

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
REZONING

ZON-18755 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: C-V (CIVIC) on 0.30 acres at 501 and 505 East McWilliams Avenue (APNs 139-27-812-041 and 042), Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted at meeting – PowerPoint Presentation

Motion made by LAWRENCE WEEKLY to Approve Subject to Conditions

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 1

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open on Item 86 [ZON-18755] and Item 87 [SDR-18751].

MARGO WHEELER, Director of Planning and Development, noted the architect for the project would be giving a presentation.

NANCY DEANER, City Manager's Office, Cultural Affairs, appeared with SUZANNE COUTURE, Architect. MS. COUTURE gave a presentation and submitted it for the record. She

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

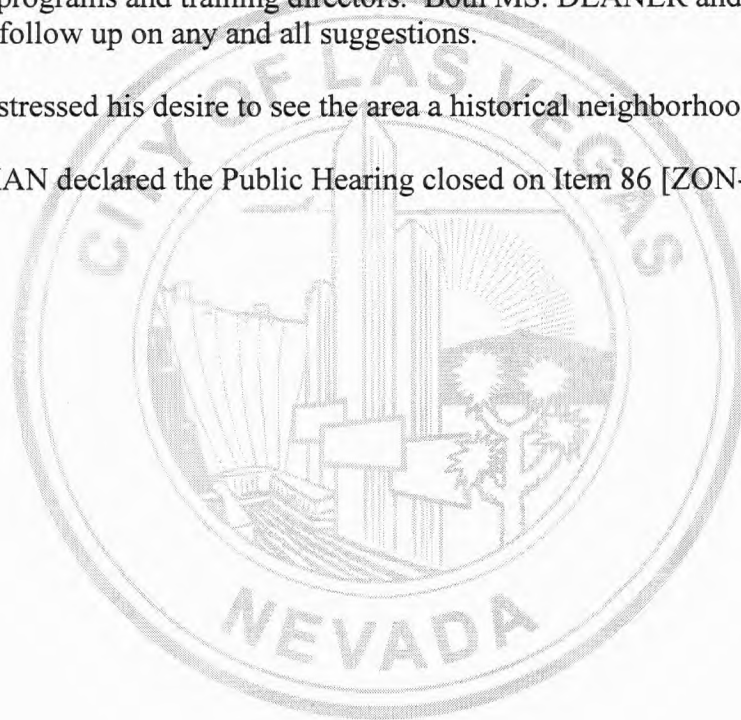
pointed out that there will be a reception desk, traveling exhibit space, neon workshop on display, and school children will be able to visit.

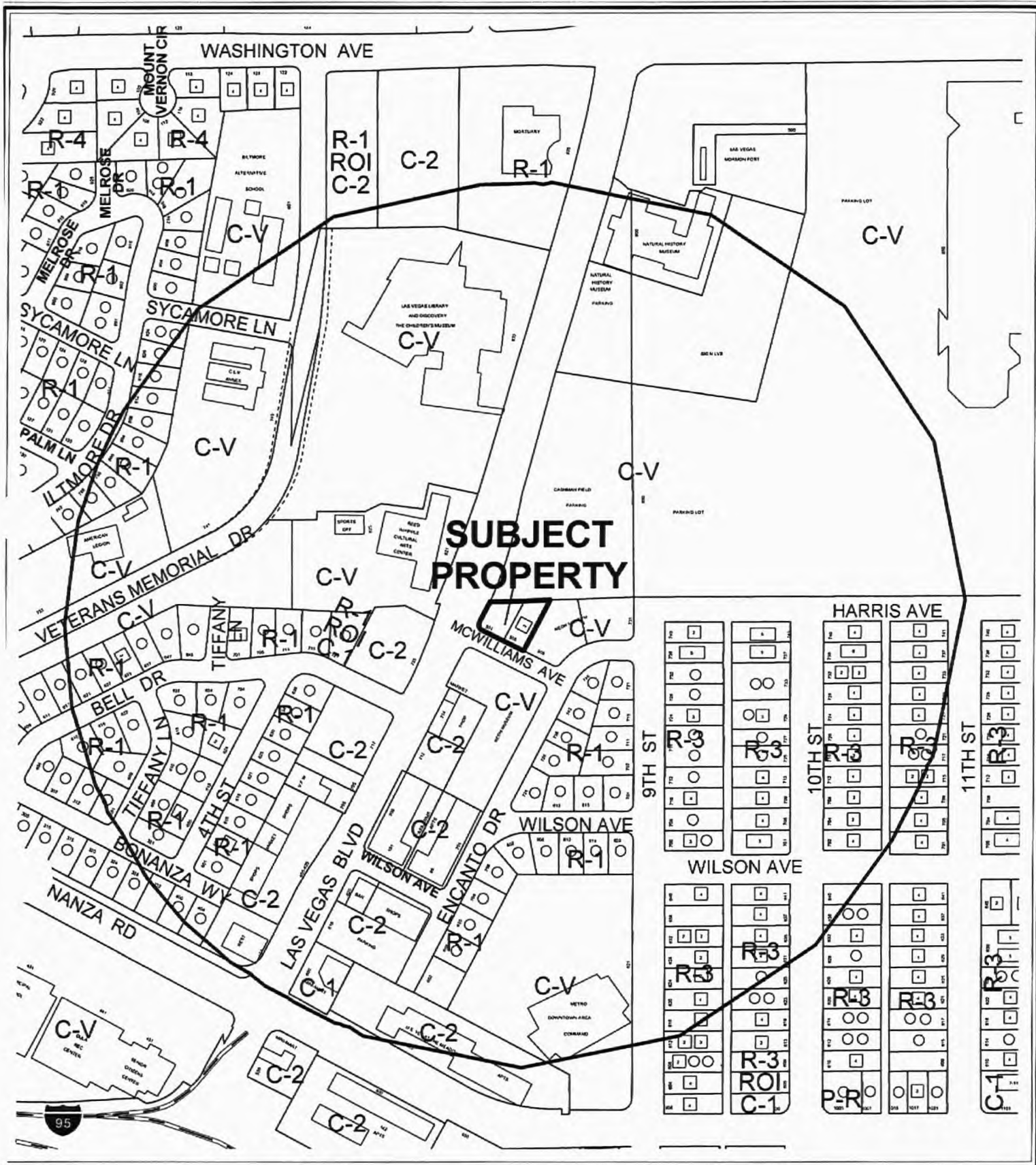
AL GALLEGOS, Las Vegas resident, questioned when the project would be built. He urged the City to purchase the adjacent Casa Palms.

In response to several questions, MS. DEANER stated the museum should open no later than 2009. Currently, they have two historic preservation grants assisting in the reassembling but are looking for additional monies. Approximately another one million dollars is required, as the funding has been in phases. There will be an admission fee and they now charge for tours. MR. GALLEGOS stressed that many would be willing to donate their time and do the work for much less, and COUNCILMAN ROSS also suggested the ladies contact the apprenticeship programs and training directors. Both MS. DEANER and MS. COUTURE agreed they would follow up on any and all suggestions.

MR. GALLEGOS stressed his desire to see the area a historical neighborhood.

MAYOR GOODMAN declared the Public Hearing closed on Item 86 [ZON-18755] and Item 87 [SDR-18751].





CASE: **ZON-18755**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 300 600 Feet





CASE: **ZON-18755**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-18755 - APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

The Planning Commission (6-0-1/se vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-18751) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Construct all incomplete half-street improvements adjacent to this site concurrent with development of this site.
4. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
5. Coordinate with the City Engineer's Office at 229-6272 regarding appropriate public improvements adjacent this site.
6. A Drainage Plan and Technical Drainage Study or other acceptable information must be submitted to and approved by the Department of Public Works prior to issuance of any building or grading permits. Provide and improve all drainageways recommended in the approved drainage plan/study.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from C-1 (Limited Commercial) to C-V (Civic) on 0.30 acres at 501 and 505 East McWilliams Avenue. The proposed rezoning will allow for the establishment of a public park on the subject parcels, which will be developed in conjunction with the Neon Museum facilities. A related Site Development Plan Review application (SDR-18751) will be considered concurrently with this request.

The proposed request is recommended for approval, as it is consistent with the goals of the Las Vegas 2020 Master Plan, the Redevelopment Plan, the Downtown North Land Use plan, and the requirements of the C-V (Civic) zoning district.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
	The Planning Commission recommended approval of companion item SDR-18751 concurrently with this application.
01/25/07	The Planning Commission voted 6-0-1/se to recommend APPROVAL (PC Agenda Item #11/ff).
<i>Related Building Permits/Business Licenses</i>	
07/06/05	A permit was issued to demolish the duplex structure on the site at 501 E. McWilliams.
04/12/06	A permit was issued to demolish the existing residential structure on the site at 505 E. McWilliams.
<i>Pre-Application Meeting</i>	
11/29/06	A pre-application conference was conducted with the applicants; issues were discussed relative to the coordination of the development plans between the Neon Museum site and the public park site, and it was noted that any wall structures in the right-of-way would require an encroachment permit from Public Works.
<i>Neighborhood Meeting</i>	
N/A	A neighborhood meeting was not held, nor was it required.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.30

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PF (Public Facilities)	C-1 (Limited Commercial)
North	Parking Lot (Cashman Center)	PF (Public Facilities)	C-V (Civic)
South	Museum (Neon Boneyard Museum)	PF (Public Facilities)	C-V (Civic)
East	Museum (Neon Boneyard Museum)	PF (Public Facilities)	C-V (Civic)
West	Cultural Facility (Reed Whipple Center)	PF (Public Facilities)	C-V (Civic)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Redevelopment Plan Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District	Y		Y
Las Vegas Boulevard Scenic Byway Overlay District	Y		Y
Trails	Y		N
Rural Preservation Overlay District		N	N/A
Development Impact Notification Assessment		N	N/A
Project of Regional Significance		N	N/A

DEVELOPMENT STANDARDS

Title 19.06.020

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	0.30 acres	N/A
Min. Lot Width	N/A	100 feet	N/A

*There are no minimum lot size or lot width requirements necessary to rezone to C-V (Civic).

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
C-1 (Limited Commercial)	N/A	N/A
<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
C-V (Civic)	N/A	N/A
<i>General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
P-F (Public Facilities)	N/A	N/A

ANALYSIS

The proposed rezoning will change the zoning designation of the parcels at 501 and 505 East McWilliams from C-1 (Limited Commercial) to C-V (Civic). The rezoning is to allow the properties to be developed by the City of Las Vegas as a public park, utilizing funds generated by the Southern Nevada Public Lands Management Act (SNPLMA) for the development of parks, trails and natural areas. The park will be a passive facility, and will include a shade structure, pathways, benches, and exhibits and restored signage from the abutting Neon Museum. A public parking lot will be developed in conjunction with the park; the site plan for the park and the Neon Museum facilities are the subject of the associated Site Development Plan Review application (SDR-18751).

The subject site is located within the boundaries of the Redevelopment Plan Area, and the proposed park use is consistent with the plan. In addition, the site is located within the Downtown North Land Use Plan area, and the proposed rezoning is consistent with the future land uses identified in the plan. The Downtown North plan document also cites the need for parks and recreation facilities in the area, and identifies the goal to "locate and develop a pocket park or community garden within the neighborhood." The site will be subject to the respective standards of the Scenic Byway Overlay District and the Airport Overlay District. A trail facility is currently designated for the Las Vegas Boulevard frontage of the property, but will be relocated to the other side of the boulevard upon the approval of a General Plan Amendment (GPA-18403).

The proposed rezoning is consistent with the purpose and intent of the C-V (Civic) zoning district regulations. There are no minimum dimensional standards that need to be met in order to rezone the site to C-V (Civic). The public park use is consistent with the uses allowed in the district; development standards for C-V (Civic) zoned properties are determined in connection with the approval of a Site Development Review application, which has been submitted in conjunction with this request.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

- 1. "The proposal conforms to the General Plan."**

The proposed rezoning is consistent with the General Plan land use designation for the site, which is PF (Public Facilities). In addition, the proposed use achieves one of the goals of the Parks Element of the Las Vegas 2020 Master Plan, by providing a park facility within the established urban area, which helps to increase the amount of park space per capita.

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

The proposed public park use will be consistent with the museum and cultural facilities that are in the immediate vicinity of the subject site.

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

With the proposed increase of residents in the downtown area, the park will serve a growing urban population.

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 subject site abuts Las Vegas Boulevard, which is designated as a 100-Foot Primary Arterial by the Master Plan of Streets and Highways. The roadway has adequate capacity to serve the proposed use.

PLANNING COMMISSION ACTION

The appropriate zoning is C-V. Staff recommends that zoning be approved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 10

SENATE DISTRICT 5

NOTICES MAILED 149 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-18755** APN: 139-27-812-039 through -043
Name of Property Owner: City of Las Vegas
Name of Applicant: Same

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 _____

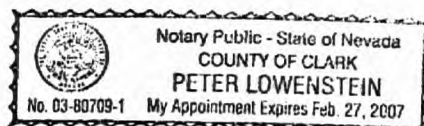
Signature of Property Owner: _____

Print Name: FLINN FAEGG

Subscribed and sworn before me

This 11th day of DECEMBER, 20 06

Peter Lowenstein
Notary Public in and for said County and State



City of Las Vegas

ZON-18755

ZONING CATEGORIES

-  U - Undeveloped (GPA Designation)
-  R-A - Ranch Acres District
-  R-E - Residence Estates District
-  R-D - Single-Family Residence-Restricted District
-  R-PD - Residential Planned Development District
-  R-1 - Single Family Residence District
-  R-MH - Mobile Home Residence District
-  R-CL - Single-Family Compact Lot District
-  R-2 - Two-Family Residence District
-  R-3 - Limited Multiple Residence District
-  R-4 - Apartment Residence District
-  R-5 - Downtown Apartment District
-  R-MHP - Residential Mobile Home Park District
-  P-R - Professional Offices and Parking
-  N-S - Neighborhood Services
-  O - Office
-  C-D - Designed Commercial District
-  C-1 - Limited Commercial District
-  C-2 - General Commercial District
-  C-M - Commercial Industrial District
-  M - Industrial District
-  C-V - Civic District
-  C-PB - Planned Business Park District
-  P-C - Planned Community District
-  PD - Planned Development
-  TC - Town Center
-  H - Historical Area
-  ROI - Resolution of Intent



Data current as of: 12/14/2006



GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.

Geographic Information System
Planning & Development Dept.
702-229-4301



DEC 13 2006

16. OVERALL SITE PLAN

1

2

3

4

5

6

ZON-18755

01/25/07 PC

DEC 13 2006



NEON MUSEUM and BONEYARD

770 NORTH LAS VEGAS BLVD
LAS VEGAS, NEVADA 89101

FRIEDMUTTER GROUP
ARCHITECTURAL & DESIGN STUDIOS
10000 LAS VEGAS BLVD, SUITE 100
LAS VEGAS, NV 89135
(702) 735-1000
www.friedmuttergroup.com

CASHMAN FIELD
PARKING LOT

MCWILLIAMS AVE.

ENCANTO DRIVE

LAS VEGAS BLVD.

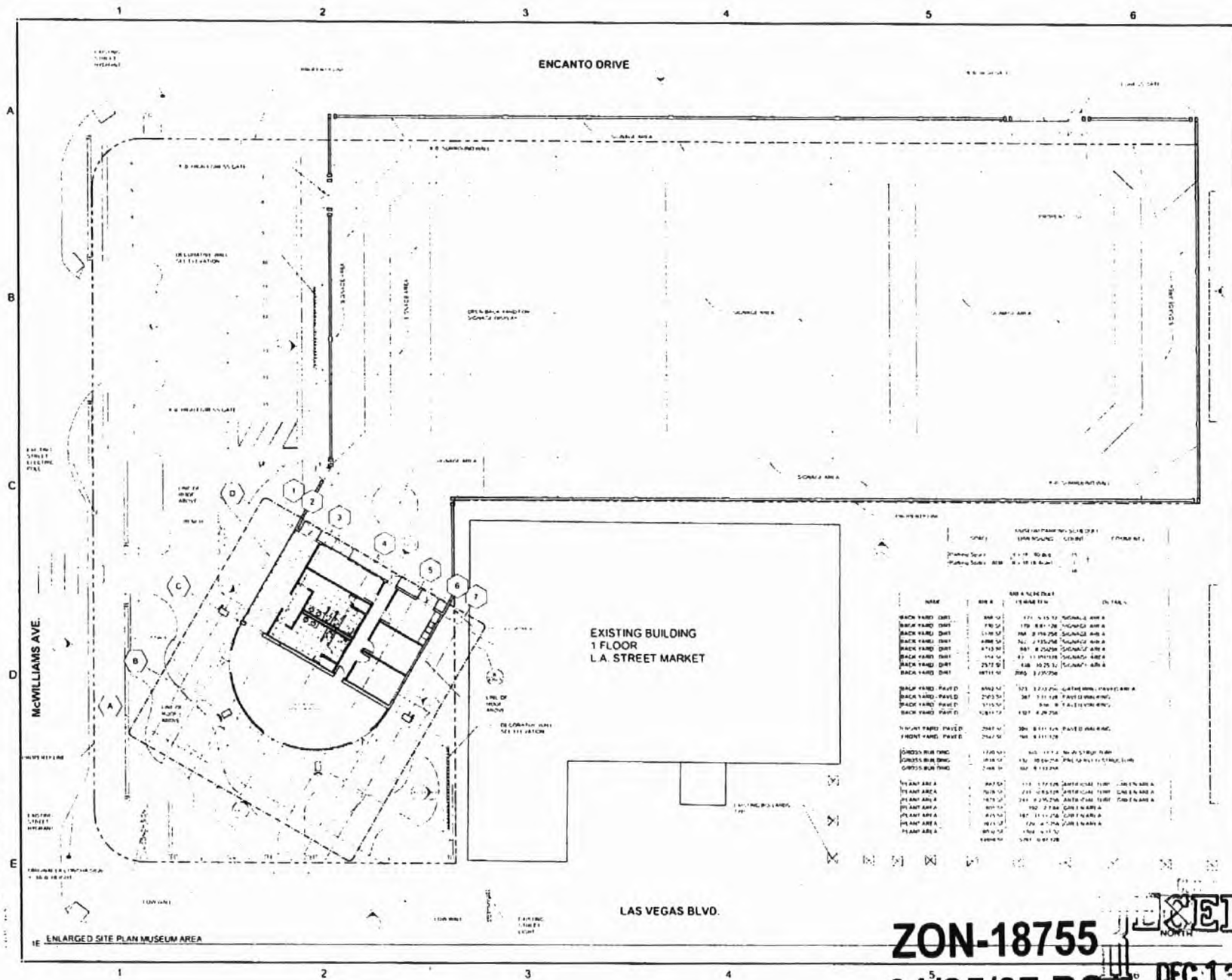
BELL DRIVE

HARRIS AVE.

NORTH 9th STREET

WILSON AVE.





ZON-18755
01/25/07 PC

DEC 13 2005

FRIEDMUTTER GROUP
ARCHITECTS
1000 S. LAS VEGAS BLVD.
SUITE 200
LAS VEGAS, NV 89101

NEON MUSEUM and BONEYARD
1000 S. LAS VEGAS BLVD.
SUITE 200
LAS VEGAS, NV 89101

A070 1

PLANT SCHEDULE

TREES / PALMS

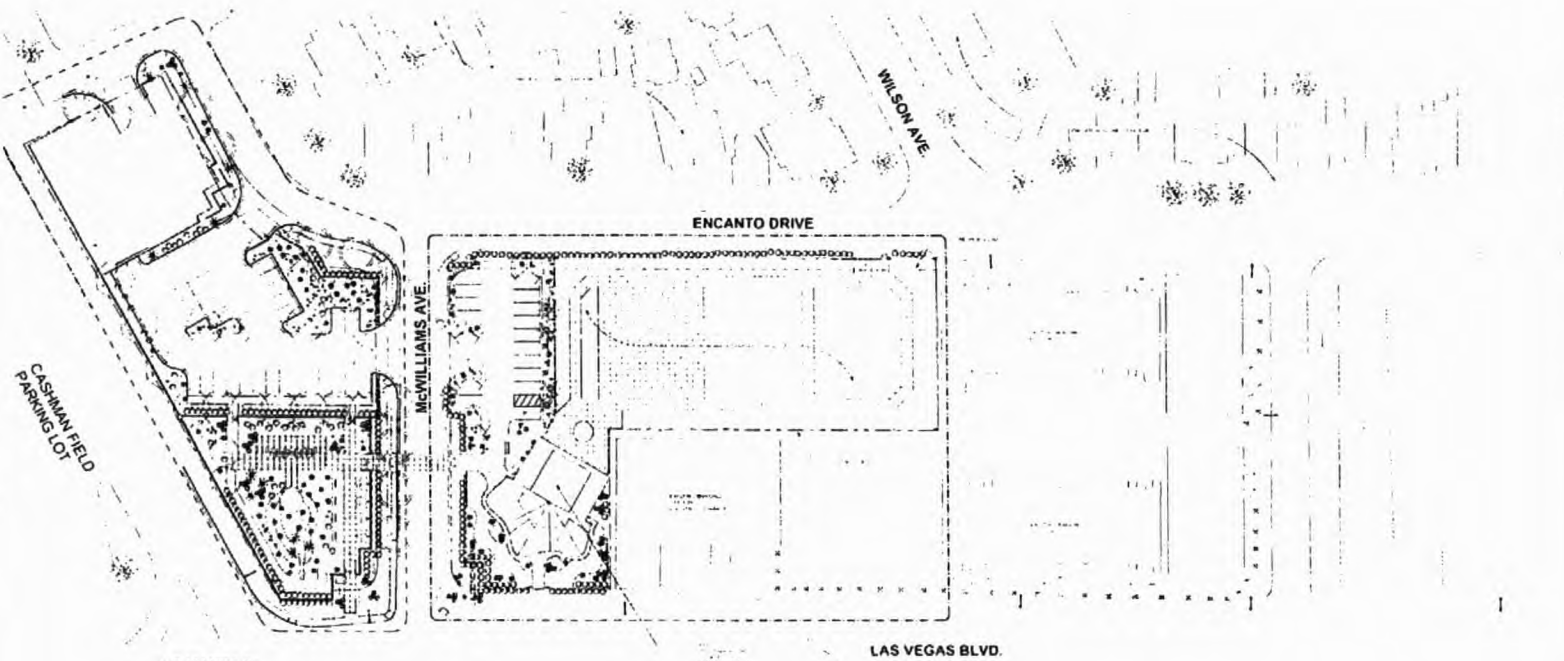
KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	AVE SPEC	REMARK
	12	<i>Cupressus sempervirens</i>	Italian Cypress	36" Box		Standard
	11	<i>Cordium Randoni</i>	Palo Verde	36" Box		Multi-trunk
	15	<i>Yucca glauca</i>	Spanish Dagger Yucca	36" Box		Multi-trunk
	10	<i>Fraxinus angustifolia Raywood</i>	Raywood Ash	36" Box		Specimen
	9	<i>Phoenix hybrid 'Phoenix'</i>	Phoenix Mesquite	36" Box		Multi-trunk
	16	<i>Washingtonia robusta</i>	Mexican Fan Palm	Per Plan		Skinned
	3	Relocated Existing Pine				

KEY

★	<i>Agave americana 'marginata'</i>
○	<i>Agave virens</i>
○	<i>Caesalpinia pulcherrima</i>
○	<i>Chrysanthemum mexicanum</i>
○	<i>Dasylium wieden</i>
○	<i>Euphorbia japonica 'Grandifolia'</i>
○	<i>Hesperaloe parviflora</i>
○	<i>Juniperus sabina var. 'tamariscifolia'</i>
○	<i>Lantana New Gold</i>
○	<i>Lantana montevidensis</i>
○	<i>Leucospermum chameadryx 'Prostratum'</i>
○	<i>Yucca glauca</i>
○	<i>Yucca recurvifolia</i>

SHRUBS

COMMON NAME	SIZE	MIN SPEC	REMARK
Variegated Century Plant	5 Gallon	Can Full	
Ocotillo Agave	5 Gallon	Can Full	
Mexican Bird-of-Paradise	15 Gallon	Can Full	
Damianita	5 Gallon	Can Full	
Desert Spoon	5 Gallon	Can Full	
Japanese Euonymus	5 Gallon	Can Full	
Red Yucca	5 Gallon	Can Full	
Tamara Juniper	5 Gallon	Can Full	
New Gold Lantana	5 Gallon	Can Full	
Purple Lantana	15 Gallon	Can Full	
Prostrate Germander	5 Gallon	Can Full	
Spanish Dagger Yucca	5 Gallon	Can Full	
Curved Leaf Yucca	5 Gallon	Can Full	



1E OVERALL LANDSCAPE PLAN

BELL DRIVE

RECEIVED
DEC 13 2006

ZON-18755

01/25/07 PC



BONANZA WAY

NEON MUSEUM and BONEYARD
770 NORTH LAS VEGAS BLVD
LAS VEGAS, NEVADA 89101

FRIEDMUTTER GROUP
2000 S. LAS VEGAS AVENUE
SUITE 100
LAS VEGAS, NV 89102

A080 0



December 12, 2006

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

RE: JUSTIFICATION LETTER FOR THE NEON MUSEUM.
APPLICATION FOR PLANNING REVIEW FOR THE NEW NEON MUSEUM.
PARCEL: 139-27-812-043

Dear Sir/Madam:

The purpose of this letter is to provide justification in support of the Planning Review Application and supporting materials relating to the development of the museum building and park complex project.

The project is located at the corner of Las Vegas Boulevard and McWilliams Avenue with a physical address of 770 North Las Vegas Boulevard, Las Vegas Nevada 89101, and the current zoning for the property is C-V (Civic District) which is applicable for this project. The proposed architecture consists of the relocation of the historical and architecturally unique 1,048 SF La Concha lobby and a new addition of 1,720 SF of support space to the rear of the relocated lobby. The lobby will house display space and a reception desk and the support space will consist of restrooms, offices, workrooms and storage. The materials, colors and details of the relocation/renovation and new addition will be consistent with the original design intent of the historic building, inclusive of the type of landscape and hardscape.

We are proposing $\pm$ 8,000 SF, of front yard landscaping and walkways and $\pm$ 31,500 SF, of rear yard exhibition "Bone yard" space for the preservation, restoration and display of the neon sign collection. The perimeter block walls surrounding the site and proposed signage will be consistent with the proposed park across from the project on McWilliams Street.

The proposed development is compatible with the surrounding neighborhood and will provide a significant cultural amenity for the downtown area and an enhancement to the neighborhood.

Your favorable consideration is appreciated for this important and historical project.

Sincerely,

The Neon Museum

Dorothy Wright
Facilities Chair



Submitted at City Council
Date 2/21/2007 Item 86 & 87

theNEONMUSEUM



p ases

1994 - ongoing

- Collecting, preserving and installing neon signs
 - the Boneyard
 - the Living Museum
 - Restoration

2005 - design

- City of Las Vegas Neon Museum Boneyard Park

2006 - relocation

- La Concha Visitors Center

2008 - completion

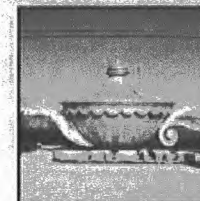
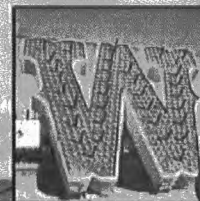
- Museum open to the public

SGNS

MEDIA

FRIECHUTTER GROUP

the NEON MUSEUM

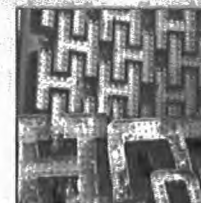


b ne yard

Located on Las Vegas Blvd., the Boneyard presents an eclectic collection of historic Las Vegas signs. A monument of history and commerce in Nevada, it is a tourist destination and iconic locale recognized internationally.

 FRIEDMUTTER GROUP

theNEONMUSEUM



media exposure

- CSI on CBS
- ROAD TRIP on The History Channel
- THE KILLERS music video
- 2003 MTV BILLBOARD MUSIC AWARDS
- ELTON JOHN DOCUMENTARY on A&E
- BBC Travel Channel
- PHOTO SHOOT photo shoot
- WARNER BROS TV PILOT
- WOMENS WEAR DAILY/FORUM SHOPS
- MARIE CLAIRE - SERENA WILLIAMS photo shoot

- GERMAN TV CENTENNIAL DOCUMENTARY
- OPTIMUM MAGAZINE
- ITALIAN VOGUE
- PBS
- MOTOR TREND magazine
- BANANARAMA music video shoot
- COSMOPOLITAN magazine
- LEE JEANS
- BERGDORF GOODMAN catalogue
- COUNTRY MUSIC WEEKLY
- LAS VEGAS LIFE

theNEONMUSEUM



L Concha

This 1,000 sq. ft. lobby of the historic La Concha motel was spared from demolition in 1993. Built in 1961, the lightweight concrete structure is 44 years old, and represents a Las Vegas era that is rapidly disappearing from our memories.

SGNS

MEDIA

 FRIEDMUTTER GROUP
DESIGN • CONSTRUCTION • INTERIORS • LANDSCAPE

theNEONMUSEUM



Paul Revere Williams

Career: Architect 1920s—1970s

Projects: 3,000+ including

Beverly Hills & Ambassador Hotels
Los Angeles International Airport
Saks Fifth Avenue Department Store
Frank Sinatra residence
Lucile Ball & Desi Arnez residence
Tyrone Power residence
William "Bojangles" Robinson
Lon Chaney residence

Accomplishments: First African-American member
and Fellow of the
American Institute of Architects

theNEONMUSEUM



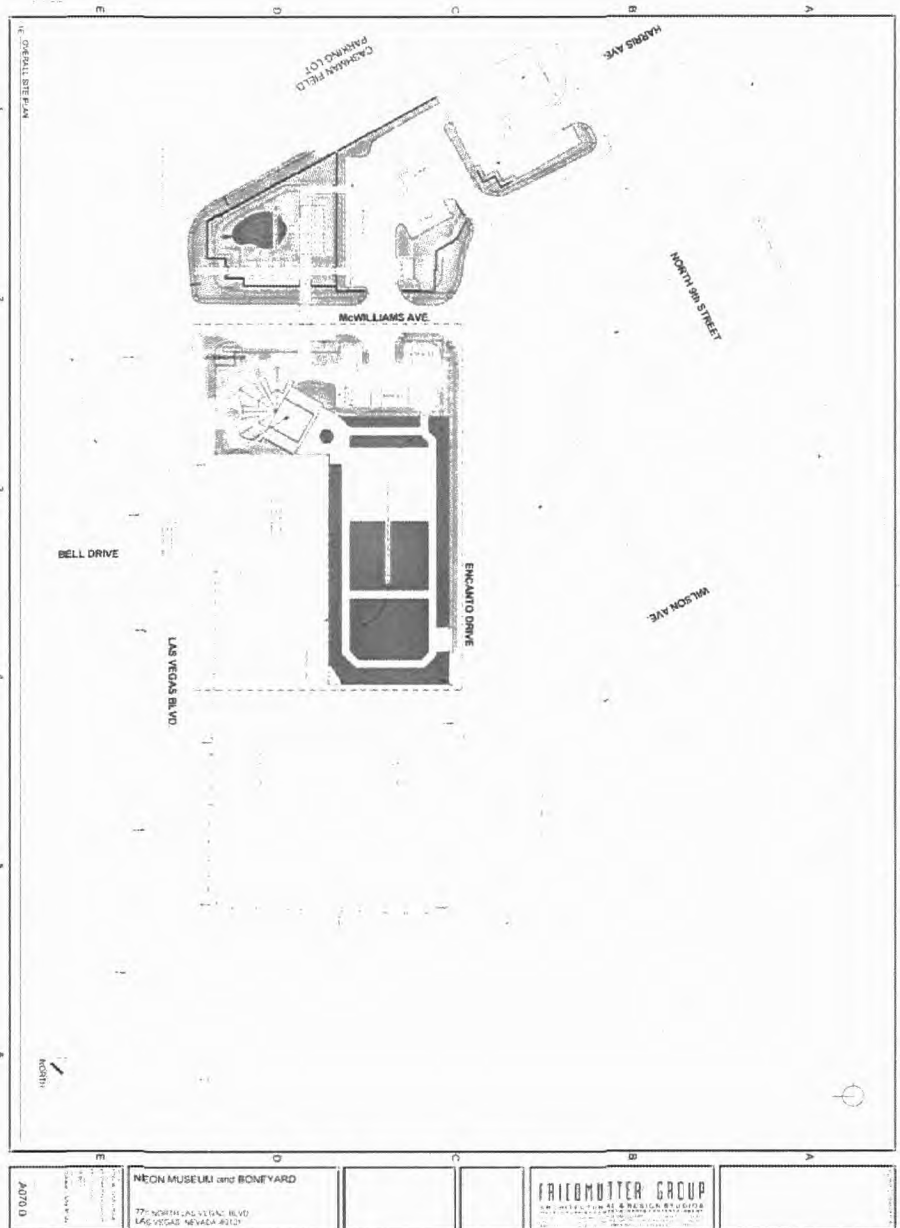
Saving La Concha

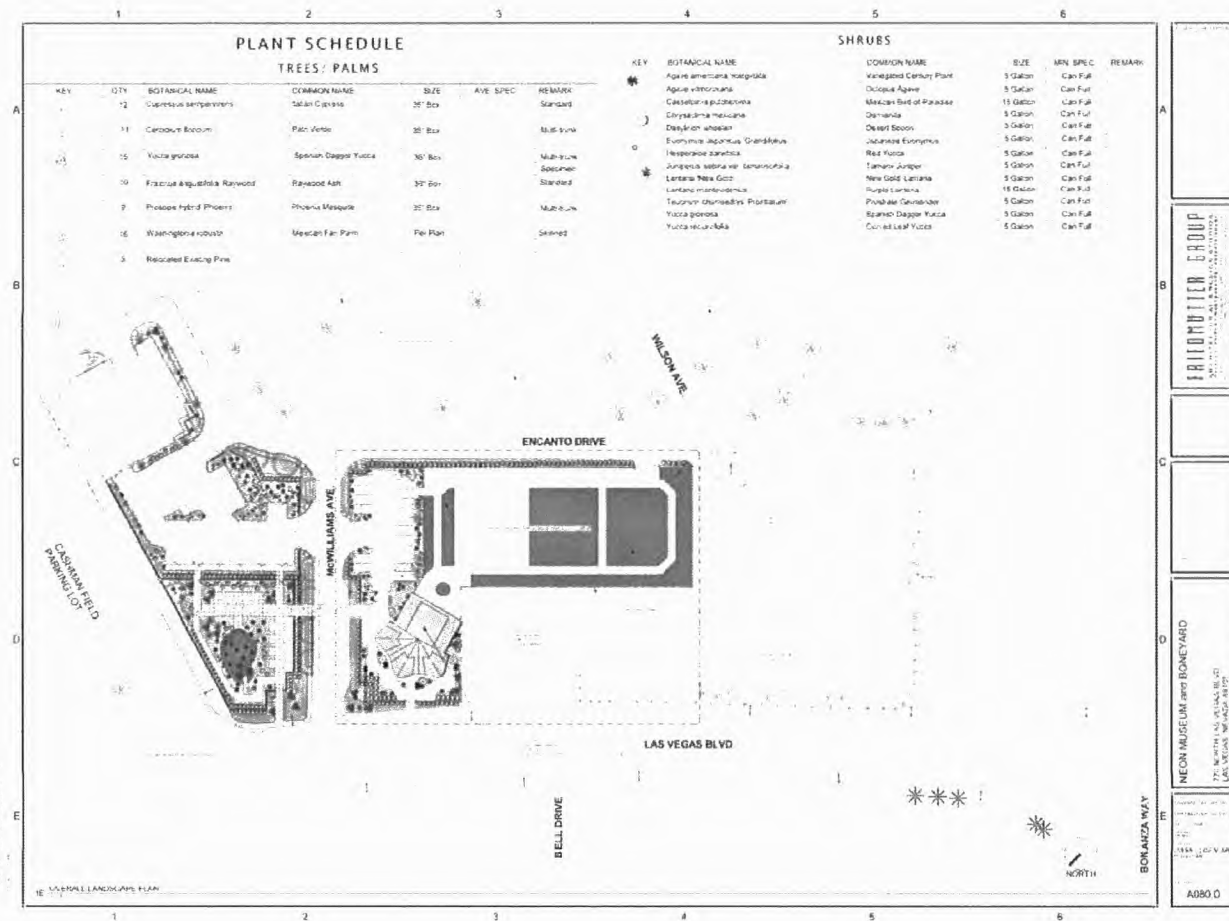
In December 2006, thanks to generous support and grants, the Neon Museum orchestrated the dismantling and relocation of the La Concha shell to the Bone Yard.

