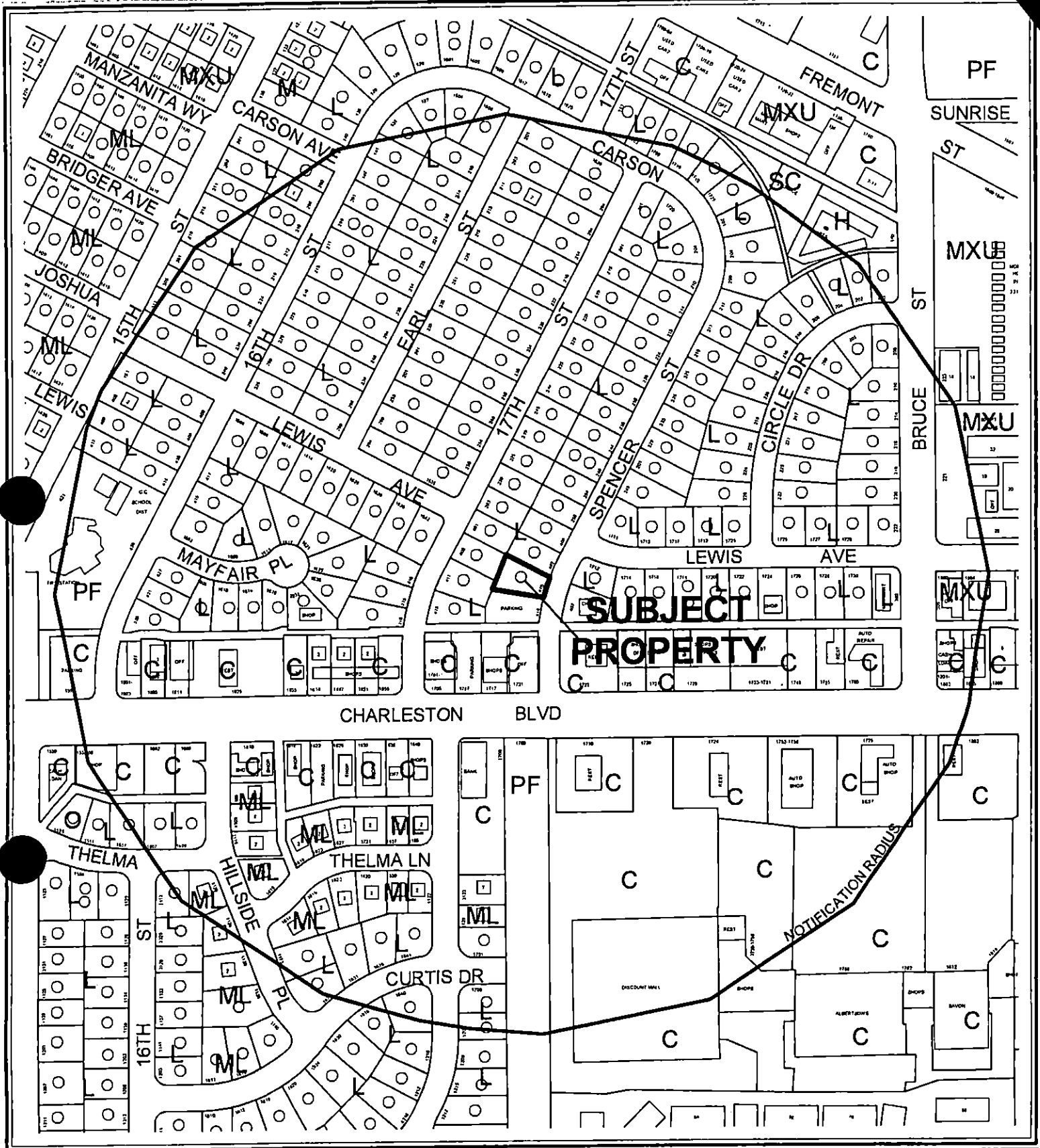
In response to COMMISSIONER STEINMAN'S question, JOHN HERNANDEZ, 102 Batten Court, Pinehurst, North Carolina, stated the location was appropriate for commercial development because a church is across the street.

COMMISSIONER STEINMAN stated he could not support further encroachment by commercial development into residential neighborhoods. COMMISSIONER EVANS and COMMISSIONER TRUESDELL concurred. COMMISSIONER TRUESDELL added that the subject property and Nevada Treatment Center's parking lot are equally neglected and poorly maintained.

CHAIRMAN DAVENPORT declared the Public Hearing closed for Item 21 [GPA-16294], Item 22 [ZON-16296] and Item 23 [SDR-16292].

(7:23 – 7:39)

1-2970



CASE: **GPA-16294**

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

L (LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

O (OFFICE)

0 200 400 Feet





0 200 400 Feet

CASE: GPA-16294

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

L (LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

O (OFFICE)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 8, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-16294 - APPLICANT/OWNER: JOHN HERNANDEZ

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL.

GPA-16294 - Staff Report Page One
February 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to amend a portion of the Southeast Sector Plan of the Master Plan from L (Low Density Residential) to O (Office) on 0.17 acres at 410 Spencer Street.

This proposed project calls for the conversion of a residence to an office. Companion requests for a Rezoning (ZON-16296), Variance (VAR-16298) and a Site Development Plan Review (SDR-16292) will be heard concurrently with this item.

The proposed General Plan Amendment is deemed incompatible with the area. The proposed development does not conform to the intent of this neighborhood. Therefore, it is not deemed necessary to amend the General Plan to accommodate this development and denial of this request is recommended.

BACKGROUND INFORMATION

Related/Relevant City Actions by P&D, Fire, Bldg., etc.	
Month/date/year	Action
11/02/06	A Site Development Plan Review (SDR-16292), General Plan Amendment (GPA-16294), Rezoning (ZON-16296), and Variance (VAR-16298) were tabled per the applicant's request.
10/19/06	A Site Development Plan Review (SDR-16292), General Plan Amendment (GPA-16294), Rezoning (ZON-16296), and Variance (VAR-16298) were abeyed per the applicant's request.
Related Building Permits/Business Licenses	
There are no building permits or business licenses that pertain to this site.	
Pre-Application Meeting	
Month/date/year	Description
08/02/06	A pre-application meeting was held with the applicant. The applicant was informed that their request to convert their house into an office would require a Site Development Plan Review, a Rezoning, a Variance, and General Plan Amendment. The applicant was also informed that if they were to utilize the parking lot to the south, they would need a shared parking agreement.
Neighborhood Meeting	
Month/date/year	Description
09/14/06	The Neighborhood Meeting was held at 6:00 pm at the East Las Vegas Community Center. One resident attended the meeting. The resident was concerned with the site only providing one parking space. The applicant is working with the adjacent owner to allow access to the rear property.

GPA-16294 - Staff Report Page Two
February 8, 2007 - Planning Commission Meeting

Details of Application Request	
Site Area	
Net Acres	0.17

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
North	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Parking Lot	L (Low Density Residential)	R-4 (High Density Residential)
East	Existing Church	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)

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

ANALYSIS

This proposed project calls for the conversion of a residence to an office. The project is located on Spencer Street, approximately 220 feet north of Charleston Boulevard, surrounded by single-family residential to the north and west, a church to the east and a parking lot to the south.

The subject property is designated as L (Low Density Residential) under the Southeast Sector Plan of the General Plan. The L (Low Density Residential) category permits a density range of single-family detached homes, including compact lots and zero lot lines; mobile home parks and two-family dwellings. The conversion to an office use that the applicant is requesting does not agree with the Planned Land Use and; therefore, needs a General Plan Amendment (GPA-16294) to O (Office) and Rezoning (ZON-14340) to P-R (Professional Office and Parking) to be consistent.

The O (Office) category provides for small lot office conversions as a transition, along Primary and Secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations.

GPA-16294 - Staff Report Page Three
February 8, 2007 - Planning Commission Meeting

FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

In regard to "1":

The proposed General Plan Amendment is not compatible with surrounding land use designations. There are no Office land-use designations in the vicinity. This is primarily a residential neighborhood with a parking lot to the south of the property. Commercial land uses exists a block away, south along Charleston Boulevard. The proposed office is not compatible with the neighborhood.

In regard to "2":

The applicant has requested a Rezoning (ZON-15233) from R-1 (Single Family Residential) District to a P-R (Professional Office and Parking) District. There is no P-R (Professional Offices and Parking) in the vicinity and this Rezoning request is inappropriate based on the context. The proposed use, as an office complex, is not compatible with the surrounding area, which is primarily residential.

In regard to "3":

The proposed office would be serviced by Spencer Street, a local street. This should provide adequate access for the development.

In regard to "4":

The proposed development is not affected by any other plans or policies.

GPA-16294 - Staff Report Page Four
February 8, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 272 [Mailed with ZON-16296 and SDR-16292]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

GPA-16294

Case Number: _____ APN: 139.35.413.125

Name of Property Owner: _____

Name of Applicant: John Hernandez

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN _____

Signature of Property Owner: [Signature]

Print Name: John HERNANDEZ

Subscribed and sworn before me

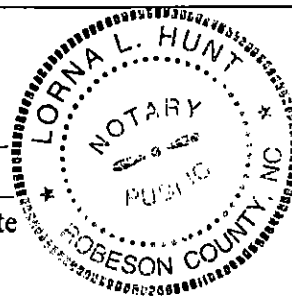
This 16th day of August, 2006

Lorna L. Hunt

Notary Public in and for said County and State

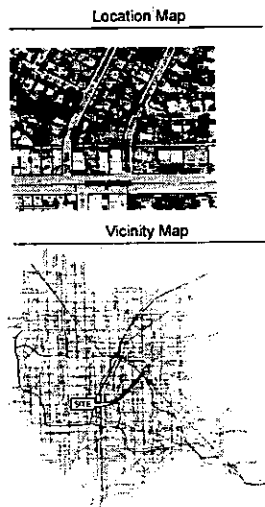
My Commission Expires

10/23/10





GENERAL PLAN AMENDMENT
1" = 40'



Site Zoning & Data

SITE DATA	
PARCEL NUMBER	130-35-413-027
JURISDICTION	CITY OF LAS VEGAS (B-1)
EXISTING GENERAL PLAN	1. LOT A
LOAN PROPOSED GENERAL PLAN	12. OFFICE
EXISTING ZONING	R-1
PROPOSED ZONING	R-1
LOT AREA	1,043 S.F.
DETAILED - BUILDING	
FRONT	10'
REAR	15'
MAX HEIGHT & STOREYS	15.0' 3 STOREYS
ACTUAL HEIGHT & STOREYS	15.0' 3 STOREYS
LOT COVERAGE ALLOWED	40%
ACTUAL LOT COVERAGE	10.7%
BUILDING AREA	
EXISTING OFFICE	1,043 S.F.
TOTAL SF	1,043 S.F.
PARKING AREA	
TOTAL PARKING REQUIRED	1,043 @ 1,000 = 1
PARKING PROVIDED	0
MANICARE D. PARKING REQUIRED	1
TOTAL PARKING PROVIDED	1
VARIANCE REQUESTED	
LANDSCAPE BUFFERS (VARIANCE REQUESTED)	
RIGHT OF WAY DEPTH	26' 1"
INTERIOR SIDE	10' 7" 8' 2"
REAR	15'

- OFFICE
- LOT UP TO 5 ROOMS
- PUBLIC FACILITY
- SERVICE COMMERCIAL

410 Spencer Street
Site Development Review
410 Spencer Street
Las Vegas, Nevada 89101

APTUS Architecture

1200 South Main Street
Suite 100
Las Vegas, Nevada 89104
P 702.819.1300
F 702.819.1313
info@aptusarch.com

APRIL PROJECT NO. 06.093
ARCHITECT

ENGINEER
NOTES
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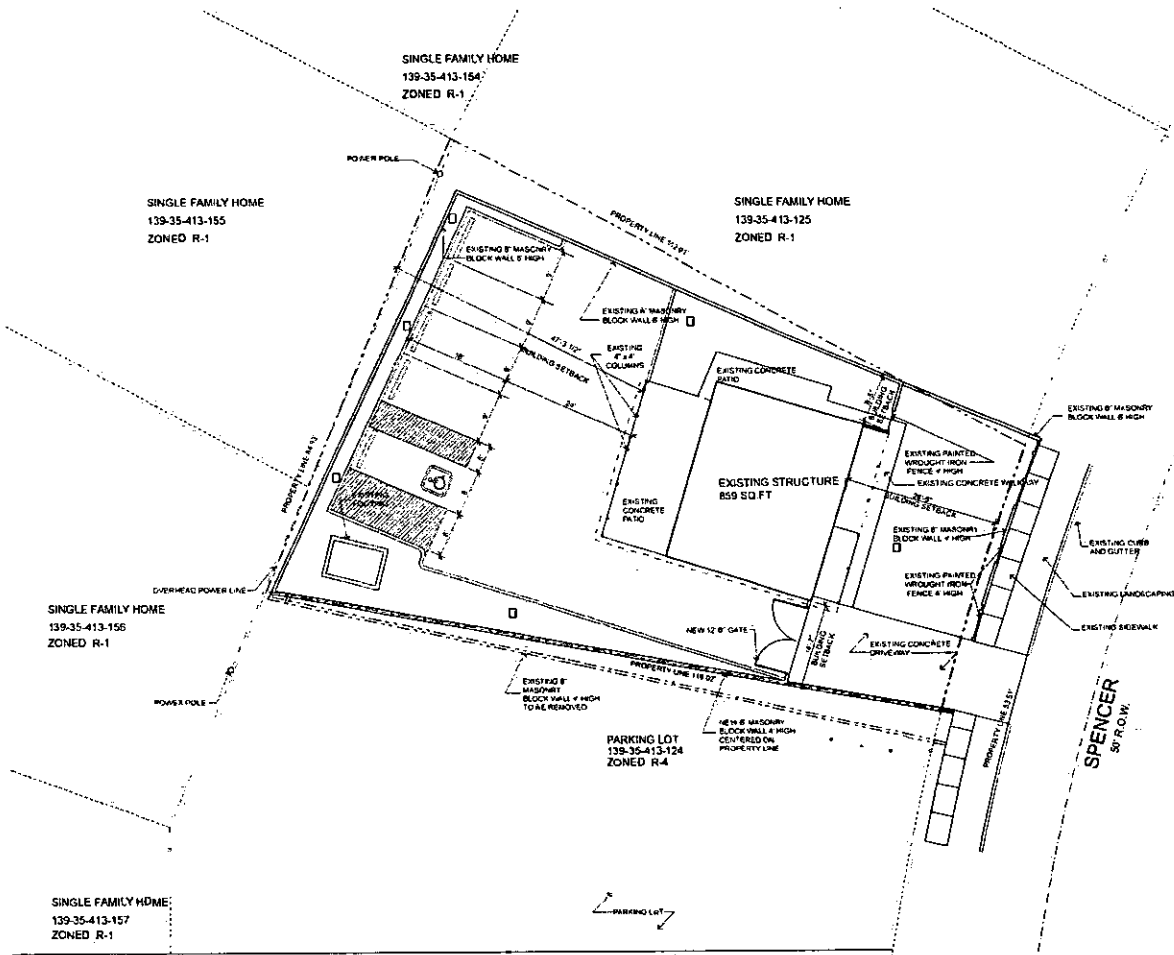
City of Las Vegas
NO. DESCRIPTION DATE
ISSUED

TITLE
GENERAL PLAN
AMENDMENT

RECEIVED

GPA
AUG 25 2006

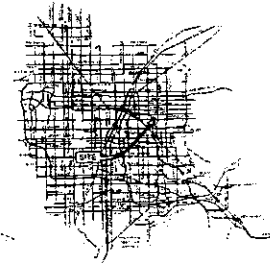
GPA-16294
10/19/06 PC



Location Map



Vicinity Map



Site Zoning & Data

SITE DATA

PARCEL NUMBER	139-35-413-125
JURISDICTION	CITY OF LAS VEGAS 42101
EXISTING GENERAL PLAN	LOW
EXISTING ZONING	OFFICE
PROPOSED ZONING	R-1
SITE AREA	7,028 S.F. 1.16 ACRES

SETBACKS - (BUILDING)

FRONT	20'	PROVIDED	20'
REAR	15'	PROVIDED	15'
LEFT	15'	PROVIDED	15'
RIGHT	15'	PROVIDED	15'

MAX HEIGHT & STORIES

ACTUAL HEIGHT & STORIES	15' 0" / 1 STORY
LOT COVERAGE ALLOWED	30%
ACTUAL LOT COVERAGE	13.7%

BUILDING AREA

EXISTING OFFICE	859 S.F.
TOTAL SF	859 S.F.

PARKING AREA

TOTAL PARKING REQUIRED	810 @ 1,300 S.F.
STANDARD PARKING PROVIDED	4
MAINTAINED PARKING PROVIDED	1,000 ACCESSIBLE
TOTAL PARKING PROVIDED	1,004

LANDSCAPE BUFFERS (WHEN REQUIRED)

RIGHT OF WAY DEPTH	15'	24' 0"
INTERIOR SIDE	15'	10' 0" - 24' 0"
REAR	15'	10' 0"

SITE PLAN

GPA-16294 ZON-16296
SDR-16292 REVISED
02/08/07 PC

DECEIVED
DEC 31 2006

410 Spencer Street
Site Development Review
410 Spencer Street
Las Vegas, Nevada 89101

APTUS Architecture

1200 South 10th Street
Suite 200
Las Vegas, Nevada 89104
702.891.1200
1-702-891-1213
info@aptusarchitecture.com

ARCHITECT PROJECT NO. 06.093

ENGINEER

NOTES

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City of Las Vegas 12/18/06

SDR 16292 Submittal Review

City of Las Vegas 9/27/06

ZON 16292 Submittal

NO DESCRIPTION DATE

ISSUED

TITLE

SITE PLAN

DRAWING NO.

AS100

410 Spencer Street

January 9, 2007

City of Las Vegas
Planning and Development Department
731 s. 4th Street.
Las Vegas, Nevada 89101

RE: APN: 139-35-413-125
 Subject: A. General Plan Amendment
 B. Zoning Change
 C. Site Development Review

Dear Sirs:

The intended use for the property on Spencer Street just north of Charleston is Office Space.

This property currently has a General Plan designation of "L" and a zoning designation of "R-1". We are requesting a general plan amendment to "O" and a zone change to "P-R" for this parcel. This project consists of an existing home that will be converted to an office, which is typical for properties along Charleston and in the surrounding area. We feel this general plan amendment and zone change would be of similar use to that which is currently in the area.

The revised structure is approximately 859 sf and is one story in height. We are proposing to remove the area of the residence on the south side that once was the garage. Four parking spaces will be provided as well as a van accessible space. We will also add landscaping along Spencer as required by Title 19. We are requesting a landscape waiver along the north, west and south property lines due to the site configuration and the location of the existing structure. This project will provide a place of business and opportunity for people to work closer to their own homes which would reduce the need for time consuming commutes.

Please consider this General Plan Amendment, rezoning and site development review request as a positive impact on the City of Las Vegas and the surrounding neighborhood.

Respectfully Submitted,



Kristen G. Neuman, AIA for John Hernandez
APTUS Architecture

GPA-16294 ZON-16296
SDR-16292 REVISED
02/08/07 PC

APTUS

December 18, 2006

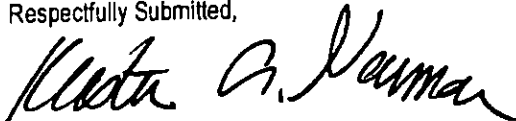
City of Las Vegas
Planning and Development Department
731 s. 4th Street.
Las Vegas, Nevada 89101

RE: APN: 139-35-413-125
 Subject: A. General Plan Amendment **GPA-16294**
 B. Zoning Change **ZON-16296**
 C. Site Development Review **SDR-16292**

Dear Sirs:

We respectfully request that the aforementioned items be "risen from the table" and placed on the February 8, 2006 Planning Commission meeting. The site plan has been revised to show all of the required parking on site. Revised plans have been submitted with this letter along with the required fees for re-noticing the requests. Thank you in advance for approval of this request.

Respectfully Submitted,



Kristen G. Neuman, AIA for John Hernandez
APTUS Architecture

GPA-16294 ZON-16296
SDR-16292 REVISED
02/08/07 PC

HOLLAND & HART

Philip J. Dabney
Phone (702) 669-4600
Fax (702) 669-4650
pj dabney@hollandhart.com

February 8, 2007

RECEIVED
CITY CLERK
2007 FEB 16 A 11:04

City of Las Vegas
Planning and Development Department,
Current Planning Division,
Development Services Center
John Korkosz, Planning Supervisor
731 S. Fourth Street
Las Vegas, NV 89101

Re: Objection to Applications for John Hernandez for Rezoning, Site Development Plan Review and General Plan Amendment, Items ZON-16296, SDR-16292, and GPA-16294 -- On Calendar for Planning Commission Hearing on February 8, 2007

Dear Mr. Korkosz:

I am writing on behalf of Nevada Treatment Center to again voice objection over the applications of John Hernandez described above. This matter previously was before the Commission on November 2, 2006, when it was tabled.

Enclosed with this letter is a copy of the letter from Julia Payne, CEO of Nevada Treatment Center, which sets forth the nature and extent of the Center's objections to the applications of Mr. Hernandez. Nothing has changed since November 2, 2006, to change or lessen the extent of the objections set forth by Ms. Payne in her letter to the Commission.

Ms. Payne and I will appear at the hearing on February 8th to offer any additional comments necessary. Thank you for your consideration.

Very truly yours,

Holland & Hart LLP

Philip J. Dabney, Esq.

PJD:ns

cc: Ms. Julia Payne
3665408_1.DOC

Submitted after final agenda

Date 2/16/07 Item #21-23

Holland & Hart LLP

Phone (702) 669-4600 Fax (702) 669-4650 www.hollandhart.com

3763 Howard Hughes Parkway Suite 300 Las Vegas, Nevada 89169

Denver Aspen Boulder Colorado Springs Denver Tech Center Billings Boise Cheyenne Jackson Hole Las Vegas Salt Lake City Santa Fe Washington, D.C.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ZON-16296 - REZONING RELATED TO GPA-16294 - PUBLIC HEARING -
APPLICANT/OWNER: JOHN HERNANDEZ - Request for a Rezoning FROM: R-1
(SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING)
on 0.17 acres at 410 Spencer Street (APN 139-35-413-125), Ward 3 (Reese).

C.C.: 03/07/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	3
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – DENIED – UNANIMOUS

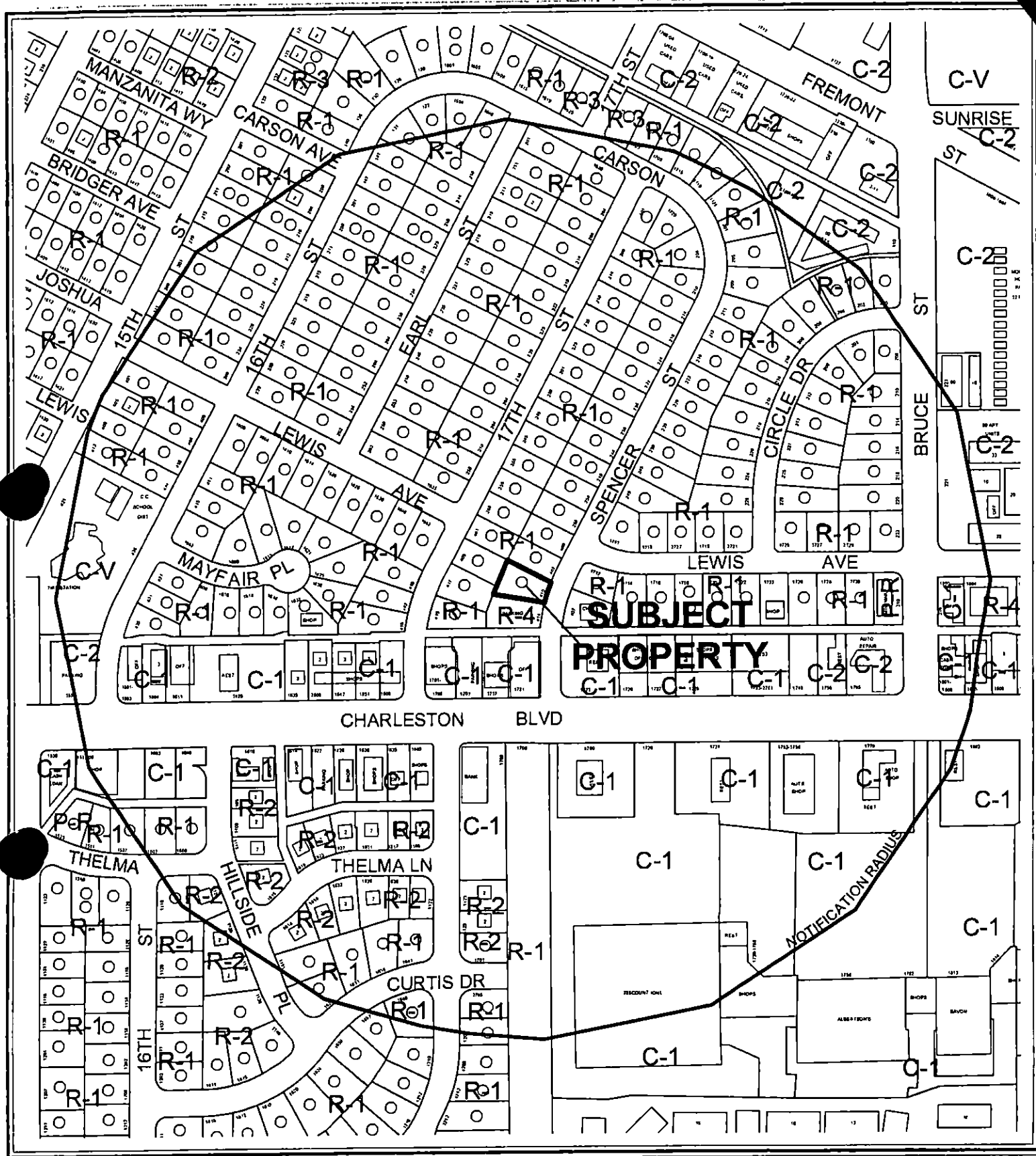
To be heard by City Council on 3/7/2007

MINUTES:

See Item 21 for related discussion and backup.

(7:23 – 7:39)

1-2970



CASE: **ZON-16296**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: O (OFFICE)

0 200 400 Feet





CASE: **ZON-16296**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: O (OFFICE)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 8, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - ZON-16296 - APPLICANT/OWNER: JOHN HERNANDEZ

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. A General Plan Amendment (GPA-16294) to an O (Office) Land Use Designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit is hereby granted.
3. A Site Development Plan Review (SDR-16292) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Coordinate with the Land Development section of the Department of Public Works to determine what improvements are substandard.
5. Landscape and maintain all unimproved rights-of-way, if any, on Spencer Street adjacent to this site concurrent with development.
6. Submit an Encroachment Agreement for all landscaping, if any, located in the Spencer Street public right-of-way adjacent to this site prior to the issuance of a business license.

ZON-16296 - Staff Report Page One
February 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from R-1 (Single Family Residential) to P-R (Professional Office and Parking) on 0.17 acres at 410 Spencer Street.

The proposed Rezoning to a P-R (Professional Office and Parking) District is not compatible with the surrounding area. This request is inappropriate to its context as it would permit a use that otherwise would not be compatible with the surrounding area. As this request is not compatible with the neighborhood denial of this request is recommended.

BACKGROUND INFORMATION

Related/Relevant City Actions by P&D, Fire, Bldg, etc.	
Month/date/year	Action
11/02/06	A Site Development Plan Review (SDR-16292), General Plan Amendment (GPA-16294), Rezoning (ZON-16296), and Variance (VAR-16298) were tabled per the applicant's request.
10/19/06	A Site Development Plan Review (SDR-16292), General Plan Amendment (GPA-16294), Rezoning (ZON-16296), and Variance (VAR-16298) were abeyed per the applicant's request.
Related Building Permits/Business Licenses	
There are no building permits or business licenses that pertain to this site.	
Pre-Application Meeting	
Month/date/year	Description
08/02/06	A pre-application meeting was held with the applicant. The applicant was informed that their request to convert their house into an office would require a Site Development Plan Review, a Rezoning, a Variance, and General Plan Amendment. The applicant was also informed that if they were to utilize the parking lot to the south, they would need a shared parking agreement.
Neighborhood Meeting	
Month/date/year	Description
09/14/06	The Neighborhood Meeting was held at 6:00 pm at the East Las Vegas Community Center. One resident attended the meeting. The resident was concerned with the site only providing one parking space. The applicant is working with the adjacent owner to allow access to the rear property.

ZON-16296 - Staff Report Page Two
February 8, 2007 - Planning Commission Meeting

Details of Application Request	
Site Area	
Net Acres	0.17

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
North	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Parking Lot	L (Low Density Residential)	R-4 (High Density Residential)
East	Existing Church	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)

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

DEVELOPMENT STANDARDS

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	60 Feet	62 Feet	Y
Min. Setbacks			Y
• Front	20 Feet	26.5 Feet	
• Side (north)	5 Feet	8.5 Feet	
• Side (south)	5 Feet	14.5 Feet	
• Rear	15 Feet	60.5 Feet	
Max. Lot Coverage	50%	11.6 %	Y
Max. Building Height	2 Stories or 35 Feet	15 Feet	Y
Trash Enclosure	No	Access off street	Y
Mech. Equipment	Screened	Screened	Y

ZON-16296 - Staff Report Page Three
February 8, 2007 - Planning Commission Meeting

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces	NA	NA	Y
Buffer: Min. Trees	1 Tree/20 Linear Feet	16 Trees	19 Trees	Y
TOTAL				Y
Min. Zone Width (adjacent to ROW)	15 Feet		15 Feet	Y
Min. Zone Width (side property line)	8 Feet		Zero Feet	N*
Min. Zone Width (rear property line)	8 Feet		3 Feet	N*
Wall Height	8 Feet		Existing 8 Feet	Y

*A waiver of perimeter landscape buffer has been requested.

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	
Office	859 SF	1 per 300	3	1	4	1	Y
SubTotal			3	1	4	1	
TOTAL			3		5		Y

Waivers		
Request	Requirement	Staff Recommendation
Waivers to allow perimeter landscape buffer widths of zero feet in the side yard and three-feet in the rear yard where eight feet is the minimum required.	Per 19.12.040 - A perimeter buffer zone consisting of landscape planting and screening shall be provided adjacent to all street right-of-way and property lines.	Denial

ZON-16296 - Staff Report Page Four
February 8, 2007 - Planning Commission Meeting

ANALYSIS

The applicant has requested a Rezoning (ZON-15233) from R-1 (Single Density Residential) District to a P-R (Professional Office and Parking) District. There is no P-R in the vicinity and this Rezoning request is considered inappropriate based on its context. The proposed use as an office is not compatible with the surrounding area, which is primarily residential.

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 current General Plan designation on the site is L (Low Density Residential). The majority of the surrounding area is L (Low Density Residential). The addition of an Office designation to this site would be out of character with the area and contrary to the intent of 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."

There is no P-R (Professional Office and Parking) in the vicinity and this Rezoning request is considered inappropriate based on context. The proposed use as an office is not compatible with the surrounding area, which is primarily residential.

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

The proposed use as an office is not compatible with surrounding development. In addition to this Rezoning request, the proposed development requires a General Plan Amendment and Waivers of landscaping standards. Due to the incompatibility with surrounding land uses and several deviations from standards, denial of this request is recommended.

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 proposed office would be serviced by Spencer Street, a local street. In the pre-application meeting, the applicant intimated that they were going to acquire a shared parking agreement with the owner of the parking lot to gain access through that lot. However, no parking agreement was submitted as part of this application.

ZON-16296 - Staff Report Page Five
February 8, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 272 [Mailed with GPA-16294 and SDR-16292]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-16296** APN: **139.35.413.125**

Name of Property Owner: _____

Name of Applicant: **John Hernandez**

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

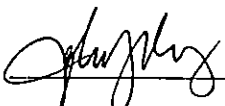
☒ No

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): _____

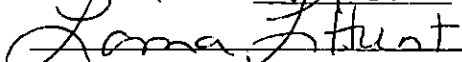
APN: _____

Signature of Property Owner: 

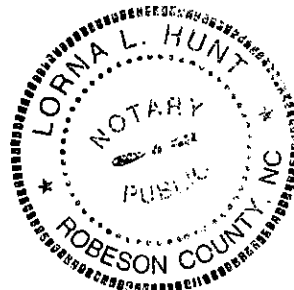
Print Name: **John Hernandez**

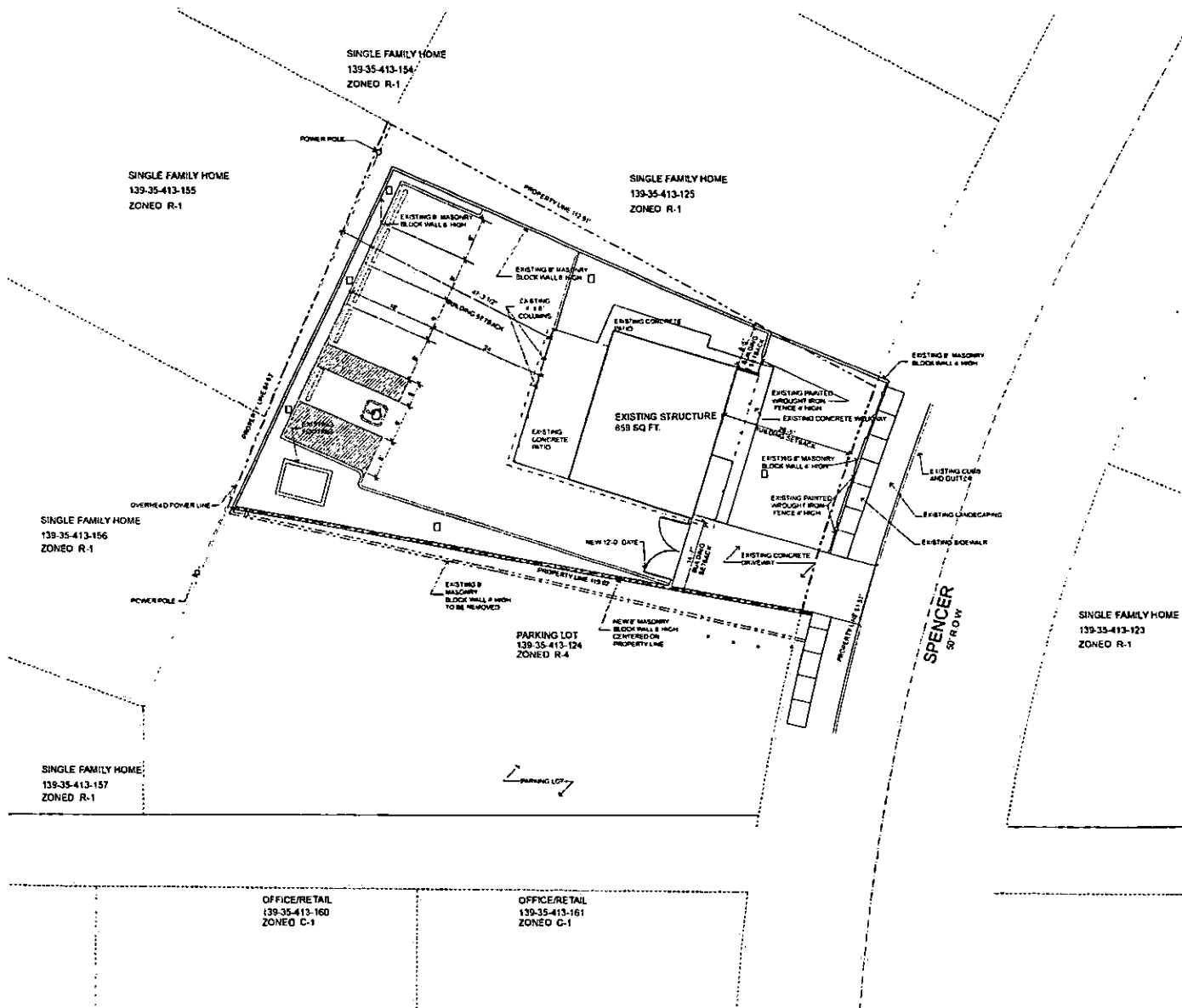
Subscribed and sworn before me

This **16th** day of **August**, 20**06**


Notary Public in and for said County and State

My Commission Expires _____

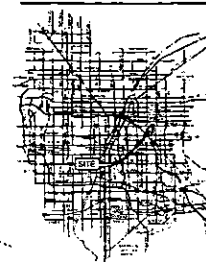




Location Map



Vicinity Map



Site Zoning & Data

SITE DATA

PARCEL NUMBER 139-35-413-125
 JURISDICTION CITY OF LAS VEGAS
 EXISTING GENERAL PLAN 1.10M
 LOCAL PROPOSED GENERAL PLAN 1.10M
 EXISTING ZONING R-1
 PROPOSED ZONING R-1
 SITE AREA 1.46 ACRES

SETBACKS - (BUILDING)

	RECD	PROPOSED
FRONT	30	30
REAR	10	10

MAX HEIGHT & STORIES

	RECD	PROPOSED
MAX HEIGHT & STORIES	15	15

BUILDING AREA

	RECD	PROPOSED
EXISTING OFFICE	658	658
TOTAL SF	658	658

PARKING AREA

	RECD	PROPOSED
TOTAL PARKING REQUIRED	200	200
EXISTING PARKING PROVIDED	0	0
ADDITIONAL PARKING PROVIDED	200	200

LANDSCAPE BUFFERS (WAVES REQUESTED)

	RECD	PROPOSED
POINT OF VIEW DEPTH	15	15
INTERIOR SIDE	15	15

SITE PLAN

GPA-16294 ZON-16296
SDR-16292 REVISED
02/08/07 PC

RECEIVED
DEC 31 2006

410 Spencer Street
 Site Development Review
410 Spencer Street
 Las Vegas, Nevada 89101

APTUSIA Architecture

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 Suite 300
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 F 702.878.1201
 info@aptusiarch.com

APTUSIA PROJECT NO. 06-093
 ARCHITECT

ENGINEER

NOTES

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1 City of Las Vegas 12-16-06
 SDR, SUP RZ Submittal Review
 1 City of Las Vegas 8-22-06
 SDR, SUP RZ Submittal Review
 NO DESCRIPTION DATE

ISSUED

TITLE
SITE PLAN

CALCULATED
AS100
 410 Spencer Street

January 9, 2007

City of Las Vegas
Planning and Development Department
731 s. 4th Street.
Las Vegas, Nevada 89101

RE: APN: 139-35-413-125
Subject: A. General Plan Amendment
B. Zoning Change
C. Site Development Review

Dear Sirs:

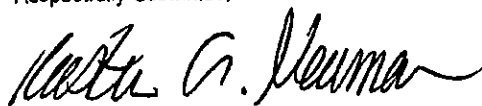
The intended use for the property on Spencer Street just north of Charleston is Office Space.

This property currently has a General Plan designation of "L" and a zoning designation of "R-1". We are requesting a general plan amendment to "O" and a zone change to "P-R" for this parcel. This project consists of an existing home that will be converted to an office, which is typical for properties along Charleston and in the surrounding area. We feel this general plan amendment and zone change would be of similar use to that which is currently in the area.

The revised structure is approximately 859 sf and is one story in height. We are proposing to remove the area of the residence on the south side that once was the garage. Four parking spaces will be provided as well as a van accessible space. We will also add landscaping along Spencer as required by Title 19. We are requesting a landscape waiver along the north, west and south property lines due to the site configuration and the location of the existing structure. This project will provide a place of business and opportunity for people to work closer to their own homes which would reduce the need for time consuming commutes.

Please consider this General Plan Amendment, rezoning and site development review request as a positive impact on the City of Las Vegas and the surrounding neighborhood.

Respectfully Submitted,



Kristen G. Neuman, AIA for John Hernandez
APTUS Architecture

**GPA-16294 ZON-16296
SDR-16292 REVISED
02/08/07 PC**

APTUS

December 18, 2006

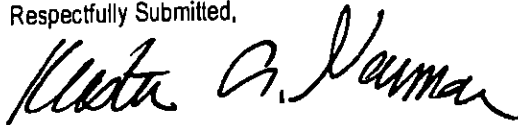
City of Las Vegas
Planning and Development Department
731 s. 4th Street.
Las Vegas, Nevada 89101

RE: **APN: 139-35-413-125**
Subject: A. General Plan Amendment **GPA-16294**
B. Zoning Change **ZON-16296**
C. Site Development Review **SDR-16292**

Dear Sirs:

We respectfully request that the aforementioned items be "risen from the table" and placed on the February 8, 2006 Planning Commission meeting. The site plan has been revised to show all of the required parking on site. Revised plans have been submitted with this letter along with the required fees for re-noticing the requests. Thank you in advance for approval of this request.

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GPA-16294 ZON-16296
SDR-16292 REVISED
02/08/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-16292 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-16294 AND ZON-16296 - PUBLIC HEARING - APPLICANT/OWNER: JOHN HERNANDEZ -
Request for a Site Development Plan Review FOR THE PROPOSED CONVERSION OF A SINGLE-FAMILY RESIDENCE TO AN OFFICE AND A WAIVER TO ALLOW NO PERIMETER LANDSCAPE BUFFER IN THE FRONT YARD WHERE A 15-FOOT LANDSCAPE BUFFER IS THE MINIMUM REQUIRED, TO ALLOW NO PERIMETER LANDSCAPE BUFFER IN THE SIDE YARD WHERE AN EIGHT-FOOT LANDSCAPE BUFFER IS THE MINIMUM REQUIRED, AND TO ALLOW A TWO-FOOT LANDSCAPE BUFFER IN THE REAR YARD WHERE EIGHT FEET IS THE MINIMUM REQUIRED on 0.17 acres at 410 Spencer Street (APN 139-35-413-125), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking) Zone], Ward 3 (Reese). NOTE: THIS IS AMENDED TO ALLOW NO PERIMETER LANDSCAPE BUFFER IN A PORTION OF THE SIDE YARD WHERE AN EIGHT-FOOT LANDSCAPE BUFFER IS THE MINIMUM REQUIRED AND TO ALLOW A THREE-FOOT LANDSCAPE BUFFER IN THE REAR YARD WHERE EIGHT FEET IS THE MINIMUM REQUIRED.

C.C.: 03/07/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	4
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Protest letter by Julia A. Payne

MOTION:

GOYNES – DENIED – UNANIMOUS

To be heard by City Council on 3/7/2007

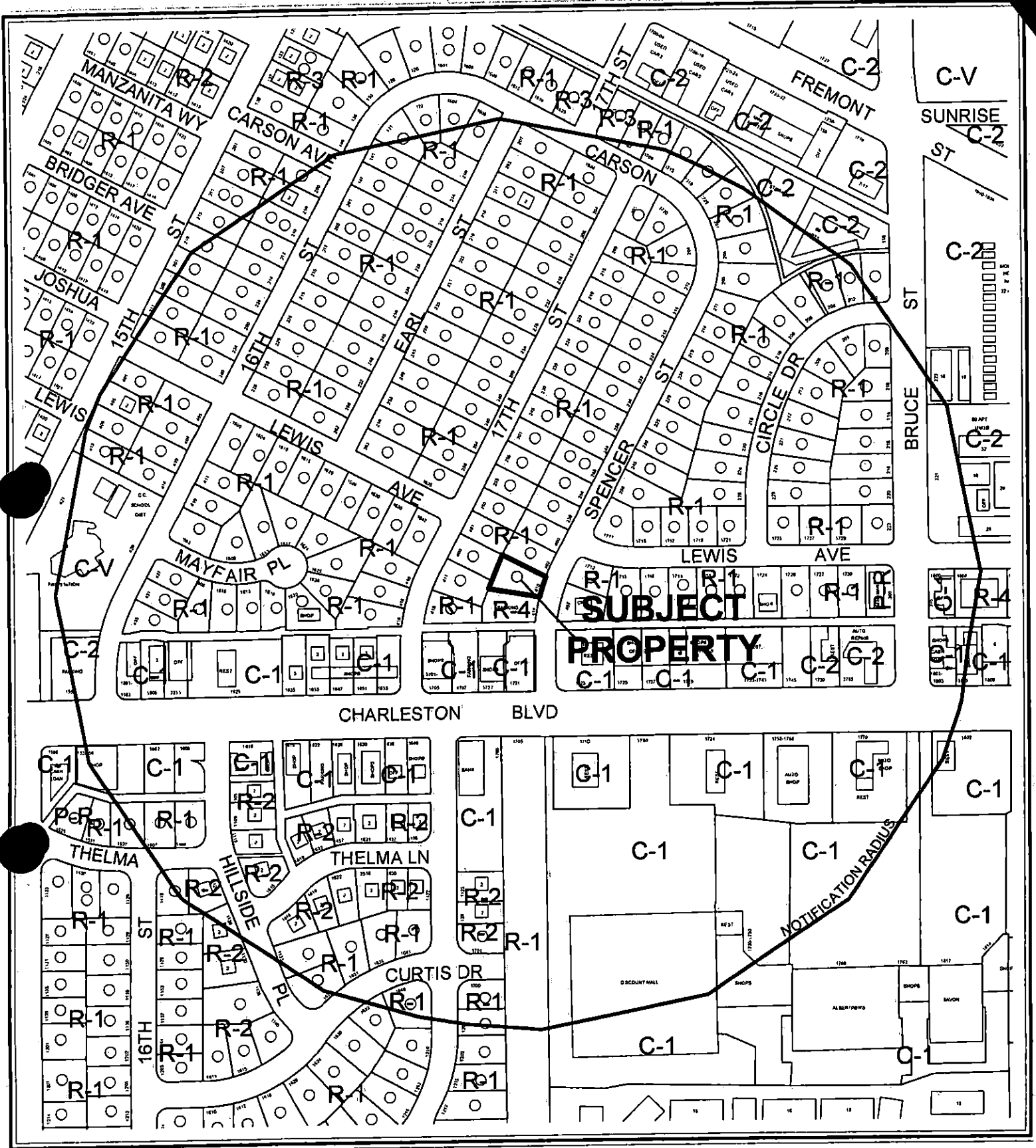
PLANNING COMMISSION MEETING OF FEBRUARY 8, 2007
Planning and Development Department
Item 23 – SDR-16292

MINUTES:

See Item 21 for related discussion and backup.

(7:23 – 7:39)

1-2970



CASE: **SDR-16292**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: O (OFFICE)

0 200 400 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: FEBRUARY 8, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-16292 - APPLICANT/OWNER: JOHN HERNANDEZ**

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

1. Conformance to the Conditions of Approval for Rezoning (ZON-16296), Variance (VAR-16298, and General Plan Amendment (GPA-16294) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan date stamped 12/21/06 and building elevations date stamped 08/25/06, except as amended by conditions herein.
4. A Waiver from Title 19.12.040 Perimeter Landscape Buffering is hereby approved, to allow no perimeter landscape buffer in the side yard and to allow three feet of perimeter landscape buffer in the rear yard. Perimeter landscape buffers shall be in conformance with the landscape plan date stamped 1/4/07.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

JM

SDR-16292 - Conditions Page Two
February 8, 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

13. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
14. Site development to comply with all applicable conditions of approval for ZON-16296 and all other site-related actions.

SDR-16292 - Staff Report Page One
February 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for the proposed conversion of a single-family residence to an office on 0.17 acres at 410 Spencer Street.

This conversion of a residence to an office has several deviations from standards, requiring a Rezoning (ZON-16296), and a General Plan Amendment (GPA-16294). The rezoning to a P-R (Professional Office and Parking) District is considered inappropriate based on the context and is not supported. The applicant has requested a Waiver to allow no perimeter landscape buffer in the side yard and three feet of perimeter landscape buffer in the rear yard where eight feet is required by Title 19.12. While redevelopment in this area of the city is encouraged, a use of a less intense nature is desired. The project calls for too many deviations from standards; therefore, denial of this application is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
11/02/06	A Site Development Plan Review (SDR-16292), General Plan Amendment (GPA-16294), Rezoning (ZON-16296), and Variance (VAR-16298) were tabled per the applicant's request.
10/19/06	A Site Development Plan Review (SDR-16292), General Plan Amendment (GPA-16294), Rezoning (ZON-16296), and Variance (VAR-16298) were abeyed per the applicant's request.
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses that pertain to this site.	
<i>Pre-Application Meeting</i>	
Month/date/year	Description
08/02/06	A pre-application meeting was held with the applicant. The applicant was informed that their request to convert their house into an office would require a Site Development Plan Review, a Rezoning, a Variance, and General Plan Amendment. The applicant was also informed that if they were to utilize the parking lot to the south, they would need a shared parking agreement.
<i>Neighborhood Meeting</i>	
Month/date/year	Description
09/14/06	The Neighborhood Meeting was held at 6:00 pm at the East Las Vegas Community Center. One resident attended the meeting. The resident was concerned with the site only providing one parking space. The applicant is working with the adjacent owner to allow access to the rear property.

JM

SDR-16292 - Staff Report Page Two
February 8, 2007 - Planning Commission Meeting

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.17

<i>Surrounding Property</i>	<i>Existing Land Use</i>	<i>Planned Land Use</i>	<i>Existing Zoning</i>
Subject Property	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
North	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Parking Lot	L (Low Density Residential)	R-4 (High Density Residential)
East	Existing Church	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)

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

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	60 Feet	62 Feet	Y
Min. Setbacks			Y
• Front	20 Feet	26.5 Feet	
• Side (north)	5 Feet	8.5 Feet	
• Side (south)	5 Feet	14.5 Feet	
• Rear	15 Feet	60.5 Feet	
Max. Lot Coverage	50%	11.6 %	Y
Max. Building Height	2 Stories or 35 Feet	15 Feet	Y
Trash Enclosure	No	Access off street	Y
Mech. Equipment	Screened	Screened	Y

SDR-16292 - Staff Report Page Three
February 8, 2007 - Planning Commission Meeting

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces	NA	NA	Y
Buffer: Min. Trees	1 Tree/20 Linear Feet	16 Trees	19 Trees	Y
TOTAL				Y
Min. Zone Width (adjacent to ROW)	15 Feet		15 Feet	Y
Min. Zone Width (side property line)	8 Feet		Zero Feet	N*
Min. Zone Width (rear property line)	8 Feet		3 Feet	N*
Wall Height	8 Feet		Existing 8 Feet	Y

*A waiver of perimeter landscape buffer has been requested.

Pursuant to Title 19.10, the following parking standards apply:

Pursuant to Title 19.10, the following parking standards apply.							
Parking Requirements							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office	859 SF	1 per 300	3	1	4	1	Y
SubTotal			3	1	4	1	
TOTAL			3		5		Y

Waivers		
Request	Requirement	Staff Recommendation
Waivers to allow perimeter landscape buffer widths of zero feet in the side yard and three-feet in the rear yard where eight feet is the minimum required.	Per 19.12.040 – A perimeter buffer zone consisting of landscape planting and screening shall be provided adjacent to all street right-of-way and property lines.	Denial

SDR-16292 - Staff Report Page Four
February 8, 2007 - Planning Commission Meeting

ANALYSIS

This proposed project calls for the conversion of a residence to an office. The project is located on Spencer Street, approximately 220 feet north of Charleston Boulevard, surrounded by single-family residential to the north and west, a church to the east and a parking lot to the south.

The plans show an 859 square foot single-family home on a 7,638 square foot, R-1 (Single Family Residential) zoned lot. This home was constructed in 1942 and from the photographs provided appears to have none to little landscaping in the front or back. The proposed development does not intend to change the exterior of the building. Although to permit access to the rear of the lot for future parking, the applicant proposes to remove 184 square feet off the existing 1,043 square-foot structure. The site plan shows five parking spaces, including a handicap space, in the back of the lot where three is required by Title 19.10.

The applicant has requested a Waiver to allow no perimeter landscape buffer in the side yard and three feet of perimeter landscape buffer in the rear yard where eight feet is required by Title 19.12.

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 does not intend to change the exterior of the building. To permit access to the rear of the lot for future parking, the applicant proposes to remove 184 square feet off the existing 1,043 square-foot structure. There are no Office land-use designations in the vicinity. This is primarily a residential neighborhood with a parking lot to the south of the property. Commercial land uses exists a block away, south along Charleston Boulevard. The proposed office is not compatible with the neighborhood.

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 does not meet the perimeter landscape buffer requirements. The applicant has requested a waiver to mitigate these deviations from the standards. The large number of deviations is an indication that the development is too intense for this location; therefore, the denial of this request is recommended.

SDR-16292 - Staff Report Page Five
February 8, 2007 - Planning Commission Meeting

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

The proposed office would be serviced by Spencer Street, a local street. In addition, Public Works would always prefer to see adjacent property owners work together to present multi-lot conversions with common access drives and common parking areas wherever possible.

4. **“Building and landscape materials are appropriate for the areas 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;”**

Elevations and design characteristics are consistent with the single-family residences in the area; however, no structural improvements are being made to this building to improve its character. Additionally, the applicant is proposing to waive a portion of the landscaping requirements

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

The site will be subject to inspections and state licensing requirements and will not endanger the public health or compromise the general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

15

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 272 [Mailed with GPA-16294 AND ZON-16296]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-16292** APN: 139-35-413-125
Name of Property Owner: _____
Name of Applicant: John Hernandez

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

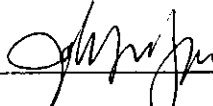
☒ No

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: John Hernandez

Subscribed and sworn before me

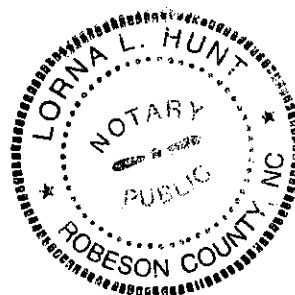
This 16th day of August, 20 06

Lorna L. Hunt
Notary Public in and for said County and State

My Commission Expires

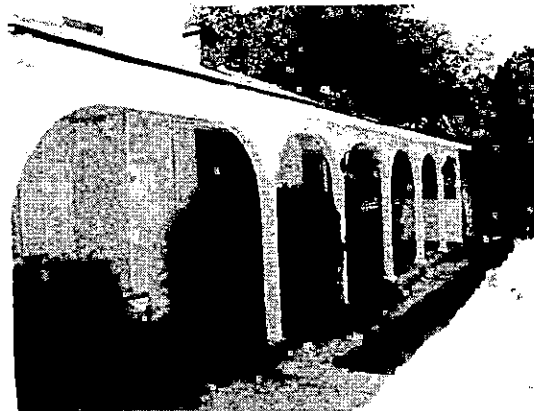
Revised 12-03-04

10/23/10





FRONT OF BUILDING - EAST



FRONT OF BUILDING - EAST



DRIVEWAY SIDE - SOUTH



BACK OF BUILDING - WEST



BACK OF BUILDING - WEST



SIDE OF BUILDING - NORTH

410 Spencer Street
Site Development Review
410 Spencer Street
Las Vegas, Nevada 89101

APTUS Architecture

1700 South 4th Street
Suite 206
Las Vegas, Nevada 89101
P 702.879.1100
F 702.879.1101
www.aplus-arch.com

APTUS PROJECT NO. 06.093
ARCHITECT

ENGINEER

NOTES

COMPILED 2006 BY APTUS ARCHITECTURE

NO.	DATE	DESCRIPTION	DATE
1	06/15/06	ISSUED	

TITLE
BUILDING
ELEVATIONS

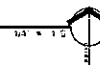
RECEIVED

DRAWING NO.