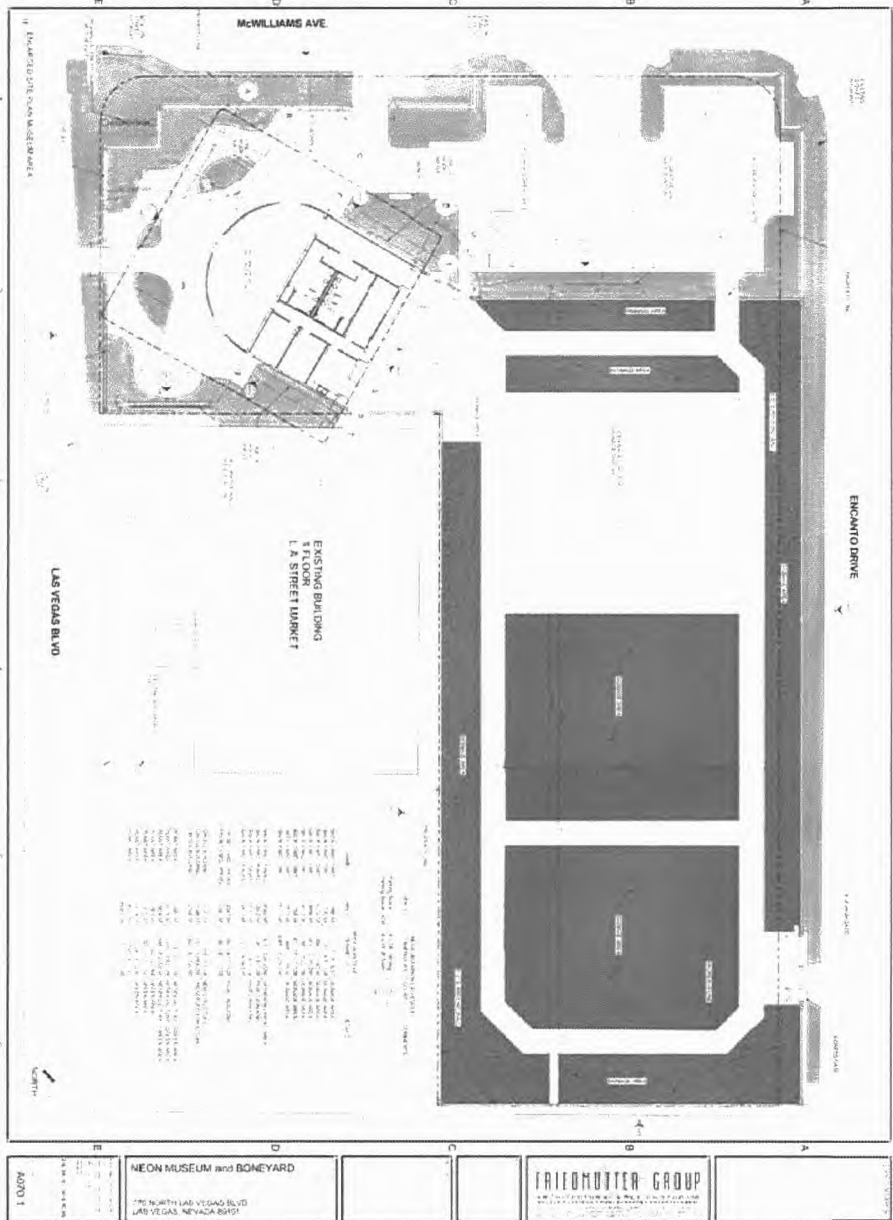
GNS

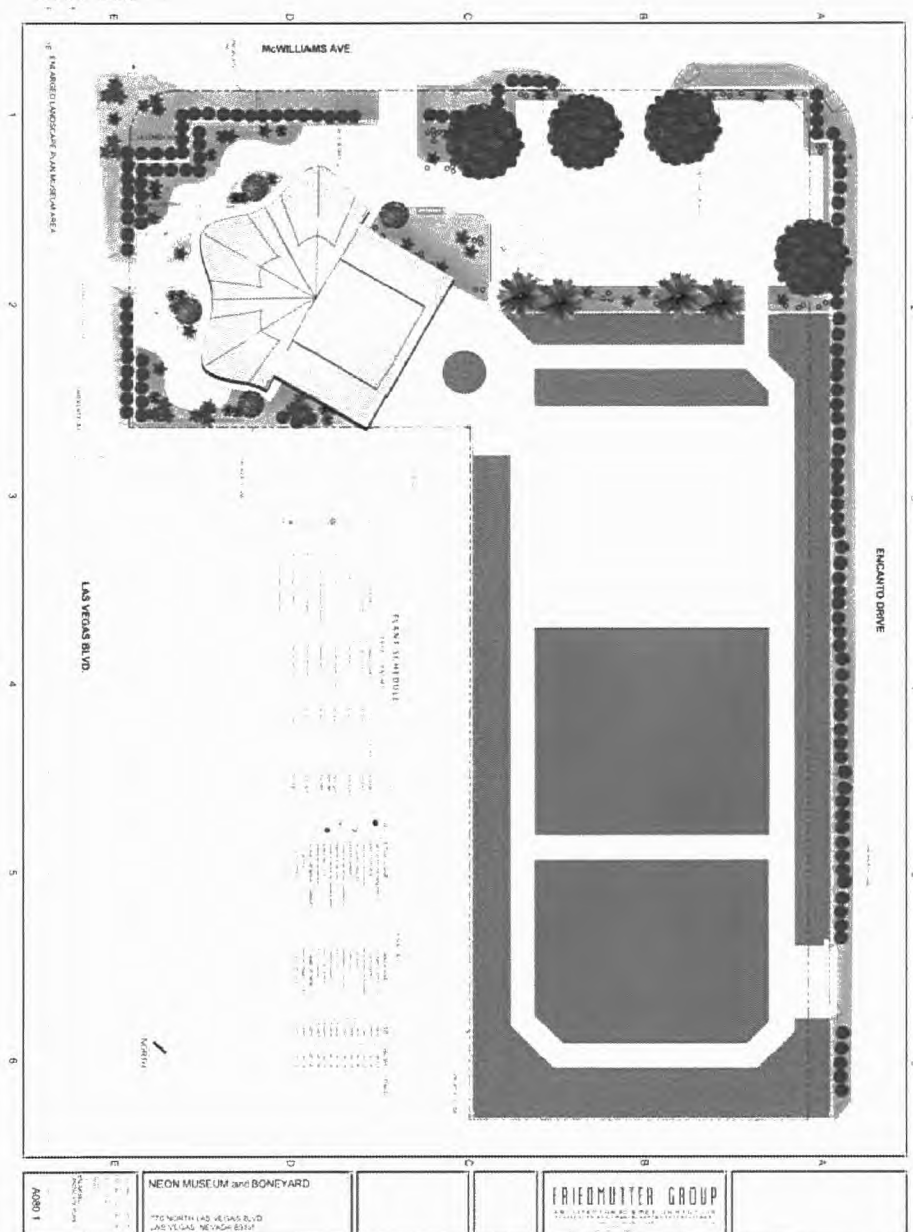
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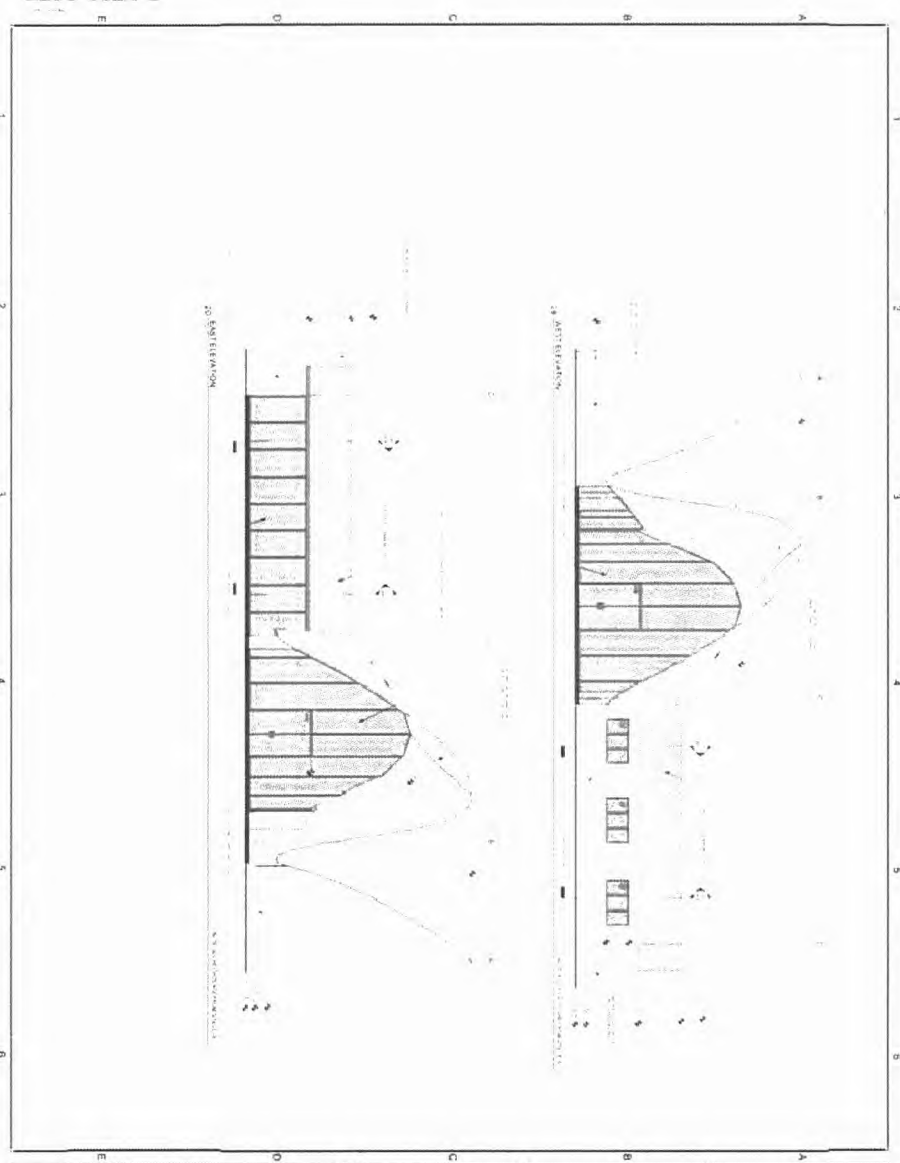
FRIEDHUTER GROUP











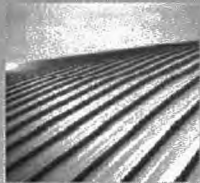
10000	NEON MUSEUM and ECOREYARD	770 NORTH LAS VEGAS BLVD LAS VEGAS, NEVADA 89101	FRIDMUTTER GROUP	770 NORTH LAS VEGAS BLVD LAS VEGAS, NEVADA 89101	770 NORTH LAS VEGAS BLVD LAS VEGAS, NEVADA 89101	770 NORTH LAS VEGAS BLVD LAS VEGAS, NEVADA 89101
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3D VIEW 01

4B VIEW FROM LAS VEGAS BLVD. 01

the NEON MUSEUM



ROOFING



GLASS



PAINTS



METAL

ESTONIA

finishes & materials

In keeping with the streamline moderne nature of the LaConcha, the new addition features elegant, contemporary finishes and materials.

GNS

MEDIA

FRIEDMOTTER GROUP
ARCHITECTS

theNEONMUSEUM



CONCEPTUAL RENDERING

La Concha Lobby at the Boneyard

FRIEDRUTTA GROUP
ARCHITECTS

theNEONMUSEUM

THE



MUSEUM

The Neon Museum
extends its gratitude
to the Planning
Commission, the City of
Las Vegas, and all
individuals and agencies
considering the
importance of this
institution.

SIGNS

MEDIA

FRIEDMUTTER GROUP

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: FEBRUARY 21, 2007****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-18755

SDR-18751 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED 2,768 SQUARE-FOOT MUSEUM on 2.10 acres at 501 through 509 East McWilliams Avenue, 731 North 9th Street, and 770 North Las Vegas Boulevard (APNs 139-27-812-039 through 043), C-V (Civic) Zone and C-1 (Limited Commercial) Zone [PROPOSED: C-V (Civic) Zone], Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

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City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

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3. Supporting Documentation
4. Justification Letter

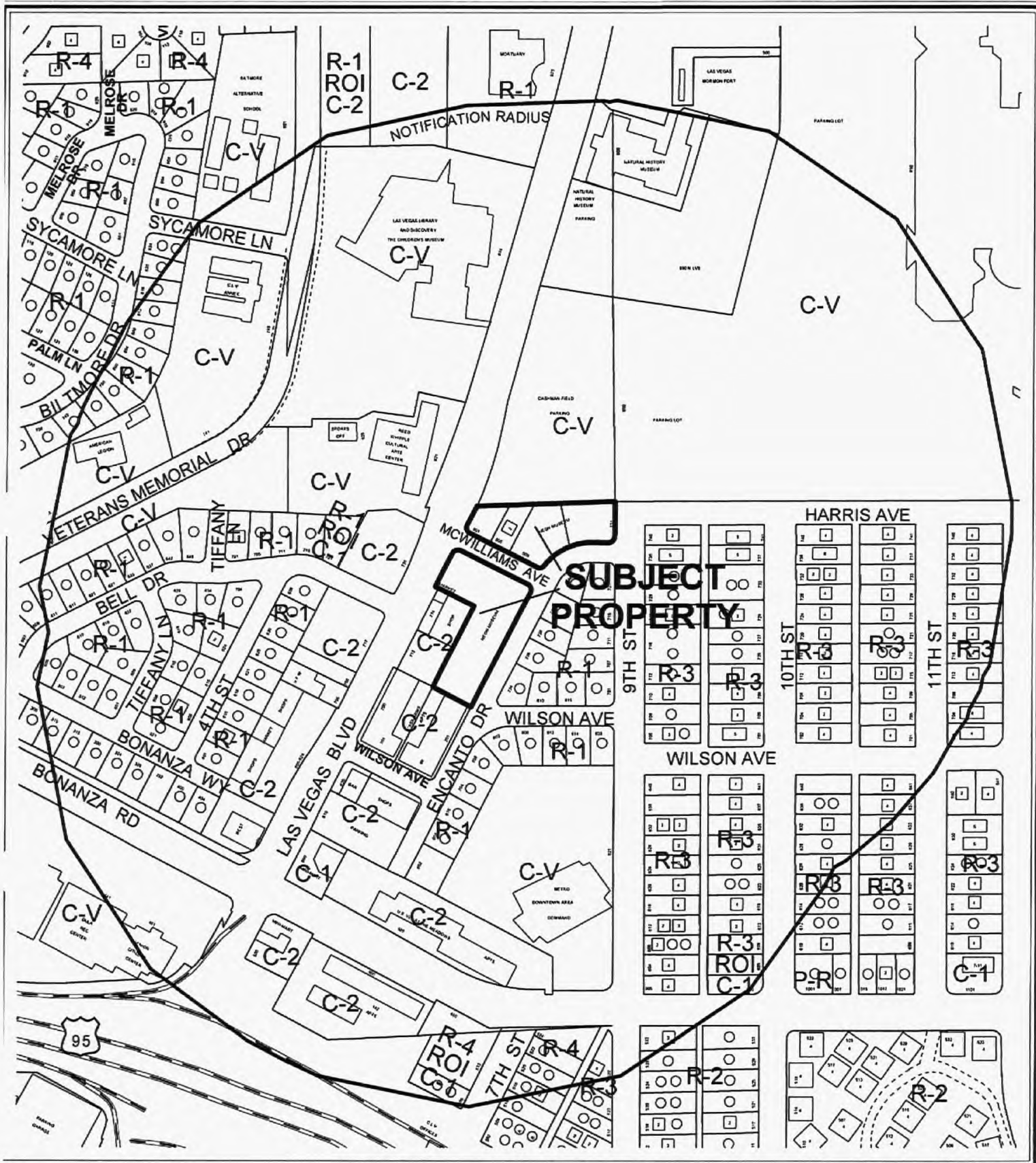
Motion made by LAWRENCE WEEKLY to Approve Subject to Conditions and deleting Conditions 18, 19, 20 and 22

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 1

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

Minutes:

See Item 86 for related discussion and backup.



CASE: SDR-18751

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: C-V (CIVIC)



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-18751 - APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

The Planning Commission (6-0-1/se vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-18755) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 13 December 2006, except as amended by conditions herein.
4. All free-standing and monument signage shall be located a minimum of five feet from any property line.
5. Any restored historic neon signage shall be exempt from the application of height, area, and illumination restrictions contained in Title 19.14 relative to signage in the C-V (Civic) zoning district.
6. The sidewalk along the Las Vegas Boulevard frontage of the properties shall be increased to 10 feet in width.
7. All handicap parking spaces shall conform to the dimensional standards as adopted by the City of Las Vegas.
8. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
9. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

10. 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).
11. All mechanical equipment and air conditioners shall be fully screened in views from the abutting streets.
12. A trash enclosure shall be required in accordance with the requirements of Title 19.08.050. The trash enclosure shall comply with Residential Adjacency Standards.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
14. 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.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. Coordinate with the City Surveyor regarding recordation of a Reversionary Map for this site. Comply with the recommendations of the City Surveyor.
17. Maintain the existing sanitary sewer lines and associated 10-foot public utility easements that are located within the parcels that comprise this site. Alternatively, submit a relocation plan that also maintains service to upstream connections, to the Collection Systems Planning section of the Department of Public Works for approval prior to issuance of any permits. Any existing public sewer easements in conflict with the proposed structures shall be vacated and new easements granted, if necessary, prior to the issuance of any permits for this site.
18. Landscape and maintain all unimproved rights-of-way, if any, on Las Vegas Boulevard, McWilliams Street, and Encanto Drive adjacent to this site.
19. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the public rights-of-way adjacent to this site prior to occupancy of this site.
20. 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.
21. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-18755, ZON-3256 and all other applicable site-related actions.

22. Provide pedestrian walkway easements for all public sidewalks located outside of public street right-of-way.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 2,768 square foot museum and park facility on 2.10 acres at 501 through 509 East McWilliams Avenue, 731 North 9th Street, and 770 North Las Vegas Boulevard.

The proposed facilities are consistent with the land use plan and goals and objectives for the Cultural Corridor area; consequently, approval of the project is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/07/04	The City Council approved a Rezoning (ZON-3256) and a related Site Development Plan Review (SDR-3257) application for a portion of the subject site. The Planning Commission and staff both recommended approval of the requests. The Site Development Plan Review application (SDR-3257) expired in January 2006, as no building permits were submitted; however, the subject properties have since been hardzoned to C-V (Civic).
01/25/07	The Planning Commission recommended approval of companion item ZON-18755 concurrently with this application. The Planning Commission voted 6-0-1/se to recommend APPROVAL (PC Agenda Item #12/ff).
<i>Related Building Permits/Business Licenses</i>	
08/07/97	A demolition permit was issued for the property at 731 North 9 th Street (a portion of the subject site).
09/29/00	An electrical permit was issued for the property at 770 North Las Vegas Boulevard (a portion of the subject site).
07/06/05	A permit was issued to demolish the duplex structure at 501 East McWilliams.
04/12/06	A permit was issued to demolish the existing residential structure at 505 East McWilliams.
<i>Pre-Application Meeting</i>	
11/29/06	A pre-application conference was conducted with the applicants; issues were discussed relative to the coordination of the development plans between the Neon Museum site and public park site, and it was noted than any wall structures in the right-of-way would require an encroachment permit from Public Works.
<i>Neighborhood Meeting</i>	
N/A	A neighborhood meeting is not required for this application request, nor was one held.

Details of Application Request	
Site Area	
Net Acres	2.10 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Museum (storage facility); Undeveloped	PF (Public Facilities)	C-1 [Limited Commercial to be rezoned to C-V(Civic)]; C-V (Civic)
North	Parking Lot (Cashman Center)	PF (Public Facilities)	C-V (Civic)
South	Retail Use; Multifamily Residential Use	MXU (Mixed-Use)	C-2 (General Commercial)
East	Single-Family Use; Multifamily Residential Use	MXU (Mixed-Use)	R-1 (Single Family Residential); R-3 (Medium-Density Residential)
West	Cultural Facility (Reed Whipple Center); Undeveloped	PF (Public Facilities); MXU (Mixed-Use)	C-V (Civic); C-2 (General Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Redevelopment Plan Area	Y		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
C-V (Civic) District	Y		Y
A-O (Airport Overlay) District	Y		Y
Las Vegas Boulevard Scenic Byway Overlay District	Y		Y
Trails	Y		N*
Rural Preservation Overlay District		N	Y
Development Impact Notification Assessment		N	Y
Project of Regional Significance		N	Y

*A General Plan Amendment (GPA-18403) is in process to remove the trail designation from the frontage of the property.

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.020, the following development standards shall apply:*

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size • North Parcel • South Parcel	N/A	0.97 acres 1.13 acres	N/A
Min. Lot Width • North Parcel • South Parcel	N/A	105' 120'	N/A
Min. Setbacks – North Parcel • Front • Side • Corner	N/A	82' 28' 32'	N/A
Min. Setbacks – South Parcel • Front • Side • Corner	N/A	22'-7" 0' 24'-5"	N/A
Max. Lot Coverage • North Parcel • South Parcel	N/A	2% 6%	N/A
Max. Building Height • North Parcel • South Parcel	N/A	19'-2" 29'-7"	N/A
Trash Enclosure	N/A	Not indicated	Not indicated
Mech. Equipment	N/A	Screened	N/A

*Per Title 19.06.020(E), development standards for properties in the C-V (Civic) zoning district are determined upon approval of a Site Development Plan Review application.

Pursuant to Title 19.08.060, the following Residential Adjacency Standards shall apply:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	88'-9"	185'	Y
Adjacent development matching setback	20'	185'	Y
Trash Enclosure	50'	Not indicated	Not indicated

Pursuant to Title 19.06.020, the following standards shall apply:*

Landscaping and Open Space Standards				
Standards	Title 19.12 Standards		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces			
• North Lot		5 Trees	10 Trees	N/A
• South Lot		3 Trees	3 Trees	N/A
Buffer: Min. Trees	1 Tree/30 Linear Feet			N/A
• North Parcel		30 Trees	19 Trees	
• South Parcel		37 Trees	4 Trees	
TOTAL		75 Trees	36 Trees	N/A
Min. Zone Width	8 Feet		0' – 10'	N/A
Wall Height	6 Feet		9'-6"	N/A

*Per Title 19.06.020(E), development standards for properties in the C-V (Civic) zoning district are determined upon approval of a Site Development Plan Review application. The landscape requirements from Title 19.12 are shown here for comparative purposes only.

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	
Museum	2,768 SF	1/300	10				
Park	2.10 Acres	2/Acre	6				
SubTotal	--	--	16	1	41	3	
TOTAL			16		44		Y*
Loading Spaces			1				Y**

*While the amount of parking provided exceeds the amount required by code, the two handicap parking spaces shown in the parking lot adjacent to the public park do not conform to the minimum dimensions required by Title 19.10.

**Although no specific loading space on the site plan is identified, the walled storage area at the northeast corner of the site has been specifically configured to allow delivery trucks to enter the area through the gate on N. 9th Street or through the gate located in the parking area. The walled storage area shall be considered to fulfill the loading space requirement, as it is screened from the adjacent residential properties and meets the minimum dimensional requirements.

Freestanding Signs: Title 19.14.060(C)		
Standards	Allowed	Provided
Maximum Number	1/Street frontage 6 total	2 – Las Vegas Blvd. 2 total
Maximum Area	48 SF	448 SF*
Maximum Height	12 Feet	66 Feet*
Minimum Setback	5 Feet	0 Feet*
Illumination	Direct/Internal	External

Monument Signs: Title 19.14.060(C)		
Standards	Allowed	Provided
Maximum Number	1/Street frontage 6 total	1/Las Vegas Blvd. 1 total
Maximum Area	75 SF	Not indicated
Maximum Height	8 Feet	Not indicated
Minimum Setback	5 Feet	0 Feet*
Illumination	Direct/Internal	Not indicated

*The proposed signage does not conform to the generic standards contained in Title 19.14.060(C), but is consistent with the Scenic Byway Overlay Standards. Due to the nature of this public museum, any historic restored signage used on the property shall be exempt from the standards contained in Title 19.14, and shall be considered to be part of the museum display.

ANALYSIS

The proposed development will include the development of a public park on the north side of McWilliams Avenue, and the construction of the Neon Museum facilities on the south side of McWilliams. The Neon Museum site will incorporate the historic La Concha lobby structure as part of the museum facilities, with an addition to the rear of the structure to accommodate restrooms for the public and facilities for the museum staff. The majority of the site will be devoted to an enclosed outdoor yard, where restored neon signage will be displayed. A parking lot will be provided immediately to the east of the La Concha structure.

The public park is being developed with SNPLMA (Southern Nevada Public Lands Management Act) funds, as part of the program for the development of parks, trails and natural areas. The park will be a passive park, with a shade structure for picnic tables, benches, a walking path, restored historic neon signage and interpretive kiosks. An additional parking area will be provided immediately east of the park; further east of the parking lot will be a walled storage area for signage that is awaiting restoration. A wall will also be provided around the park facilities and its associated parking lot in order to protect the signage and facilities; the proposed wall will generally match the design of the Neon Museum wall, so that there is consistency between the northern and southern portions of the development site.

The subject site is located within the Las Vegas Boulevard Scenic Byway District; the restored neon signage is consistent with the district standards and supports the Scenic Byway designation. The site is also within the boundaries of the Downtown North Land Use Plan area, and the proposed facilities are consistent with the land use designation and advance the goals and objectives of the plan. The site subject to the Airport Overlay District; however, the proposed structures will only be one story in height and will not impact air traffic patterns.

Per Title 19.06.020(E), development standards for properties in the C-V (Civic) zoning district are determined upon approval of a Site Development Plan Review application. The setbacks and lot coverage for the proposed development are consistent with the use, and will not impact adjacent properties. The proposed structures also comply with residential adjacency requirements. No trash enclosure is shown on either the north parcel or the south parcel; a trash enclosure shall be required in accordance with Title 19.08.050, and shall be located a minimum of 50 feet from any residential property.

The proposed landscape materials are appropriate for the desert area, and will be used to provide shade and highlight architectural features where appropriate. The amount of landscaping is generally less than what would be expected for commercial development; however, due to the nature of the museum facilities, additional landscaping would interfere with the exhibits. Perimeter walls will be provided around the north and south parcels, which will assist to buffer the uses from the adjacent residential properties and provide security for the restored neon signage. The wall around the park will utilize an open picket design, so as to allow surveillance into the park area will still providing the necessary security when the park is closed. The plan shows that some of the proposed walls encroach into the public rights-of-way; an encroachment permit will be required where such conditions exist, and may need to be relocated if the permit is not granted.

A required trail route is designated along the Las Vegas Boulevard frontage of the property at 501 East McWilliams; however, a General Plan Amendment (GPA-18403) is currently in process, which would move the trail route further north. This will relieve the applicant of providing trail facilities along the frontage of the property. Regardless, it is recommended that the sidewalk along the Las Vegas Boulevard frontage be increased to 10 feet in width in order to accommodate pedestrian traffic between the museum and other Cultural Corridor institutions.

Two parking areas will be provided for the convenience of visitors to the park and museum facilities. The parking provided exceeds the amount of parking required by Title 19.10. It should be noted that the two handicap parking spaces shown adjacent to the park do not meet the minimum dimensional requirements of the City of Las Vegas, and will need to be redesigned. For the purposes of this development, the required loading space shall be considered to be within the outdoor storage area at the northeast corner of the site.

Two freestanding signs are proposed along the Las Vegas Boulevard frontage of the subject site. One sign will be the restored La Concha Motel sign, which will be approximately 66 feet in height and will be located in front of the La Concha building. The second freestanding sign will be approximately 37 feet in height and will be located within the park, and will utilize individual restored neon letters to identify the park and museum facilities. A single monument sign is shown adjacent to the park entrance, but no additional information is given about the sign. The proposed signage exceeds the height, area, and illumination restrictions listed in Title 19.14 for C-V (Civic) properties; however, the proposed signage is consistent with the nature and use of the facilities. In addition, the restored signage is consistent with the Scenic Byway Overlay regulations, and contributes to the scenic qualities of Las Vegas Boulevard.

The relocated La Concha Motel lobby building will serve as the entrance to the Neon Museum facilities, and is an appropriate reuse of the structure while preserving it for future generations to enjoy. The modest addition to the structure respects the character of the original building, and has been reviewed by the Historic Preservation Commission. The park facilities will include a substantial shade structure with a distinctive butterfly roof, which is architecturally consistent with the era of the La Concha building, and provides an angular contrast to the curving form of the La Concha roof. The perimeter walls around both the north and south parcels will utilize a painted concrete block in a straight-stack pattern, which is also characteristic of the period of the La Concha building. The perimeter walls will include a perforated cmu block as an appropriate decorative element.

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 Neon Museum and public park will be located in the Cultural Corridor along Las Vegas Boulevard, and will increase the cultural offerings in the area. While there are residential properties to the east of the site, adequate separation and buffers will be in place to minimize any potential conflicts.

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

The proposed development is consistent with the Las Vegas 2020 Master Plan and the Downtown North Land Use Plan. The design of the facilities is generally consistent with Title 19; the proposed free-standing signage exceeds height and area limitations, but is part of the museum collection.

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

The principal driveways will be located on McWilliams Avenue, so as to minimize impacts to Las Vegas Boulevard and the residential neighborhood located to the east of the site. While the delivery area will be accessed from North 9th Street which is primarily a residential street, the amount of delivery traffic will be minimal.

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

The proposed building materials and plant materials are appropriate for the area and for the city, and are consistent with the era of the relocated La Concha Motel building.

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

The proposed addition to the historic La Concha lobby is consistent with the original architecture of the structure; the materials and design of the proposed perimeter wall around the exterior of the site is appropriate to the era of the historic structure.

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

The proposed site development will be subject permits, and adequate measures will be taken to protect the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

ASSEMBLY DISTRICT 10

SENATE DISTRICT 5

NOTICES MAILED 149 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-18751** APN: 139-27-812-039 through -043
Name of Property Owner: City of Las Vegas
Name of Applicant: City of Las Vegas/Neon Museum

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN _____

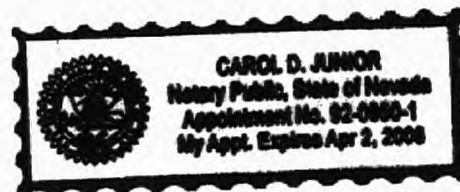
Signature of Property Owner: _____

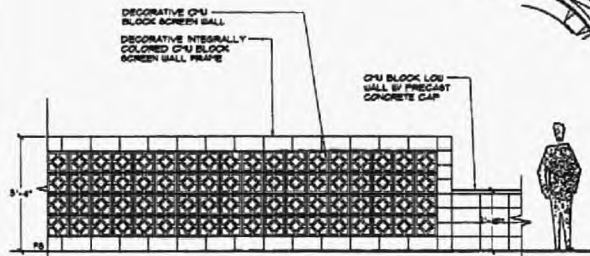
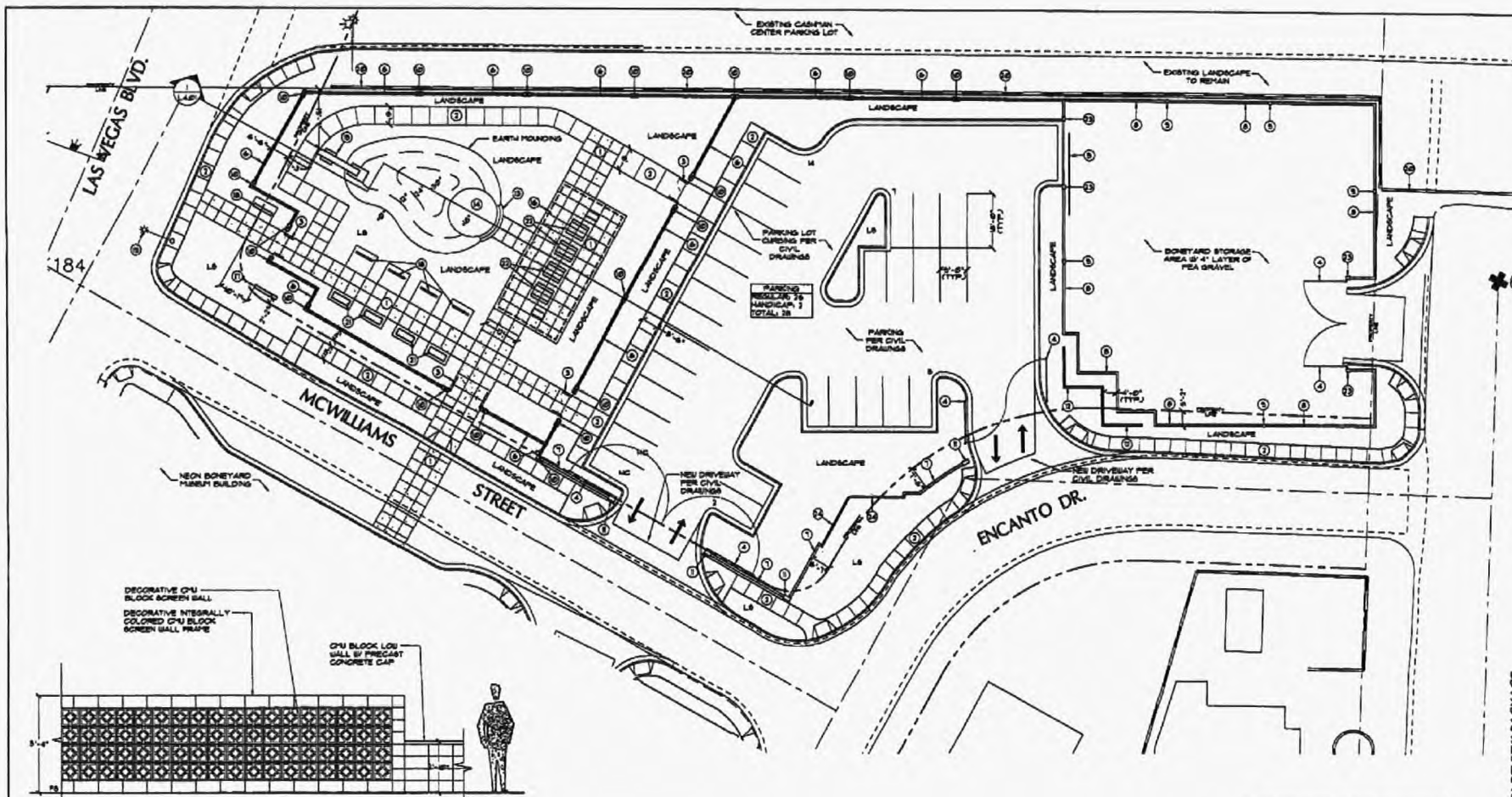
Print Name: _____

Subscribed and sworn before me

This 15th day of December, 2006

Carol D. Junior
Notary Public in and for said County and State





1 SCREEN WALL @ LOW CMU WALL
SCALE 3/8"=1'-0"

SITE ELEMENTS

1. ENHANCED DECORATIVE COLORED CONCRETE GALLERY	10. 6000R STYLE CURBOUT SIDE STRUCTURE
2. METALLIC, SHINY COLORED CONCRETE GALLERY	11. 6000R STYLE CURBOUT SIDE STRUCTURE
3. DECORATIVE TUBULAR STEEL, PNEUMATIC GATES	12. 6000R STYLE CURBOUT SIDE STRUCTURE
4. TUBULAR STEEL, BENDING VERTICAL GATES	13. 6000R STYLE CURBOUT SIDE STRUCTURE
5. TUBULAR STEEL, BENDING VERTICAL GATES	14. 6000R STYLE CURBOUT SIDE STRUCTURE
6. DECORATIVE CMU LOW WALL OF TUBULAR STEEL, FENCE - SEE SHEET L&L, DETAIL 1	15. 6000R STYLE CURBOUT SIDE STRUCTURE
7. DECORATIVE CMU LOW WALL - SEE SHEET L&L, DETAIL 2	16. 6000R STYLE CURBOUT SIDE STRUCTURE
8. DECORATIVE CMU LOW WALL - SEE SHEET L&L, DETAIL 3	17. 6000R STYLE CURBOUT SIDE STRUCTURE
9. DECORATIVE CMU LOW WALL - SEE SHEET L&L, DETAIL 4	18. 6000R STYLE CURBOUT SIDE STRUCTURE
10. CMU 12" BLOCK - APPROX. 10' HIGH	19. 6000R STYLE CURBOUT SIDE STRUCTURE
11. DECORATIVE CMU BLOCKS OF SCREEN BLOCK - SEE SHEET L&L, DETAIL 5	20. 6000R STYLE CURBOUT SIDE STRUCTURE
12. DECORATIVE CMU BLOCKS OF SCREEN BLOCK - SEE SHEET L&L, DETAIL 6	21. 6000R STYLE CURBOUT SIDE STRUCTURE
13. DECORATIVE CMU BLOCKS OF SCREEN BLOCK - SEE SHEET L&L, DETAIL 7	22. 6000R STYLE CURBOUT SIDE STRUCTURE
14. DECORATIVE CMU BLOCKS OF SCREEN BLOCK - SEE SHEET L&L, DETAIL 8	23. 6000R STYLE CURBOUT SIDE STRUCTURE
15. INTERNALLY COLORED CONCRETE STAIRS	24. 6000R STYLE CURBOUT SIDE STRUCTURE
16. INTERNALLY COLORED CONCRETE STAIRS / STAIR	25. 6000R STYLE CURBOUT SIDE STRUCTURE
17. APPROX. 31' HIGH TWO SIDED VERTICAL NEON SIGN Pylon BY OTHERS	26. 6000R STYLE CURBOUT SIDE STRUCTURE
	27. 6000R STYLE CURBOUT SIDE STRUCTURE
	28. 6000R STYLE CURBOUT SIDE STRUCTURE
	29. 6000R STYLE CURBOUT SIDE STRUCTURE
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SDR-18751
01/25/07 PC

SDR-18751
01/25/07 PC

SCHEMATIC SITE PLAN
Neon Boneyard Park

SCHEMATIC DESIGN REVIEW PACKAGE

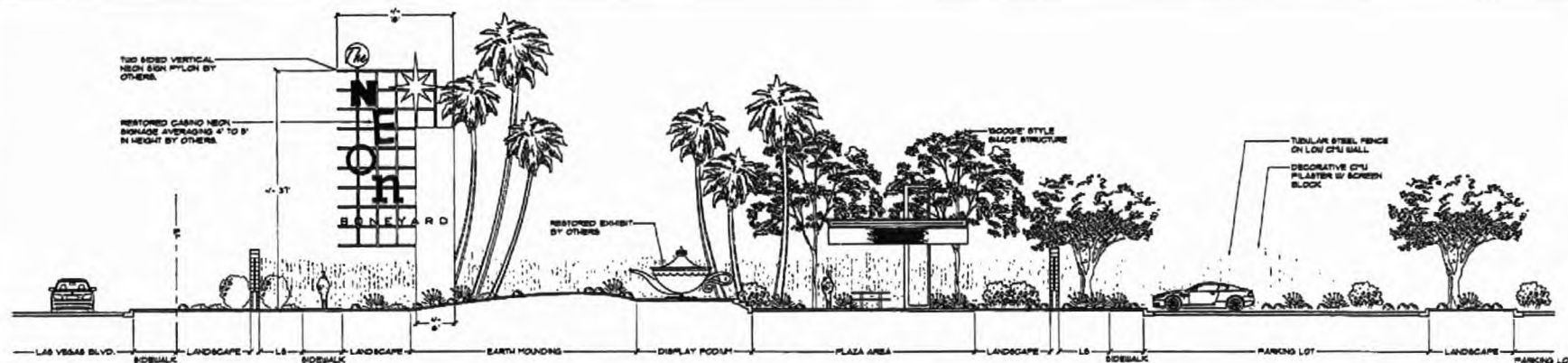
poggemeyer
design group, inc.
engineers • planners • architects • landscape architects
3001 North Las Vegas Way • Las Vegas, NV 89128 • 702.735.0100 • 0 102 000000



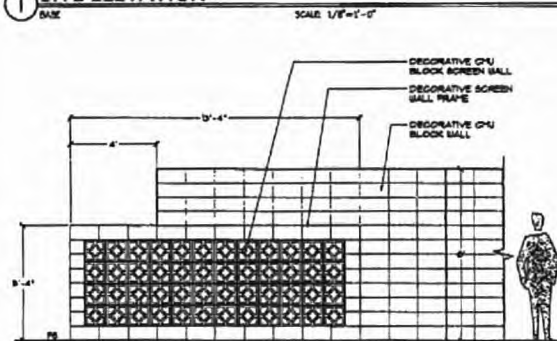
DATE: DECEMBER 12, 2006
PROJECT: NEON BONEYARD PARK

L1.01

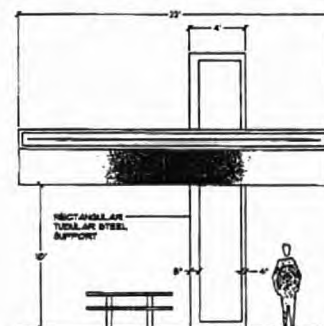
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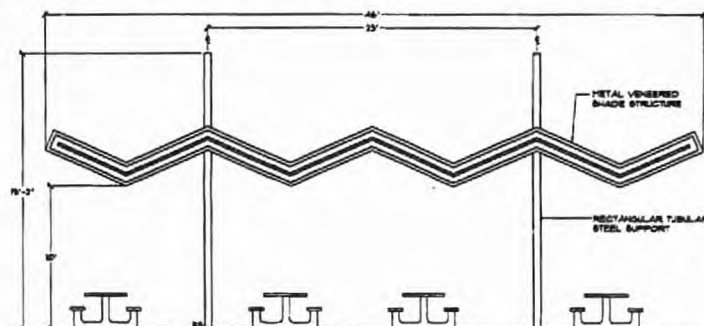
1 SITE ELEVATION



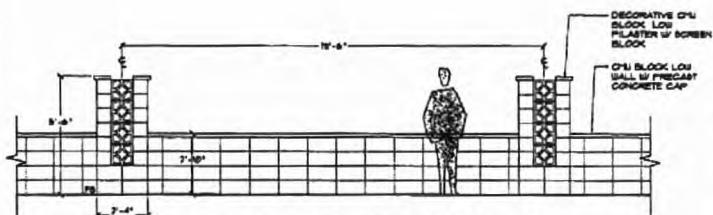
4 SCREEN WALL @ 8' CMU BLOCK WALL



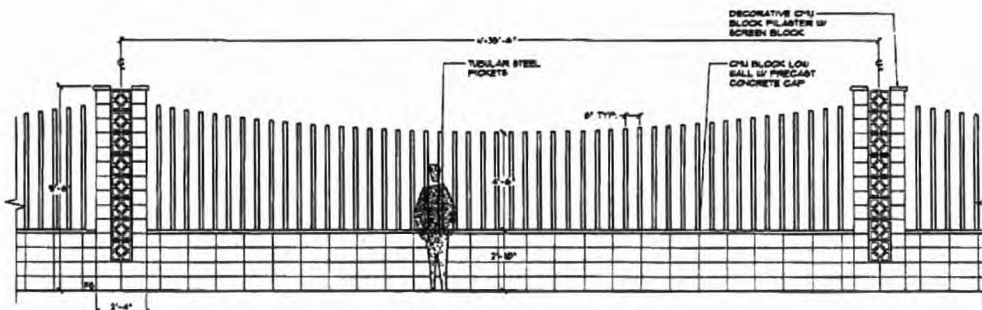
3 SHADE STRUCTURE SIDE ELEVATION



2 SHADE STRUCTURE FRONT ELEVATION



6 LOW PILASTER & LOW WALL TYPICAL ELEVATION



5 PILASTER & TUBULAR STEEL FENCE ON LOW WALL TYPICAL ELEVATION

SCHEMATIC DESIGN REVIEW PACKAGE

SITE ELEMENTS

Neon Boneyard Park

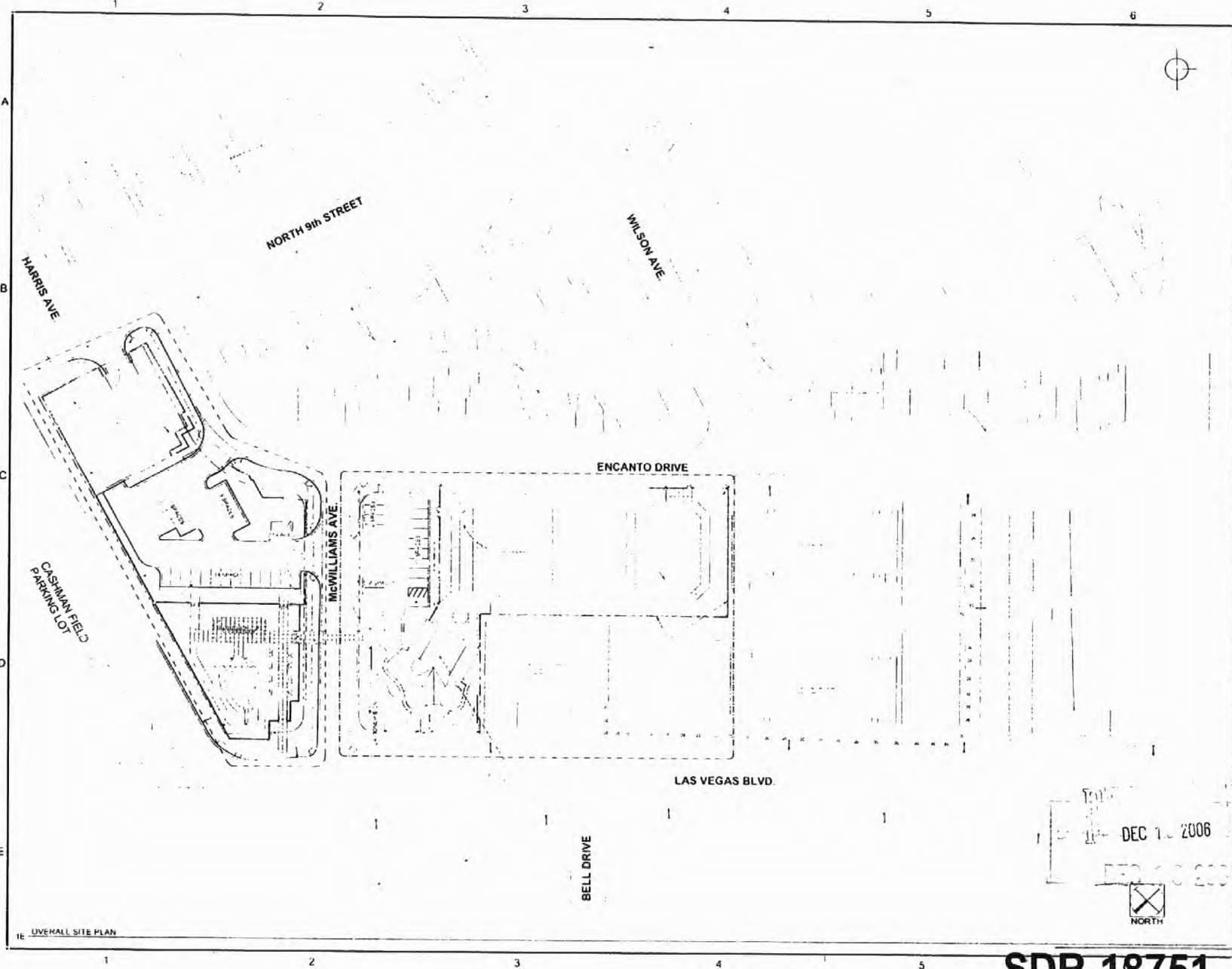
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DESIGNED BY CHA
DRAWN BY RSN
CHECKED BY CHA
DATE DECEMBER 12, 2006
L4.01

SDR-18751
01/25/07 PC

RECEIVED
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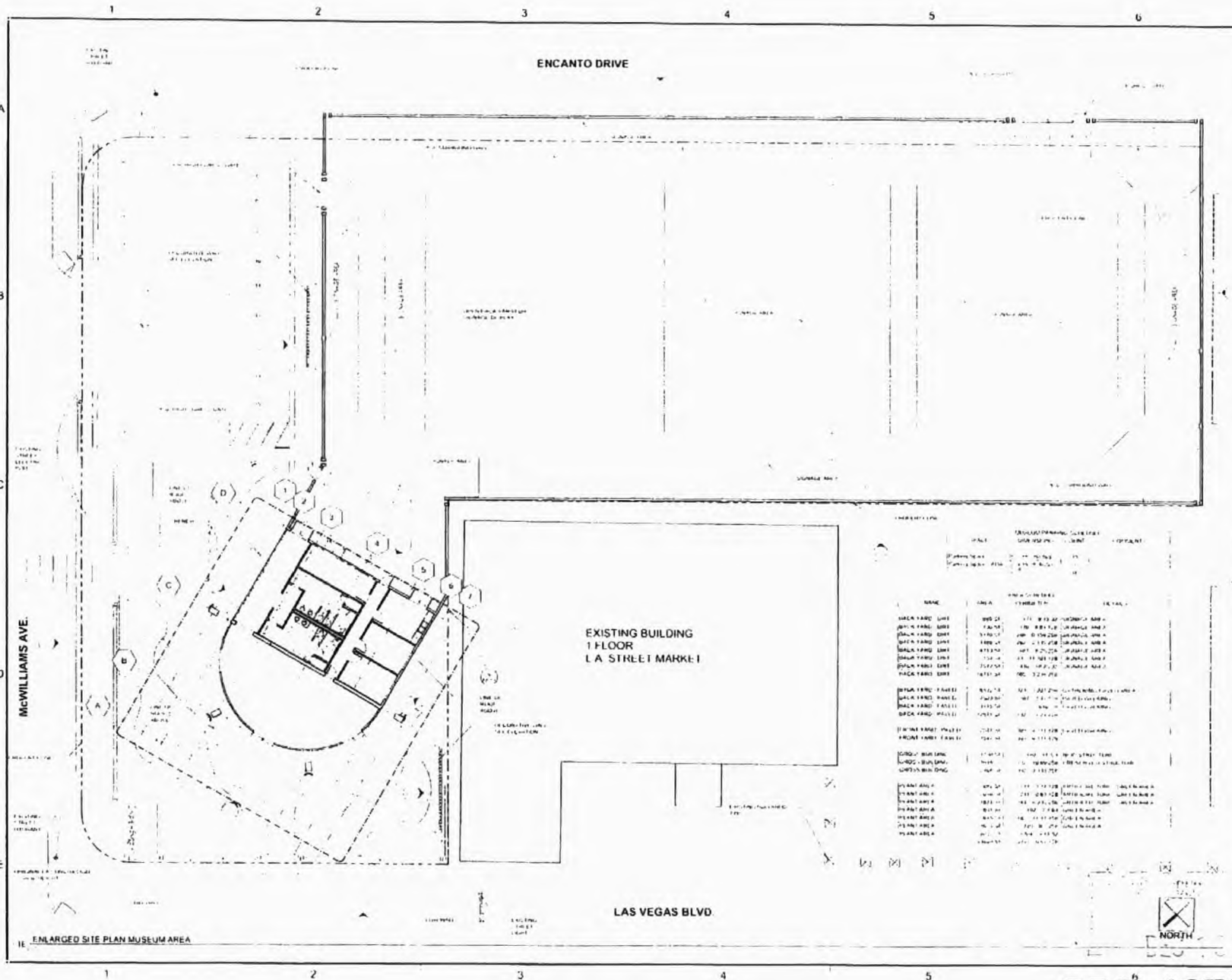
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DESIGNED BY CHA
DRAWN BY RSN
CHECKED BY CHA
DATE DECEMBER 12, 2006
L4.01

poggemeyer
design group, inc.
architects • planners • landscape architects
1000 North Las Vegas Blvd., Suite 1000 • Las Vegas, NV 89101 • 702.333.1000
www.poggemeyer.com



FRIEDMUTTER GROUP ARCHITECTURAL & DESIGN SERVICES 1000 S. LAS VEGAS BLVD., SUITE 1000 LAS VEGAS, NEVADA 89101
NEON MUSEUM and BONEYARD 170 NORTH LAS VEGAS BLVD LAS VEGAS, NEVADA 89101
DATE: 01/25/07 DRAWN BY: [illegible] CHECKED BY: [illegible] APPROVED BY: [illegible]

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01/25/07 PC

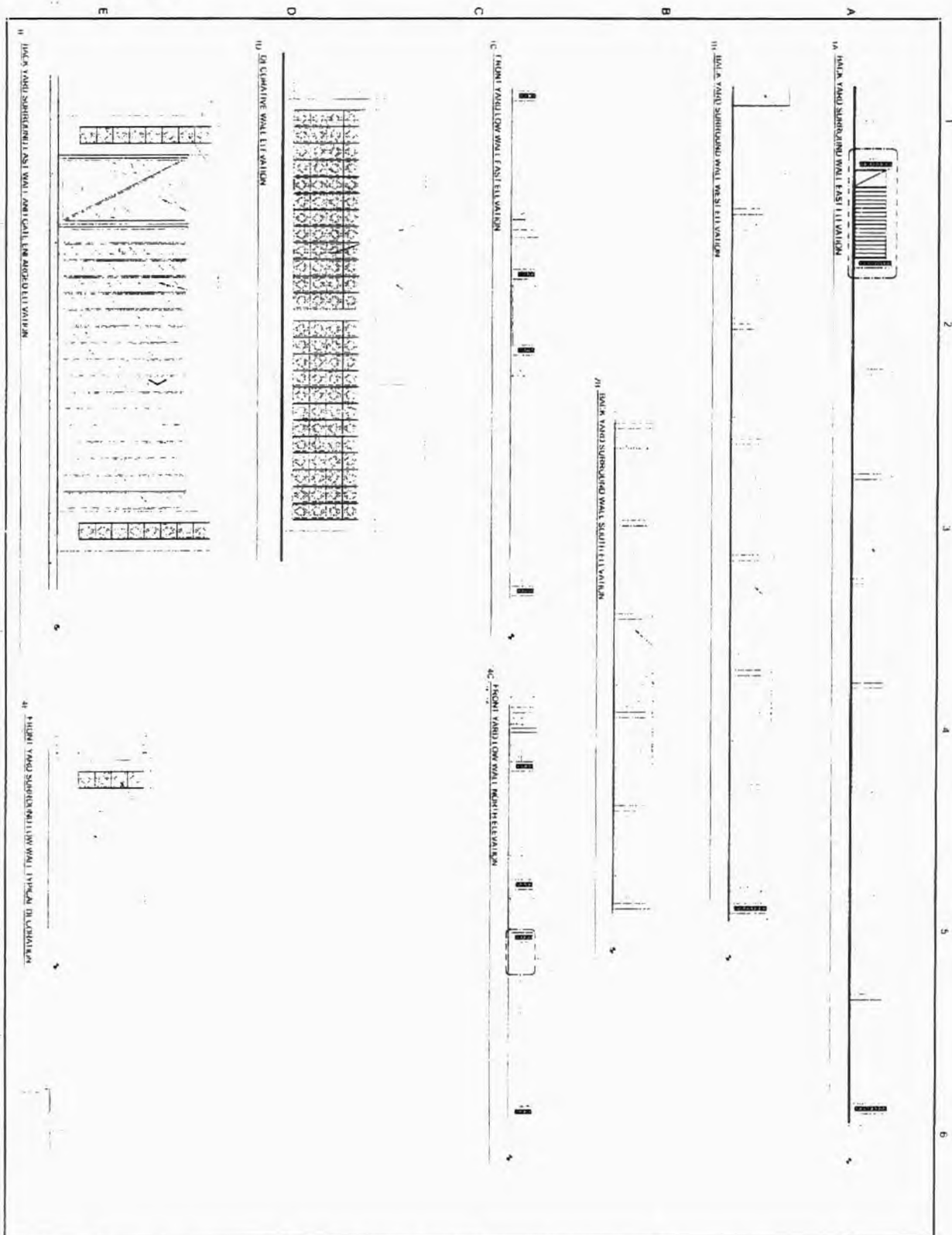


PRUDENTIAL GROUP
 1000 N. LAS VEGAS BLVD.
 SUITE 1000
 LAS VEGAS, NEVADA 89101

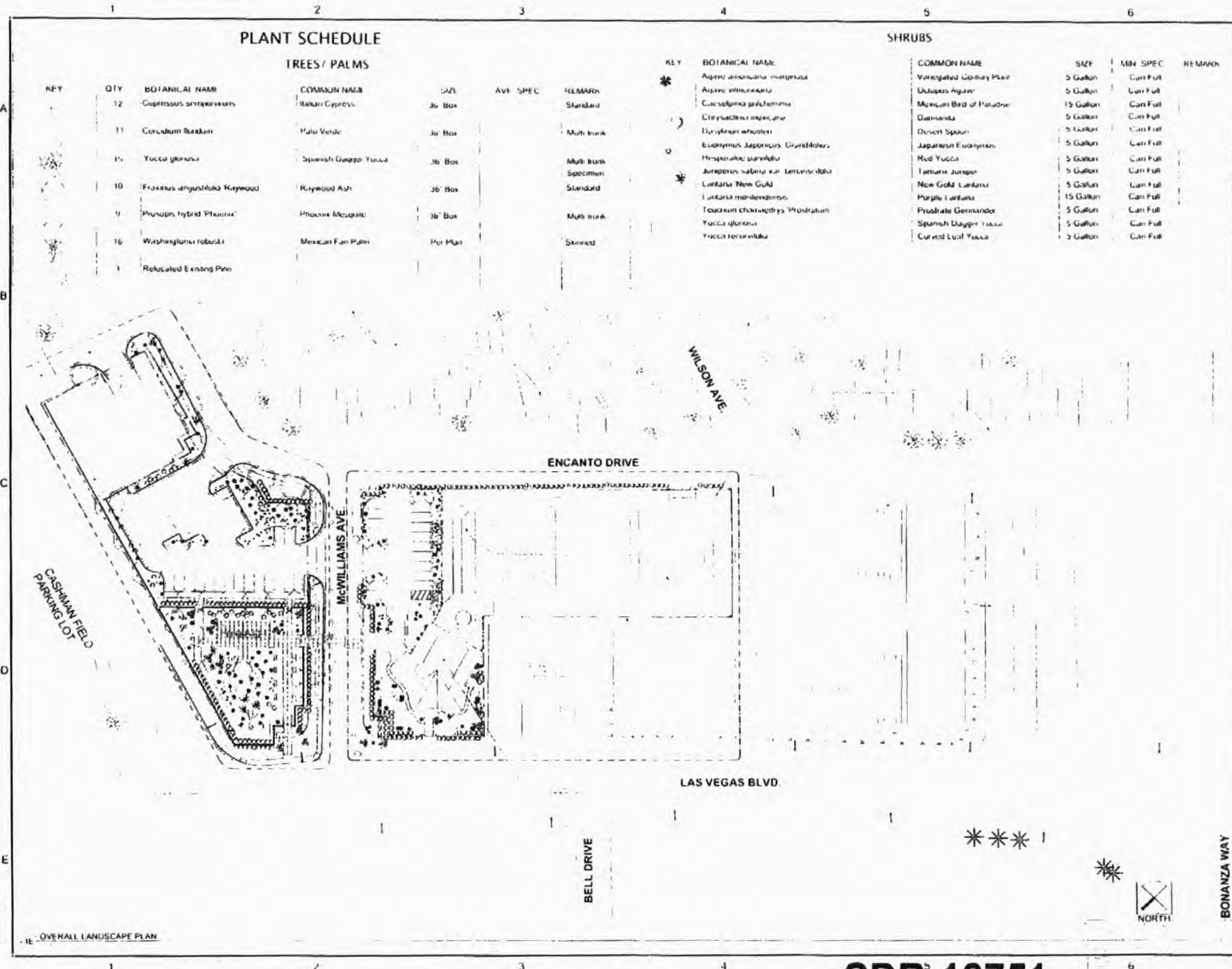
NEON MUSEUM and BONEYARD
 770 NORTH LAS VEGAS BLVD
 LAS VEGAS, NEVADA 89101

- A070.1

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SDR-18751
01/25/07 PC



FRIDMUTTER GROUP

Landscape Architecture & Construction

NEON MUSEUM and BONEYARD

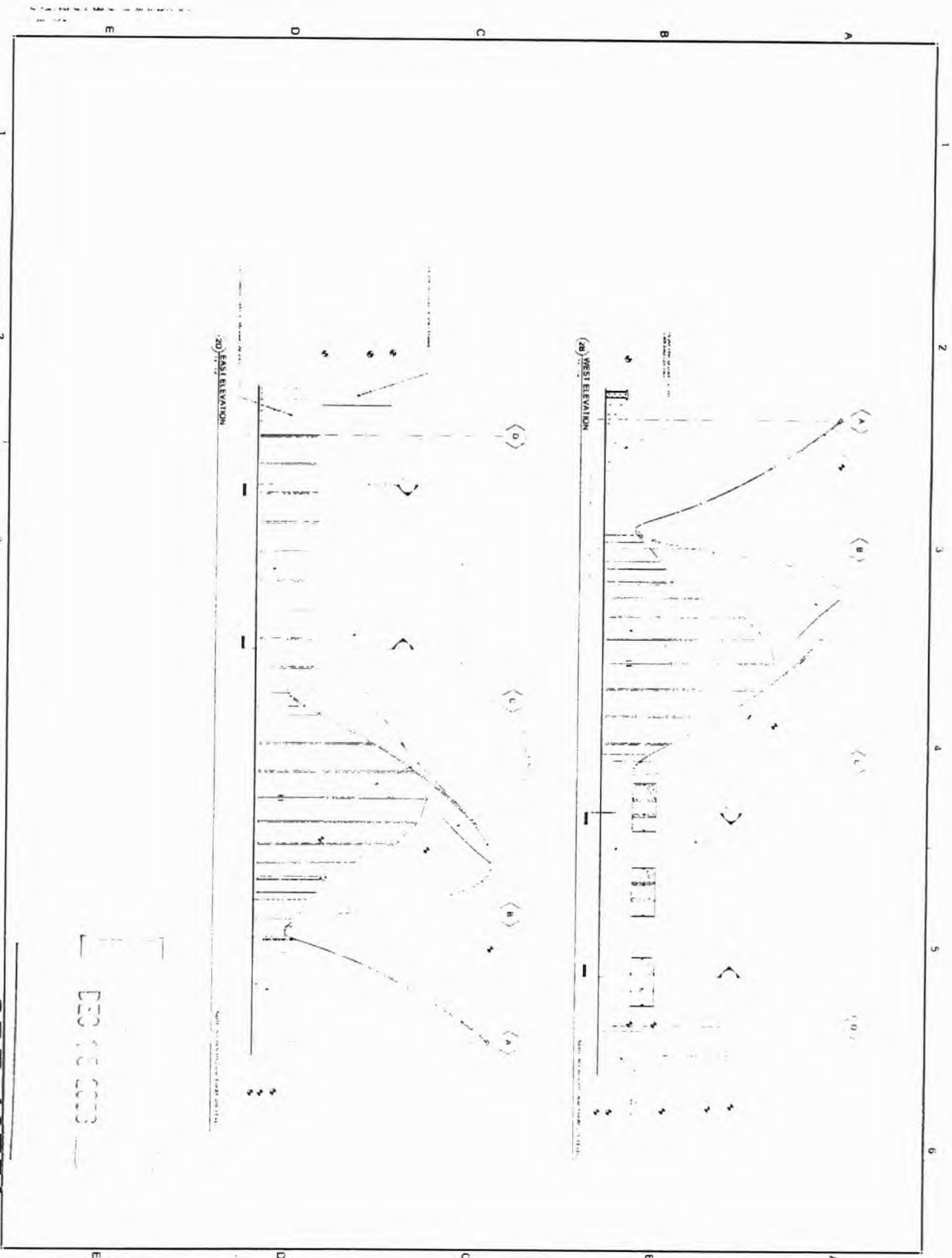
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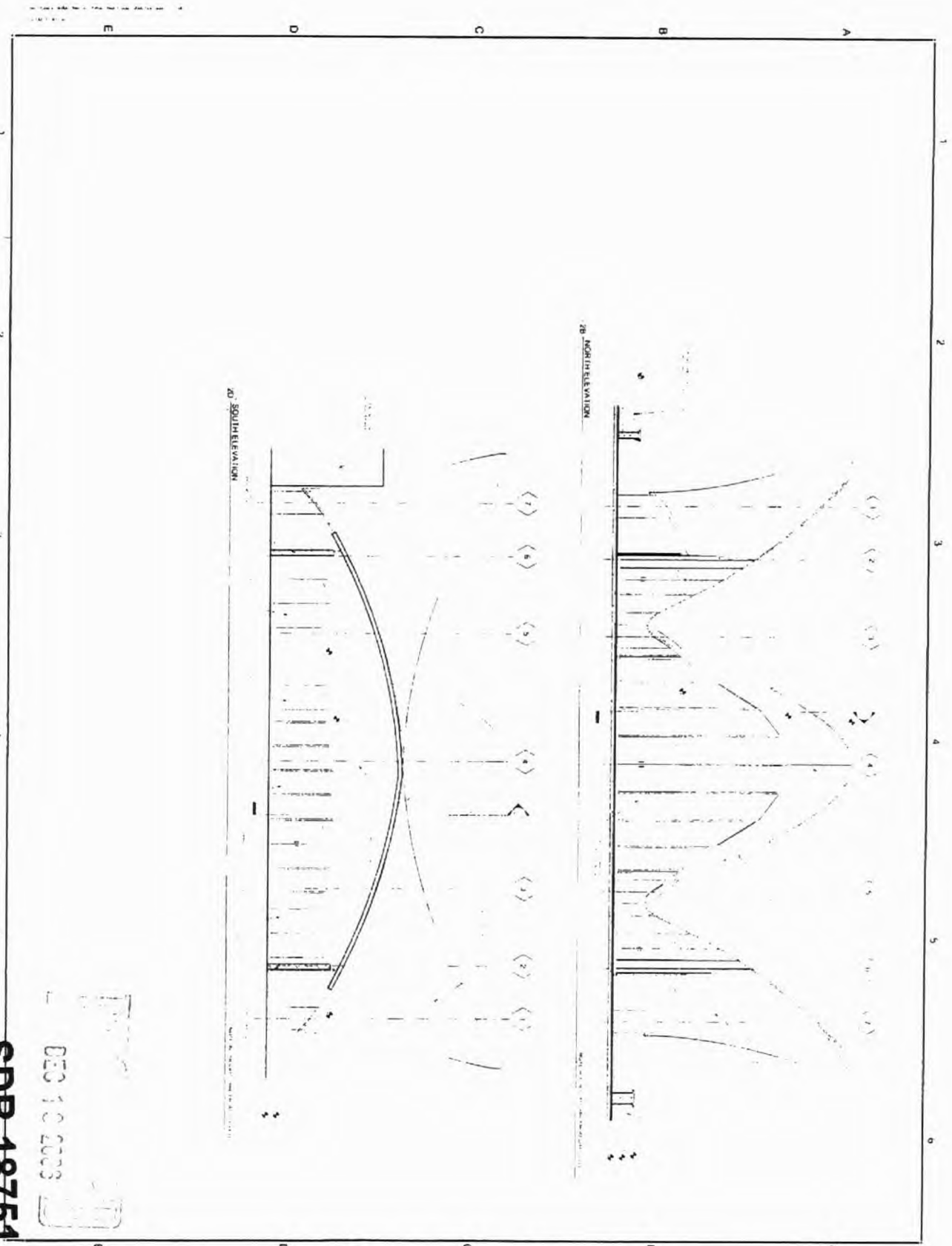
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DEC 12 2003



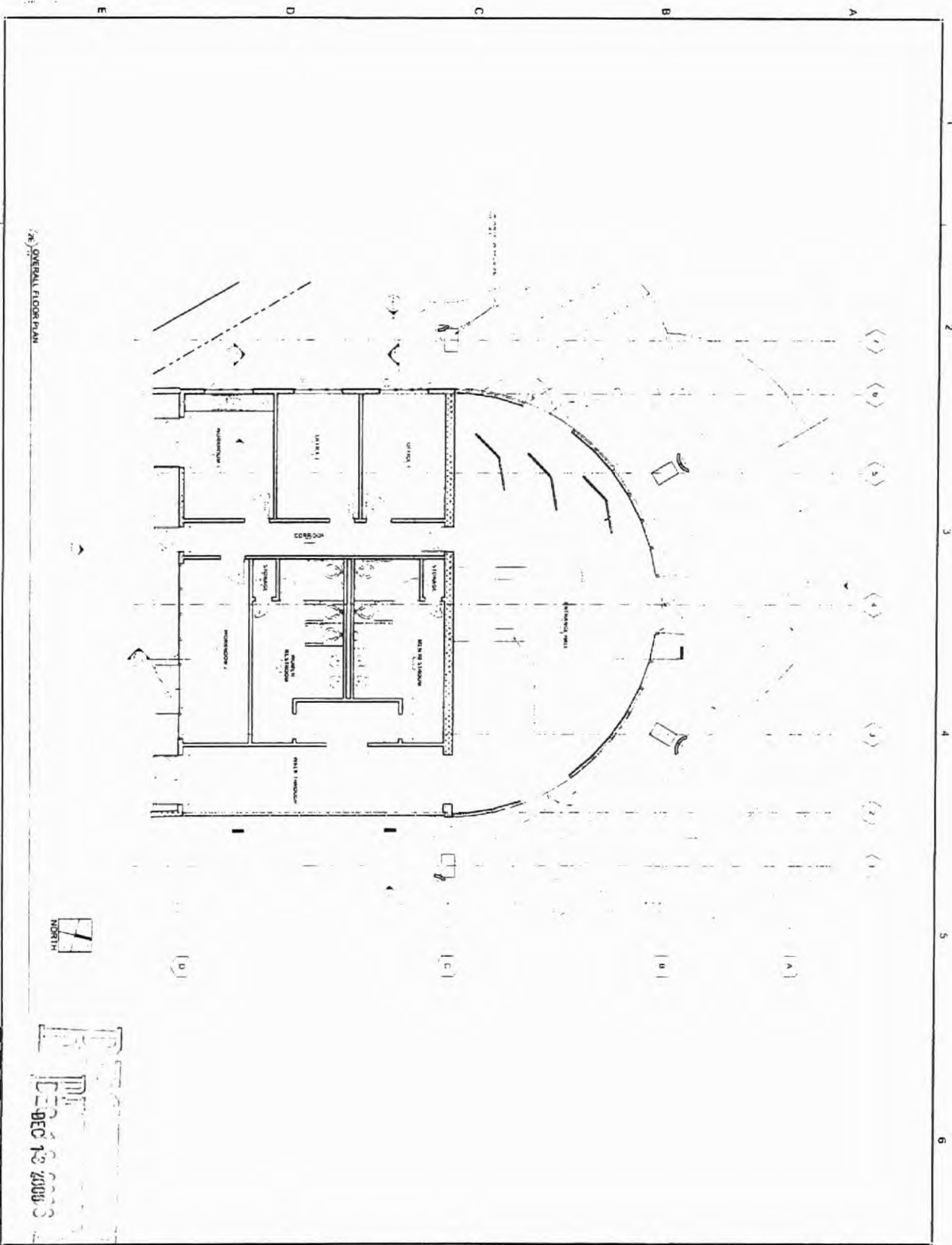
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DEC 10 2003

ASNU 2 11/10/03	NEON MUSEUM and BONEYARD 770 NORTH LAS VEGAS BLVD LAS VEGAS, NEVADA 89101			FRIEDMUTTER GROUP 4001 S. LAS VEGAS BLVD. SUITE 200 LAS VEGAS, NV 89102	
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SDR-18751
01/25/07 PC



2. OVERALL FLOOR PLAN



DEC 12 2005

NEON MUSEUM and BONEYARD 770 NORTH LAS VEGAS BLVD LAS VEGAS, NEVADA 89101	FRIEDMUTTER GROUP ARCHITECTURAL & DESIGN STUDIOS	770 NORTH LAS VEGAS BLVD LAS VEGAS, NEVADA 89101	770 NORTH LAS VEGAS BLVD LAS VEGAS, NEVADA 89101	770 NORTH LAS VEGAS BLVD LAS VEGAS, NEVADA 89101	770 NORTH LAS VEGAS BLVD LAS VEGAS, NEVADA 89101	770 NORTH LAS VEGAS BLVD LAS VEGAS, NEVADA 89101	770 NORTH LAS VEGAS BLVD LAS VEGAS, NEVADA 89101	770 NORTH LAS VEGAS BLVD LAS VEGAS, NEVADA 89101
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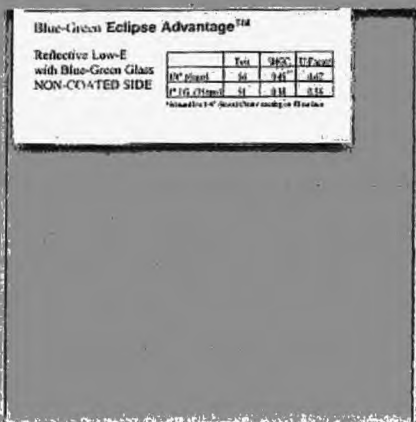
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01/25/07 PC



ROOFING



PAINTS



GLASS

METAL



LACONCHA

SDR-18751
 01/25/07 PC

NEON MUSEUM & BONEYARD

FRIEDMUTTER GROUP
 ARCHITECTURE / INTERIOR DESIGN / BRANDING STUDIOS
 SPECIALIZING IN MULTI-USE PROJECTS
 HOTELS • CASINOS • RESTAURANTS • ENTERTAINMENT • HIGH-RISE RESIDENTIAL



ZON-18755 & SDR-18751 - APPLICANT/OWNER: CITY OF LAS VEGAS
501 AND 505 EAST MCWILLIAMS AVENUE
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06



ZON-18755 & SDR-18751 - APPLICANT/OWNER: CITY OF LAS VEGAS
501 AND 505 EAST MCWILLIAMS AVENUE
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06



ZON-18755 & SDR-18751 - APPLICANT/OWNER: CITY OF LAS VEGAS
501 AND 505 EAST MCWILLIAMS AVENUE
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06

December 12, 2006

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



RE: JUSTIFICATION LETTER FOR THE NEON MUSEUM.
APPLICATION FOR PLANNING REVIEW FOR THE NEW NEON MUSEUM.
PARCEL: 139-27-812-043

Dear Sir/Madam:

The purpose of this letter is to provide justification in support of the Planning Review Application and supporting materials relating to the development of the museum building and park complex project.

The project is located at the corner of Las Vegas Boulevard and McWilliams Avenue with a physical address of 770 North Las Vegas Boulevard, Las Vegas Nevada 89101, and the current zoning for the property is C-V (Civic District) which is applicable for this project. The proposed architecture consists of the relocation of the historical and architecturally unique 1,048 SF La Concha lobby and a new addition of 1,720 SF of support space to the rear of the relocated lobby. The lobby will house display space and a reception desk and the support space will consist of restrooms, offices, workrooms and storage. The materials, colors and details of the relocation/renovation and new addition will be consistent with the original design intent of the historic building, inclusive of the type of landscape and hardscape.

We are proposing $\pm$ 8,000 SF, of front yard landscaping and walkways and $\pm$ 31,500 SF, of rear yard exhibition "Bone yard" space for the preservation, restoration and display of the neon sign collection. The perimeter block walls surrounding the site and proposed signage will be consistent with the proposed park across from the project on McWilliams Street.

The proposed development is compatible with the surrounding neighborhood and will provide a significant cultural amenity for the downtown area and an enhancement to the neighborhood.

Your favorable consideration is appreciated for this important and historical project.

Sincerely,

The Neon Museum

Dorothy Wright
Facilities Chair

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT

SUP-18440 - PUBLIC HEARING - APPLICANT/OWNER: BERNARD P. AND DELORES T. BENEDETTO - Request for a Special Use Permit FOR A PROPOSED HABITABLE ACCESSORY STRUCTURE at 8260 Point Given Street (APN 125-11-711-005), R-E (Residence Estates) Zone, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Pinnacle Community Association Management Letter
5. Neighbor Awareness Petition
6. Justification Letter

Motion made by STEVEN D. ROSS to Approve Subject to Conditions

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 1

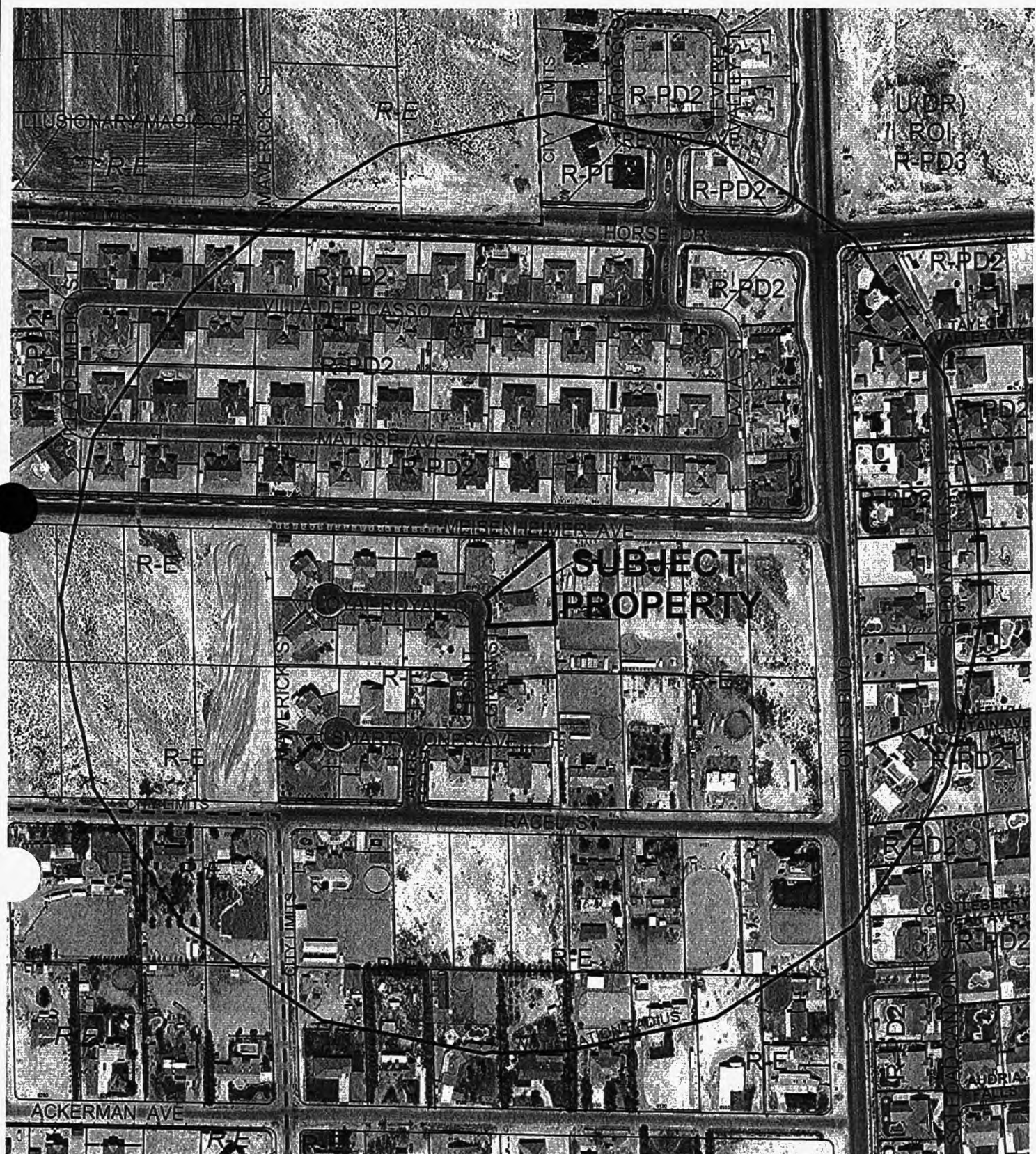
LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-STEVE WOLFSON); (Excused-GARY REESE)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

BERNARD BENEDETTO, 8260 Point Given Street, desires to have an accessory building on his property, approximately 30 feet from the main structure. He and his wife will reside in the accessory structure, while his son and girlfriend with their two children will reside in the main house. MR. BENEDETTO confirmed for COUNCILMAN ROSS the accessory building will not be used for rental purposes.