A200

AUG 2 2006

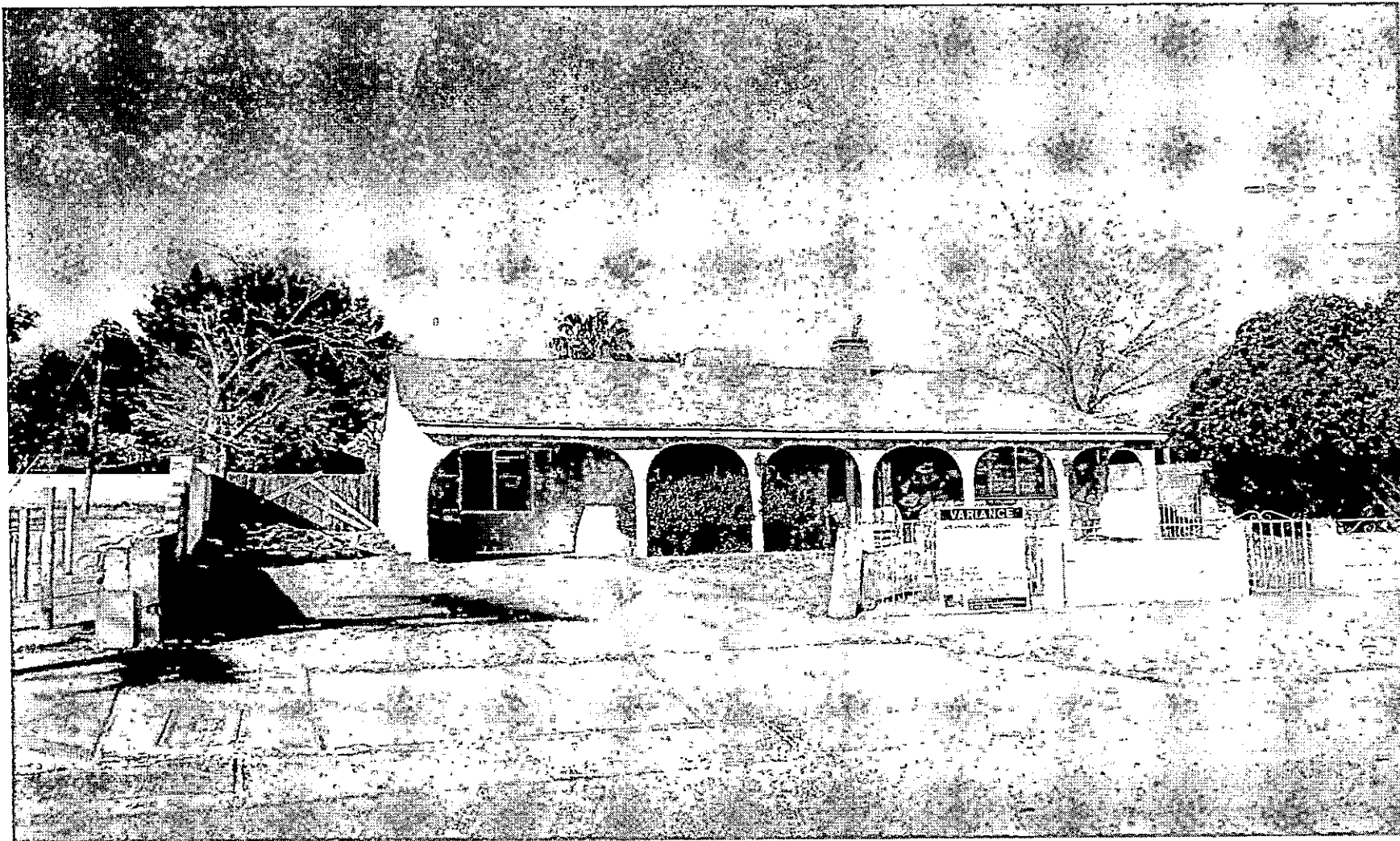
SDR-16292
10/19/06 PC



DRAWING NO.
A100
418 Spencer Street

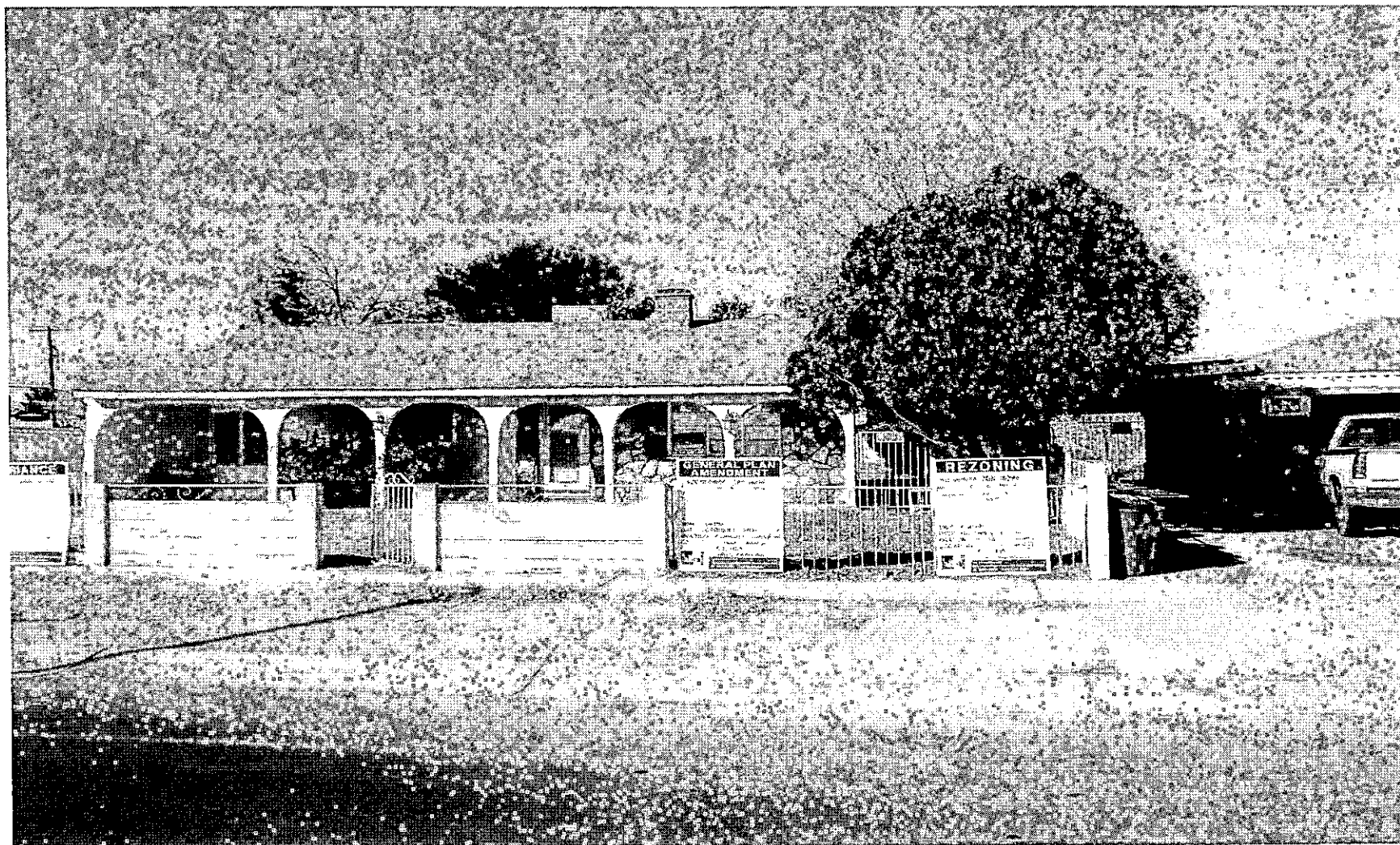
SDR 16292				
John Hernandez				
410 Spencer				
Proposed 0.859 thousand square foot office conversion.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	0.859	11.01	9
AM Peak Hour			1.55	1
PM Peak Hour			1.49	1
(heaviest 60 minutes)				
Previous Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DWELL]	1	9.57	10
AM Peak Hour			0.75	1
PM Peak Hour			1.01	1
(heaviest 60 minutes)				
Net Change	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	0.859		-1
AM Peak Hour				0
PM Peak Hour				0
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Spencer Street				
Average Daily Traffic (ADT)	113			
PM Peak Hour	9			
(heaviest 60 minutes)				
Charleston Boulevard				
Average Daily Traffic (ADT)	36,606			
PM Peak Hour	2,928			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
Adjacent street ADT				

	Capacity			
Spencer Street	3,000			
Charleston Boulevard	51,700			
This project will add no significant traffic on Spencer or Charleston.				
Volumes are not expected to increase on these streets.				
Spencer is at about 4 percent of capacity for a street with individual				
driveways on it, and Charleston is at about 71 percent of capacity.				
Note that this report assumes all traffic from this development uses all named streets.				



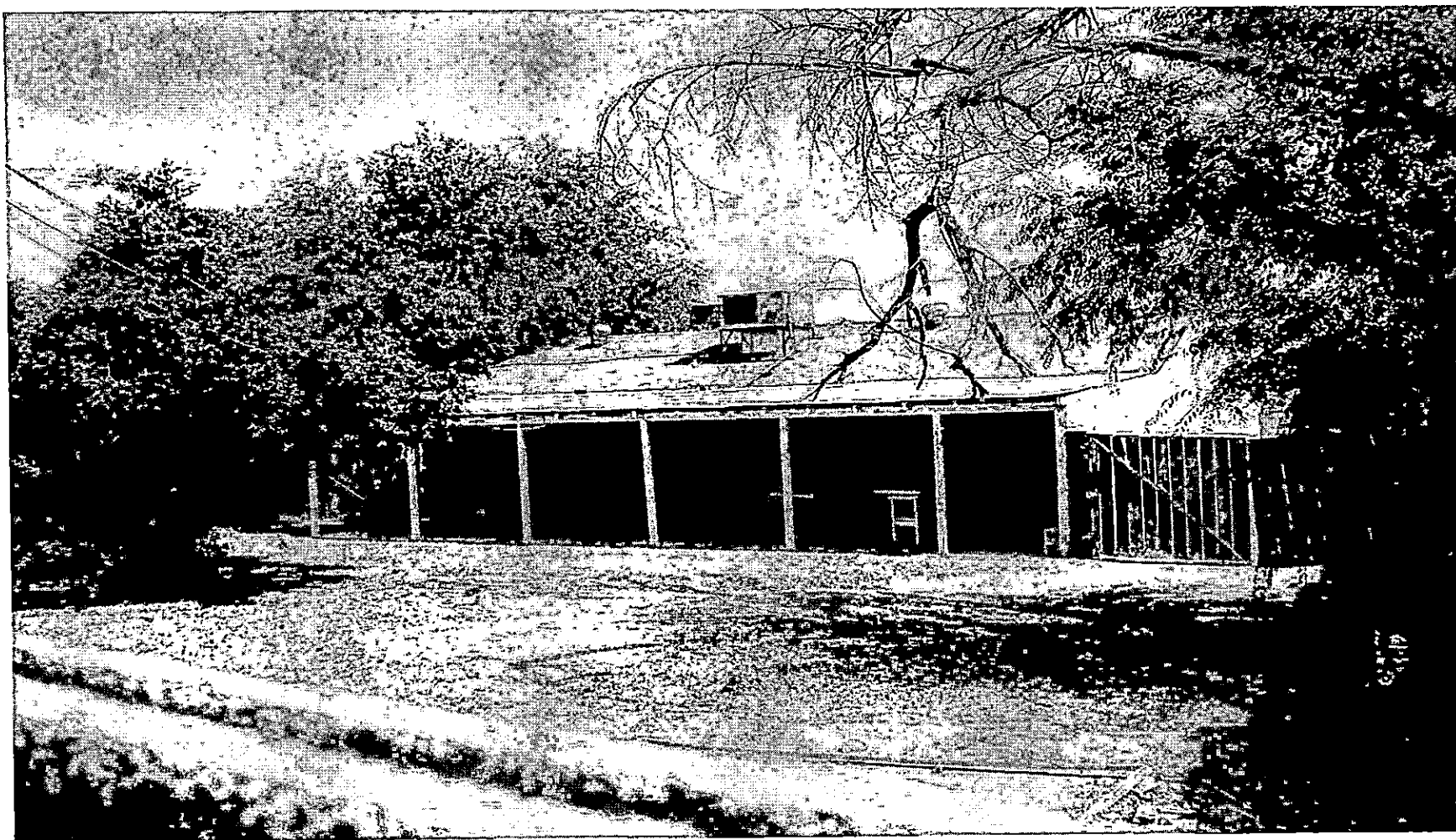
GPA-16294, ZON-16296 & SDR-16292 - APPLICANT/OWNER: JOHN HERNANDEZ
410 SPENCER STREET
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/06



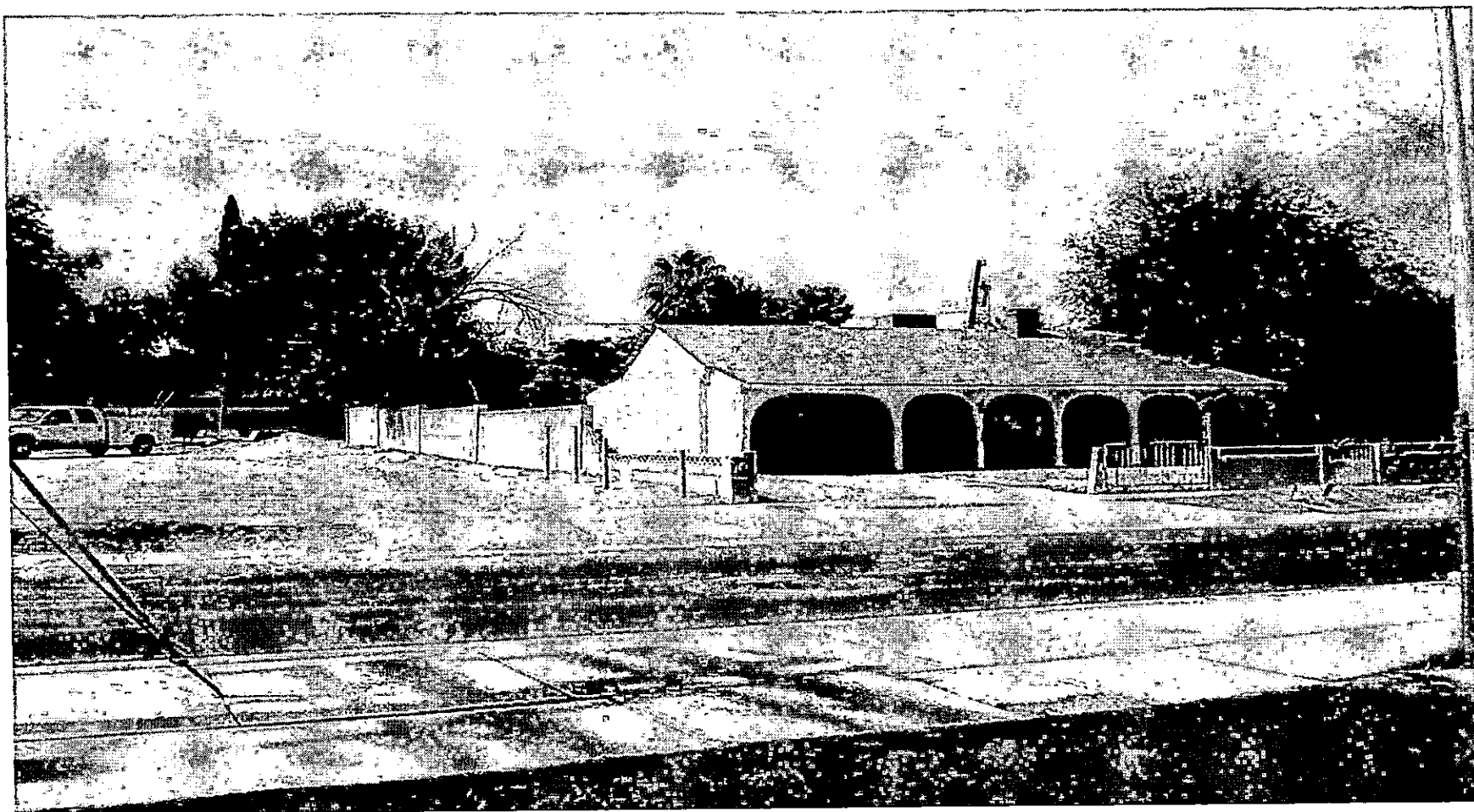
GPA-16294, ZON-16296 & SDR-16292 - APPLICANT/OWNER: JOHN HERNANDEZ
410 SPENCER STREET
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/06



GPA-16294, ZON-16296 & SDR-16292 - APPLICANT/OWNER: JOHN HERNANDEZ
410 SPENCER STREET
FEBRUARY 8, 2007 PLANNING COMMISSION

09/26/06



GPA-16294, ZON-16296 & SDR-16292 - APPLICANT/OWNER: JOHN HERNANDEZ
410 SPENCER STREET
FEBRUARY 8, 2007 PLANNING COMMISSION

09/26/06

January 9, 2007

City of Las Vegas
Planning and Development Department
731 s. 4th Street.
Las Vegas, Nevada 89101

RE: APN: 139-35-413-125
Subject: A. General Plan Amendment
B. Zoning Change
C. Site Development Review

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Please consider this General Plan Amendment, rezoning and site development review request as a positive impact on the City of Las Vegas and the surrounding neighborhood.

Respectfully Submitted,



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APTUS Architecture

GPA-16294 ZON-16296
SDR-16292 REVISED
02/08/07 PC

APTUS

December 18, 2006

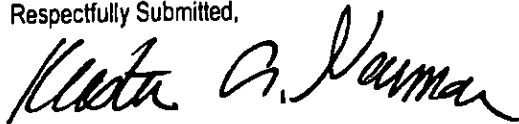
City of Las Vegas
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731 s. 4th Street.
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Subject: A. General Plan Amendment **GPA-16294**
B. Zoning Change **ZON-16296**
C. Site Development Review **SDR-16292**

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Kristen G. Neuman, AIA for John Hernandez
APTUS Architecture

GPA-16294 ZON-16296
SDR-16292 REVISED
02/08/07 PC



NEVADA TREATMENT CENTER

2007 FEB 16 A 11:04

RECEIVED
CITY CLERK

October 26, 2006

Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

SENT VIA: U.S. Mail - Certified/Return Receipt Request

RE:

APPLICANT/OWNER:

SDR-16292

JOHN HERNANDEZ - REQUEST FOR A SITE DEVELOPMENT PLAN
REVIEW FOR THE PROPOSED CONVERSION OF A SINGLE-FAMILY
RESIDENCE TO AN OFFICE AND A WAIVER OF THE PERIMETER
LANDSCAPE BUFFERING REQUIREMENTS ON 0.17 ACRES AT 410
SPENCER STREET (APN 139-35-413-125), R-1 (SINGLE FAMILY
RESIDENTIAL) ZONE {PROPOSED: P-R (PROFESSIONAL OFFICE AND
PARKING) ZONE}, WARD 3 (REESE).

To Whom It May Concern:

My name is Julia A. Payne, CEO, Nevada Treatment Center, and representative of the property owned by the corporation of the same. I am hereby submitting this letter in protest of the above referenced. Our property, a parking lot, located at 414 Spencer Street, is adjacent to the property as described in SDR-16292.

A representative from our Board of Trustees' has reviewed the site plan map and a section of our property would be affected by this request. (See attachment A.)

On another note, we are also concerned about the use of the property being considered for commercial rezoning. As owners of the lot and building located at 1721 East Charleston Blvd., we have witnessed a tremendous increase in crime within the area over the past several months. The idea of a commercial business being left vacant during evening hours is not appealing to us. As an example, on Thursday, October 12, 2006, one of our surveillance system cameras (prior to being vandalized) recorded vehicle(s) being taken to the rear of Mr. Hernandez's property. We reported the observations to the police who in turn located the owner of two (2) stolen vehicles left on Mr. Hernandez's property.

Submitted after final agenda

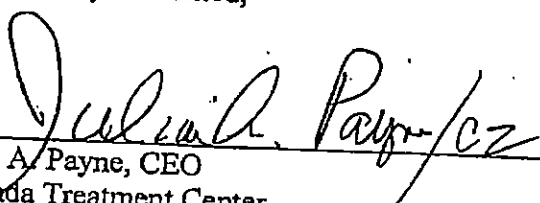
1

Date 2/16/07 Item #23

Planning and Development Department
RE: SDR-16292
Page Two

These are our concerns and we would appreciate the Board's consideration when reviewing and deciding the outcome of the request(s) attached to 410 Spencer Street property.

Respectfully submitted,



Julia A. Payne, CEO
Nevada Treatment Center

10-26-06
Date

JAP:cz

cc: Tina Walls, Esq.

RECEIVED
CITY CLERK

2007 FEB 16 A 11:04

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired. - Print your name and address on the reverse so that we can return the card to you. - Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature X <u>Lisa C. Outley</u> Agent B. Received by <u>Lisa C. Outley</u> Addressee Date of Delivery <u>10-31-06</u> D. Is delivery address different from Item 1? ☐ Yes If YES, enter delivery address below: ☐ No 3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☐ Yes	
1. Article Addressed to: Planning & Development Dept Current Planning Div. Development Services Center 731 S. Fourth St. Las Vegas, NV 89101		2. Article Number (Transfer from service label) <u>7006 0810 0005 4216 4774</u>	
PS Form 3811, February 2004		Domestic Return Receipt	
		102595-02-M-1540	

RECEIVED
CITY CLERK
2007 FEB 16 A 11:04

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-18790 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: WENDELL D. AND LINDA G. GENTRY - Request for a Variance TO ALLOW A NON-HABITABLE ACCESSORY STRUCTURE TO BE 1,831 SQUARE FEET WHERE 1,148 SQUARE FEET IS THE MAXIMUM ALLOWED on 0.52 acres at 5306 Hickam Avenue (APN: 138-01-702-001), R-E (Residence Estates) Zone, Ward 6 (Ross).

IF APPROVED: C.C.: 03/07/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted at meeting – 5 letters of support by Wendell Gentry for Items 24 – 25

MOTION:

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

- There will be a minimum five foot southerly setback.
- The accessory structure is to be 1740.
- Motion carried with EVANS and STEINMAN voting NO

To be heard by City Council on 3/7/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open for Item 24 [VAR-18790] and Item 25 [SUP-18789].

PLANNING COMMISSION MEETING OF FEBRUARY 8, 2007
Planning and Development Department
Item 24 – VAR-18790

MINUTES – Continued:

DOUG RANKIN, Planning and Development Department, stated the variance request is a self-imposed hardship and recommended denial.

WENDELL GENTRY, 5306 Hickum Avenue, stated this structure would match his existing home in height and architectural style. He pointed out a correction to the architectural plans that would allow him to meet the setback requirements. He also submitted several support letters which he had collected from his neighbors.

MARY KRAMER, 5209 West Gilmore Avenue, questioned MR. GENTRY regarding the structure's purpose and expressed concern with the structure's size. MR. GENTRY assured MS. KRAMER the structure was for personal use and not business purposes.

COMMISSIONER STEINMAN expressed opposition because he felt that the application was inappropriate and that the applicant intended to inhabit the building.

MR. KRAMER explained how vehicles would access the existing driveway and the drive to the proposed structure. The two bathrooms would provide a powder room for playroom use and hobby bathroom for clean up after work in the shop area.

COMMISSIONER GOYNES expressed his support and complimented the cozy design of the structure.

MARGO WHEELER, Director of Planning and Development Department, amended the conditions to reflect the proposed structure's correct setback and size.

CHAIRMAN DAVENPORT declared the Public Hearing closed for Item 24 [VAR-18790] and Item 25 [SUP-18789].

(7:39 – 7:47)

2-135

CONDITIONS:

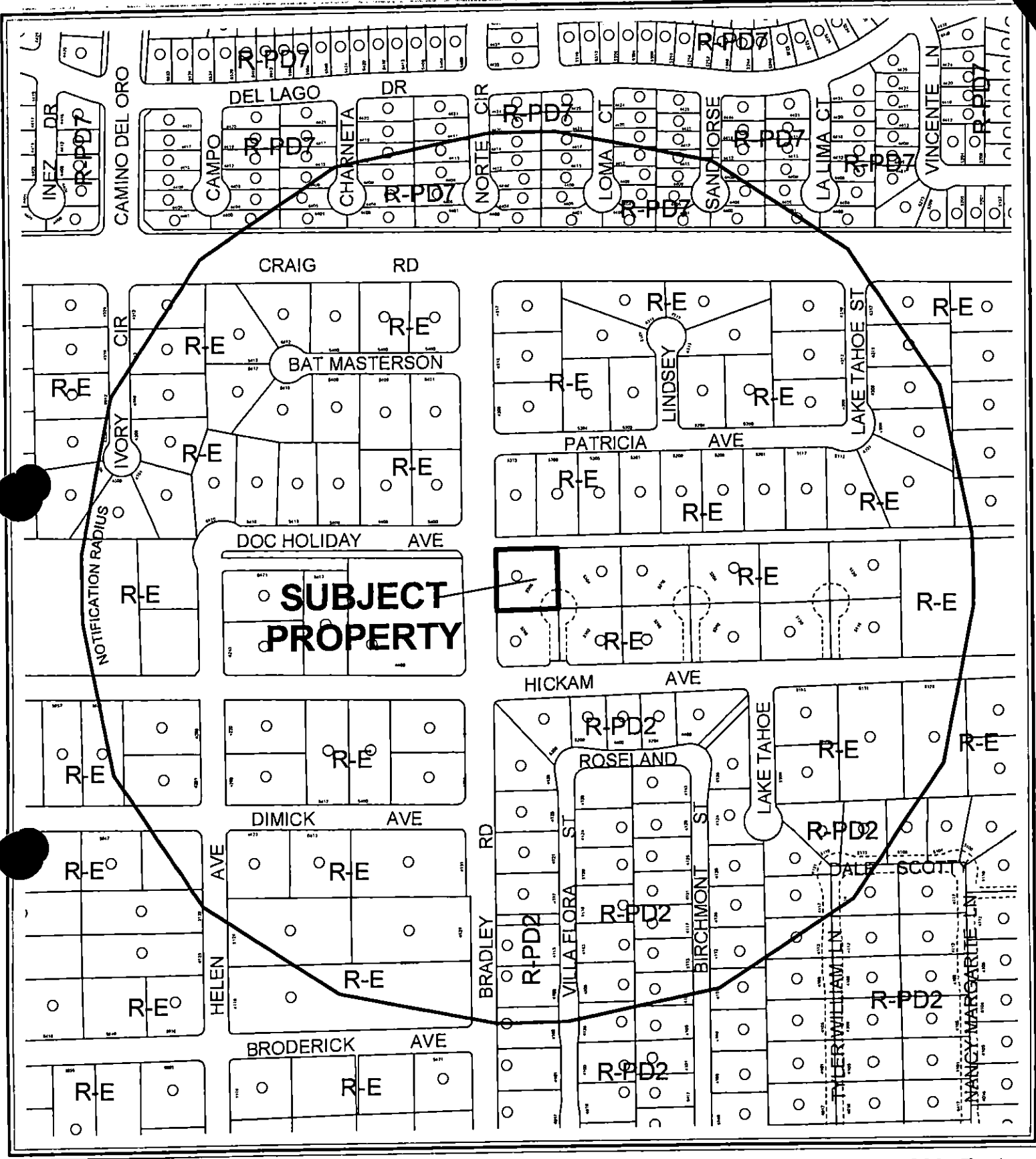
Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-18789) 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.

PLANNING COMMISSION MEETING OF FEBRUARY 8, 2007
Planning and Development Department
Item 24 – VAR-18790

CONDITIONS – Continued:

3. If approved submit revised plans showing the required three-foot setback distance between the nearest portion of the non-habitable accessory structure and the south property line, while still maintaining a minimum 6-foot separation from the principal structure.



CASE: **VAR-18790**

RADIUS: 1000 FT

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



CASE: **VAR-18790**

RADIUS: 1000 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 8, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-18790 - APPLICANT/OWNER: WENDELL D. AND
LINDA G. GENTRY

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-18789) if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. If approved submit revised plans showing the required three-foot setback distance between the nearest portion of the non-habitable accessory structure and the south property line, while still maintaining a minimum 6-foot separation from the principal structure.

VAR-18790 - Staff Report Page One
February 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow a 1,831 square foot, non-habitable, detached accessory structure to be larger than 50% of the primary structure. The existing single family dwelling is 2,296 square feet, which would allow a detached accessory structure to be a maximum of 1,148 square feet. The applicant is requesting an additional 683 square feet. The proposed accessory will consist of two spaces, 1,345 square feet to be used as a workshop and vehicle storage, the remaining 486 square feet will be a game room. No physical hardship was cited to justify this request.

A companion Special Use Permit has been filed with this application and will be heard concurrently with this request.

BACKGROUND INFORMATION

<i>Related/Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
NA	There are no previous records filed against this property
<i>Related Building Permits/Business Licenses</i>	
1/3/1997	Building Permit for a single family home
<i>Pre-Application Meeting</i>	
11/27/06	A pre-application meeting was held to discuss the requirements of the Variance, siting options for an accessory structure on the subject site. Building Department talked about fire rating and lighting for shop area.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	.52

<i>Surrounding Property</i>	<i>Existing Land Use</i>	<i>Planned Land Use</i>	<i>Existing Zoning</i>
Subject Property	Residential	DR(Desert Rural)	R-E(Residential Estates)
North	Residential	DR(Desert Rural)	R-E(Residential Estates)
South	Residential	DR(Desert Rural)	R-E(Residential Estates)

VAR-18790 - Staff Report Page Two
February 8, 2007 - Planning Commission Meeting

East	Residential	DR(Desert Rural)	R-E(Residential Estates)
West	Residential	DR(Desert Rural)	R-E(Residential Estates)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	NA

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District	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

A-O Airport Overlay District

A single family dwelling exists on the subject site, at a height of fifteen feet, ten inches. The proposed detached accessory structure will be constructed at a finished height of fourteen feet, ten inches and is not affected by the 105-foot height restriction.

Rural Preservation Overlay District

Density is not affected by this project and does not require application of the requirements of the Rural Preservation District.

As per 19.08

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	20,000 Square Feet	21,877	Y
Min. Lot Width	100 Feet	100 Feet	Y
Min. Distance Between Buildings	6 feet	6'9"	Y
Max. Lot Coverage	50%	19%	Y
Max. Building Height	2 Stories or 35 Feet	14'10"	Y

In the plans provided, the 3-foot setback on the south building side of the accessory structure has been taken from the face of building and does not account for the distance of the roof eaves. If approved, this application has been conditioned to require revised plans showing the required three-foot setback distance between the nearest portion of the non-habitable accessory structure and the south property line, while still maintaining a minimum 6-foot separation from the principal structure.

VAR-18790 - Staff Report Page Three
February 8, 2007 - Planning Commission Meeting

ANALYSIS

The existing home is located on an R-E lot with a lot size of 21,877 square feet. The applicant proposes to construct a detached accessory structure on the side yard of the existing 2,296 square foot single family residence. The allowable size of an accessory structure is 50% of the primary structure in this case the proposed accessory structure has been increased by 37% of that which is permitted by code. The maximum allowable size for an accessory structure on this property is 1,148 square feet. In order to provide a workshop, vehicle storage and a game room the structure is enlarged by an additional 683 square feet, which is an increase in size of 37%. While the proposed deviation from standards to allow a detached accessory structure to be 1,831 square-feet where 1,148 square feet is the maximum allowed, the deviation from standards is considered a self-imposed hardship.

The detached accessory structure as proposed is an attempt to overbuild the site, and staff cannot recommend approval for this application. The hardship is personal and self-created; therefore, staff must recommend denial.

FINDINGS

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

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

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-18790 - Staff Report Page Four
February 8, 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 building a non-habitable detached accessory structure which would exceed the maximum allowable square footage. Alternative is to reduce the size of the accessory structure by 683 square feet, which would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 171 (Mailed with SUP-18789)

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-18790** APN: _____
Name of Property Owner: Wendell D. & Linda G. Gentry
Name of Applicant: Wendell D. Gentry
Name of Representative: _____

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 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): _____

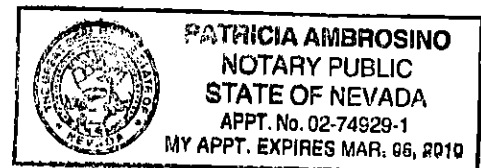
APN: _____

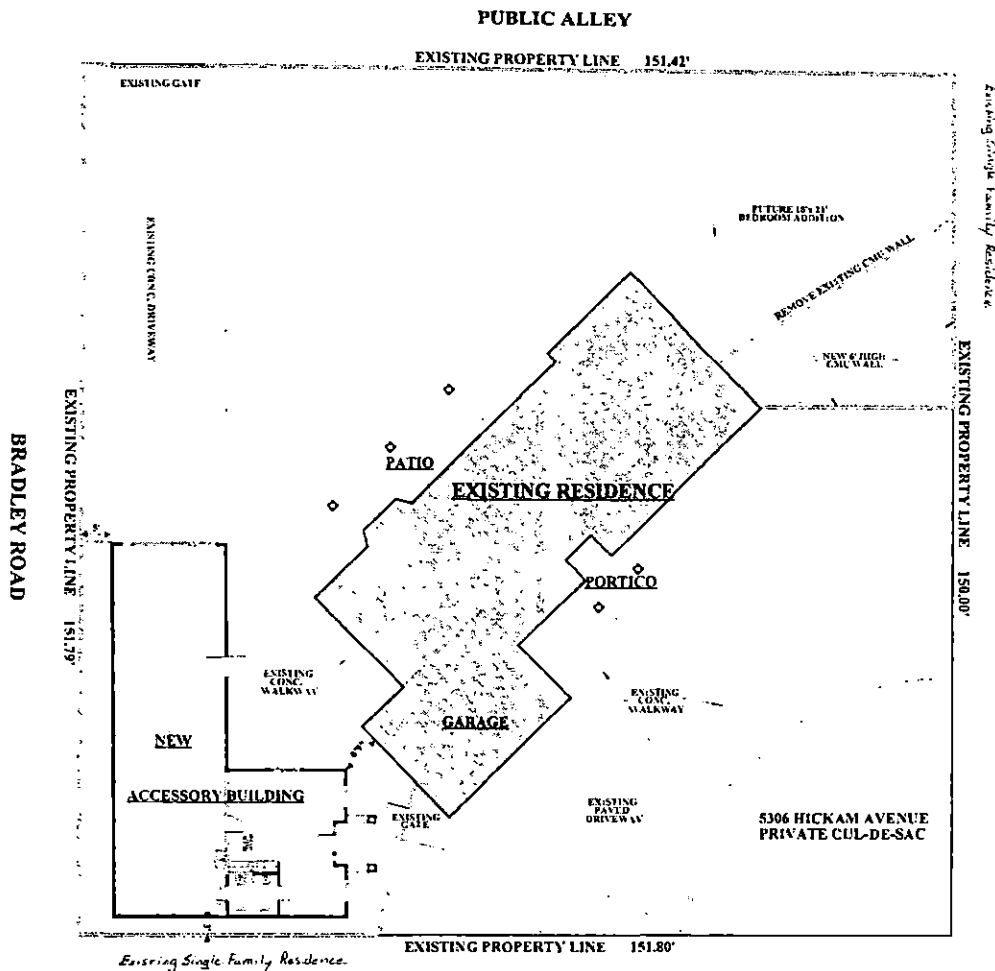
Signature of Property Owner: Wendell D. Gentry

Print Name: Wendell D. Gentry

Subscribed and sworn before me

This 13 day of December, 2006
Patricia Ambrosino
Notary Public in and for said County and State





SITE PLAN
SCALE: 1"= 10'



VAR-18790
SUP-18789
02/08/07 PC

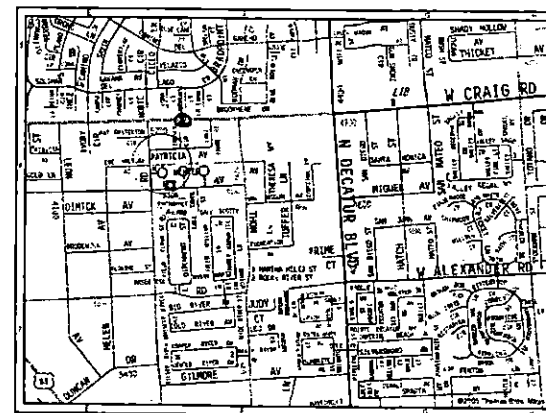
GENTRY ACCESSORY BUILDING
GAME ROOM/RV STORAGE

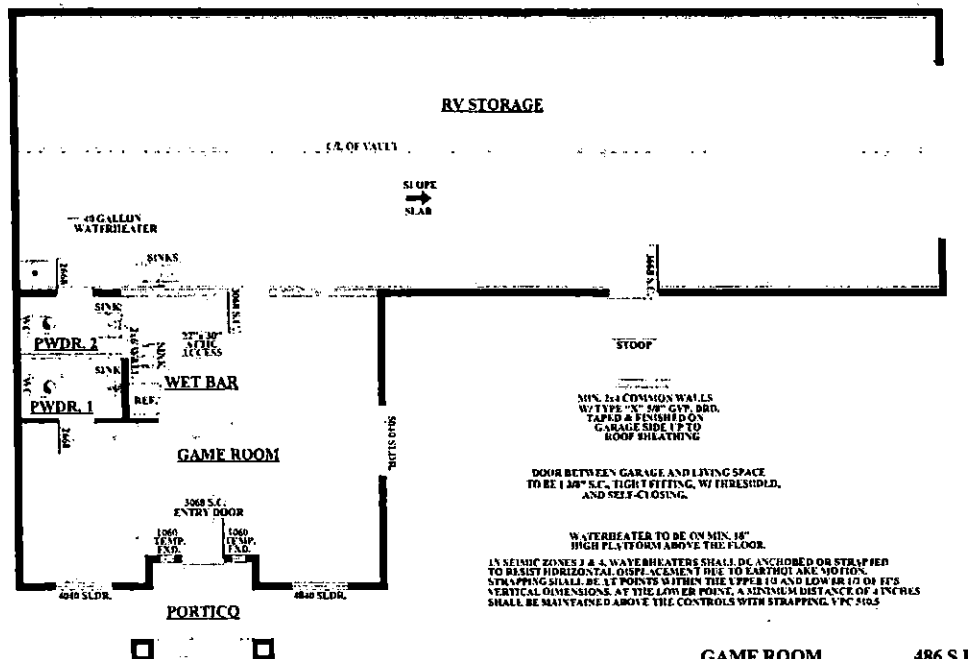
JURISDICTION - LAS VEGAS - 89130
ZONING CLASSIFICATION - RE
ACCESSORY STRUCTURE - NEW

PLAN INDEX	
SHEET	DESCRIPTION
ARCHITECTURAL	
A1	SITE PLAN
A2	EXTERIOR ELEVATIONS
A3	FLOOR PLAN
A4	DIMENSION PLAN
A5	ROOF PLAN/SECTIONS
ELECTRICAL	
E1	ELECTRICAL PLAN
MECHANICAL	
M1	MECHANICAL PLAN
PLUMBING	
P1	PLUMBING PLAN
STRUCTURAL	
S1	NOTES
S2	FOUNDATION PLAN
S3	ROOF FRAMING PLAN
S4	DETAILS
S5	DETAILS

THIS PROJECT SHALL COMPLY WITH THE 2003 IRC, IRC,
LPC AND UMC, 2002 NEC, & 2003 IECC AND ALL
SOUTHERN NEVADA CODE AMENDMENTS

RECEIVED
DEC 15 2006



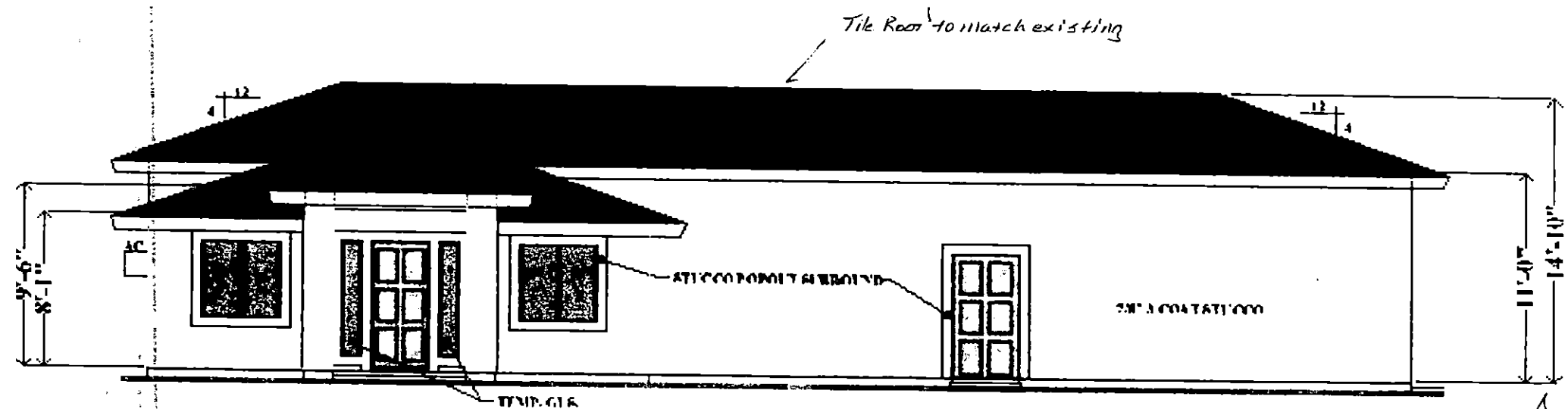


GAME ROOM	486 S.F.
RV STORAGE	1345 S.F.
TOTAL	1831 S.F.

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

VAR-18790
SUP-18789
02/08/07 PC

RECEIVED
DEC 15 2006



All Exterior Colors to match existing Structure

**PROPOSED STRUCTURE
FRONT ELEVATION**
SCALE: 3/16" = 1'-0"

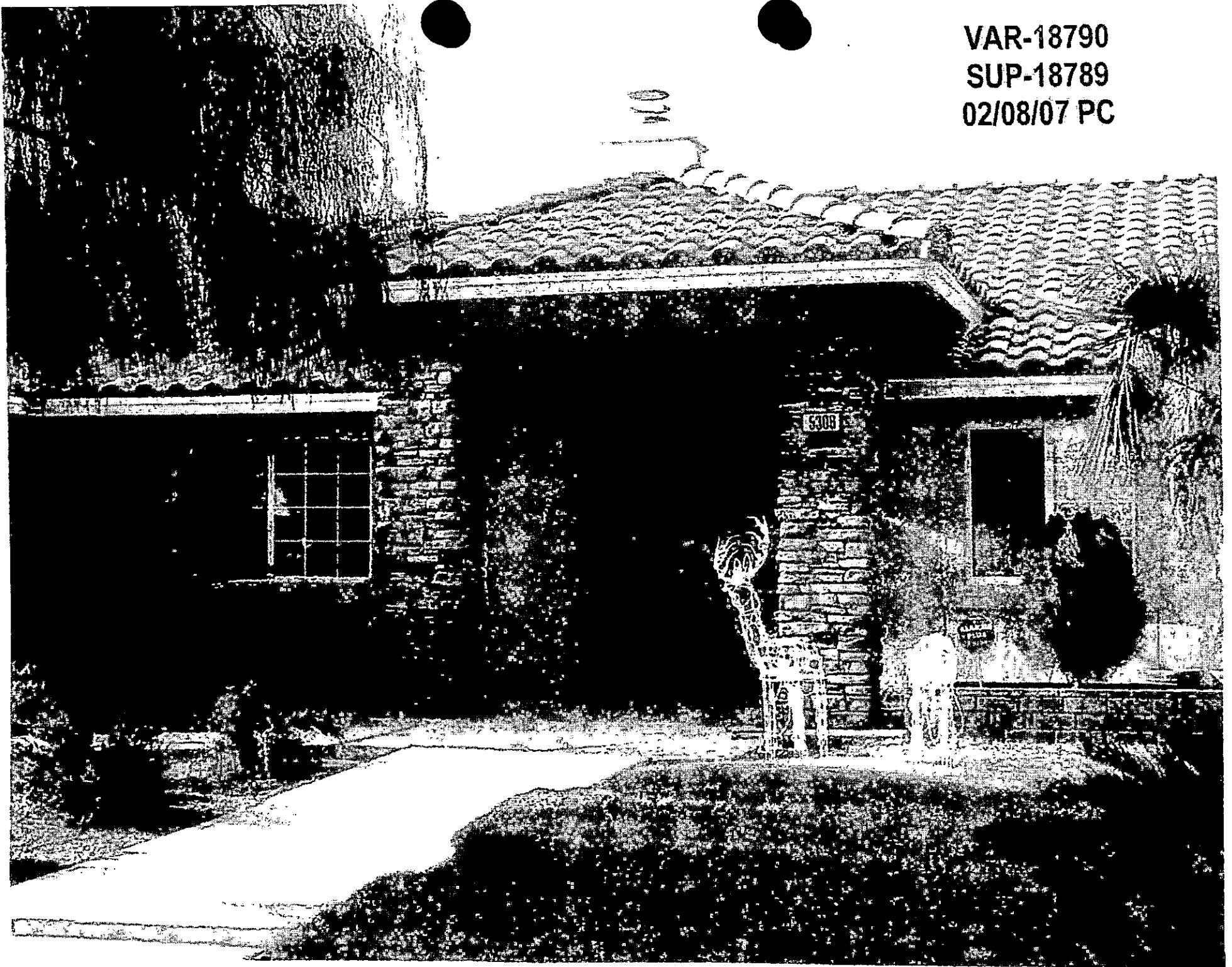
Special Note

*The height of the existing
Residential Structure at this
address is 15'-10"*

VAR-18790
SUP-18789
02/08/07 PC

RECEIVED
JAN 09 2007

VAR-18790
SUP-18789
02/08/07 PC



Wendell D. Gentry
5306 Hickam Ave.
Las Vegas, Nv. 89130

December 13, 2006

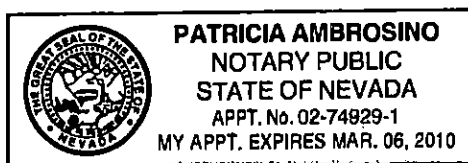
City of Las Vegas
Planning and Development

Re:
Letter of justification

In June of 2006 my wife and I sold our plumbing contracting business and retired. We purchased our home in this neighborhood 9 years ago with the intent to build the additional structure at retirement. I am building this shop so I can enjoy my hobbies, ATV's, motorcycles and old car restoration. We have a large family with several grand children that live very close by, so we also wanted addition space for a game room.

Thank You


Wendell D. Gentry



State of Nevada
County of Clark

This Instrument was acknowledged before me

12/13/06 by Wendell Gentry
Date

VAR-18790
SUP-18789
02/08/07 PC

DEC 15 2006

January 4, 2007

To City of Las Vegas
Planning Commission

Re: 1830 Sq. ft. Accessory Building
Location - 5306 Hickam Ave.

I want to be on record, supporting the proposed 1830 Sq. ft. detached structure at 5306 Hickam Avenue. The Gentry's have shown us the plans of the proposed building structure and we find it to be very acceptable.

Thank you for allowing us to express our views in this process.



5304 Hickam Ave
Las Vegas, NV 89130

Submitted at Planning Commission

Date 2/8/07 Item # 24-25

January 4, 2007

To City of Las Vegas
Planning Commission

Re: 1830 Sq. ft. Accessory Building
Location - 5306 Hickam Ave.

I want to be on record, supporting the proposed 1830 Sq. ft. detached structure at 5306 Hickam Avenue. The Gentry's have shown us the plans of the proposed building structure and we find it to be very acceptable.

Thank you for allowing us to express our views in this process.

A handwritten signature in cursive script, reading "Shula K. Conner", written over a horizontal line.

5308 Hickam Ave. Las Vegas NV 89130

January 4, 2007

To City of Las Vegas
Planning Commission

Re: 1830 Sq. ft. Accessory Building
Location - 5306 Hickam Ave.

I want to be on record, supporting the proposed 1830 Sq. ft. detached structure at 5306 Hickam Avenue. The Gentry's have shown us the plans of the proposed building structure and we find it to be very acceptable.

Thank you for allowing us to express our views in this process.

JAMES MARK HANNAWAY

4511 BRADLEY RD. LV NV 89130

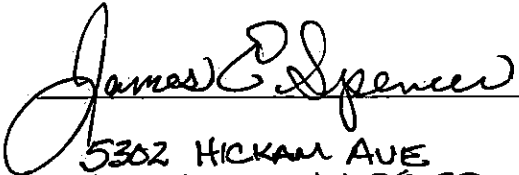
January 4, 2007

To City of Las Vegas
Planning Commission

Re: 1830 Sq. ft. Accessory Building
Location - 5306 Hickam Ave.

I want to be on record, supporting the proposed 1830 Sq. ft. detached structure at 5306 Hickam Avenue. The Gentry's have shown us the plans of the proposed building structure and we find it to be very acceptable.

Thank you for allowing us to express our views in this process.



5302 HICKAM AVE
LAS VEGAS, NV 89130

January 4, 2007

To City of Las Vegas
Planning Commission

Re: 1830 Sq. ft. Accessory Building
Location - 5306 Hickam Ave.

I want to be on record, supporting the proposed 1830 Sq. ft. detached structure at 5306 Hickam Avenue. The Gentry's have shown us the plans of the proposed building structure and we find it to be very acceptable.

Thank you for allowing us to express our views in this process.

D. L. Young

5409 Hickam Ave. L.V. 89130

NOTICE OF PUBLIC HEARING

VARIANCE

MEETING: PLANNING COMMISSION
DATE: FEBRUARY 8, 2007
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

VAR-18790

APPLICANT/OWNER: WENDELL D. AND LINDA G. GENTRY - REQUEST FOR A VARIANCE TO ALLOW A NON-HABITABLE ACCESSORY STRUCTURE TO BE 1,831 SQUARE FEET WHERE 1,148 SQUARE FEET IS THE MAXIMUM ALLOWED ON 0.52 ACRES AT 5306 HICKAM AVENUE (APN: 138-01-702-001), R-E (RESIDENCE ESTATES) ZONE, WARD 6 (ROSS).

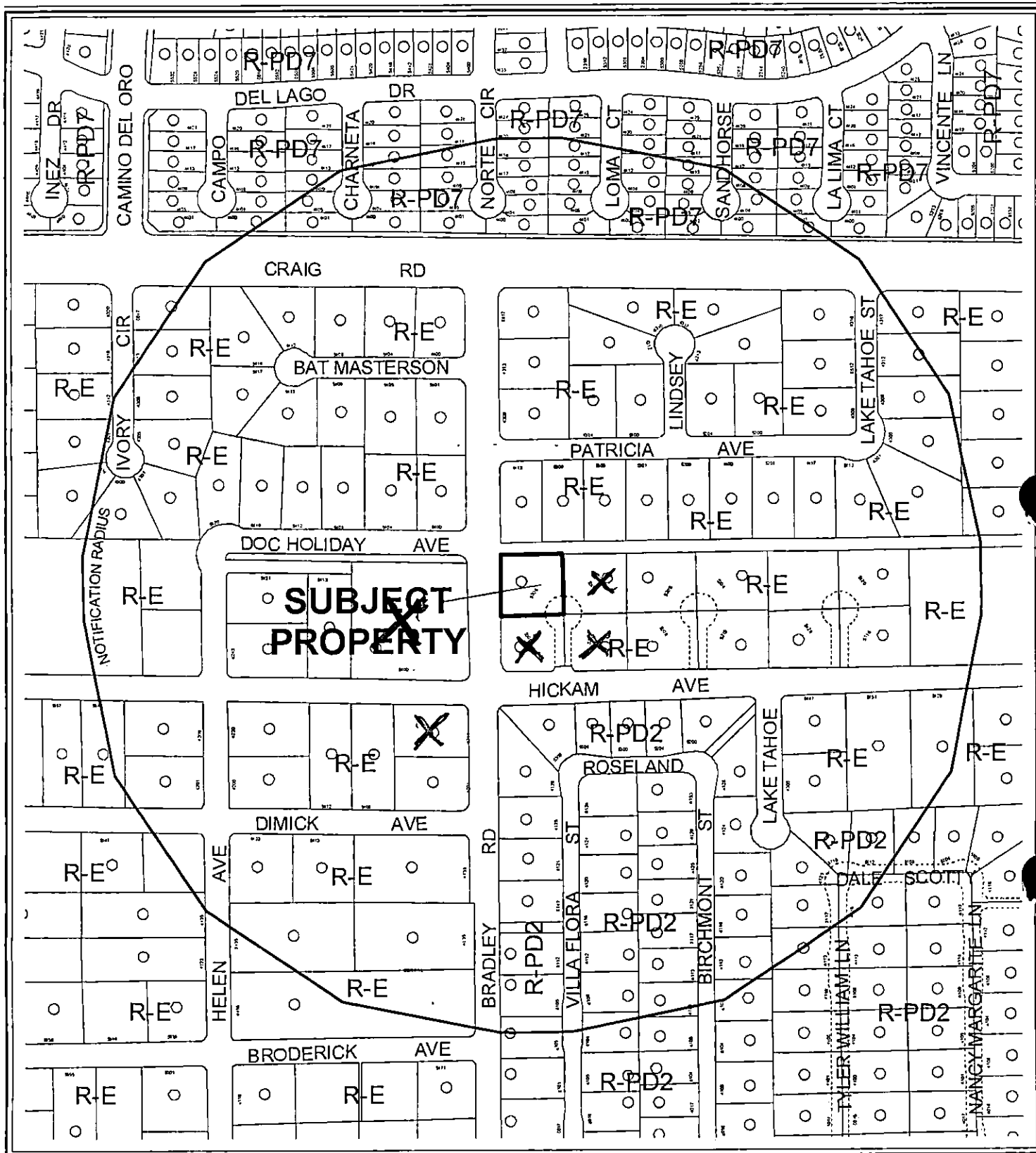
THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTH HALF (N½) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 01, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objections thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on this request may be determined by the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. You may not receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>.



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

SEE LOCATION MAP ON REVERSE SIDE



0 400 800 Feet

CASE: VAR-18790

RADIUS: 1000 FT

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



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-18789 - SPECIAL USE PERMIT RELATED TO VAR-18790 - PUBLIC HEARING - APPLICANT/OWNER: WENDELL D. AND LINDA G. GENTRY - Request for a Special Use Permit FOR A NON-HABITABLE ACCESSORY STRUCTURE at 5306 Hickam Avenue (APN: 138-01-702-001), R-E (Residence Estates) Zone, Ward 6 (Ross).

IF APPROVED: C.C.: 03/07/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

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

MOTION:

TROWBRIDGE – APPROVED subject to conditions – Motion carried with EVANS and STEINMAN voting NO

To be heard by City Council on 3/7/2007

MINUTES:

See Item 24 for related discussion and backup.

(7:39 – 7:47)

2-135

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-18790).

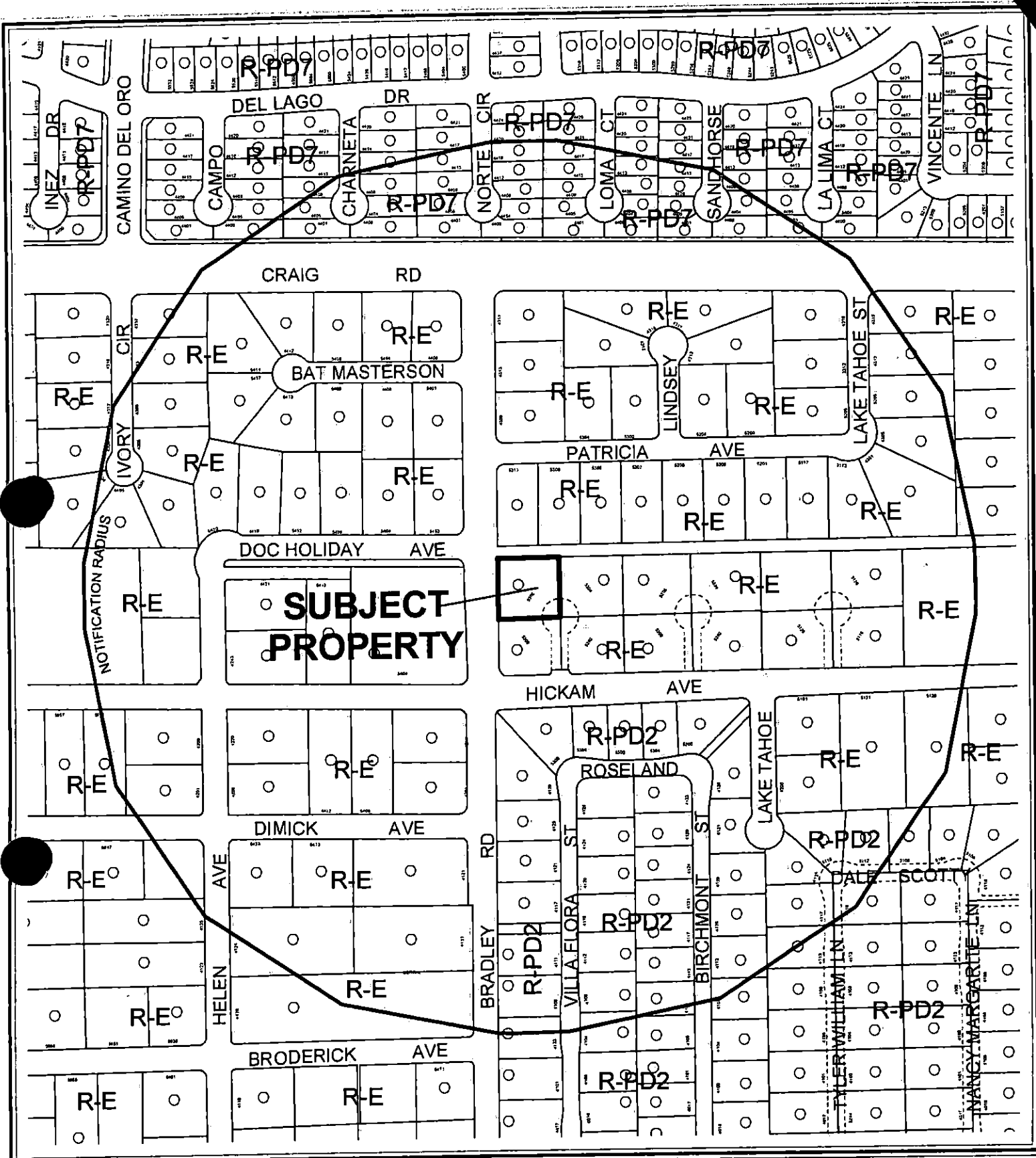
PLANNING COMMISSION MEETING OF FEBRUARY 8, 2007
Planning and Development Department
Item 25 – SUP-18789

CONDITIONS – Continued:

2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

4. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.



CASE: SUP-18789

RADIUS: 1000 FT

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



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: FEBRUARY 8, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SUP-18789 - APPLICANT/OWNER: WENDELL D. AND LINDA G. GENTRY**

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

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-18790).
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

4. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

SUP-18789 - Staff Report Page One
February 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for the construction of a 1,831 square foot non-habitable accessory structure to be constructed on the side yard of an existing home, on a .52 acre cul-de-sac lot, located at 5306 Hickam Avenue. The applicant has filed a companion request for a Variance (VAR-18790) to allow the accessory structure to exceed the primary structure by more than 50%. The footprint for the existing home is approximately 2,296 square feet, allowing a maximum 1,148 square foot detached accessory structure for this property. The applicant's proposed non-habitable accessory structure exceeds the allowable 50% of the principal dwelling by 37%.

Because the related Variance (VAR-18790) has been recommended for denial, staff is unable to support the request for a Special Use Permit, which would allow a 1,831 square foot accessory structure where 1,148 square foot is allowed (37% increase of the allowable square footage).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
NA	There are no previous records filed against this property
<i>Related Building Permits/Business Licenses</i>	
1/3/1997	Building Permit for a single family home
<i>Pre-Application Meeting</i>	
11/27/06	A pre-application meeting was held to discuss the requirements of the Special Use Permit; Siting options for an accessory structure on the subject site.
<i>Neighborhood Meeting</i>	
NA	A neighborhood meeting is not required for this application.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	.52

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Residential	DR(Desert Rural)	R-E(Residential Estates)
North	Residential	DR(Desert Rural)	R-E(Residential Estates)
South	Residential	DR(Desert Rural)	R-E(Residential Estates)

SUP-18789 - Staff Report Page Two
February 8, 2007 - Planning Commission Meeting

East	Residential	DR(Desert Rural)	R-E(Residential Estates)
West	Residential	DR(Desert Rural)	R-E(Residential Estates)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	NA

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District	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

A-O Airport Overlay District

A single family dwelling exists on the subject site, at a height of fifteen feet, ten inches. The proposed detached accessory structure will be constructed at a finished height of fourteen feet, ten inches and is not affected by the 105-foot height restriction.

Rural Preservation Overlay District

Density is not affected by this project and does not require application of the requirements of the Rural Preservation District.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	20,000 SF	21,877 SF	Y
Min. Lot Width	100 Feet	100 Feet	Y
Min. Setbacks			Y
• Front	N/A	N/A	Y
• Side	3 Feet	5 feet	Y
• Corner	N/A	N/A	Y
• Rear	N/A	N/A	
Min. Distance Between Buildings	6 feet	6'9"	Y
Max. Lot Coverage	50%	19%	Y
Max. Building Height	2 Stories or 35 Feet	14'-10"	Y

SUP-18789 - Staff Report Page Three
February 8, 2007 - Planning Commission Meeting

In the plans provided, the 3-foot setback on the south building side of the accessory structure has been taken from the face of building and does not account for the distance of the roof eaves. If approved, this application has been conditioned to require revised plans showing the required three-foot setback distance between the nearest portion of the non-habitable accessory structure and the south property line, while still maintaining a minimum 6-foot separation from the principal structure.

ANALYSIS

The parcel is developed with a 2,296 square foot single family dwelling, on a 21,877 square foot, R-E lot. The location of the parcel is within a four (4) lot cul-de-sac subdivision located on the northeast corner of Hickam Avenue and Bradley Road. The proposed accessory structure does not exceed 50% coverage of the rear yard area and it is one-foot lower in height as the primary structure. The allowable square footage of an accessory structure is a maximum of 50% of the floor area of the primary structure.

The proposed non-habitable accessory structure does not meet the condition for size. Submitted site plans indicate the proposed building is 1,831 square foot L-shape structure containing two spaces. The applicant intends to store his vehicles and pursue hobbies in the workshop space and the adjoining room is a 486 square foot game room for grandchildren. In order to provide a workshop, vehicle storage and a game room the size of the structure has exceeded the allowable 50% floor area of the primary structure by an additional 683 square feet, which is an increase in size of 37%.

The proposed deviation from standards to allow a detached accessory structure to be 1,831 square- feet where 1,148 square feet is the maximum allowed, is an attempt to overbuild the site, and staff cannot recommend approval for this application.

FINDINGS

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

1. "The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."
2. "The subject site is physically suitable for the type and intensity of land use proposed."
3. "Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."

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February 8, 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."

In regard to "1":

The proposed detached accessory structure use can be conducted in a harmonious and compatible manner with existing surrounding land uses and with future surrounding land uses as projected by the General Plan. However, the size of the proposed structure exceeds the size limit of 50% of the floor area of the principle dwelling. A Variance (VAR-18790) has been submitted to allow the detached accessory structure to be 1,831 square feet where 1,148 square feet is the maximum square footage allowed. Since it is recommended that the request for a Variance be denied, it is recommended that the subject application be denied.

In regard to "2":

The lot for the proposed habitable accessory structure is sufficient to accommodate this use. There are no physical constraints to the permissibility of detached accessory structure. As addressed above, the applicant has requested to build a structure that is larger than permitted. For this reason, it is recommended that this application be denied.

In regard to "3":

The street network will not be impacted by this use, as it is accessory to the primary use on this site.

In regard to "4":

The proposed accessory structure as shown does not meet all code requirements for setbacks and building separations. The three-foot setbacks from the south property line are being taken from the face-of-building which is incorrect.

In regard to "5":

The applicant will need to submit revised plans demonstrating that an adequate three-foot setback has been provided from the eaves of the south portion of the non-habitable accessory structure to comply with Title 19.08

SUP-18789 - Staff Report Page Five
February 8, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 171 (Mailed with VAR-18790)

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-18789** APN: _____
Name of Property Owner: Wendell D & Linda E. Centry
Name of Applicant: Wendell D. Centry
Name of Representative: _____

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 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: Wendell D. Centry

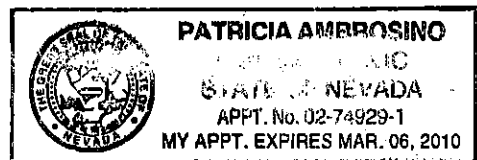
Print Name: Wendell D. Centry

Subscribed and sworn before me

This 13 day of December, 2006

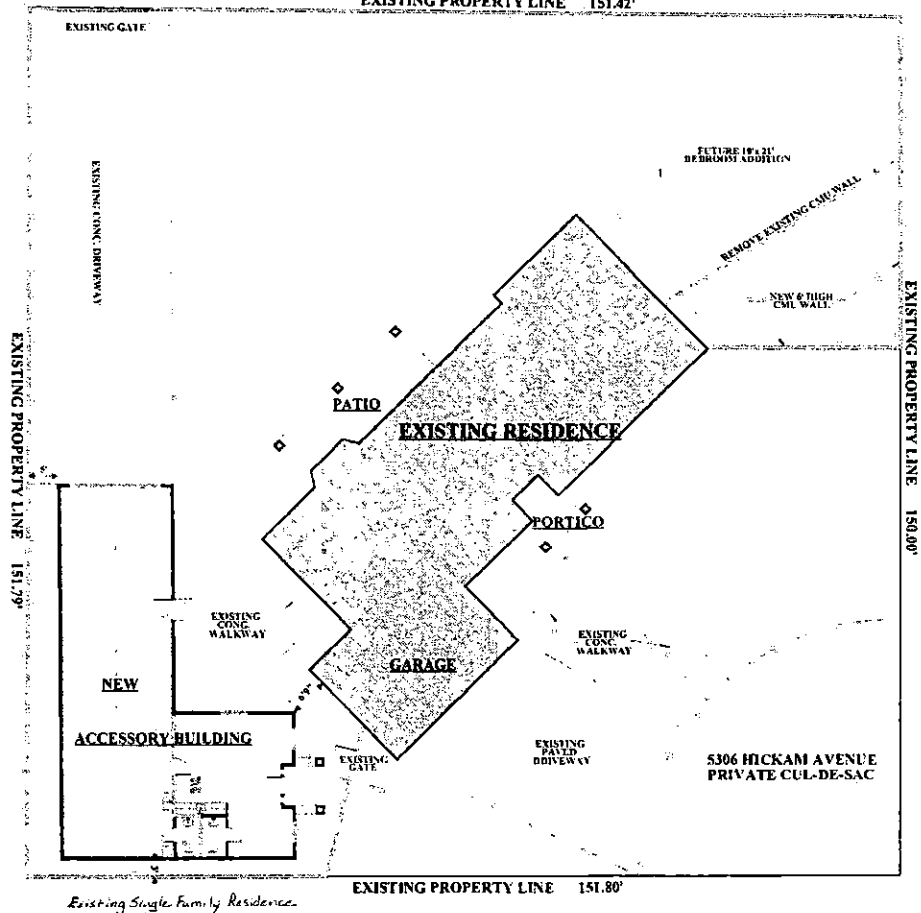
Patricia Ambrosino

Notary Public in and for said County and State



PUBLIC ALLEY

EXISTING PROPERTY LINE 151.42'



SITE PLAN
SCALE: 1" = 10'



VAR-18790
SUP-18789
02/08/07 PC

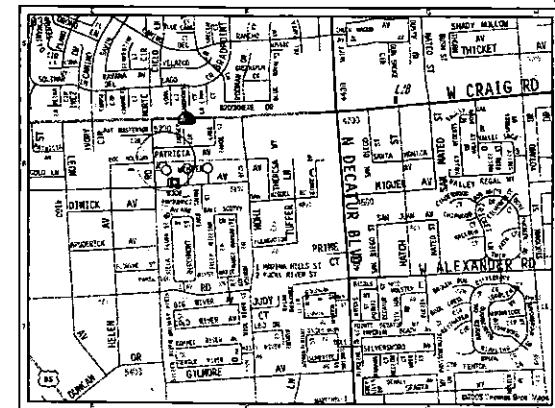
GENTRY ACCESSORY BUILDING GAME ROOM/RV STORAGE

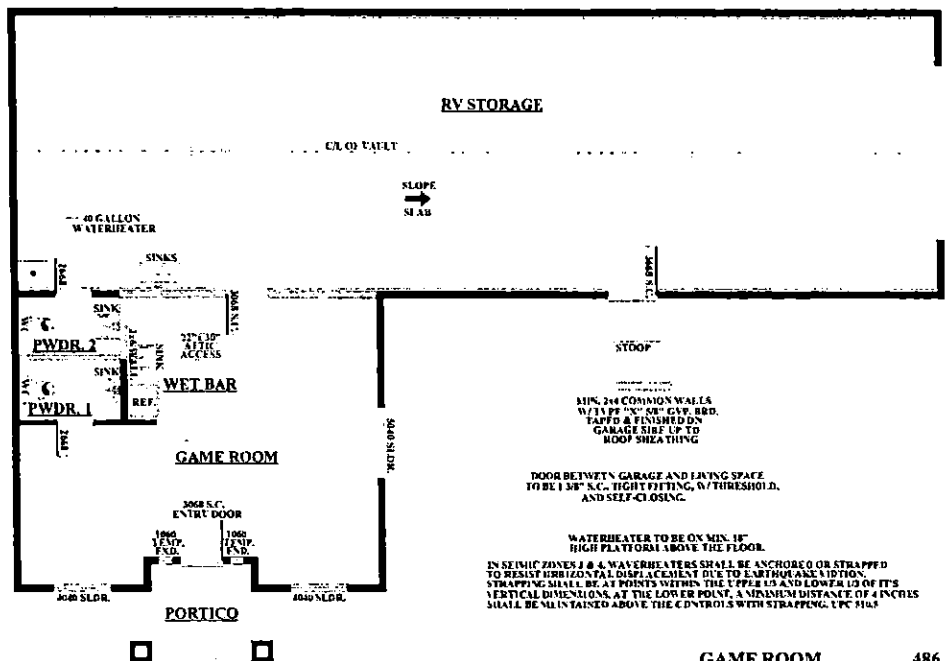
JURISDICTION - LAS VEGAS - 89130
ZONING CLASSIFICATION - RE
ACCESSORY STRUCTURE - NEW

PLAN INDEX	
SHEET	DESCRIPTION
ARCHITECTURAL	
A1	SITE PLAN
A2	EXTERIOR ELEVATIONS
A3	FLOOR PLAN
A4	DIMENSION PLAN
A5	ROOF PLAN/SECTIONS
ELECTRICAL	
E1	ELECTRICAL PLAN
MECHANICAL	
M1	MECHANICAL PLAN
PLUMBING	
P1	PLUMBING PLAN
STRUCTURAL	
S1	NOTES
S2	FOUNDATION PLAN
S3	ROOF FRAMING PLAN
S4	DETAILS
S5	DETAILS

THIS PROJECT SHALL COMPLY WITH THE 2003 IRC, IBC,
LPC AND LMC, 1002 N.E.C. & 2003 IECC AND ALL
SOUTHERN NEVADA CODE AMENDMENTS

RECEIVED
DEC 15 2006





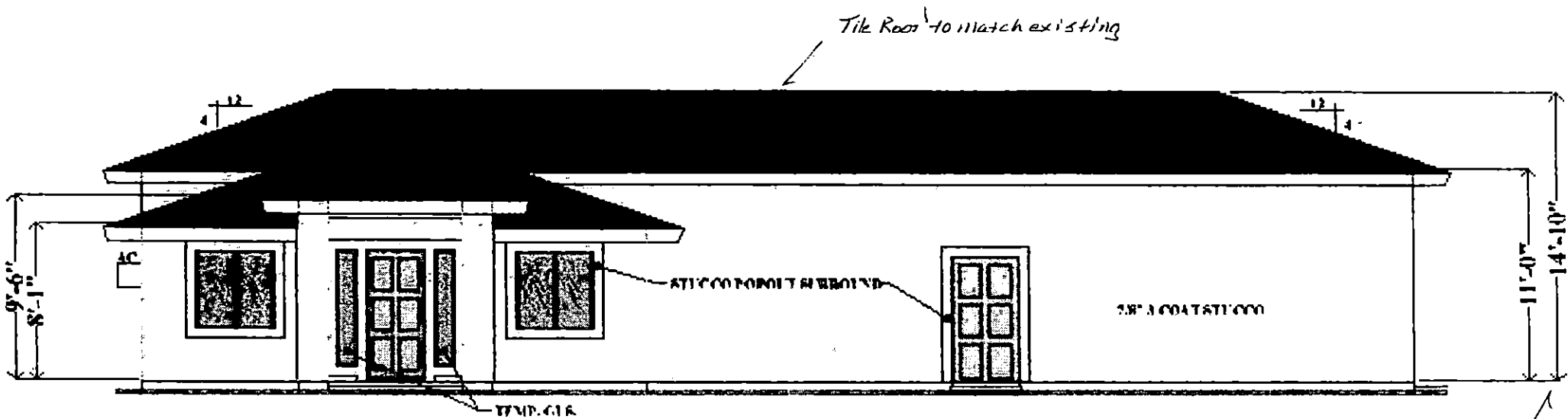
GAME ROOM	486 S.F.
RV STORAGE	1345 S.F.
TOTAL	1831 S.F.

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

VAR-18790
SUP-18789
02/08/07 PC

RECEIVED
DEC 15 2006

10000 L. CENTRE ACCESSORY BUILDING
GAME ROOM RV STORAGE
5500 HICKAM AVENUE
LAS VEGAS, NV 89111
A3
FLOOR PLAN
1/4" = 1'-0"
AUGUST 2006



All Exterior Colors to match existing Structure

PROPOSED STRUCTURE
FRONT ELEVATION
SCALE: 3/16" = 1'-0"

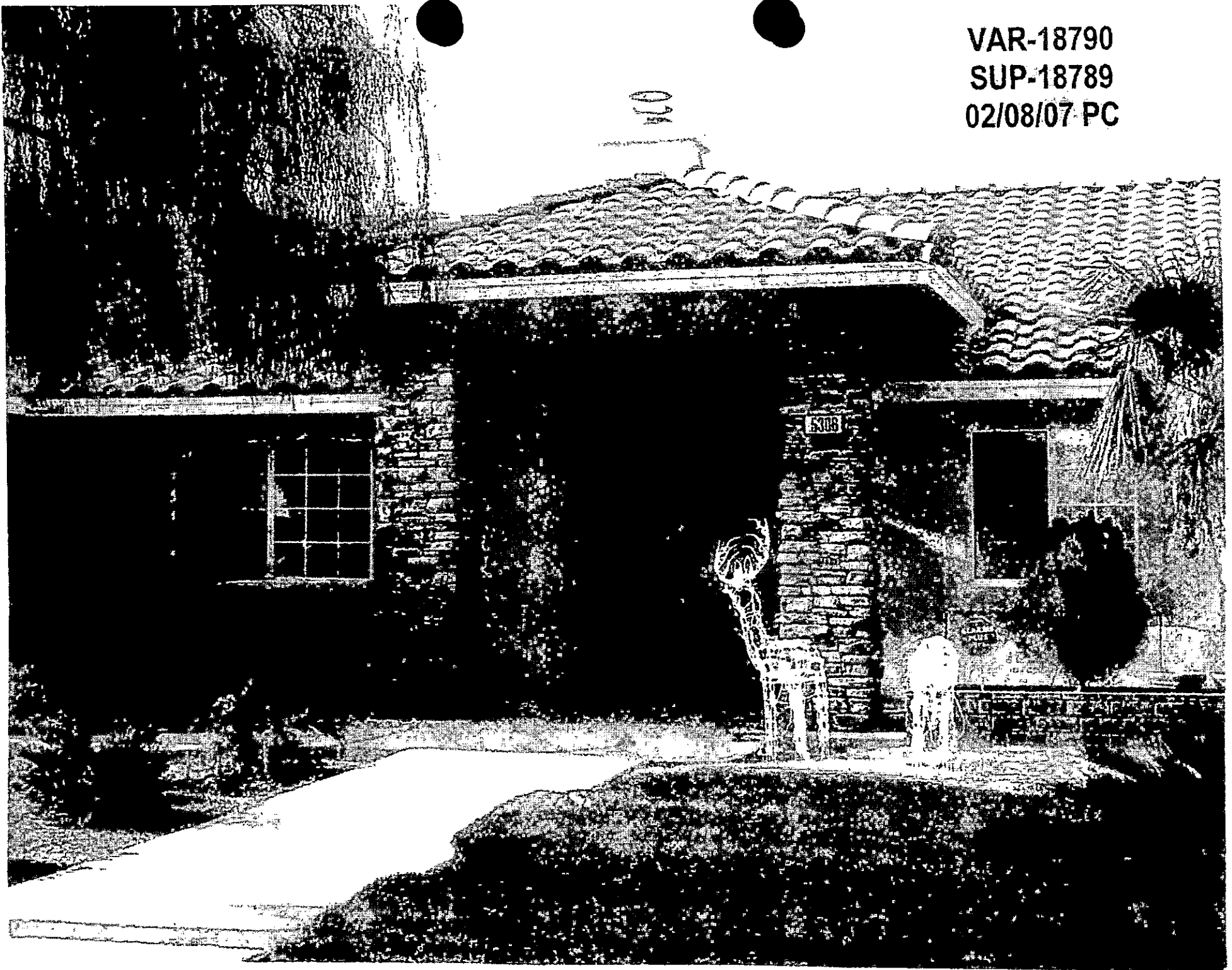
Special Note

*The height of the existing
Residential Structure at this
address is 15'-10"*

VAR-18790
SUP-18789
02/08/07 PC

RECEIVED
JAN 09 2007

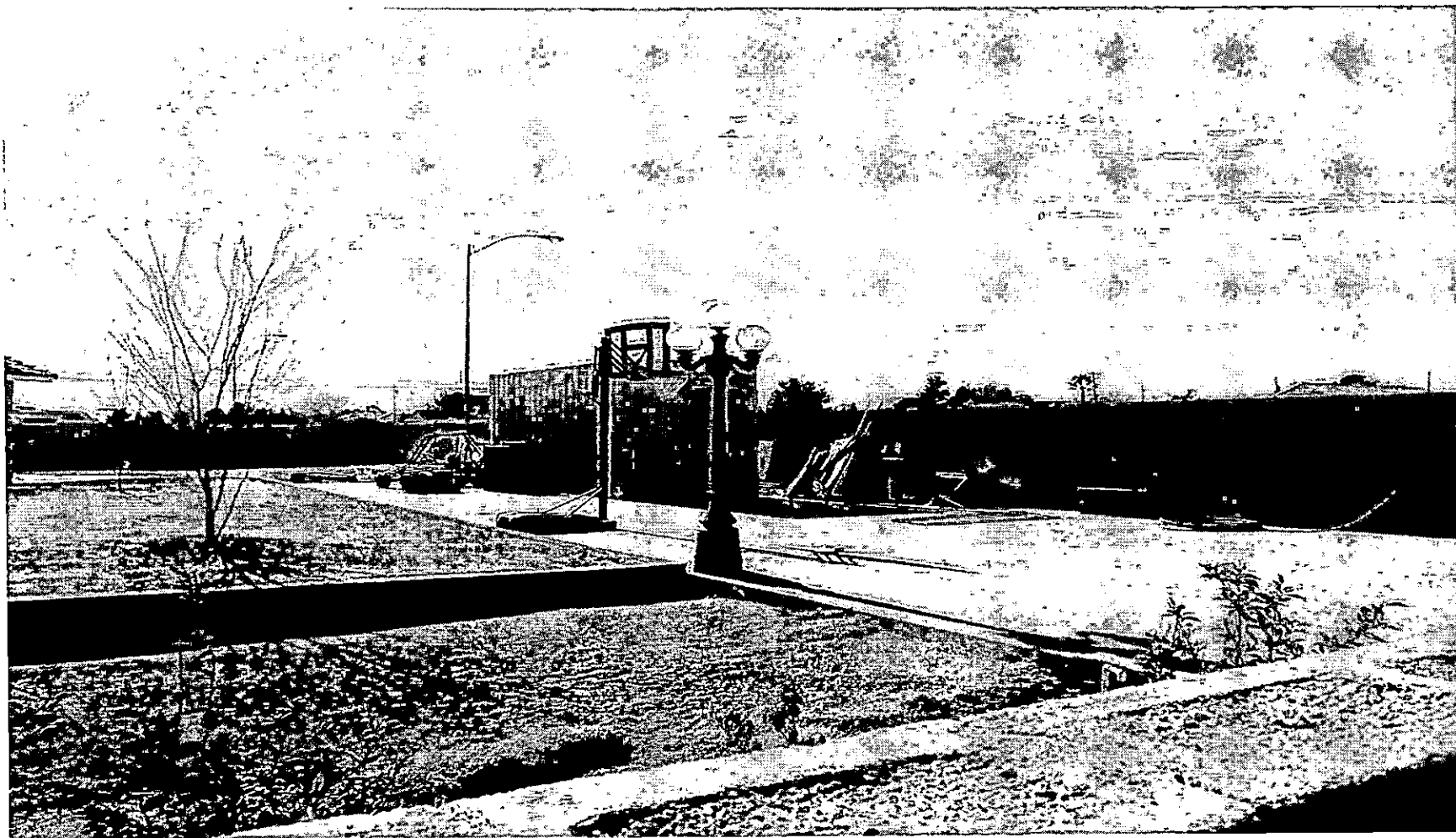
VAR-18790
SUP-18789
02/08/07 PC





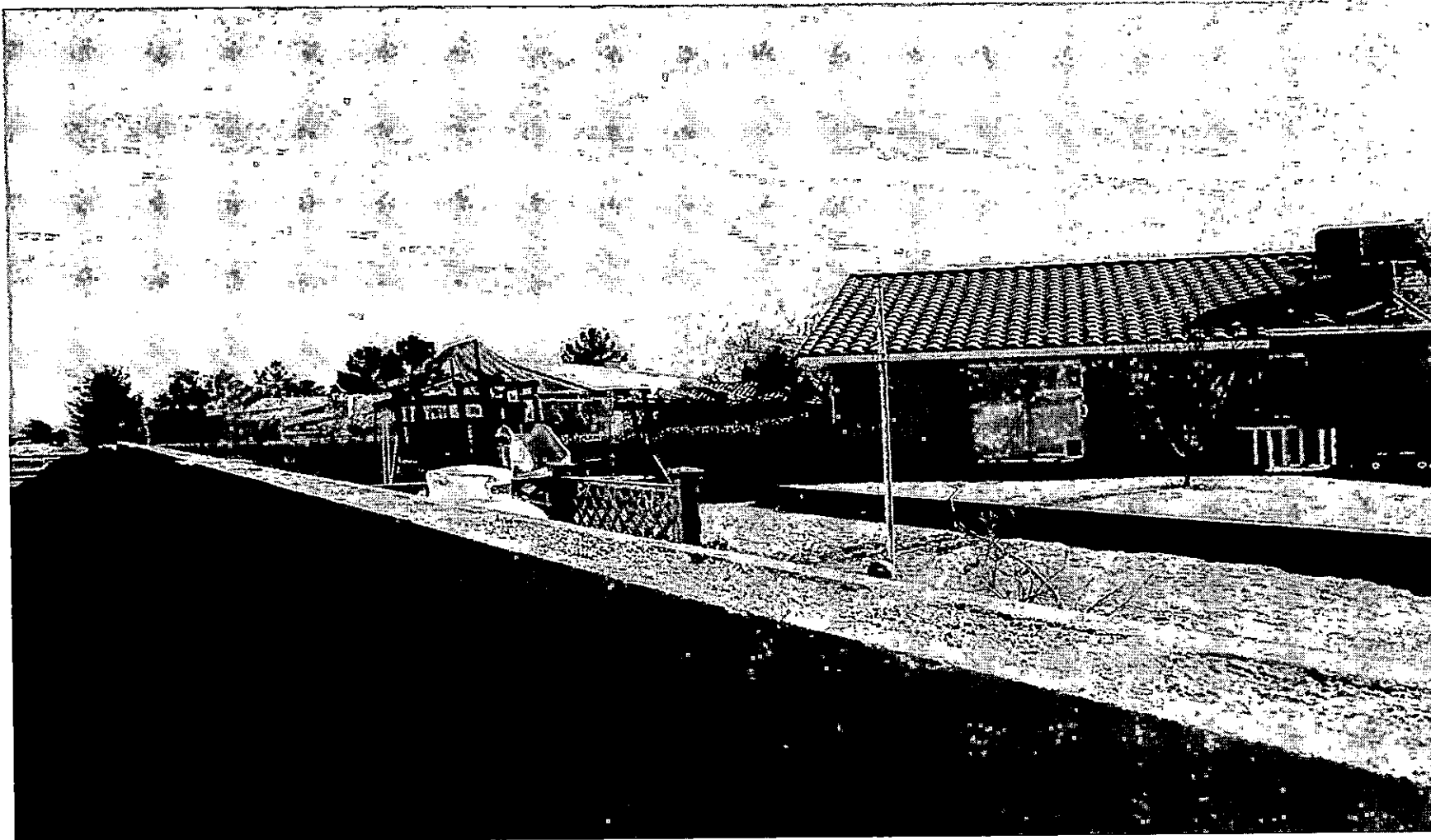
VAR-18790 AND SUP-18789 - APPLICANT/OWNER: WENDELL D. AND LINDA G. GENTRY
5306 HICKAM AVENUE
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07



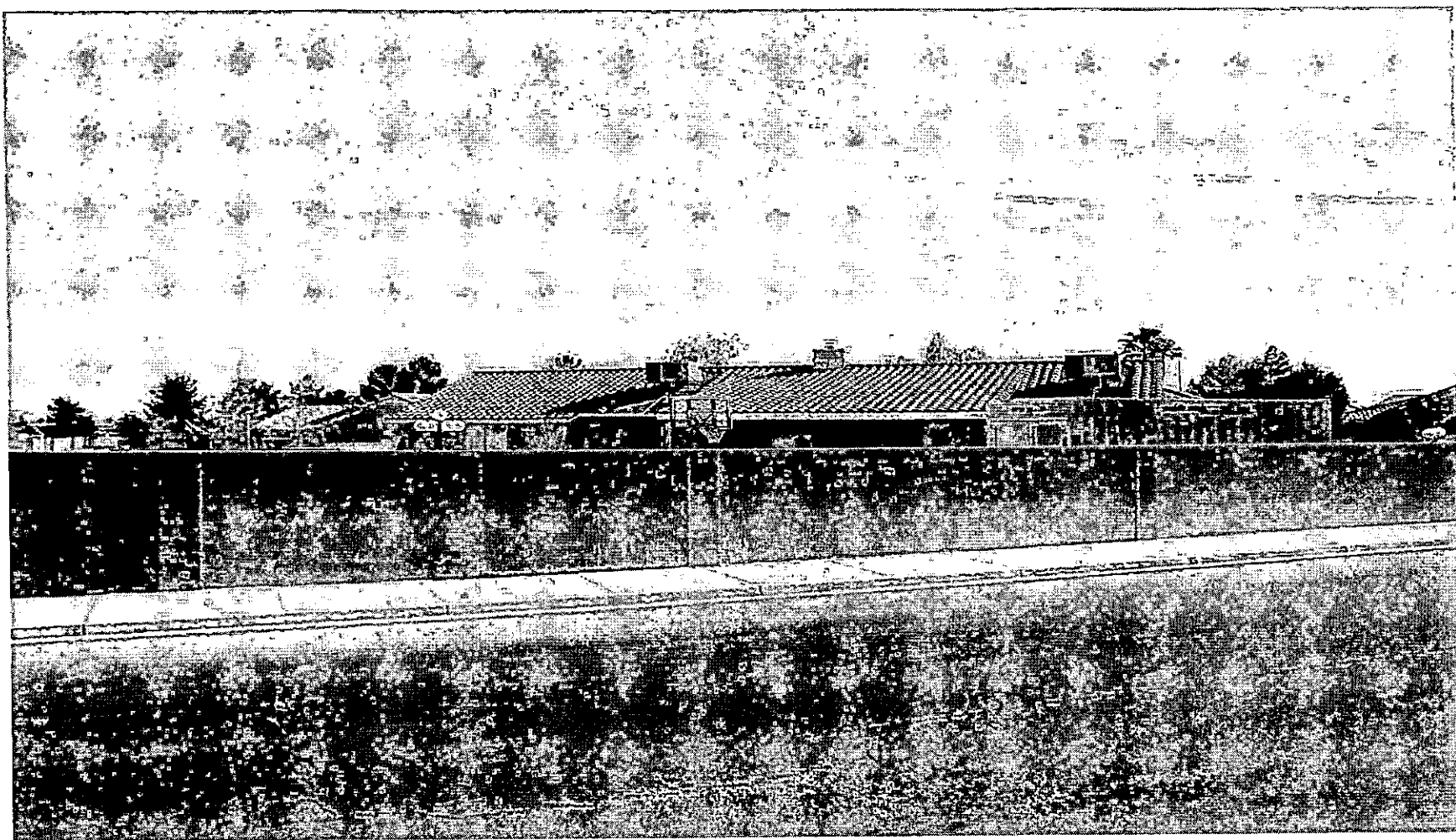
VAR-18790 AND SUP-18789 - APPLICANT/OWNER: WENDELL D. AND LINDA G. GENTRY
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VAR-18790 AND SUP-18789 - APPLICANT/OWNER: WENDELL D. AND LINDA G. GENTRY
5306 HICKAM AVENUE
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07



VAR-18790 AND SUP-18789 - APPLICANT/OWNER: WENDELL D. AND LINDA G. GENTRY
5306 HICKAM AVENUE
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07

Wendell D. Gentry
5306 Hickam Ave.
Las Vegas, Nv. 89130

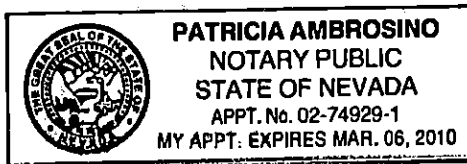
December 13, 2006

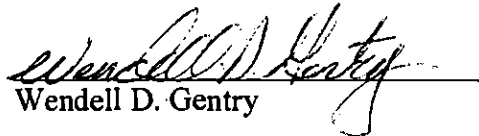
City of Las Vegas
Planning and Development

Re:
Letter of justification

In June of 2006 my wife and I sold our plumbing contracting business and retired. We purchased our home in this neighborhood 9 years ago with the intent to build the additional structure at retirement. I am building this shop so I can enjoy my hobbies, ATV's, motorcycles and old car restoration. We have a large family with several grand children that live very close by, so we also wanted addition space for a game room.

Thank You




Wendell D. Gentry

State of Nevada
County of Clark

This Instrument was acknowledged before me

12/13/06 by Wendell Gentry
Date

**VAR-18790
SUP-18789
02/08/07 PC**



DEC 15 2006

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-19208 - VARIANCE - PUBLIC HEARING - APPLICANT: LANDBARON INVESTMENTS - OWNER: MONTECITO IMAGING LLC - Request for a Variance TO ALLOW A 196.5 FOOT HIGH OFFICE BUILDING 382 FEET FROM RESIDENTIAL PROPERTY WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE 590 FEET on 3.27 acres located at the southwest corner of Deer Springs Way and Riley Street (APN: 125-20-710-006), T-C (Town Center) Zone [Mixed-Use Commercial - Montecito Town Center Special Land Use Designation], Ward 6 (Ross).

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Telephone Protest by Thomas Garcia

MOTION:

DUNNAM – APPROVED subject to conditions and adding the following condition:

- Limiting the building to a maximum of 10 stories or 168 feet, whichever is less.
- **UNANIMOUS** with **TRUEDELL** abstaining as he represents a property within the notice area

To be heard by City Council on 3/7/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open for Item 26 [VAR-19208] and Item 27 [SDR-18870].

PLANNING COMMISSION MEETING OF FEBRUARY 8, 2007
Planning and Development Department
Item 26 – VAR-19208

MINUTES – Continued:

DOUG RANKIN, Planning and Development Department, stated the variance request is a self-imposed hardship and recommended denial. He also could not support the waiver request for the building setback and recommended denial for that application as well.

BOB GENZER, Genzer Consulting, and KRISTEN NEUMAN, Aptus Architecture, 1200 South 4th Street, appeared on behalf of the applicant. MR. GENZER explained residential development in an area intended to act as a buffer for more intense office and commercial uses had led to the need for the variance and waiver requests. He pointed out the proposed building was well within the development agreement limits for the area and briefly described the project in relation to surrounding development. MR. GENZER noted six neighbors had attended the neighborhood meeting and expressed concerns regarding the height of the building and the parking structure's security. He reiterated the proposed building was much less than maximum height permitted in Town Center and added that developing this site would make the area safer.

TODD FARLOW, 240 North 19th Street, encouraged the developer to build in an energy-conscious manner. TED RUSSELL, Las Vegas resident, concurred.

In response to COMMISSIONER GOYNES' question, MS. NEUMAN explained the parking garage would be four stories above ground with a height of approximately 40 feet.

MR. GENZER assured COMMISSIONER DUNNAM that there would not be any 24-hour uses on this site and that the garage would be intensely landscaped. When COMMISSIONER DUNNAM stated he could support a building height of 10 stories, MR. GENZER expressed the applicant's willingness to limit the building's height as long as the building's square footage would not be reduced.

MARGO WHEELER, Director of Planning and Development Department, stated that staff would not need to take action as long as the applicant does not request more waivers and does not increase the size of the residential adjacency variance. She also expressed her confidence in MR. GENZER'S ability to meet the additional conditions suggested by COMMISSIONER DUNNAM to limit the building's height without an additional hearing before the Commissioners.

COMMISSIONER STEINMAN stated his support since this building would increase the amount of available medical office space in the area, which is sorely needed.

PLANNING COMMISSION MEETING OF FEBRUARY 8, 2007
Planning and Development Department
Item 26 – VAR-19208

MINUTES – Continued:

MS. WHEELER crafted the amended conditions requested by COMMISSIONER DUNNAM and MR. GENZER agreed to all conditions.

MS. WHEELER noted the applications could be Final Action, but COMMISSIONER DUNNAM requested the items be heard by the City Council.

CHAIRMAN DAVENPORT declared the Public Hearing closed for Item 26 [VAR-19208] and Item 27 [SDR-18870].

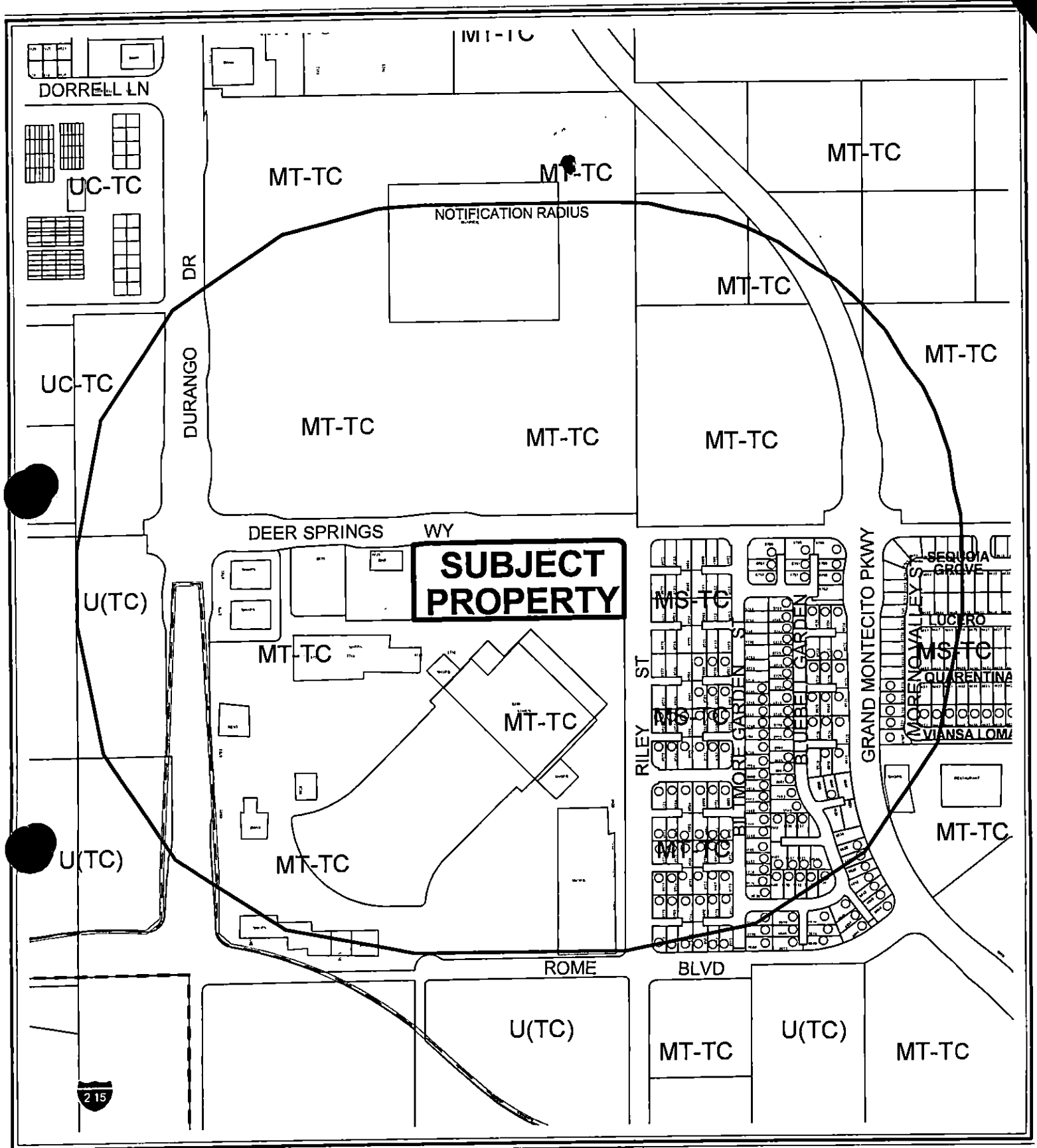
(7:47 – 8:02)

2-390

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-18870), 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.



CASE: **VAR-19208**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [MIXED-USE COMMERCIAL-MONTECITO TOWN CENTER
SPECIAL LAND USE DESIGNATION]





CASE: **VAR-19208**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE (MIXED-USE COMMERCIAL- MONTECITO TOWN CENTER
SPECIAL LAND USE DESIGNATION

0 500 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 8, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-19208 - APPLICANT: LANDBARON INVESTMENTS -

OWNER: MONTECITO IMAGING LLC

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-18870), 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-19208 - Staff Report Page One
February 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant requests for a Variance to allow a 196.5 foot high office building 382 feet from residential property where Residential Adjacency Standards require 590 feet on 3.27 acres located at the southwest corner of Deer Springs Way and Riley Street. Since the Variance request is a self-imposed hardship, Staff recommends denial.

BACKGROUND INFORMATION

<i>Related/Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/07/98	The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) for this site as part of a larger request. The Planning Commission recommended approval on 11/05/98.
12/19/01	The City Council approved a request for a Site Development Plan Review [Z-0076-98(24)] for a proposed 361,560 square-foot retail commercial center on 38.78 acres adjacent to the southeast corner of El Capitan Way (now Durango Drive) and Deer Springs Way. The Planning Commission recommended approval 11/01/01.
02/06/02	The City Council approved a request for a Master Sign Plan (MSP-0013-01) for the Montecito Town Center on 38.78 acres on the southeast corner of El Capitan Way (now Durango Drive) and Deer Springs Way. The Planning Commission recommended approval on 12/20/01.
03/06/02	The City Council approved a request for a Development Agreement (DA-0002-01) to establish a set of development standards for portions of the UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) land use districts within the Town Center Zoning District on 172.46 acres of property generally located north of Centennial Parkway, west of Durango Drive, south of Elkhorn Road, and east of El Capitan Way. The Planning Commission recommended approval on 01/10/02.
03/14/02	The Planning Commission approved a request for a Tentative Map (TM-0007-02) for one lot on 38.78 acres on the southeast corner of El Capitan Way (now Durango Drive) and Deer Springs Way. This was a final action by the Planning Commission.

VAR-19208 - Staff Report Page Two
February 8, 2007 - Planning Commission Meeting

08/23/02	The Planning and Development Department administratively approved a request for a Site Development Plan Review [Z-0076-98(34)] for a proposed 344,120 square-foot retail commercial center on 39.5 acres adjacent to the southeast corner of El Capitan Way (now Durango Drive) and Deer Springs Way.
08/06/03	The City Council approved a request for a Site Development Plan Review (SDR-2478) and Special Use Permit (SUP-2478) for a 5,000 square-foot tavern adjacent to the south side of Deer Springs Way, approximately 500 feet east of Durango Drive. Planning Commission and staff recommended approval. The site was never built; therefore, the approval has expired.
Pre-Application Meeting	
12/14/06	A pre-application was held with the applicant. The applicant was informed that they would need to apply for a Site Development Plan Review. The applicant was also informed that the application would need to comply with Montecito Town Center, Town Center and Title 19 Development Standards. In addition, Building and Safety discussed building code standards for high-rise buildings.
Neighborhood Meeting	
1/24/07	A neighborhood meeting was held at the Centennial Academy at 6610 Grand Montecito Parkway at 6 PM and no members of the public attended.

Details of Application Request	
Site Area	
Net Acres	3.27

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	UC-TC (Urban Center Mixed Use - Town Center)	T-C (Town Center)
North	Undeveloped	UC-TC (Urban Center Mixed Use - Town Center)	T-C (Town Center)
South	Commercial	UC-TC (Urban Center Mixed Use - Town Center)	T-C (Town Center)

VAR-19208 - Staff Report Page Three
February 8, 2007 - Planning Commission Meeting

East	Single Family Residential	MS-TC (Main Street Mixed Use - Town Center)	T-C (Town Center)
West	Restaurant/Bar	UC-TC (Urban Center Mixed Use - Town Center)	T-C (Town Center)

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

DEVELOPMENT STANDARDS

Pursuant to Town Center Development Standards and Montecito Development Agreement Standards the following apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	NA	NA
Max. Site Coverage	60%	46%	Y
Min. Setbacks			
• Front	0-15 Feet	15 Feet	Y
• Side	10 Feet	89.1 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	20 Feet	181.1 Feet	Y
Max. Building Height	500 Feet	12 stories 196.5 feet	Y
Trash Enclosure	Yes	Yes	Y
Mech. Equipment	Yes	Yes	Y

Pursuant to Title 19.08.060

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	590 Feet	80 Feet	N

**A Variance (VAR-19208) is required as the proposal does not meet residential adjacency standards.*

VAR-19208 - Staff Report Page Four
February 8, 2007 - Planning Commission Meeting

Pursuant to Town Center and Montecito Town Center Development Standards,, the following landscape standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces	12 Trees	14 Trees	Y
Amenity Zone Buffer:				
Min. Trees	1 Tree/ 30 Linear Feet	25 Trees	28 Trees*	Y
TOTAL		27 Trees	32 Trees#	Y

*Mediterranean Fan Palm is not permitted in the Montecito Town Center Standards Manual.
 #73 total trees on-site.

Open Space - Montecito Town Center per 5.1.7					
Total Acreage	SF Required	Percent Required	SF Provided	Provided	Compliance
3.27	28,488 SF	20%	38,459 SF	27%	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Medical	100,000 SF	1/200 up to 2,000 SF, plus 1 space for each addition 175 SF	570	15			
Office	50,000 SF	1/300	167				
SubTotal			722	15	755		
TOTAL			737	15	755	16	Y
Loading Spaces			4		4		Y

VAR-19208 - Staff Report Page Five
February 8, 2007 - Planning Commission Meeting

Waivers		
Request	Requirement	Staff Recommendation
Town Center Build-to-Line Standards	Town Center Build-to-Line Standards require up to 80 percent of the building edge within the Town Center Core Zone to be built to the setback lines.	Approval
Landscape Fingers	1 per 6 parking spaces	This waiver is not supported as the applicant is providing eighteen parking spaces more than required for the proposed project. The applicant would have the room to accommodate the fingers.

ANALYSIS

The site is currently undeveloped. The applicant proposes to construct a 12 story, 150,000 square-foot office building and five level parking structure on the 3.27 acre parcel. Pursuant to Title 19.08.060 Residential Adjacency Standards, a 196.5 tall building adjacent to residential "protected" property requires a setback of 590 feet. The building is set back 382 feet from the residential property, which is a 35 percent deviation from the standard. Therefore, the proposal does not meet the required setback for a 196.5 foot tall building and requires a Variance. Since there is no hardship associated with this site, and a site plan can be devised which would allow compliance with the Residential Adjacency standards, staff is recommending denial of this variance. A Site Development Plan (SDR-18870) has been submitted as a companion item with this application.

On 08/06/03, the residential "protected" property to the east of the proposed development was approved by City Council for a Site Development Plan Review for a proposed three-story, 320-unit multi-family residential development. On 11/20/03, three months later, the property was approved by City Council for a Site Development Plan Review for a 193-unit single-family residential development. The single-family residential was developed on the property which pursuant to Title 19.08.060 Residential Adjacency Standards defines it as "protected."

The site plan depicts multiple driveway accesses to the open parking lot and the parking garage from internal circulation drives provided by the existing shopping center. No direct access is provided to Deer Springs Way or Riley Street from the parcel.

VAR-19208 - Staff Report Page Six
February 8, 2007 - Planning Commission Meeting

The landscape plan shows adequate buffering along the perimeter and complies with city and Town Center standards. The applicant is requesting a Waiver of Town Center Core Build-to-Line requirement to allow 38 percent build-to-line where 80 percent build-to-line is required. In addition, the applicant requests a Waiver of Town Center Development Standards which requires one landscape finger per six parking spaces. The elevations depict a 196.5 foot high office building with walls stepback eight feet per Town Center Development Standards.

The exterior of the office building varies in material and composition. The first 45 feet of office is covered in stone veneer and painted horizontal metal sunshade. Above 45 feet, the building is covered in three light brown precast panels, aluminum storefront with insulated tinted glazing, glass, and painted horizontal metal sunshade. The parking structure utilizes desert colors and stone veneer to ascent its exterior.

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. An alternative design of the building would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

VAR-19208 - Staff Report Page Seven
February 8, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 178 (Mailed with SDR-18870)

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-19208** APN: 125-20-710-006

Name of Property Owner: Montecito Imaging, LLC

Name of Applicant: Land Baron Investments

Name of Representative: APTUS Architecture

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: _____

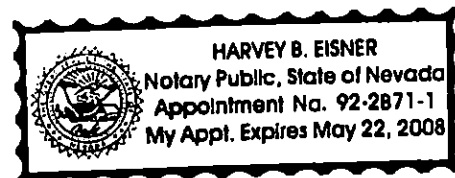
Signature of Property Owner: *Randal G. Shelton*

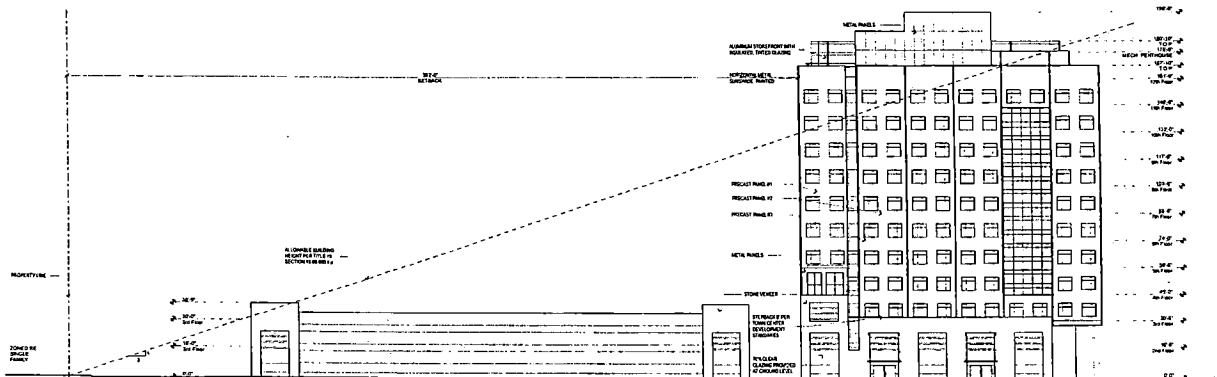
Print Name: Randal G. Shelton

Subscribed and sworn before me

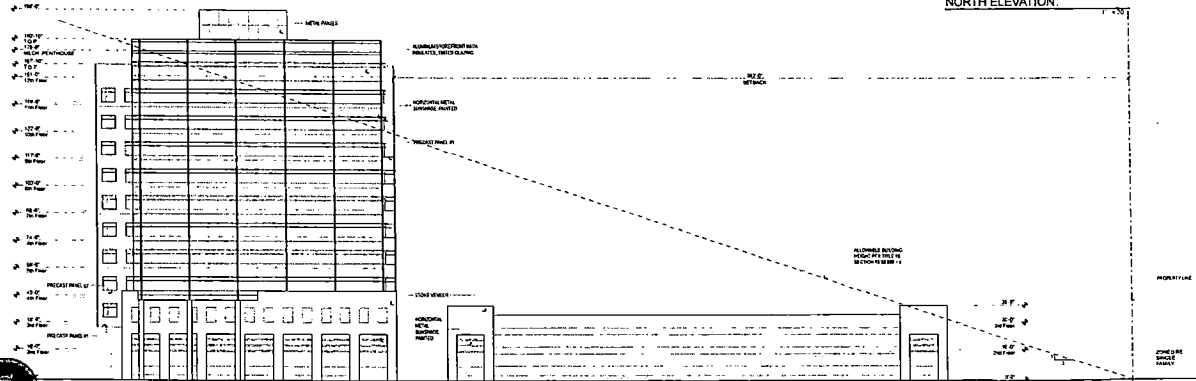
This 11 day of JANUARY, 20 07

Harvey B. Eisner
Notary Public in and for said County and State





NORTH ELEVATION



SOUTH ELEVATION

Deer Springs and Riley Office Complex

Site Development Review

SWC Deer Springs and Riley
Las Vegas, Nevada 89149

VAR-19208

SDR-18870

02/08/07 PC

City of Las Vegas, NV Form 1

11/78/04

BUILDING
ELEVATIONS

A200

11/14 Deer Springs and Riley Office Complex

APTUS Architecture

4400 South Las Vegas
Suite 100
Las Vegas, NV 89149
702.735.1100
www.aptusarch.com

January 12, 2007

City of Las Vegas
Planning and Development Department
731 S. Fourth Street
Las Vegas, NV 89101

APN: 125-20-710-006

Re:
Variance for Residential Adjacency

To Whom It May Concern:

We respectfully submit this request for a Variance to allow a 196.5 foot high office building 382'-0" feet from residential property where residential adjacency standards require 590 feet. This project is a twelve-story office building located on the southwest corner of Deer Springs and Riley. This parcel is currently zoned T-C and is located in the Grand Montecito Development in the City of Las Vegas and must adhere to the guidelines contained in the Montecito Development Agreement. The parcel north of our site is planned for a hospital which will create a need for additional office and medical office space in this area. To the west is an existing restaurant, to the south is an existing Kohl's Retail store and in-line retail and to the east is a future residential development.

This office complex will combine much needed office and medical office space in a twelve-story office building in a growing area of the city. The tallest part of the building is 196'-6" high. This project consists of 150,000 sf of leasable office and medical office space. There are 739 parking spaces required and 755 parking spaces provided. There are 4 loading spaces required and provided. The majority of the parking is provided in a 5-story parking structure (1 story below grade and 4 stories above grade) and is separated from the office building with a landscaped pedestrian plaza. The exterior materials of the office building include metal panels, precast concrete panels, aluminum storefront and stone veneer at the base. The mechanical equipment is located on the roof and is screened from view.

This project complies with all of the following Montecito requirements: stepbacks, site coverage, circulation, screened service areas, parking lot development, landscaping, streetscape and sidewalk treatments and signage as listed in the Montecito Development Standards. Also, we have provided 70% clear glazing at the ground floor level and entrances no more that 50' apart as required on the street side of the office building.

We are providing an enhanced landscape buffer on the east side of the site adjacent to the parking structure to help buffer the structure from the residences to the east. There will also be a headlight screen on the east side of the structure to limit the headlight disturbance that the residences would see from the parking structure.

We have made every attempt to follow the Montecito Development Standards, the Town Center Development Standards and the City of Las Vegas Title 19 as closely as possible in the design and layout of this site. We hope that you will join us in our attempt to continually add to the high level of development and the betterment of the citizen's quality of life.

Respectfully Submitted,



Kristen G. Neuman, AIA
APTUS Architecture

VAR-19208
SDR-18870
02/08/07 PC

Telephone Protest/Approval Log

Meeting Date: 2/8/07

Case Number: VAR 19208

Date: 1/29/07
Name: Thomas A. Garcia
Address: 8572 Khamis Ct.
Phone: 655-2806
☒ PROTEST ☐ APPROVE

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

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

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

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

Date: _____
Name: _____
Address: ITEM # VAR-19208
CASE # 26
PC MTG 2-8-07
Phone: _____
☐ PROTEST ☐ APPROVE

P

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-18870 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-19208 - PUBLIC HEARING - APPLICANT: LANDBARON INVESTMENTS - OWNER: MONTECITO IMAGING LLC - Request for a Site Development Plan Review FOR A 150,000 SQUARE-FOOT, 12-STORY OFFICE BUILDING WITH A FIVE LEVEL PARKING STRUCTURE AND A WAIVER OF TOWN CENTER CORE BUILD-TO-LINE REQUIREMENTS on 3.27 acres located at the southwest corner of Deer Springs Way and Riley Street (APN: 125-20-710-006), T-C (Town Center) Zone [Mixed-Use Commercial - Montecito Town Center Special Land Use Designation], Ward 6 (Ross).

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Telephone Protest by Thomas Garcia

MOTION:

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

- Additional landscaping on the east side, 36 inch box trees, 20 feet on center.
- No 24 hour uses.
- **UNANIMOUS** with **TRUEDELL** abstaining as he represents a property within the notice area

To be heard by City Council on 3/7/2007

PLANNING COMMISSION MEETING OF FEBRUARY 8, 2007
Planning and Development Department
Item 27 – SDR-18870

MINUTES:

See Item 26 for related discussion.

(7:47 – 8:02)

2-390

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Variance (VAR-19208).
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 12/20/06, except as amended by conditions herein.
4. Waivers shall be granted in the Town Center Development Standards listed as follows:
 - a. No landscape fingers in the south parking lot where one is required.
 - b. A 38 percent build-to-line where 80 percent build-to-line is required on the Town Center Urban Core portion of the site.
5. All development shall be in conformance with the Montecito Development Agreement, the Montecito Town Center Land Use and Design Standards, and the Town Center Development Standards Manual, except as amended by conditions herein.
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. Per Montecito Town Center Development Standards, the landscape plan dated 11/20/06 must be modified to exclude Mediterranean Fan Palm and include a tree listed Appendix B: Plant Palettes.
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.

PLANNING COMMISSION MEETING OF FEBRUARY 8, 2007
Planning and Development Department
Item 27 – SDR-18870

CONDITIONS – Continued:

8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A Master Sign Plan shall be submitted for approval of the Centennial Hills Architectural Review Committee—Town Center (CHARC-TC) prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.
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.

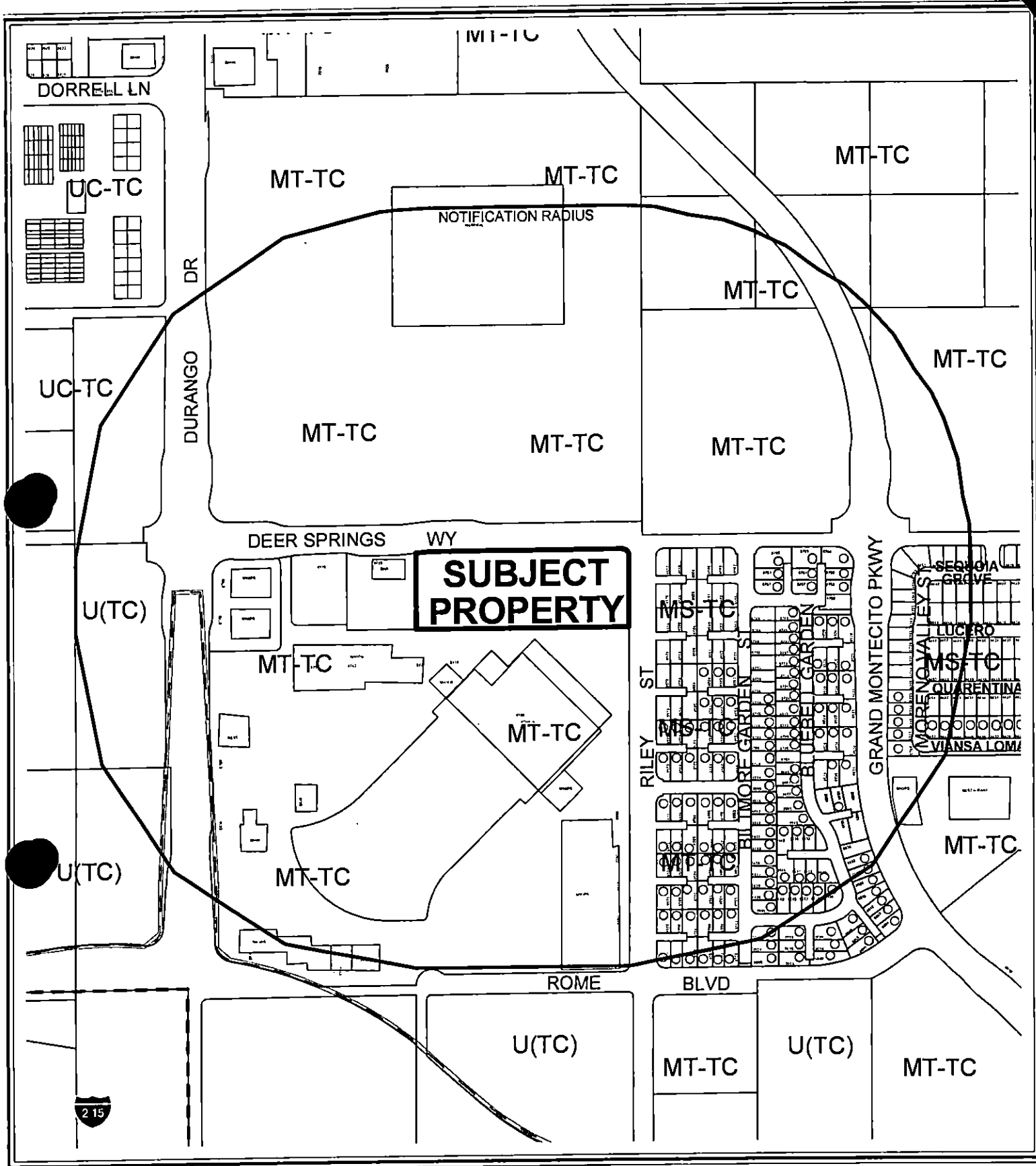
Public Works

16. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

PLANNING COMMISSION MEETING OF FEBRUARY 8, 2007
Planning and Development Department
Item 27 – SDR-18870

CONDITIONS – Continued:

17. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
18. Site development to comply with all applicable conditions of approval for the Montecito Lifestyles Center commercial subdivision and all other site-related actions.