MAYOR GOODMAN declared the Public Hearing closed.



CASE: **SUP-18440**

RADIUS: 1000 FT

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

0 60/20 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-18440 - APPLICANT/OWNER: BERNARD P. AND DELORES T. BENEDETTO

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.
3. The structure shall not be used as a rental unit.

Public Workst

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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

Request for a Special Use Permit for a proposed habitable accessory structure at 8260 Point Given Street, south of Meisenheimer Avenue.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
4/07/04	City Council considered a request to Appeal Planning Commission of a request for a Tentative Map (TMP-3639). A Vacation application (VAC-3664) was filed as a companion item the request. Planning Commission and staff recommended approval. City Council approved the project.
03/25/04	The Planning Commission considered a request for a variance to allow reduced front and rear setbacks for this project. (VAR-3762). The variance did not affect the lay-out of this subdivision. Planning Commission and staff recommended denial.
02/26/04	The Planning Commission considered a request for a Tentative Map (TMP-3639) – Quarterhouse Estates Unit 1 for a 17 lot single family residential subdivision on 9.76 acres adjacent to the northeast corner of Maverick Street and Racel Street. Planning Commission and staff recommended approval.
02/04/04	The City Council approved a Special Use Permit (SUP-3359) for Private Streets on the subject property. The Planning Commission and staff recommended approval.
01/25/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #13/ja).
<i>Pre-Application Meeting</i>	
11/20/06	A Pre-application meeting was held with the project applicant. Planning staff advised the applicant of Title 19 regulations governing Habitable Accessory Structures including height restrictions, setbacks, size, aesthetics, and parking.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of application nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.47 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single family residential	DR (Desert Rural)	R-E (Residential Estates)
North	Public Street	ROW	ROW
South	Single family residential	DR (Desert Rural)	R-E (Residential Estates)
East	Single family residential	DR (Desert Rural)	R-E (Residential Estates)
West	Single family 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			
Northwest Openspace Plan	Y		Y
Centennial Hills Sector Plan	Y		Y
Special Districts/Zones	Yes	No	Compliance
Trails		N	Y
Rural Preservation Overlay District	Y		Y
Development Impact Notification Assessment		N	Y
Project of Regional Significance		N	Y

DEVELOPMENT STANDARDS

Pursuant to Title 19 – Section 19.08 the following habitable accessory structure development standards apply to the project:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	20,000 square feet	21,257	Y
Min. Lot Width	100	50*	Y
Min. Setbacks for Accessory Structures			Y
• Front	20	25	
• Side	3	5	
• Corner	15	62	
• Rear	10	15	
Min. Distance Between Buildings	6 feet	26 feet	Y
Max. Lot Coverage	Limited to 50 percent of the rear yard	24 percent	Y
Max. Building Height	2 stories / 35 feet/No higher than principal dwelling whichever is less	15	Y

*The minimum lot width for lots located along the circular portion of a cul-de-sac or a knuckle portion of a street may be reduced to a minimum of 30 feet in width at the property line provided the average lot width meets the required lot width. The average lot width is 111 feet.

ANALYSIS

The project request for a Special Use Permit will involve installation and use of habitable accessory structure at 8260 Point Given Street, south of Meisenheimer Avenue. The prefabricated single family home will be placed within the rear yard of an existing single family lot.

- **General Plan and Zoning**

The project parcel is zoned for R-E (Residential Estates) which is consistent with the General Plan DR (Desert Rural Density Residential) land use designation. Accessory structures are an allowable use in the R-E zone with a Special Use Permit subject to Title 19.04 and 19.08 regulations.

- **Site Plan and Elevation**

The proposed premanufactured home will be 1,586 square foot at a height of 15 feet and will be installed within the rear yard of a 21,257 square foot single family lot. The primary one-story dwelling is 3,437 square feet and 20 feet in height. Additionally, one additional parking space will be provided on site. The new habitable structure will meet all Title 19.08 accessory structure regulations including height limitations, setbacks, and parking. The structure is designed utilizing a ranch architectural design with exterior colors complementing the existing structure and surrounding residences.

FINDINGS

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

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

The proposed habitable accessory structure will be constructed to be complement the main dwelling and surrounding single family residences.

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

The project site is a flat dirt lot designated for single family residential uses. This type of use will not substantially alter the intensity of land use.

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

Transportation circulation systems are adequate and the proposed use will not result in significant trip generation.

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

The proposed use will not result in effects detrimental to public health and safety and will not adversely affect the intent of the General Plan.

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

The project as designed conforms to all requirements set forth in Title 19 – Sections 19.04.020 and 19.08.040.

PLANNING COMMISSION ACTION

The Planning Commission added conditions #3 and the applicant agreed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

8

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 121 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-18440** APN: 125-11-711-005
Name of Property Owner: BERNARD + DOLORES BENEDETTO
Name of Applicant: BERNARD BENEDETTO

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: BERNARD BENEDETTO

Subscribed and sworn before me

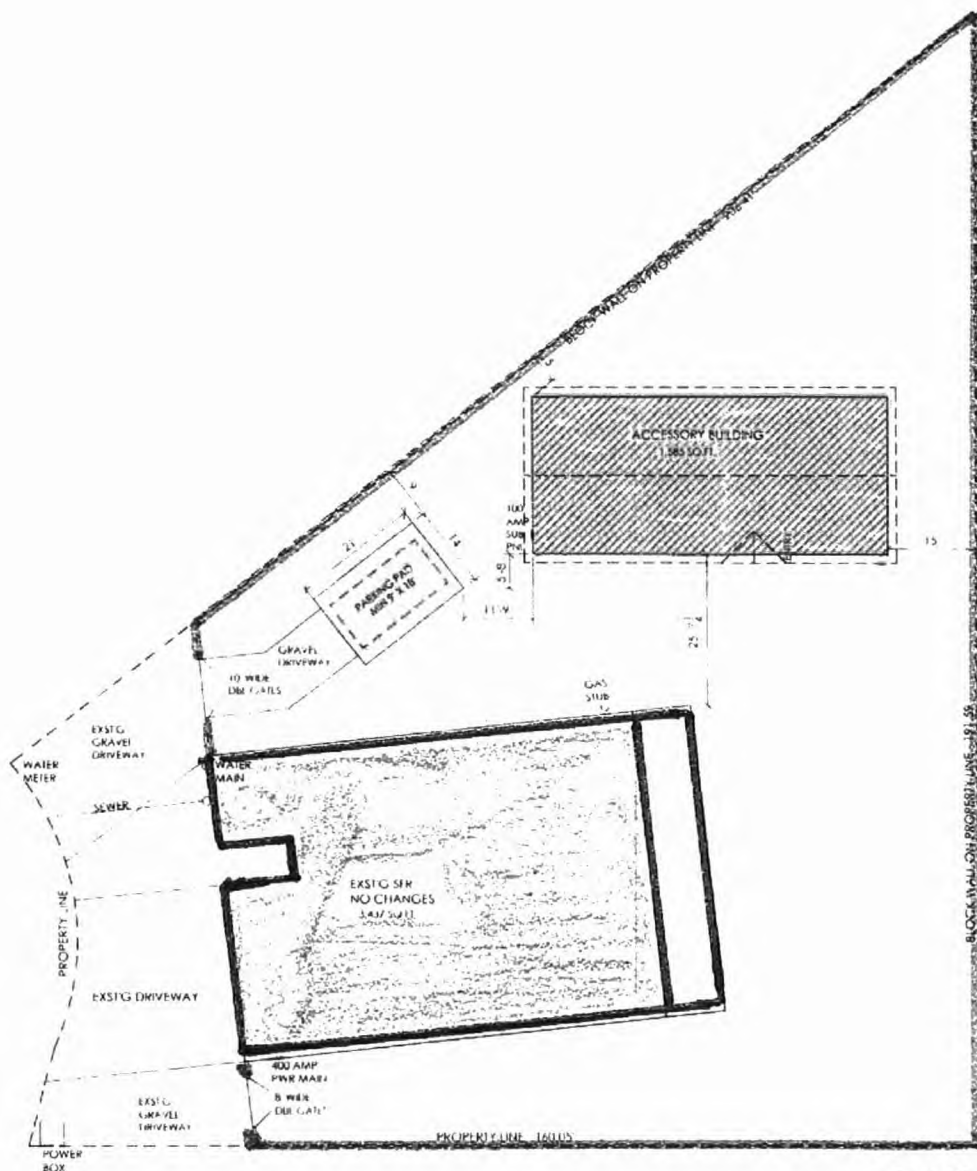
This 20th day of NOVEMBER, 20 06

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

J.E. TALLEDO
Notary Public, State of Nevada
Appointment No. 02-78894-1
My Appt. Expires Oct. 25, 2010

LOYAL ROYAL AVENUE

POINT GIVEN STREET



AREAS	SQ. FT.
LOT SIDE APPR	21,757
PRINCIPAL DWELLING	1,400
W/DRAGE	1,400
ACCESSORY BLDG.	1,385
UNDER PERMANENT ROOF	5,022
% UP LOT COVERAGE	23.0%

HEIGHT FROM GROUND LEVEL	
PRINCIPAL DWELLING	10.4
ACCESSORY BLDG.	14.5

NOTE:
ALL WORK SHALL CONFORM TO:
2003 INTERNATIONAL BUILDING CODE
2003 INTERNATIONAL RESIDENTIAL CODE
2000 UNIFORM PLUMBING CODE
2000 UNIFORM MECHANICAL CODE
2003 NATIONAL ELECTRICAL CODE
2003 NATIONAL ENERGY CONSERVATION CODE
SOUTHERN NEVADA CODE AMENDMENT
OR SUPPLEMENT GROUP, SR

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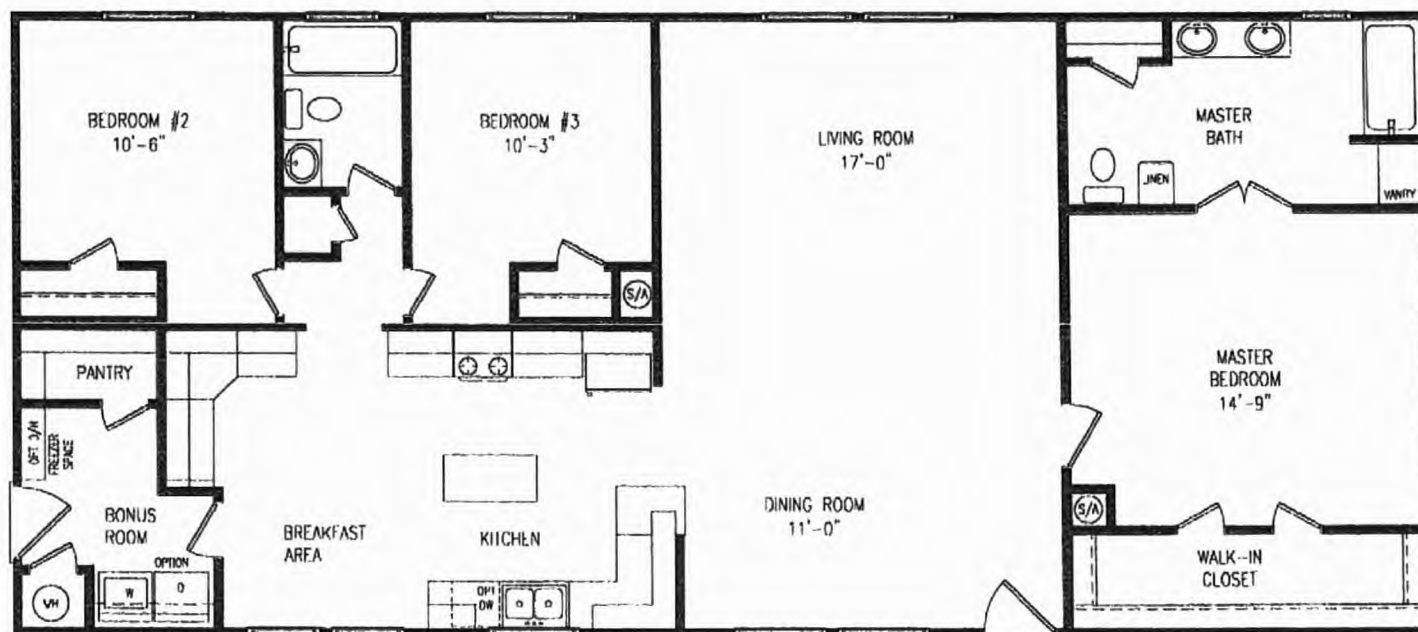


PLOT PLAN		
DATE: 11-07-06	8260 POINT GIVEN ST LAS VEGAS, NV 89131	REV: 11-27-06
PROJECT: BENEDDETTO ACCESSORY BLDG.		
SHEETS: 1		

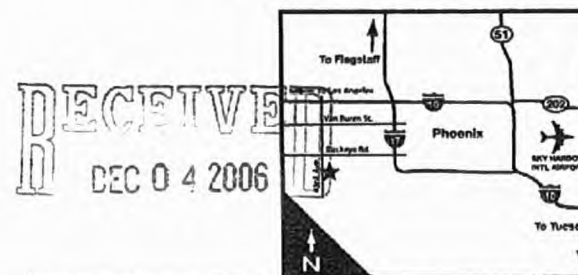
SUP-18440
01/25/07 PC

3 Bedroom, 2 Bath
Approx. 1,585 SQ. FT.
26'8" x 60'

Sheraton



FactorySelect
"Factory Direct Value" **HOMES**
 1635 S. 43rd Avenue • Phoenix, AZ, 85009



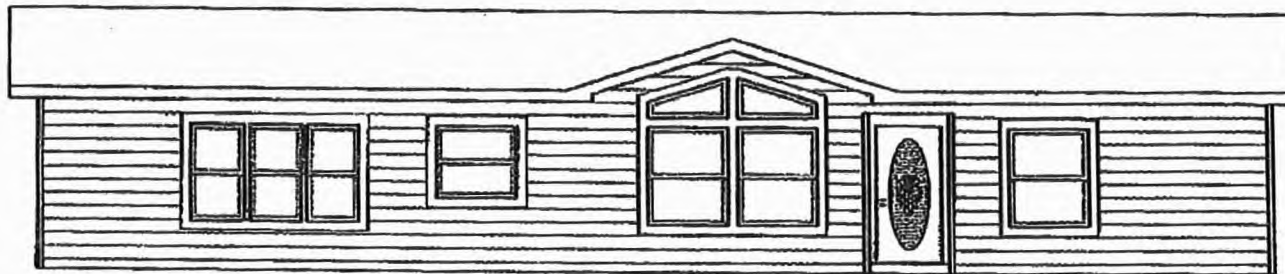
For Detailed Directions See Map On Our Website

SUP-18440 1-800-965-3641
01/25/07 PC

PENEIDETTA GUEST HOUSE



ELEVATION



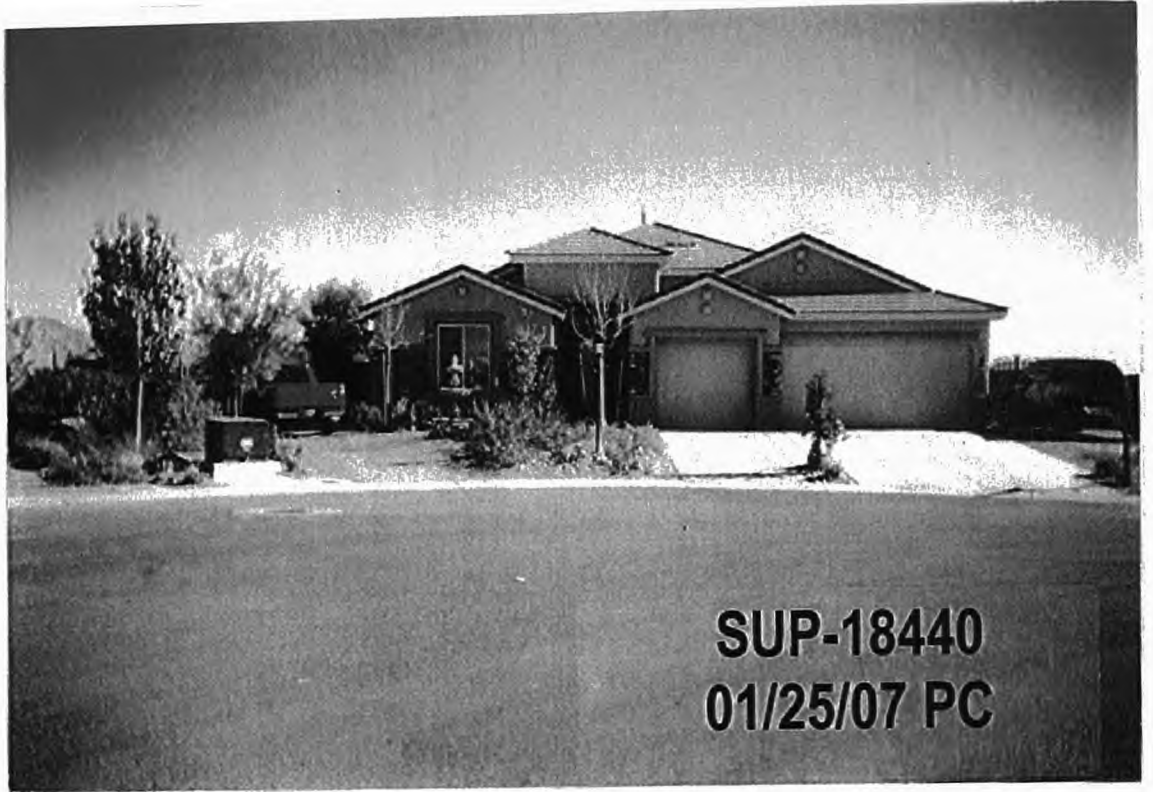
FRONT ELEVATION

14'8"

DEC 04 2006

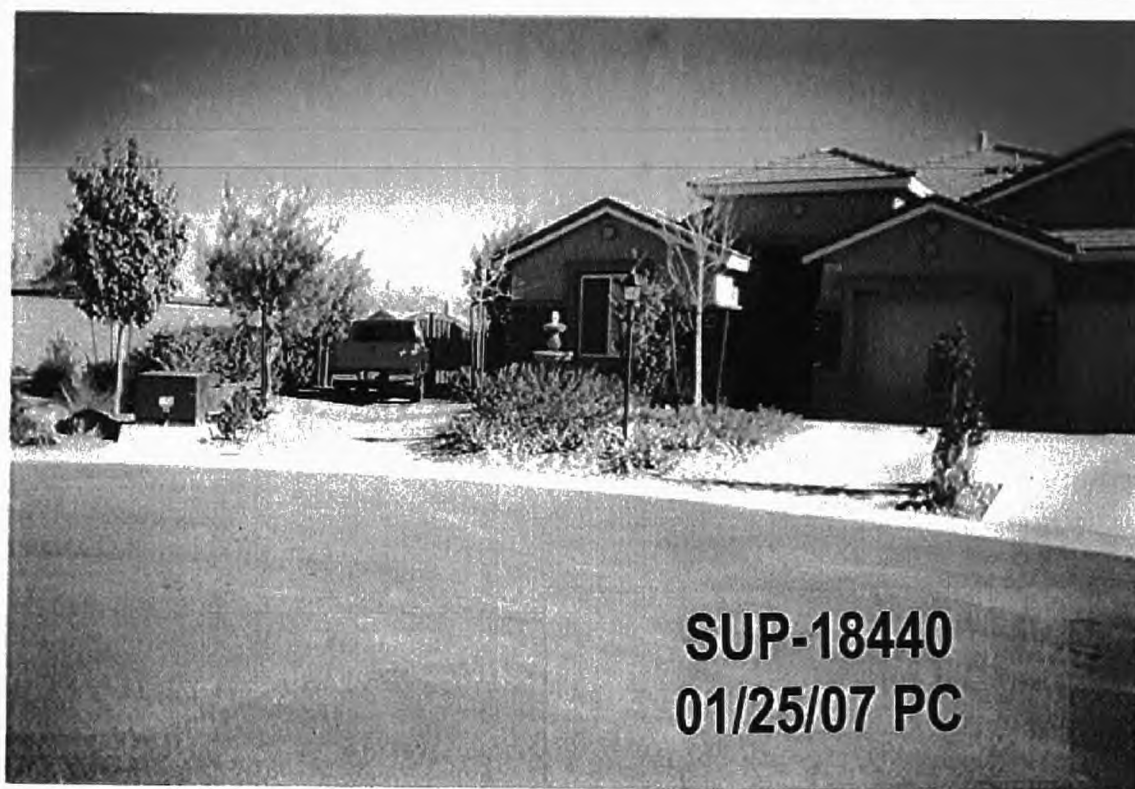
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2 REVISION	DATE:	DRAWN BY: BS		MODEL: 2860-1B	SERIES: STANDARD	
3 REVISION				2006		
4 REVISION						

SUP-18440
01/25/07 PC





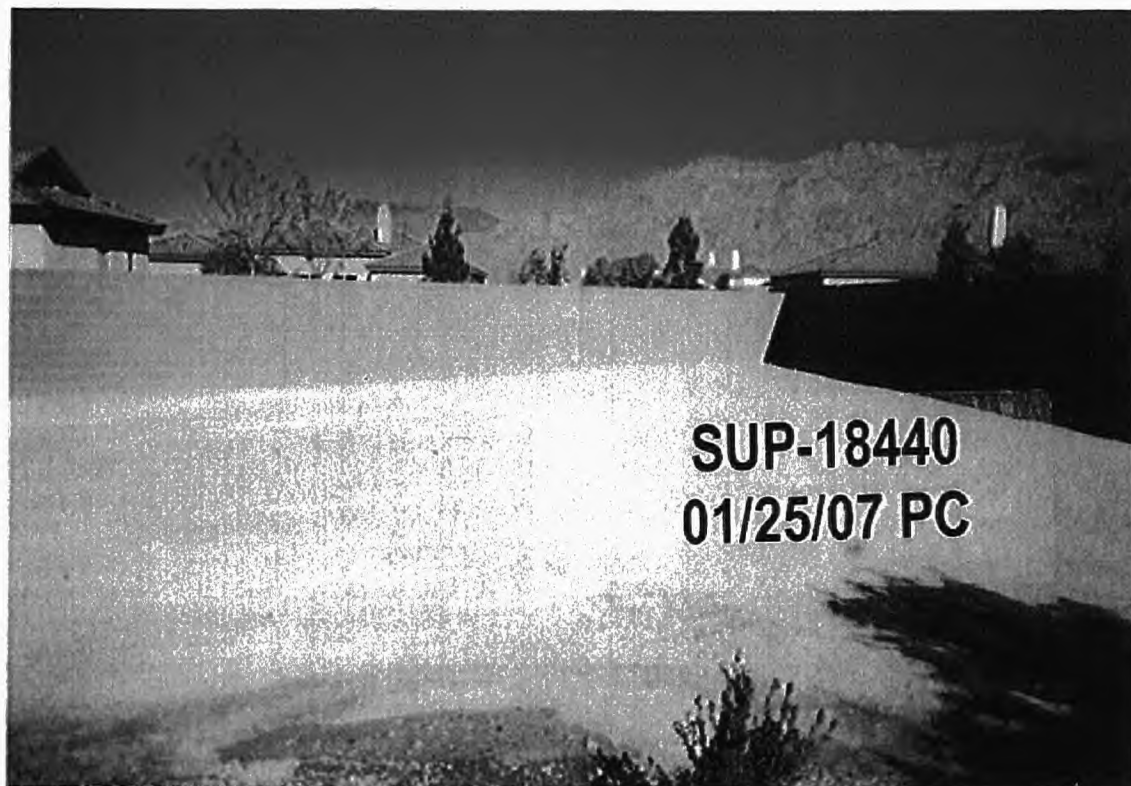
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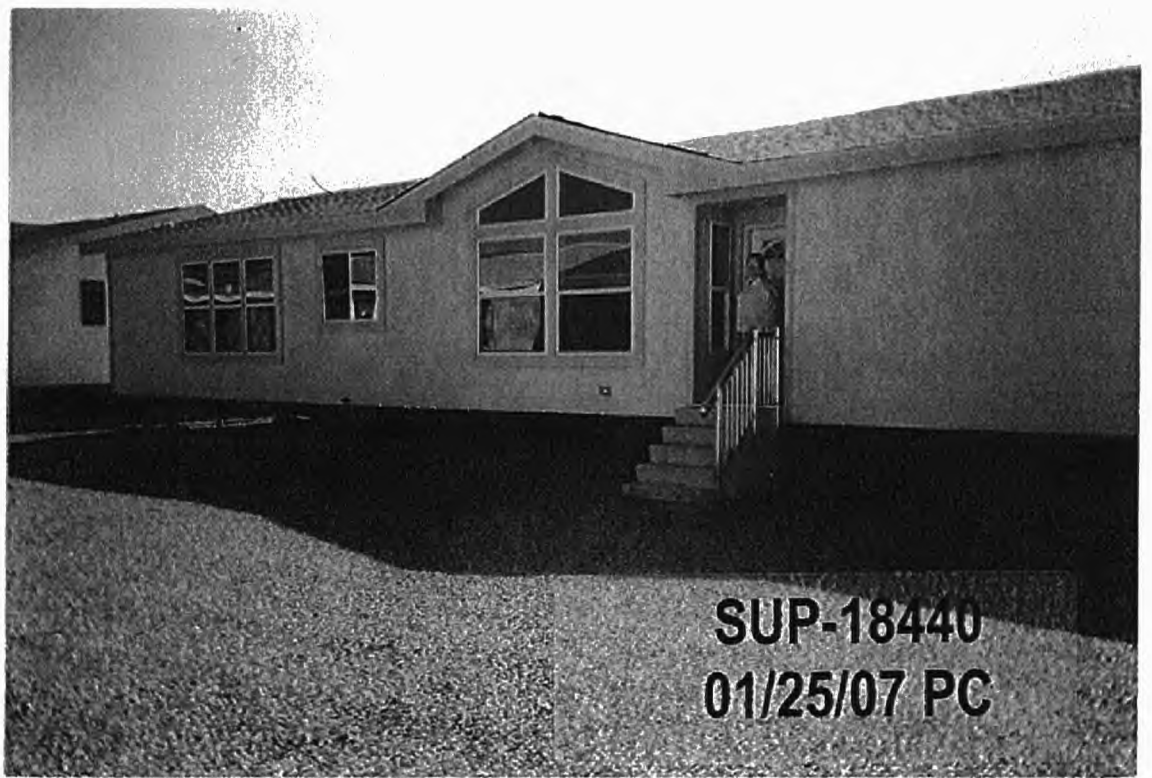


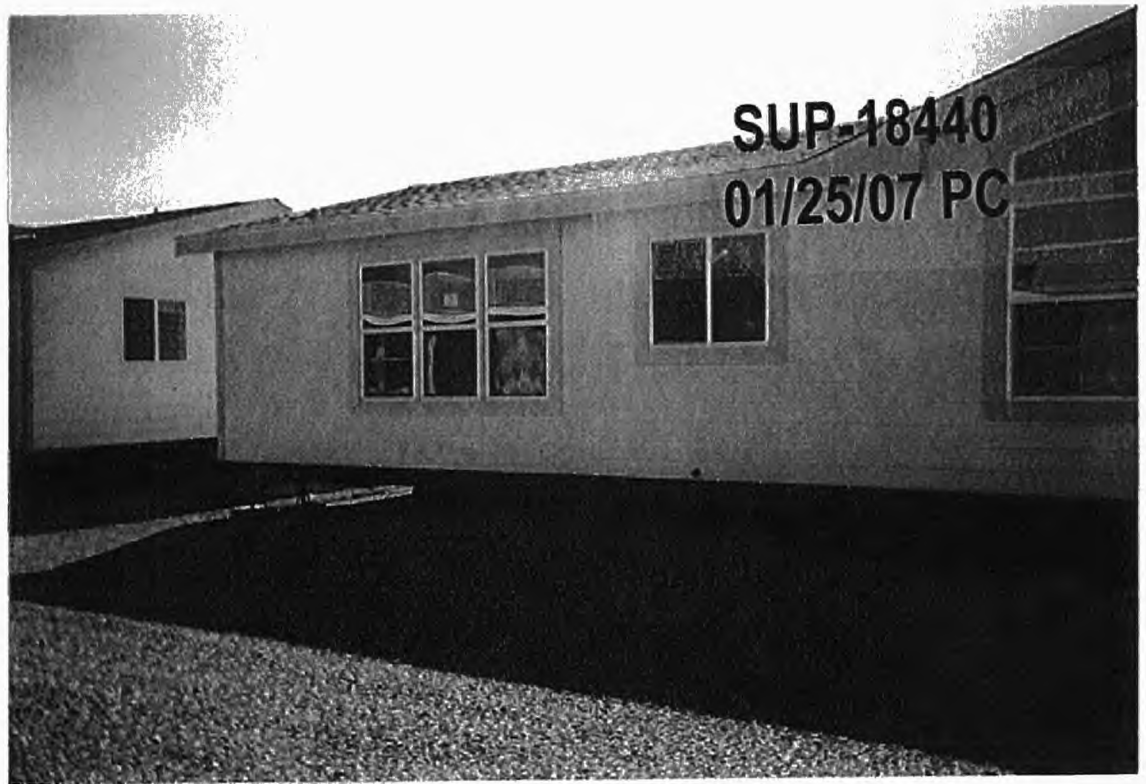


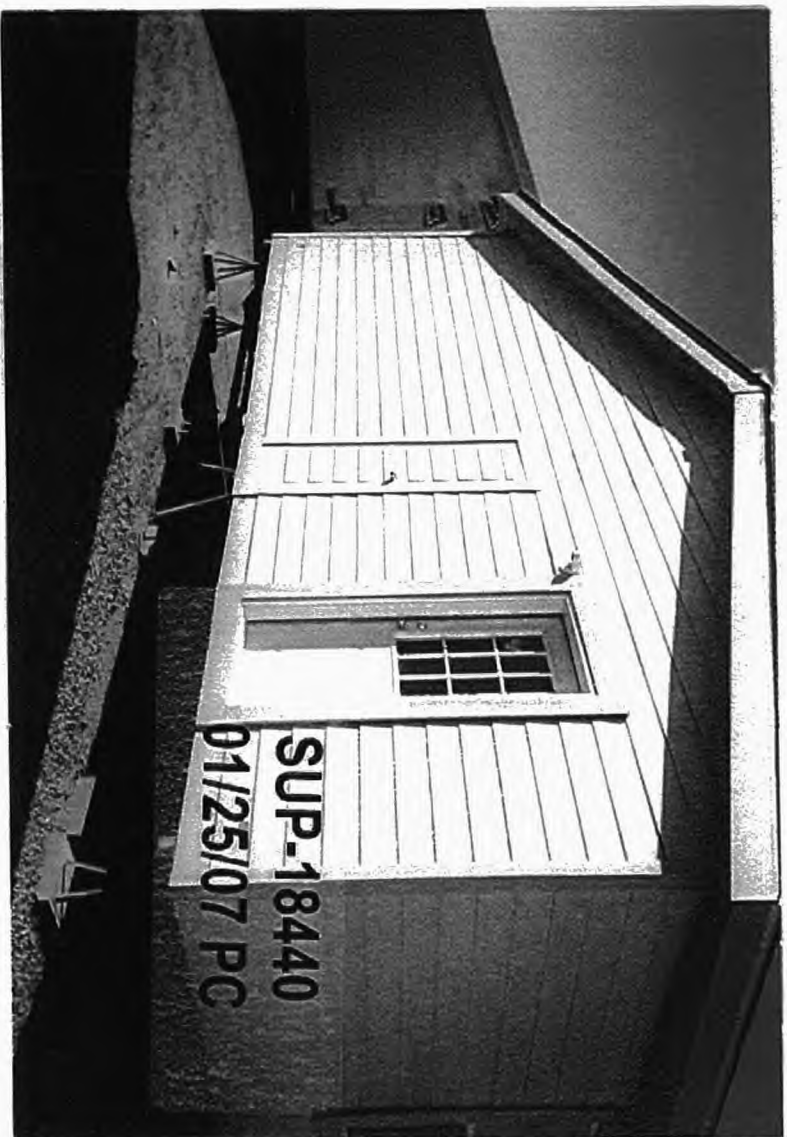
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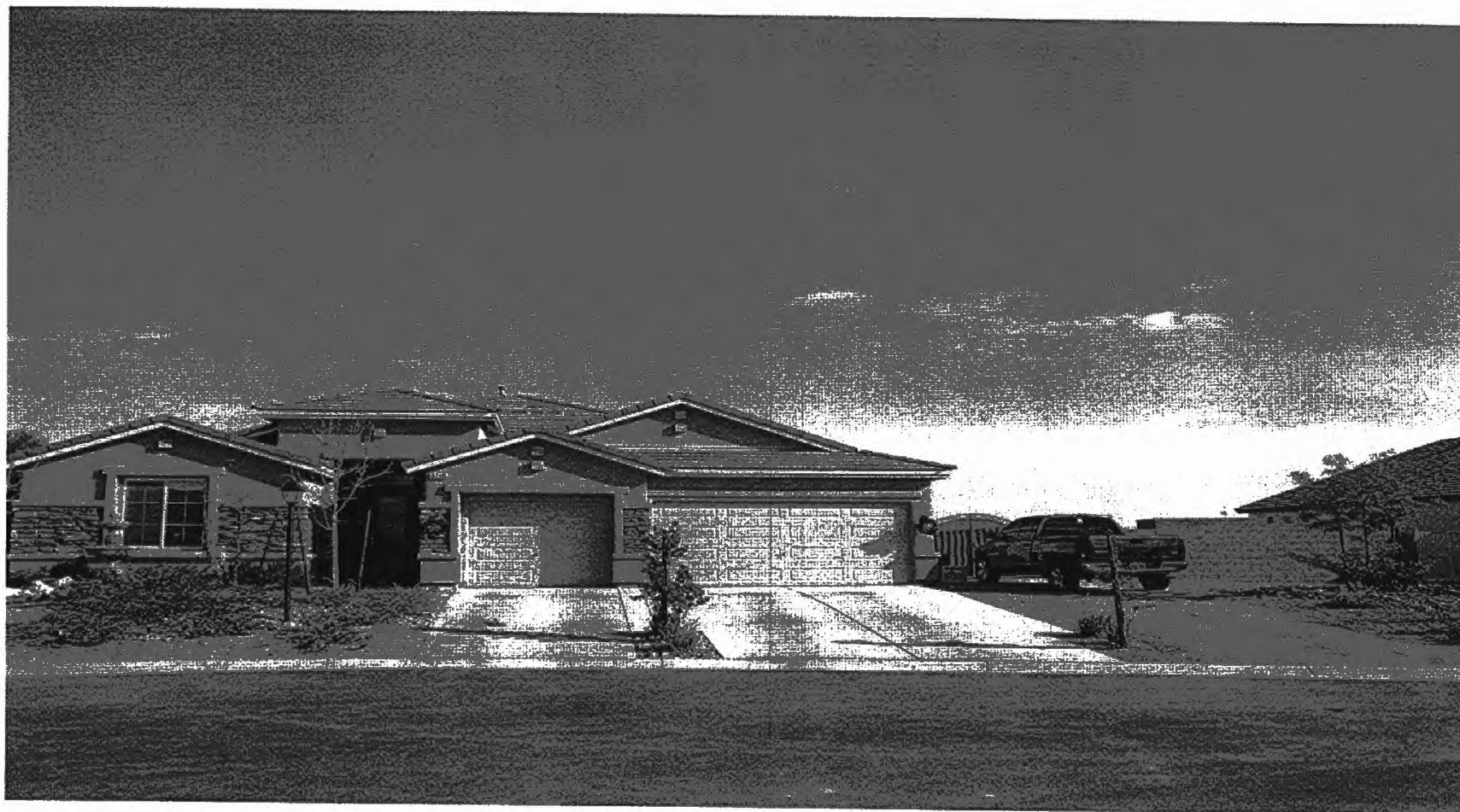
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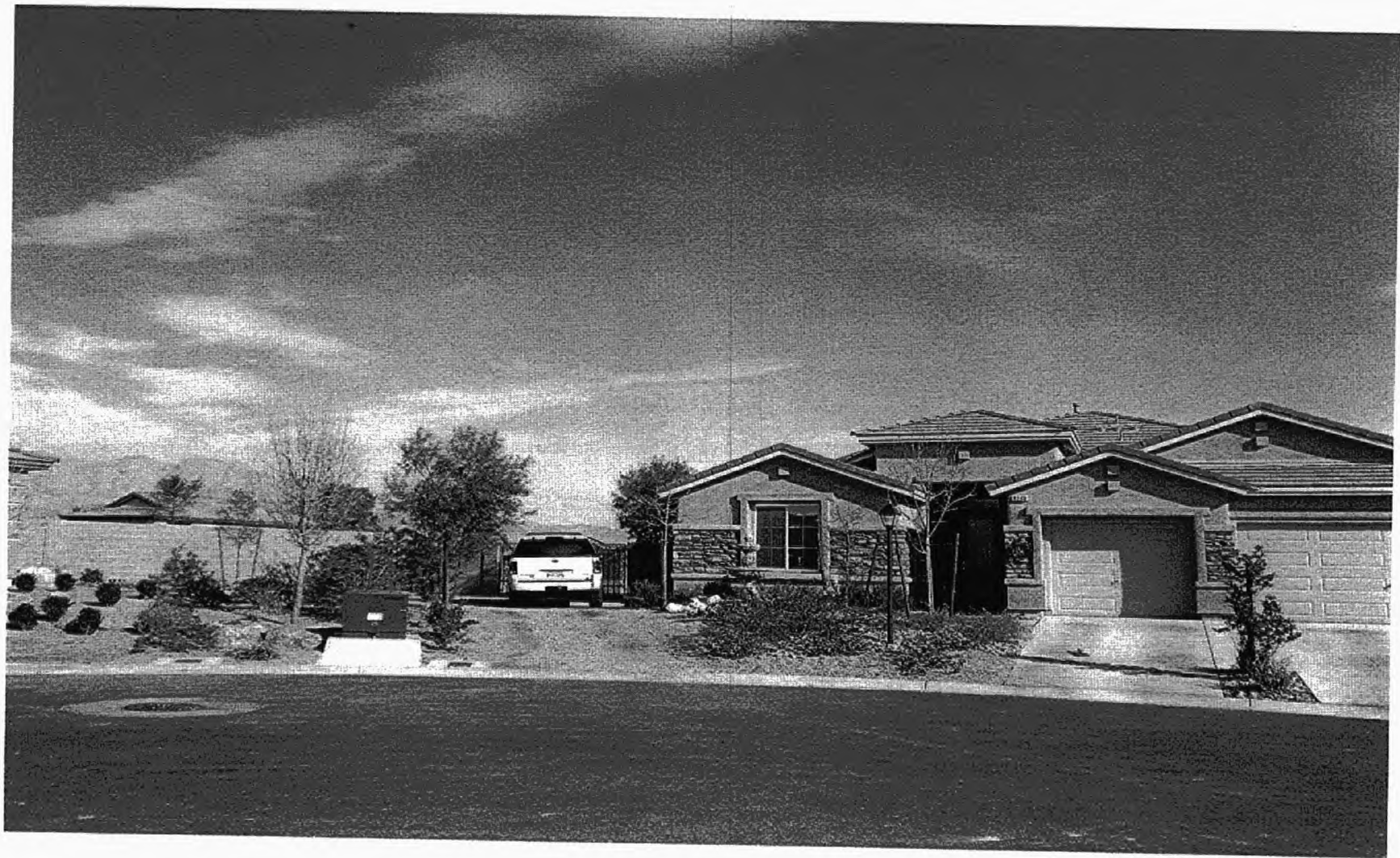






SUP-18440 - APPLICANT/OWNER: BERNARD P. AND DELORES T. BENEDETTO
8260 POINT GIVEN STREET
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06



SUP-18440 - APPLICANT/OWNER: BERNARD P. AND DELORES T. BENEDETTO
8260 POINT GIVEN STREET
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06



SUP-18440 - APPLICANT/OWNER: BERNARD P. AND DELORES T. BENEDETTO
8260 POINT GIVEN STREET
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06



Pinnacle

Community Association Management

October 3, 2006

Bernard P. Benedetto
Dolores T. Benedetto
8260 Point Given St.
Las Vegas, NV 89131

Re: Acct. #61847 / Quarterhorse Estates – Unit 1
Property Address: 8260 Point Given St.