CASE: **SDR-18870**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [MIXED-USE COMMERCIAL- MONTECITO TOWN CENTER
SPECIAL LAND USE DESIGNATION]

0 500 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: FEBRUARY 8, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-18870 - APPLICANT: LANDBARON INVESTMENTS -****OWNER: MONTECITO IMAGING LLC**

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

1. Conformance to the conditions for Variance (VAR-19208).
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 12/20/06, except as amended by conditions herein.
4. Waivers shall be granted in the Town Center Development Standards listed as follows:
 - a. No landscape fingers in the south parking lot where one is required.
 - b. A 38 percent build-to-line where 80 percent build-to-line is required on the Town Center Urban Core portion of the site.
5. All development shall be in conformance with the Montecito Development Agreement, the Montecito Town Center Land Use and Design Standards, and the Town Center Development Standards Manual, except as amended by conditions herein.
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. Per Montecito Town Center Development Standards, the landscape plan dated 11/20/06 must be modified to exclude Mediterranean Fan Palm and include a tree listed Appendix B: Plant Palettes.

SDR-18870 - Conditions Page Two
February 8, 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. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A Master Sign Plan shall be submitted for approval of the Centennial Hills Architectural Review Committee—Town Center (CHARC-TC) prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.
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-18870 - Conditions Page Three
February 8, 2007 - Planning Commission Meeting

Public Works

16. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
17. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
18. Site development to comply with all applicable conditions of approval for the Montecito Lifestyles Center commercial subdivision and all other site-related actions.

SDR-18870 - Staff Report Page One
February 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a 150,000 square-foot, 12-story office building with a five-level parking structure and a Waiver of Town Center Core Build-to-Line Requirements on 3.27 acres. Pursuant to Title 19.08.060 Residential Adjacency Standards the proposal does not meet the required setback for a 196.5 foot tall building and requires a Variance (VAR-19208). Since the Variance request is a self-imposed hardship, denial is recommended.

BACKGROUND INFORMATION

Related/Relevant City Actions by P&D, Fire, Bldg., etc.	
12/07/98	The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) for this site as part of a larger request. The Planning Commission recommended approval on 11/05/98.
12/19/01	The City Council approved a request for a Site Development Plan Review [Z-0076-98(24)] for a proposed 361,560 square-foot retail commercial center on 38.78 acres adjacent to the southeast corner of El Capitan Way (now Durango Drive) and Deer Springs Way. The Planning Commission recommended approval 11/01/01.
02/06/02	The City Council approved a request for a Master Sign Plan (MSP-0013-01) for the Montecito Town Center on 38.78 acres on the southeast corner of El Capitan Way (now Durango Drive) and Deer Springs Way. The Planning Commission recommended approval on 12/20/01.
03/06/02	The City Council approved a request for a Development Agreement (DA-0002-01) to establish a set of development standards for portions of the UC-TC (Urban Center Mixed Use - Town Center) and MS-TC (Main Street Mixed Use - Town Center) land use districts within the Town Center Zoning District on 172.46 acres of property generally located north of Centennial Parkway, west of Durango Drive, south of Elkhorn Road, and east of El Capitan Way. The Planning Commission recommended approval on 01/10/02.
03/14/02	The Planning Commission approved a request for a Tentative Map (TM-0007-02) for one lot on 38.78 acres on the southeast corner of El Capitan Way (now Durango Drive) and Deer Springs Way. This was a final action by the Planning Commission.

SDR-18870 - Staff Report Page Two
February 8, 2007 - Planning Commission Meeting

08/23/02	The Planning and Development Department administratively approved a request for a Site Development Plan Review [Z-0076-98(34)] for a proposed 344,120 square-foot retail commercial center on 39.5 acres adjacent to the southeast corner of El Capitan Way (now Durango Drive) and Deer Springs Way.
08/06/03	The City Council approved a request for a Site Development Plan Review (SDR-2478) and Special Use Permit (SUP-2478) for a 5,000 square-foot tavern adjacent to the south side of Deer Springs Way, approximately 500 feet east of Durango Drive. Planning Commission and staff recommended approval. The site was never built; therefore, the approval has expired.
Pre-Application Meeting	
12/14/06	A pre-application was held with the applicant. The applicant was informed that they would need to apply for a Site Development Plan Review. The applicant was also informed that the application would need to comply with Montecito Town Center, Town Center and Title 19 Development Standards. In addition, Building and Safety discussed building code standards for high-rise buildings.
Neighborhood Meeting	
1/24/07	A neighborhood meeting was held at the Centennial Academy at 6610 Grand Montecito Parkway at 6 PM and no members of the public attended.

Details of Application Request	
Site Area	
Net Acres	3.27

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	UC-TC (Urban Center Mixed Use - Town Center)	T-C (Town Center)
North	Undeveloped	UC-TC (Urban Center Mixed Use - Town Center)	T-C (Town Center)
South	Commercial	UC-TC (Urban Center Mixed Use - Town Center)	T-C (Town Center)
East	Single Family Residential	MS-TC (Main Street Mixed Use - Town Center)	T-C (Town Center)
West	Restaurant/Bar	UC-TC (Urban Center Mixed Use - Town Center)	T-C (Town Center)

SDR-18870 - Staff Report Page Three
February 8, 2007 - Planning Commission Meeting

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
T-C Town Center District	X		N*
Montecito Town Center	X		N*
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment	X		Y
Project of Regional Significance	X		Y

* This project does not comply with the Town Center & Montecito Town Center residential standards, which is being addressed via VAR-19208.

DEVELOPMENT STANDARDS

Pursuant to Town Center Development Standards and Montecito Development Agreement Standards the following apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	NA	NA	NA
Max. Site Coverage	60%	46%	Y
Min. Setbacks			
• Front	0-15 Feet	15 Feet	Y
• Side	10 Feet	89.1 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	20 Feet	181.1 Feet	Y
Max. Building Height	500 Feet	12 stories 196.5 feet	Y
Trash Enclosure	Yes	Yes	Y
Mech. Equipment	Yes	Yes	Y

Pursuant to Title 19.08.060

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	590 Feet	80 Feet	N

**A Variance (VAR-19208) is required as the proposal does not meet residential adjacency standards.*

SDR-18870 - Staff Report Page Four
February 8, 2007 - Planning Commission Meeting

Pursuant to Town Center and Montecito Town Center Development Standards,, the following landscape standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces	12 Trees	14 Trees	Y
Amenity Zone Buffer:				
Min. Trees	1 Tree/ 30 Linear Feet	25 Trees	28 Trees*	Y
TOTAL		27 Trees	32 Trees#	Y

*Mediterranean Fan Palm is not permitted in the Montecito Town Center Standards Manual.
 #73 total trees on-site.

<i>Open Space - Montecito Town Center per 591.7</i>					
<i>Total Acreage</i>	<i>SF Required</i>	<i>Percent Required</i>	<i>SF Provided</i>	<i>Provided</i>	<i>Compliance</i>
3.27	28,488 SF	20%	38,459 SF	27%	Y

Pursuant to Title 19.10, the following parking standards apply:

Pursuant to Rule 15-10, the following parking spaces are provided:							
Parking Requirements							
Use	Gross Floor Area or Number of Units	Required Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
		1/200 up to 2,000 SF, plus 1 space for each addition					
Medical	100,000 SF	175 SF	570	15			
Office	50,000 SF	1/300	167				
SubTotal			722	15	755		
TOTAL			737	15	755	16	Y
Loading Spaces			4		4		Y

SDR-18870 - Staff Report Page Five
February 8, 2007 - Planning Commission Meeting

Waivers		
Request	Requirement	Staff Recommendation
Town Center Build-to-Line Standards	Town Center Build-to-Line Standards require up to 80 percent of the building edge within the Town Center Core Zone to be built to the setback lines.	Approval
Landscape Fingers	1 per 6 parking spaces	This waiver is not supported as the applicant is providing eighteen parking spaces more than required for the proposed project. The applicant would have the room to accommodate the fingers.

ANALYSIS

- Zoning

The subject site is currently zoned T-C (Town Center) with a UC-TC (Urban Center Mixed Use - Town Center) General Plan designation. While these designations have been applied through the Centennial Hills Sector Plan of the General Plan and are reflected in the Town Center Development Standards Manual, the UC-TC land use designation is superseded by the Montecito Town Center Master Development Plan, which designates that area as a portion of the "Montecito Town Center Mixed Use Commercial Area." Where the Montecito Town Center Land Use and Design Standards are silent, the Town Center Development Standards Manual applies.

In addition, pursuant to section 3.3 of the Montecito Development Agreement:

Except as provided below, no standard or regulation regarding subdivision, land use, zoning, growth management, time and phasing of construction, or construction methods shall be imposed by the City upon the development of the Project, except those in effect on May 1, 2002, the effective date.

The proposed Medical and Professional Office uses are within the range of uses permitted within the Montecito Town Center Mixed Use Commercial Area designation.

SDR-18870 - Staff Report Page Six
February 8, 2007 - Planning Commission Meeting

- Development Standards

Development Standards for projects located within the Montecito Town Center Master Development Plan area are set out in the Development Agreement and Sections 3 through 5 of the Montecito Town Center Land Use and Design Standards Appendix to the Development Agreement. Development Standards within the remainder of the project are set forth in the Town Center Development Standards Manual. The following Development Standards are proposed for the subject project:

Montecito Town Center

The Montecito Development Agreement limits the amount of office, medical, retail and/or hotel floor area in Montecito Town Center to 4,520,833 square feet. The Montecito portion of the proposed project will bring the total of all existing and proposed office, medical, retail and hotel space to 2,264,494 square feet. The project stays well under the required caps.

The lot coverage standard is a maximum of 60 percent of the gross site area. The site plans indicate 46 percent coverage, based on net acreage. Given this figure, the gross lot coverage standard will be satisfied.

According to the Montecito Development Agreement, buildings within the plan area shall not exceed 500 feet in height. The Office building height is 196.5 feet and the parking structure is 38.75 feet. Both meet the height standard.

Service areas, docks and truck loading areas shall be screened and located away from public view. Trash enclosures shall be enclosed on three sides by a six-foot masonry wall, have an opaque gate on the fourth side, and contain a roof or trellis.

Building massing shall possess a balance and composition. Avoid large, unarticulated building elevations, and undifferentiated walls. The building mass shows balance with articulated and differentiated wall composition.

Projects with over 20,000 square feet of building shall provide an on-site outdoor employee patio area which is separate and removed from the main building entry. On the east side of the office building, the applicant has allocated approximately 4,800 square feet of courtyard space.

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February 8, 2007 - Planning Commission Meeting

Town Center Development Standards

Setbacks are based on the standards for the Town Center Arterial street classifications as set forth in the Town Center Development Standards Manual. Setbacks within the Montecito Town Center Plan shall meet or exceed the standards shown in the Town Center Development Standards Manual. Deer Springs Way is designated a Town Center Arterial Street with a maximum setback of 15 feet. Riley Street is classified a Town Center Collector, with no required setback. This project meets the 15-foot maximum setback requirement for both Town Center and Montecito Town Center.

Stepback and build-to line requirements are set forth in the Town Center Development Standards Manual. Stepback requirements are intended to provide visually interesting building elevations, reduce street canyon effect, and lessen the effect of strong winds at the street level. The development encompasses the Town Center Urban Zone and Town Center Core areas as described in Section D.1.C. The office building is in the Town Center Urban Core Zone, which requires a stepback of eight feet. The proposed building meets the stepback requirements for high-rise buildings within the Town Center Urban Core Zone.

Town Center Build-to-Line Standards require up to 80 percent of the building edge within the Town Center Core Zone to be built to the setback lines. This encompasses 325 feet, or half of the proposed parcel. The eastern half of the parcel is in the Town Center Urban Core Zone and does not require a building to be built to the setback lines. The office building total feet built to the setback line is 125 feet, 38 percent build-to-line. Therefore, the proposed development does not meet the residential adjacency standards and requires a waiver.

Town Center Development Standards require walls on primary pedestrian routes to have a minimum of 70% clear glazing at ground level; glazing shall not exceed 75% of building elevation and dark tinted glass is prohibited. In addition, doorways, porticoes, or other entryways shall occur every 50 feet of building façade that fronts on a street or plaza area. The elevations and site plans demonstrate that the proposed development meets these standards.

Title 19 Standards

Pursuant to Title 19.08.060 Residential Adjacency Standards, a 196.5 tall building adjacent to residential "protected" property requires a setback of 590 feet. The building is set back 382 feet from the residential property. Therefore, the proposal does not meet the required setback for a 196.5 foot tall building and requires a Variance. A Variance (VAR-19208) has been submitted as a companion item with this application.

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February 8, 2007 - Planning Commission Meeting

On 08/06/03, the residential "protected" property to the east of the proposed development was approved by City Council for a Site Development Plan Review for a proposed three-story, 320-unit multi-family residential development. On 11/20/03, three months later, the property was approved by City Council for a Site Development Plan Review for a 193-unit single-family residential development. The single-family residential was developed on the property which pursuant to Title 19.08.060 Residential Adjacency Standards defines it as "protected."

- Site Plan

The site plan illustrates a 150,000 square-foot office building and five-level parking structure with a subterranean level on a 3.27 acre parcel. The office building is situated in the western half of the parcel. An open parking lot to the west of the office building is accessed from a landscaped entrance plaza. A parking garage to the east of the office is accessed from a pedestrian courtyard.

The site plan depicts multiple driveway accesses to the open parking lot and the parking garage from internal circulation drives provided by the existing shopping center. No direct access is provided to Deer Springs Way or Riley Street from the parcel.

- Waivers

The applicant is requesting a Waiver of Town Center Core Build-to-Line requirement. In addition, the applicant requests a Waiver of Town Center Development Standards which require one landscape finger per six parking spaces. This waiver is not supported as the applicant is providing eighteen parking spaces more than required for the proposed project. The applicant would have the room to accommodate the fingers.

- Landscape Plan

Landscape standards in both Montecito Town Center and the entire Town Center area must conform to the standards set forth in the Town Center Development Standards Manual, except where special street designs are established. Deer Springs Way shall conform to Town Center Arterial landscaping standards, while Riley Street shall conform to Town Center Collector landscaping standards. Streets having a special design will have modified standards according to the submitted plans, if approved.

Landscape materials within the Montecito portion must adhere to the Montecito Town Center Plant Palette (Appendix B of the Standards). The applicant shows Mediterranean Fan Palm on their landscape plan. This is not permitted in the Montecito Town Center Standards Manual and a condition has been added to comply with the Montecito Town Center Standards Manual.

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February 8, 2007 - Planning Commission Meeting

- Elevation

The office building portion of the project will be enclosed, except for the pedestrian area between the office building and the parking garage. The elevations depict a 196.5-foot high office building with walls stepped back eight feet per Town Center Development Standards.

The exterior of the office building varies in material and composition. The first 45 feet of office is covered in stone veneer and has a painted horizontal metal sunshade. Above 45 feet, the building is covered in three light brown precast panels, aluminum storefront with insulated tinted glazing, glass, and painted horizontal metal sunshade. The parking structure utilizes desert colors and stone veneer to ascent its exterior.

- Floor Plan

Floor plans depict each level of the parking garage and office floors. Office space, bathrooms, electrical and mechanical equipment are designated on each of the 12 stories. In addition, the four floors of the parking garage depict parking spaces, handicap spaces, and ingress and egress for each floor.

FINDINGS

The following findings must be made for an SDR:

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

The proposed 12-story, 196.5-foot office building does not fit in with the existing adjacent commercial and single-family residential development in the area. The 196.5-foot tall office building does not meet Residential Adjacency Standards which could cause a potential negative impact to the existing residential areas to the east.

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 design requirements of the Montecito Town Center Master Development Plan and generally meets the design standards of Town Center. A Waiver of Town Center Build-to-Line Standard is required. However, pursuant to Title 19.08.060 Residential Adjacency Standards the proposal does not meet the required setback for a 196.5 foot tall building and requires a Variance. Since the Variance request is a self-imposed hardship, denial is recommended.

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February 8, 2007 - Planning Commission Meeting

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

The site is served by Deer Springs Way, an 80-foot Town Center Arterial, and Riley Street, an 80 foot Town Center Collector. Site access and circulation does not negatively impact adjacent roadways or neighborhood traffic.

4. **“Building and landscape materials are appropriate for the areas and for the City;”**

The landscape plan calls for Mediterranean Fan Palm Trees which is not permitted in the Montecito Town Center Standards Manual. A condition has been added to bring the landscape plan to code. Otherwise, building materials and colors meet the design requirements of the Montecito Town Center Master Development Plan and the Town Center Development Standards Manual.

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

The proposal does not meet Residential Adjacency Standards; therefore, this project would not be harmonious with existing and future development in the area. Denial is recommended.

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

The proposed office building and parking garage will be subject to regular City inspections for licensing and will, therefore, not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

ASSEMBLY DISTRICT 13

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February 8, 2007 - Planning Commission Meeting

<u>SENATE DISTRICT</u>	9	
<u>NOTICES MAILED</u>	178	(Mailed with VAR-19208)
<u>APPROVALS</u>	0	
<u>PROTESTS</u>	1	

**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST**

Case Number: **SDR-18870** APN: 125-20-710-006

Name of Property Owner: Montecito Imaging, LLC

Name of Applicant: Landbaron Investments

Name of Representative: APTUS Architecture

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): _____

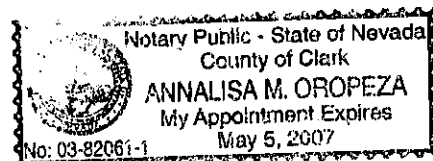
APN: _____

Signature of Property Owner: Randal B. Shelton

Print Name: Randal B. Shelton

Subscribed and sworn before me

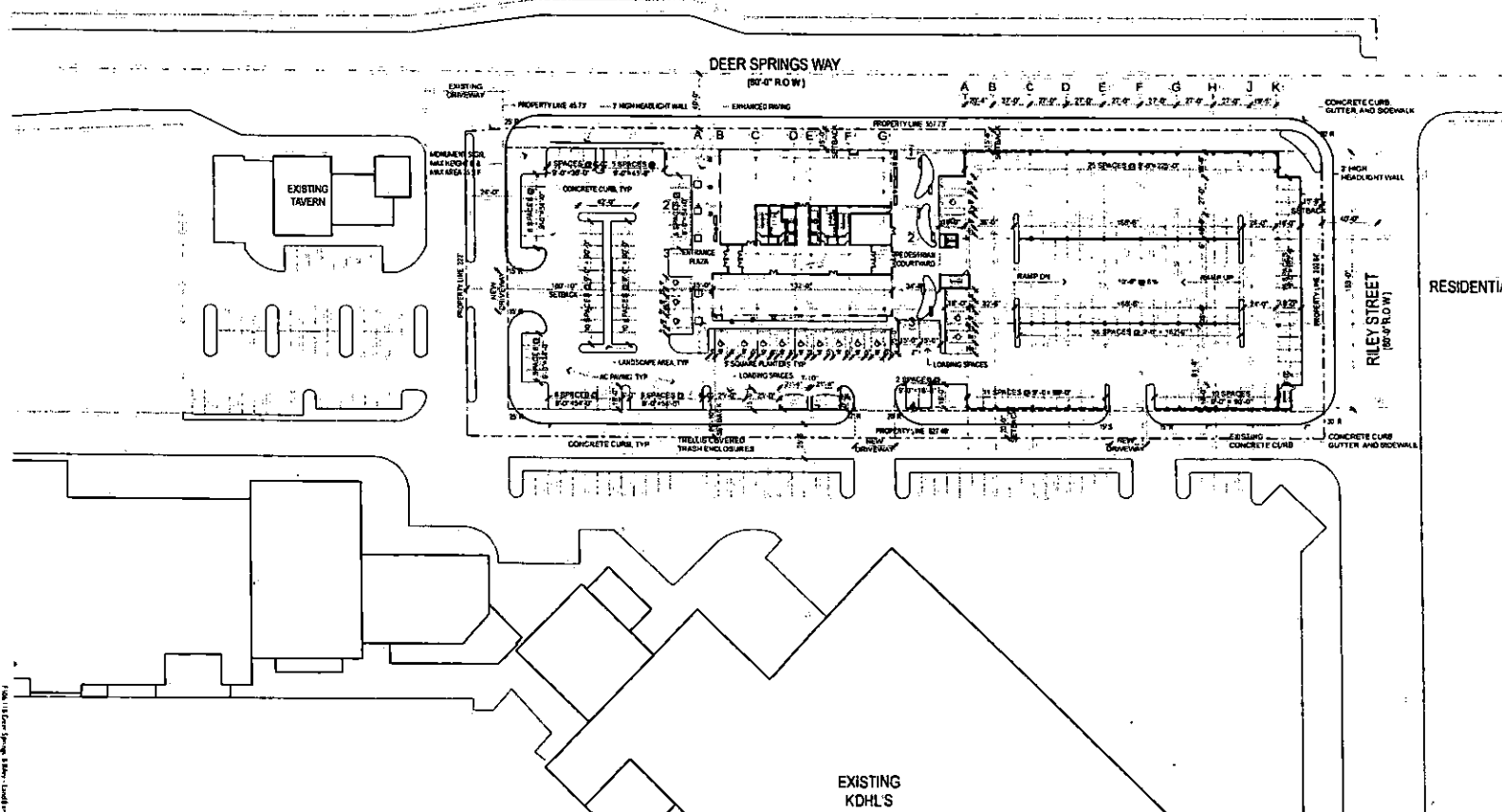
This 20th day of December, 2006
Annalisa M. Oropeza
Notary Public in and for said County and State



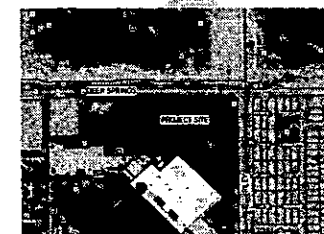
DEC 20 2006

RECEIVED

CENTENNIAL HILLS
HOSPITAL MEDICAL
CENTER



RESIDENTIAL



VICINITY & LOCATION MAPS

Site Zoning & Data

SITE DATA

PARCEL NUMBER	125-26-18-006
UNINCORPORATED	CITY OF LAS VEGAS - 19910
EXISTING GENERAL PLAN	1C
EXISTING ZONING	GRAND NINETEENTH OFFICE CENTER
ACTIVITY CENTER DESIGNATION	
SITE AREA	171,420 SQ. FT. 4.07 ACRES 141,000 SQ. FT. 3.21 ACRES
FAIR (SLOPE AND PAVEMENT)	2.2
SETBACKS (BUILDING)	
FRONT	15.0'
REAR	15.0'
INTERIOR SIDE	15.0'
SIDE STREET	15.0'
REAR	15.0'
MAX HEIGHT	12 STORIES
ACTUAL HEIGHT	108' 0" AND 12 STORIES
LOT COVER PAGE ALLOWED	80%
ACTUAL LOT COVER	80%

BUILDING AREA

BUILDING AREA	50,000 SF
OFFICE	100,000 SF
MEDICAL OFFICE	100,000 SF
TOTAL SQUARE FOOTAGE	200,000 SF

PARKING REQUIREMENTS

BUILDING AREA	50,000 SF	PROVIDED	100
OFFICE	100,000 SF		100
MEDICAL OFFICE	100,000 SF		100
STANDARD PARKING SPACES	100,000 SF		100
HANDICAPPED SPACES 1% OF 100 = 10			10
TOTAL PARKING			200
LOADING SPACES			10

OPEN SPACE REQUIREMENTS

REQUIRED	20%
PROVIDED	20%



EXISTING
KDHL'S

Deer Springs and Riley Office Complex
Site Development Review
SWC Deer Springs and Riley
Las Vegas, Nevada 89149

SDR-18870
02/08/07 PC

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City of Las Vegas TDR Submittal

SITE PLAN

AS100

DEC 20 2006

18-18 Deer Springs and Riley Office Complex

APTUS Architecture
1700 South 4th Street
Suite 200
Las Vegas, Nevada 89101
702.333.1100
F 702.333.1213

CENTENNIAL HILLS
HOSPITAL MEDICAL
CENTER

DEER SPRINGS WAY
(60' OF R.O.W.)

TOWN CENTER STREET SECTION

LANDSCAPE BUFFERS

FRONT	REAR	PROVIDE
15'-0"	15'-0"	15'-0"
15'-0"	15'-0"	15'-0"
15'-0"	15'-0"	15'-0"

LANDSCAPE SCHEDULE

TREES	COMMON NAME	BOTANICAL NAME	SIZE	QTY
○	HONEY LOCUST	Prosopis juliflora	24" Dia	24
○	SOUTHWEST SWEET ACACIA	Prosopis juliflora	24" Dia	10
○	BLUE PALM PERDE	Washingtonia robusta	24" Dia	20
○	MEDITERRANEAN PALM	Phoenix palm	24" Dia	14
SHRUBS	COMMON NAME	BOTANICAL NAME	SIZE	QTY
○	TEXAS RANGER	Leucophyllum frutescens	5 gal	30
○	GERMANDER	Origanum onites	5 gal	31
○	SAGE	Salvia leucantha	4 gal	45
○	CRATE MYRTLE	Myrtus communis	15 gal	45
GROUND COVER	COMMON NAME	BOTANICAL NAME	SIZE	QTY
○	DESERT MARIGOLD	Tagetes deserti	5 gal	60
○	LANтана	Lantana camara	5 gal	39
○	TRIPLE F GRASS	Pennisetum setaceum	5 gal	56
ROCK MULCH	SIZE	COLOR	DEPTH	
	1/2" CRUSHED GRAVEL	TO BE SELECTED BY ARCHITECT FROM MANUFACTURER'S STOCK	MIN 2" DEEP	

LANDSCAPE PLAN



EXISTING
KOHL'S

Deer Springs and Riley Office Complex
Site Development Review
SWC Deer Springs and Riley
Las Vegas, Nevada 89149

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PLANTING PLAN

L100

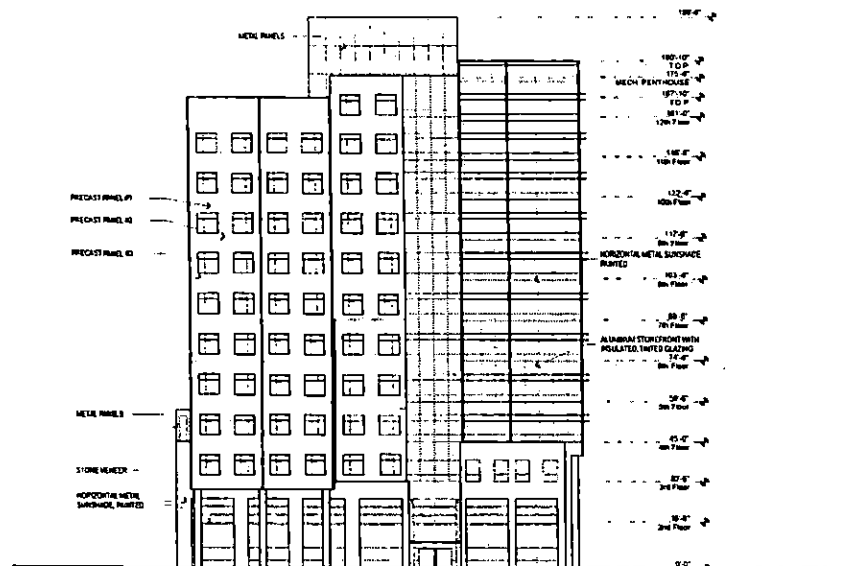
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SDR-18870
02/08/07 PC

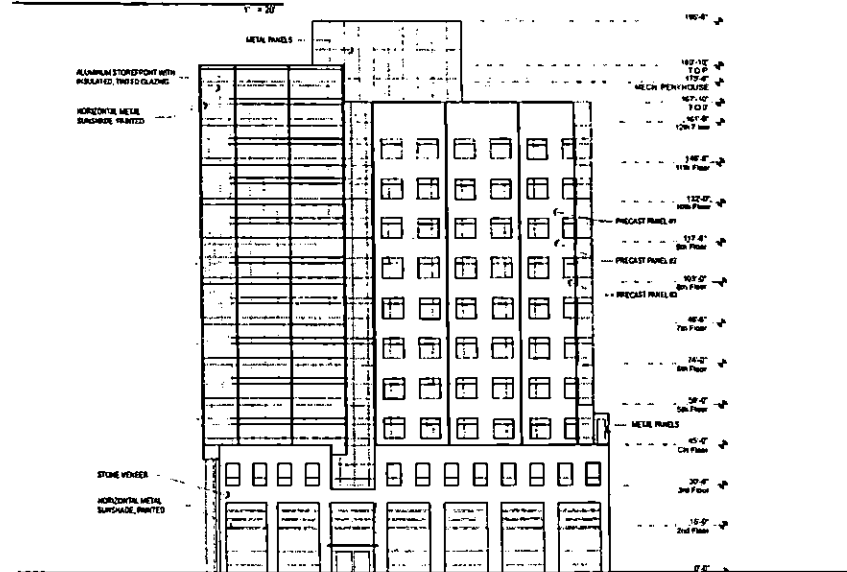


APTUS Architecture
1200 South 9th Street
Suite 200
Las Vegas, Nevada 89149
P 702.879.1200
F 702.879.1203

86118 Deer Springs and Riley Office Complex



WEST ELEVATION



EAST ELEVATION

Deer Springs and Riley Office Complex

Site Development Review
SWC Deer Springs and Riley
Las Vegas, Nevada 89149

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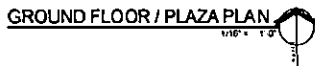
BUILDING
ELEVATIONS

A201

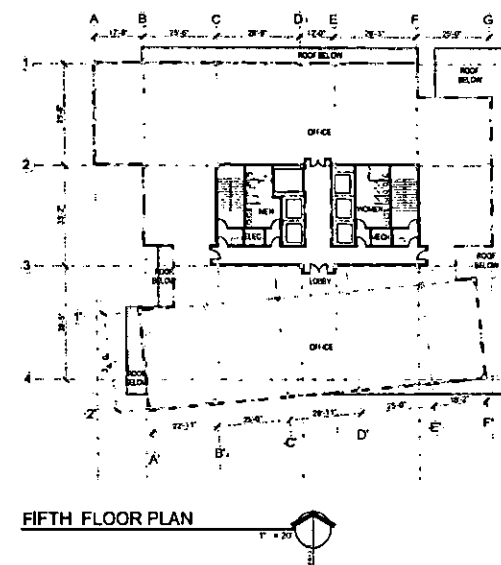
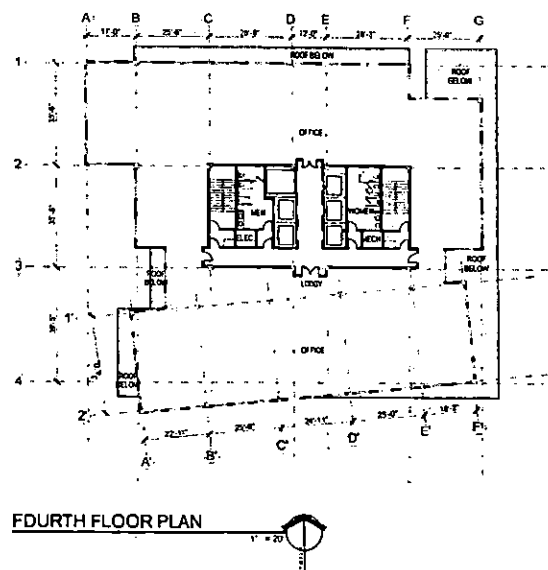
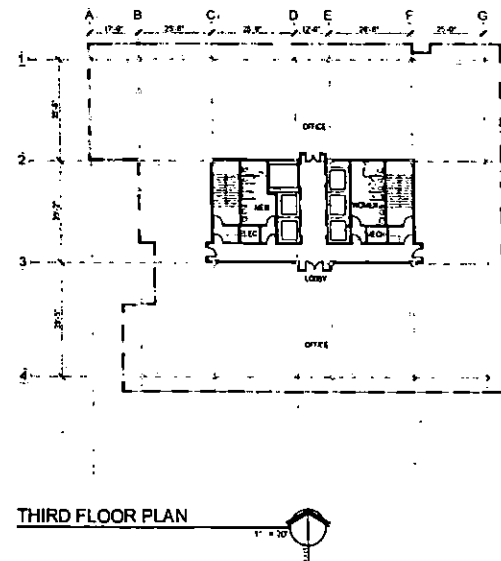
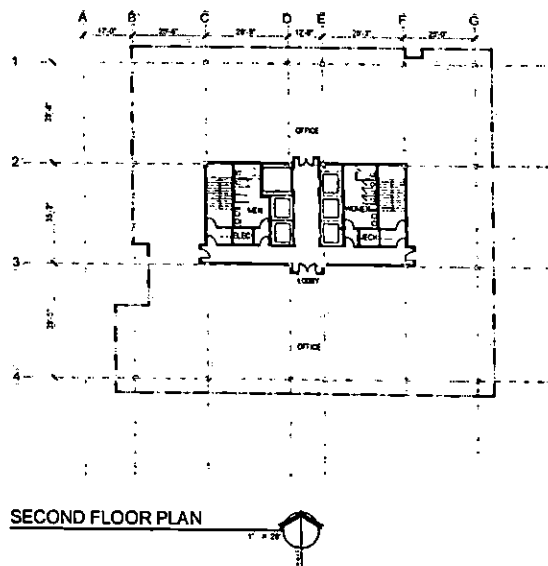
64110 Deer Springs and Riley Office Complex



APTUS Architecture
1700 South Main Street
Suite 200
Las Vegas, Nevada 89104
P 702.881.1200
F 702.881.1213



301-8 Den Jongs and Riley Office Complex



Deer Springs and Riley Office Complex
 Site Development Review
 SWC Deer Springs and Riley
 Las Vegas, Nevada 89149

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FLOOR PLANS

A103

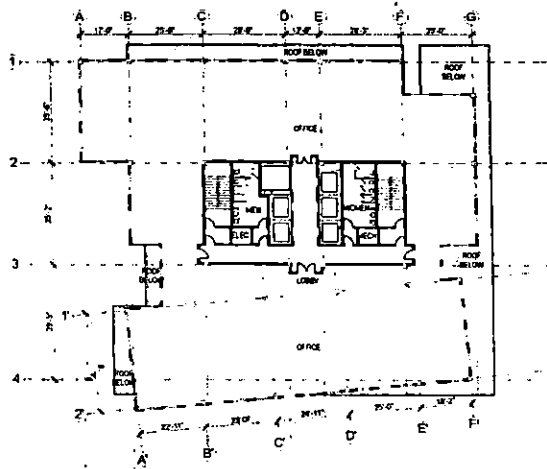
DEC 20 2006

64-118 Deer Springs and Riley Office Complex

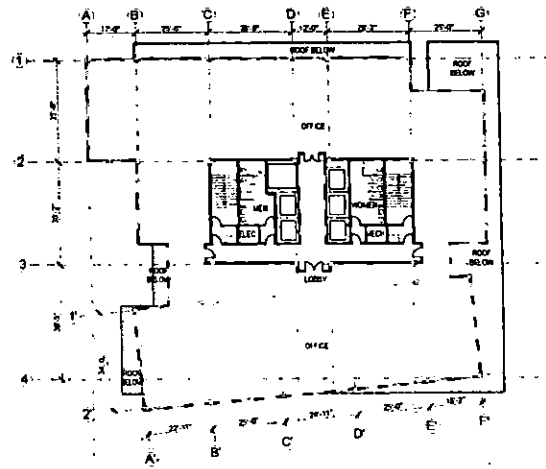
SDR-18870
 02/08/07 PC



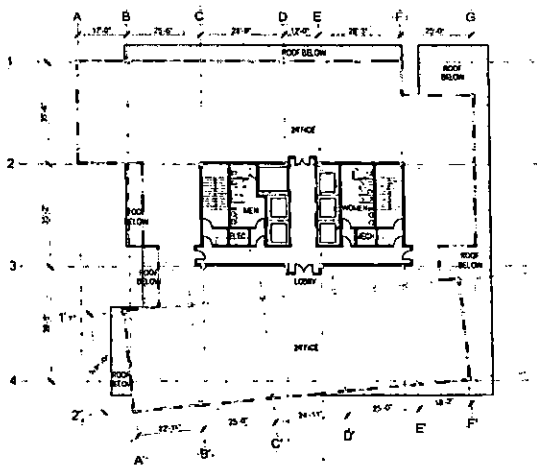
APTUS Architecture
 1000 South Main Street
 Suite 200
 Las Vegas, Nevada 89104
 P 702.579.7200
 F 702.579.1251



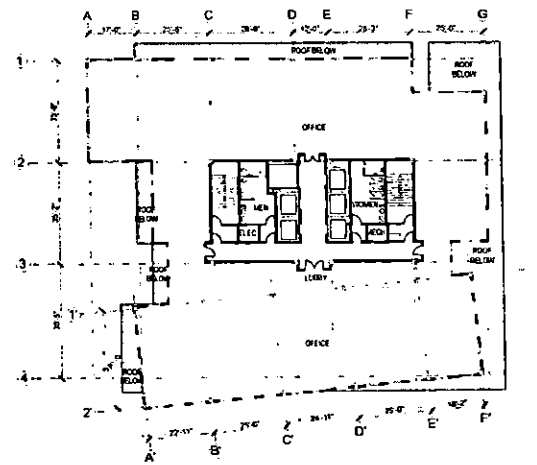
SIXTH FLOOR



SEVENTH FLOOR



EIGHTH FLOOR



NINTH FLOOR PLAN



APTUS Architecture
 1380 South Pine Street
 Suite 200
 Las Vegas, Nevada 89104
 P 702.891.1200
 F 702.891.1210

Deer Springs and Riley Office Complex
 Site Development Review
 SWC Deer Springs and Riley
 Las Vegas, Nevada 89149

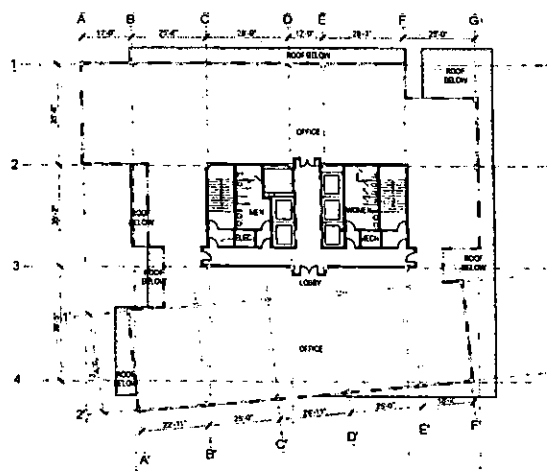
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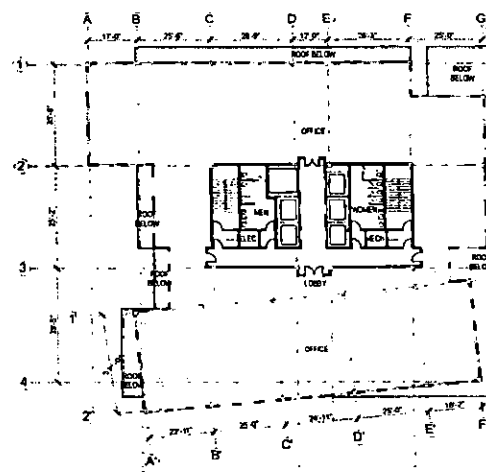
FLOOR PLANS

A104

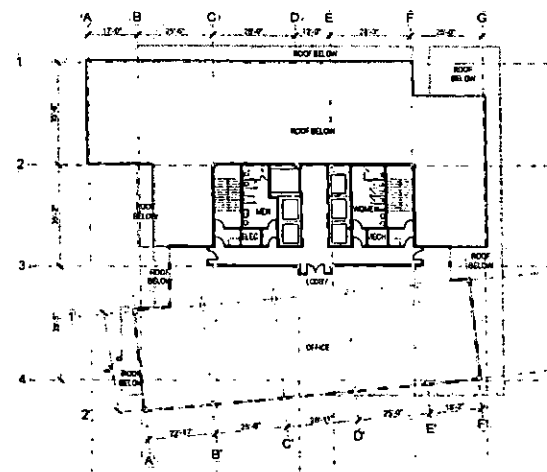
See 118 Deer Springs and Riley Office Complex



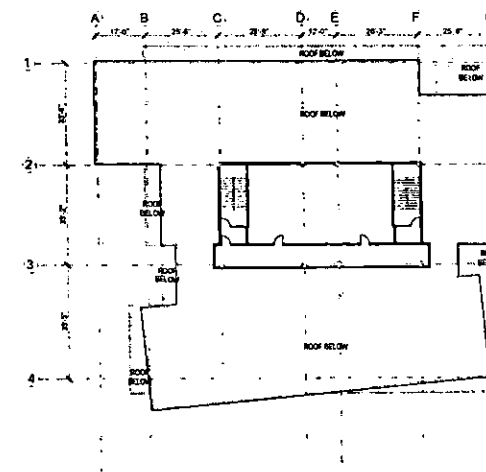
TENTH FLOOR PLAN



ELEVENTH FLOOR PLAN



TWELFTH FLOOR PLAN



MECHANICAL PENTHOUSE



Deer Springs and Riley Office Complex
Site Development Review
SWC Deer Springs and Riley
Las Vegas, Nevada 89149

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FLOOR PLANS

A105

Dr 118 Deer Springs and Riley Office Complex

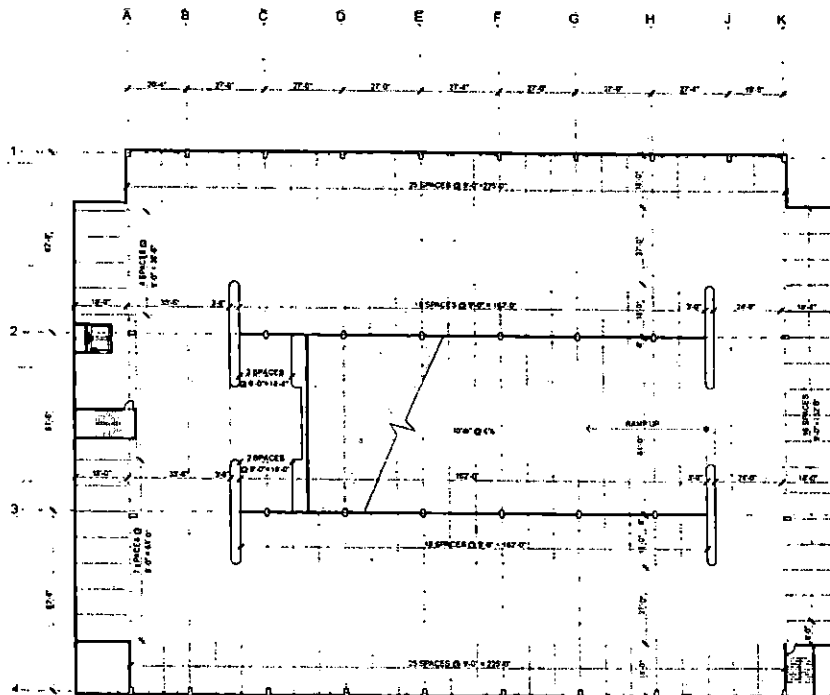
SDR-18870

DEC 20 2006

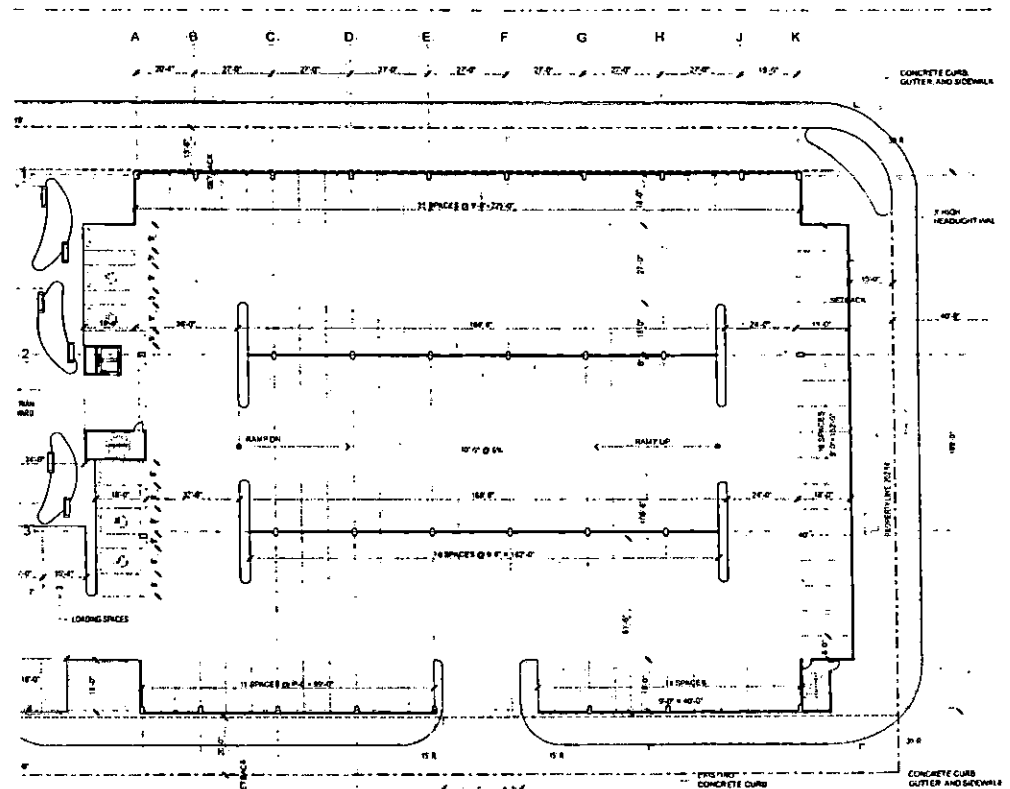
02/08/07 PC



APTUS Architecture
1200 South Main Street
Suite 200
Las Vegas, Nevada 89101
P 702 575 1200
F 702 575 1212



GARAGE - BASEMENT LEVEL



GARAGE - GROUND LEVEL



APTUS Architecture
 1320 South Ash Street
 Suite 210
 Las Vegas, Nevada 89104
 P 702.737.1200
 F 702.737.1212

Deer Springs and Riley Office Complex
 Site Development Review
 SWC Deer Springs and Riley
 Las Vegas, Nevada 89149

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 City of Las Vegas SDR Submittal 11/20/06

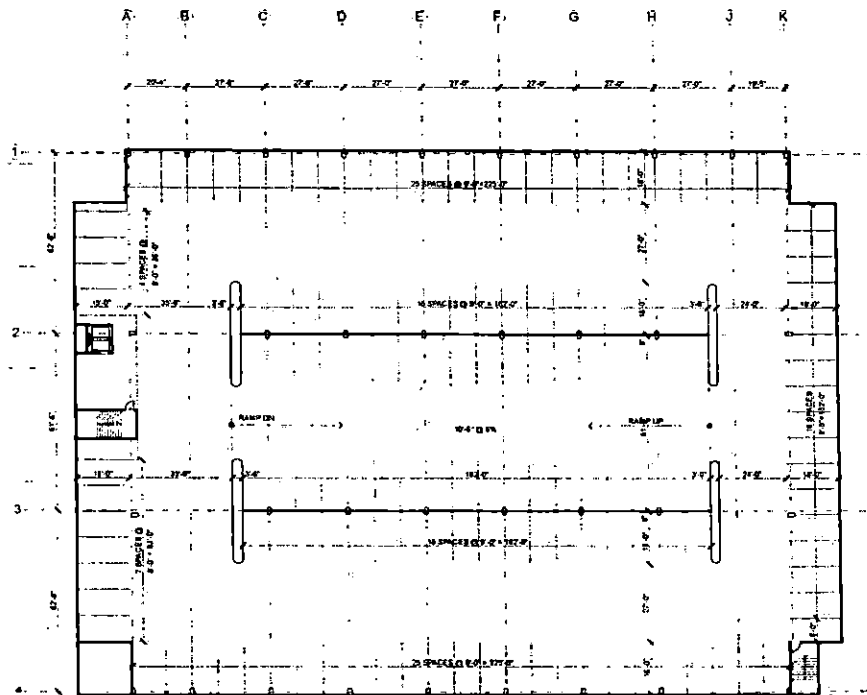
GARAGE PLANS

A100

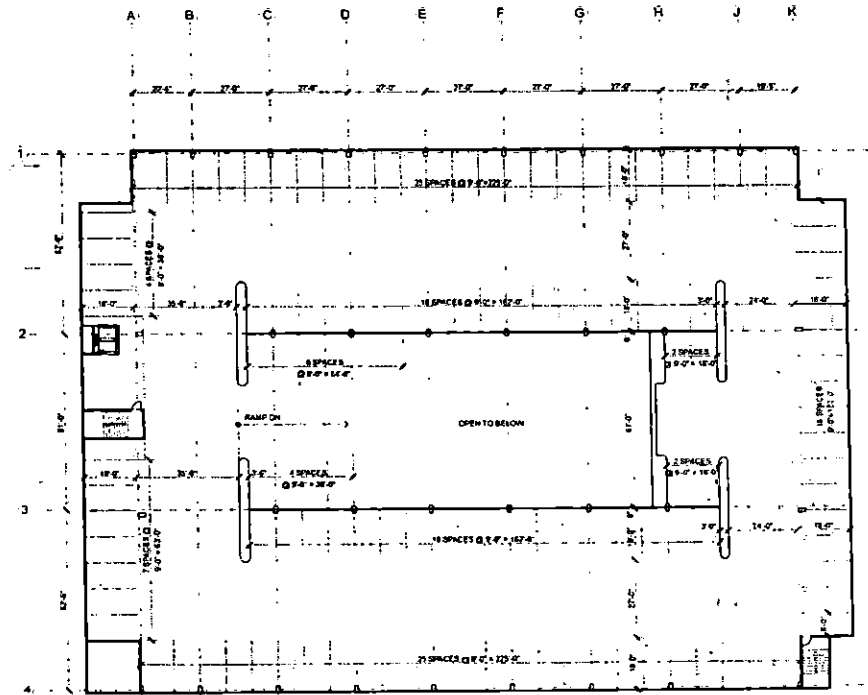
Sheet 110 Deer Springs and Riley Office Complex

SDR-18870
02/08/07 PC

DEC 20 2006



GARAGE - SECOND
AND THIRD LEVEL



GARAGE - FOURTH LEVEL



APTUS Architecture
1900 South 4th Street
Suite 206
Las Vegas, Nevada 89106
P 702.479.1100
F 702.479.1212

Deer Springs and Riley Office Complex
Site Development Review
SWC Deer Springs and Riley
Las Vegas, Nevada 89149

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City of Las Vegas SDR Submittal

12/28/06

GARAGE PLANS

A101

SWC - Deer Springs and Riley Office Complex

SDR-18870

DEC 20 2006

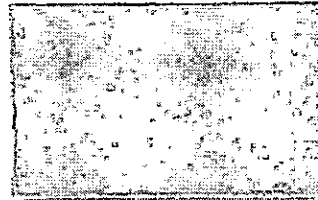
02/08/07 PC

PRECAST PANEL #1

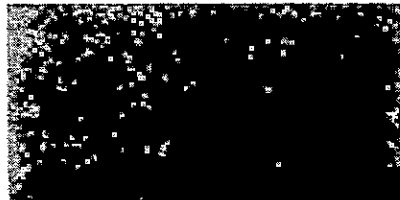


Stone Veneer

PRECAST PANEL #2



Glass



PRECAST PANEL #3



M-1 (to be applied to frames, mullions, handrails, & vertical fins)

RECEIVED

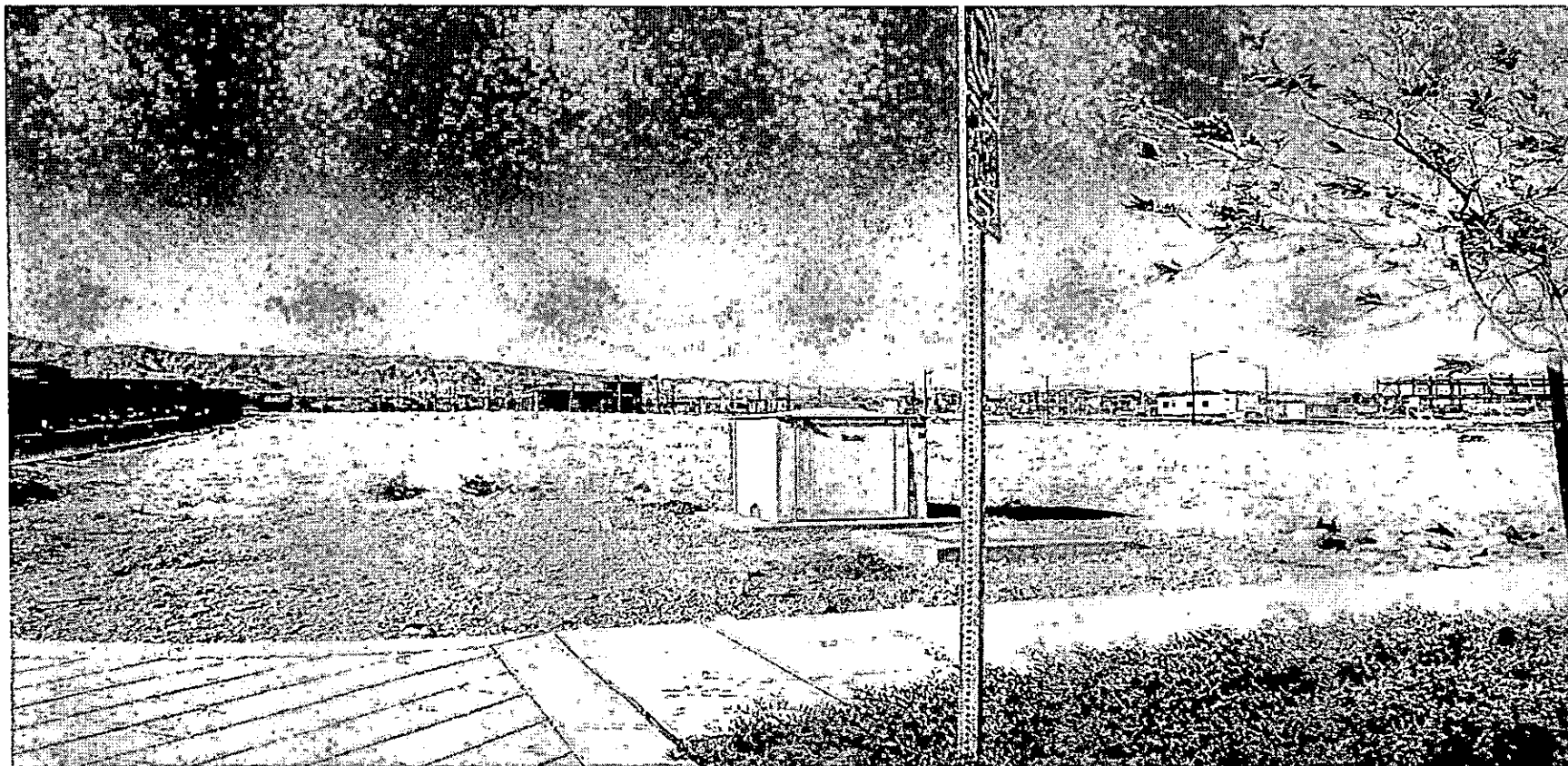
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SDR-18870
02/08/07 PC



SDR 18870				
Landbaron Investments				
SWC Deer Springs & Riley				
Proposed 150 thousand square foot office building.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	MEDICAL-DENTAL OFFICE BUILDING [1000 SF]	100	36.13	3,613
AM Peak Hour			2.48	248
PM Peak Hour			3.72	372
(heaviest 60 minutes)				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	50	11.01	551
AM Peak Hour			1.55	78
PM Peak Hour			1.49	75
(heaviest 60 minutes)				
Total	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	MEDICAL-DENTAL OFFICE BUILDING [1000 SF]	150		4,164
AM Peak Hour				326
PM Peak Hour				447
(heaviest 60 minutes)				
Existing traffic on all nearby streets: counts not available for Riley Street				
Deer Springs Way				
Average Daily Traffic (ADT)	3,240			
PM Peak Hour	259			
(heaviest 60 minutes)				
Durango Drive				
Average Daily Traffic (ADT)	25,313			
PM Peak Hour	2,025			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				

	Adjacent street ADT			
	Capacity			
Deer Springs Way	32,600			
Durango Drive	51,700			
This project will add approximately 4,164 trips per day on Deer Springs, Riley and Durango. This will increase expected volumes by about 128 percent on Deer Springs and about 16 percent on Durango. Deer Springs is at about 10 percent of capacity and Durango is at about 50 percent of capacity. Counts are not available for Riley, but it is believed to be under capacity.				
Based on Peak Hour use, this development will add roughly 447 additional car into the area; which works out to about fifteen every two minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



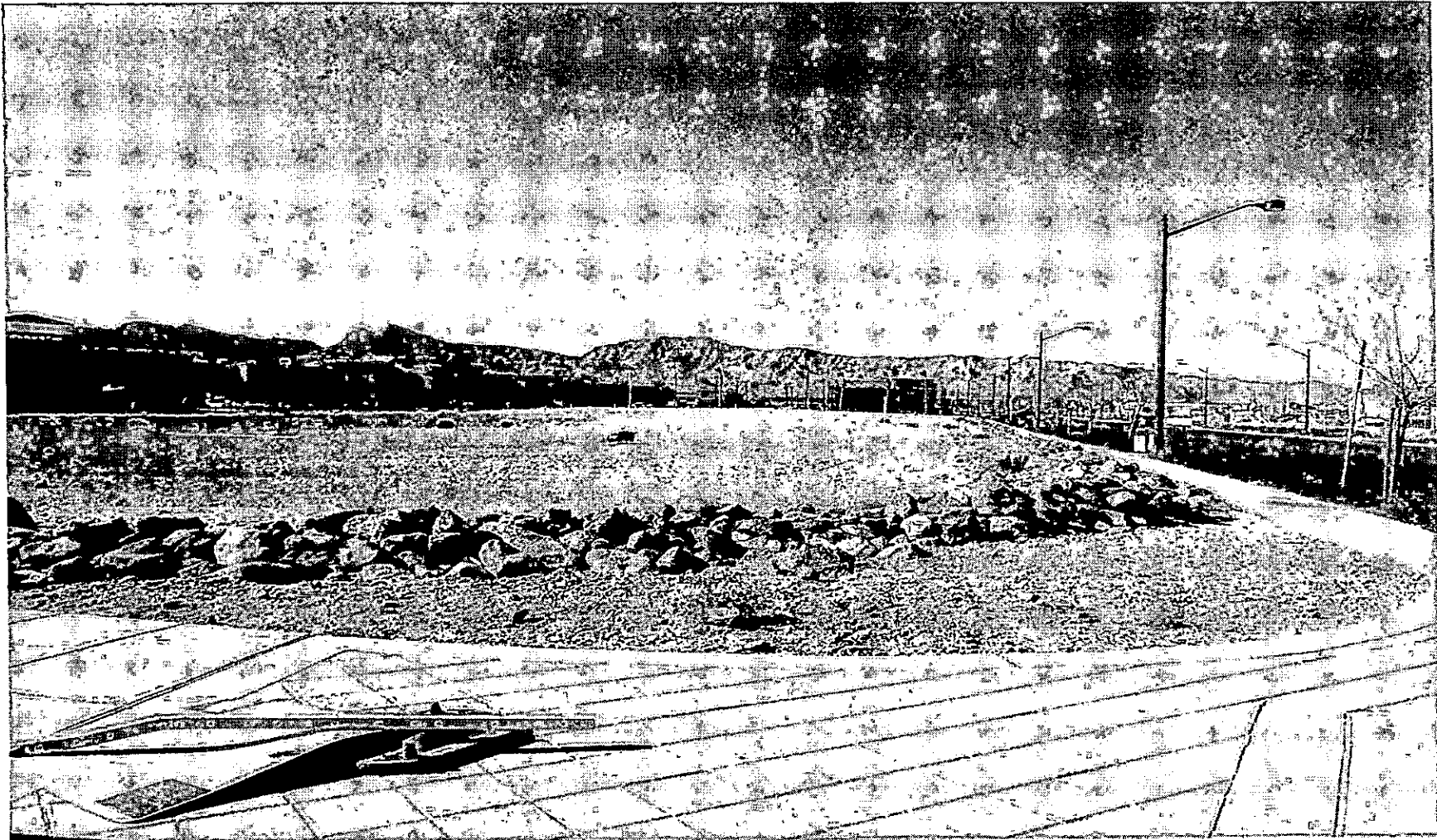
VAR-19208 AND SDR-18870 - APPLICANT: LANDBARON INVESTMENTS - OWNER: MONTECITO
IMAGING LLC
SOUTHWEST CORNER OF DEER SPRINGS WAY AND RILEY STREET
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07



VAR-19208 AND SDR-18870 - APPLICANT: LANDBARON INVESTMENTS - OWNER: MONTECITO
IMAGING LLC
SOUTHWEST CORNER OF DEER SPRINGS WAY AND RILEY STREET
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07



VAR-19208 AND SDR-18870 - APPLICANT: LANDBARON INVESTMENTS - OWNER: MONTECITO
IMAGING LLC
SOUTHWEST CORNER OF DEER SPRINGS WAY AND RILEY STREET
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07

December 20, 2006

City of Las Vegas
Planning and Development Department
731 S. Fourth Street
Las Vegas, NV 89101

APN: 125-20-710-006

Re:
Site Development Review

To Whom It May Concern:

We respectfully submit this request for a Site Development Review for a twelve-story office building located on the southwest corner of Deer Springs and Riley. This parcel is currently zoned T-C and is located in the Grand Montecito Development in the City of Las Vegas and must adhere to the guidelines contained in the Montecito Development Agreement. The parcel north of our site is planned for a hospital which will create a need for additional office and medical office space in this area. To the west is an existing restaurant, to the south is an existing Kohl's Retail store and in-line retail and to the east is a future residential development.