Dear Homeowner:

The Architectural Committee for the Quarterhorse Estates – Unit 1 has reviewed and approved your submitted plans for the installation of the additional building on your property per the provided plans.

This approval is subject to all City, State and Federal permits, codes, statutes, laws, rules and regulations, which are the sole responsibility of the homeowner. This approval shall not be deemed a warranty or representation as to the quality of construction, installation, addition, alteration, repair, change or other work. Any variation in the installation of the improvement/construction will disqualify this approval and will require additional documents submitted.

Thank you for your patience and cooperation regarding this procedure. If you have any questions, please feel free to give me a call.

Sincerely,
At the Direction of the board

Frankie Stevenson
Community Manager
Quarterhorse Estates – Unit 1

cc: BOD
File

QUARTERHORSE ESTATES UNIT-1

homeowners association

P.O. BOX 12117

LAS VEGAS, NV 89112

(702) 531-3382

FAX (702) 531-3392

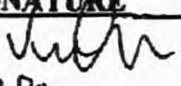
NEIGHBOR AWARENESS SIGN-OFF FORM

NEIGHBOR AWARENESS: The neighbor's approval is not necessarily a condition to your improvement/modification being approved by the Architectural Committee. The intent is to advise your neighbors who own property within close proximity of your lot and may be affected by your proposed improvement(s) by requiring their signature below. Neighbor's signing below indicates their awareness of this application. No application will be considered complete until there is evidence that the immediate neighbors and any neighbor who may be affected have been made aware of this application.

LIST IMPROVEMENTS (Please Print):

CONSTRUCTION OF GUEST HOUSE R/P
8260 POINT GARDEN STREET

NEIGHBORS AWARENESS SIGNATURES

NAME	SIGNATURE	ADDRESS	DATE
Vince Whitney		6150 Loyal Royal Ct	9/22/05
Scott Horlacher		6155 Loyal Royal Ct	9/22/05
Alex Naki		8250 Point Garden	9/23/05
		6160 SMARTY JONES AVE	9/23/06

SUP-18440
01/25/07 PC

QUARTERHORSE ESTATES UNIT-1

homeowners association

P.O. BOX 12117

LAS VEGAS, NV 89112

(702) 531-3382

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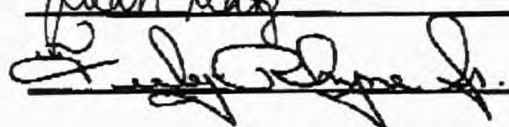
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LIST IMPROVEMENTS (Please Print):

CONSTRUCTION OF GUEST HOUSE R/O
8260 POINT GARDEN STREET

NEIGHBORS AWARENESS SIGNATURES

NAME	SIGNATURE	ADDRESS	DATE
Vince Whitney		6150 Loyal Royal Ct	9/22/05
SCOTT HORLACHER		6155 LOYAL ROYAL CT	9/22/05
Juan Naji		8250 Point Garden	9/23/05
		6160 SMARTY JONES AVE	9/23/06

SUP-18440
01/25/07 PC

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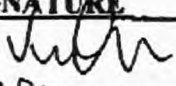
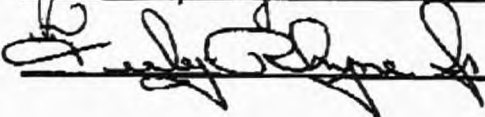
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LIST IMPROVEMENTS (Please Print):

CONSTRUCTION OF GUEST HOUSE R/H
8260 POINT GARDEN STREET

NEIGHBORS AWARENESS SIGNATURES

NAME	SIGNATURE	ADDRESS	DATE
Vince Whitney		6150 Loyal Royal Ct	9/22/05
Scott Horlacher		6155 Loyal Royal Ct	9/22/05
Alex Naxos		8250 Point Garden	9/23/05
Gregory J. Jones Jr.		6160 SMARTY JONES AVE	9/23/06

SUP-18440

01/25/07 PC

November 13, 2006
City of Las Vegas
Planning and Development
731 South Fourth Street
Las Vegas, NV 89101

Justification Letter

Dear Sirs:

My wife and I are requesting consideration for a Special Use Permit to build a Habital Accessory Structure with kitchen, on our property located at 8260 Point Given Street, Las Vegas, Nevada 89131.

The property location is zoned RE, approximately ½ acre and is completely walled.

The main house is occupied by my wife and I, my son and two grandchildren, ages 7 and 11 years old, whom are in our charge.

I am retired and my wife will be retiring shortly.

The Accessory Structure will allow us to have separate dwellings and maintain the family unit.

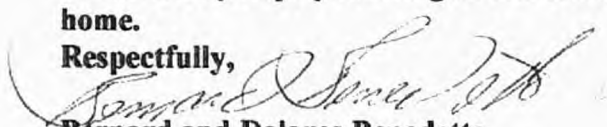
We would like to place a 1586 square foot manufactured home with in ground foundation. The foundation will be constructed by Eagle Foundation and Iron Works Of Henderson Nevada (contrators license number 39236A) (See attached). The manufactured home and foundation will meet and exceed all HUD requirements.

Our development Quarterhorse Estates Unit 1 has approved our plans and given us their permission for construction.

We will conform to the associations CC and R set backs which are greater than city requirements. We have submitted to the association neighbor awareness sign off forms which have been approved (see attached).

We sincerely hope you will give the utmost consideration for our manufactured home.

Respectfully,

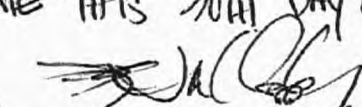

Bernard and Dolores Benedetto
8260 Point Given Street
Las Vegas, Nevada, 89131
702-396-5055

SUP-18440

01/25/07 PC

SUBSCRIBED AND SWORN BEFORE
ME THIS 20TH DAY OF NOVEMBER, 2006

J.E. TALLEDO
Notary Public, State of Nevada
Appointment No. 02-78894-1
My Appt. Expires Oct. 25, 2010


NOTARY PUBLIC IN & FOR SAID
COUNTY & STATE

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:****SPECIAL USE PERMIT**

SUP-18655 - PUBLIC HEARING - APPLICANT: T-MOBILE USA INC. - OWNER: BERKE ENTERPRISES, LTD., L.P. - Request for a Special Use Permit FOR A PROPOSED WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN at 1501 East Charleston Boulevard (APN 139-35-402-001), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

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

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

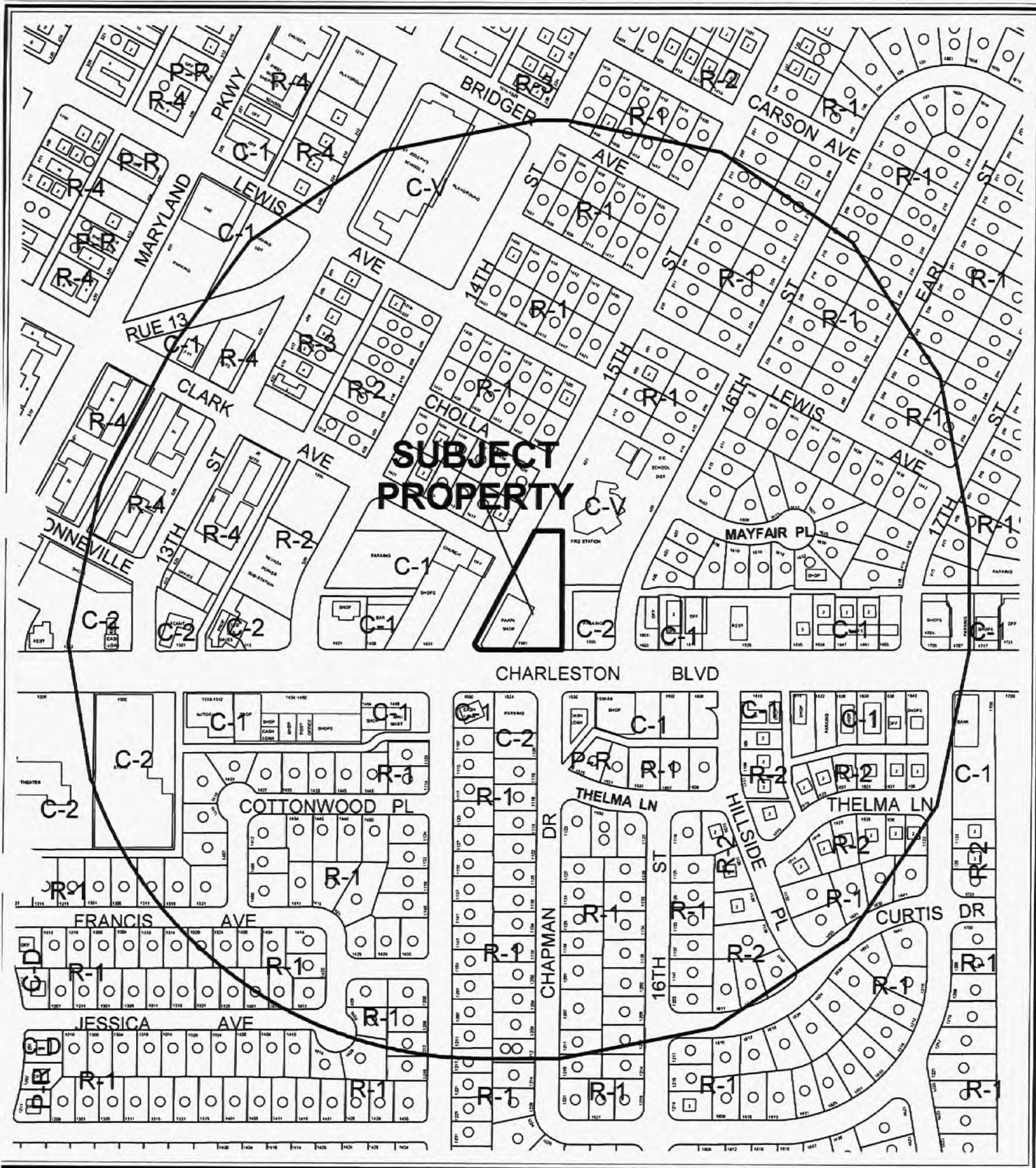
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 01-25-07 Planning Commission Meeting Item 14

Motion made by LARRY BROWN to Hold in Abeyance Item 63 [1919 Fremont Street], Item 64 [900 Stewart Avenue, 216 and 222 N. 9th Street], Item 89 [SUP-18655], Item 94 [GPA-16511], Item 95 [ZON-16519], Item 96 [VAR-16525], Item 97 [SDR-16522], Item 105 [VAR-17871], Item 106 [SDR-17312], Item 111 [GPA-18818], Item 112 [ZON-18819], Item 113 [VAR-18820], Item 114 [SUP-18821] and Item 115 [SDR-18822] to 3/07/2007; Item 102 [ZON-17242], Item 103 [VAR-17244] and Item 104 [SDR-17247] to 3/21/2007; Item 107 [SUP-13490] and Item 110 [SDR-15747] to 4/18/2007

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

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



CASE: **SUP-18655**

RADIUS: 1000 FT

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

0 200 400 600 Feet





CASE: **SUP-18655**

RADIUS: 1000 FT

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

0 200 400 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-18655 - APPLICANT: T-MOBILE USA, INC. - OWNER: BERKE ENTERPRISES, LTD., L.P.

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan and elevation, date stamped 12/11/06, except as amended by conditions herein.
3. The wireless communications facility and its associated equipment and screening shall be properly maintained and kept free of graffiti at all times by the monopole owner. Failure to perform the required maintenance may result in fines and/or removal of the facility and its associated equipment. If abandoned, the property owner must obtain a demolition permit to remove the equipment within 30 days of abandonment. All equipment must then be removed within six months after operations at the site cease.
4. The proposed eight (8) foot block wall surrounding the equipment enclosure shall include; a minimum of twenty percent contrasting material and conform to Title 19.08 perimeter wall requirements. No barbed or razor wire shall be used.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is for a Special Use Permit for a Wireless Communication Facility, Stealth Design at 1501 East Charleston Boulevard.

The proposed wireless communication facility, stealth design is an 80-foot tall tower with a "monopalm" (palm tree disguising the tower) design. The proposed wireless communications monopalm facility will be located adjacent to the C-V (Civic District) zoned City of Las Vegas property along the northern portion of the eastern property line. The site meets the base conditions for this type of use and is compatible with its surroundings. Therefore approval is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/12/99	The City Council approved a Special Use Permit (U-0015-99) to allow a pawn shop use at 1501 East Charleston Boulevard. The Planning Commission and Staff recommended approval.
06/07/00	The City Council approved a Required one-year Review [U-0015-99(1)] for a pawn shop use at 1501 East Charleston Boulevard. The Planning Commission and Staff recommended approval.
07/18/01	The City Council approved a Required one-year Review [U-0015-99(2)] for a pawn shop use at 1501 East Charleston Boulevard. The Planning Commission and Staff recommended approval.
01/25/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #14/rts).
01/24/00	A building permit application, plan check C-5-99, was submitted 04/22/99. The permit was issued 09/29/99. The Planning and Development Department review began 04/30/99 and recorded approval on 07/20/99. A project completion date was recorded by the Department of Building and Safety.
06/28/05	A business license for a C22 (Check Cashing Service w/gross - A company who (for a fee) will provide currency or a negotiable instrument in exchange for a check. Check Cashing and Deferred Deposit Services. Does not include Installment Loans) category license was processed in by the Department of Finance and Business Services. This license (C22-00031) was approved by the Planning and Development Department on 06/30/05 and issued by Business Services on 07/05/05.
<i>Pre-Application Meeting</i>	
12/06/06	A pre-application meeting was held and elements of this application were discussed. It was noted that two sets of photo simulations are required in addition to the standard elevations. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	

Details of Application Request	
Site Area	
Net Acres	1.0

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Pawn Shop	C (Downtown - Commercial)	C-1 (Limited Commercial)
North	Government Facility (Fire Station)	PF (Public Facilities)	C-V (Civic District)
South	Financial Institution, Specified	C (Downtown - Commercial)	C-1 (Limited Commercial)
	Parking	C (Downtown - Commercial)	C-2 (General Commercial)
East	Government Facility (Fire Station)	PF (Public Facilities)	C-V (Civic District)
	Parking	C (Downtown - Commercial)	C-2 (General Commercial)
West	General Retail, Other Than Listed	C (Downtown - Commercial)	C-1 (Limited Commercial)
	Office, Other Than Listed	O (Office)	P-R (Professional Office and Parking)

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		X	n/a
Trails		X	n/a
Rural Preservation Overlay District		X	n/a
Development Impact Notification Assessment		X	n/a
Project of Regional Significance		X	n/a

DEVELOPMENT STANDARDS

Pursuant to Title 19.04, the following Standards apply to the subject proposal:

Wireless Communication Facility, Stealth Requirements	Provided	Compliance
No residential use may exist on the property.	No residential uses exist on the property	Yes
The design must conform to the definition of "Wireless Communication Facility, Stealth Design" as set forth in Title 19.20 and the Director.	The facility is designed to look like a palm tree, with the antennas hidden by the palm's "fronds"	Yes
The design and location of the facility must be deemed by the Director to be compatible with the surrounding area and the facility must include appropriate screening and landscaping to ensure such compatibility.	The proposed facility is appropriately screened and is compatible with the surrounding area	Yes
The frequencies used by the provider shall be in conformance with FCC standards as certified by a competent professional.	The applicant asserts that the frequencies are in conformance with FCC standards	Yes

ANALYSIS

The subject site is located in the Southeast Sector of the General Plan. The site is designated C (Downtown - Commercial) on the Redevelopment Plan map of the General Plan. The proposed development is in compliance with the C (Downtown - Commercial) designation. This category allows commercial uses that are normally allowed within the O (Office), SC (Service Commercial), and GC (General Commercial) Master Plan land use designations. The property is the site of an existing commercial structure and the existing C-1 (Limited Commercial) zoning designation conforms to the C (Downtown - Commercial) land use category.

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the Wireless Communication Facility, Stealth Design use; however, no residential use may exist on the property. Since the existing site is a commercial property currently used for a pawn shop use, this condition is met. There is an existing Wireless Communication Facility located approximately 490 feet west of the subject site. This existing facility is within the Nevada Power Substation.

The subject site is zoned C-1 (Limited Commercial). Wireless Communication Facilities are permitted uses in this zoning district, subject to an administrative level staff review. This project was initially approved by Staff as a part of the review of an Administrative Site Development Plan Review (SDR-17209). However, per Title 19.18.050 (F) (3), a review of this project has been requested by the City Council and therefore a special use permit must be reviewed and approved for this use to locate on the subject site.

The subject site is located within the Redevelopment Plan Area. It is bound by C (Downtown - Commercial) designated land to the west and south and is bound by PF (Public Facility) designated land to the north. To the east it is bound by C (Downtown - Commercial) and PF (Public Facility) designated land.

The proposed Wireless Communications Facility is an 80-foot tall stealth-designed "monopalm," or tower disguised as a palm tree. It is proposed to be located on the eastern side of a C-1 (Limited Commercial) zoned parcel. The structure extends to 76 feet, where the arrays of the antennas each are attached; the "fronds" of the artificial tree extend to 80 feet. An eight-foot block wall is proposed for screening of the facility and will require a separate permit if approved. The proposed monopalm, due to the stealth design, is compatible with the surrounding area.

If approved, the facility must conform to the site plan as submitted on 12/11/06, which shows the height of the proposed structure and the antennas. If abandoned in the future, the entire facility must be removed within six months of abandonment.

Conditions

Pursuant to Title 19.04, the following base conditions apply to a Wireless Communication Facility, Stealth Design use.

1. The applicant must submit to the Department, for administrative review and approval, a site plan and an elevation drawing. The Director shall review the documents to determine if the proposed facility conforms to the conditions listed below for this use. If the Director, in his discretion:
 - a. Approves the proposed facility to proceed as a conditional use, the Director shall provide written notice of approval to the applicant, with a copy to the office of the City Council. Within ten days after the notice is mailed or delivered, the applicant may proceed to apply for building permits, unless a member of the City Council files with the Director a written request for the Council to review the approval. If such a request to review is filed, the application must first be reviewed and approved by the Council.
 - b. Determines that the proposed facility does not conform to the conditions listed below, a Special Use Permit will be required for the use. Any determination by the Director that a Special Use Permit will be required is no subject to appeal.
2. No residential use may exist on the property.
3. The design must conform to the definition of the term "Wireless Communications Facility, Stealth Design," as set forth in Section 19.20.020 and as determined by the Director.

4. Within an area designated as a Historic Preservation District, the proposed facility must be reviewed by the Historic Preservation Commission before the Director considers granting approval as a conditional use.
5. The design and location of the proposed facility must be deemed by the Director to be compatible with surrounding uses, and the facility must include appropriate screening and landscaping to ensure such compatibility.
6. The frequencies used by the communication provider shall be in conformance with Federal Communication Commission standards, as certified by a competent professional (such as a radio frequency engineer).

FINDINGS

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

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

The stealth designed facility meets Title 19 requirements for this use. While the facility is taller than other trees in the area, it is not obtrusive and is therefore compatible with surrounding land uses.

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

There are no physical constraints to the location and intensity of the proposed use on the subject site. The site is large enough to accommodate the facility without it being unduly noticeable from the surrounding properties. Parking will be minimally affected by the loss of four spaces but will not become parking impaired as a result of this project.

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.”**

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

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

The Wireless Communication Facility, Stealth Design use on this site will not compromise the public health, safety, and welfare because the use must be constructed in compliance with applicable building codes and thus is subject to inspections for compliance with these codes.

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 315 by City Clerk

APPROVALS 0

PROTESTS 0



T-Mobile®

CHAPMAN DR. AND THELMA LN.
VG08659-A

1501 E. CHARLESTON BLVD.
LAS VEGAS, NEVADA 89101

THE PROPOSED PROJECT INCLUDES:

- INSTALLATION OF WIRELESS ANTENNAS ON A 7' MONOPOLM WITH ANTENNAS AT A 7' CENTERLINE PROXIMITY NOT TO EXCEED 80'
- INSTALLATION OF (4) OUTDOOR EQUIPMENT CABINETS ON A CONCRETE PAD
- INSTALLATION OF ONE GPS ANTENNA
- COAXIAL CABLE RUNS FROM RADIOS TO ANTENNAS
- NEW TELEPHONE CONDUIT RUN TO CABINETS
- NEW 200A DEDICATED ELECTRICAL SERVICE TO METER
- INSTALLATION OF BLOCK WALL WITH CHAIN LINK GATE ATTACHED TO BLOCK WALL
- INSTALLATION OF (2) 6' WIDE SOLID METAL SWING GATES

PROJECT DESCRIPTION



VICINITY MAP

APPLICANT/LESSEE

T-MOBILE
1175 S. RILEY ST., STE. 101
LAS VEGAS, NEVADA 89147

CONTACTS:
CHAD SANDUST
CONSTRUCTION PROJECT MANAGER
(702) 596-9406

PROPERTY INFORMATION

OWNER: BERKE ENTERPRISES LTD.
11077 SUNSET BOULEVARD
LOS ANGELES, CALIFORNIA
90049-3274
CONTACT: BARBARA LAMBLEY
PHONE: (310) 314-3400
AREA OF CONSTRUCTION: 407.34 SQ. FT.
OCCUPANCY TYPE: S-2
CONSTRUCTION TYPE: V-B
CURRENT ZONING: LIMITED COMMERCIAL DISTRICT (C-1)
JURISDICTION: CITY OF LAS VEGAS
LATITUDE: N 36° 09' 34.2"
LONGITUDE: W 115° 07' 34.7"
ELEVATION: 1948 FEET (NAVD 1988)
ZONING APPLICATION #: T80
A.P.N.: 139-35-402-001
HANDICAP REQUIREMENTS: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS NOT REQUIRED.

PROJECT INFORMATION

EQUIPMENT LOCATION: ☒ OUTDOOR ☐ INDOOR
EQUIPMENT SHELTER: ☐ YES ☒ NO
ANTENNA LOCATION:
☐ NEW MONOPOL
☐ SELF SUPPORT TOWER
☐ EXISTING MONOPOL
☐ ROOF TOP
☐ EXISTING TOWER
☒ OTHER - NEW MONOPOLM

PROJECT SUMMARY

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

1. INTERNATIONAL BUILDING CODE 2003 W/STATE AMENDMENTS
2. UNIFORM MECHANICAL CODE 2000
3. ANSI/AIA-2002-F LIFE SAFETY CODE
4. NFPA-101-1997
5. UNIFORM PLUMBING CODE 2000
6. NATIONAL ELECTRIC CODE 2002
7. LOCAL BUILDING CODE(S)
8. CITY AND/OR COUNTY ORDINANCES

CODE COMPLIANCE

CIVIL ENGINEER

SPECTRUM SURVEYING & ENGINEERING
7351 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
CHRIS WENNER
PHONE: (702) 367-7705
FAX: (702) 367-8733

STRUCTURAL ENGINEER

TBD

ELECTRICAL ENGINEER

SPECTRUM SURVEYING & ENGINEERING
7351 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
RICHARD TOMASELLO
PHONE: (702) 363-9530

SURVEYOR

SPECTRUM SURVEYING & ENGINEERING
7351 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
CHRIS WENNER
PHONE: (702) 367-7705
FAX: (702) 367-8733

PROJECT TEAM

SHEET	DESCRIPTION	REV.
T1	FILE SHEET	1
A1	SITE PLAN	1
A1.1	ENLARGED SITE PLAN	1
A2	SITE DETAIL, ANTENNA & CABLE SCHEDULE AND ANTENNA LAYOUT	1
A3	ELEVATIONS	1
SHEET INDEX		
ZONING		

TITLE	SIGNATURE	DATE
RF ENGINEER		
DPE PROJECT MANAGER		
LANDLORD		
FIELD ENGINEER		
DEVELOPMENT SUPERVISOR		
CONSTRUCTION PROJECT MANAGER		
FIELD OPS MANAGER		
APPROVAL LIST		

OMNIPoint
T-Mobile®
1175 S. RILEY ST., STE. 101
LAS VEGAS, NV 89147

PROJECT INFORMATION

CHAPMAN DR. AND
THELMA LN.
VG08659-A
1501 E. CHARLESTON BLVD.
LAS VEGAS, NEVADA 89101

CURRENT ISSUE DATE

11/08/06

ISSUED FOR

ZONING

REV. DATE DESCRIPTION BY

11/08/06	ZONING T80	1	
09/28/06	ZONING REVISIONS	0	
09/12/06	REMOVED ZONING	1	
08/30/06	100% ZONING	1	
08/07/06	NOTE ZONING	1	

PLANS PREPARED BY

SPECTRUM
SURVEYING & ENGINEERING
7351 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH: (702) 367-7705
FAX: (702) 367-8733

DRAWN BY: CHK: APV:

B. LANGSTON M. CEFALU C. WENNER

LICENSURE

SHEET TITLE

TITLE SHEET

SHEET NUMBER

REVISION

T1

4

VG08659-A

SUP-18655
01/25/07 PC

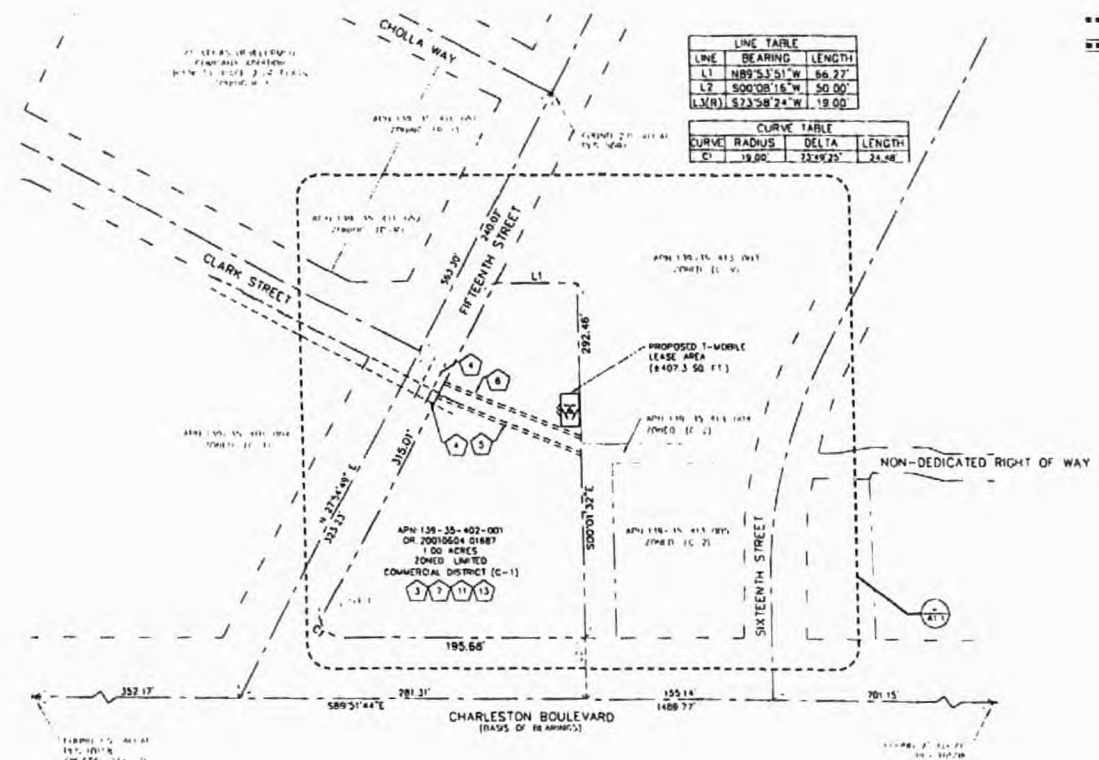
RECEIVED
2006

THAT CERTAIN PARCELS OF LAND AS DESCRIBED IN A GRANT, BARGAIN & SALE DEED RECORDED JUNE 4, 2001 IN BOOK 20010604 AS INSTRUMENT NO. 01687 IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA, LYING WITHIN SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 35, TOWNSHIP 20 SOUTH, RANGE 81 EAST, UTM.

BASIS OF BEARINGS:
SOUTH 89°51'44" EAST, BEING THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 35 AS SHOWN BY MAP THEREOF ON FILE 87, PAGE 79 OF SURVEYS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA.

BENCHMARKS:
CITY OF LAS VEGAS VERTICAL CONTROL NO. 1218
BEING A NINETEEN AND FIVE SIXTEENTH INCH CORNER OF CHARLESTON AND 15TH STREET
ELEVATION 1950.05 FEET (NAVD 1988)
594.375 METERS (NAVD 1988)

- NOTES & TITLE REPORT EXCEPTIONS**
- ONLY THESE EXCEPTIONS LISTED IN THIS REPORT NO. 06-05-1013-WME, DATED MAY 9, 2006, PREPARED BY NEVADA TITLE COMPANY, WHICH ARE NOT SOLELY FINANCIAL IN NATURE AND WHICH REFERENCE A DOCUMENT CONTAINING A SUFFICIENT LEGAL DESCRIPTION OF AREAS AFFECTED BY SAID DOCUMENT WERE CONSIDERED FOR THIS SURVEY AND RE-LISTED BELOW. ITEM NUMBERS CORRESPOND TO ITEM NUMBERS IN SAID TITLE REPORT.
- 2. RESERVATION AND EASEMENTS FROM STATE OF NEVADA OR 155 R32 AFFECTS ENTIRE SUBJECT PROPERTY
 - 4. SHIC FOR COMMUNICATION LINES OR 23 144 215460 AFFECTS PORTION OF SUBJECT PROPERTY AS SHOWN HEREON
 - 5. SHIC FOR POWER LINES OR 238 185275 AFFECTS PORTION OF SUBJECT PROPERTY AS SHOWN HEREON
 - 6. CFC FOR COMMUNICATION LINES OR 1349 1308362 AFFECTS PORTION OF SUBJECTS PROPERTY AS SHOWN HEREON
 - 7. CLV FOR DOWNTOWN DEVELOPMENT AREA OR 860311.00777 AFFECTS ENTIRE SUBJECT PROPERTY
 - 10. RE ASSIGNMENT OF RENT AND LEASES OF 20010406 01208 AFFECTS PORTION OF SUBJECT PROPERTY AS SHOWN HEREON
 - 12. DE FOR UNRECORDED LEASE OR 20010411 01027 AFFECTS PORTION OF SUBJECT PROPERTY AS SHOWN HEREON



LINE TABLE			
LINE	BEARING	LENGTH	
L1	N89°51'51"W	86.27'	
L2	S00°08'16"W	50.00'	
L3(R)	S73°58'24"W	19.00'	

CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	19.00'	23.2825°	24.48'

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

MONUMENT
T-Mobile
4175 S. MILES ST. STE 101
LAS VEGAS, NV 89147

PROJECT INFORMATION
CHAPMAN DR AND
THELMA LN
VG08859-A
1501 E CHARLESTON BLVD
LAS VEGAS, NEVADA 89101

CURRENT ISSUE DATE
11/08/06

ISSUED FOR
ZONING

REV. DATE DESCRIPTION BY

REV.	DATE	DESCRIPTION	BY
1	11/08/06	ZONING FILING	D.S.
2	04/12/06	REVISED ZONING	J.C.
3	04/20/06	100% ZONING	J.C.
4	06/07/06	100% ZONING	B.L.

PLANS PREPARED BY:
SPECTRUM
SURVEYING & ENGINEERING
1351 W. CHARLESTON BLVD. SUITE 130
LAS VEGAS, NEVADA 89117
PH (702) 367-7705
FAX (702) 367-8733

DRAWN BY: CHK **APV**
B. LANDSTON M. DEVALU C. WYNER

LICENSE

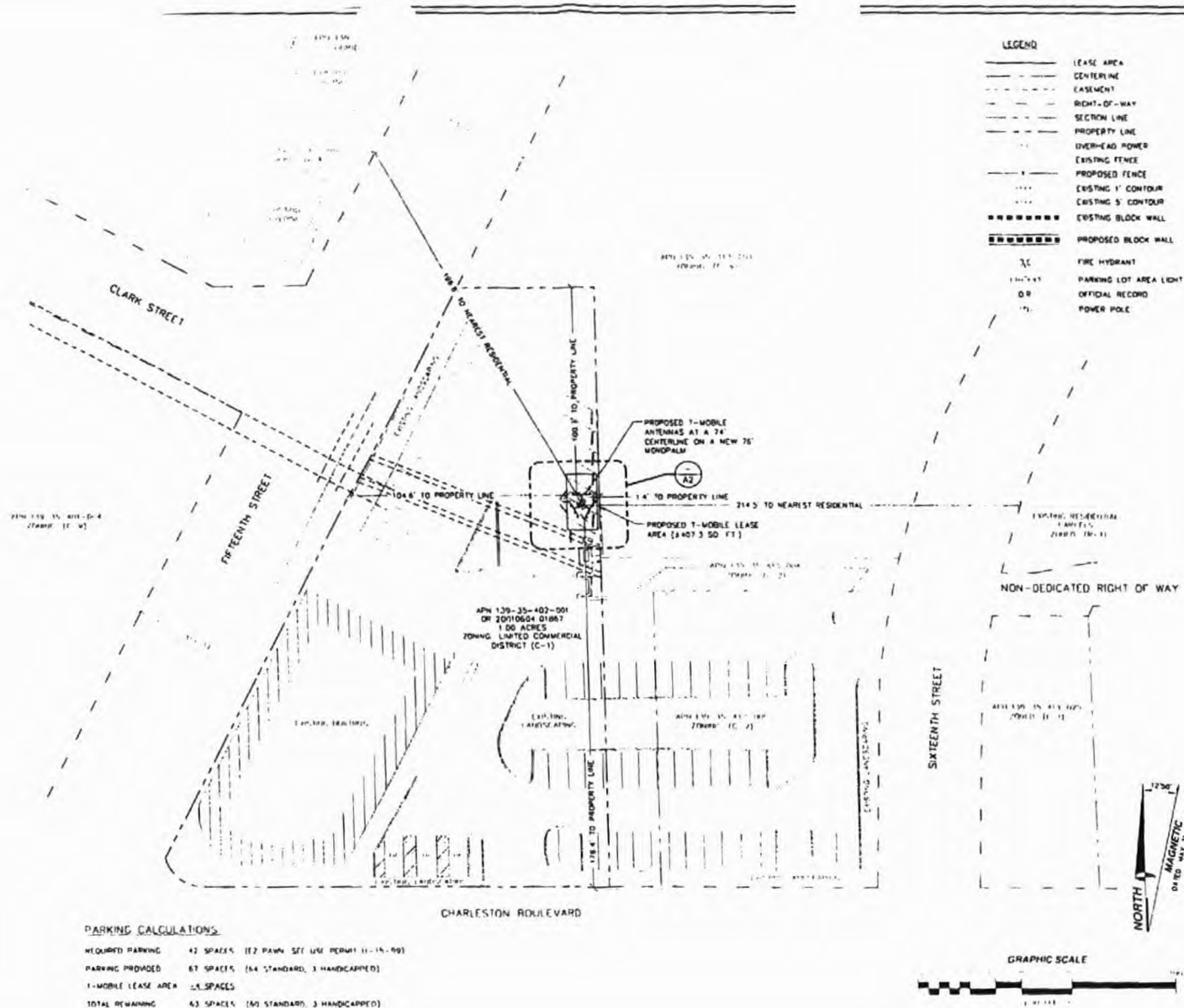
SHEET TITLE
SITE PLAN

SHEET NUMBER **REVISION**
A1 4

SITE PLAN

SUP-18655
01/25/07 PC

RECEIVED
DEC 11 2006



COMMUNICATION
T-Mobile
 875 S. RILEY ST. 10
 LAS VEGAS, NV 89101

PROJECT INFORMATION
 CHAPMAN DR. AND
 THELMA LN.
 VG08659-A
 1501 E. CHARLESTON BLVD.
 LAS VEGAS, NEVADA 89101

CURRENT ISSUE DATE
 11/08/06

ISSUED FOR
 ZONING

REV	DATE	DESCRIPTION	BY
1	11/08/06	ZONING PLING	D.S.
2	09/28/06	ZONING REVISIONS	D.S.
3	09/12/06	REVISED ZONING	J.J.
4	06/20/06	100% ZONING	J.C.
5	06/07/06	100% ZONING	B.

PLANS PREPARED BY
SPECTRUM
 SURVEYING & ENGINEERING
 2301 W. CHARLESTON BLVD. SUITE 120
 LAS VEGAS, NEVADA 89117
 PH (702) 367-7705
 FAX (702) 367-8733

DRAWN BY CHK **APV**
 B LANDSTON M. CEFALU C. WENGER

LICENSURE

SHEET FILE

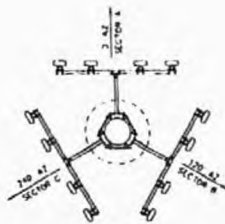
ENLARGED SITE PLAN

SHEET NUMBER **REVISION**

A1.1 **4**
RECEIVED
 DEC 11 2006

ENLARGED SITE PLAN

SUP-18655
01/25/07 PC



ANTENNA SECTION	ANTENNA MAKE/MODEL	COAXIAL CABLE LENGTH	CABLE SIZE	AB JUMPER LENGTH	TOP JUMPER LENGTH	BOTTOM JUMPER LENGTH	COMMENTS
SECTION A	DRS-18XWDP	90' x 8	7/8" COAX	74'	5'	6' (10 MAX)	
SECTION B	DRS-18XWDP	90' x 8	7/8" COAX	74'	5'	6' (10 MAX)	
SECTION C	DRS-18XWDP	90' x 8	7/8" COAX	74'	5'	6' (10 MAX)	
OPS	MOTOROLA DRS	30' x 1	1/2" COAX	N/A	N/A	N/A	
LMU	N/A	N/A	N/A	N/A	N/A	N/A	

EQUIPMENT	QUANTITY	EQUIPMENT MAKE/MODEL	LATITUDE (NAD83)	LONGITUDE (NAD83)	LATITUDE (NAD83)	LONGITUDE (NAD83)	GROUND LEVEL (AMSL)	COMMENTS
ENCLOSURE	4	RDS-7106 (OUTDOOR)	N/A	N/A	N/A	N/A	N/A	

BOUNDPPOINT
T-Mobile
 175 S WILEY ST. 3R FL
 LAS VEGAS NV 89101

PROJECT INFORMATION
 CHAPMAN DR AND
 THELMA LN
 VG08659-A
 1501 E CHARLESTON BLVD
 LAS VEGAS, NEVADA 89101

CURRENT ISSUE DATE
 11/08/06

ISSUED FOR:
 ZONING

REV	DATE	DESCRIPTION	BY
1	09/17/06	REVISED ZONING	JC
2	08/20/06	100% ZONING	JF
3	06/02/06	90% ZONING	RL

PLANS PREPARED BY
SPECTRUM
 SURVEYING & ENGINEERING
 7351 W CHARLESTON BLVD, SUITE 120
 LAS VEGAS, NEVADA 89117
 PH (702) 367-7705
 FAX (702) 367-8733

DRAWN BY: CHM, APV
 B. LANGSTON, M. CEFALU, C. WENEF

LICENSE:

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

SHEET NUMBER
 A2

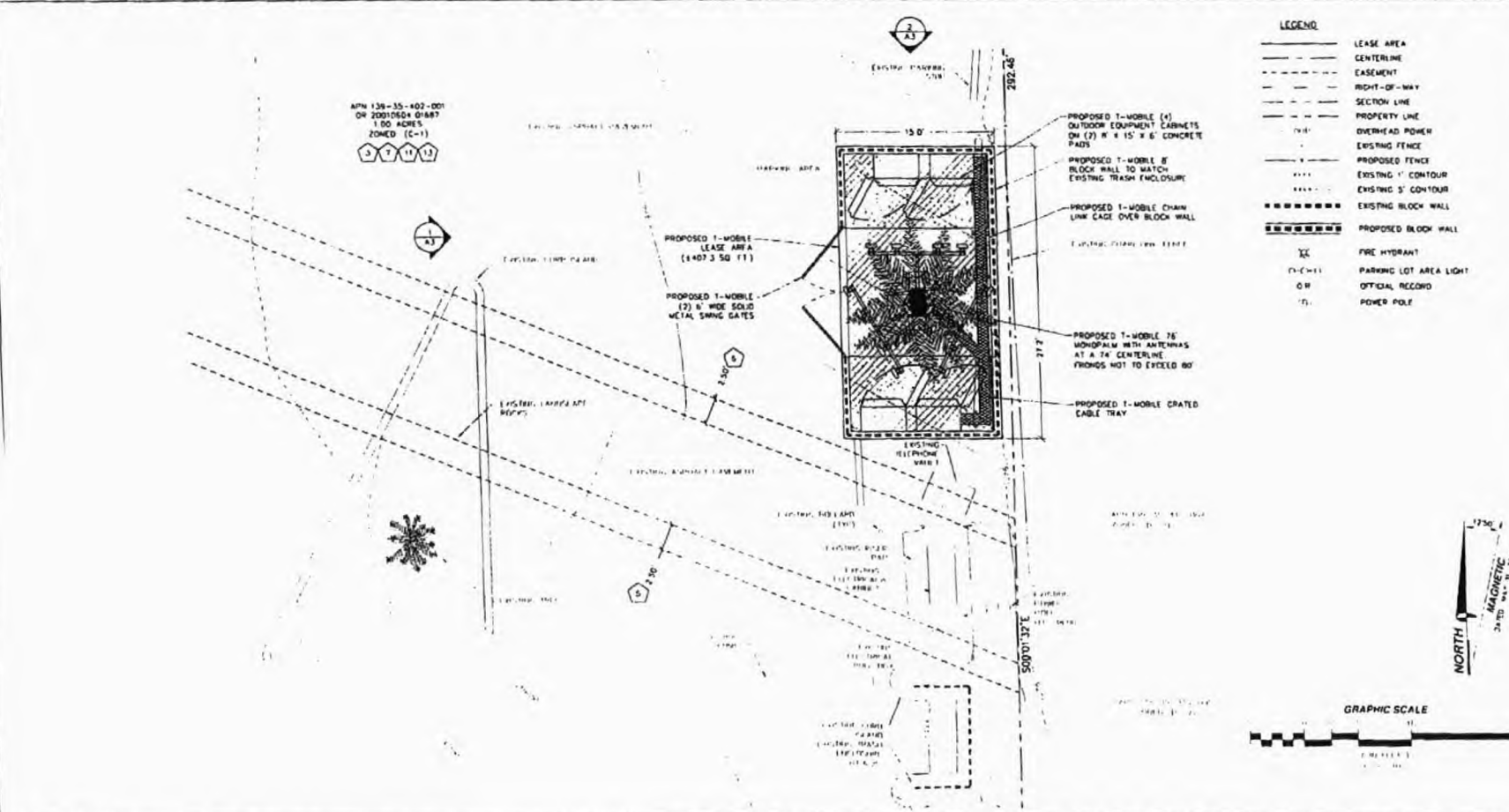
REVISION
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RECEIVED
 DEC 11 2006

ANTENNA LAYOUT

3 ANTENNA AND CABLE SCHEDULE

2



SITE DETAIL

SUP-18655
 01/25/07 PC



SCALE
1" = 10'

WEST ELEVATION



SUP-18655
01/25/07 PC

RECEIVED
DEC 11 2006



SUP-18655 - APPLICANT: T-MOBILE USA INC. - OWNER: BERKE ENTERPRISES, LTD., L.P.
1501 EAST CHARLESTON BOULEVARD
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06



SUP-18655 - APPLICANT: T-MOBILE USA INC. - OWNER: BERKE ENTERPRISES, LTD., L.P.
1501 EAST CHARLESTON BOULEVARD
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06



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

December 11, 2006

City of Las Vegas
Development Services
Planning Division
731 South Fourth Street
Las Vegas, NV 89101

**Reference: Justification for a Special Use Permit
T-Mobile Site VG08659 Chapman & Thelma
1501 E. Charleston Boulevard
APN 139-35-402-001**

Spectrum Surveying & Engineering, on behalf of T-Mobile USA Inc., requests the approval of a Special Use Permit for a proposed Wireless Communication Facility (Monopalm) the location meets the required residential adjacency setbacks. The proposed site location is at 1501 E. Charleston, Las Vegas, Nevada 89101; parcel number 139-35-402-001. This geographic location was selected by T-Mobile USA Inc. as a desirable location to work within their existing network of antennas and towers.

T-Mobile USA Inc. proposes to construct a 76' Monopalm with fronds not to exceed 80' and a 15' x 27.2' equipment lease area enclosed by a decorative block wall enclosure with a chain link cage over the top of the block wall. The subject parcel is zoned Limited Commercial (C-1).

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

The approval of the Use Permit is consistent with the zoning code. In addition the Use Permit will not be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood, or injurious to property, resources, or improvements in the vicinity, nor will create any additional impact to the traffic system in the area.

Best regards,
Spectrum Surveying & Engineering

A handwritten signature in cursive script, appearing to read 'Margaret Gefalu'.

Margaret Gefalu
Director of Wireless Services

RECEIVED
DEC 11 2006

**SUP-18655
01/25/07 PC**

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

01/19/2007 14:45

7023857268

PLANNING & DEVELOPMT

PAGE 02/10

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

SUBJECT: SUP-18655 - APPLICANT: T-MOBILE USA INC. - OWNER: BERKE ENTERPRISES, LTD., L.P.

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the *January 25, 2007* Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

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

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

Kirtus Heater 1/22/07
Signature Date

Kirtus Heater
Please Print Name

Spectrum Surveying & Engineering
Company Name

Sincerely,

Douglas J. Rankin, AJCP
Current Planning Manager

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT

SUP-18695 - PUBLIC HEARING - APPLICANT: BRIGITTE WELLES - OWNER: LEWIS CENTER PARKING, LLC - Request for a Special Use Permit FOR A PROPOSED BAILBOND SERVICE at the northeast corner of Casino Center Boulevard and Lewis Avenue (APN 139-34-201-020), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 01-25-07 Planning Commission Meeting Item 15

Motion made by STEVEN D. ROSS to Approve Subject to Conditions

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

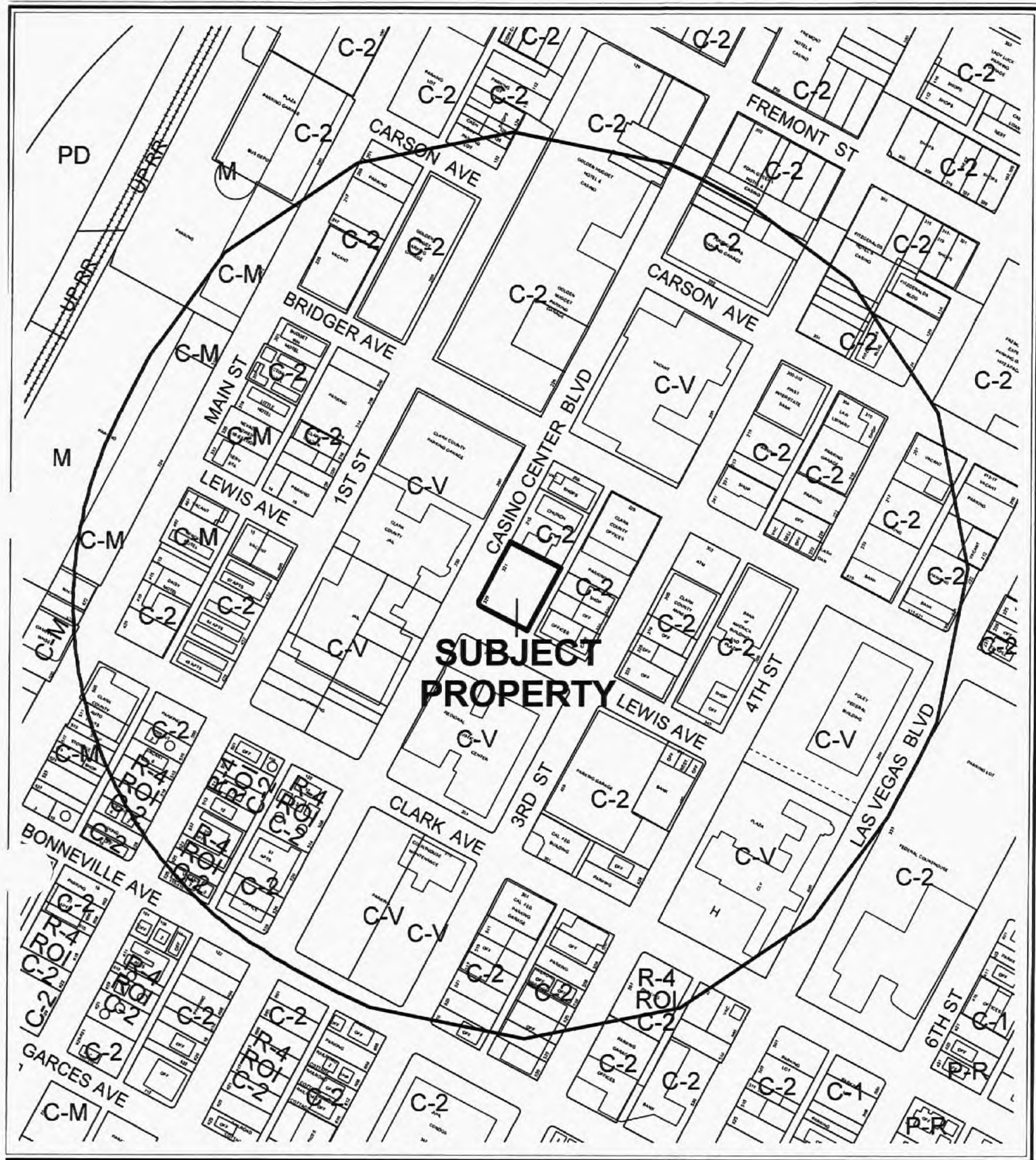
LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-GARY REESE)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

SEAN HUGGINS, 528 South Casino Center, appeared on behalf of the applicant and asked for approval.

MAYOR GOODMAN declared the Public Hearing closed.



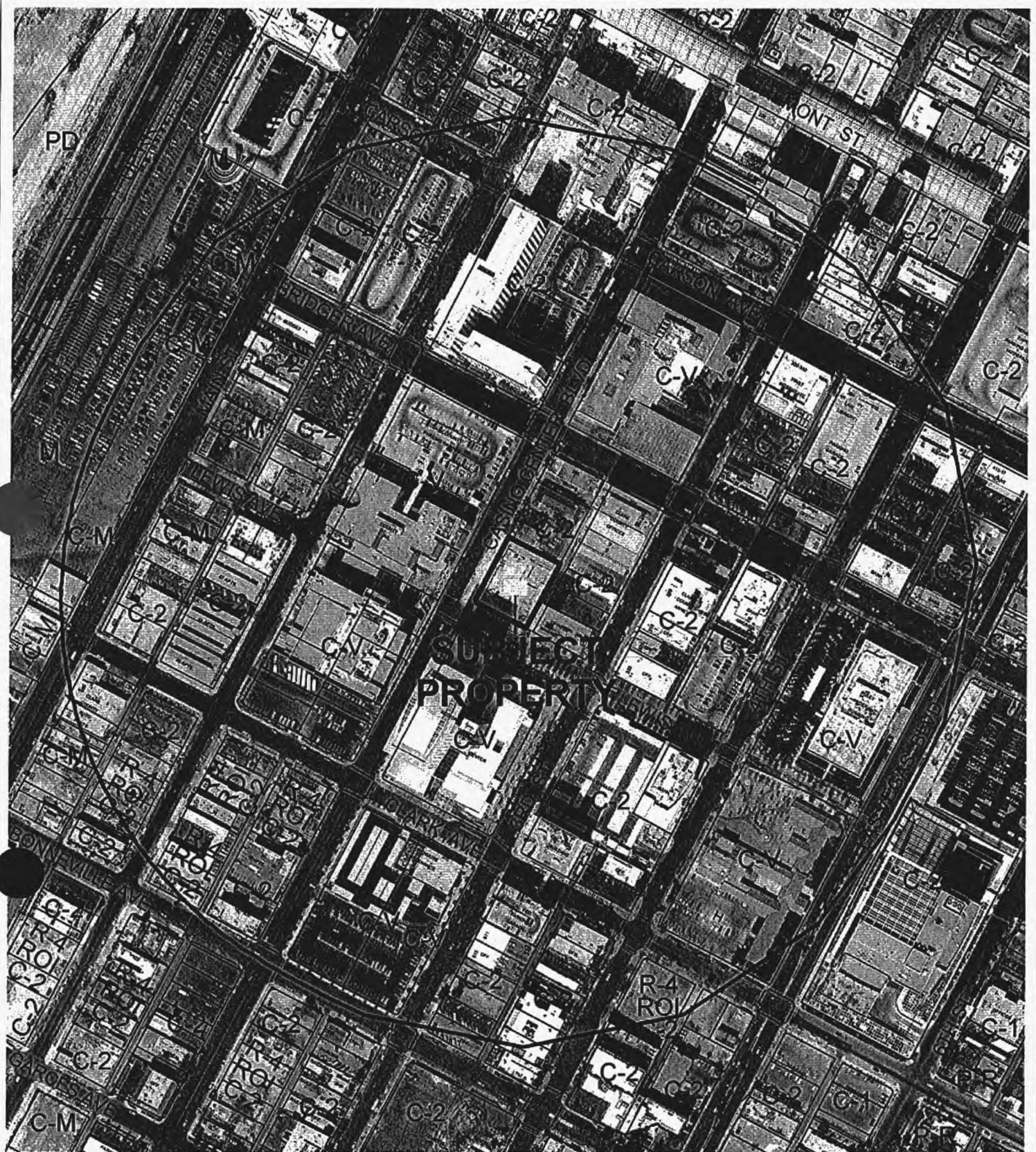
CASE: **SUP-18695**

RADIUS: 1000 FT

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

0 300 600 Feet





CASE: **SUP-18695**

RADIUS: 1000 FT

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-18695 - APPLICANT: BRIGITTE WELLES - OWNER:
LEWIS CENTER PARKING, LLC**

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a 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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed Bail Bond Service at the northeast corner of Casino Center Boulevard and Lewis Avenue. The proposed Bail Bond Service is in compliance with the General Plan, Title 19, and all other applicable plans; therefore, staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/24/63	The City Commissioners approved the zoning request (Z-0159-62) from C-1 (Limited Commercial) to C-2 (General Commercial). The Planning Commission recommended approval on 01/22/63.
02/19/03	The City Council approved a Site Development Plan Review (SDR-1298) to allow an eight level parking garage with ground level retail (17,959 square feet) on this site. The Planning Commission and staff recommended approval on January 23, 2003.
01/05/05	The City Council approved an Extension of Time on an approved Site Development Plan Review (SDR-1298) for a proposed eight level parking garage with ground level retail (17,959 square feet) on 0.56 acres adjacent to the northeast corner of Lewis Avenue and Casino Center Boulevard.
01/25/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #15/jm).
<i>Related Building Permits/Business Licenses</i>	
11/30/06	Civil Improvement Plan (#18394) issued for Lewis Center Parking Garage.
<i>Pre-Application Meeting</i>	
07/11/06	A pre-application meeting was held where elements of a Special Use Permit for a bail bonds office were discussed.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.56

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Parking Structure	C (Commercial)	C-2 (General Commercial)
North	Church	C (Commercial)	C-2 (General Commercial)

South	Court (Regional Justice Center)	PF (Public Facilities)	C-V (Civic)
East	Offices	C (Commercial)	C-2 (General Commercial)
West	Clark County Jail	PF (Public Facilities)	C-V (Civic)

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

DEVELOPMENT STANDARDS

Parking Requirement - Downtown							
Use	Gross Floor Area or Number of Units	Base Parking Requirement			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Bail Bond Service	1,670 SF	1/300 GFA	5	1	413	10	Y
TOTAL			6		423		Y

ANALYSIS

The subject property is within the Office Core District of the Las Vegas Downtown Centennial Plan, the Redevelopment Plan Area and the Lewis Corridor District. The proposed use as a Bail Bond Service requires a Special Use Permit within the C-2 zone. If approved this application for a Special Use Permit would fulfill that requirement.

The proposed Parking Structure with 17,900 square feet of retail on the first floor is in compliance with the Office Core District plan and the all other plans affecting this area.

Pursuant to Title 19.06.060 properties within the Downtown Overlay district are exempt from the automatic application of the standard parking requirements. An eight-level parking structure provides 423 parking spaces, ten of which are designated handicap accessible.

- Zoning

The subject property is zoned C-2 (General Commercial). The C-2 (General Commercial) District is designed to provide the broadest scope of compatible services for both the general and traveling public. This category allows retail, service, automotive, wholesale, office and general business uses of an intense character, as well as mixed-use developments. This district should be located away from low and medium density residential development and may be used as a buffer between retail and industrial uses. The C-2 (General Commercial) District is also appropriate along commercial corridors. The C-2 (General Commercial) District is consistent with the General Commercial category of the General Plan. The proposed use as a Bail Bond Service is consistent with the C-2 (General Commercial) zone.

- Use

The proposed use as a Bail Bond Service requires a Special Use Permit within the C-2 zone. If approved this application for a Special Use Permit would fulfill that requirement.

- Conditions

There are no special conditions associated with this Special Use Permit request.

FINDINGS

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

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

The surrounding land use is intended for this and other similar type uses of office, commercial, and retail developments. The proposed use as a Bail Bond Service is harmonious with surrounding development.

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

The site is suitable for the type and intensity of land use proposed as this area is zoned and designated for this and other similar type uses.

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

The subject property gains access from South Casino Center Boulevard and Lewis Avenue. Although South Casino Center Boulevard dead ends at the Fremont Street Experience to the north, Lewis Avenue provides an adequate secondary point of ingress and egress.

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

The proposed Bail Bond Service is a State licensed agency and the site would be subject to inspections and would therefore not compromise public health and safety.

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

There are no special conditions associated with this Special Use Permit request.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

8

ASSEMBLY DISTRICT

9

SENATE DISTRICT

3

NOTICES MAILED

71 by City Clerk

APPROVALS

0

PROTESTS

0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-18695** APN: 13934201020

Name of Property Owner: Lewis Center Parking LLC

Name of Applicant: Brigitte Welles

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

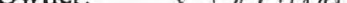
12 No

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: B. Mahlon Brown

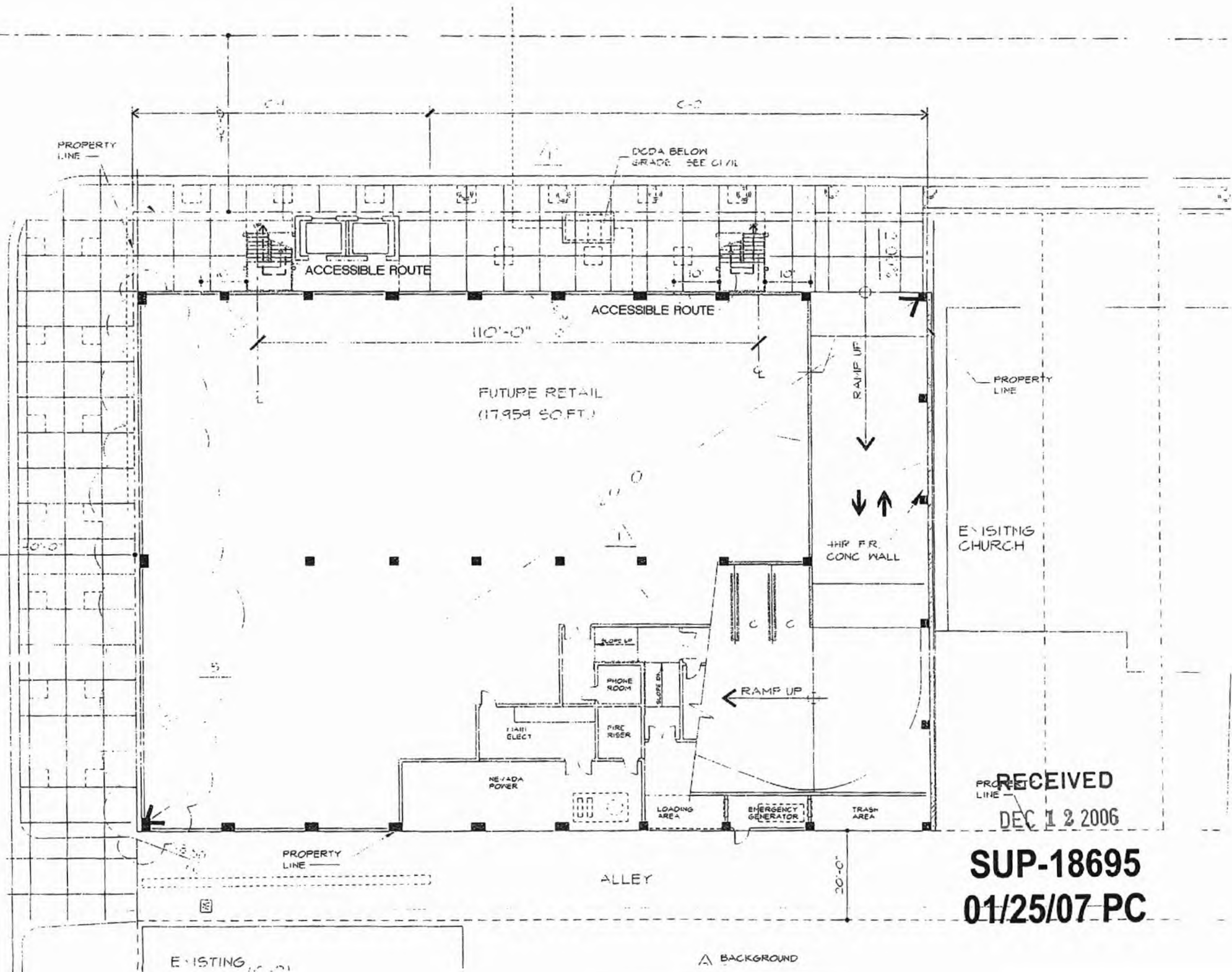
Subscribed and sworn before me

This 31st day of July, 2006

Paul A. LaManna
Notary Public in and for said County and State



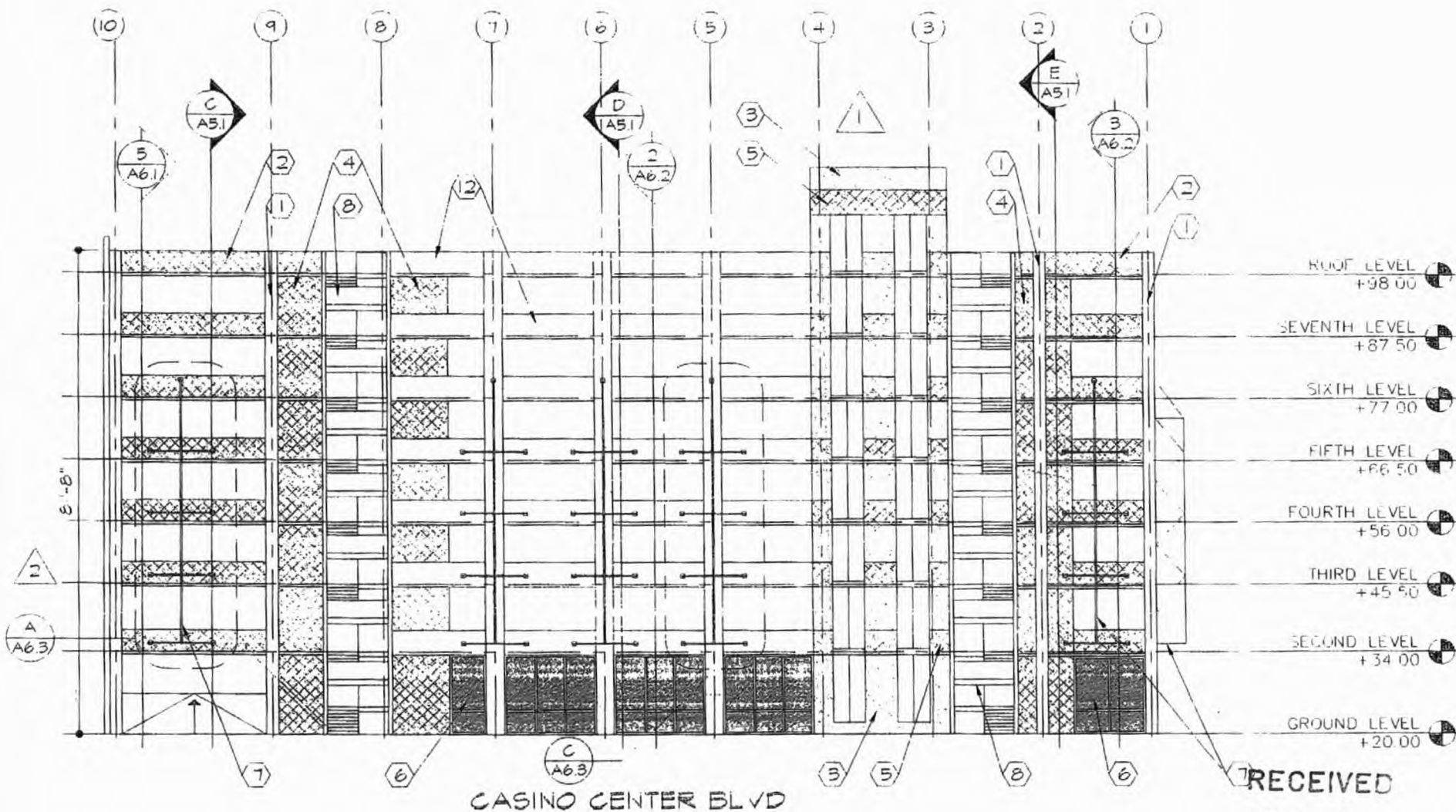
LEWIS STREET



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DEC 12 2006

SUP-18695
01/25/07 PC

A BACKGROUND



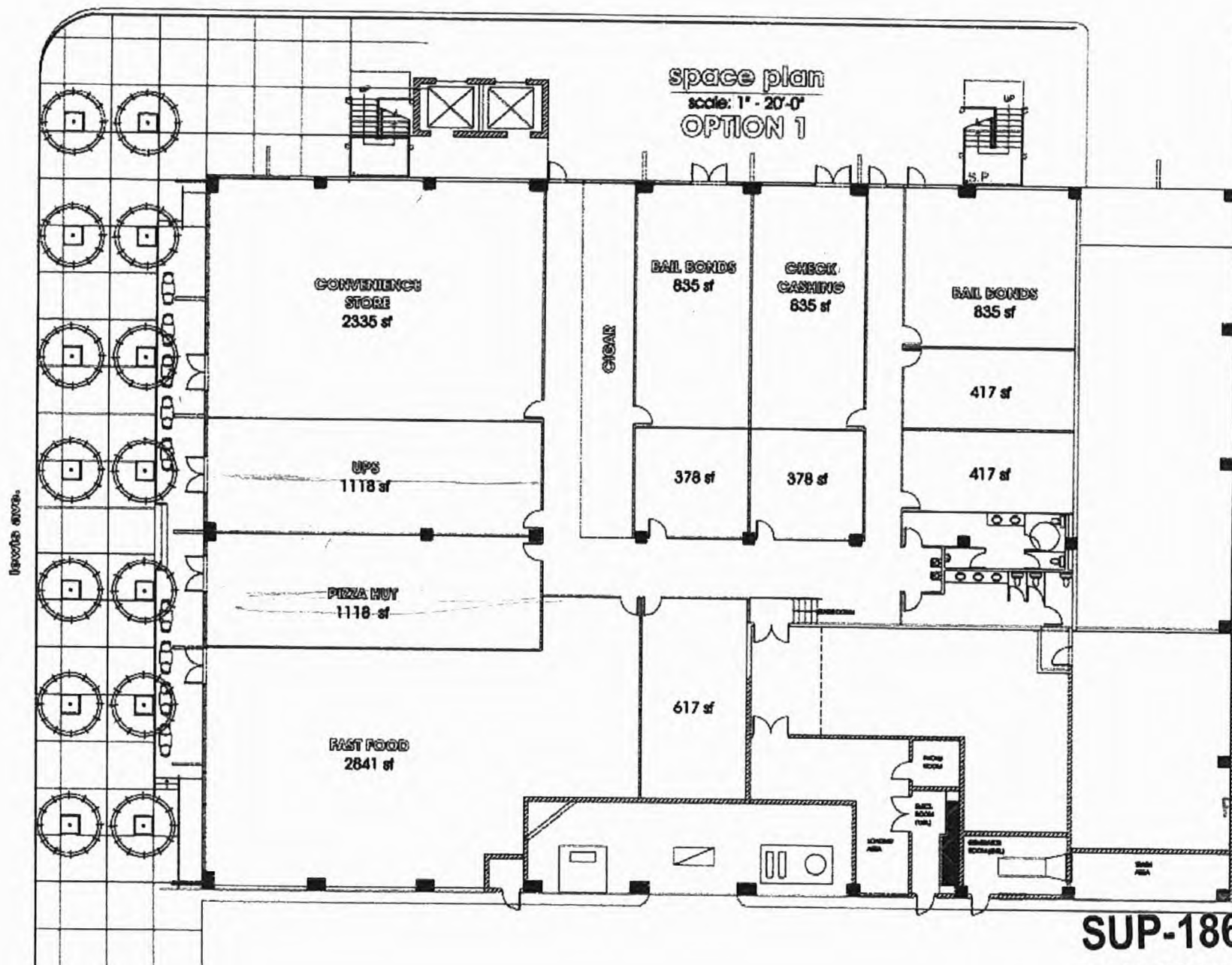
WEST ELEVATION

SCALE: 1/16" = 1'-0"

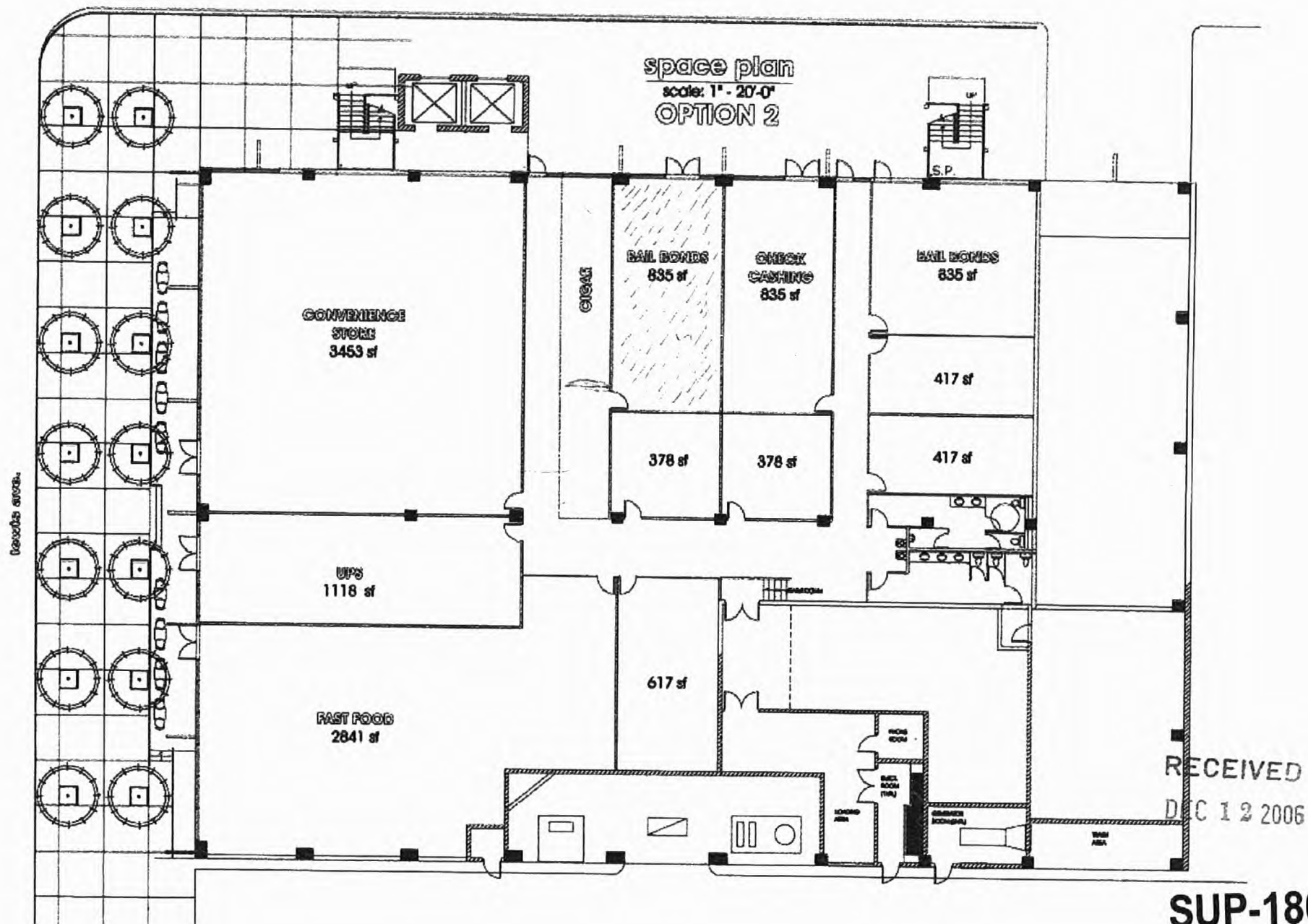
DEC 12 2006

SUP-18695

01/25/07 PC



SUP-18695
01/25/07 PC



SUP-18695
01/25/07 PC



SUP-18695 - APPLICANT: BRIGITTE WELLES - OWNER: LEWIS CENTER PARKING, LLC
NORTHEAST CORNER OF CASINO CENTER BOULEVARD AND LEWIS AVENUE
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06



SUP-18695 - APPLICANT: BRIGITTE WELLES - OWNER: LEWIS CENTER PARKING, LLC
NORTHEAST CORNER OF CASINO CENTER BOULEVARD AND LEWIS AVENUE
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06

RECEIVED
DEC 12 2006

December 11, 2006

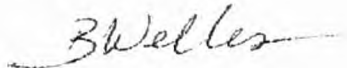
City of Las Vegas
Planning and Development
731 South Fourth Street
Las Vegas, Nevada 89101

RE: JUSTIFICATION LETTER
BAIL BOND STORE, INC.
BRIGITTE WELLES
PARCEL NUMBER: 13934201020

To Whom It May Concern:

I am requesting a Special Use Permit to operate a bail bonds business in a new office space opening on the corner of Casino Center Boulevard and Lewis Avenue. The justification is for the Special Use Permit is that the same is required pursuant to Las Vegas City Code for operation of bail bond business. I am in the process of entering into a lease with the owner of the property who has approved of bail bond use on the premises and is in support of my application for the Special Use Permit. Accordingly, as I cannot operate my business without the Special Use Permit, and the same is compatible with the area as well as the owner of the property, I would request that the same be approved.