This office complex will combine much needed office and medical office space in a twelve-story office building in a growing area of the city. The tallest part of the building is 196'-6" high. This project consists of 150,000 sf of leasable office and medical office space. There are 739 parking spaces required and 755 parking spaces provided. There are 4 loading spaces required and provided. The majority of the parking is provided in a 5-story parking structure (1 story below grade and 4 stories above grade) and is separated from the office building with a landscaped pedestrian plaza. The exterior materials of the office building include metal panels, precast concrete panels, aluminum storefront and stone veneer at the base. The mechanical equipment is located on the roof and is screened from view.

This project complies with all of the following Montecito requirements: stepbacks, site coverage, circulation, screened service areas, parking lot development, landscaping, streetscape and sidewalk treatments and signage as listed in the Montecito Development Standards. Also, we have provided 70% clear glazing at the ground floor level and entrances no more than 50' apart as required on the street side of the office building.

We are providing an enhanced landscape buffer on the east side of the site adjacent to the parking structure to help buffer the structure from the residences to the east. There will also be a headlight screen on the east side of the structure to limit the headlight disturbance that the residences would see from the parking structure.

We have made every attempt to follow the Montecito Development Standards, the Town Center Development Standards and the City of Las Vegas Title 19 as closely as possible in the design and layout of this site. We hope that you will join us in our attempt to continually add to the high level of development and the betterment of the citizen's quality of life.

Respectfully Submitted,



Kristen G. Neuman, AIA
APTUS Architecture

SDR-18870
02/08/07.PC

Telephone Protest/ Approval Log

Meeting Date: 2/8/07

Case Number: SDR - 18870

Date: 1/29/07
Name: Thomas A. Garcia
Address: 8572 Khamus Ct.
Phone: 655-2806
☒ PROTEST ☐ APPROVE

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

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

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

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

Date: _____
Name: _____
Address: ITEM # SDR 18870
CASE # 27
PC MTG 2-8-07
Phone: _____
☐ PROTEST ☐ APPROVE

9

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

WVR-18830 - WAIVER - PUBLIC HEARING - APPLICANT/OWNERS: BENITO AQUINO, AUGUSTO GABORRO, AND TRINIDAD CASTILLO - Request for a Waiver of Title 19.12.040 TO ALLOW A ZERO FOOT PERIMETER LANDSCAPE BUFFER ADJACENT TO PUBLIC RIGHTS-OF-WAY WHERE A SIX FOOT LANDSCAPE BUFFER IS THE MINIMUM REQUIRED on 2.5 acres at 2400 North Michael Way (APN: 138-13-403-001), R-E (Residence Estates) [PROPOSED: R-PD6 (Residential Planned Development - 6 Units Per Acre)] Zone, Ward 5 (Weekly).

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 and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted at meeting – sketch of proposed landscape planters by Michael Livingston

MOTION:

DUNNAM – APPROVED subject to conditions and adding the following condition:

– Subject to the site plan for the planter areas submitted 2/8/2007.

– **UNANIMOUS**

This is Final Action

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

PLANNING COMMISSION MEETING OF FEBRUARY 8, 2007
Planning and Development Department
Item 28 -- WVR-18830

MINUTES – Continued:

JOHN KORKOSZ, Planning and Development Department, stated the request to waive the six-foot landscape buffer is a self-imposed hardship and recommended denial.

MICHAEL LIVINGSTON, Project Architect, appeared on behalf of the applicant and explained the need for this waiver was discovered very late in the development process. The requirement could have been accommodated earlier in the development process, but he emphasized that requiring it at this point would be detrimental to the project's key feature, a quarter-mile nature trail which would encircle the development. He noted that the development would be built using "green" construction techniques and that the homes would be attractive and energy efficient.

TODD FARLOW, 204 North 19th Street, commended the applicant on his proposal and encouraged the Commissioners give special consideration to similar projects.

COMMISSIONER DUNNAM expressed support for the alternate landscape buffer sketch submitted by MR. LIVINGSTON. MARGO WHEELER, Director of Planning and Development Department, stated the submitted sketch could be applied to an additional condition of approval and MR. LIVINGSTON agreed.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

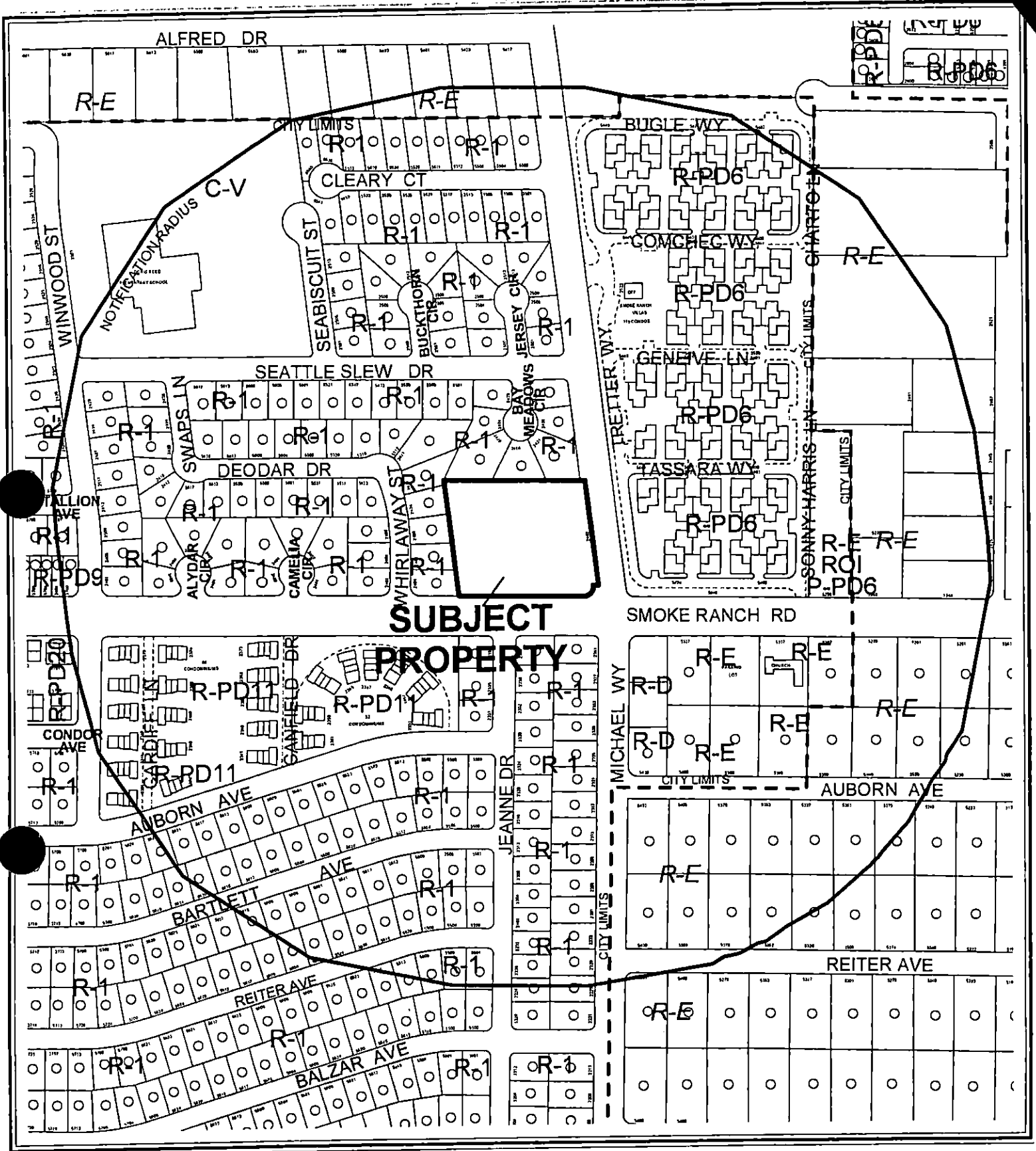
(8:02 – 8:08)

2-883

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-4646), Site Development Plan Review (SDR-4647).
2. A Waiver from Title 19.12 is hereby approved to allow no landscape buffer along the south and east perimeters where a six-foot wide landscape buffer is required.
3. 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: WVR-18830

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE)



0 200 400 Feet



CASE: WVR-18830

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 8, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: WVR-18830 - APPLICANT/OWNERS: BENITO AQUINO,
AUGUSTO GABORRO, AND TRINIDAD CASTILLO**

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-4646), Site Development Plan Review (SDR-4647).
2. A Waiver from Title 19.12 is hereby approved to allow no landscape buffer along the south and east perimeters where a six-foot wide landscape buffer is required.
3. 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.

WVR-18830 - Staff Report Page One
February 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Waiver from Title 19.12.040 to provide no landscape buffer adjacent to public rights-of-way where a six-foot wide landscape buffer is the minimum required on 2.5 acres at 2400 North Michael Way. The property has received entitlements (ZON-4647 & SDR-4647) to develop a 14-unit gated community

BACKGROUND INFORMATION

Related/Relevant City Actions by R&D, Fire, Bldg, etc.	
2/08/99	The City Council approved a Rezoning (Z-0094-98) on the subject property from R-E (Residence Estates) to C-V (Civic). The Planning Commission and staff recommended approval. The Resolution of Intent expired 02/08/00.
10/06/04	The City Council approved a General Plan Amendment (GPA-4649) from PF (Public Facilities) to ML (Medium-Low Density Residential); a Variance (VAR-4648) to allow an R-PD development on 2.5 acres where five acres is the minimum required; a Rezoning (ZON-4646) from R-E (Residence Estates) to R-PD6 (Residential Planned Development – 6 Units Per Acre); a Waiver of subdivision standards contained in Title 18.12.160 and 18.12.105; and a Site Development Plan Review (SDR-4647) for a proposed 14-unit single-family residential development on the subject site. The Planning Commission and staff recommended approval.
12/16/04	The Planning Commission approved a request for a Tentative Map (TMP-5585) for a 14-unit Residential Planned Development. Staff recommended approval.
11/1/06	The City Council approved multiple requests for Extensions of Time (EOT-17074, EOT-17075, & EOT-17076) of an approved Rezoning (ZON-4646), Variance (VAR-4648), and Site Plan Development Review (SDR-4647), respectively. Staff recommended approval.
11/1/06	The City Council approved the request for a Review of Condition #4 (ROC-17081) of an approved Site Plan Review (SDR-4647) to allow zero foot setbacks on all sides where a minimum of 20 feet are required in the front of the house, 10 feet on the side, 22 feet on the corner side, and 20 feet in the rear on 2.5 acres adjacent to the northwest corner of Michael Way and Smoke Ranch Road. Staff recommended approval.
7/26/06	#15379 Civil Improvement Plans: Staff discovered non-compliance with Title 19.12 as the submitted site plans showed an eight-foot high wall built to the property line without an adjacent six-foot wide landscape buffer.
Related/Building Permits/Business Licenses	
NA	NA

MH

WVR-18830 - Staff Report Page Two
February 8, 2007 - Planning Commission Meeting

Pre-Application Meeting	
12/8/06	A Pre-Application Conference was held with the applicant to discuss the requirements for submitting for a Waiver of the 6-foot perimeter landscape buffer width as required by Title 19.12.040.
Neighborhood Meeting	
NA	A neighborhood meeting was not held nor was one required.

Details of Application Request	
Site Area	
Gross Acres	2.45 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	ML (Medium-Low Density Residential)	R-E (Residence Estates) w/ ROI to R-PD6 (Residential Planned Development - 6 DU/AC)
North	Single Family Homes	L (Low Density Residential)	R-1 (Single Family Residential)
South	Single Family Homes	L (Low Density Residential)	R-1 (Single Family Residential)
East	Condominiums	MLA (Medium-Low Attached Residential)	R-PD6 (Residential Planned Development - 6 DU/AC)
West	Single Family Homes	L (Low Density Residential)	R-1 (Single Family Residential)

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

*The submitted Site Plans show an eight-foot wall adjacent to the sidewalk along Smoke Ranch Road and Michael Way without providing the required six-foot wide landscape buffer.

WVR-18830 - Staff Report Page Three
February 8, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.040, the following standards have been established with SDR-4647:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	NA	2,202 SF	Y
Min. Lot Width	NA	38 Feet	Y
Min. Setbacks			Y
• Front	0 feet*	0 feet	
• Side	0 feet*	0 feet	
• Corner	0 feet*	0 feet	
• Rear	0 feet*	0 feet	
Max. Building Height	2 Stories/35 Feet	2 Stories/35 Feet	Y

Please note the applicable code section here (Title 19.12)

Open Space - RPD only							
Total Acreage	Density	Required			Provided		Compliance
		Ratio	Percent	Area	Percent	Area	
2.45 acres	5.71 du/ac	1.65	9.42 %	0.23 acres or 10,055 SF	37.47 %	0.92 acres or 39,984 SF	2.45 acres

ANALYSIS

The proposed development consists of 14 single-family homes on 2.45 acres, at a density of approximately 5.7 dwelling units per acre. The site has been designed with 39,984 square feet of open space. Lots are accessed via a single looping 24-foot private drive to Michael Way.

- SDR-4647

The approved site plan did not properly reflect a six-foot wide perimeter landscape buffer as required by Title 19.12. Although the applicant has provided an abundance of landscaped open-space, a waiver was not requested during this review for the elimination of the perimeter landscape buffer requirement.

Staff has recommended that the applicant revise the site plan to reflect the proper landscape buffer adjacent to the public right-of-way along Smoke Ranch Road and Michael Way.

WVR-18830 - Staff Report Page Four
February 8, 2007 - Planning Commission Meeting

- **TMP-5585**

The cross sections submitted for the approved Tentative Map (TMP-5585) for this site depict maximum natural grade between 0% and 2%. Per Title 19, a development with a natural slope between 0% and 2% is allowed a maximum 4-foot retaining wall with a six-foot screen wall for an overall wall height of ten feet. Although no retaining walls are proposed along the perimeters of this site, an eight-foot screen wall with two-foot wide by eight-foot high pilasters placed 22 feet on center is shown along the edge of the sidewalk.

- **Landscape/Streetscape**

Per "Table 1 – Perimeter Landscape Buffer Widths" listed in *Title 19.12.040*, single family residential developments are required to provide a 6-foot wide buffer landscaped with 24" box trees planted 30 feet on center and a minimum of four (4) five-gallon shrubs per tree. Although the applicant has provided almost four times the required landscaped open space within the private development, no accommodations are provided to the public.

The applicant states that a 20-foot wide private walking trail has been proposed in this area and that a six-foot buffer would encroach upon this amenity adversely affecting its functionality. Staff recognizes this concern and recommends that a greater detriment is borne onto the public with the elimination of the buffer as the private residents will still have 14 feet to provide amenities internal to the development.

This Waiver, as proposed, seeks a quick remedy to a design problem that stems from an inadequately addressed site plan. The eight-foot high wall, placed immediately adjacent to the public right-of-way, will neither reinforce a sense of community nor preserve the integrity of the local neighborhoods. The proposed elimination of the landscape buffer will diminish the pedestrian experience along both Smoke Ranch Road and Michael Way. Therefore, staff recommends denial of the requested waiver.

FINDINGS

As stated in Title 19.12.040(A) 2. Applicability of Standards,

"Except as otherwise provided in this Paragraph (2), the standards set forth in Paragraph (1) of this Subsection (A), including Table 1 therein, are minimum requirements. The Planning Commission or City Council may grant a waiver to any of these standards as part of a Site Development Plan Review if the applicant can show through convincing

WVR-18830 - Staff Report Page Five
February 8, 2007 - Planning Commission Meeting

and substantial evidence that the waiver will not compromise the objective of the City in safeguarding the interests of the citizens of the City, the proposed project will substantially meet the intent of the standard, and the granting of the waiver will not detrimentally affect the public health, safety or general welfare.”

Staff finds that this request for waiver to eliminate the required 6-foot wide landscape buffer could not be granted without adversely affecting the public health, safety, or general welfare. The applicant proposes an outdated design standard found in older planned developments in the area that the City has made efforts to eliminate. The lack of adequate landscaping between the proposed private community and the public rights-of-way will do both a disservice to the development’s “curb appeal” and to the citizens at-large who will utilize the sidewalks along this development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT 1

SENATE DISTRICT 3

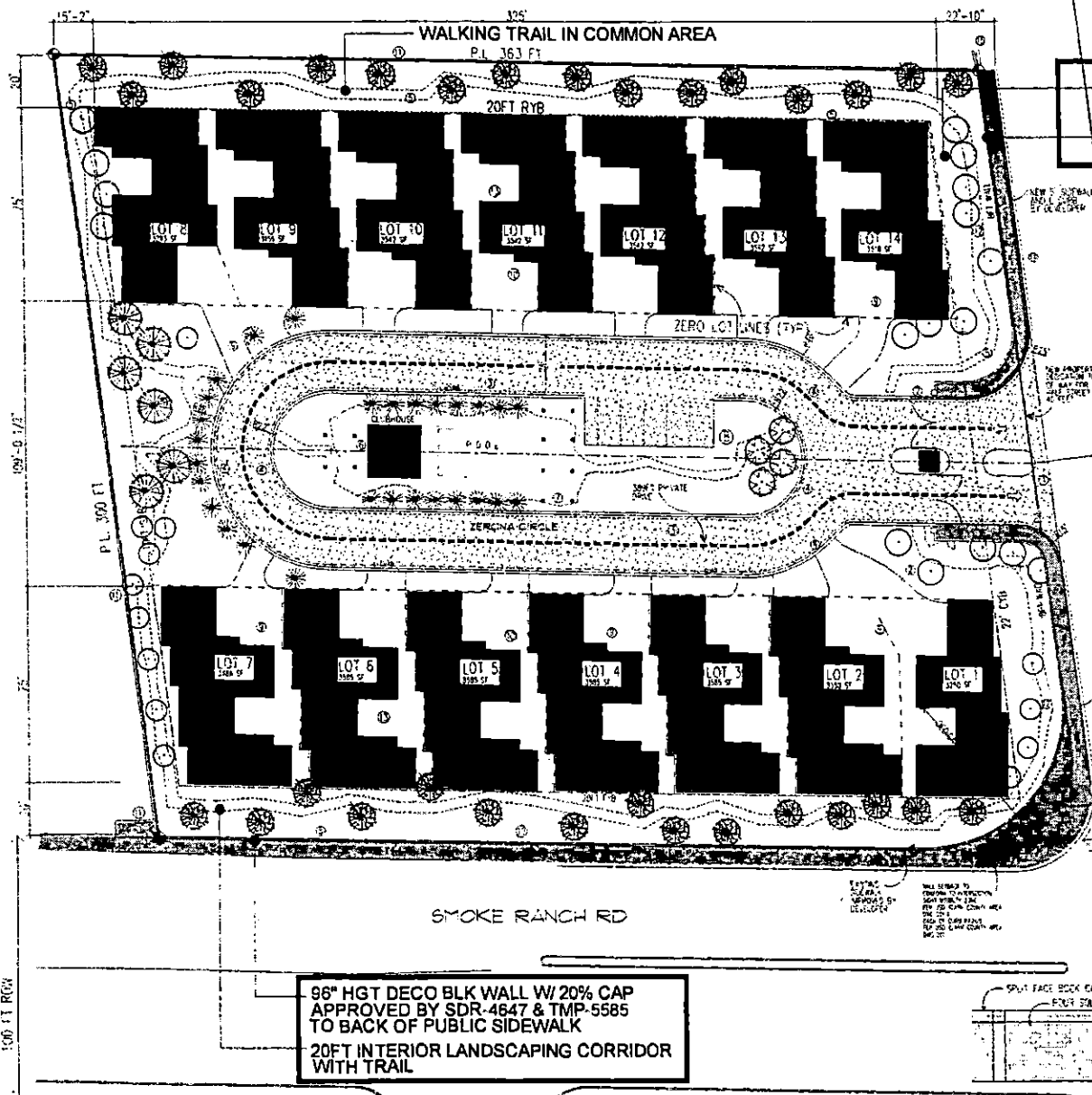
NOTICES MAILED 459

APPROVALS 0

PROTESTS 0



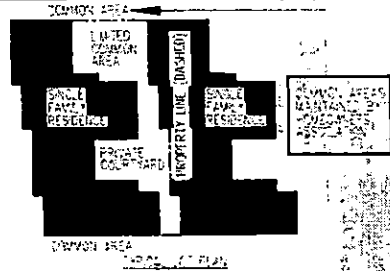
ent of Financial Interest.doc
1/2/2006



22FT INTERIOR LANDSCAPING
CORRIDOR WITH TRAIL
96" HGT DECO BLK WALL W/ 20% CAP
APPROVED BY SDR-4647 & TMP-5585
TO BACK OF PUBLIC SIDEWALK

ADJACENT LAND USES

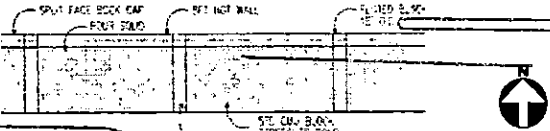
SITE WALL SHALL CONFORM TO
REQUIREMENTS OF SITE VISIBILITY
ZONES (SVZ) FOR TRAFFIC TURNING
VISIBILITY



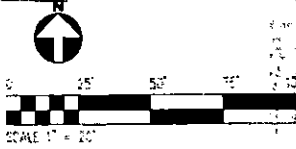
NO.	DESCRIPTION	AMOUNT	UNIT	TOTAL
1	LOT 1	1.00	AC	1.00
2	LOT 2	1.00	AC	1.00
3	LOT 3	1.00	AC	1.00
4	LOT 4	1.00	AC	1.00
5	LOT 5	1.00	AC	1.00
6	LOT 6	1.00	AC	1.00
7	LOT 7	1.00	AC	1.00
8	LOT 8	1.00	AC	1.00
9	LOT 9	1.00	AC	1.00
10	LOT 10	1.00	AC	1.00
11	LOT 11	1.00	AC	1.00
12	LOT 12	1.00	AC	1.00
13	LOT 13	1.00	AC	1.00
14	LOT 14	1.00	AC	1.00
15	LOT 15	1.00	AC	1.00
16	LOT 16	1.00	AC	1.00
17	LOT 17	1.00	AC	1.00
18	LOT 18	1.00	AC	1.00
19	LOT 19	1.00	AC	1.00
20	LOT 20	1.00	AC	1.00
21	LOT 21	1.00	AC	1.00
22	LOT 22	1.00	AC	1.00
23	LOT 23	1.00	AC	1.00
24	LOT 24	1.00	AC	1.00
25	LOT 25	1.00	AC	1.00
26	LOT 26	1.00	AC	1.00
27	LOT 27	1.00	AC	1.00
28	LOT 28	1.00	AC	1.00
29	LOT 29	1.00	AC	1.00
30	LOT 30	1.00	AC	1.00
31	LOT 31	1.00	AC	1.00
32	LOT 32	1.00	AC	1.00
33	LOT 33	1.00	AC	1.00
34	LOT 34	1.00	AC	1.00
35	LOT 35	1.00	AC	1.00
36	LOT 36	1.00	AC	1.00
37	LOT 37	1.00	AC	1.00
38	LOT 38	1.00	AC	1.00
39	LOT 39	1.00	AC	1.00
40	LOT 40	1.00	AC	1.00
41	LOT 41	1.00	AC	1.00
42	LOT 42	1.00	AC	1.00
43	LOT 43	1.00	AC	1.00
44	LOT 44	1.00	AC	1.00
45	LOT 45	1.00	AC	1.00
46	LOT 46	1.00	AC	1.00
47	LOT 47	1.00	AC	1.00
48	LOT 48	1.00	AC	1.00
49	LOT 49	1.00	AC	1.00
50	LOT 50	1.00	AC	1.00

96" HGT DECO BLK WALL W/ 20% CAP
APPROVED BY SDR-4647 & TMP-5585
TO BACK OF PUBLIC SIDEWALK
20FT INTERIOR LANDSCAPING CORRIDOR
WITH TRAIL

RECEIVED
DEC 19 2006



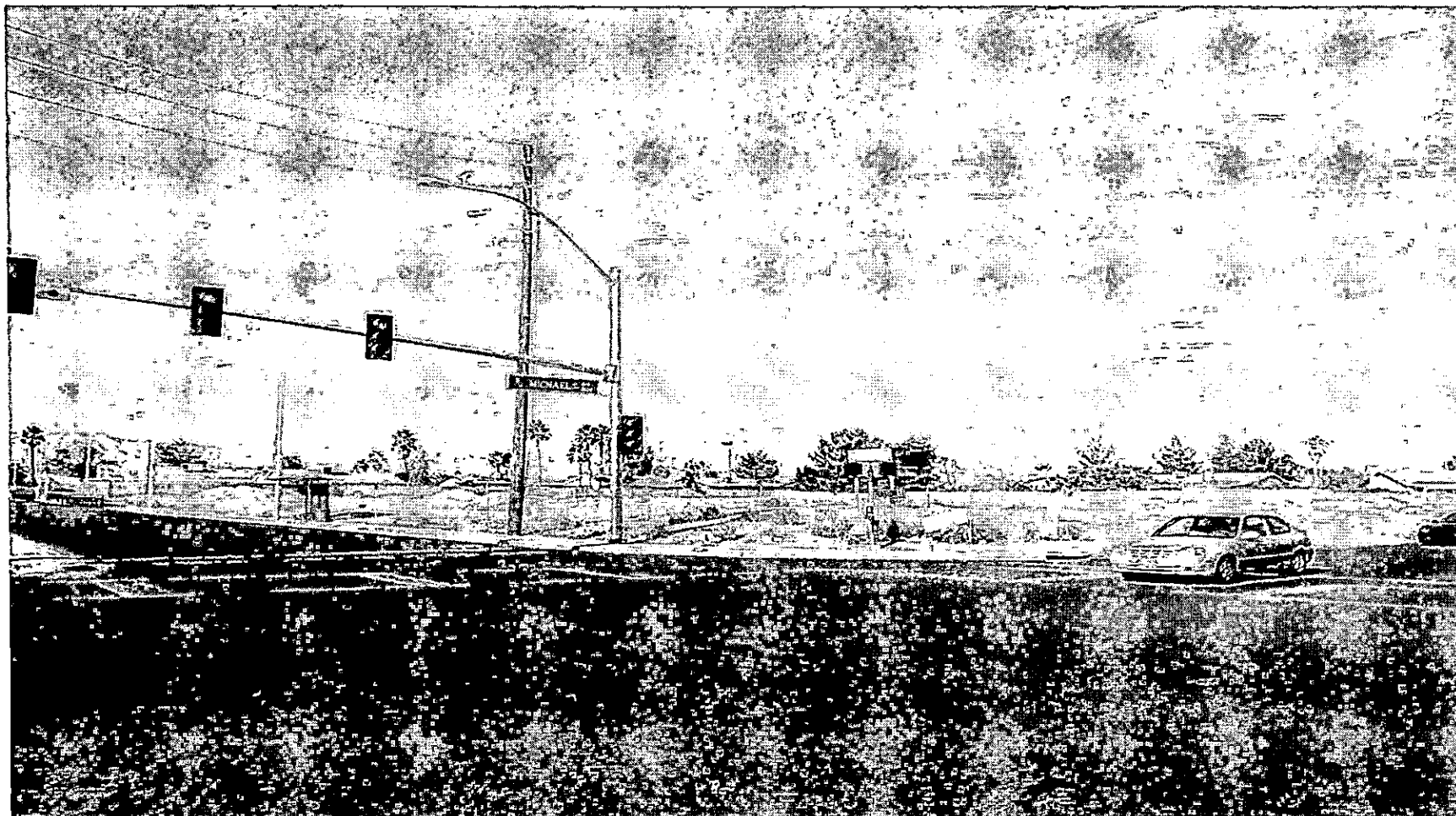
TYPICAL PERIMETER WALL ELEVATION
NOTE: PORTION TO BE PAINTED GOLD FOR FLOOD CONTROL



WVR-18830
02/08/07 PC

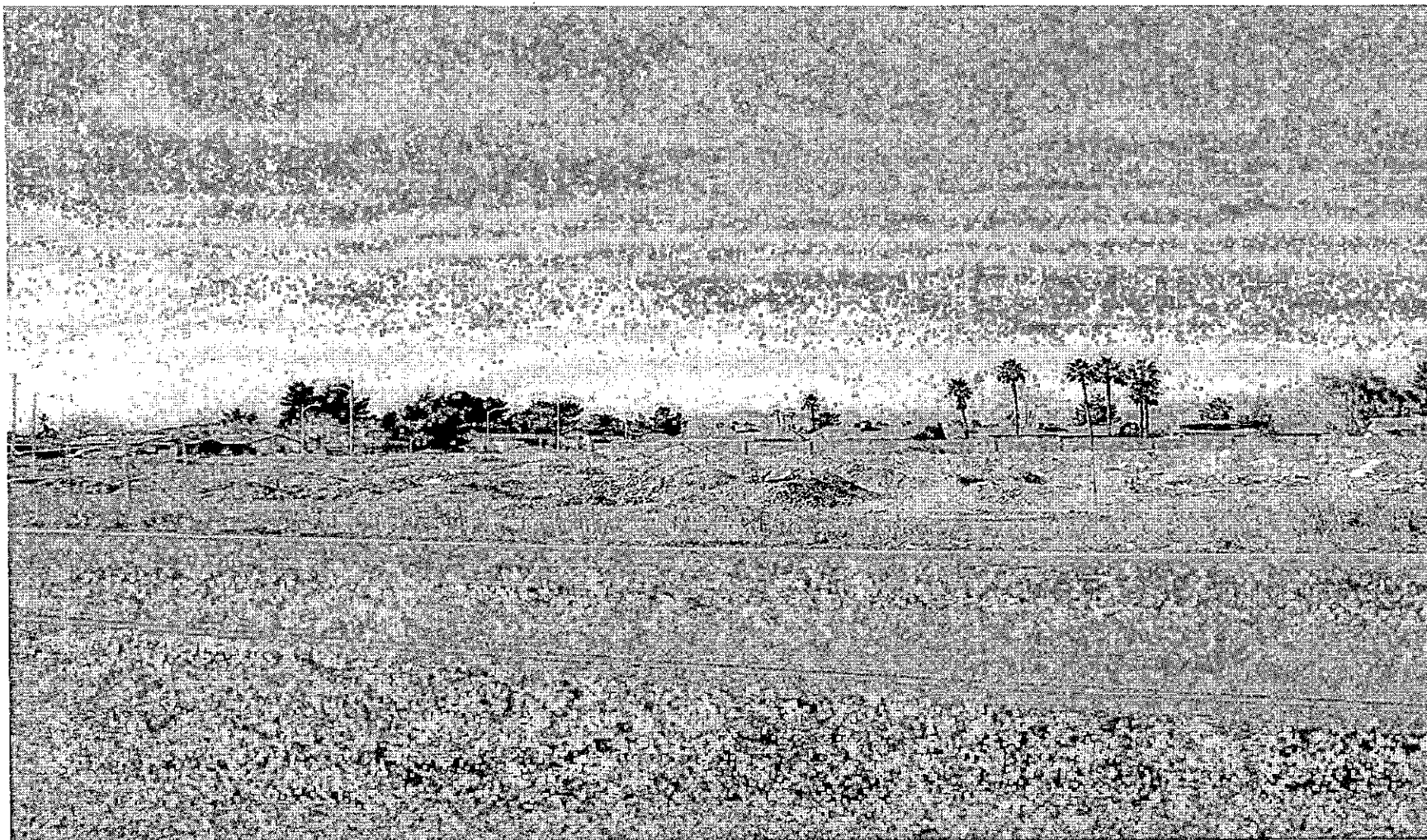
2.45 ACRE SITE 138-13-403-001
DISTRICT 5
MICHAEL WAY / SMOKE RANCH RD.
City of Las Vegas, Nevada

ZERLINA
SITE DEVELOPMENT PLAN
WAIVER OF TITLE 19



WVR-18830 - APPLICANT/OWNERS: BENITO AQUINO, AUGUSTO GABORRO, AND TRINIDAD CASTILLO
2400 NORTH MICHAEL WAY
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07



WVR-18830 - APPLICANT/OWNERS: BENITO AQUINO, AUGUSTO GABORRO, AND TRINIDAD CASTILLO
2400 NORTH MICHAEL WAY
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07



WVR-18830 - APPLICANT/OWNERS: BENITO AQUINO, AUGUSTO GABORRO, AND TRINIDAD
CASTILLO
2400 NORTH MICHAEL WAY
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07



Michael J Livingston NCARB, Architect
ARCHITECTURE & COMMUNITY PLANNING www.acpglobal.com

1350 Town Center Drive, Unit 3032, Las Vegas, Nevada 89144

Tel (702) 271-0437

Fax (702) 256-1406

mjlivingston@acpglobal.com

design
engineering
civil engineering
project development
construction management

December 18th, 2006

City of Las Vegas
Planning and Development
Development Services Center
731 S. 4th Street
Las Vegas, NV 89101

Ref: WAIVER OF TITLE 19.12.040 BUFFER ZONE SDR4647 TMP-5585

Zerlina - 14 unit development on 2.5 acre site - property # 138-13-403-001

Michael Way and Smoke Ranch

Pursuant to our recent meetings please find attached copy of Site Plan SP1 previously approved by SDR-4646 and TMP-5585.

The reason for this application for waiver is to clarify a recent demand by planning staff during civil review to create a 6 foot buffer to the above project "Zerlina" along Michael Way and Smoke Ranch. The previous SDR-4647 approval allowed an 8 foot straight site wall at the back of the public sidewalk and right-of-way on the property line without the landscaping buffer and the Tentative Map TMP-5585 has already been approved by Planning Committee and City Council. Based on this premise the Drainage Study has been completed and approved and complete civil engineering for grading, site details and utilities has been completed and are nearing approval. The drainage study also calls for a solid wall requirement at back of sidewalk for flood control.

Although other approved variances were requested prior to submission of TMP-5585 this was not advised by planning staff at that time and prior. It should be noted also that many properties on both roads have a similar condition of site wall location at back of sidewalk and that condition is mixed due to the age of developments before and after the introduction of Title 19. This is not an area with high pedestrian use. The landscaping behind the wall will be heavily treed and the tree canopies will become a future feature above the wall. Being a "Green Planned Development" the 20 foot tree buffer is designed to shield the houses from south and south-west solar gain.

Moving the perimeter wall 6 feet into the common area of the 20ft interior landscaping buffer zone would create a claustrophobic 14 foot wide corridor effect where a walking trail and 20-22ft landscaping corridor has been planned for private shared use by the residents. This will seriously impinge the quality of interior shared common space and impact the marketing and sales of these quality single family residences.

The project was initially approved for a General Plan Amendment GPA-4649 and Rezone ZON-4646 which was supported by the finding that ***"The innovative design of the homes and the layout of the site support Objective 2.6 of the Las Vegas 2020 Master Plan that calls for quality infill development within established areas of the city."***

SDR-4647 further states ***"The innovative design of the homes and the layout of the site very efficiently utilizes the space of the parcel by locating the residences in such a way that homes will be much larger than the norm that are located on similar sized lots and at the proposed density. Typical development of similar size and number of buildings usually would result in very small homes with very little private space. In this application each home will have a moderate amount of private space and share an interconnected public open space that is almost four times larger than is required."***

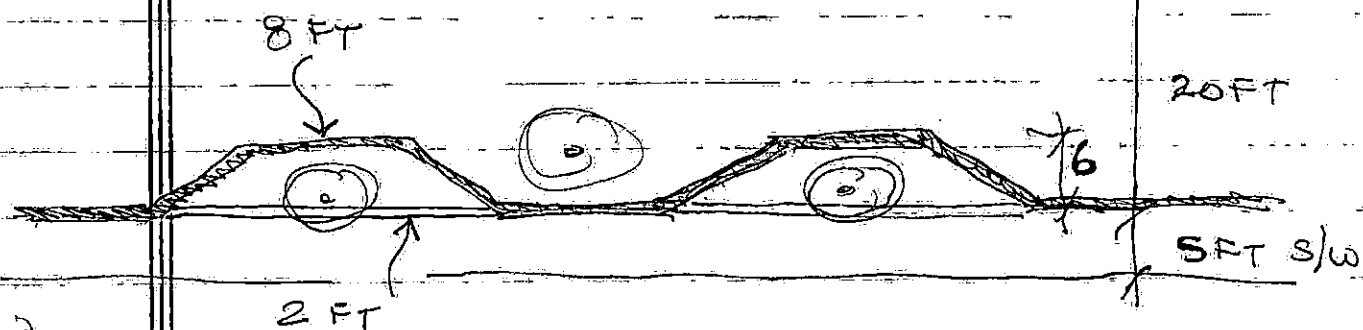
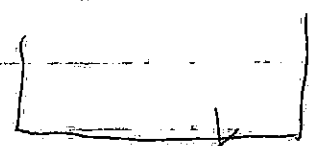
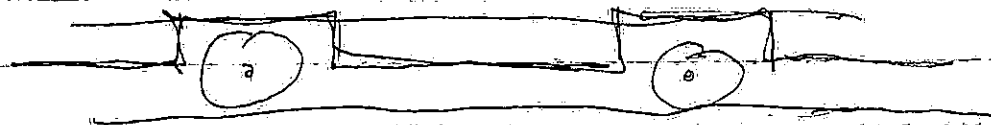
We therefore respectfully submit this request for Waiver with the view that planning committee will respect the goals and objectives of the innovative Zerlina Project that hopes to set a new standard for development in the neighborhood and therefore support this request.

Respectfully submitted,

Michael Livingston, Architect and Agent for Owner.

WVR-18830
02/08/07 PC

12-18-2006



Presented at Planning Commission

Date 2/8/07 Item 28

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-18902 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: PAWN PLUS - OWNER: CHRISTENSEN BROTHERS LLC - Request for a Special Use Permit FOR A PAWN SHOP AND A WAIVER TO ALLOW A 685 FOOT SEPARATION FROM AN EXISTING FINANCIAL INSTITUTION, SPECIFIED WHERE A 1,000 FOOT DISTANCE SEPARATION IS REQUIRED at 854 and 856 East Sahara Avenue (APN 162-03-801-108, 162-03-801-109 and 162-03-801-078), C-1 (Limited Commercial) Zone [C (Commercial) General Plan Designation], Ward 3 (Reese).

C.C.: 03/07/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

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

MOTION:

STEINMAN – APPROVED subject to conditions and amending Condition 1 as follows:

1. This approval shall be void 18 months 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.

– Motion carried with EVANS voting NO

To be heard by City Council on 3/7/2007

MINUTES:

During the Housekeeping portion of the Agenda, LISA MAYO-DORISO and JACK WEINSTEIN requested that Item 29 [SUP-18902] be held in abeyance because they felt the

PLANNING COMMISSION MEETING OF FEBRUARY 8, 2007
Planning and Development Department
Item 29 – SUP-18902

MINUTES – Continued:

public hearing signage posted on the site was inadequate.

DOUG RANKIN, Planning and Development Department, informed COMMISSIONER TRUESDELL that public hearing signs are posted by a subcontractor who then submits a photograph of the posted sign to staff.

DEPUTY CITY ATTORNEY JAMES LEWIS observed that buildings with mailing addresses on Sahara Avenue may not actually be located on the street.

CHAIRMAN DAVENPORT expressed his preference to hear Item 29 as scheduled and address the legal notification concerns at that time.

CHAIRMAN DAVENPORT declared the Public Hearing open.

JOHN KORKOSZ, Planning and Development Department, recommended denial because the proposed use is inappropriate and may lead to a saturation of this use in the area.

ATTORNEY STANLEY PARRY, Ballard, Spahr, Andrews & Ingersoll LLP, 300 South 4th Street, appeared on behalf of the applicant. He explained the applicant intended to close his existing pawn shop, which is in close proximity to this site, and use this proposed site to replace his existing store and to house his corporate offices. He pointed out the high-class and high-quality stores the applicant is currently operating and respectfully requested approval. ATTORNEY PARRY also requested that Condition 1 be amended to void the approval in 18 months rather than one year to allow the current owner sufficient time to move.

ATTORNEY PARRY informed TODD FARLOW, 240 North 19th Street, that the applicant would be moving out of their current building.

AARON MORRIS, 1349 Galleria Drive, Suite 200, Henderson, Nevada, appeared with JACK WEINSTEIN, President of the Tower of Jewels. MR. MORRIS pointed out that the subject site is directly adjacent to the Tower of Jewels' flagship location and that MR. WEINSTEIN has invested heavily and remains committed to the area. MR. MORRIS stated MR. WEINSTEIN objects to this application as it would be a shift in the wrong direction for the neighborhood and requested denial. MR. WEINSTEIN concurred.

ATTORNEY PARRY recognized MR. WEINSTEIN'S concerns and argued that his client's reputation as a businessman and the great reputation of the stores he already owns should convince MR. WEINSTEIN that this store would not negatively impact the neighborhood.

PLANNING COMMISSION MEETING OF FEBRUARY 8, 2007
Planning and Development Department
Item 29 – SUP-18902

MINUTES – Continued:

CRAIG McCALL, owner of Pawn Plus, stated his goals are to offer quality products at his stores, ensure that his customers have great experience and give back to the neighborhood. He pointed out he was making a large investment which he obviously did not want to devalue.

COMMISSIONER EVANS acknowledged that MR. McCALL is one of the leading pawn shop operators in the Las Vegas Valley, but observed that there are too many pawn shops in this neighborhood. He expressed doubt in the ability of any pawn shop to further the goals of the City's Redevelopment Agency and noted more people might have appeared in opposition if the sign had been placed on Sahara Avenue rather than a side street. COMMISSIONER EVANS agreed that the proposal is inappropriate for the area, it does not meet the requirements for a protected use and it received a recommendation for denial by staff.

COMMISSIONER TROWBRIDGE supported the application since the applicant was proposing to reduce similar uses in this area by one and observed that the applicant was not responsible for the posting of the sign announcing the public hearing.

COMMISSIONER GOYNES noted that vehicles traveling on Sahara Avenue would have also experience difficulty in viewing the public hearing sign because they are traveling at high rates of speed. He also pointed out that all property owners in the notice area were also informed by mail of this hearing and that there was little opposition from the surrounding neighborhood. COMMISSIONER GOYNES expressed his support as the applicant has proven his professionalism and willingness to maintain the quality of the business.

COMMISSIONER STEINMAN stated he was impressed with MR. McCALL and his well-managed pawn shops. He noted the applicant's intent to purchase the building was preferable to the current owner leaving the building vacant and stated he could support the application.

COMMISSIONER TRUESDELL noted he had voted against MR. McCALL's previous application for a similar use, but stated he had been impressed with MR. McCALL's businesses. He stated his support and expressed his preference for landscaping in front of the building to better reflect the continued redevelopment in the area. ATTORNEY PARRY agreed to work with staff to enhance the front of the building.

CHAIRMAN DAVENPORT concurred with COMMISSIONERS TROWBRIDGE and STEINMAN.

PLANNING COMMISSION MEETING OF FEBRUARY 8, 2007
Planning and Development Department
Item 29 – SUP-18902

MINUTES – Continued:

BART ANDERSON, Public Works Department, stated a condition requiring the private land adjacent to the sidewalk be landscaped could be included, but noted that public right-of-way is not typically landscaped.

PAUL CHRISTENSEN, owner, explained that the landscaping had existed when the building was first constructed, but was taken out after a leak was discovered in the irrigation system. He suggested that landscaping might be dangerous on Sahara Avenue where heavy traffic travels at high speeds.

COMMISSIONER EVANS observed that the reputation of MR. McCALL seemed to be the reasoning behind the Commissioners' support of this application and he reminded the Commissioners that the Special Use Permit was tied to the land and would pass on to whoever owned the business in the future.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

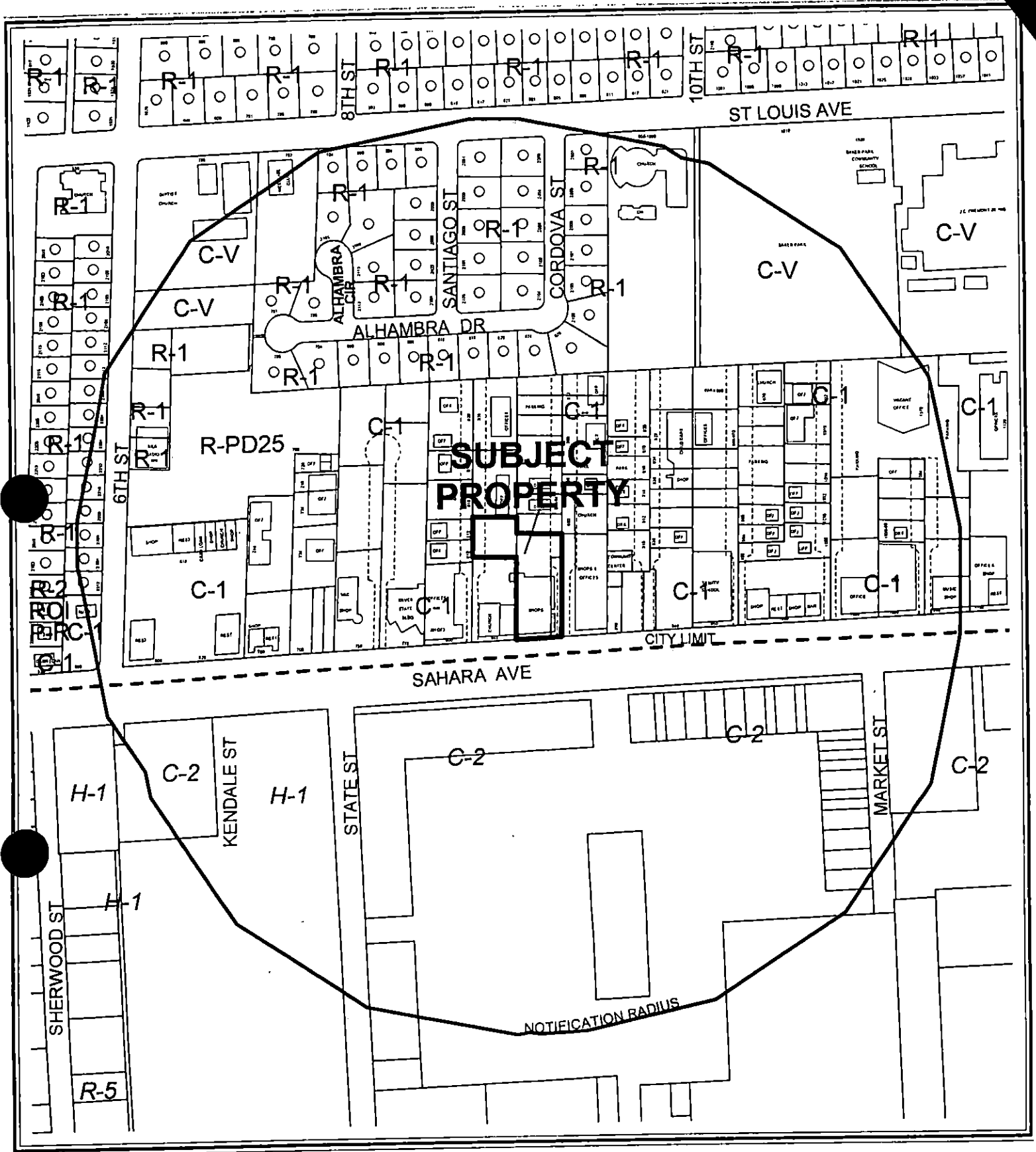
(6:06 – 6:12/8:08 – 8:43)

1-57/2-1156

CONDITIONS:

Planning and Development

1. 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.
2. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

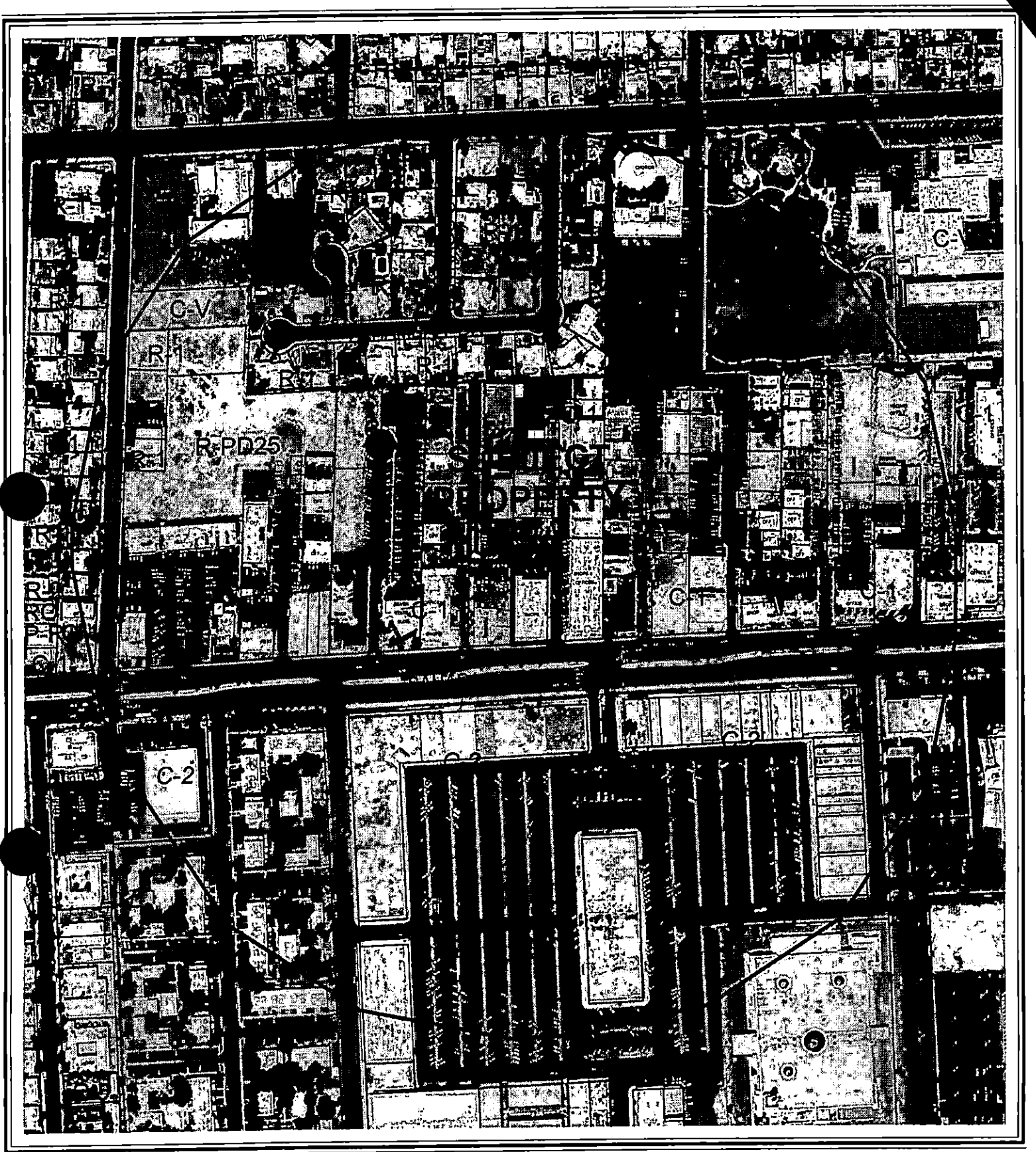


CASE: **SUP-18902**

RADIUS: 1000 FT

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





0 400 Feet

CASE: SUP-18902

RADIUS: 1000 FT

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





SUP-18902
Pawnshops

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 8, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-18902 - APPLICANT: PAWN PLUS - OWNER:
CHRISTENSEN BROTHERS LLC

**** CONDITIONS ****

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

Planning and Development

1. This approval shall be void one year from the date of final approval, 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.
2. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-18902 - Staff Report Page One
February 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Special Use Permit for an existing Pawn Shop, currently located at 1237 E. Sahara Avenue. The applicant states the Pawn shop is being relocating to 854 and 856 E. Sahara Avenue. The request includes a Waiver of the 1,000-foot distance separation requirement from an existing Financial Institution, Specified, located at 610 East Sahara Avenue.

The applicant seeks to relocate a Pawn Shop to a separate commercial building located on East Sahara Avenue. The subject site does not meet the minimum 1000-foot separation requirement from an existing Financial Institution, Specified, as the subject parcel is 685 feet from a check cashing and title loan business.

The proposed Pawn Shop is to occupy two spaces within an existing building and is replacing another retail business. Built in 1963, the building was constructed in accordance with the parking requirements at that time and is presently considered parking impaired. Parking is not an issue in this instance since the use will still be retail in nature.

An addendum to the Justification letter the applicant adds a request for the Use Permit to be in effect for 18 months from date of approval to allow time for the existing tenant to relocate to a new location.

BACKGROUND INFORMATION

Related Building Permits/Business Licenses	
	NA
Pre-Application Meeting	
12/11/06	A pre-application meeting was held to discuss the requirements for a Special Use Permit for a pawn shop at the proposed location. In addition, the applicant was informed that this would require a waiver for the distance separation requirement from an existing Financial Institution, Specified.
Neighborhood Meeting	
N/A	A neighborhood meeting was not required, nor was one held.
Details of Application Request	
Site Area	
Net Acres	.57

SUP-18902 - Staff Report Page Two
February 8, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial Retail	C (Commercial)	C-1 (Limited Commercial)
North	Medical Offices	C (Commercial)	C-1 (Limited Commercial)
South	E. Sahara Ave/Clark County	ROW/Clark County	ROW
East	Commercial Retail	C (Commercial)	C-1 (Limited Commercial)
West	Church	C (Commercial)	C-1 (Limited Commercial)

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

A-O Airport Overlay District

The proposed use of a Pawn Shop within an existing retail location will have no impact on the 70-foot height restrict set forth by the Airport Overlay District.

Redevelopment Plan Area

This project is located with the Redevelopment Plan Area. The objective of this plan is to strengthen and diversify the economic base of the Redevelopment area. The proposed Special Use Permit for a Pawn Shop with a waiver of the separation distance from a Financial Institution, Specified does not comply with the diversification of businesses in the Redevelopment Area.

Project of Regional Significance

This is a Project of Regional Significance because the use will be within 500 feet of the boundary between the City of Las Vegas and unincorporated Clark County. A Development Impact Notification Assessment and Project of Regional Significance information were submitted by the applicant and routed by Planning. There has not been any comment received at the time of this report.