Very truly yours,



Brigitte Welles

BW:

SUP-18695
01/25/07 PC

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

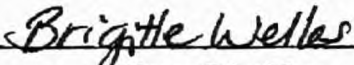
CITY OF LAS VEGAS	
ONE MOTION / ONE VOTE	
	Planning and Development Department
	Current Planning Division
	731 South Fourth Street
	Las Vegas, Nevada 89101
(702) 229-6301 Phone (702) 385-7268 Fax	

SUBJECT: SUP-18695 - APPLICANT: BRIGITTE WELLES - OWNER: LEWIS CENTER PARKING, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the *January 25, 2007* Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

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

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

 _____ Signature	<u>1-22-07</u> _____ Date
 _____ Please Print Name	
_____ Company Name	

Sincerely,

Douglas J. Rankin, AICP
Current Planning Manager

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW

SDR-18644 - PUBLIC HEARING - APPLICANT: DESERT ICE, LLC. - OWNER: OWENS STAR, LLC - Request for a Site Development Plan Review FOR A PROPOSED ICE VENDING KIOSK WITHIN AN EXISTING SHOPPING CENTER on 2.26 acres at 3975 East Owens Avenue (APN 140-30-102-006), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 01-25-07 Planning Commission Meeting Item 18

Motion made by STEVEN D. ROSS to Approve Subject to Conditions

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

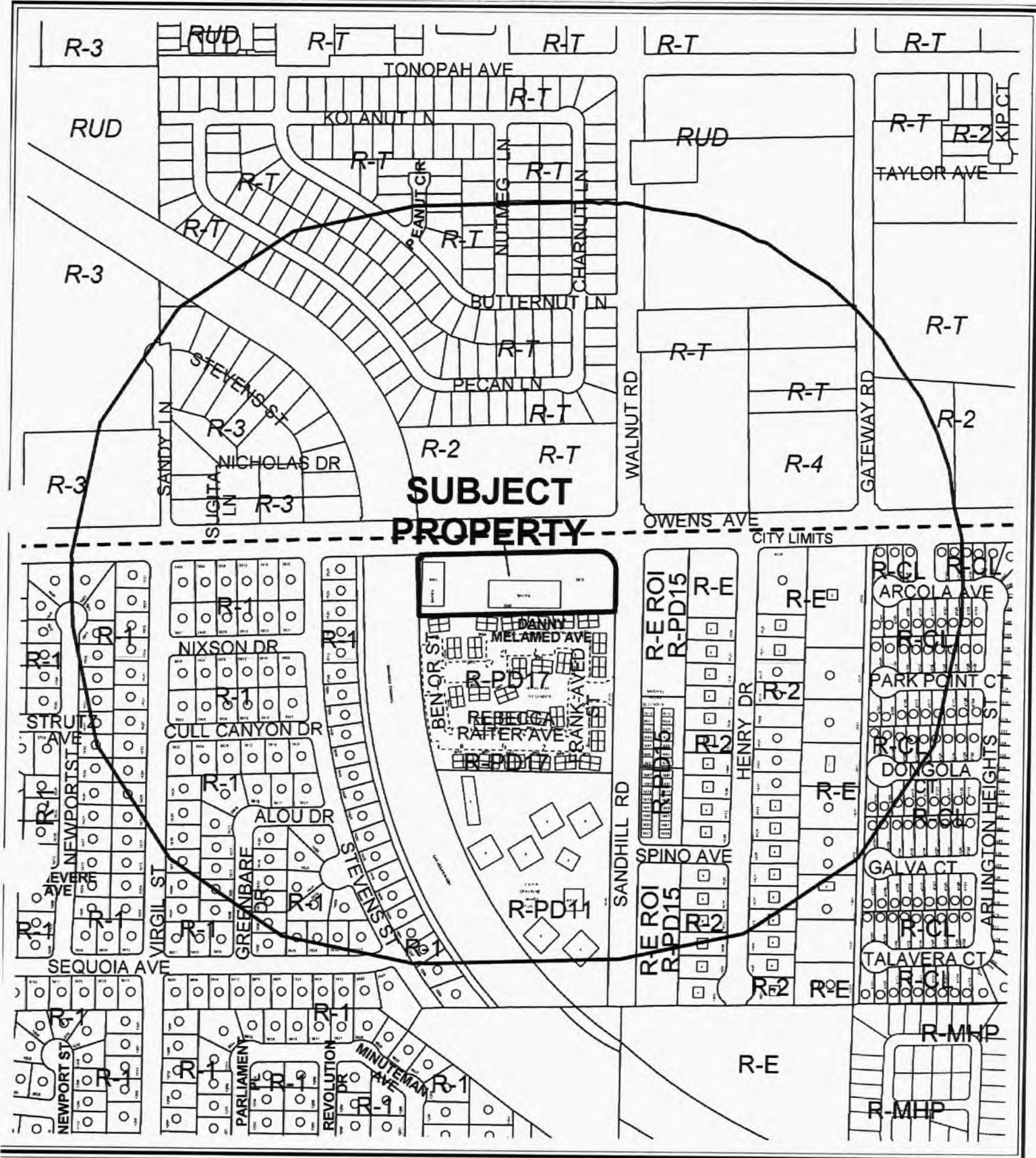
LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-GARY REESE)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

JIM MARCHANT, Desert Ice, LLC, stated the request is to install and operate an ice vending kiosk within an existing shopping center. The kiosk measures approximately 24 x 8 x 15.

MAYOR GOODMAN declared the Public Hearing closed.



CASE: SDR-18644

RADIUS: 1000 FT

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



CASE: **SDR-18644**

RADIUS: 1000 FT

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-18644 - APPLICANT: DESERT ICE, LLC. - OWNER: OWENS STAR, LLC

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 12/08/06, except as amended by conditions herein.
3. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
4. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
5. The kiosk must maintain separation from other structures sufficient to allow a minimum 24-foot drive aisle width.
6. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed ice vending kiosk within an existing shopping center on 2.26 acres at 3975 East Owens Avenue. The kiosk is small and the appearance is compatible with surrounding development.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/18/94	The City Council approved a Rezoning (Z-0031-94) of this property from R-1 (Single Family Residential) to R-3 (Limited Multiple Residence) for a proposed 116-unit apartment complex.
05/11/98	The City Council approved a General Plan Amendment (GPA-0001-98) that designated the subject parcel as O (Office). The City Council reviewed a request for Rezoning (Z-0007-98) of this property from R-1 (Single-Family Residential) to C-1 (Limited Commercial), but followed the recommendation of the Planning Commission and staff, approving and amending the request to O (Office).
11/21/01	The City Council approved requests for a General Plan Amendment (GPA-0030-01) from O (Office) to SC (Service Commercial) and for a Rezoning (Z-0057-01) from R-1 (Single-Family Residential) under Resolution of Intent to O (Office) to N-S (Neighborhood Service) on this site. The Planning Commission recommended approval.
03/14/02	The Planning Commission approved a request for a Site Development Plan Review and a reduction in the amount of required perimeter landscaping [Z-0057-01(1)] for a proposed 31,700 square-foot commercial center on the subject site. The approval contained a condition prohibiting uses requiring a parking ratio greater than one space per 250 square feet of gross floor area. The Planning Commission approved two related requests (V-0058-01 and V-0012-02) to vary setbacks required by the Residential Adjacency Standards and the N-S (Neighborhood Service) zoning district on the subject site.
04/17/02	The City Council granted an appeal by the applicant of Condition No. 2 of the approved Site Development Plan Review [Z-0057-01(1)], which prohibited certain uses on the subject site. The City Council deleted this condition and inserted a new condition requiring a review of the parking one year from the date of issuance of a Certificate of Occupancy.
01/07/04	The City Council approved an Extension of Time (EOT-3281) for an approved rezoning (Z-0057-01) request from R-1 (Single Family Residence) under Resolution of Intent to O (Office) to N-S (Neighborhood Services). The Planning Commission and staff recommended approval.

10/19/05	The City Council approved a Rezoning (ZON-8432) from N-S (Neighborhood Services) to C-1 (Limited Commercial), and a Special Use Permit (SUP-8433) for liquor sales in conjunction with an existing market for this site. The Planning Commission and staff recommended approval.
04/05/06	The City Council approved a Variance (VAR-11644) to allow 128 parking spaces where 143 are required, and a Master Sign Plan (MSP-11643) on the subject property. The Planning Commission recommended approval of both items. Staff recommended approval of the Master Sign Plan and denial of the Variance.
04/19/06	The City Council approved a request for a Special Use Permit (SUP-11425) for a Financial Institution, Specified within an existing market on the site, and a waiver of the 200-foot distance separation requirement from a residential use. The Planning Commission and staff recommended approval.
07/12/06	The City Council approved a Required Six Month Review (RQR-13859) of an approved Special Use Permit (SUP-8433) that allowed a Liquor Establishment (On-Sale/Off-Sale/On-Off-Sale) within an existing market.
01/25/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #18/jm).
Pre-Application Meeting	
11/30/06	A pre-application meeting was held. Previous approvals on this site were noted and changes to the parking standards were discussed.
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	

Details of Application Request

Site Area

Net Acres	2.26
-----------	------

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Undeveloped	Clark County	Clark County
South	Condominiums	M (Medium Density Residential)	R-PD17 (Residential Planned Development – 17 Units Per Acre)
East	Undeveloped	M (Medium Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-PD15 (Residential Planned Development – 15 Units Per Acre)
West	Drainage Channel	PF (Public Facilities)	Drainage Channel

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

DEVELOPMENT STANDARDS

Per Title 19.08:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 Feet	175 Feet	Y
Min. Setbacks			
• Front	20 Feet	430 Feet	Y
• Side	10 Feet	100 Feet	Y
• Corner	15 Feet	68 Feet	Y
• Rear	20 Feet	125 Feet	Y
Max. Lot Coverage	50 %	Not Shown	Unknown
Trash Enclosure	Yes	Yes	Y
Mech. Equipment	Screened	Yes	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
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	31,000 SF	1:250	124	5	128	5	Y
Sub-Total			124	5	126*	5	Y
TOTAL			124		126		Y
Loading Spaces			3		3		Y

*The Kiosk will eliminate two parking spaces.

ANALYSIS

- Zoning

The site is located in a C-1 (Limited Commercial) zone. The Limited Commercial District is intended to provide most retail shopping and personal services, and may be appropriate for mixed-use developments. The proposed ice-vending kiosk would be permitted in the C-1 (Limited Commercial) zone.

- Site Plan

The site plan shows an ice-vending kiosk located within the parking lot of a large commercial development. The location of the kiosk within the development is acceptable. The kiosk is small and will not adversely affect this property.

- Waivers

There are no Waivers associated with this Site Development Plan Review.

- Landscape Plan

There is not a landscape plan associated with this Site Development Plan Review, as the proposed ice-vending kiosk is small, portable, and landscaping would not be practical to implement.

- Elevation

The elevations for the proposed kiosk show a small rectangular structure that looks similar to a storage unit. The signage is necessary to portray the kiosk as an ice machine. The kiosk is approximately 16 feet in height. Elevations are acceptable.

- Floor Plan

There are no floor plans associated with this Site Development Plan Review, as this is only a kiosk.

FINDINGS

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

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

The proposed development is commercial in nature and would be compatible with adjacent commercial development.

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 ice-kiosk is in compliance with all plans and standards.

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

The kiosk would be located within the parking lot of a large commercial complex. The kiosk would not be permitted to interfere with the required drive aisle width of 24 feet. The traffic generated by this kiosk would not be significant and will not have a negative impact on the area.

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

Building materials are appropriate. The materials used are similar in nature to the water kiosks located throughout the Las Vegas area. There are no landscape materials for this development as the kiosk is portable and landscaping would not be practical.

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 appropriate for the area. The color scheme for the kiosk is primarily white with blue trim. The signage and lighting are also appropriate for this type of development. It should be noted that staff would prefer that the air-conditioning/ice making equipment located on the roof of the kiosk be screened using material similar in nature to the rest of the kiosk.

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

The proposed ice kiosk will not compromise public health and safety.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 14

SENATE DISTRICT 2

NOTICES MAILED 371 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-18644** APN: 140-30-102-006
Name of Property Owner: OWENS STAR LLC
Name of Applicant: DI2, LLC

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

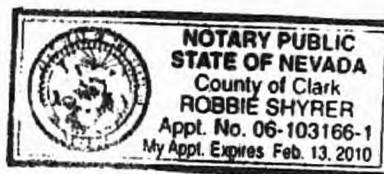
APN _____

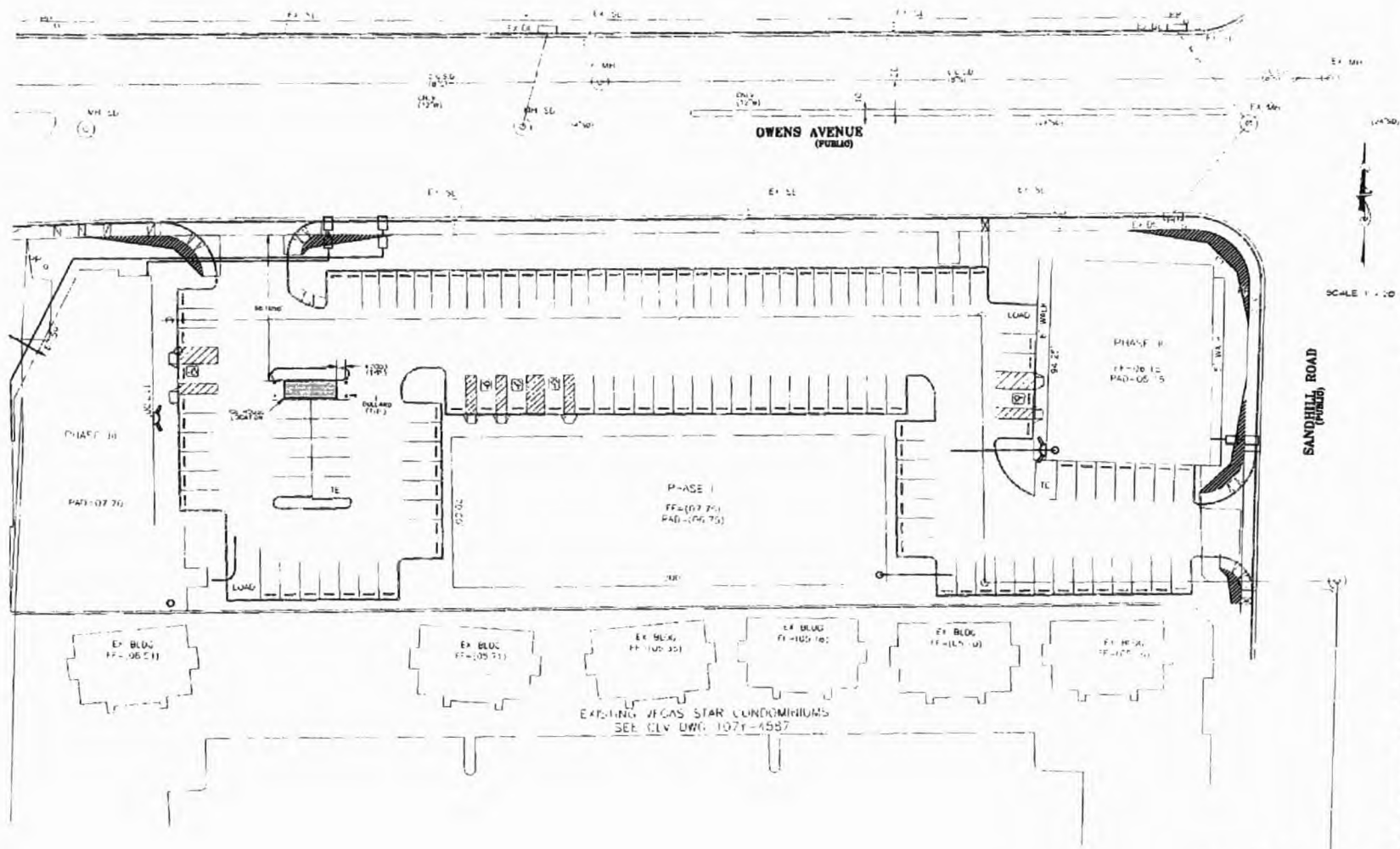
Signature of Property Owner: [Signature]

Print Name: ARIK RAITER

Subscribed and sworn before me

This 14 day of NOV., 2006
[Signature]
Notary Public in and for said County and State





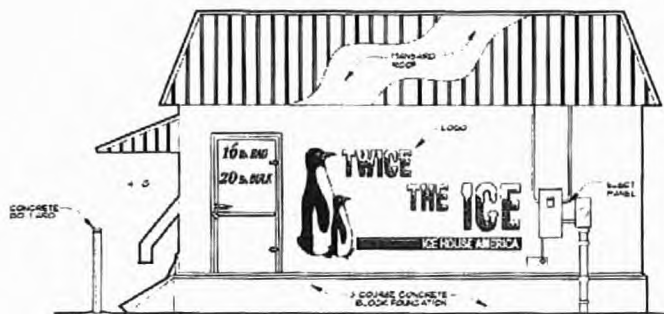
SUMMERLAND CONSTRUCTION, LLC
3077 S. VALLEY VIEW
LAS VEGAS, NV 89102

DESERT ICE II, LLC / SUMMER ICE, LLC
3965 EAST OWENS RD.
LAS VEGAS, NV
SITE PLAN

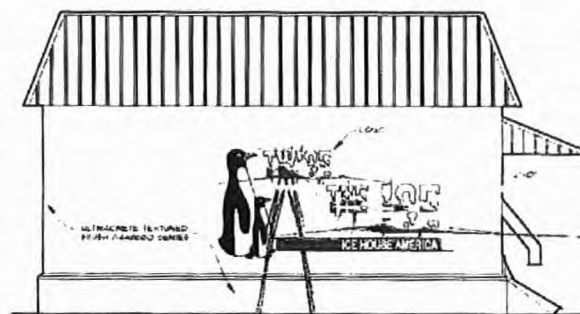
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Date	08-15-06
Notes	AS NOTED
Drawn by	RJ

Scale: 1" = 20'
A2.0

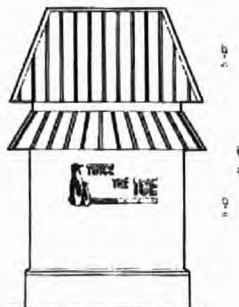
RECEIVED
SDR-18644
01/25/07 PC
DEC 8 2006



FRONT ELEVATION
SCALE: 3/8" = 1'-0"



REAR ELEVATION
SCALE: 3/8" = 1'-0"

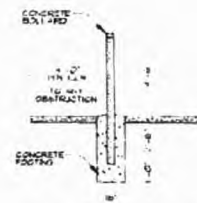


RIGHT ELEVATION
SCALE: 3/8" = 1'-0"

NOTE:
ICE HOUSE TO BE COATED -
ULTRACRETE TEXTURED
FINISH (HARDED STONES)



LEFT ELEVATION
SCALE: 3/8" = 1'-0"



BOLLARD STOP
SCALE: 3/8" = 1'-0"

SUMMERLAND CONSTRUCTION, LLC
3077 S. VALLEY VIEW
LAS VEGAS, NV 89102

DESERT ICE II, LLC / SUMMER ICE, LLC
3905 EAST OWENS RD.
LAS VEGAS, NV
ELEVATIONS

Project	ICE 12000P
Date	08-15-06
By	AS NOTED
Check by	RJ

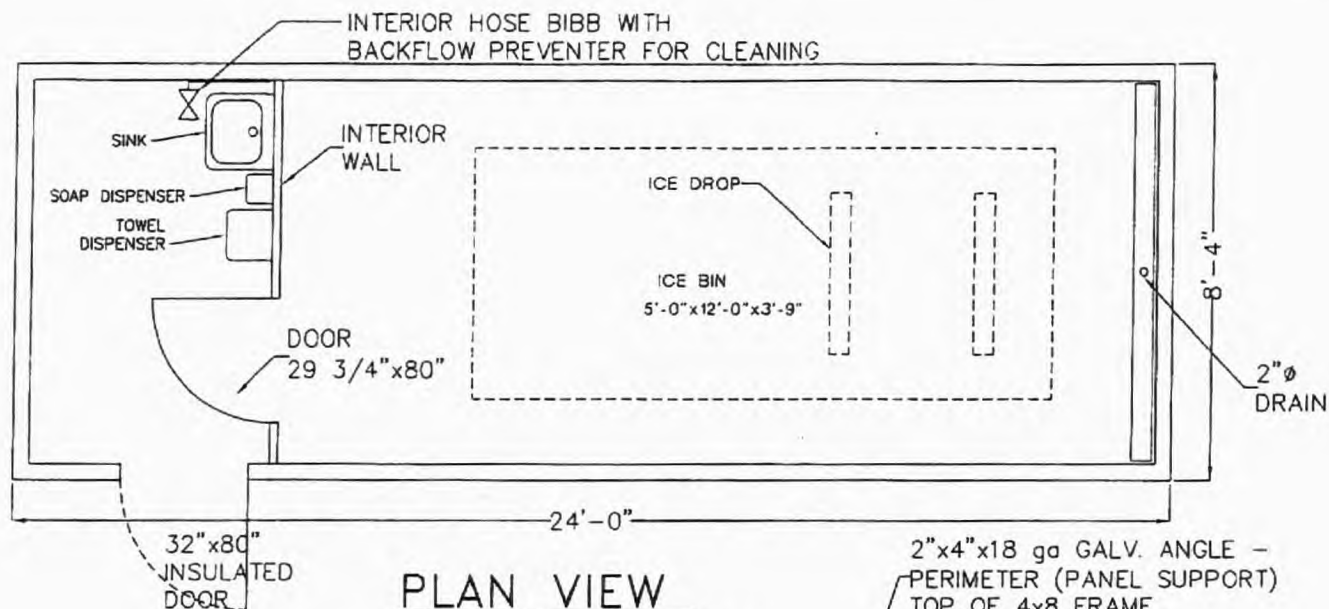
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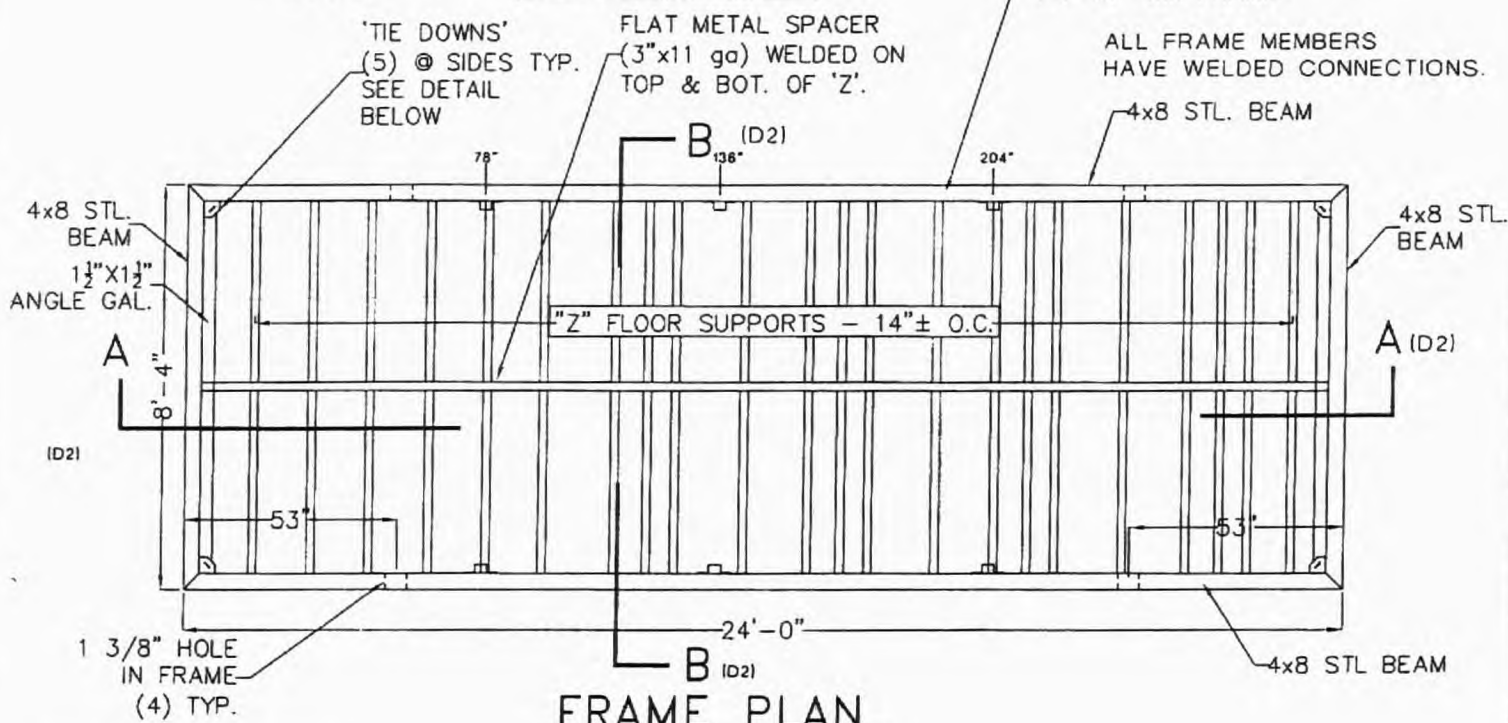
DEC 8 2006

SDR-18644

01/25/07 PC



PLAN VIEW

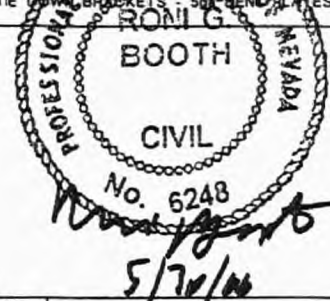


FRAME PLAN

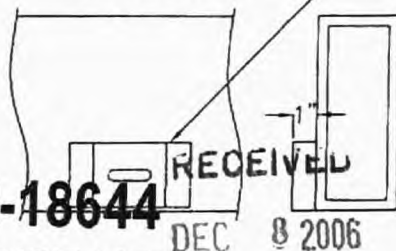
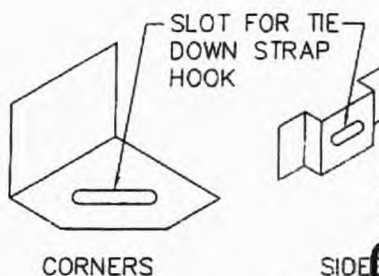
1" SCH 40 PIPE 15" FROM BOTTOM
INSIDE FRAME MEMBER (4) TYP.

MATERIAL

- (2) FRAME SIDE 4"x8"x3/16" RECT. TUBING 24'-0"
- (2) FRAME END 4"x8"x3/16" RECT. TUBE 8'-4"
- (2) FOLDED ANGLE 1 1/2"x1 1/2"x3/16" 7'-8"
- (2) FLAT 3"x11 ga METAL SPACER 24'-0"
- (24) FLOOR SUPPORT 2"x4"x18 ga FOLDED 24'-0"
- (10) TIE DOWN BRACKETS - 5ga BRACKETS



PAINT WELD WITH BRUSH ON
OR SPRAY ON GALVANIZED PAINT



TIE DOWN STRAP ATTACHMENT DETAIL

(5ga BRACKETS SEE DWG S1 FOR DETAILS)

Date: 5/30/06
SCALE: 1/4"=1'-0"
REV:

ABQ
Engineering, Inc.

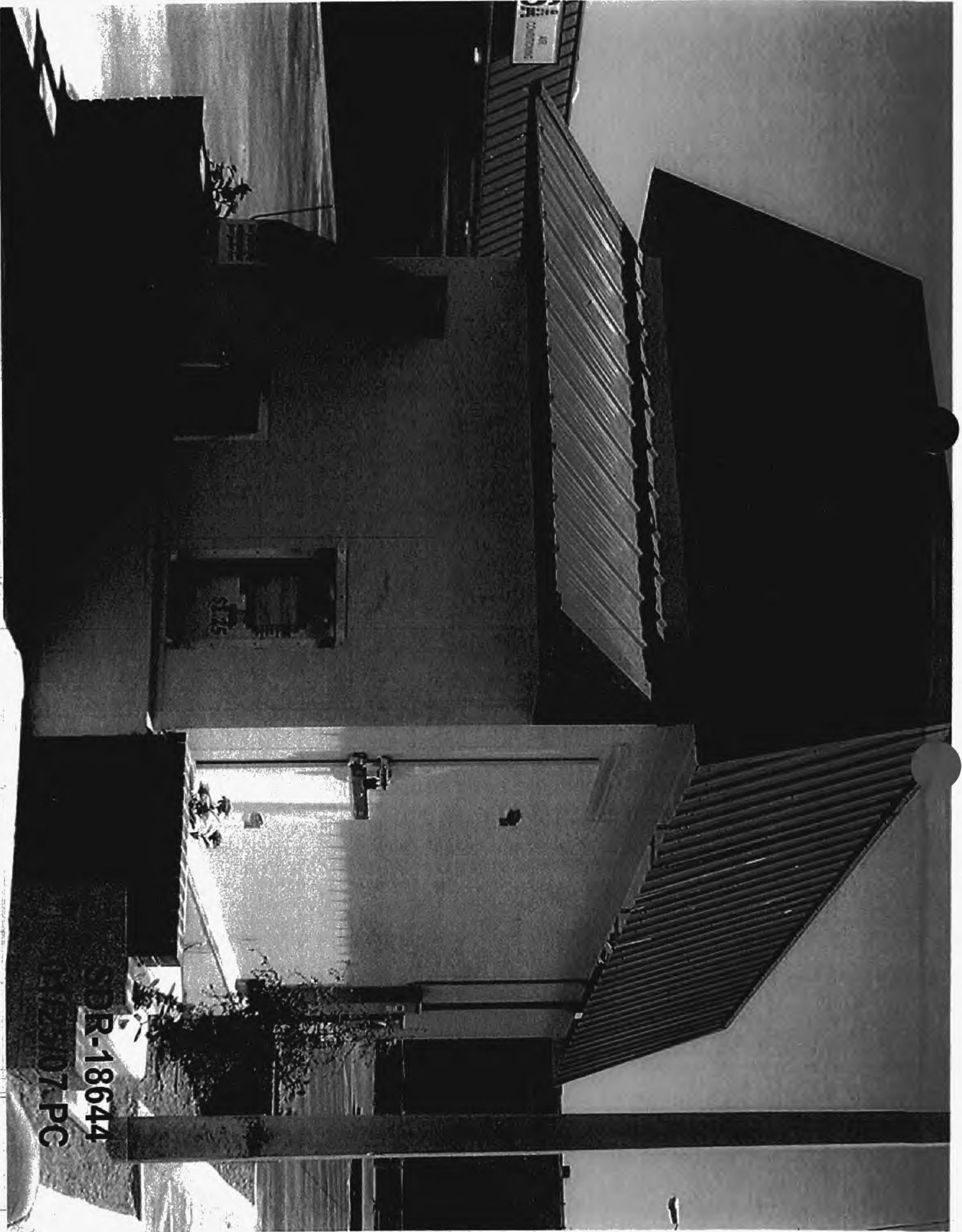
Engineers - Planners - Construction Services
6738 Academy Rd. NE, Suite 130 Albuquerque, NM 87109
505-255-7802 FAX 505-255-7903 ABQ Project: 28008

Ice House America
645 Mayport Road Suite 3A
Atlantic Beach, Florida 32233
904-241-7535

FLOOR PLAN
FRAME PLAN
INIT A

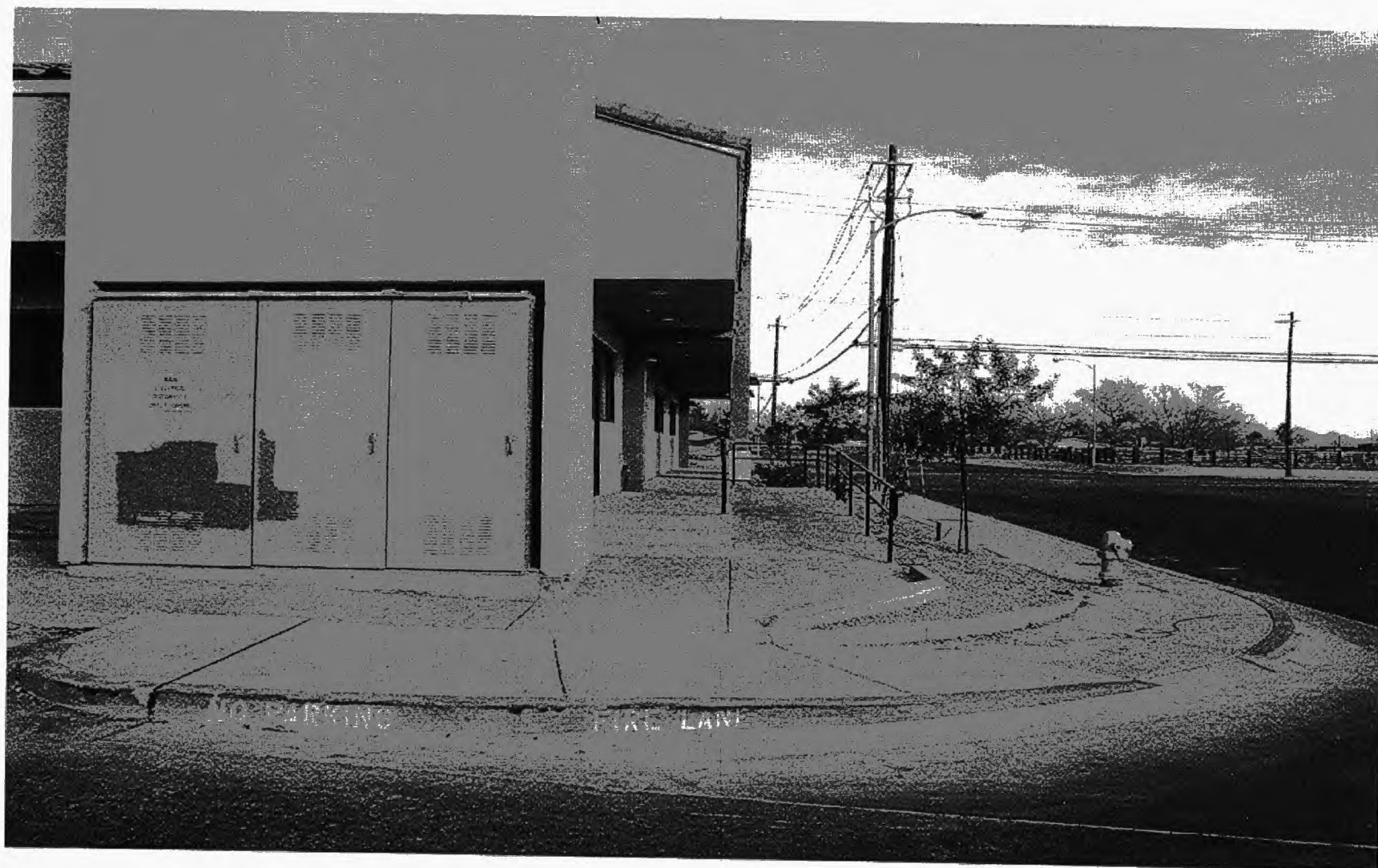
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SDR-18644

112507.PC



SDR-18644 - APPLICANT: DESERT ICE, LLC. - OWNER: OWENS STAR, LLC
3975 EAST OWENS AVENUE
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06



SDR-18644 - APPLICANT: DESERT ICE, LLC. - OWNER: OWENS STAR, LLC
3975 EAST OWENS AVENUE
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06



SDR-18644 - APPLICANT: DESERT ICE, LLC. - OWNER: OWENS STAR, LLC
3975 EAST OWENS AVENUE
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06



SDR-18644 - APPLICANT: DESERT ICE, LLC. - OWNER: OWENS STAR, LLC
3975 EAST OWENS AVENUE
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06



November 11, 2006

City of Las Vegas Development Services Center
731 S 4th St
Las Vegas, NV 89101

RE: Justification Letter

To whom it may concern:

DI2, LLC is seeking authorizing from the City of Las Vegas to place and operate an ice and water vending machine kiosk in the parking lot of property located at 3975 E Owens Ave. Las Vegas, NV 89110.