SUP-18902 - Staff Report Page Three
February 8, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirements							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required Parking		Provided Parking		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Pawn Shop	8,750 GFA	1/250	35	2	36	2	N
TOTAL (including handicap)	22,000 GFA	1963 Standards	43	2	36	2	N

City records indicate the building was built in 1963, consisting of approximately 22,000 square feet, of which 18,000 is currently being used as office and retail space and the remainder is used for storage. Parking is located on two parcels behind the building and 38 parking spaces (includes 2 Handicap) are provided for tenants and customers. The 1962 City of Las Vegas Zoning Code, Ordinance Number 972, required retail buildings to provide 10 parking spaces for the first 5500 square feet of gross floor area and for each additional 500 square feet or fraction thereof in excess 5500 square feet – one additional space. Current parking standards render the building to be considered parking impaired development. Parking is not an issue in this instance since the proposed use will remain retail in nature and the building area is not being increased.

Per Title 19.10.010 C) Parking-Impaired Development:

"A land use or building which is existing on the effective date of this Title and which complied with the applicable parking standards at the time the use or building was established, but which does not comply with the requirements of this Section, shall not be considered a nonconforming use or non-conforming building; but rather, it shall be considered a parking-impaired development. The following rules shall apply to the remodeling, alteration, expansion or reuse of parking-impaired developments:

(1) Building permits and certificates of occupancy may be issued for remodeling or structural alterations of parking-impaired developments without requiring compliance with this Chapter, provided that such work does not increase the building area or result in a change of use that requires an increase in the number of required parking spaces."

The proposed Financial Institution, Specified does not increase the parking requirement beyond the previous use.

SUP-18902 - Staff Report Page Four
February 8, 2007 - Planning Commission Meeting

Waivers		
Request	Requirement	Staff/Recommendation
To allow zero feet of separation from an established Financial Institution, Specified.	1,000 foot from an existing Financial Institution, Specified.	Denial

ANALYSIS

- Zoning

The existing zoning is C-1 (Limited Commercial). This zoning is appropriate for the General Plan Land Use designation of C (Commercial). The proposed Pawn Shop use is allowed under that designation with approval of a Special Use Permit.

- Use

Pawn Shop is defined as follows:

A facility (other than a bank, saving and loan or mortgage banking company) used for the business of lending money on the security of pledged goods or for the business of the purchase of tangible personal property on the condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.

The use, as proposed by the applicant, meets this definition as outlined in the Code, and is a permitted use in the C-1 (Limited Commercial) Zoning district with a Special Use Permit as sought by this application.

Although there is an established Financial Institution, Specified, within immediate proximity of the proposed Pawn Shop, the applicant notes there appears to be seven (7) Financial Institutions, Specified, located close to the current location of the Pawn Shop. The applicant seeks to highlight the reduction of saturation of these businesses in the proposed location, and the difference in that the majority of the revenue from the pawn operation comes from retail sales, primarily jewelry sales. The applicant has presented photographs of recently opened stores with the application showing a layout much in-line with a jewelry store. However, as the justification letter states that pawn-loans are provided on-site the use must be applied as such. Therefore staff recommends denial.

SUP-18902 - Staff Report Page Five
February 8, 2007 - Planning Commission Meeting

- **Conditions**

Pursuant to Title 19.04.050 the following conditions must be met for a Financial :

1. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.
2. No outdoor display, sales or storage of any merchandise shall be permitted
3. No pawn shop shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.
4. No pawn shop use may be located closer than 200 feet from any parcel used or zoned for residential use. In addition, no pawn shop use may be located closer than 1000 feet from any other pawn shop or specified financial institution use. For purposes of this Regulation 4, 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.

Because it does not meet the minimum conditions as listed in Title 19.04, the proposed Pawn Shop will be incompatible with the adjacent commercial uses, which is why a Waiver from the separation requirement of 1,000 feet from an established Financial Institution, Specified use is being requested. Therefore, staff recommends denial.

FINDINGS

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

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

SUP-18902 - Staff Report Page Six
February 8, 2007 - Planning Commission Meeting

In regard to "1":

The proposed Pawn Shop is to be relocated in a building that is 685 feet from an existing Financial Institution. Therefore, the proposed use cannot meet the conditional requirements as set forth by Title 19.04.050. As a result of the failure to meet separation requirements from a Financial Institution, Specified, staff cannot recommend approval for this Special Use Permit

In regard to "2":

The site is physically constrained due to the location of the existing Financial Institution, within the 1000-foot separation requirement from the proposed Pawn.

In regard to "3":

The primary access to the site is served via Sahara Avenue, designated as a (100-foot) Primary Arterial roadway on the Master Plan of Streets and Highways, which will adequately serve the proposed Pawn Shop use.

In regard to "4":

The Special Use Permit for a Pawn Shop requires separation from an established Financial Institution. As the subject site fails to meet this separation requirement, the public welfare protections required in Title 19 would be compromised.

In regard to "5":

The proposed relocation of a Pawn Shop requires separation from an established Financial Institution. As the subject site fails to meet this condition as set forth by Title 19.04.050, it is not in total compliance.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

ASSEMBLY DISTRICT 9

SUP-18902 - Staff Report Page Seven
February 8, 2007 - Planning Commission Meeting

SENATE DISTRICT 3

NOTICES MAILED 146

APPROVALS 0

PROTESTS 0

PAGE 84



E:\Depot\Application Packet\Statement of Financial Interest.doc



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-18902** APN: 162-03-801-108
162-03-801-109
162-03-801-078

Name of Property Owner: PURVISSEN BROTHERS LLC

Name of Applicant: CRAIG MCALL - PAWN PLUS

Name of Representative: BILL CHARRAN

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: Vern J. Christensen

Subscribed and sworn before me

This 13th day of Dec, 2006

Shari High
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-18902** APN: 162-03-801-108
162-03-801-109
162-03-801-078

Name of Property Owner: CHRISTENSEN BROS INC LLC

Name of Applicant: KRISTO MCALL - PAWN PENS

Name of Representative: BILL CURRAN

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: Don Clinton

Print Name: Don Christensen

Subscribed and sworn before me

This 13th day of Dec, 2004

Shari H. B.
Notary Public in and for said County and State



856 E. SAHARA AVE.



NOTE
ADD 1/2" PARKING 1-0/2 6" PER
9 5/8" SIDE OF BUILDING NO.
FOUNDED 1 COA.

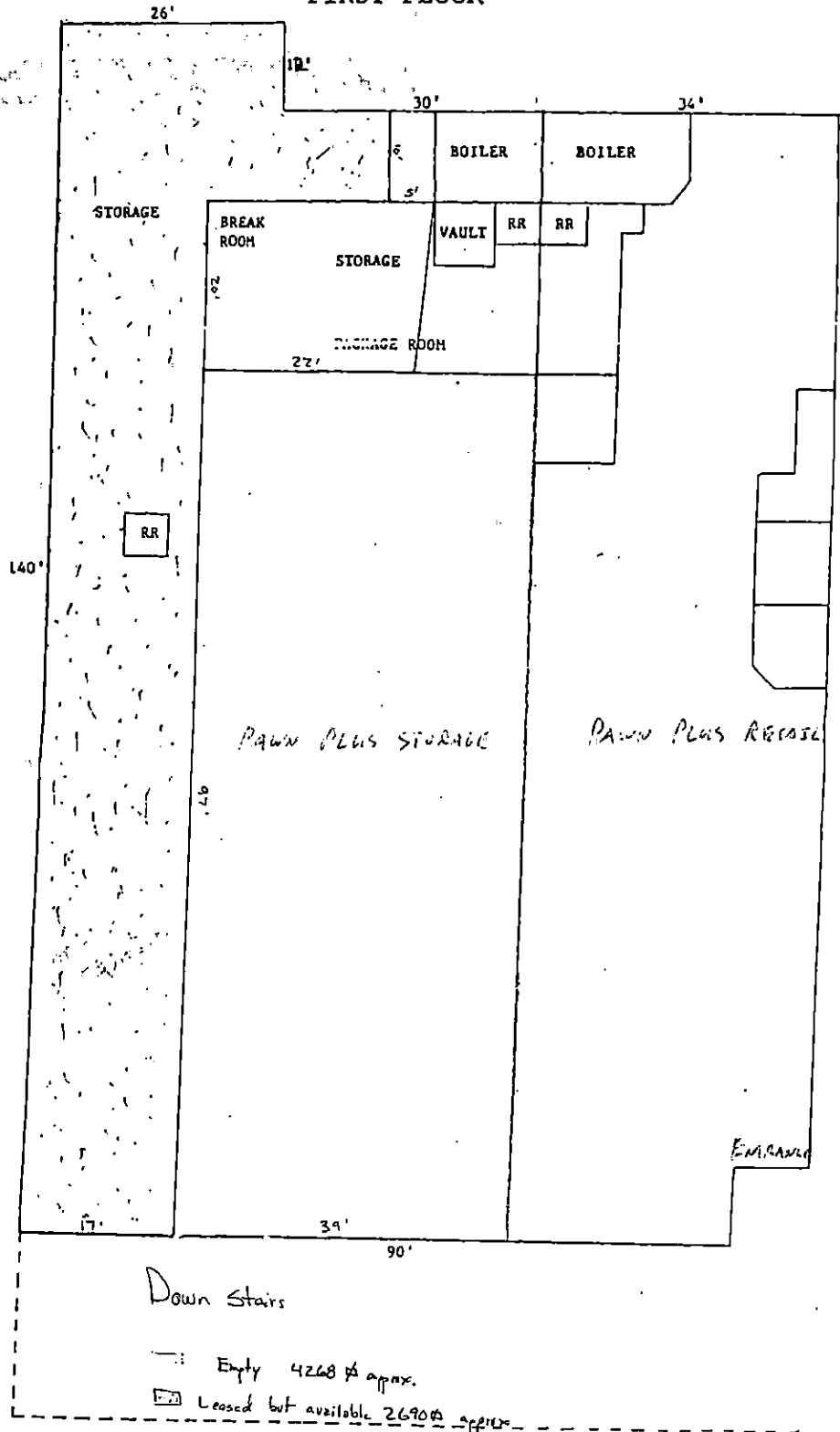
SUP-18902
02/08/07 PC

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DEC 21 2006

DEC 21 2008

FIGURE 10

DIAGRAM OF SUBJECT PROPERTY
FIRST FLOOR



7

SHELLI L. LOWE & ASSOCIATES

SUP-18902
02/08/07 PC

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DEC 21 2006

retail sales making up a majority of the revenue but also in the appearance and space requirements.

When we participated in the passing of the waiver ordinance and agreed to the inclusion of pawnshops among finance businesses in any separation requirements it was with the understanding that the waiver option would be available and applied when appropriate. It is situations like this where the waiver would be very appropriately applied.

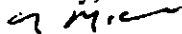
Our store hours are 9:00 a.m. to 7:00 p.m. Monday through Saturday and 10:00 a.m. to 5:00 p.m. on Sunday.

It would create a significant hardship on our organization if we are not able to obtain approval for the relocation of an existing store.

The building was built in compliance with the parking code at the time of construction.

If you have any questions the best way to contact me is on my cellular phone, 497-1226.

Sincerely,



Craig McCall

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DEC 21 2006

SUP-18902
02/08/07 PC



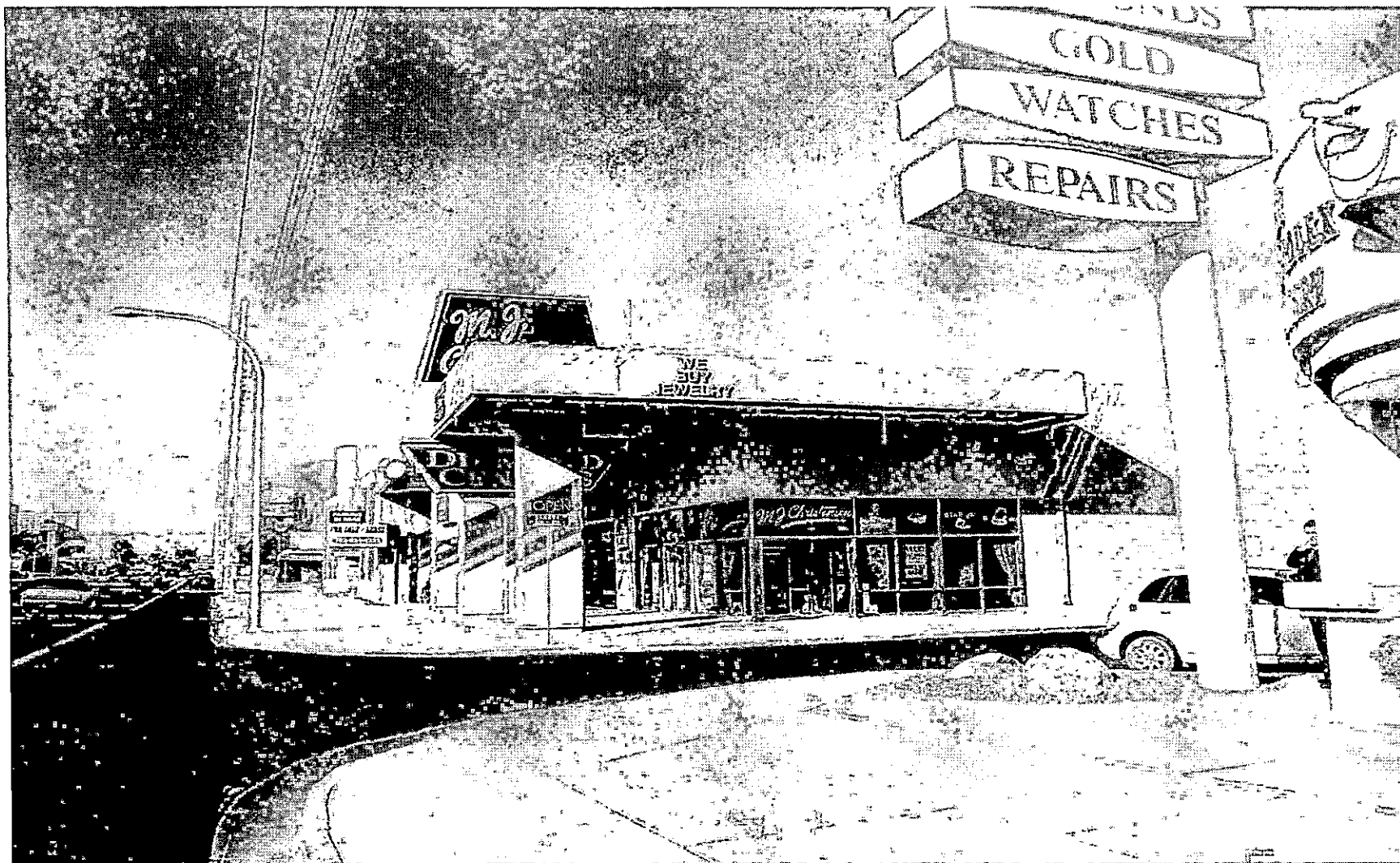
SUP-18902 - APPLICANT: PAWN PLUS - OWNER: CHRISTENSEN BROTHERS LLC
854 AND 856 EAST SAHARA AVENUE
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07



SUP-18902 - APPLICANT: PAWN PLUS - OWNER: CHRISTENSEN BROTHERS LLC
854 AND 856 EAST SAHARA AVENUE
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07



SUP-18902 - APPLICANT: PAWN PLUS - OWNER: CHRISTENSEN BROTHERS LLC
854 AND 856 EAST SAHARA AVENUE
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07



SUP-18902 - APPLICANT: PAWN PLUS - OWNER: CHRISTENSEN BROTHERS LLC
854 AND 856 EAST SAHARA AVENUE
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07

Pawn
Place

Pawn
Plus

ASAP
Pawn

USA
Pawn
& JEWELRY COMPANY

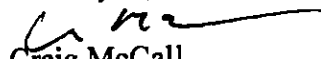
December 26, 2006

Planning and Development Department
City of Las Vegas
731 North Fourth Street
Las Vegas, NV 89101

RE: Addendum to Justification Letter for SUP-18902, Project Address 856 & 854 E.
Sahara Avenue

In our justification letter submitted on 12/21/2006 as part of our application we meant to request the time period for putting the pawn shop use permit into effect be 18 months from date of approval. This time period is necessary for the existing tenant to complete the construction and relocate to their new location.

Thank you,


Craig McCall

RECEIVED

DEC 26 2006

SUP-18902
02/08/07 PC

**Pawn
Place**

**Pawn
Plus**

**ASAP
Pawn**

**USA
Pawn**

& JEWELRY COMPANY

December 1, 2006

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

RE: Justification Letter for a Special Use Permit for APN: 162-03-801-108

We are requesting a SUP for the relocation of an existing pawnshop currently located at 1237 East Sahara Avenue to 856 and 854 E. Sahara Avenue. This new location is a nicer building conducive to higher end jewelry sales and will provide us with much needed additional space.

We identified one other financial institution, a check cashing business, within 1000 feet of the proposed location. We realize staff's recommendation for approval will require applying the waiver option to the separation requirement from other finance businesses. We believe the factors associated with this request provide ample justification and the type of scenario intended for applying the waiver of the separation requirement.

Within 1000 feet of the existing location at 1237 E. Sahara (corner of Sahara and Maryland Parkway) there appears to be seven (7) financial institutions. The proposed location currently only has the one financial institution within the 1000 foot radius. The reduction in saturation of these businesses which the law was aimed to accomplish will be achieved with the approval of our request. In addition, it is important to consider that this is not a new location but simply moving an existing location.

It is very rare, if not impossible, to find a commercially zoned location with enough vacant space for a pawn store with a retail emphasis business model that is not within 1000 feet of a financial institution.

While pawnshops are grouped in with the finance businesses it needs to be understood that our business is quite different from the check cashing business that is within 1000 feet of this parcel. A majority of the revenue from our pawn business comes from retail sales, primarily jewelry sales. Unlike payday loan/check cashing businesses, our pawn loan product is regulated by state statutes as far as the allowable interest rate charged. The payday loan/check cashing business does not have caps on its fees or interest rates charged to customers. In addition, our pawn stores offer below retail prices for merchandise that always come with a warranty.

We are enclosing pictures of the interior of our recently opened stores to help clarify that our pawn stores are very different from the other businesses grouped under finance businesses. Our pawn stores are not only different due to the regulated interest rate and

RECEIVED
DEC 21 2006

SUP-18902
02/08/07 PC

retail sales making up a majority of the revenue but also in the appearance and space requirements.

When we participated in the passing of the waiver ordinance and agreed to the inclusion of pawnshops among finance businesses in any separation requirements it was with the understanding that the waiver option would be available and applied when appropriate. It is situations like this where the waiver would be very appropriately applied.

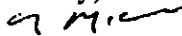
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It would create a significant hardship on our organization if we are not able to obtain approval for the relocation of an existing store.

The building was built in compliance with the parking code at the time of construction.

If you have any questions the best way to contact me is on my cellular phone, 497-1226.

Sincerely,



Craig McCall

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DEC 21 2006

SUP-18902
02/08/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-18910 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: TERRIBLE HERBST, INC. - Request for a Special Use Permit FOR A LIQUOR STORE IN CONJUNCTION WITH AN APPROVED CONVENIENCE STORE WITH FUEL PUMPS on 0.91 acres on the east side of Desert Foothills Drive approximately 280 feet north of Charleston Boulevard (APN 137-34-818-003), P-C (Planned Community) Zone, Ward 2 (Wolfson).

IF APPROVED: C.C.: 03/07/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest e-mail from Alex Liu

MOTION:

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

- Sales shall be limited to beer, wine and coolers only.
- The sale of any individual containers of any size of beer, wine coolers or screw-cap wine is prohibited. All such product shall remain in their original configuration as shipped by the manufacturer. Further, no repackaging of the containers into groups smaller than the original shipping container size shall be permitted.
- **UNANIMOUS** with **TRUEDELL** abstaining as he did work for Terrible Herbst and because of the individual representing the applicant

To be heard by City Council on 3/7/2007

PLANNING COMMISSION MEETING OF FEBRUARY 8, 2007
Planning and Development Department
Item 30 – SUP-18910

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, stated the proposed use is compatible and harmonious with current development in the area. He suggested two additional conditions of approval regarding the sale of beer and wine and recommended approval.

ATTORNEY KATIE FELLOWS, 3773 Howard Hughes Parkway, appeared on behalf of the applicant and agreed to all conditions.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(8:43 – 8:44)

2-2442

CONDITIONS:

Planning and Development

1. All City code requirements applicable to Summerlin and Summerlin Development Standards must be satisfied.
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. Conformance to the Conditions of Approval for Summerlin Site Development Plan Review (CRG-18747).
4. Conformance to the applicable conditions of approval of previous Site Development Plan Reviews, including (CRG-6661), except as amended by other conditions herein.
5. Conformance to the site plan, elevation drawings, and landscape plans as submitted (date stamped 12/13/06), except as amended by other conditions herein.
6. Submit a revised site plan with the following information:
 - a. Relocate the building and verify that it is 200 feet from any single-family residence across Desert Foothills Drive.
 - b. Dimension the width of parking spaces (to be nine feet), the handicapped space (to be nine feet), and the handicapped aisle widths (to be five feet and eight feet), and the width of the loading space (to be 15 feet); dimension the length of the loading space (to be 25 feet).

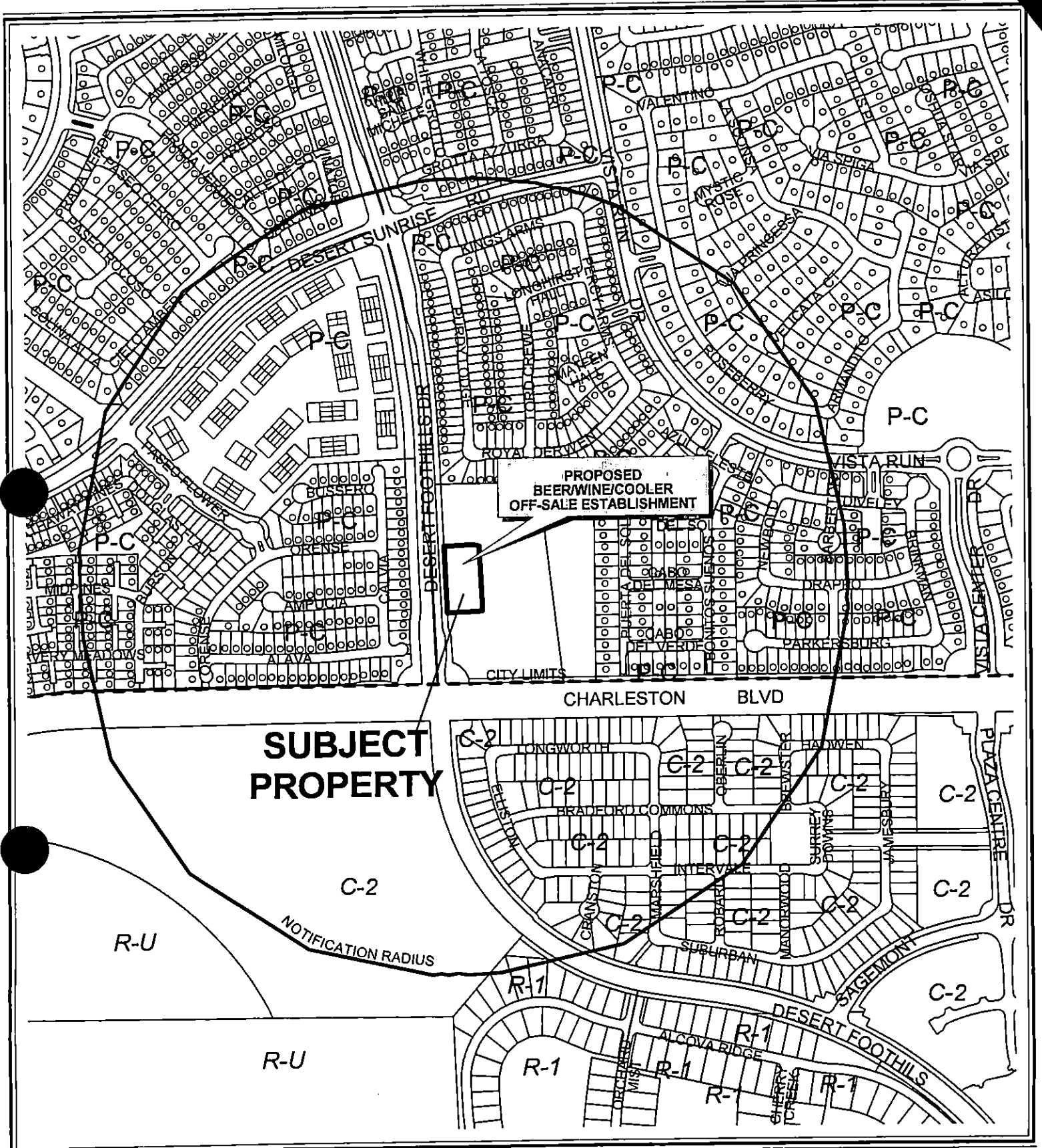
PLANNING COMMISSION MEETING OF FEBRUARY 8, 2007
Planning and Development Department
Item 30 – SUP-18910

CONDITIONS – Continued:

- c. Show wheel stops where required.
- 7. Approval of this Special Use Permit does not constitute approval of a liquor license.
- 8. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
- 9. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

- 10. If not already constructed or guaranteed by the Master Developer, construct all incomplete half-street improvements adjacent to this site on Desert Foothills Drive, the full width of the proposed driveways accessing this site and appropriate on-site paving (minimum 24 foot width) to allow for two way circulation adjacent to and through this site concurrent with development of this site.
- 11. All existing public improvements, if any, adjacent to this site that may be damaged during construction are to be repaired at the owner's expense, prior to occupancy of this site.
- 12. Driveways shall be designed, located and constructed in accordance with Summerlin Standard Drawing #S-58.
- 13. All landscaping and private improvements installed with this project shall be situated and maintained as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
- 14. The site development shall comply with all applicable Summerlin Development and Improvement Standards.
- 15. The site development shall comply with all applicable conditions of approval for Summerlin Village 20 Parcel "A" (Commercial Subdivision) and all other subsequent site-related actions.



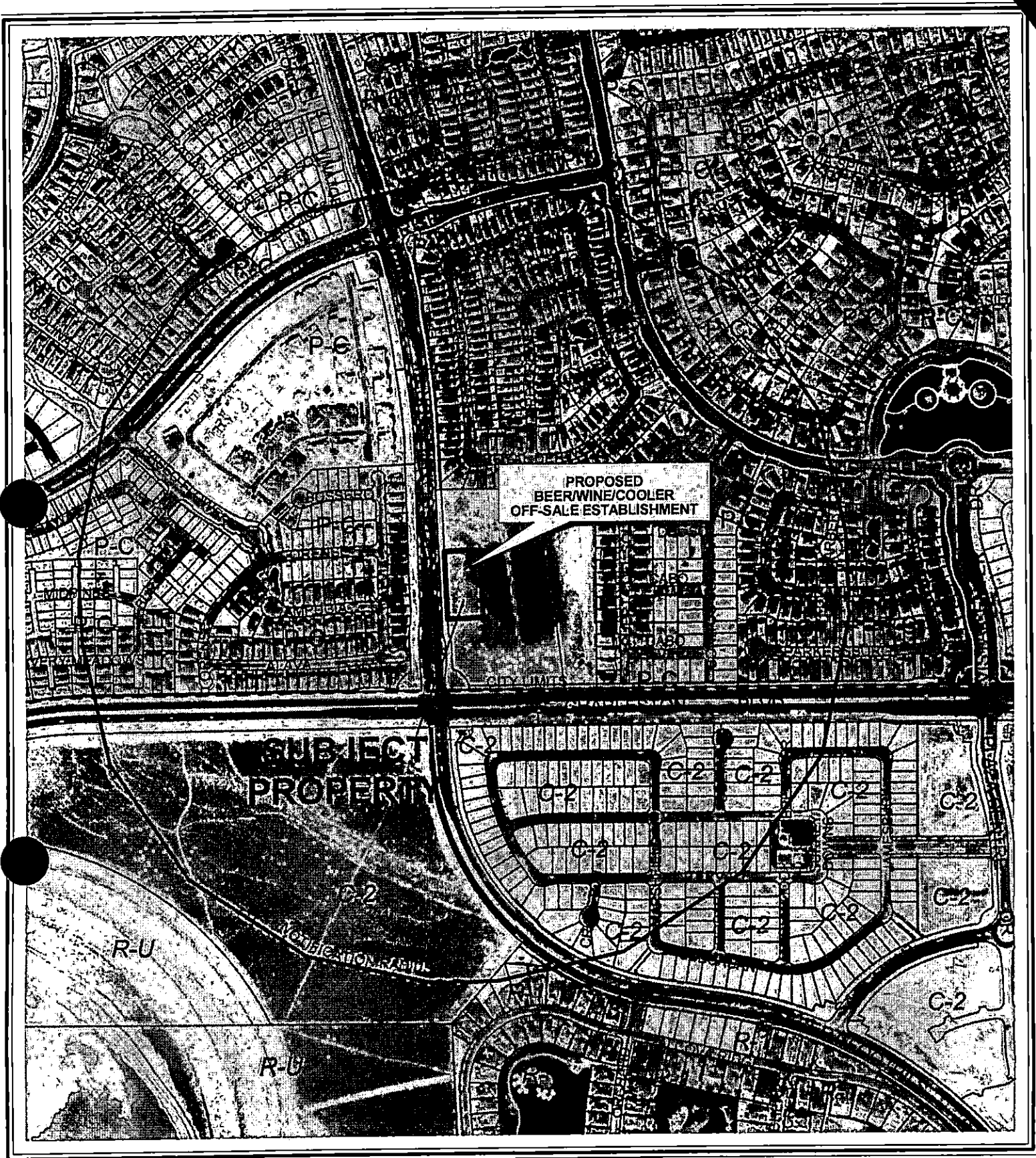
CASE: **SUP-18910**

RADIUS: 1500 FT

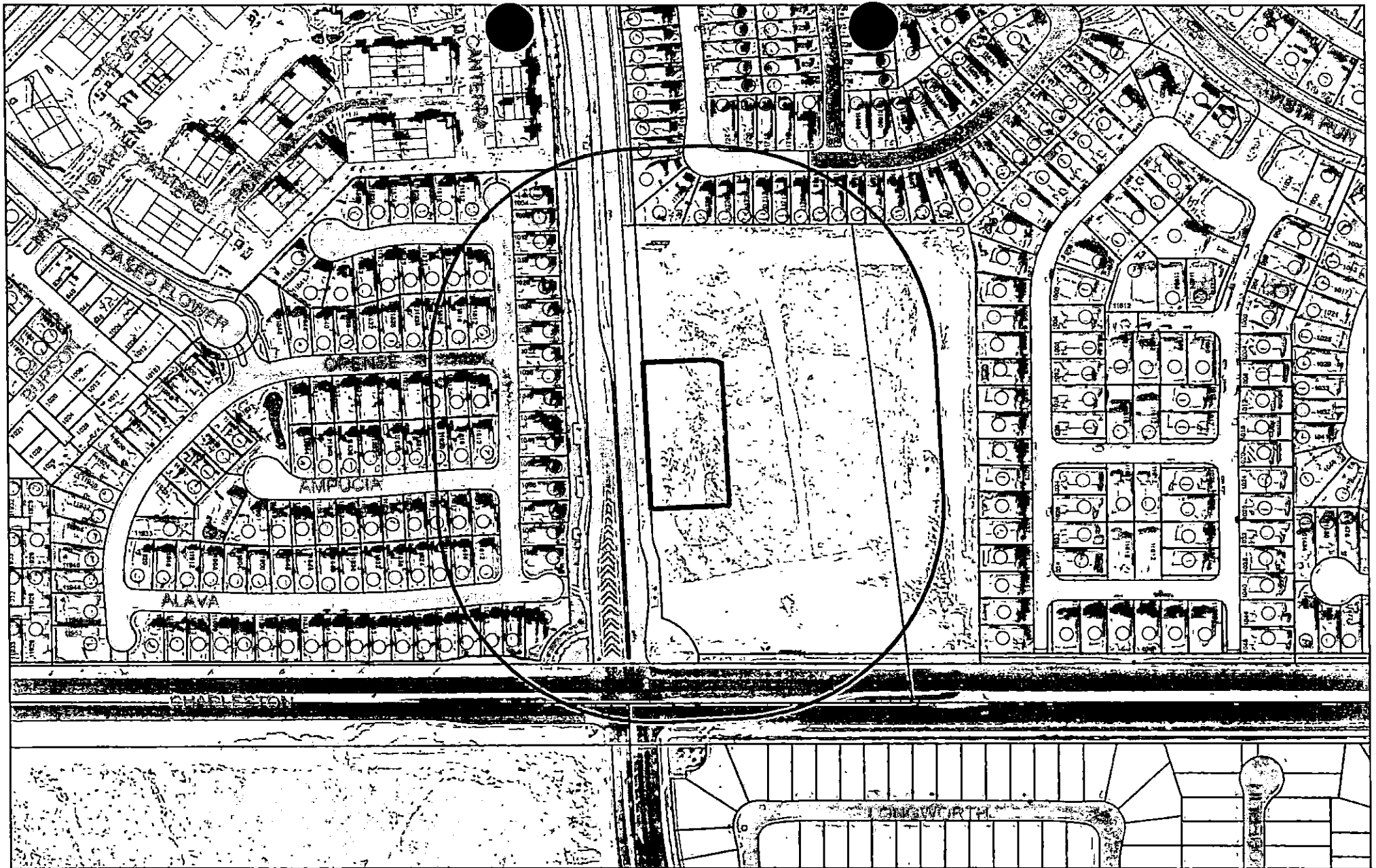
ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)

0 500 1000 Feet





CASE: SUP-18910
RADIUS: 1500 FT
ZONING OF SUBJECT PROPERTY: P-C (PLANNED COMMUNITY)



SUP-18910

**BEER/WINE/COOLER
OFF-SALE ESTABLISHMENT**

Business Licenses

- Child Care/
Children Facility
- Supper Club/
Restaurant Service Bar
- Tavern
- Liquor on/off Sales

-  RELIGIOUS
-  CITY PARKS
-  SCHOOLS

-  Subject Property
-  400 foot buffer



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: FEBRUARY 8, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SUP-18910 - APPLICANT/OWNER: TERRIBLE HERBST, INC.**

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

1. All City code requirements applicable to Summerlin and Summerlin Development Standards must be satisfied.
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. Conformance to the Conditions of Approval for Summerlin Site Development Plan Review (CRG-18747).
4. Conformance to the applicable conditions of approval of previous Site Development Plan Reviews, including (CRG-6661), except as amended by other conditions herein.
5. Conformance to the site plan, elevation drawings, and landscape plans as submitted (date stamped 12/13/06), except as amended by other conditions herein.
6. Submit a revised site plan with the following information:
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 - c. Show wheel stops where required.
7. Approval of this Special Use Permit does not constitute approval of a liquor license.
8. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
9. All City Code requirements and design standards of all City departments must be satisfied.

JM

SUP-18910 - Conditions Page Two
February 8, 2007 - Planning Commission Meeting

Public Works

10. If not already constructed or guaranteed by the Master Developer, construct all incomplete half-street improvements adjacent to this site on Desert Foothills Drive, the full width of the proposed driveways accessing this site and appropriate on-site paving (minimum 24 foot width) to allow for two way circulation adjacent to and through this site concurrent with development of this site.
11. All existing public improvements, if any, adjacent to this site that may be damaged during construction are to be repaired at the owner's expense, prior to occupancy of this site.
12. Driveways shall be designed, located and constructed in accordance with Summerlin Standard Drawing #S-58.
13. All landscaping and private improvements installed with this project shall be situated and maintained as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
14. The site development shall comply with all applicable Summerlin Development and Improvement Standards.
15. The site development shall comply with all applicable conditions of approval for Summerlin Village 20 Parcel "A" (Commercial Subdivision) and all other subsequent site-related actions.

SUP-18910 - Staff Report Page One
February 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Liquor Store in conjunction with a proposed Convenience Store (W/Fuel Pumps) on 0.91 acres on the east side of Desert Foothills Drive approximately 280 feet north of Charleston Boulevard.

The project is compatible with the Summerlin land use designation and is located within a developing commercial center where a substantial concentration of major commercial development is to occur. A Liquor Store as an accessory use to convenience store can be expected to be compatible with, and mutually supportive of, other uses located within the commercial center.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by R&D, Fire, Bldg, etc.</i>	
Month/date/year	Action
02/09/98	The City Council approved a Summerlin Development Plan Review (SV-0042-97) for Summerlin Village 20 within which the subject property is located.
02/12/98	The Planning Commission approved a Tentative Map (TM-0002-98) for 39 lots of Village 20 within the subject property is located.
05/25/05	The City Referral Group approved a Site Development Plan Review (CRG-6661) for a 56,000 square-foot grocery store at the northeast corner of Charleston Boulevard and Desert Foothills Drive.
07/06/05	The City Council approved a Special Use Permit (SUP-6500) for a liquor store at the northeast corner of Charleston Boulevard and Desert Foothills Drive.
11/30/04	The Planning Commission approved a Tentative Map (TMP-5708) for a two-lot commercial subdivision of property which included the subject property, at the northeast corner of Desert Foothills Drive and Charleston Boulevard.
03/31/06	A Final Map (FMP-6056) of a one-lot commercial subdivision was administratively approved for property, which included the subject property, at the northeast corner of Desert Foothills Drive and Charleston Boulevard.
01/03/07	The City Referral Group approved a Site Development Plan Review (CRG-18747) for a 3,350 square-foot convenience store (w/fuel pumps) on 0.91 acres located 280 feet north of Charleston Boulevard on the east side of Desert Foothills Drive.

SUP-18910 - Staff Report Page Two
February 8, 2007 - Planning Commission Meeting

Pre-Application Meeting

12/22/06	A pre-application meeting was held. The applicant was informed that the site was under the VC (Village Center) special land use designation per the Summerlin Development Standards Manual. In addition, the applicant was informed that the proposed sale of alcohol in the approved convenience store would require a Special Use Permit. The submittal requirements were then discussed.
----------	---

Neighborhood Meeting

A neighborhood meeting was not held, nor was one required.

Details of Application Request

Site Area

Net Acres 0.91

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SUM (Summerlin)	P-C (Planned Community)
North	Single Family Residential	SUM (Summerlin)	P-C (Planned Community)
South	Clark County	Clark County	Clark County
East	Single Family Residential	SUM (Summerlin)	P-C (Planned Community)
West	Single Family Residential	SUM (Summerlin)	P-C (Planned Community)

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

SUP-18910 - Staff Report Page Three
February 8, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement:							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required Parking		Provided Parking		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Convenience Store	3,550 GF	1 per 250	14	1	20	1	Y
TOTAL			14	1	20	1	Y

ANALYSIS

The Summerlin Master Plan depicts the subject property as having a VC (Village Center) land use designation. The Village Center (VC) will allow a mix of land uses including multi-family residential uses and commercial, cultural, recreational and meeting facilities that provide most of daily and weekly support services and activities for a village or a combination of villages. A Village Center may include a grocery store, a drugstore and the supporting commercial uses (retail, service and convenience) residents require on a regular basis. Village Centers may also include recreational facilities and business and professional offices.

- **Project of Regional Significance**

This request is a Project of Regional Significance, due to the proximity to a boundary with Clark County. An Environmental Impact Assessment was submitted as part of the Special Use Permit applications and sent to affected agencies for comment. A summary of comments from affected agencies is included below.

- **Parking**

One parking space for each 250 square feet of convenience store gross floor area is required for the proposed development. For 3,550 square feet of floor area, 15 parking spaces are required. One of the 15 parking spaces must be a van-accessible handicapped parking space. The site plan shows 21 parking spaces in addition to a van-accessible handicapped parking space, which meets the requirements of the Summerlin Development Standards.

SUP-18910 - Staff Report Page Four
February 8, 2007 - Planning Commission Meeting

- Zoning

The subject site is currently zoned P-C (Planned Community) and has a Summerlin Land Use designation of VC (Village Center). The proposed Liquor Store in conjunction with a proposed Convenience Store (W/Fuel Pumps) will be within the range of uses permitted, with approval of a Special Use Permit, in the VC (Village Center) land use designation with P-C (Planned Community) zoning.

- Use

A Liquor Store, as defined by the Summerlin Development Standards, is a facility which sells alcoholic beverages in the original sealed or corked containers for consumption off the premises; sales are to consumers only and not for resale. The proposed Liquor Store will be an accessory use to a Convenience Store.

- Conditions

Per the Summerlin Development Standards a Liquor Store is subject to the following condition:

All businesses which sell alcohol beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.

In addition, the development must comply with the conditions of approval for Summerlin Site Development Plan Review (CRG-18747). Two provisions, in particular, include the following: a) The use shall be located a minimum of 200 feet from any residential property (measured from building to building in a straight line) and b) The use shall be located on a site with other commercial development with an overall minimum size of five acres. As noted on the plan, the building-to-building separation from residences across Desert Foothills Drive to the west is a minimum of 192 feet. Accordingly, the building must be situated eight feet farther away from the residences to comply with the first requirement. This discrepancy is addressed as a condition of approval in this report. Since the development adjoins a 10.3-acre site for which approval was granted to construct a 56,000 square-foot grocery store (CRG-6661), the proposed development meets the second condition.

Condition #6 has been inserted in the conditions to insure that the building meets the minimum standard of 200 feet from any residential property and the site provides the required parking space and handicap dimensions.

SUP-18910 - Staff Report Page Five
February 8, 2007 - Planning Commission Meeting

FINDINGS

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

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

The project is compatible with the Summerlin land use designation and is located within a developing commercial center where a substantial concentration of major commercial development is to occur. A Liquor Store as an accessory use to convenience store can be expected to be compatible with, and mutually supportive of, other uses located within the commercial center.

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

The subject site is physically suitable for the type and intensity of land use proposed. The addition of a Liquor Store to an approved convenience store use does not affect the parking requirement for the convenience store.

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 Liquor Store use will be accessed Desert Foothills Road, a Summerlin 80-foot Arterial. This road has adequate capacity to serve the proposed development. The project will not have any negative traffic impact on residential neighborhoods in the area.

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 public health, safety, and welfare and the objectives of the General Plan would not be compromised as a result of the approval of a Special Use Permit, because the proposed Liquor Store would be subject to inspections for a Certificate of Occupancy and that of Business Services.

SUP-18910 - Staff Report Page Six
February 8, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 1

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 711

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-18910** APN: **13734818003**
Name of Property Owner: **TERRIBLE HERBST INC**
Name of Applicant: **TERRIBLE HERBST 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: **137 348 18 003**

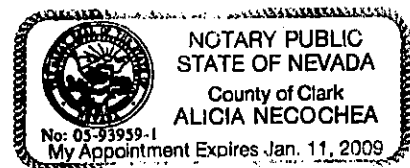
Signature of Property Owner: _____

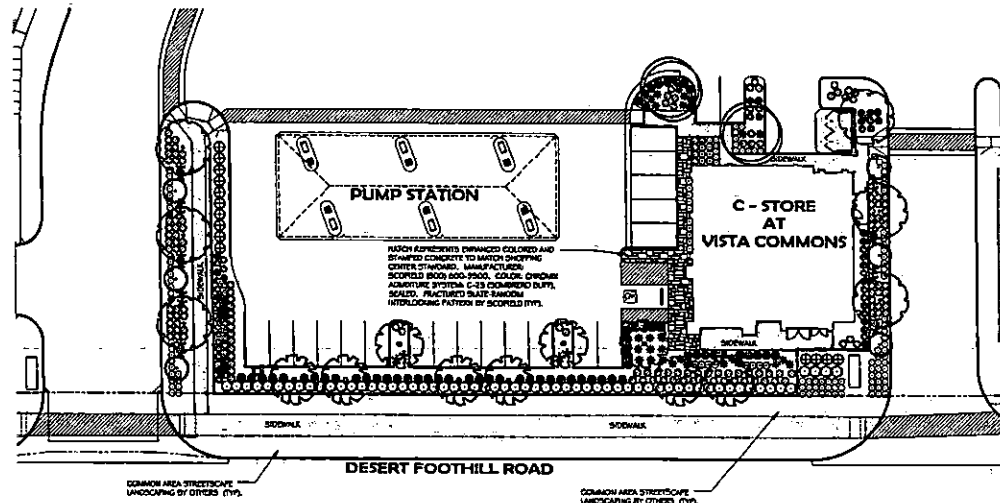
Print Name: **Tim Herbst**

Subscribed and sworn before me

This **31st** day of **October**, 20**11**

Alicia Necochea
Notary Public in and for said County and State





PLANTING LEGEND

SYMBOL	BOTANICAL NAME/COMMON NAME
	ORNAMENTAL TREE (TYP.)
	ORNAMENTAL TREE (TYP.)
	ORNAMENTAL TREE (TYP.)
	ORNAMENTAL TREE (TYP.)
	ORNAMENTAL TREE (TYP.)

PLANTING LEGEND

SYMBOL	BOTANICAL NAME/COMMON NAME
	ORNAMENTAL TREE (TYP.)
	ORNAMENTAL TREE (TYP.)
	ORNAMENTAL TREE (TYP.)
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PLANTING LEGEND

SYMBOL	BOTANICAL NAME/COMMON NAME
	ORNAMENTAL TREE (TYP.)
	ORNAMENTAL TREE (TYP.)
	ORNAMENTAL TREE (TYP.)
	ORNAMENTAL TREE (TYP.)
	ORNAMENTAL TREE (TYP.)

NOTES:

- SEE SHEET LA-01 FOR PLANTING DETAILS, PLANT SIZES, AND PLANT QUANTITIES.
- ROCK MURCH - INSTALL A 2" LAYER OF 5/8" SIZED WASHED SLAGG ROCK BY KALAMAZOO MATERIALS, INC. 702-234-1101, CONTINUOUS IN ALL PLANTERS UNDER ALL TREES AND SHRUBS. KEEP TOP OF ROCK MURCH 1" BELOW ADJACENT WALKS AND CURBS. DO NOT ALLOW ROCK MURCH TO TOUCH THE TRUNK OF ANY PLANT MATERIAL. APPLY A SINGLE APPLICATION OF PEST-AND-RODENTICIDE TO TOP OF ROCK. INSTALL ROCK MURCH AFTER INSTALLATION OF PLANT MATERIAL. SEE DETAIL Y, SHEET LA-01.
- DEEP ROOT BARRIERS ARE TO BE INSTALLED WHEN ANY TREE IS PLANTED WITHIN 5'-0" OF ANY HARDSCAPE OR CONCRETE EDGE. SEE DETAIL Y, SHEET LA-01.
- MAINTAIN POSITIVE DRAINAGE (2% MINIMUM) AWAY FROM ALL BUILDINGS, FOUNDATIONS, AND WELLS. THIS IS SHOULD BE MAINTAINED FOR A DISTANCE OF AT LEAST 5 FEET WHERE POSSIBLE.
- SEAL AND WATERPROOF ENTIRE STRUCTURE ADJACENT TO THE PLANTERS FOR THE SOILS REPORT. SEE DETAIL Y, SHEET LA-01.
- CONTRACTOR TO PROTECT AND PRESERVE EXISTING LANDSCAPE. EXISTING PLANTS SHOWN AS SHOWN. CONTRACTOR TO KEEP PLANT MATERIALS THIN AND HEALTHY. ANY PLANT MATERIAL DAMAGED DURING OR AS A RESULT OF CONSTRUCTION IS TO BE REPLACED AT THE CONTRACTOR'S EXPENSE. PLANTS ARE TO BE REPLACED WITH TREES AND/OR SHRUBS OF THE SAME SIZE, FORM, COLOR, SPECIES, AND VARIETY. CONTRACTOR TO PROVIDE ADDITIONAL ROCK IN LANDSCAPE AREAS AS NECESSARY.
- PRIOR TO BEGINNING WORK, CONTRACTOR TO INVENTORY EXISTING PLANTS AND SHRUBS. CONTRACTOR TO VERIFY THAT EXISTING TREES TO REMAIN WILL NOT BE DAMAGED BY DEMOLITION OR CONSTRUCTION. CONTRACTOR TO IMMEDIATELY DRAG ANY AND ALL DISCOURAGED TREES TO THE ATTENTION OF THE OWNER'S REPRESENTATIVE FOR RESOLUTION.

SOUTHWICK LANDSCAPE ARCHITECTS

12 Commerce Center Dr.
Suite D-44
Henderson, NV 89044

Phone 702.987.8008
Fax 702.987.8072
TAMM

CONSULTANT

C - MARKET AND GASOLINE AT VISTA COMMONS
DESERT FOOTHILLS DR / CHARLESTON BLVD.
LAS VEGAS, NEVADA

REVISIONS

PLANTING PLAN

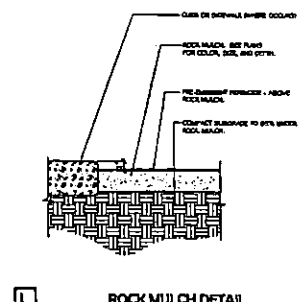
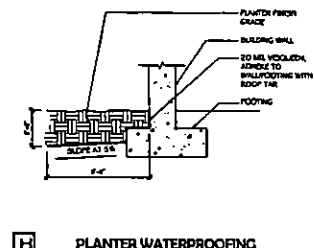
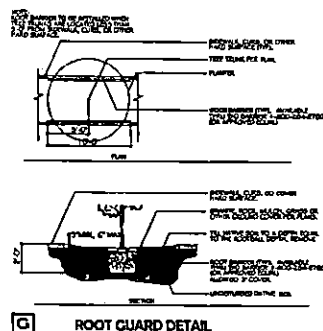
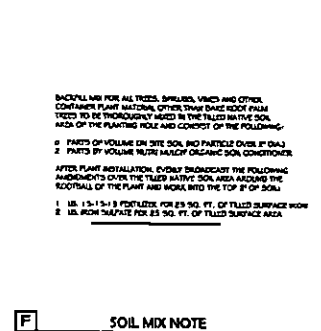
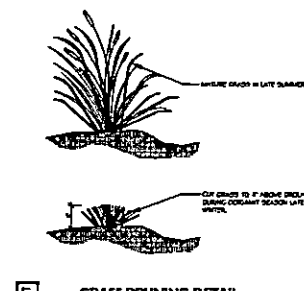
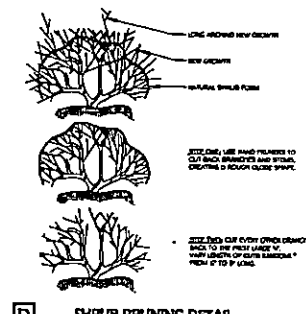
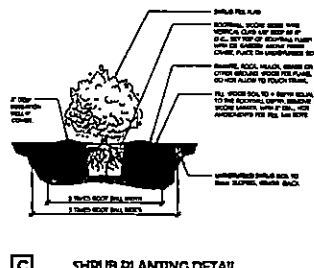
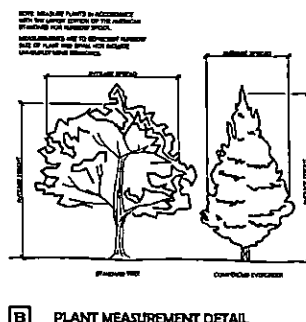
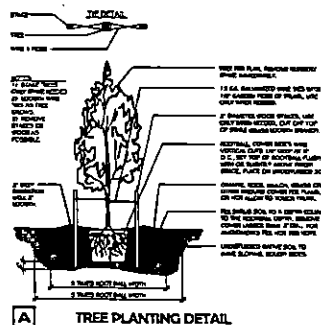
DRAWN BY: TSM
APPROVED BY: FMS
DATE: OCTOBER 6, 2007
PROJECT NO: 00-076

ERROL HILL ARCHITECT LTD.
1614 MARYLAND PKWY. LAS VEGAS, NV 89104
(702)365-2723 FAX (702)365-1671 E-Mail: errol@errolhill.com

RECEIVED
JAN 02 2007

L1.01

SUP-18910
02/08/07 PC

[illegible]

PLANTING LEGEND

* ALL PLANTS MUST HAVE NURSERY TAG SHOWING TRADEMARK.

**SOUTHWICK
LANDSCAPE
ARCHITECTS**

12 Commerce Center Dr
Suite D-44
Henderson, NV 89014

Phone: 351 987 8800

RYAN

CONSTANT

**C - MARKET AND GASOLINE
AT VISTA COMMONS**
DESERT FOOTHILLS DR / CHARLESTON BLVD.
LAS VEGAS, NEVADA

100

PLANTING DETAILS

CRASH SPN TYP
REVIEWED SPN (P)
DATE OCTOBER 8, 1967
PROJECT NO. 00000000

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D-1007

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SUP-18910
02/08/07 PC

ERROL HILL
ARCHITECT **DB**

1614 MARYLAND PKWY LAS VEGAS, NV 89104
(702)365-2723 FAX (702)365-8771 E-Mail: info@nec.com

JAN 02 2007



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HERBST OIL COMPANY
VISTA COMMONS

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SUP-18910
02/08/07 PC

DEC 20 1966



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SOUTH



- [illegible]

EAST



ERROL HILL
ARCHITECT LTD.

1614 MARYLAND PKWY LAS VEGAS, NV 89104
(702)368-2723; FAX: (702)368-1871

HERBST OIL COMPANY
VISTA COMMONS

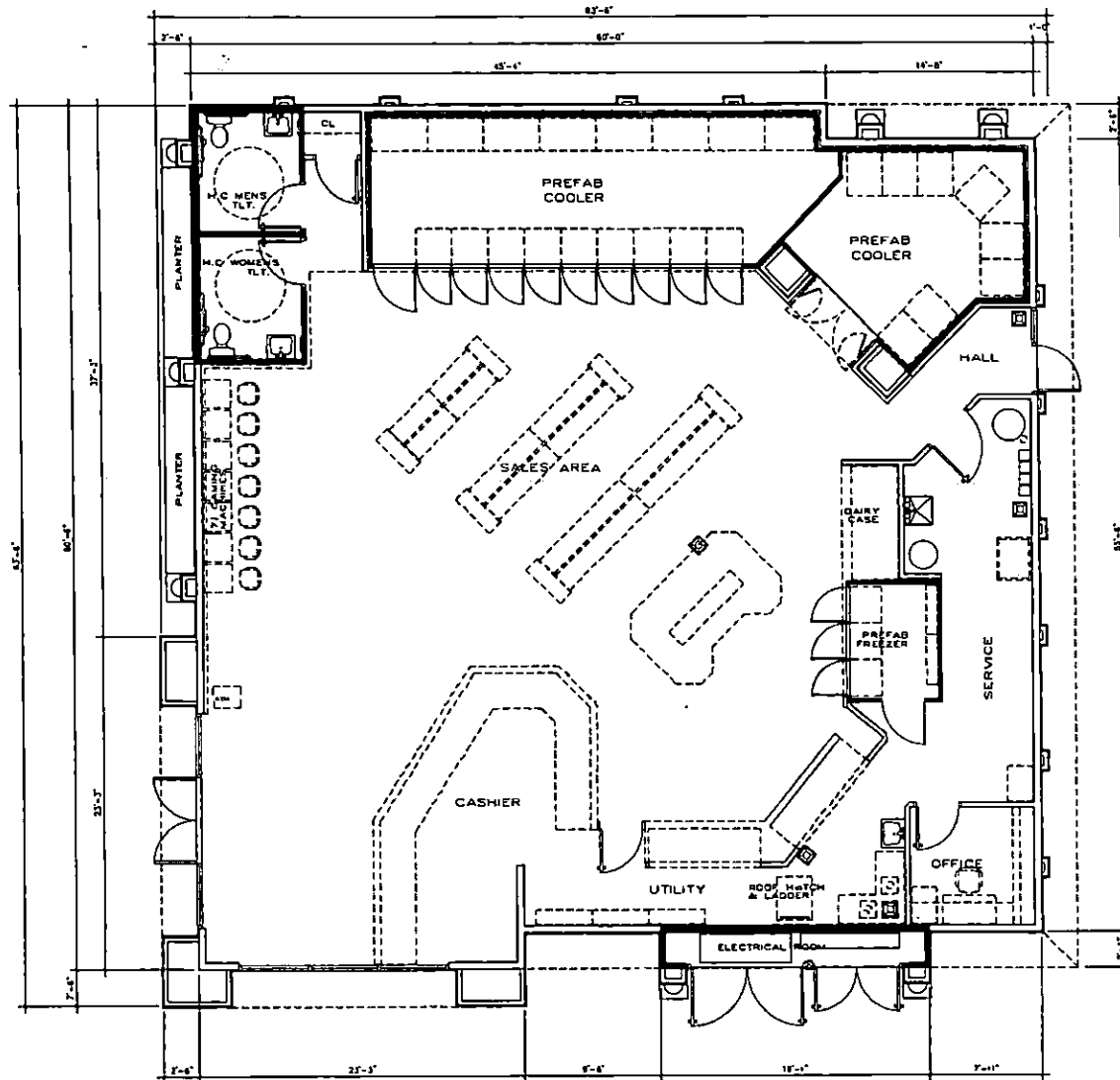
SHEET 3

OF 5

10 / 15 / 00

SUP-18910
02/08/07 PC

DEC 22 2003



FLOOR PLAN
3,350 Sq. Ft.

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



ERROL HILL
ARCHITECT LTD.

1614 MARYLAND PARKWAY LAS VEGAS, NV 89104
(702)385-2723; FAX: (702)385-1871

HERBST OIL COMPANY
VISTA COMMONS

SHEET 2
OF 6

10 / 15 / 06

SUP-18910
02/08/07 PC

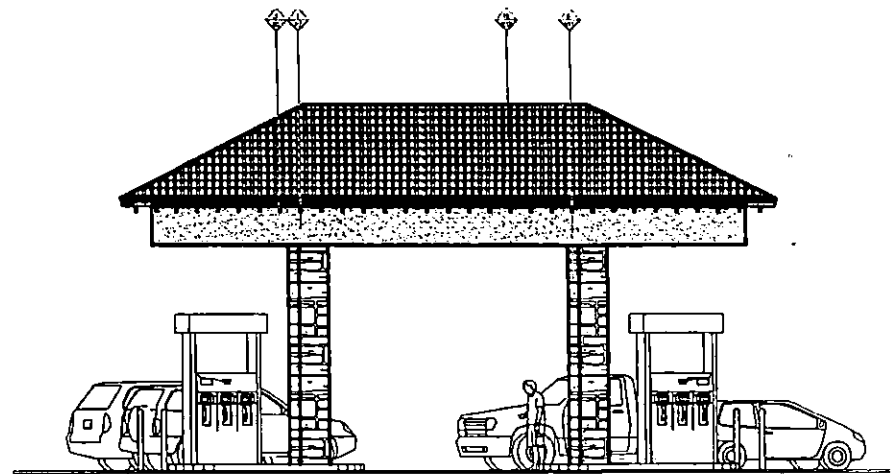
DEC 22 2006

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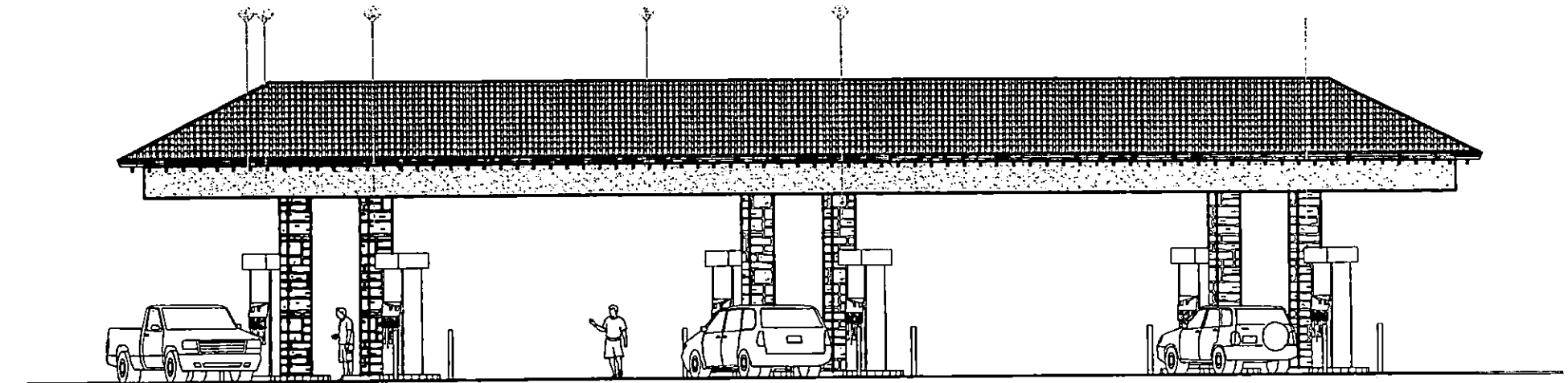
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- ◆ STAINLESS STEEL, 316, 1/2" THICK PLATED ALUMINUM
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- ◆ STAINLESS STEEL, 316, 1/2" THICK

FINISH

- ◆ STAINLESS STEEL, 316, 1/2" THICK
- ◆ STAINLESS STEEL, 316, 1/2" THICK
- ◆ STAINLESS STEEL, 316, 1/2" THICK
- ◆ STAINLESS STEEL, 316, 1/2" THICK



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



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



(702)385-2723; FAX: (702)385-1871

SUP-18910
02/08/07 PC

DEC 22 2006

HERBST OIL COMPANY
VISTA COMMON

SHEET

OF

10 / 10 / C

P1

L1

COLORS / MATERIALS

FINISH



SIDNEY HARBOR PAINTS KARAJONG



SIDNEY HARBOR PAINTS SIENNA



SIDNEY HARBOR PAINTS RUSSSO



METAL SALES "W66 FELT GREEN"



CORONADO STONE ASPEN COUNTRY RUBBLE



CORONADO STONE BLEND
50% ASPEN COUNTRY RUBBLE
50% ASPEN ENGLISH RUBBLE



AMERICAN SLATE CO. AFRICAN MULTI-COLOR



EAGLE TILE CAMINO REAL COLD RMC 8403 BLEND



E-FOAM ARCUSTONE PFC10 "FRENCH CREAM"



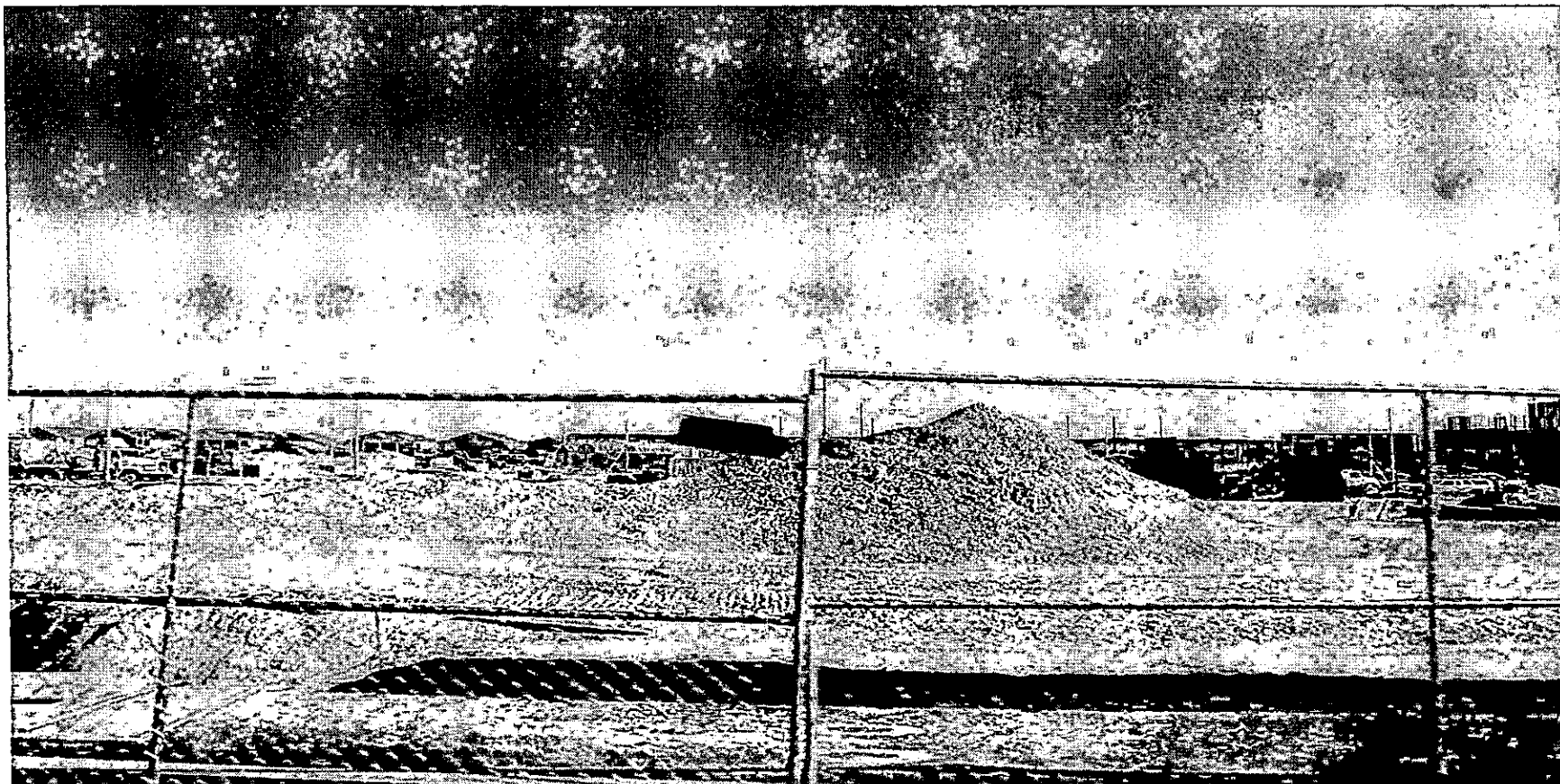
PACIFIC COAST FOAM - LYKEWOOD III PROVINCIAL - STANDARD GRAIN

SUP-18910
02/08/07 PC

DEC 22 2006

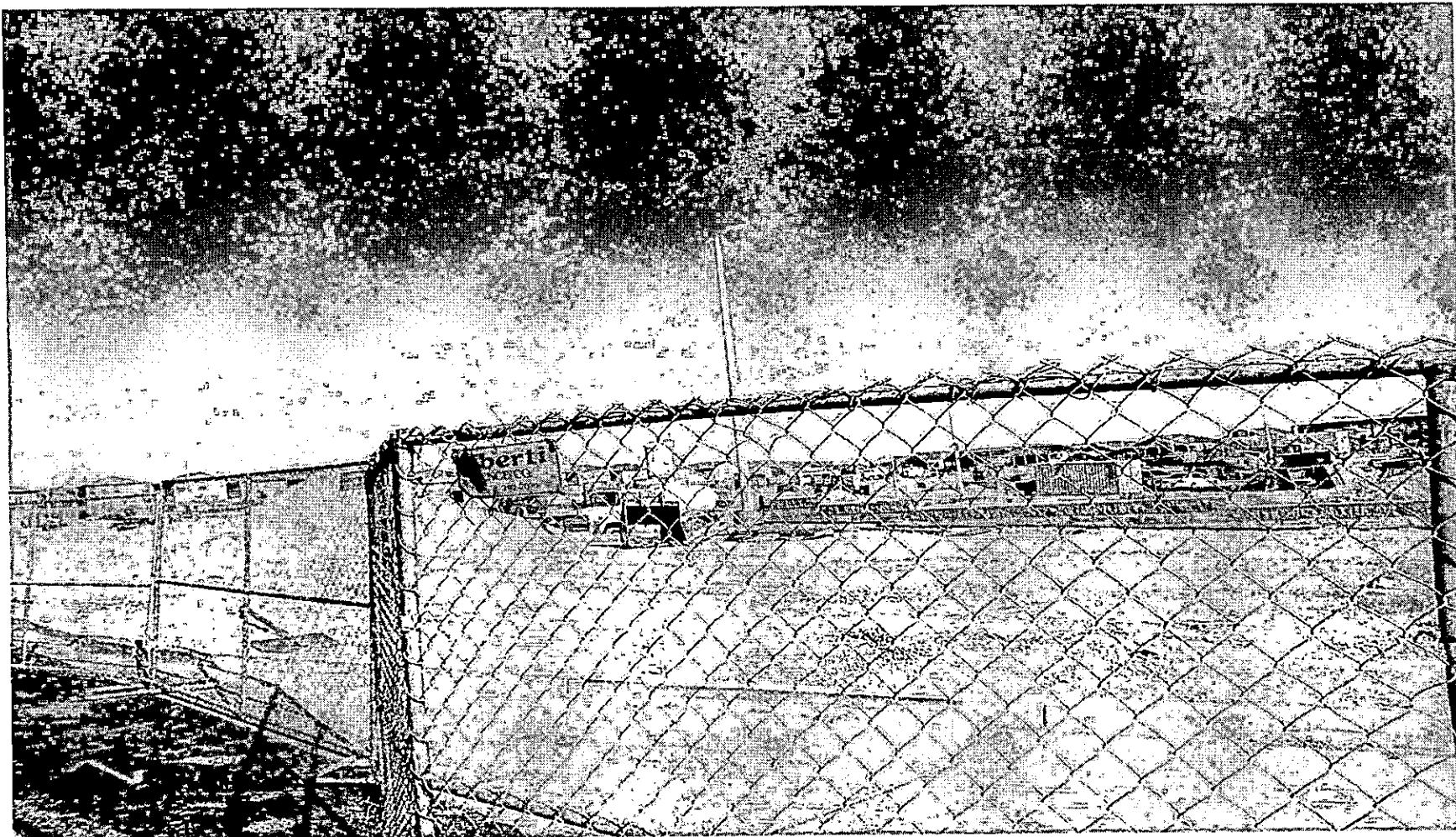
HERBST OIL CO./ VISTA COMMONS

9/1/06



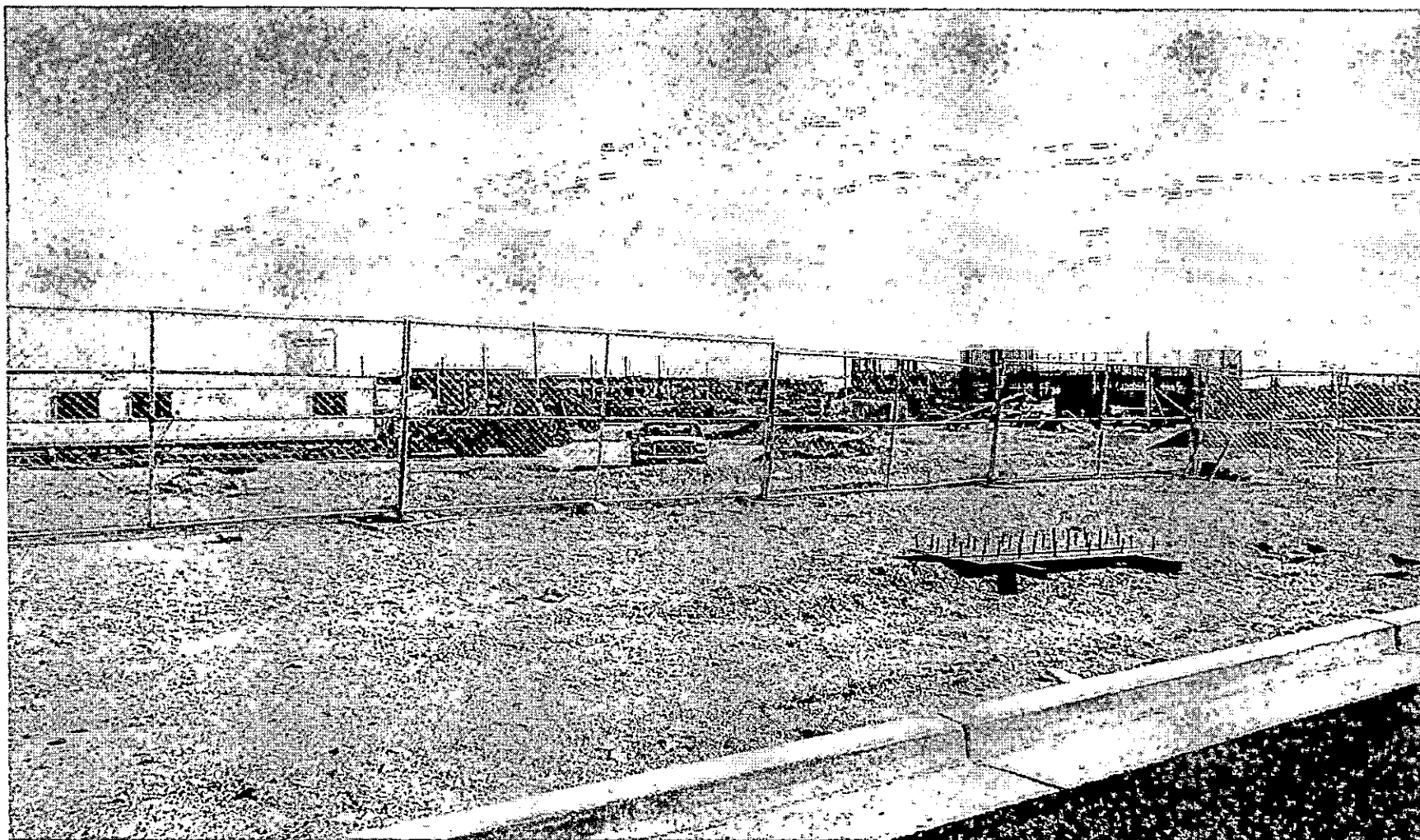
SUP-18910 - APPLICANT/OWNER: TERRIBLE HERBST, INC.
EAST SIDE OF DESERT FOOTHILLS DRIVE APPROXIMATELY 280 FEET NORTH OF CHARLESTON
BOULEVARD
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07



SUP-18910 - APPLICANT/OWNER: TERRIBLE HERBST, INC.
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SUP-18910 - APPLICANT/OWNER: TERRIBLE HERBST, INC.
EAST SIDE OF DESERT FOOTHILLS DRIVE APPROXIMATELY 280 FEET NORTH OF CHARLESTON
BOULEVARD
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07

**ERROL HILL
ARCHITECT, LTD**

November 7, 2006

JUSTIFICATION LETTER

Project: Terrible Herbst Oil Co.
C-Market & Gasoline Sales, Vista Commons, Summerlin,
East side of Foothills Dr, North of West Charleston Blvd

To Whom It May Concern:

This project consists of a 3,550 s.f. convenience market and a three island gasoline sales canopy. An off-premises consumption beer/wine special use permit is requested.

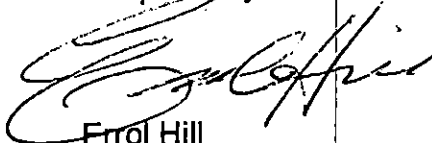
The site is a portion of the Vista Commons Shopping Center located at the north east corner of West Charleston Blvd and Foothills drive currently under development. The entire center including this site has approval by the City of Las Vegas.

The site configuration is almost identical to the initially approved layout. The site development meets or exceeds city and Summerlin requirements for landscape areas, site coverage, provided parking, etc.

As required by the Summerlin Design committee, the exterior architecture of this project matches the other buildings in the Vista Commons Center. Exterior materials, colors and details are from the criteria established for the Center.

This project as submitted has approval of the Summerlin Design Review Committee.

Respectfully submitted,



Errol Hill
Project Architect

cs: Tim Herbst
Jeff Rhoads, AIA

SUP-18910

02/08/07 PC

DEC 27 2006

Dorothy Marsili

From: Nora Lares
Sent: Thursday, February 01, 2007 10:31 AM
To: Dorothy Marsili
Subject: FW: Internet Submission - SUP-18910 (Protest for 02/08/07 PC Meeting)

Nora Lares
Senior Office Specialist
City of Las Vegas
Planning & Development Department
Ph: (702) 229-4739
Fax: (702) 474-7463
E-mail: nlares@lasvegasnevada.gov

-----Original Message-----

From: alexliu714@yahoo.com [mailto:alexliu714@yahoo.com]
Sent: Thursday, February 01, 2007 10:29 AM
To: planning@LasVegasNevada.gov
Subject: Internet Submission - SUP-18910

Citizen Name: Alexander and Victor Liu

Email: alexliu714@yahoo.com

Comments: TO the planning commssion,

We are opposed to granting a liquor store and gas station so close to our home.

We feel that ther is sufficient liquor and gas facilities to service our neighborhood.

The granting of this convience store would bring noise and traffic to the area which should be quiet and non- congested.

Alex Liu

Date: 2/1/2007 10:28:37 AM

ITEM # 30
CASE # SUP 18910
PC MTG 2-8-07

f

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-15357 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -
APPLICANT: GREAT AMERICAN CAPITAL - OWNER: SEA BREEZE VILLAGE II -
Request for a Site Development Plan Review FOR A 5,000 SQUARE FOOT BANK on 7.76 acres on the northeast corner of Vegas Drive and Buffalo Drive (APN 138-22-418-011), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 03/07/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **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

This is Final Action

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

JOHN KORKOSZ, Planning and Development Department, recommended denial as the proposed bank is in a shopping center where approximately 130 parking spaces are impractical for use. He stated the proposed use is inappropriate and would dislocate needed parking spaces at the front of the shopping center and recommended denial.

PLANNING COMMISSION MEETING OF FEBRUARY 8, 2007
Planning and Development Department
Item 31 – SDR-15357

MINUTES – Continued:

DAVE CLAPSADDLE, GC Garcia, 1711 Whitney Mesa Drive, Henderson, appeared on behalf of the applicant. He stated his client had worked with Public Works Department staff to provide a bus turnout on the site and pointed out the proposed site plan meets every standard of the Code. He respectfully requested approval.

COMMISSIONER STEINMAN observed that the existing site plan had been approved and noted the parking requirement would be met even with the inclusion of this proposed bank. He disagreed with staff's assessment of the parking and stated there was insufficient evidence to justify denial of this application.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(8:44 – 8:50)

2-2547

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 07/24/06, except as amended by conditions herein..
3. 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.
4. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
5. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

PLANNING COMMISSION MEETING OF FEBRUARY 8, 2007
Planning and Development Department
Item 31 – SDR-15357

CONDITIONS – Continued:

6. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
7. 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.
8. 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.
9. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

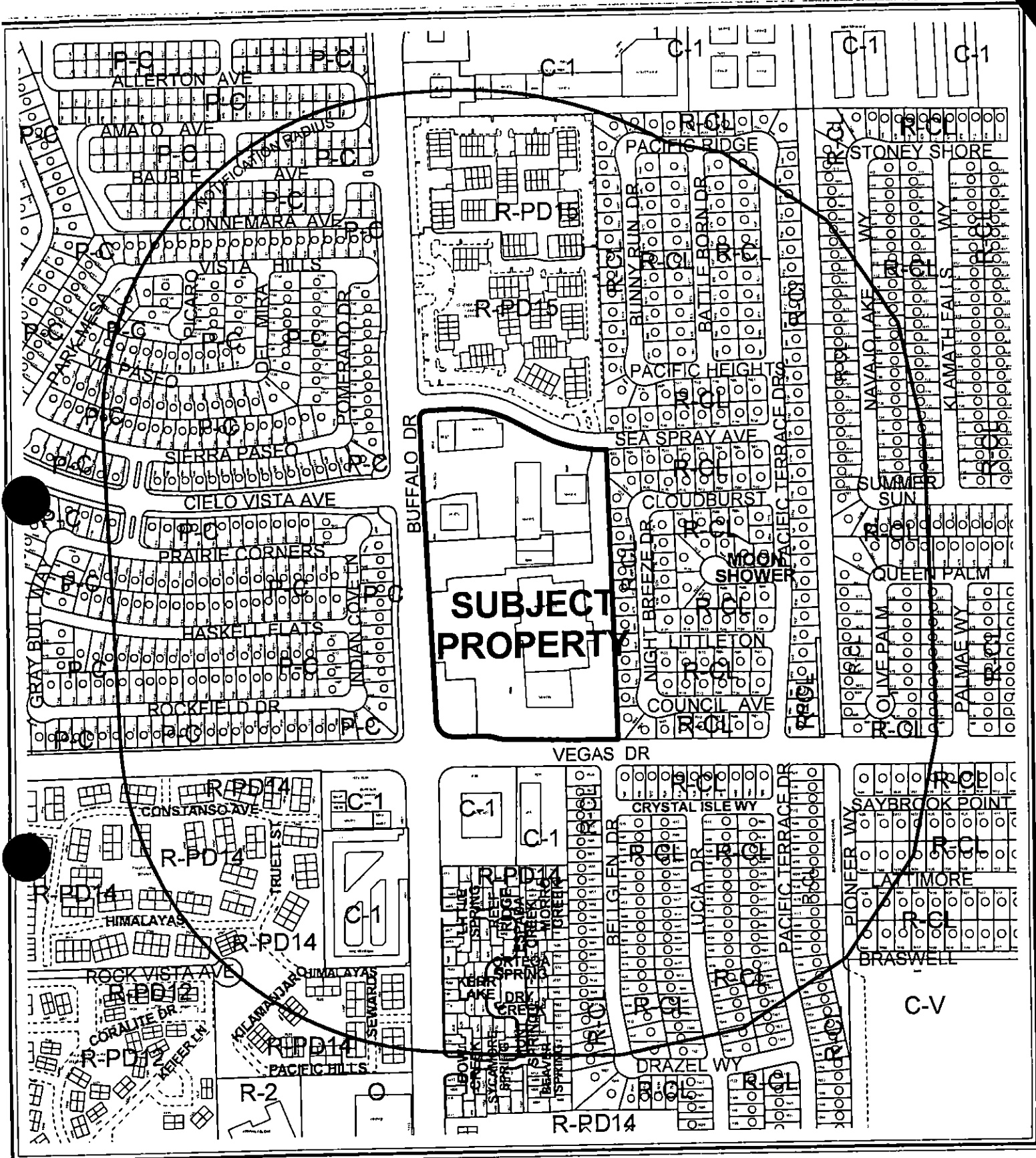
Public Works

10. Construct all incomplete half-street improvements (right turn lane) on Vegas Drive adjacent to this site concurrent with development of this site.
11. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
12. Unless otherwise allowed by the City Engineer, construct sidewalk, where such does not exist, 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.
13. This property is involved in Special Improvement District No. 1447 – Buffalo Drive. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map or the issuance of any building permits, whichever may occur first. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.

PLANNING COMMISSION MEETING OF FEBRUARY 8, 2007
Planning and Development Department
Item 31 – SDR-15357

CONDITIONS – Continued:

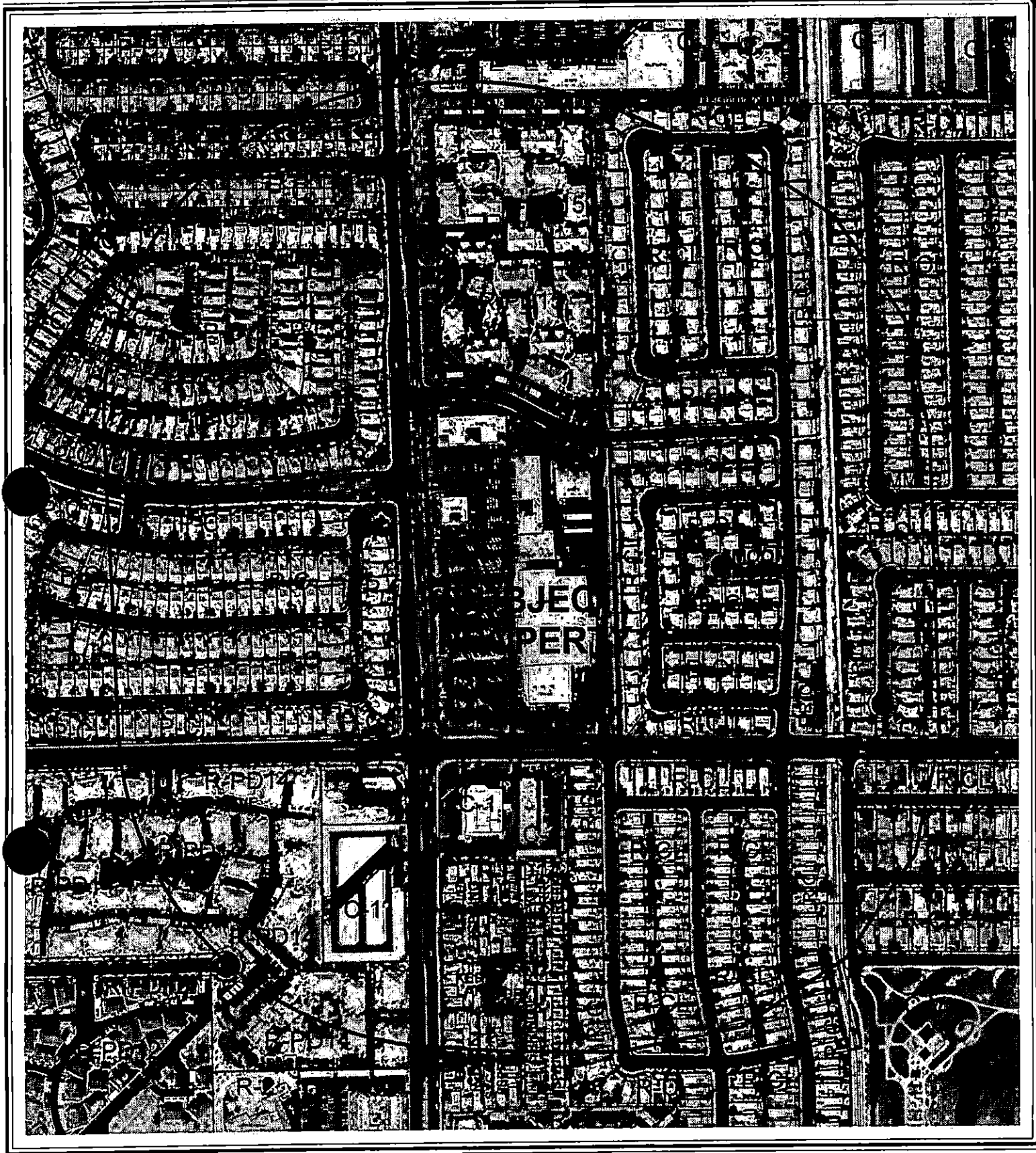
14. This pad site must always allow for the perpetual common access between the various parcels/owners within the Pacific Legends (Commercial Subdivision) area.
15. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.
16. Submit an Encroachment Agreement for all landscaping, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site. 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.
17. An update to the previously approved Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved update to the Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
18. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study update.
19. Site development to comply with all applicable conditions of approval for the Pacific Legends Commercial Subdivision, Zoning Reclassification Z-0097-90 and all other applicable site-related actions.



CASE: **SDR-15357**

RADIUS: 1000 FT

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



CASE: **SDR-15357**

RADIUS: 1000 FT

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

0 200 400 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: FEBRUARY 8, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-15357 - APPLICANT: GREAT AMERICAN CAPITAL****OWNER: SEA BREEZE VILLAGE II**

**** 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 12/14/06, landscape plan, and building elevations, date stamped 07/24/06, except as amended by conditions herein..
3. 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.
4. All handicap parking spaces must be van accessible on both sides.
5. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
6. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
7. 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.

SDR-15357 - Conditions Page Two
February 8, 2007 - Planning Commission Meeting

8. 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.
9. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

10. Dedicate and construct a bus turnout on Buffalo Drive adjacent to this site concurrent with development.
11. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
12. Unless otherwise allowed by the City Engineer, construct sidewalk, where such does not exist, 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.
13. This property is involved in Special Improvement District No. 1447 – Buffalo Drive. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map or the issuance of any building permits, whichever may occur first. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
14. This pad site must always allow for the perpetual common access between the various parcels/owners within the Pacific Legends (Commercial Subdivision) area.
15. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.
16. 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. 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.

SDR-15357 - Conditions Page Three
February 8, 2007 - Planning Commission Meeting

17. An update to the previously approved Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved update to the Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
18. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study update.
19. Site development to comply with all applicable conditions of approval for the Pacific Legends Commercial Subdivision, Zoning Reclassification Z-0097-90 and all other applicable site-related actions.

SDR-15357 - Staff Report Page One
February 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Site Development Plan Review for a 5,000 square foot bank on 7.76 acres on the northeast corner of Vegas Drive and Buffalo Drive.

EXECUTIVE SUMMARY

The applicant requests a 5,000 square foot bank on a vacant pad site in the existing Vegas/Buffalo Shopping Center. The pad site will be located on the southwest corner of the parcel nearest the corner of Buffalo Drive and Vegas Drive.

BACKGROUND INFORMATION

A) Related Actions

- | | |
|----------|--|
| 11/07/90 | The City Council approved a related request for Rezoning (Z-0097-90) from N-U (Non-Urban) to C-1 (Limited Commercial) on the subject site. |
| 03/09/98 | The City Council approved a related request for Site Development Plan Review [Z-0097-90(5)] for a proposed 142,352 square foot retail center. |
| 06/14/01 | Site Development Plan [Z-0097-90(7)] was approved administratively by the Planning and Development Department to modify the approved retail commercial center by reducing the square footage from 142,352 square feet to 130,643 square feet. |
| 10/16/02 | The City Council approved a Master Sign Plan (MSP-0006-02) for the development. The Planning Commission recommended approval of the request at their meeting of 09/12/02. |
| 12/18/02 | The City Council approved a Special Use Permit (U-0041-02) for a Tavern within the commercial retail center on this site. The Planning Commission recommended approval of this request on 11/21/03. Planning and Development staff recommended approval of this request. |

SDR-15357 - Staff Report Page Two
February 8, 2007 - Planning Commission Meeting

- 01/22/03 The City Council approved a Variance (V-0054-02) to allow 652 Parking Spaces where 729 Parking Spaces are required for the commercial retail center. The Planning Commission recommended approval of this request on December 19, 2002. Staff recommended denial of this request.
- 09/07/06 The Planning Commission voted to hold this item in abeyance to revise site plans as per the applicant's request.
- 10/05/06 The Planning Commission accepted the request from the applicant to table the item in order to allow time for the revised site plan to be reviewed

B) Pre-Application Meeting

- 04/18/06 A pre-application meeting was held to discuss the addition of a 5,000 square-foot bank building on a vacant pad site. The applicant was told that a Site Development Plan Review would be necessary, as well as the possibility of a variance for parking. However, due to newly adopted parking standards, this variance is no longer necessary. Public works requested an updated drainage study, and traffic expressed that a bus turnout and deceleration lane may be necessary.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 7.76
 Net Acres: 7.49

B) Existing Land Use

Subject Property: Commercial Retail Center
 North: Condominium Development
 South: Retail Pharmacy, Office, Single Family Residential
 East: Single Family Residential
 West: Single Family Residential

SDR-15357 - Staff Report Page Three
February 8, 2007 - Planning Commission Meeting

C) Planned Land Use

Subject Property: SC (Service Commercial)
 North: M (Medium Density Residential)
 South: SC (Service Commercial) and ML (Medium Low Density Residential)
 East: ML (Medium Low Density Residential)
 West: ML (Medium Low Density Residential) and M (Medium Density Residential)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
 North: R-PD15 (Residential Planned Development – 15 Units per Acre)
 South: C-1 (Limited Commercial) and R-CL (Single Family Compact Lot)
 East: R-CL (Single Family Compact Lot)
 West: P-C (Planned Community)

E) General Plan Compliance

This property is designated as SC (Service Commercial) in the Southwest Sector Plan of the General Plan.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District	X	X
Trails		X
Rural Preservation Overlay District		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

A-O Airport Overlay District

The proposed bank building will be 27 feet in height and is not affected by 200-foot height restriction.

Related Building Permits/Business Licenses	
6/16/99	Retail Building Permit #9901910 (1600 N Buffalo Avenue)
4/1/02	Retail Building Permit #2005630 (1750 N Buffalo Avenue)
4/1/02	Retail Building Permit #2005631 (1770 N Buffalo Avenue)
4/1/02	Retail Building Permit #2005632 (1780 N Buffalo Avenue)
3/10/03	Retail Building Permit #3004692 (1700 N Buffalo Avenue)

SDR-15357 - Staff Report Page Four
February 8, 2007 - Planning Commission Meeting

PROJECT DESCRIPTION

This application is a request for a site development plan review for a 5,000 square foot bank to be constructed on the northwest corner of Vegas Drive and Buffalo Road on a vacant pad site within the existing Sea Breeze Village shopping center. The landscaping and architecture of the building will match existing development.

Although the parking requirements have been met, spaces behind the grocery store, along the east perimeter which are rarely used because of safety issues and distances to stores makes their use impractical. There are 233 parking stalls within the rear of this shopping center (34.5% of the total parking), of which, approximately 130 of the stalls are practical for use by patrons of the shopping center. This includes approximately 115 spaces adjacent to a 9,227 square-foot office within the rear of the shopping center. Included in this total are an additional 15 parking spaces on the south side of the existing pharmacy, which are impractical for use by patrons other than patrons of the pharmacy. The parking lot often becomes congested by patrons of the grocery store due to the absence of an adequate number of parking spaces within the central area of the parking lot.

While the site plan has been revised to add a right turn lane from Buffalo Drive, and the existing curb cut has been relocated approximately 70 feet to the north to relieve queuing issues/traffic conflicts on Buffalo Drive, the central problem of lack of proper parking remains. This proposal will reduce the number of parking stalls within the front of the shopping center by approximately 54 spaces.

As noted in the background information a Site Development Plan Review [Z-0097-90(7)] was administratively approved to modify the approved retail commercial center by reducing the square footage from 142,352 square feet to 130,643 square feet. The submitted site plan indicates 131,769 square feet of commercial space currently exists on the site, bringing the center into non-conformance of approved plans by having built 1,769 square feet over the allowable square footage. Addition of a 5,000 square foot bank building would push the total square footage of the center to 136,769 square feet.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

SDR-15357 - Staff Report Page Five
February 8, 2007 - Planning Commission Meeting

Standards	Required	Provided	Compliance
Min. Lot Size	NA	7.76 Acres	Y
Min. Lot Width	100 Feet	600 Feet	Y
Min. Setbacks			
• Front	20 Feet	45 Feet	Y
• Side	10 Feet	50 Feet	Y
• Corner	15 Feet	41 Feet	Y
• Rear	15 Feet	49 Feet	Y
Max. Lot Coverage	50 %	23.24%	Y
Max. Building Height	NA	18 Feet 9 Inches	Y
Trash Enclosure	Located away from street front and screened from view.	Located away from street front and screened from view.	Y

This proposal meets or exceeds the above development requirements.

A2) Residential Adjacency Standards

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

- a) Proximity slope. This is a one-story building and may be built to the setback line.
- b) Building setback. The proposed development exceeds all required setbacks.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Shopping Center	136,044 SF	1/250 GFA	544	12	653	15

The proposed development exceeds the parking requirements pursuant to Title 19.10. However, all handicap parking spaces must be van accessible on both sides.

SDR-15357 - Staff Report Page Six
February 8, 2007 - Planning Commission Meeting

An update to the previously approved Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings, whichever may occur first. Comply with the recommendations of the approved update to the Traffic Impact Analysis prior to occupancy of the 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.

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/ 6 Space	6 Trees	6
Buffer:			5
• Min. Trees	1 Trees/ 30 Linear Feet	5 Trees	
• Min. Zone Width	8 Feet		8 Feet
• Wall height	N/A		

The proposed bank will be located within an existing commercial subdivision with established perimeter and interior landscaping . As shown on the site/landscaping plan submitted for the bank project, additional trees and shrubs to match existing plant material will be provided around the building and in parking fingers.

B) General Analysis and Discussion

• Zoning

The site is zoned C-1 (Limited Commercial) and the proposed Site Development Plan Review is for the construction of a bank with a drive-thru. Such development falls into the category of a Financial Institution, General (with Drive-Through) and is permitted as a conditional in the C-1 zoning district. Additionally, with the exception of parking, the proposed Site Development Plan conforms to the requirements in Title 19 for the C-1 zoning district.

SDR-15357 - Staff Report Page Seven
February 8, 2007 - Planning Commission Meeting

- **Site Plan**

The site plan indicates a drive through at the bank located parallel to Buffalo Road. The exit from the drive through is shown adjacent to the driveway into the shopping center potentially causing a back up into the Buffalo and Vegas Drive intersection.

- **Waivers**

There are no waivers associated with this application.

- **Landscape Plan**

The addition of this pad site into the existing shopping center parking will reduce the total number of trees required on the parcel. However, the landscape plan notes that additional landscaping will be added around the building increasing the total by which the landscaping exceeds the requirements.

- **Elevation**

The building elevations depict a 1-story, 27-Foot bank to be built on a pad site at an existing shopping center. The building will be constructed to match the existing pads at the center. The features include Spanish-style concave roof tile, stucco over foam pop-out window enhancement arches, storefront glazing and stucco over wood framing. Tile and stonework will embellish the stucco, as well as stucco over foam pop-out along blank sections of wall.

- **Floor Plan**

No floor plans were provided with 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;"**

While the proposed development is compatible with similar C-1 (Limited Commercial) developments in the area, the proposed use is not compatible within this shopping center due to the parking problems that will result from the removal of approximately 54 parking stalls needed for the proposed building.

SDR-15357 - Staff Report Page Eight
February 8, 2007 - Planning Commission Meeting

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;”**

While the proposed development is consistent with the General Plan and Title 19, it is not compatible in its current location on the site, which will result in the loss of needed parking within the shopping center.

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

The proposed development will not negatively impact adjacent roadways or traffic; however, it will negatively impact parking on this site.

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 development will be subject to inspections, and appropriate measures will be taken to protect the public health, safety and general welfare.

SDR-15357 - Staff Report Page Nine
February 8, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT 37

SENATE DISTRICT 6

NOTICES MAILED 620

APPROVALS 0

PROTESTS 0

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-15357** APN: 138 24 118 005
Name of Property Owner: San Bruno Village LLC
Name of Applicant: Greenview Capital

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: 110

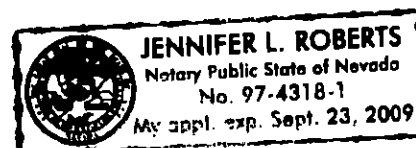
Signature of Property Owner: _____

Print Name: HAASKEEL INU

Subscribed and sworn before me

This 6th day of June, 2003

Notary Public in and for said County and State



Site plan of the proposed Albertson's Supermarket and associated structures. The plan shows the existing Albertson's building (60,771 SF) and a new Sav-On building (17,141 SF). Other existing structures include an Office (9,227 SF), Shops (24,888 SF), Pad 1 (13,522 SF), Pad 2 (6,221 SF), and Pad 3 (5,000 SF). The plan also indicates parking spaces, a bus turnoff area, and the location of a stop light at the intersection with Buffalo Drive. A dashed line marks the actual property line.

VEGAS DRIVE

BUFFALO DRIVE

Stop
Light

OVERALL PROJECT INFORMATION

Location:	City of Las Vegas
Overall Site Area:	565,483 SF / 12.8 Acres - Must Be Verified
Total Building Area:	136,044 SF
Total Parking Required:	545 Spaces (4,091,000 S.F.)
Total Parking Provided:	675 Spaces (4,971,000 S.F.)
Floor Area/Site Area:	23.24%
Parking Stall Dimensions:	8' Wide x 18' Deep

City of Las Vegas

545,400 SF | 12.4 Acres - Must Be Verified

136,044 5

545 Species (4,079,000 S.F.)
615 Species (4,920,000 S.F.)

23.24%

9 Wides + 15 Dens

22

JS

557

Living Center

Figure 2

LANDSCAPING LOGBOOK		
	Date	Location, Task, etc.
1/21	1/21/88	Wetland - Florida
02	1/22/88	Wetland - edge type
1/23	1/23/88	Wetland
1/24	1/24/88	Wetland - edge type
1/25	1/25/88	Wetland - edge type
1/26	1/26/88	Wetland - edge type
1/27	1/27/88	Wetland - edge type
1/28	1/28/88	Wetland - edge type
1/29	1/29/88	Wetland - edge type
1/30	1/30/88	Wetland - edge type
1/31	1/31/88	Wetland - edge type
2/1	2/1/88	Wetland - edge type
2/2	2/2/88	Wetland - edge type
2/3	2/3/88	Wetland - edge type
2/4	2/4/88	Wetland - edge type
2/5	2/5/88	Wetland - edge type
2/6	2/6/88	Wetland - edge type
2/7	2/7/88	Wetland - edge type
2/8	2/8/88	Wetland - edge type
2/9	2/9/88	Wetland - edge type
2/10	2/10/88	Wetland - edge type
2/11	2/11/88	Wetland - edge type
2/12	2/12/88	Wetland - edge type
2/13	2/13/88	Wetland - edge type
2/14	2/14/88	Wetland - edge type
2/15	2/15/88	Wetland - edge type
2/16	2/16/88	Wetland - edge type
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3/10	3/10/88	Wetland - edge type
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3/13	3/13/88	Wetland - edge type
3/14	3/14/88	Wetland - edge type
3/15	3/15/88	Wetland - edge type
3/16	3/16/88	Wetland - edge type
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4/20	4/20/88	Wetland - edge type
4/21	4/21/88	Wetland - edge type
4/22	4/22/88	Wetland - edge type
4/23	4/23/88	Wetland - edge type
4/24	4/24/88	Wetland - edge type
4/25	4/25/88	Wetland - edge type
4/26		

Vicinity Map

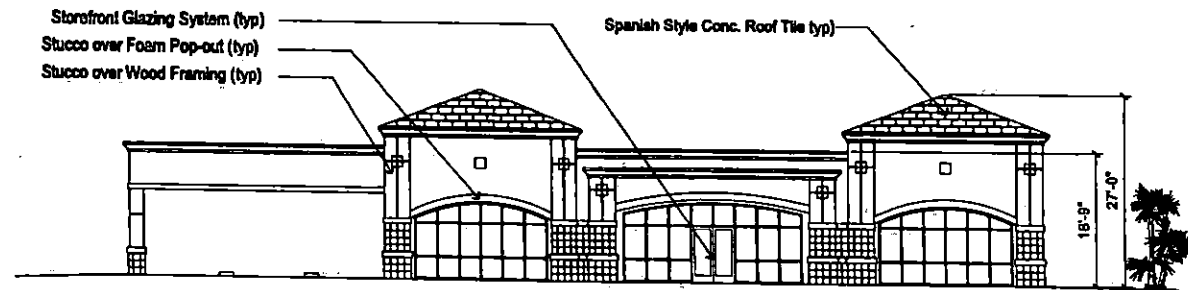
PRELIMINARY SITE/LANDSCAPING PLAN

POLYMER LETTERS 64:3

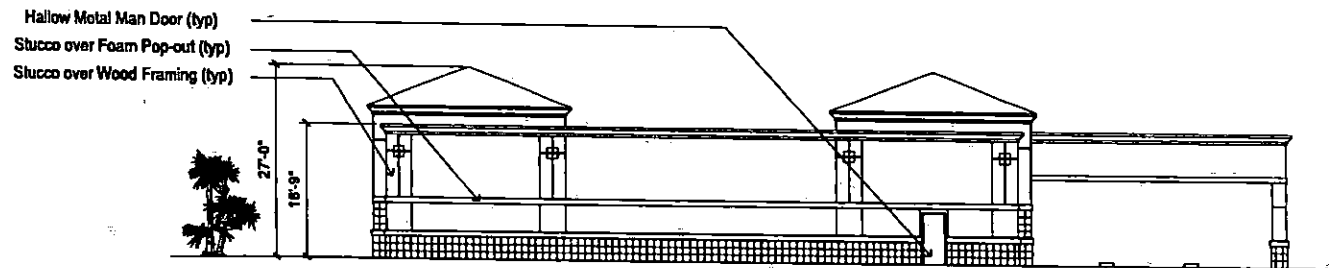
Great American Capital • Vegas/Buffalo Shopping Center PAD 3

**SDR-15357
REVISED
02/08/07 PC**

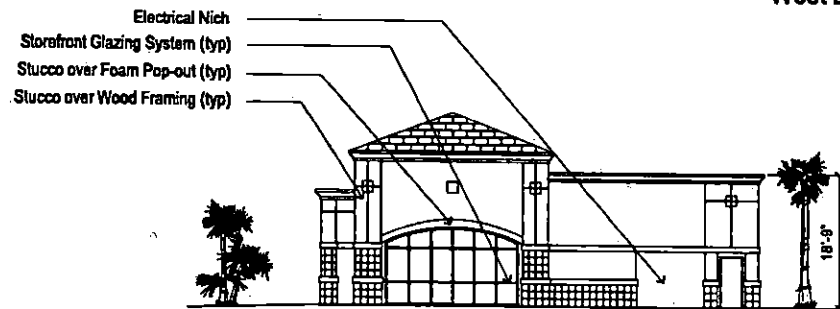
RECEIVED
DEC 14 2006



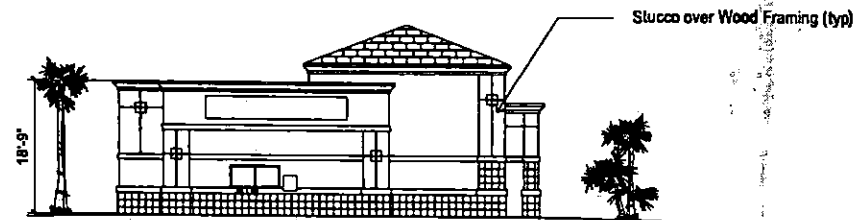
East Elevation



West Elevation



North Elevation



South Elevation

PRELIMINARY ELEVATIONS • Pad 3

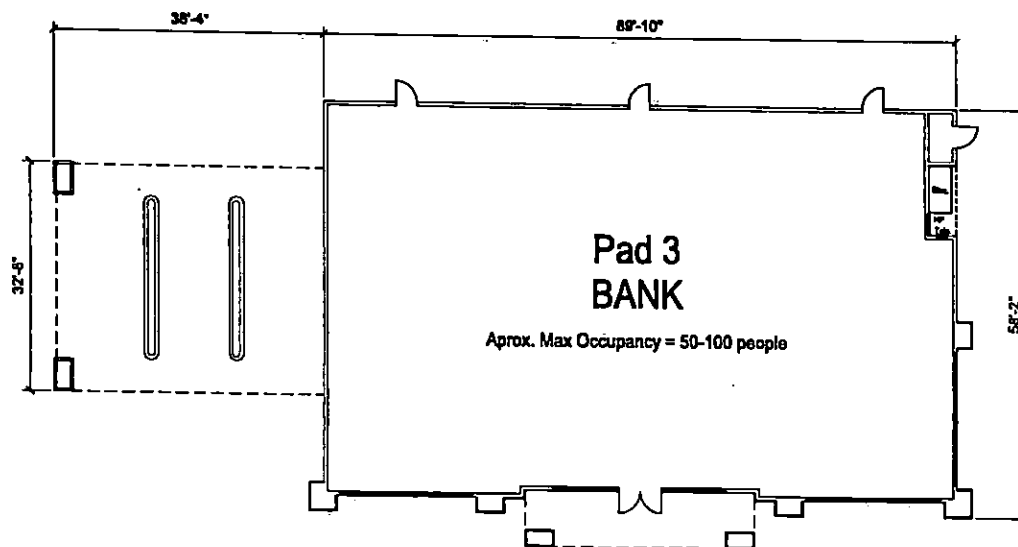
Vegas/Buffalo Shopping Center



SDR-15357
 10/05/06 PC

Note:
 All colors & materials
 shall match existing
 adjacent buildings.

JUL 24 2006



PRELIMINARY FLOOR PLAN • Pad 3 • 5,000 SF

Vegas/Buffalo Shopping Center



JAMES & JAMES ASSOCIATES, INC.
1000 West Buffalo, Suite 100, Las Vegas, Nevada 89106
(702) 462-1000

**SDR-15357
10/05/06 PC**

RECEIVED
JUL 24 2006



SDR 15357				
Great American Capital				
NEC Vegas & Buffalo				
Proposed 5 thousand square foot bank				
Traffic produced by proposed development:				
New development	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	DRIVE-IN BANK [1000 SF]	5	246.49	1,232
AM Peak Hour			12.34	62
PM Peak Hour			45.74	229
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Vegas Drive				
Average Daily Traffic (ADT)	15,151			
PM Peak Hour	1212			
(heaviest 60 minutes)				
Buffalo Drive				
Average Daily Traffic (ADT)	58,446			
PM Peak Hour	4676			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Vegas Drive	32585			
Buffalo Drive	51700			
This project will add approximately 1,232 trips per day on Vegas & Buffalo. This will increase expected volumes by about 8 percent on Vegas and about 2 percent on Buffalo. Vegas is at about 46 percent of capacity and Buffalo is over capacity.				
Based on Peak Hour use, this development will add roughly 229 additional cars into the area; which works out to about four every minute.				
Note that this report assumes all traffic from this development uses all named streets.				



SDR-15357 - APPLICANT: GREAT AMERICAN CAPITAL OWNER: SEA BREEZE VILLAGE II
NORTHEAST CORNER OF VEGAS DRIVE AND BUFFALO DRIVE
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07



SDR-15357 - APPLICANT: GREAT AMERICAN CAPITAL OWNER: SEA BREEZE VILLAGE II
NORTHEAST CORNER OF VEGAS DRIVE AND BUFFALO DRIVE
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07



SDR-15357 - APPLICANT: GREAT AMERICAN CAPITAL OWNER: SEA BREEZE VILLAGE II
NORTHEAST CORNER OF VEGAS DRIVE AND BUFFALO DRIVE
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07

December 14, 2006

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

RE: Request to Reactivate SDR-15357 Site Plan Review for the NWC of
Vegas Drive and Buffalo Drive; APN: 138-22-418-005

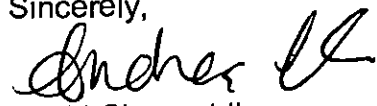
Dear Ms. Wheeler:

On behalf of our client, Great American Capital, please accept the attached revised submittal as a request to place SDR-15357 on the next available Planning Commission meeting. This application was tabled at the October 6, 2006 Planning Commission meeting.

The site plan is for a bank to be placed on a vacant pad site within this developed commercial center. The reason for tabling this item was to redesign the site to include a bus turnout as required by the Department of Public Works. We have met with both Planning & Development and Public Works staff on the revised site plan and understand that it will meet the standards of the City.

As this is a minor change in the original design, we respectfully request your favorable consideration. Please do not hesitate to contact us if you have any questions or need additional information.

Sincerely,


David Clapsaddle
Director of Planning

DWC: mw



**SDR-15357
REVISED
02/08/07 PC**

A Planning & Development Services Corporation

1711 Whitney Mesa Drive, Suite 110, Henderson, Nevada 89014-2158

Telephone: 702.435.0000 Facsimile: 702.435.0457 E-Mail: ggarcia@gcgarciainc.com

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-18894 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -
APPLICANT: DR. OBTEEN NASSARI - OWNER: 2111 SOUTH MARYLAND LLC -
Request for a Site Development Plan Review FOR A PROPOSED 3,530 SQUARE-FOOT, SINGLE-STORY OFFICE BUILDING WITH A WAIVER TO ALLOW A ONE-FOOT WIDE PERIMETER LANDSCAPE BUFFER ALONG A PORTION OF THE NORTH PROPERTY LINE WHERE EIGHT FEET IS REQUIRED AND A FOUR-FOOT WIDE PERIMETER LANDSCAPE BUFFER ALONG THE EAST PROPERTY LINE WHERE EIGHT FEET IS REQUIRED AND A WAIVER TO ALLOW A SEVEN-FOOT WIDE PERIMETER LANDSCAPE BUFFER ALONG A PORTION OF THE SOUTH PROPERTY LINE WHERE A 15 FEET IS REQUIRED on .33 acres at 2111 South Maryland Parkway and 1205 Exley Avenue (APNs 162-02-410-071 and 072), P-R (Professional Office and Parking) Zone, Ward 3 (Reese).

C.C.: 03/07/07

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
5. Submitted after final agenda – Telephone protest by Tom Conroy

MOTION:

TRUEDELL – APPROVED subject to conditions – UNANIMOUS

To be heard by City Council on 3/7/2007

PLANNING COMMISSION MEETING OF FEBRUARY 8, 2007
Planning and Development Department
Item 32 – SDR-18894

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

JOHN KORKOSZ, Planning and Development Department, stated the site is narrow and difficult to develop. He noted the applicant has made an effort to landscape the site within the site's constraints and recommended approval. He noted staff had received one protest.

MARVIN BRYAN, 308 South 11th Street, appeared on behalf of the applicant and agreed to all conditions of approval.

JOHN McCORMACK, 1064 Canosa Avenue, appeared in opposition to the landscape waivers because the neighbors are entitled to the required amount of landscaping. He also requested assistance in the removal of an unattractive sign in the neighborhood.

MARGO WHEELER, Director of Planning and Development Department, clarified that no land would be taken from any adjacent property owner.

DOUG RANKIN, Planning and Development Department, stated the landscape waivers were requested in order to accommodate the parking requirements. MR. BRYAN pointed out all other Code requirements were met.

COMMISSIONER TRUESDELL noted the area is in need of investment and stated his support.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(8:50 – 8:56)

2-2800

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-6353).
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. The abandoned, non-conforming 45-foot tall freestanding sign located on the southwest corner of the subject property must be removed prior to the issuance of any building permits.

PLANNING COMMISSION MEETING OF FEBRUARY 8, 2007
Planning and Development Department
Item 32 – SDR-18894

CONDITIONS – Continued:

4. Recordation of a reversionary parcel map or administrative joining consolidating the parcels on the site prior to issuance of any building or grading permits.
5. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 12/21/06, except as amended by conditions herein.
6. 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.
7. A Waiver from Title 19.12 is hereby approved to allow:
 - a. A one-foot wide landscape buffer along a portion of the north perimeter where an eight-foot wide landscape buffer is required as shown on plans date stamped 12/21/06.
 - b. A four-foot wide perimeter landscape buffer along the east property line where an eight-foot wide perimeter landscape buffer is required as shown on plans date stamped 12/21/06.
 - c. A seven-foot wide perimeter landscape buffer along a portion of the south property line where a 15-foot wide perimeter landscape buffer is required as shown on plans date stamped 12/21/06.
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. The landscape plan dated 12/21/06 must be revised removing the five 5-gallon shrubs located adjacent to the southern end of the screened trash enclosure as they are outside of the applicant's property.
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.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

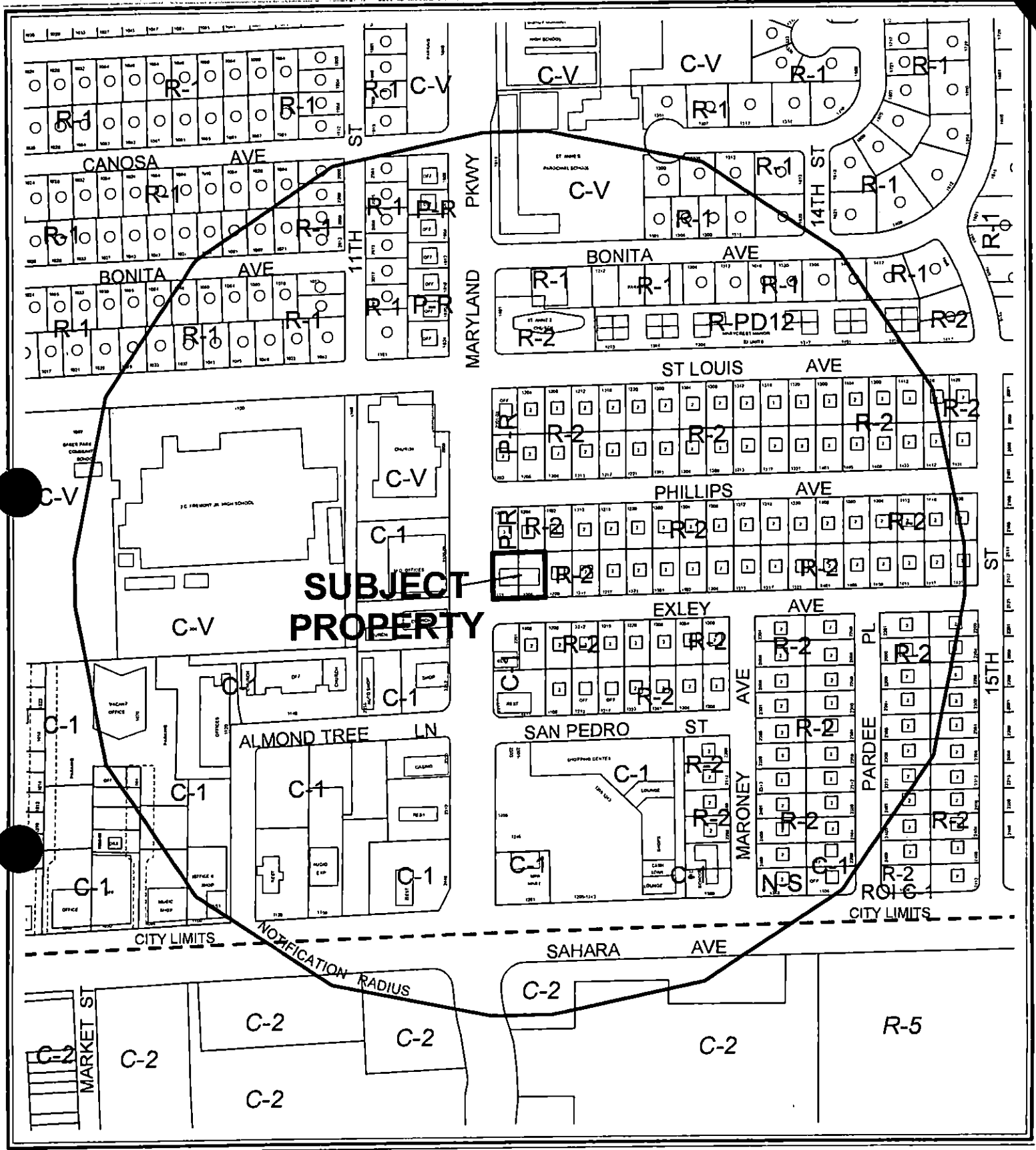
PLANNING COMMISSION MEETING OF FEBRUARY 8, 2007
Planning and Development Department
Item 32 – SDR-18894

CONDITIONS – Continued:

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 luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
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. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the St. Louis and Maryland Parkway Capacity Improvement project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
16. Submit an application for a deviation from Standard Drawing #222a for the driveway accessing Exley Avenue.
17. Site development to comply with all applicable conditions of approval for ZON-6353 and all other subsequent site-related actions.



CASE: SDR-18894

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: FEBRUARY 8, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-18894 - APPLICANT: DR. OBTEEN NASSARI -
OWNER: 2111 SOUTH MARYLAND LLC**

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

1. Conformance to the conditions for Rezoning (ZON-6353).
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. The abandoned, non-conforming 45-foot tall freestanding sign located on the southwest corner of the subject property must be removed prior to the issuance of any building permits.
4. Recordation of a reversionary parcel map or administrative joining consolidating the parcels on the site prior to issuance of any building or grading permits.
5. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 12/21/06, except as amended by conditions herein.
6. 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.
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 - b. A four-foot wide perimeter landscape buffer along the east property line where an eight-foot wide perimeter landscape buffer is required as shown on plans date stamped 12/21/06.
 - c. A seven-foot wide perimeter landscape buffer along a portion of the south property line where a 15-foot wide perimeter landscape buffer is required as shown on plans date stamped 12/21/06.

SDR-18894 - Conditions Page Two
February 8, 2007 - Planning Commission Meeting

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. The landscape plan dated 12/21/06 must be revised removing the five 5-gallon shrubs located adjacent to the southern end of the screened trash enclosure as they are outside of the applicant's property.
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.
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 luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
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. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the St. Louis and Maryland Parkway Capacity Improvement project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

SDR-18894 - Conditions Page Three
February 8, 2007 - Planning Commission Meeting

16. Submit an application for a deviation from Standard Drawing #222a for the driveway accessing Exley Avenue.
17. Site development to comply with all applicable conditions of approval for ZON-6353 and all other subsequent site-related actions.

SDR-18894 - Staff Report Page One
February 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Site Development Plan Review for a proposed 3,530 square-foot, single-story office building on 0.33 acres located at 2111 South Maryland Parkway. The applicant has requested a waiver to Title 19.12 to allow a five-foot wide landscape buffer along the north and east property lines where an eight-foot wide buffer is required. The applicant has also filed a deviation to allow a 24 foot driveway width where 32 feet is the minimum required.

Additionally, an abandoned 45-foot high, 145 square-foot sign has been conditioned to be removed.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg, etc.	
11/06/02	The City Council tabled the following applications on the subject site: a request for a Special Use Permit to (U-0073-02) allow a Psychic Arts business; a request for a Variance (V-0037-02) to allow three parking spaces where the proposed uses require 14 parking spaces; and a request for a Variance (V-0038-02) on property adjacent to the subject site to allow an existing building zero feet from the side property line, where five feet is the minimum setback required. The Planning Commission and staff both recommended approval for U-0073-02 and V-0037-02, but The Planning Commission recommended Approval for V-0038-02, while staff recommended Denial.
5/18/05	The City Council approved a General Plan Amendment (GPA-6352) to amend the Land Use from SC (Service Commercial) and ML (Medium-Low Density Residential) to O (Office) and a related request for a Rezoning (ZON-6353) from C-1 (Limited Commercial) and R-2 (Medium-Low Residential) to P-R (Professional Office & Parking) at 2111 South Maryland Parkway and 1205 Exley Avenue. Planning Commission and Staff recommended approval.
Related Building Permits/Business Licenses	
5/22/06	#66044: Over-the-counter Building Permit for the demolition and removal of the structures at 2111 South Maryland Parkway and 1205 Exley Avenue.
Pre-Application Meeting	
10/23/06	A Pre-Application Conference was held with staff to discuss the merger and redevelopment of 2111 South Maryland Parkway and 1205 Exley Avenue for a 3,500 square-foot medical office. A companion Variance for an existing freestanding sign was determined necessary as the sign is in non-compliance with the P-R (Professional Office & Parking) Zoning District.

SDR-18894 - Staff Report Page Two
February 8, 2007 - Planning Commission Meeting

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

Details of Application Request	
Site Area & Acres	
Net Acres	0.33

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant Offices	O (Office)	P-R (Professional Office/Parking)
North	Office	SC (Service Commercial)	P-R (Professional Office/Parking)
South	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
East	Residential	ML (Medium Low Density Residential)	R-2 (Medium Low Density Residential)
West	Medical Office & Counseling Center	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			
A-O Airport Overlay District	X		Y
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	NA	14,262 S.F	Y*
Min. Lot Width	60 feet	110 feet	Y
Min. Setbacks			Y
• Front	20 feet	20 feet	
• Side	5 feet	6 feet	
• Corner	15 feet	15 feet	
• Rear	15 feet	15 feet	

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Max. Lot Coverage	50%	25%	N*
Max. Building Height	Lesser of 2 stories or 35 feet	14 feet, 6 inches	Y
Trash Enclosure	50 feet from residentially-zoned property	50 feet	Y
Mech. Equipment	Screened	Yes	Y or N

*With the recordation of a Merger and Re-subdivision of parcels APN 162-02-410-071 & -072 this proposal will be in conformance with Title 19.08. However, without the merger of the two lots, the maximum lot coverage will be exceeded by 2% (3,530 S.F./6,795 S.F.=52%) thus requiring a Variance. Approval of this SDR will be contingent upon completion of this condition.

Pursuant to Title 19.08.060, the following standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	Five feet (P-R Zone Setbacks) for 15-foot high buildings	Six feet (14'-6" high building)	Y
Adjacent development matching setback	Five feet (P-R Zone Setbacks)	Five feet	Y
Trash Enclosure	50 feet	50 feet	Y

Pursuant to Titles 19.10 & 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	4 Trees	0*	N
Buffer:				
Min. Trees	1 Tree/ 20 Linear Feet	19 Trees	19	Y
TOTAL		23	19	N
Min. Zone Width	8 Feet		1 Foot	N**
Wall Height	6 Feet		7 Feet***	Y

*Although one shade tree is shown on the landscape plan within proximity to a parking space, per Title 19.10.010(J), "Landscape materials required for perimeter landscape buffer areas may not be counted towards the requirements for landscape islands in parking lots."

**A Waiver to the Title 19.12 Perimeter Landscape Buffer Standards has been processed with this application.

***There is an existing seven-foot high (approximate) wall that runs along the entire north property line.

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February 8, 2007 - Planning Commission Meeting

Pursuant to Title 19.10, the following parking standards apply:

Pursuant to Title 17.10, the following parking requirements apply:							
Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Medical Office	2,000 S.F	1: 200 S.F for first 2,000 S.F	10				
Medical Office (remaining GFA over 2,000 S.F)	1,530 S.F	1:175 S.F of remaining GFA	9				
SubTotal			19	1	20	1	Y
TOTAL (including handicap)	3,530 S.F		19	1	20	1	Y

Freestanding Signs: 19.14.060(C) Permitted Signs in the C-V, N-S, P-R, & O Zoning Districts		
Standards	Allowed	Provided
Maximum Number	1 / Street frontage 1 total or 1/ 43,000 SF lot	1 / Street frontage 1 total
Maximum Area	48 SF.	145 SF*
Maximum Height	12 feet	45 feet*
Minimum Setback	5 feet	0 feet*
Illumination	Internal or directly illuminated only	No indication has been given towards the lighting, but the sign is outfitted for internal illumination.

*The existing non-conforming sign does not comply with the sign standards for a P-R (Professional Office & Parking) Zoning District in both height and size. Additionally, although the sign post meets the five-foot setback, the 16-foot wide sign itself is located approximately three-feet into the public right-of-way. Staff has recommended that the sign be removed prior to the issuance of any building permits

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Waivers		
Request	Requirement	Staff Recommendation
A one-foot wide landscape buffer along the north property line	An eight-foot wide perimeter landscape buffer	Approval
A four-foot landscape buffer along the eastern property line	An eight-foot wide perimeter landscape buffer	Approval
A seven-foot landscape buffer along a portion of the southern property line	A 15-foot wide perimeter landscape buffer	Approval
Zero parking lot landscape islands	A 5-foot wide landscape island for every six parking spaces	Approval

ANALYSIS

- **General Plan/Zoning**

Both properties, 2111 South Maryland Parkway and 1205 Exley Avenue (APNs 162-02-410-072, & -071), were rezoned (ZON-6353) from C-1 and R-2 to the P-R Zoning District. The proposal for a medical office in a P-R Zoning District is a permissible use per Title 19.04.

The proposed development is located within the 200-foot height-restricted area of the Airport Overlay District. As the proposed building height has been shown at 14-feet, six inches, no adverse affect is anticipated within this Overlay District.

There is currently an abandoned freestanding sign that is in non-conformance with the Title 19.14 Sign Standards for the P-R Zoning District. As the sign is located approximately three feet over the public right-of-way, thus falling under the definition of a prohibited sign, a Variance cannot be processed. Therefore, the sign shall be removed as a condition of approval of this proposed Site Plan Review.

- **Site Plan**

The site depicts a 3,530 square foot medical office fronting along Maryland Parkway. The applicant has provided adequate parking placed to the rear of the building away from the street front along Maryland Parkway. The access to the project is provided by a 24-foot wide curb-cut for which the applicant will need an approved deviation from standards approved by the City Engineer.

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The proposed development currently sits on two separate parcels for which staff is requiring that a Merger and Re-subdivision take place in order to create a single lot. Without the remapping of the two parcels into a single lot the proposal will require a Variance for excessive lot coverage on the western property and an off-site parking agreement recorded with the City Attorney for the eastern property.

- **Elevations & Materials**

The provided elevations show a coherent southwestern contemporary design that wraps around the entire building. The applicant calls for three-coat stucco, painted off-white with earth-toned colors on the trim and slate tile accents for the material finish.

Although the building is of a simple rectangular shape, the massing of the office building is broken up with four columns of dry stacked stone veneer at the front and back. The elevations maintain a street-oriented façade with the entrance to the office oriented towards the parking lot, which is situated at the rear of the property.

- **Residential Adjacency**

The proposed building height is 14 feet, six inches, less than the minimum 15 feet height requirement. The proposed building is also in compliance with adjacent matching setbacks for the P-R Zoned property located to the north.

- **Parking**

The proposed Medical Office requires one parking space per 200 square feet for the first 2,000 square feet of gross floor area with an additional parking space provided for each 175 square feet over the initial 2,000 square feet. The proposed 3,530 square-foot office building has made accommodations for 20 parking spaces, including one van-accessible handicapped parking space where 19 spaces are required ($([2,000 \text{ S.F.}/200]+[1,530 \text{ S.F.}/175])=19 \text{ spaces}$)

As the proposed medical office does not receive or distribute materials or merchandise, per Title 19.10.020 an on-site loading space is not required.

- **Landscaping**

The provided landscape plans show adequate landscaping with six (6) 24" box Purple Plum trees placed 20 feet on center in an off-set pattern with the required four (4) five-gallon shrubs provided per tree along Maryland Parkway and Exley Avenue.

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February 8, 2007 - Planning Commission Meeting

A waiver to the Title 19.12.040 perimeter landscape buffer requirements has been requested for a portion of the north and south property line and all of the east property line. Staff finds that no significant impact will result from the reduced landscape buffer widths as the applicant has provided the adequate amounts of trees and ground-cover plants to screen the commercial property from the adjacent property.

Also, a waiver to provide five-foot wide landscape island has been requested. The landscape plans also show shrubs planted around the trash enclosures with some of the plants located outside of the applicant's property. As there is no requirement to provide a landscape buffer around trash enclosures, staff recommends that revised landscape plans be provided showing no landscaping in the public right-of-way adjacent to the trash enclosure.

- **Signage**

There is currently an abandoned, illegal, and prohibited sign located approximately three feet over the public sidewalk adjacent to Maryland Parkway. Per Title 19.14.140, the following determinant was used in assessing the illegality of the existing sign:

“(1)The following shall without limitation be considered illegal signs:

- (a) A sign erected on public property, including the public right-of-way, in violation of this Chapter;”

Additionally, the existing sign has also been determined to be an abandoned sign by applying the following determinants as listed in Title 19.14.140(A)2:

“(a) Any sign which has ceased to be used to display a message relating to an on going business, product, service, idea or commercial activity and where the owner(s) of the sign has manifested an intention to permanently cease to use the sign. A sign shall be presumed to be abandoned if it has not been used to display or support such a message during any continuous one-year period;

(b) Any on-premise sign pertaining to a building that has been destroyed or damaged beyond use, and substantial construction work for its repair or replacement has not begun within six months after such destruction.”

As the existing sign meets multiple criteria for being categorized as both an illegal and abandoned sign, per Title 19.14.170 it is the responsibility of the property owner to remove the sign within 10 days of City Council final action. Failure to comply with a notice from the City requiring the removal the illegal sign may result in the immediate removal of the sign by the City at cost to the owner.

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FINDINGS

The following findings must be made for an SDR:

- 1. The proposed development is compatible with adjacent development and development in the area;**
- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**
- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**
- 4. Building and landscape materials are appropriate for the area and for the City;**
- 5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**
- 6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

In regard to "1":

The proposed 3,530 square foot medical office is located adjacent to Maryland Parkway and is compatible with the commercial development along Maryland Parkway and development in the immediate area.

In regard to "2":

The proposed medical office is consistent in use with the Office General Plan category. With exception to three waivers to portions of the perimeter landscape buffer widths, this proposal is consistent with the Design Standards Manual, the Landscape, Wall and Buffer Standards, as listed in Title 19.

In regard to "3":

As the proposed office will use an existing curb cut and has sought out the proper remedy Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

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February 8, 2007 - Planning Commission Meeting

In regard to "4":

The building materials shown in the provided elevations and materials board and the proposed landscaping materials are both appropriate to the neighborhood and for the City.

In regard to "5":

The provided building elevations demonstrate architectural and aesthetic features that are compliant with the Title 19.08 Commercial Design Standards and do not present an undesirable, or obnoxious building. The proposed office provided an orderly and aesthetically pleasing environment; and is harmonious and compatible with development in the area.

In regard to "6":

The proposed medical office will be subject to regular City inspections during the design and construction phase and City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 222

APPROVALS 0

PROTESTS 0

MARYLAND PKWY.

P-R

R-1

ST. LOUIS AV

PROJECT SITE

EXLEY AVE.

VICINITY MAP

SCALE: NONE

PROPOSED BUILDING

R-1

PROJECT INFORMATION

APR. 18, 2007
APPROVED ZONING P.R. (APPROVAL R-204-4153)
GROSS LAND AREA: 14,252 S.F. (1.27 AC.)
TOTAL BUILDING AREA: 3,530 S.F.
LOT COVERAGE: 25%

PARKING ANALYSIS

PARKING REQUIREMENTS:

10 FOR THE FIRST 2,000 S.F.
1/175 FOR THE REMAINING S.F.
OFFICE AREA: = 3,530 S.F.
REQUIRED PARKING = 10 FOR FIRST 2,000 S.F. + 10
1,530/175 = 8
TOTAL REQUIRED PARKING SPACES = 18 SPACES

PARKING PROVIDED:
STANDARD PARKING SPACES = 18
BANK A.C. PARKING SPACES PROVIDED = 1
TOTAL PARKING SPACES PROVIDED = 19
PARKING RATIO = 0.87/1,000 S.F.

SITE PLAN

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

EXLEY AVENUE

SDR-18894

02/08/07 PC

RECEIVED
DEC 2 1 2000

REVISION	BY
1	XXX/XXX/XXX

BRYAN CONSTRUCTION INC.
STATE LICENSE # 9194
908 S. 11th
LAS VEGAS, NEVADA
(702) 887-1127
Fax (702) 887-1078

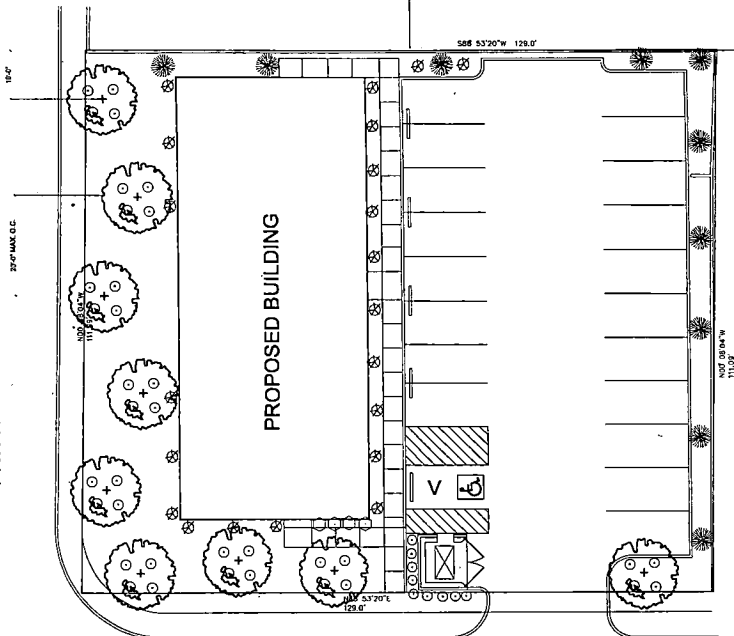
NASSIRI BUILDING
2111 S. MARYLAND PKWY.
LAS VEGAS, NEVADA 89104

SITE PLAN

12/27/2000
0-DRAW
131-000

A1

MARYLAND
PKWY.



PROPOSED BUILDING

EXLEY AVENUE

LANDSCAPE PLAN
SCALE: 1/8" = 1'-0"

PLANTING LEDGEND

	PRUNUS SPECIES	PURPLE LEAF PLUM	24" BOX
	ITALIAN CYPRESS	CYPRESS SPECIES	24" BOX
	PHOTINIA FRASER	FRASER'S PHOTINIA	5 GAL.
	RAPHIOLEPIS INDICA	INDIAN HAWTHORN	5 GAL.
	LANTANA MONTEVIDEENSIS	TRAILING LANTANA	5 GAL.
	LADERSTROEMIA INDICA	CRAPPE MYRTLE	5 GAL.

HARD SCAPE MATERIAL

DECOMPOSED COLORED GRAVEL
3/4" MINUS SCREENED DESERT GOLD
WALL PLANTING ANGLE



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DEC 21 2006

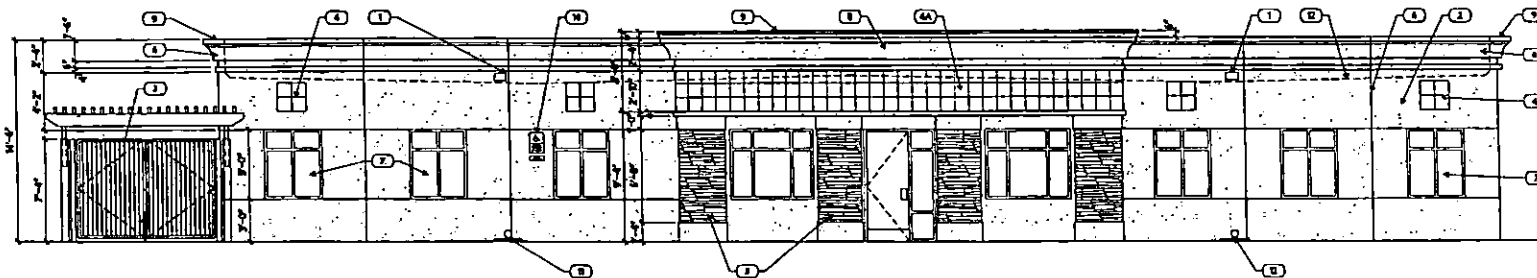
REVISION	DATE
1.00000000	

BRYAN CONSTRUCTION INC.
STATE LICENSE # 17874
304 S. 1TH
LAS VEGAS, NEVADA
(702) 361-1112
FAX (702) 361-1014

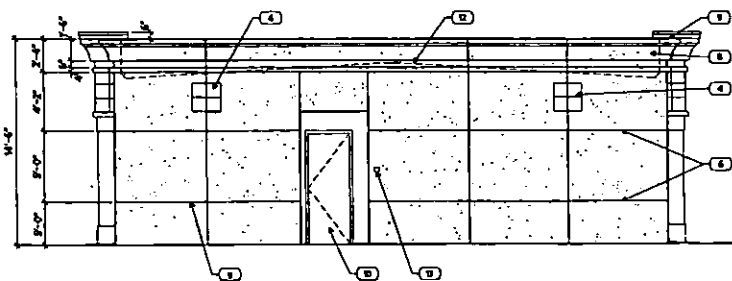
LANDSCAPE PLAN
NASSIRI BUILDING
2111 S. MARYLAND PKWY.
LAS VEGAS, NEVADA 89104

12/21/2006
SDR-18894
131-206
L1

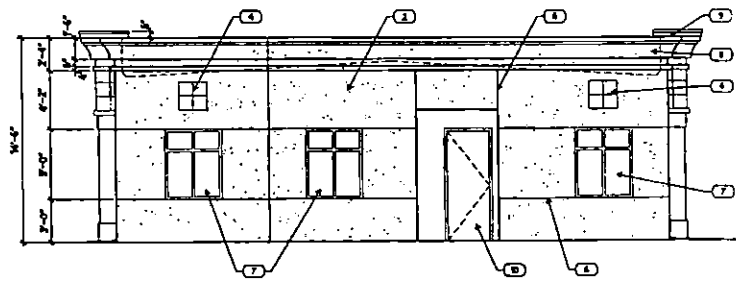
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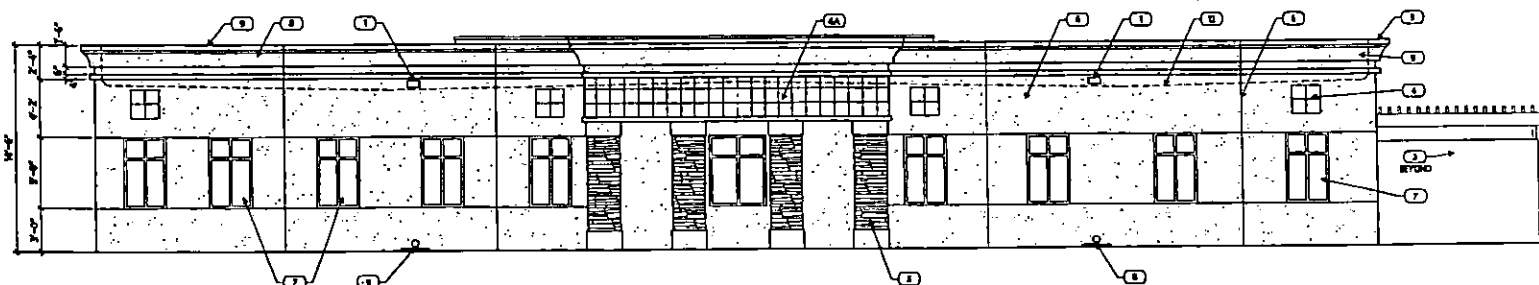
SCALE 1/4" = 1'
WEST ELEVATION 1



SCALE 1/4" = 1'
NORTH ELEVATION 3



SCALE 1/4" = 1'
SOUTH ELEVATION 2



SCALE 1/4" = 1'
EAST ELEVATION 4

NOTES

- 1 ROOF OVERFLOW SCUPPER - REFER TO DETAIL 21/A&L
- 2 1/2 COAT STUCCO W/ METAL LATH O/ VAPOR BARRIER SHEATHING
- 3 TRASH ENCLOSURE - REFER TO DETAIL 21/A&L
- 4 STONE TILE ACCENT SET O/ BROWN COAT. STONE TILE FELD ON 4A
- 5 FAUX STONE COLORED CONCRETE VENEER - REFER TO WALL SECTIONS
- 6 CONTROL JOINTS - REFER TO DETAIL 10/A&L
- 7 STORMFRONT CLADDING FRAMING - MEDIUM BRONZE ANODIZED
- 8 FOAM BACKED ARCHITECTURAL DETAIL W/ STUCCO FINISH
- 9 METAL COPING, PAINTED
- 10 PAINTED HOLLOW METAL DOOR
- 11 ROOF DRAIN OUTLET & SPLASH BLOCK
- 12 LINE OF ROOF
- 13 KNOCK BOX - LOCATE PER FIRE DEPARTMENT
- 14 ACCESSIBLE STORAGE MOUNTED ON WALL

REVISIONS:

CERTIFICATION

EXTERIOR ELEVATIONS

PROJECT TITLE
NASSIRI BUILDING
231 S. MARYLAND PKWY.
LAS VEGAS, NV 89004

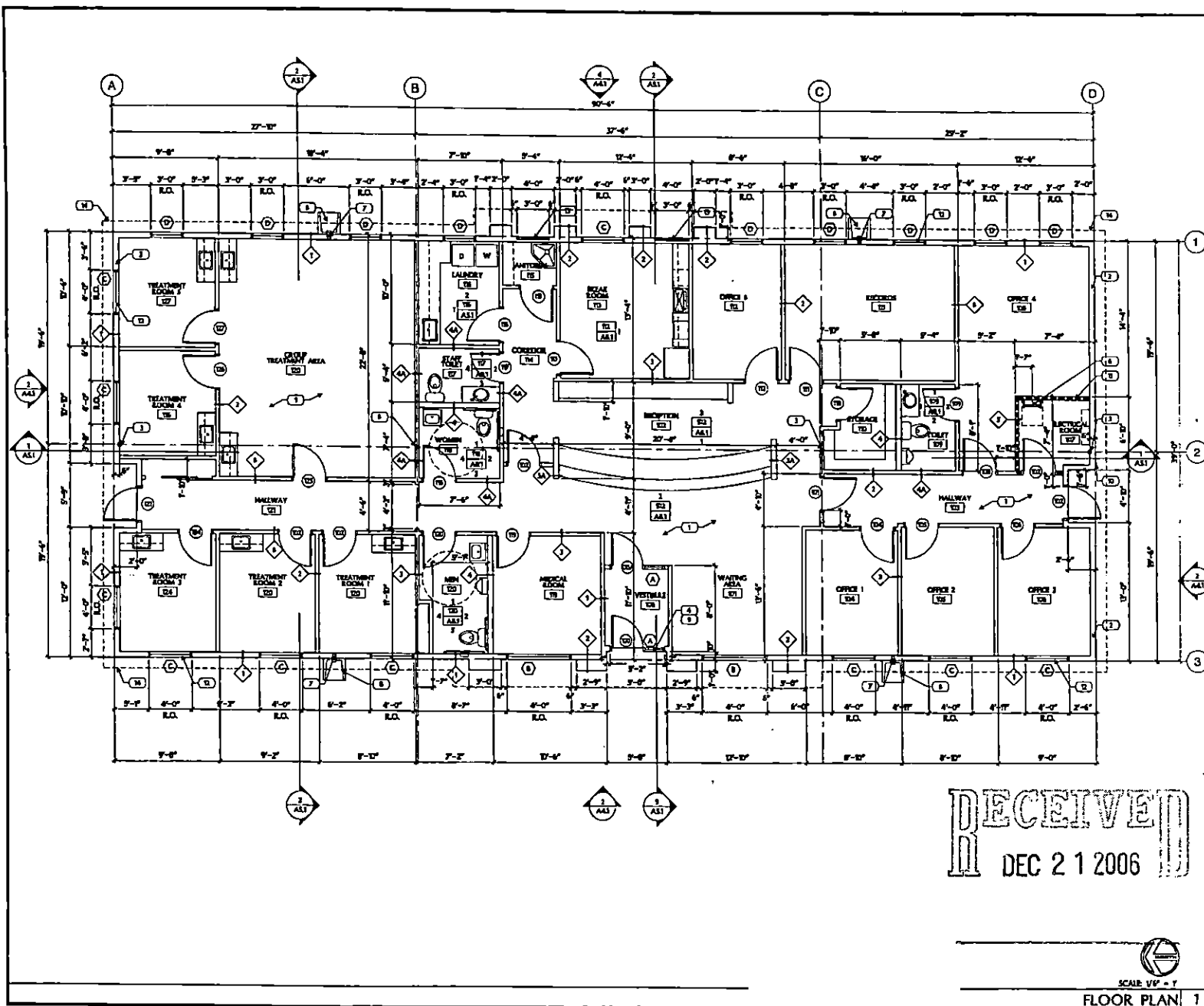
Gary Carlson & Associates
ARCHITECT
Las Vegas, NV
Telephone 013 878-0627

DRAWING DATE:
05-09-06
DRAWN BY:
AG
SHEET NO.

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NOTES

1. CONCRETE FLOOR SLAB - REFER TO STRUCTURAL DRAWINGS
2. WOOD FRAMED WALLS - REFER TO WALL TYPE LEGEND & STRUCTURAL DRAWINGS
3. STRUCTURAL COLUMN - REFER TO STRUCTURAL DRAWINGS
4. ALUMINUM STOREFRONT - REFER TO STOREFRONT SCHEDULE
5. ELECTRICAL PANEL/EQUIPMENT - REFER TO ELECTRICAL DRAWINGS
6. ROOF ACCESS LADDER - REFER TO DETAIL 12/AS1
7. ROOF DRAIN LEADER TO EXTEND TO FACE OF WALL ABOVE CONCRETE OR LANDSCAPE WHERE OCCURS - REFER TO DETAIL 12/AA2
8. SPLASH BLOCK - REFER TO SITE PLAN & DETAIL 4/AS1
9. ACCESSIBLE ENTRANCE SIGN ADJACENT TO ENTRANCE DOOR, WHERE OCCURS
10. KNOX BOX - LOCATE PER FIRE DEPARTMENT
11. 1 HOUR FIRE RATED WALL - REFER TO WALL TYPE LEGEND
12. ALUMINUM WINDOW - REFER TO WINDOW SCHEDULE
13. ALUMINUM WINDOW (UNITED W/ PLYWOOD BACING)
14. LINE OF OVERHANG ABOVE



WALL TYPE LEGEND

- 1. 2X4 W/ STUD @ 16" O.C. W/ R-11 INSULATION 5/8" GYP BD ON THE INTERIOR SIDE. 7/8" EXTERIOR PLASTER OF INT. LATH OF BUILDING PAPER OF PLYWOOD SHEATHING ON THE EXTERIOR SIDE.
- 2. INTERIOR WALL - 2X4 W/ STUD @ 16" O.C. UNFINISHED W/ R-11 INSULATION 5/8" GYP BD ON INTERIOR SIDE - PLYWOOD SHEATHING ON EXTERIOR SIDE (SEE STRUCTURAL DRAWINGS)
- 3. EXTERIOR WALL - 2X4 W/ STUD @ 16" O.C. UNFINISHED ON INTERIOR SIDE. 7/8" EXTERIOR PLASTER OF INT. LATH OF BUILDING PAPER OF PLYWOOD SHEATHING ON THE EXTERIOR SIDE.
- 4. 2X4 W/ STUD @ 16" O.C. W/ 5/8" GYP BD ON BOTH SIDES. 2X4 W/ STUD ON
- 5. 2X6 W/ STUD @ 16" O.C. W/ SOUND ATTENUATION 5/8" GYP BD ON BOTH SIDES. 2X4 W/ STUD ON
- 6. 1 HR. WALL - 2X6 WOOD STUD @ 16" O.C. W/ 5/8" FIRE RATED CHG SA. SIDE W/ R-11 BATT INSULATION - REFER TO CA FILE NO. WP 3314 - SEE DETAIL 12/AS1
- 7. TOP SIDE - 2X4 W/ STUD @ 16" O.C. W/ 5/8" GYP BD ON ON SIDE. UNFINISHED ON THE OTHER SIDE. BOTTOM SIDE - 2X4 W/ STUD @ 16" O.C. W/ 5/8" GYP BD ON ON SIDE. UNFINISHED ON THE OTHER SIDE.

CERTIFICATE

SHEET TITLE
FLOOR PLAN

PROJECT TITLE

NASSIRI BUILDING
201 S. MARYLAND PKWY.
LAS VEGAS, NV 89104

Gary Carlson & Associates
ARCHITECT
Las Vegas, NV
Telephone: 702-678-0627

DRAWING DATE:
06-09-06

DRAWN BY:
AC

SHEET NO.

A2.1

SDR-18894
02/08/07 PC

San Francisco, California

1900

Scale: 1 inch = 100 feet

1 mile = 5,280 feet

1/2 mile = 2,640 feet

1/4 mile = 1,320 feet

1/8 mile = 660 feet

1/16 mile = 330 feet

1/32 mile = 165 feet

1/64 mile = 82.5 feet

1/128 mile = 41.25 feet

1/256 mile = 20.625 feet

1/512 mile = 10.3125 feet

1/1024 mile = 5.15625 feet

1/2048 mile = 2.578125 feet

1/4096 mile = 1.2890625 feet

1/8192 mile = 0.64453125 feet

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1/9671406556917033397649408 mile = 5.4593920428499795e-22 feet

1/19342813113834066795298816 mile = 2.7296960214249897e-22 feet

1/38685626227668133590597632 mile = 1.3648480107124949e-22 feet

1/77371252455336267181195264 mile = 6.824240053562474e-23 feet

1/154742504910672534362390528 mile = 3.412120026781237e-23 feet

1/309485009821345068724781056 mile = 1.7060600133906

[illegible]

THE STONE-REPAIRS OF THE VESSEL, & PARTICULAR DO HEREBY CERTIFY THAT THEY ARE THE OWNERS OF THE SAID PLATED VESSEL, AND HEREBY REDUCE THE VESSEL AS IS NOW TO AND FOR THE USE OF THE PUBLIC POWER. AGREEMENT AS IS NOW ARE HEREBY FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES ONLY.

FRANCO - PHILLIPS OF LAS VEGAS
BY: ROY L. FRANCO OF LAS VEGAS, INC.
© 1984 L. S. F. I. N. C.

H. S. Pardee
 DEPT. OF AGRICULTURE : CONSIDERED

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES }

ON THIS 2nd DAY OF October, 1981, PERSONALLY APPEARED BEFORE ME W. H. Thompson, NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ROY T. PANDYA (SEEN TO BE TO BE HIS USUAL NAME), OF THE PATERNITY THAT EXISTED BETWEEN HIMSELF AND ACKNOWLEDGED TO BE THAT SAID PATERNITY EXISTED BETWEEN SAID FATHER AND TOGETHER FOR THE PURPOSES AND USES THEREIN MENTIONED.

P. E. Thompson
BUREAU PUBLIC INLAND FOR, SMO COUNTY AND STATE
BY COMMISSIONER THOMAS *Approved 21. 1954*

1. REGINALD E. WADE, CITY ENGINEER OF THE CITY OF LOS ANGELES, DO HEREBY CERTIFY THAT I DOO HEREBY CERTIFY THE FINAL MAP OF PARCELS OF LAND, THAT THE SUBDIVISION OF LANDS HEREIN IS ESSENTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND APPROVED EXHIBITION THEREOF, THAT ALL PROVISIONS OF THE PLANNING COMMISSION ACT, AND ALL LEGAL OBLIGATIONS SPECIFIED IN THE CHARTER OF THE CITY OF LOS ANGELES, HAVE BEEN COMPLIED WITH, AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

SEANOR E. WADZ CITY PROSSEEN

APPEARED THIS 14 DAY OF APRIL, 1955. BY THE CITY, FLORIAN COLEMAN OF LAW FIRM, STAGG,

H. L. Stewart
GENERAL

REPORTED AND ACCEPTED THIS 7th DAY OF October, 1935 BY THE BOARD OF CITY COMMISSIONERS
OF THE CITY OF LOS ANGELES, CLARA CECILY, CLERK.

Corbin

RECEIVED
DEC 21 2006

417072
 Filed at Request of
 Phoenix Title Insurance & Trust Co.
 On Oct-30-1963 9:01 A.M.
 in Book 4 Page 14

Clark County, Nevada, Record

1-60

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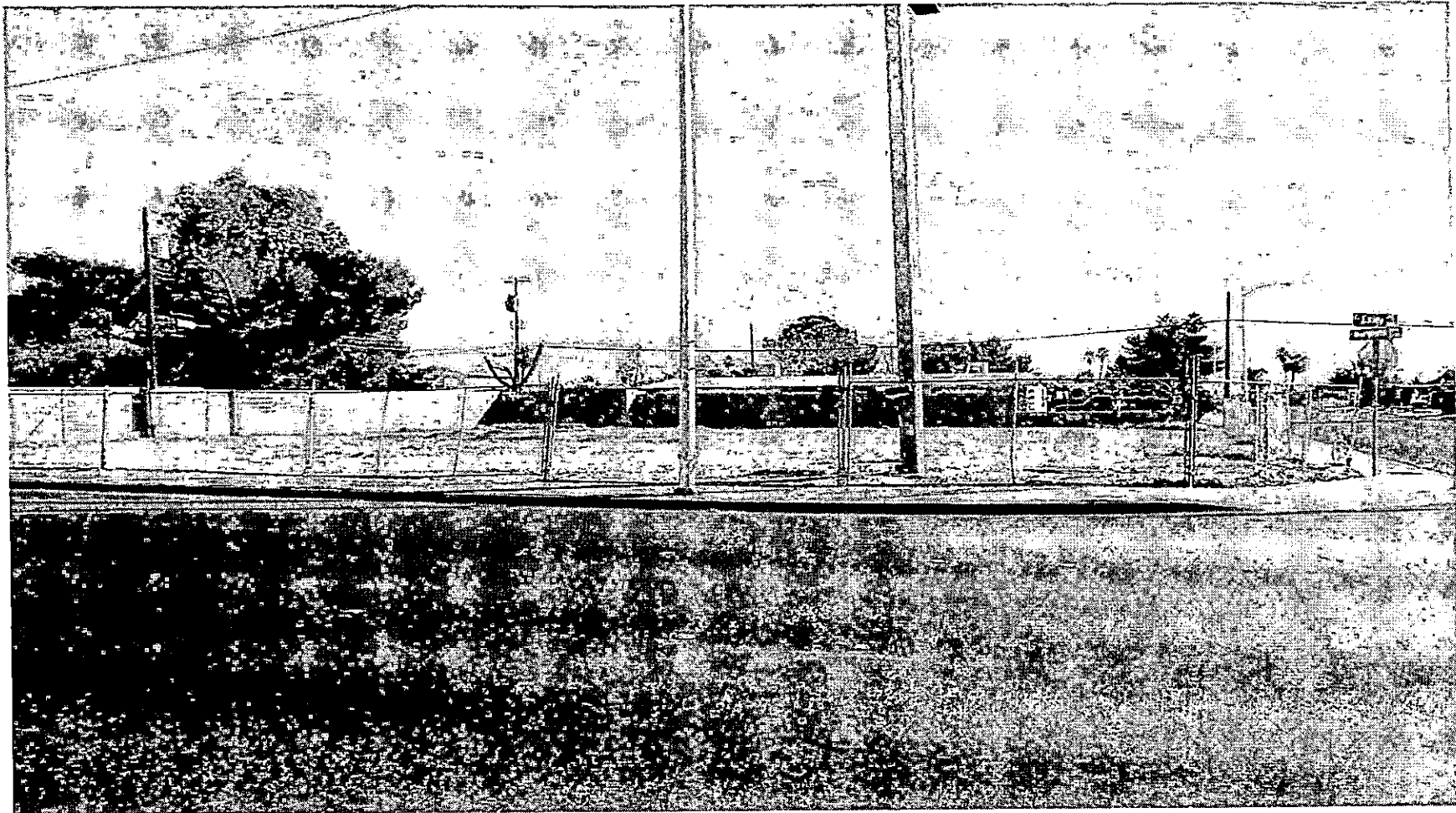
SDR 18894				
Dr. Obteen Nassari				
NEC Exley & Maryland				
Proposed 3.926 thousand square foot office building.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	3.926	11.01	43
AM Peak Hour			1.55	6
PM Peak Hour			1.49	6
(heaviest 60 minutes)				
Original Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	2.4	11.01	26
AM Peak Hour			1.55	4
PM Peak Hour			1.49	4
(heaviest 60 minutes)				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	1.526	11.01	17
AM Peak Hour			1.55	2
PM Peak Hour			1.49	2
(heaviest 60 minutes)				
Existing traffic on all nearby streets: counts not available for Exley Avenue				
Maryland Avenue				
Average Daily Traffic (ADT)	37,825			
PM Peak Hour	3,026			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Maryland Avenue	51,700			
This project will add approximately 17 trips per day on Maryland and Exley. This will increase expected volumes by less than 1 percent on				

Maryland. Maryland is at about 73 percent of capacity. Counts are not available for Exley, but it is believed to be under capacity.			
Based on Peak Hour use, this development will add roughly 2 additional cars into the area; which works out to about two every hour.			
Note that this report assumes all traffic from this development uses all named streets.			



SDR-18894 - APPLICANT: DR. OBTEEN NASSARI - OWNER: 2111 SOUTH MARYLAND LLC
2111 SOUTH MARYLAND PARKWAY
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07



SDR-18894 - APPLICANT: DR. OBTEEN NASSARI - OWNER: 2111 SOUTH MARYLAND LLC
2111 SOUTH MARYLAND PARKWAY
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07

December 20, 2006



TO: Department of Building & Safety
Planning & Development
731 South Fourth Street
Las Vegas, NV 89101-6918

REFERENCE: Professional Chiropractic Office
Parcel #162-02-410-071
Parcel #162-02-410-072
Dr. Obteen Nassari
2111 S. Maryland LLC
2111 Maryland Pkwy
Las Vegas, NV 89104

SUBJECT: Justification Letter for proposed office building

To Whom it May Concern:

Please be advised this office represents the applicant for the proposed project located at the above referenced parcels. The property is generally located on the Northeast corner of Maryland Parkway and Exley Street. The applicant is proposing to construct a (1) single story building. The office building will have a maximum height of 15'-0". The applicant is filing one application for both parcels, which is for the site plan review and variance regarding the Existing Sign.

This property is currently zoned P-R. This property is located at Maryland Parkway, which promotes the use of P-R uses. It was the pleasure of the owner to take down the old corner commercial building and rebuild a new professional office building. A parking waiver is not required with this application. This project will cover 24.65% of the site. A landscape waiver is requested along the North and East property lines. Eight (8) feet is required and we are requesting an average of 5'0". Though (5) five feet is requested, we are providing 24" box trees along these property lines 20'0" on center. A landscape waiver requested along Exley only where the parking is adjacent to the street. At this Eastern portion of the property, 15'0" landscaping is required. We are proposing to place our driveway entrance at this location and provide 7'0" landscaping on each side. Again, we will provide adequate 24" box trees on both sides of this driveway entrance as well as around the rest of the front of the building.

We are requesting a waiver for (2) required finger landscape areas in the parking lot. The parking lot as shown provides adequate parking for this building. As commonly found in downtown P-R lots parking is tight and we were able to fit the required spaces on this lot. Per meeting with traffic, a waiver is required for our driveway approach. The new drawing standard for all commercial drive approve is now to be 32'0" in width where we have provided 24'0". Regarding the sign on this property. This sign has existed for approximately 35 years and was a part of the former commercial building. We request you allow Dr. Nassiri to keep the existing sign. The code only allows for a 12' tall and 48 square foot sign in the P-R zone. Should you have any questions, please call me at 379-9866 or 362-7127.

Sincerely,

BRYAN CONSTRUCTION, INC.

A handwritten signature in dark ink that reads "R. Dean Bryan".

R. Dean Bryan, President

SDR-18894

02/08/07 PC

308 South 11th Street • Las Vegas, NV 89101 • 702-362-7127 • Fax 702-362-7079

E-Mail bryanconstructioninc@cox.net

State License No. 27874A

Telephone Protest/Approval Log

Item 32

Meeting Date: 2/8/07Case Number: SDR-18894

Date: 2/5/07
Name: Tom Conroy
Address: 1313 Bonita
Phone: 731-3446
☒ PROTEST ☐ APPROVE

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

2007 FEB 20 PM 4:51
RECEIVED
CITY CLERK

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

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

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

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

Submitted after final agenda

Date 2/20/07 Item #30

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

DIR-18616 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: JUNIOR LEAGUE - Request to designate a parcel of land as an Historic Property within the City of Las Vegas on 0.51 acres at 861 Bridger Avenue (APN 139-34-701-002), Ward 5 (Weekly).

C.C.: 03/07/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

1. Conditions and Staff Report
2. Supporting Documentation

MOTION:

EVANS – APPROVED – UNANIMOUS

To be heard by City Council on 3/7/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, noted this application had been approved by the Historic Preservation Committee and is in order.

DEEDEE NAVE, 7171 La Mirada Circle, appeared on behalf of the Junior League of Las Vegas and their historic preservation project, the Morelli House.

COMMISSIONER EVANS commended MS. NAVE'S efforts to restore the Morelli house and congratulated her on acquiring VLADIMIR KAGAN, iconic mid-century Modern furniture designer, as a donor and designer of the furniture for the house.

PLANNING COMMISSION MEETING OF FEBRUARY 8, 2007
Planning and Development Department
Item 33 – DIR-18616

MINUTES – Continued:

MS. NAVE gave a brief history of the major events in the Morelli house's restoration and invited the Commissioner and the public to its public debut.

COMMISSIONER TRUESDELL thanked the Junior League and MS. NAVE for their efforts to preserve the Morelli House.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(8:56 – 9:07)

1-3211

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 8, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: DIR-18616 - APPLICANT: CITY OF LAS VEGAS - OWNER:
JUNIOR LEAGUE

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL

DIR-18616 - Staff Report Page One
February 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is to designate a parcel of land known as the "Morelli House," as an Historic Property within the City of Las Vegas on 0.51 acres located at 861 Bridger Avenue, (APN 139-34-701-002), Ward 5 (Weekly). The Morelli House is currently listed on the Nevada state Register of Historic Places. The Junior League of Las Vegas owns the building and supports the nomination. The Historic Preservation Commission voted to approve the nomination for designation based on the property's ability to meet the requirements for historic designation as listed in Title 19.06.090 I. Designation of Landmarks, Historic Properties and Historic Districts. Adoption of historical status will result in an "H" designation for this property, requiring Historic Preservation Commission review prior to issuance of building permits or discretionary permits such as Site Development Plan Reviews and Rezonings.

BACKGROUND INFORMATION

Related/Relevant City Actions by P&D, Title, Bldg., etc.	
4/1/92	City Council adopted the General Plan with Historic Preservation Plan component.
12/15/97	City Council adopted the City of Las Vegas Historic Preservation Ordinance, subchapter 19.06.090 of the City of Las Vegas Zoning Code, which governs designation of historic properties, the Historic Preservation Commission and its duties.
12/6/06	Historic Preservation Commission voted to approve historic designation of Morelli House to the City of Las Vegas Historic Property Register and proceed with public hearing.
1/24/07	Public hearing scheduled for Historic Preservation Commission

APPLICATION REQUEST

Request to designate a parcel of land known as the "Morelli House," as an Historic Property within the City of Las Vegas on 0.51 acres located at 861 Bridger Avenue, (APN 139-34-701-002), Ward 5 (Weekly).

DIR-18616 - Staff Report Page Two
February 8, 2007 - Planning Commission Meeting

ANALYSIS

The Morelli House, located at 861 Bridger Avenue, has been determined eligible for listing on the City of Las Vegas Historic Property Register as an Historic Property by the Historic Preservation Commission. The Morelli House is owned by the Junior League of Las Vegas, a non-profit service organization.

The property meets the requirements for Historic Property designation under the following criterion, as stated in the City of Las Vegas Title 19.06.090, section I.2. Designation of Landmarks, Historic Properties and Historic Districts:

2. An individual property, building, structure or archeological site may be designated as an Historic Property if it:
 - (a) Qualifies under **Subparagraph (a)** or Subparagraph (b) of Paragraph (1) above;
[**Subparagraph (a)** It meets the criteria for listing on the State or National Register of Historic Places.]
 - (b) Is less than fifty years old, but is an integral and critical part of an Historic District or demonstrates exceptional importance by meeting or exceeding the other criteria described in Subparagraph (a) or Subparagraph (b) of Paragraph 1 above.

The City of Las Vegas supports the preservation of historic resources with the following documents:

The City of Las Vegas *Priorities*:

- Revitalize and invigorate our mature areas and the urban core
- Support and encourage sustainability, livability, and pride in our neighborhoods

The City of Las Vegas Master Plan 2020, adopted by Planning Commission on June 15, 2000 and City Council on September 6, 2000:

Reurbanization

OBJECTIVE 1.4: To retain, where viable, historical structures which represent the architectural, cultural and social legacy of the City of Las Vegas.

Neighborhood Revitalization Area

GOAL 2: Mature neighborhoods will be sustained and improved through appropriate and selective high quality redevelopment and preservation.

Cultural Enhancement

OBJECTIVE 5.2: To promote cultural awareness and pride within the city.

DIR-18616 - Staff Report Page Three
February 8, 2007 - Planning Commission Meeting

The City of Las Vegas *Historic Preservation Plan*:

Goal: Promote the educational, cultural, economic, and general welfare of the public through the preservation, maintenance and protection of structures, sites and districts of significant historic, architectural, and archaeological interest within Las Vegas.

Objective A: Promote the preservation and maintenance of structures, sites and districts of historic interest within Las Vegas.

Historic Significance of the Morelli House (taken from Nevada state nomination report):

Architecture

The Morelli House was constructed in 1959 the mid-century Modern style. This flat-roofed subtype of the Contemporary style is a derivative of the earlier International style, and sometimes referred to as American International. At the time, the Morelli House was revolutionary for Las Vegas when most custom homes were merely expanded ranch-style forms. The Morelli house brought vaulted ceilings to the desert and the concept of integrating the building with the site, particularly effective in a golf course development. In a May 2, 2001 telephone conversation, UNLV professor of architecture, Janet White, interpreted the site plan of the Morelli house and its relationship to its setting. The window-wall façade, facing the golf course, was the front of the home--its monumental façade. The site was of the utmost importance to the structure, as were its proportions. The original plans show a different front arrangement, with a 6-foot-high block wall set in zig-zags, creating a dynamic approach. The pool was built behind the wall, sheltered from the street. A number of Morelli's neighbors built swimming pools on the golf course side of their homes, providing no privacy for swimmers, and interfering with the buildings' interplay with the golf course. Mr. Morelli understood the relationship between building and grounds, and sought to emphasize it. Mr. Morelli loved clean lines and eschewed ornamental plantings on his property. The only plantings were in the niches of the wall along the street.

The architecture of the Morelli House was directly influenced by the works of R. M. Schindler, who built modernist houses in southern California, and Philip Johnson, whose acclaimed Glass House is located in New Canaan, Connecticut, Mrs. Morelli's hometown.

That Schindler would serve to be the inspiration for the Morelli house is appropriate, since Schindler developed his distinctive architectural stylings in the 1920s in the warm, sunny climate of southern California, an area that has strongly influenced Las Vegas architecture over the years. Schindler, even his early houses, sported flat roofs with wide overhangs, and window walls to bring the outdoors in and meld the building with the site.

DIR-18616 - Staff Report Page Four
February 8, 2007 - Planning Commission Meeting

Schindler studied architecture and engineering in his native Austria. Inspired by Adolf Loos, Schindler came to the United States in 1914. Disappointed at first with America, Schindler was planning to return to Austria when he landed a position at Frank Lloyd Wright's Taliesin studio. In 1920, Wright sent Schindler to Los Angeles to oversee the construction of the Barnsdall House, popularly known as the Hollyhock House. Upon completion of the Hollyhock House, Schindler stayed in California and opened his own practice. By 1928, Schindler had developed a particular vision of architecture that is clearly reflected in Mr. Morelli's plans for his own home.

Philip Johnson was an early proponent of the International Style and worked with the early modernist masters from Europe, the likes of Mies van der Rohe, Walter Gropius, Le Corbusier, and J.J.P. Oud, and those from America, including Schindler, and his colleague and fellow Austrian, Richard Neutra.

Despite the fact that the house has been moved from its original location, the Morelli House retains a high degree of integrity of design, materials, workmanship, and even association. It is an excellent early example of Modern architecture in Las Vegas, and is important to the architectural history of the area.

History

The Morelli House was built in 1959 in prestigious Desert Inn Estates overlooking the second fairway at the world-class Desert Inn Golf Course. The Desert Inn was the fifth property to be built along the Las Vegas Strip, and its premier resort for more than a decade. Although it was the first country club community built in Las Vegas, it was not originally set up as a housing development. The first homes on the resort grounds were for the use of the owner/developer, Wilbur Clark, his executives, and certain high rollers, including Howard Hughes. Desert Inn Estates was developed in 1952, two years after the opening of the Desert Inn casino/resort. The 165 parcels encircled the golf course to the east of the hotel, with open desert land beyond. A few years later 15 interior parcels were opened for development under the name of Desert Inn Estates 2. The average parcel size was 1.25 acre, but interspersed were a few double lots. Desert Inn Estates was the first Las Vegas development which employed modern design. A number of notable performers built homes in the Estates including Keely Smith, and Betty Grable and her husband, bandleader Harry James. Bob Miller, Nevada's governor from 1989 to 1999, grew up in Desert Inn Estates.

The Morelli House was built by and for Antonio Morelli, the orchestra conductor and music director for the Sands Hotel. Mr. Morelli chose the modernistic design for his house in Desert Inn Estates and approached the Sands' carpenter foreman, Richard Small, with his ideas. Together, over the course of two years, the two men designed and built the house at 52 Country Club Drive, and Las Vegas architect, Hugh E. Taylor was engaged to draw the plans. Richard Small was the master carpenter at the Sands, but he also built several other custom homes in town. Mr. Small had first come from his home state of Montana to Nevada during the depression to work in the silver mines at Silver Peak. During World War II he worked as the carpenter foreman at the Nevada Test Site where he built structures used in the atomic test shots.

DIR-18616 - Staff Report Page Five
February 8, 2007 - Planning Commission Meeting

Antonio Morelli was a significant character in the history of Las Vegas. Richard Small's son Michael reports that Maestro Morelli was brought to town to upgrade the level of local culture. A classically-trained musician, he brought classical music to the area, organizing the first pops concerts in the early 1960s. To promote music education, Mr. Morelli initiated the Antonio Morelli Friends of Music scholarship to assist University of Nevada, Las Vegas music students, with a \$5,000 gift in 1969. Also, in his role as music director for the Sands, he came into contact with America's top performers of the day. The Sands ruled the Strip at that time. The famous Rat Pack performed there, and it has been reported that singers like Dean Martin, Frank Sinatra, Sammy Davis, Jr., and others worked through scores in Morelli's music room.

Mr. Kay Glenn purchased the home from Antonio Morelli's widow in 1978. Kay Glenn had been Howard Hughes' press secretary from 1951 until the millionaire's death in 1976. Mr. Glenn made only two changes to the house in the 22 years he owned it, and that was to change paint color in two places. In April 2000, Steve Wynn purchased the Desert Inn with plans to replace it with a 59-story mega-resort. These plans included the demolition of the historic Desert Inn Hotel, the golf course, and the surrounding homes in Desert Inn Estates.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

18

NOTICES MAILED

NEWSPAPER ONLY

APPROVALS

0

PROTESTS

0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: DIR-18616 APN: 139-34-701-002

Name of Property Owner: Junior League of Las Vegas

Name of Applicant: City of Las Vegas Planning and Development Department

Name of Representative: Courtney Mooney

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: *C. Mooney*

Print Name: Courtney Mooney

Subscribed and sworn before me

This 16TH day of JANUARY, 2007
Linda Hartman-Maynard
Notary Public in and for said County and State



City of Las Vegas

PLANNING COMMISSION AGENDA **PLANNING COMMISSION MEETING OF: FEBRUARY 8, 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:

TODD FARLOW, 240 North 19th Street, pointed out that the developers had not honored their promises to designate employee and customer parking in certain locations and COMMISSIONER STEINMAN acknowledged the issue. MR. FARLOW also complimented COMMISSIONER EVANS' home.

(9:07 – 9:08)

2-3757

TED RUSSELL, Las Vegas resident, stated he was looking forward to the opening of the Morelli House and thanked the Commissioners for their service.

(9:08 – 9:09)

2-3806

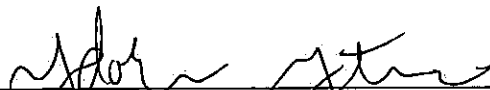
CHAIRMAN DAVENPORT thanked staff for their extra efforts in attending the City Council meeting on Wednesday with Planning Commission meetings immediately following on Thursday.

(9:09 – 9:10)

2-3866

MEETING ADJOURNED AT 9:10 P.M.

Respectfully submitted:



YDOLEENA YTURRALDE, DEPUTY CITY CLERK



CARMEL VIADO, DEPUTY CITY CLERK