This ice and water vending machine will offer the consumer a high quality, competitively priced, convenient source for crushed ice in bulk (20lb), or (16lb) bag format and high quality water from a stand-alone modular building (8'W x 24'L x 9' H). The kiosk is 200 sq foot and it produces, and vends ice and water to the consumer. For a small purchase price with either paper bills and/or coins, the buyer will receive either a 16-pound bag of ice or 20 pounds of bulk ice. The amount ice the consumer receives more than doubles the amount of ice the they normally receive at most other retail outlets and all for much less money. Each unit is capable of producing and delivering over 500 sixteen-pound bags of ice per day! This ice is already in chipped form, does not freeze together and is delivered to the consumer in only eight seconds. Throughout this process the ice is never touched by human hands. The ice and water vending machine also delivers high quality water to consumers in one or five gallon increments for .25 cents per gallon. The water is filtered through a multi-stage process that insures the water is the highest quality possible.

If you have any questions, please don't hesitate to contact me. 702-968-0375 or jcm@desertice.biz

Sincerely,

Jim Marchant
DI2, LLC

SDR-18644
01/25/07 PC

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

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

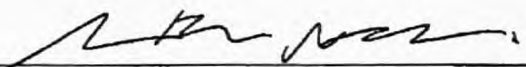
Planning and Development Department
Current Planning Division
731 South Fourth Street
Las Vegas, Nevada 89101
(702) 229-6301 Phone (702) 385-7268 Fax

SUBJECT: SDR-18644 - APPLICANT: DESERT ICE, LLC. - OWNER: DI2, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **January 25, 2007** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

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

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



Signature

1/19/07

Date

ARIK RAITEN.

Please Print Name

OWENS STAR LLC.

Company Name

Sincerely,

Douglas J. Rankin, AICP
Current Planning Manager

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VACATION

VAC-18654 - PUBLIC HEARING - APPLICANT/OWNER: DONNA M. DELACRUZ, ET AL
- Petition to Vacate a 30-foot section of a public right-of-way generally located at the southeast corner of Helen Avenue and Doc Holiday Avenue, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 01-25-07 Planning Commission Meeting item 16

Motion made by STEVEN D. ROSS to Approve Subject to Conditions

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

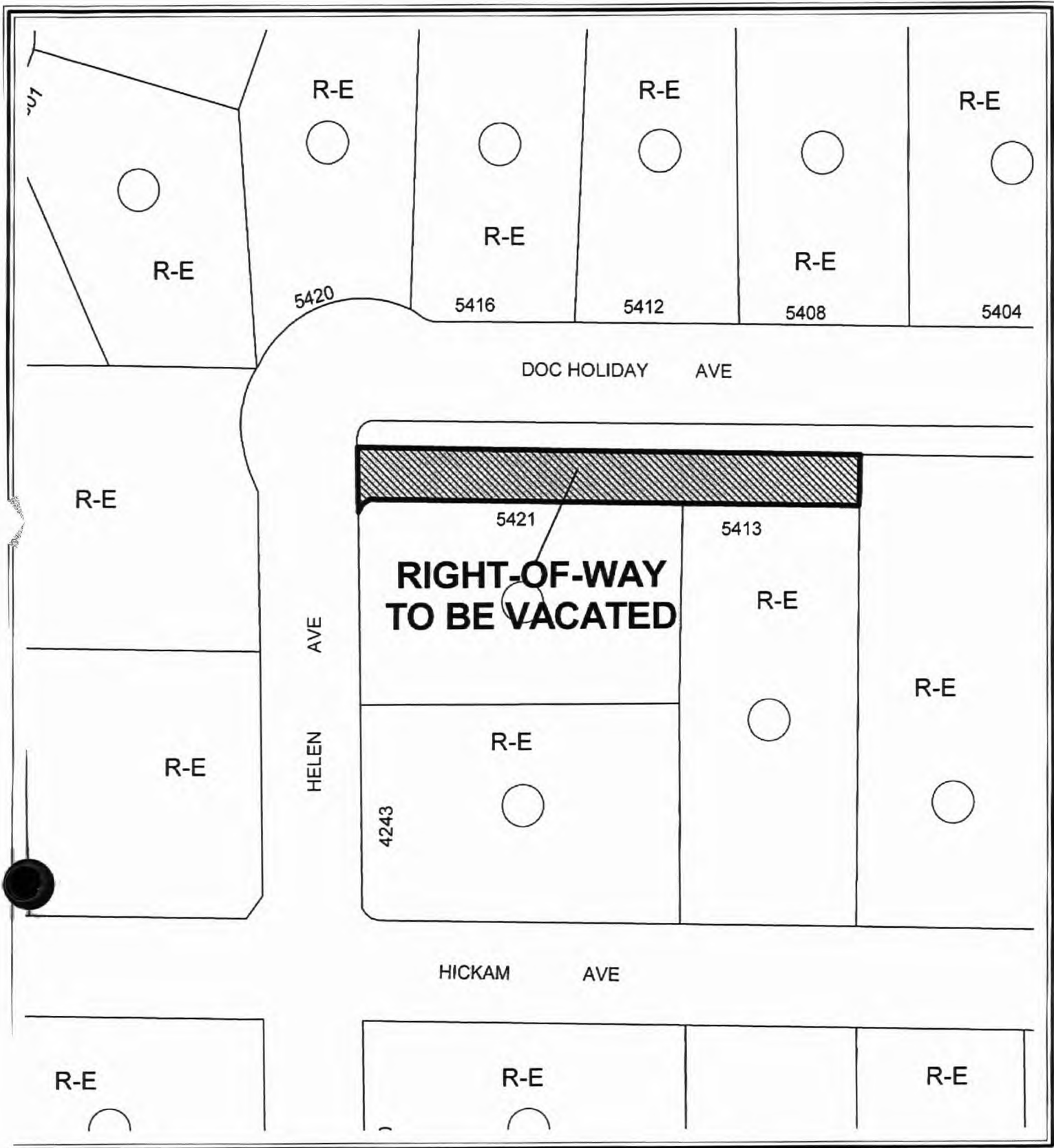
LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-GARY REESE)

Minutes:

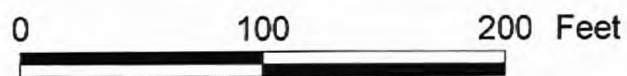
MAYOR GOODMAN declared the Public Hearing open.

DONNA DELACRUZ, 5413 Hickam Avenue, appeared and asked for approval.

MAYOR GOODMAN declared the Public Hearing closed.

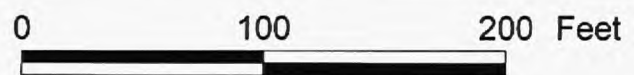


CASE: VAC-18654





CASE: VAC-18654



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-18654 - APPLICANT/OWNER: DONNA M. DELACRUZ, ET AL

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
2. All development shall be in conformance with code requirements and design standards of all City Departments.
3. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

Public Works

4. The limits of this Petition of Vacation shall be defined as that portion of Doc Holiday Avenue and the associated spandrel area lying south of Assessor Parcel Number 138-01-303-001 parallel to the existing alignment of Doc Holiday Avenue, east of Helen Avenue.
5. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of the Order of Vacation.
6. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a petition requesting to Vacate a 30-foot section of a public right-of-way generally located at the southeast corner of Helen Avenue and Doc Holiday Avenue.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/25/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #16/ja).
<i>Pre-Application Meeting</i>	
A Pre-application meeting is not required for this type of application nor was one held.	
<i>Neighborhood Meeting</i>	
A Neighborhood Meeting is not required for this type of application nor was one held.	

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Residential	Right-of-Way (ROW)	ROW
North	Residential	DR (Desert Rural Density Residential)	R-E (Residential Estates)
South	Residential	DR (Desert Rural Density Residential)	R-E (Residential Estates)
East	Residential	DR (Desert Rural Density Residential)	R-E (Residential Estates)
West	Residential	DR (Desert Rural Density Residential)	R-E (Residential Estates)

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

DETAILS OF APPLICATION REQUEST

The property is legally described as a thirty-foot (30') wide Right-of-Way approximately 15 feet (15') south of Doc Holiday Avenue extending approximately two hundred eighty five (285') feet east of Helen Avenue. Said property being a portion of the south half (S½) of the east half (E½) of the north half (N½) of the southwest quarter (SW¼) of Section 1, Township 20 south, range 60 east, M.D.M.

ANALYSIS

- **Planning**

Planning staff has no objection to the vacation request. No adverse effects to traffic circulation or site access would result with the proposed vacation.

- **Public Works**

A. Does this vacation request result in uniform or non-uniform right-of-way widths?
N/A as it will eliminate a portion of Doc Holiday Avenue.

B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since this portion of Doc Holiday Avenue is not currently being used as a roadway.*

C. Does it appear that the vacation request involves only excess right-of-way? *Yes.*

D. Does this vacation request coincide with development plans of the adjacent parcels? *The applicant, Donna M. Delacruz, would like to construct a new house on the northern portion of the parcel of land which she currently owns, APN #138-01-303-003.*

E. Does this vacation request eliminate public street access to any abutting parcel?
No.

F. Does this vacation request result in a conflict with any existing City requirements? *No.*

G. Does the Department of Public Works have an objection to this vacation request?
No.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

10

NOTICES MAILED 6 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-18654** APN: 13801303003
Name of Property Owner: Donna Marie Delacruz
Name of Applicant: Donna Marie Delacruz

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): _____

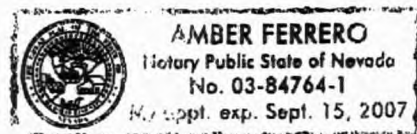
APN: _____

Signature of Property Owner: _____

Print Name: Donna Marie Delacruz

Subscribed and sworn before me

This 12th day of October, 2006
Amber Ferrero
Notary Public in and for said County and State



COPY



VAC-18654 - APPLICANT/OWNER: DONNA M. DELACRUZ, ET AL
SOUTHEAST CORNER OF HELEN AVENUE AND DOC HOLIDAY AVENUE
JANUARY 25, 2007 PLANNING COMMISSION

12/20/06



VAC-18654 - APPLICANT/OWNER: DONNA M. DELACRUZ, ET AL
SOUTHEAST CORNER OF HELEN AVENUE AND DOC HOLIDAY AVENUE
JANUARY 25, 2007 PLANNING COMMISSION

12/20/06

9/10/2006

To the City of Las Vegas
Planning and Development Department

Justification Letter

Dear Sir/Madam,

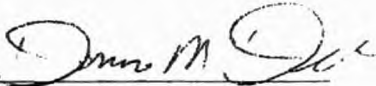
This letter represents the justifications for our Petition to Vacate a section of public right-of-way off of Doc Holiday Avenue and Helen Ave, APN 13801399012. The portion of the right-of-way we are requesting be vacated runs east from Helen Avenue along Doc Holiday Avenue and abuts our parcels: APN 13801303002 and APN 13801303003.

The City of Las Vegas does not appear to have any plans of using this land since other portions of this right-of-way have already been vacated.

We are requesting that the parcel of right-of-way be vacated for the following reason: we are respectfully requesting that the City of Las Vegas vacate this land so we may use it for our own private use.

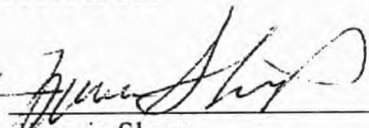
Sincerely,

Donna Delacruz
Address: 5413 Hickam Ave, Las Vegas NV 89130
APN: 13801303003

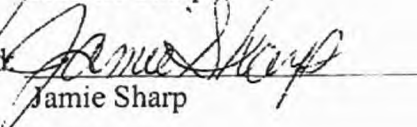
Signed: 
Donna Delacruz

Date: 11/16/06

Jimmie and Jamie Sharp
Address: 5421 Doc Holiday Ave, Las Vegas NV 89130
APN: 13801303002

Signed: 
Jimmie Sharp

Date: 11/16/06

Signed: 
Jamie Sharp

Date: 11/16/06

VAC-18654
01/25/07 PC

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

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE



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

SUBJECT: VAC-18654 - APPLICANT/OWNER: DONNA M. DELACRUZ, ET AL

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **January 25, 2007** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

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

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


Signature

1/22/07
Date

Donna M. Delacruz
Please Print Name

Company Name

Sincerely,

Douglas J. Rankin, AICP
Current Planning Manager

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VACATION

VAC-18711 - PUBLIC HEARING - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: CLARK COUNTY SCHOOL DISTRICT, ET AL - Petition to Vacate a section of public right-of-way generally located at the northeast corner of Sunrise Avenue and 28th Street, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

Motion made by STEVEN D. ROSS to Approve Subject to Conditions

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 1

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

Minutes:

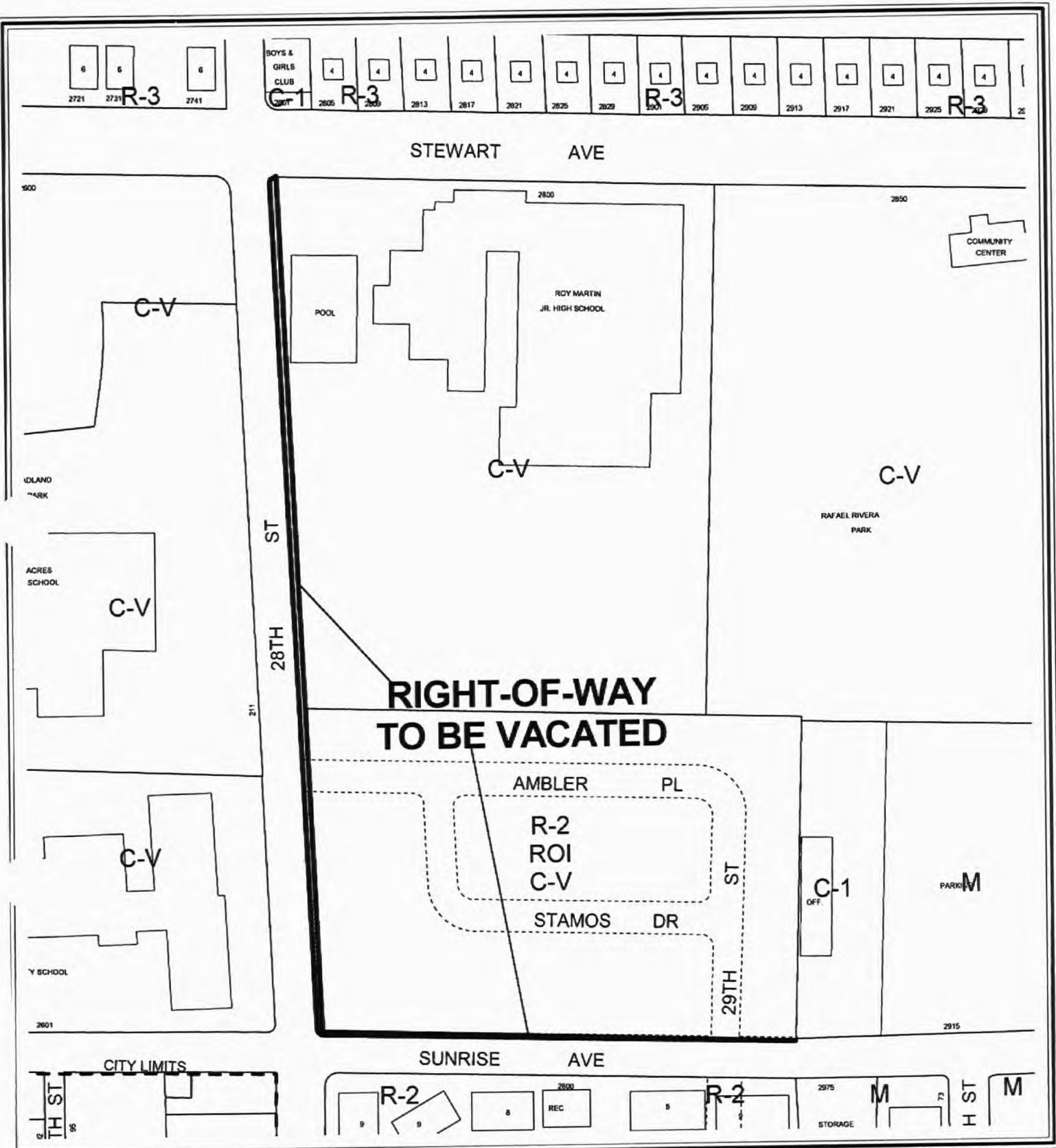
MAYOR GOODMAN declared the Public Hearing open.

CLAYTON NEILSEN, Nevada By Design, 3515 East Harmon Avenue, appeared on behalf of the applicant and requested approval.

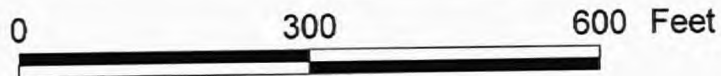
In response to COUNCILMAN WEEKLY'S query, MR. NEILSEN informed him that the proposal is for a new middle school, which will replace the existing school, Roy Martin.

AL GALLEGOS, Las Vegas citizen, will be glad when the school is completed.

MAYOR GOODMAN declared the Public Hearing closed.



CASE: VAC-18711





CASE: VAC-18711



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-18711 - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: CLARK COUNTY SCHOOL DISTRICT, ET AL

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
2. All development shall be in conformance with code requirements and design standards of all City Departments.
3. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.
4. The limits of this petition of vacation shall be defined as the right-of-way that exists between the back of the constructed sidewalk on 28th Street, between Stewart Avenue and Sunrise Avenue and on Sunrise Avenue from 28th Street approximately 712 to the east.
6. This Petition of Vacation shall be modified to retain the radius corner at the northeast corner of Sunrise Avenue and 28th Street and the southeast corner of Stewart Avenue and 28th Street.
7. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of the Order of Vacation.
8. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request to Vacate a portion of a public right-of-way generally located at the northeast corner of Sunrise Avenue and 28th Street. The Clark County School District is submitting this application in order to comply with Condition 11 of the approved Site Development Plan Review (SDR-14380).

The applicant is proposing to vacate approximately 708 linear feet of Sunrise Avenue that runs along the southern portion of the site with varying widths from 3.0 to 3.5 feet. Additionally, the applicant wishes to vacate approximately 1,282 linear feet of 28th Street that runs along the western portion of the site with varying widths from 13.26 to 16.30 feet.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/28/92	The Board of Zoning Appeals approved a Variance (V-0192-91) to allow the outdoor storage of automobiles.
05/24/94	The Board of Zoning Appeals approved a Variance (V-0069-94) to allow a commercial business office where commercial uses are not permitted on the subject site.
08/02/00	The City Council approved a Variance (V-0032-00) to allow a minimum lot size of 2,600 square feet where 6,500 square feet is required for a proposed 75-lot residential subdivision. The Planning Commission and Staff recommended approval.
08/02/00	The City Council approved a Variance (V-0034-00) to allow a 15 foot setback in the front yard where 20 feet is the minimum setback required; and to allow a zero foot side yard setback where five feet is the minimum required; and to allow a 10 foot setback in the rear yard where 20 feet is the minimum required in conjunction with a 75-lot residential subdivision. The Planning Commission and Staff recommended approval.
11/06/02	The City Council approved two Extensions of Time [V-0032-00(1) and V-0034-00(1)] on approved Variances (V-0032-00 and V-0034-00) that allowed for reduced minimum lot size and setbacks. The Planning Commission and Staff recommended approval.
11/05/03	The City Council approved two Extensions of Time (EOT-2894 and EOT-2895) on approved Variances (V-0032-00 and V-0034-00) that allowed for reduced minimum lot size and setbacks. The Planning Commission and Staff recommended approval.
10/06/04	The City Council approved two Extensions of Time (EOT-5040 and EOT-5041) on approved Variances (V-0032-00 and V-0034-00) that allowed for reduced minimum lot size and setbacks.

08/02/06	Two Extensions of Time (EOT-5040 and EOT-5041) for approved Variances (V-0032-00 and V-0034-00) expired on the subject site.
09/06/06	The City Council approved a request for a General Plan Amendment (GPA-14376), a Rezoning (ZON-14378) and a Site Development Plan Review (SDR-14380) to allow and site a new school on the property. The Planning Commission and staff had recommended approval of all three items.
01/25/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #17/rt).

Related Building Permits/Business Licenses

There are no building permits or business licenses related to this project approved or under review.

Pre-Application Meeting

A pre-application meeting was not held nor is one required for this type of request.

Neighborhood Meeting

A neighborhood meeting is not required nor was one held.

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Jr. High School	PF (Public Facilities)	C-V (Civic District)
	Undeveloped	PF (Public Facilities)	R-2 (Medium-Low Density Residential) under ROI to C-V (Civic District)
North	Multi-Family Housing	M (Medium Density Residential)	R-3 (Medium Density Residential)
South	Multi-Family Housing	M (Medium Density Residential)	R-2 (Medium-Low Density Residential)
East	City Park	PF (Public Facilities)	C-V (Civic District)
	Building Supplies & Hardware Business	LI/R (Light Industrial / Research)	C-1 (Limited Commercial)
West	Elementary School	PF (Public Facilities)	C-V (Civic District)
	Vocational School	PF (Public Facilities)	C-V (Civic District)

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

DETAILS OF APPLICATION REQUEST

The property is legally described as a 3.5 foot wide right-of-way beginning at the northeast corner of 28th Street and Sunrise Avenue and extending 708 feet east along Sunrise Avenue; and

The property is legally described as a 13 foot wide right-of-way beginning at the northeast corner of 28th Street and Sunrise Avenue and extending 1,282 feet north along 28th Street.

Said property being a portion of the East Half (E½) of the North Half (N½) of the Southwest Quarter (SW¼) of Section 36, Township 20 South, Range 61 East, M.D.M.

ANALYSIS

- **Planning and Development**

A Site Development Plan Review (SDR-14380) required that the school district submit a Petition of Vacation for the additional right-of-way along 28th Street between Stewart Avenue and Sunrise Avenue adjacent to this site. If a vacation is not approved by the City Council, then the site plan must be revised to conform to the existing right-of-way and resubmitted to the Planning and Development Department.

Planning staff has no objection to the vacation request. No adverse affects to traffic circulation or site access would result with the proposed vacation.

- **Public Works**

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *It will result in a right-of-way width that matches the constructed street width.*
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No.*
- C. Does it appear that the vacation request involves only excess right-of-way? *Yes and it was conditioned by the City of Las Vegas by SDR-14380 to submit a Petition of Vacation for the excess right-of-way.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, the proposed redevelopment of Roy Martin Middle School, SDR-14380.*
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*

- F. Does this vacation request result in a conflict with any existing City requirements? *No.*
- G. Does the Department of Public Works have an objection to this vacation request? *No.*

PLANNING COMMISSION ACTION

Applicant agreed to all conditions at the Planning Commission hearing.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

NOTICES MAILED 4 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-18711 APN: 139-36-303-001 & 003

Name of Property Owner: Clark County School District & Housing Authority City Of Las Vegas

Name of Applicant: Clark County School District

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer 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

XX No

If yes, please indicate the member of the City Council, Planning Commission or Hearings Officer 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: NA

Partner(s): NA NA

APN: NA

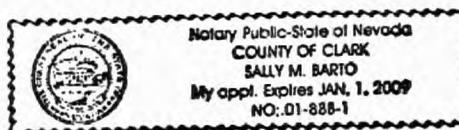
Signature of Property Owner/Authorized Agent: [Signature]

Subscribed and sworn before me

J. P. Gerner, Associate Superintendent,
Facilities Division, Clark County School District

This 11 day of December, 2006

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



COPY



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-18711** APN: 139-36-303-001 & 003

Name of Property Owner: Clark County School District & Housing Authority City Of Las Vegas

Name of Applicant: Clark County School District

To the best of your knowledge, does the Mayor or any member of the City Council, Planning Commission, or a Hearings Officer 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 XX No

If yes, please indicate the member of the City Council, Planning Commission or Hearings Officer 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: NA

Partner(s): NA NA

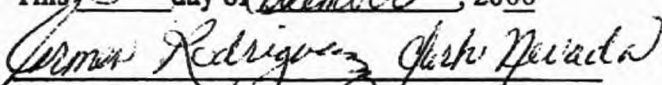
APN: NA

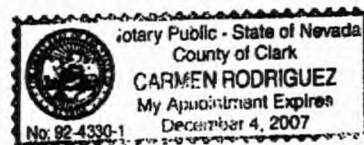
Signature of Property Owner/Authorized Agent: 

Carol O. Rowe, Acting Executive Director,
City Of Las Vegas Housing Authority

Subscribed and sworn before me

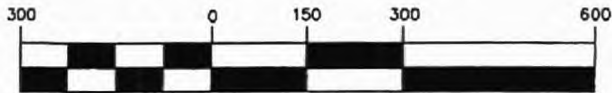
This 5th day of December, 2006


Notary Public in and for said County and State

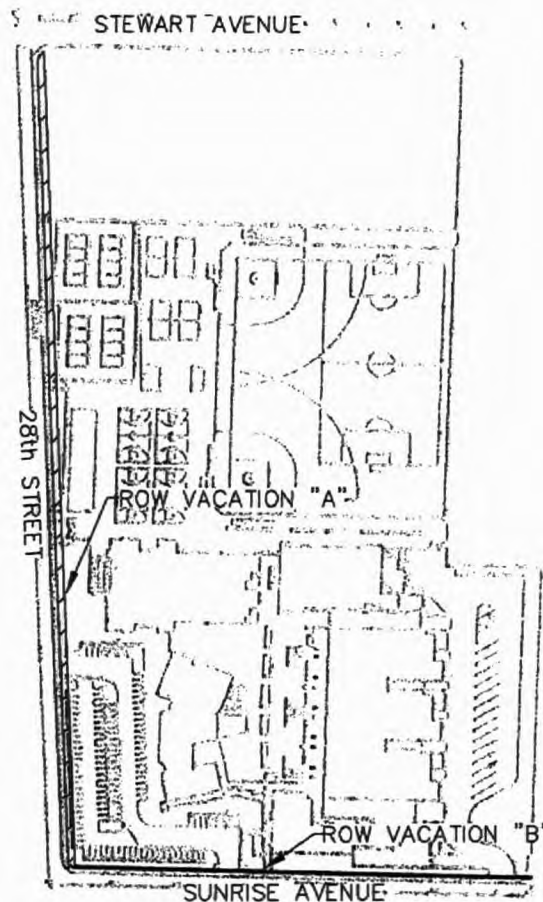


COPY

GRAPHIC SCALE



(IN FEET)
1 inch = 300 ft.



VAC-18711
01/25/07 PC


R.O.W. AREA
TO BE VACATED
RECEIVED

SUNRISE AVENUE (PUBLIC)

DEC 1 2 2006



Nevada By Design

ENGINEERING CONSULTANTS
3515 East Harmon Avenue
Las Vegas, NV 89121
Phone: (702) 938-1525 - Fax: (702) 938-1530
www.nvbydesign.com

**ROY MARTIN
MIDDLE SCHOOL
ROW VACATION-SITE MAP**

DRAWN BY: MAS	JOB NO.: 05477
DATE: 9/6/06	SHT. 1 OF 3

STEWART AVENUE

CL (S88°30'14"E) (PUBLIC)

CL 58.07' (S02°41'06"E) (PUBLIC)

NW CORNER OF SW (1/4) OF SECTION 36.
P.O.C.



P.O.B.

40.00' (N87°18'54"E)

L = 16.30'

R = 25.00'

$\Delta = 37°22'05"$

Tan = 8.45'

1282.59' (S02°41'06"E)
1262.03' (N02°41'06"W)



R.O.W. AREA
TO BE VACATED

CL 1306.43' (S02°41'06"E) (PUBLIC)

28th STREET

L = 13.26'

R = 15.00'

$\Delta = 50°39'53"$

Tan = 7.10'

GRAPHIC SCALE



(IN FEET)

1 inch = 30 ft.

SUNRISE AVENUE

CL (N88°30'14"W) (PUBLIC)

VAC-18711

01/25/07 PC 28th STREET (PUBLIC)

RECEIVED

DEC 12 2006

Nevada By Design



ENGINEERING CONSULTANTS
3515 East Harmon Avenue
Las Vegas, NV 89121
Phone: (702) 938-1525 - Fax: (702) 938-1530
www.nvbydesign.com

**ROY MARTIN
MIDDLE SCHOOL
ROW VACATION - "A"**

DRAWN BY: MAS

JOB NO.: 05477

DATE: 9/6/06

SHT. 2 OF 3

GRAPHIC SCALE



(IN FEET)

1 inch = 30 ft.

NW CORNER OF SW (1/4) OF SECTION 36.
P.O.C.

STEWART AVENUE

CL (S88°30'14"E) (PUBLIC)



CL 1364.50' (S02°41'06"E) (PUBLIC)
28th STREET

3.31' (S02°41'05"E)
26.70' (N01°29'46"E)

P.O.B.

711.55' (S88°30'14"E)

708.88' (N88°30'14"W)

L = 2.44'

R = 15.00'

Δ = 09°18'45"

Tan = 1.22'

3.50' (N01°29'46"E)

SUNRISE AVENUE

CL 38.16' (N88°30'14"W) (PUBLIC)



R.O.W. AREA
TO BE VACATED

RECEIVED

SUNRISE AVENUE (PUBLIC)

DEC 12 2006

Nevada By Design



ENGINEERING CONSULTANTS
3515 East Harmon Avenue
Las Vegas, NV 89121
Phone: (702) 938-1525 - Fax: (702) 938-1530
www.nvbydesign.com

ROY MARTIN MIDDLE SCHOOL ROW VACATION - "B"

DRAWN BY: MAS

JOB NO.: 05477

DATE: 9/6/06

SHT. 3 OF 3



VAC-18711 - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: CLARK COUNTY SCHOOL DISTRICT, ET AL
NORTHEAST CORNER OF SUNRISE AVENUE AND 28TH STREET
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06



VAC-18711 - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: CLARK COUNTY SCHOOL DISTRICT, ET AL
NORTHEAST CORNER OF SUNRISE AVENUE AND 28TH STREET
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06



VAC-18711 - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: CLARK COUNTY SCHOOL DISTRICT, ET AL
NORTHEAST CORNER OF SUNRISE AVENUE AND 28TH STREET
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06



VAC-18711 - APPLICANT: CLARK COUNTY SCHOOL DISTRICT - OWNER: CLARK COUNTY SCHOOL DISTRICT, ET AL
NORTHEAST CORNER OF SUNRISE AVENUE AND 28TH STREET
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06



CLARK COUNTY SCHOOL DISTRICT

REAL PROPERTY MANAGEMENT

FACILITIES DIVISION

December 11, 2006

Planning Commission
City of Las Vegas
400 E. Stewart Avenue
Las Vegas, Nevada 89101

BOARD OF SCHOOL TRUSTEES

Mrs. Ruth Johnson, President
Mrs. Sheila Moulton, Vice President
Mrs. Susan Brager-Wellman, Clerk
Mr. Larry P. Mason, Member
Mrs. Mary Beth Scow, Member
Mrs. Shirley Barber, Member
Mrs. Terri Janison, Member
Dr. Walt Ruffles, Superintendent

RE: 1998 Bond fund Program, Project #0724-08
Roy Martin ~~Elementary~~ *Middle* School – APN 139-36-303-001 and 003

The Clark County School District is requesting a Right-Of-Way Vacation for portions of 28th Street east of the Roy Martin ~~Elementary~~ *Middle* School.

A condition of Site Development Plan Review (SDR-14380, condition #11), approved July 27, 2006, required the school district to "Submit a Petition of Vacation for the additional right-of-way along 28th Street between Stewart Avenue and Sunrise Avenue adjacent to this site plan". See attached "conditions of approval letter".

With the intent of complying with SDR-14380, condition #11 the school district is at this time requesting a Right-Of-Way Vacation as stated in the attached application.

Please contact Carol L. Bailey or myself at 799-6435 ext 218 if you have any questions on this matter. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script, reading "Richard Lee Horton".

Richard Lee Horton SR/WA, Site Analyst
Real Property Management
Facilities Division

/rh

Enclosure

cc: Carol Bailey
Frederick Smith
Rich Brown
Steve Drews

VAC-18711
01/25/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

GENERAL PLAN AMENDMENT

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

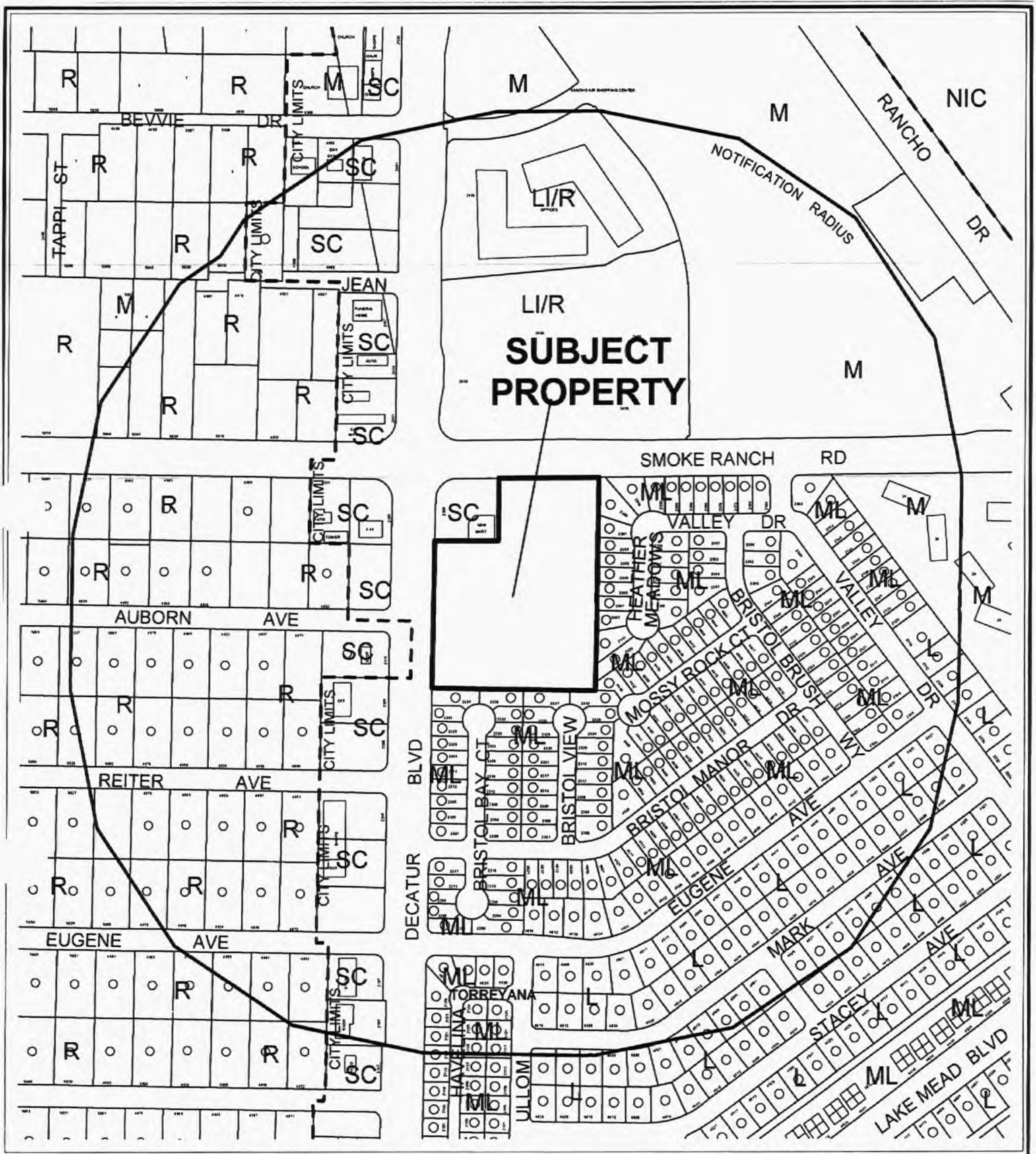
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Revised plans submitted 01-05-07
5. Submitted after final agenda – Abeyance letter by Attorney Stephanie Allen for Items 94-97

Motion made by LARRY BROWN to Hold in Abeyance Item 63 [1919 Fremont Street], Item 64 [900 Stewart Avenue, 216 and 222 N. 9th Street], Item 89 [SUP-18655], Item 94 [GPA-16511], Item 95 [ZON-16519], Item 96 [VAR-16525], Item 97 [SDR-16522], Item 105 [VAR-17871], Item 106 [SDR-17312], Item 111 [GPA-18818], Item 112 [ZON-18819], Item 113 [VAR-18820], Item 114 [SUP-18821] and Item 115 [SDR-18822] to 3/07/2007; Item 102 [ZON-17242], Item 103 [VAR-17244] and Item 104 [SDR-17247] to 3/21/2007; Item 107 [SUP-13490] and Item 110 [SDR-15747] to 4/18/2007

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

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



CASE: GPA-16511

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

ML (MEDIUM LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

MLA (MEDIUM LOW ATTACHED DENSITY RESIDENTIAL)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

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

*THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 7, 2007 CITY
COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.*

**** CONDITIONS ****

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

**** STAFF REPORT ******PROJECT DESCRIPTION**

The applicant is requesting to amend a portion of the Southwest Sector Plan of the Master Plan from ML (Medium-Low Density Residential) to MLA (Medium-Low Attached Density Residential).

The proposed MLA (Medium-Low Attached Density Residential) Land Use Designation is not considered appropriate for this location. The surrounding area is ML (Medium-Low Density Residential) and L (Low Density Residential). The proposed designation allows up to four units per acre more than what is currently permitted on the site. This General Plan Amendment would allow 25 lots more than the current land-use designation and zoning. The additional density is not compatible with the area and denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/28/05	The Planning Commission tabled a request for a Rezoning (ZON-5669) from R-1 (Single-Family Residential) to C-1 (Limited Commercial) on the subject property. Staff recommended approval.
11/16/05	The City Council approved a General Plan Amendment (GPA-7678) from SC (Service Commercial) to MLA (Medium-Low Attached Density Residential); a Waiver (WVR-9060) of Title 18.12.160 to allow 88 feet between street intersections where 220 feet is the minimum separation required; a Site Development Plan Review (SDR-9061) for a 50-lot single-family residential development; and a Rezoning (ZON-9058) from R-1 (Single-Family Residential) to R-PD8 (Residential Planned Development - 8 Units Per Acre). The Planning Commission and staff recommended approval.
12/01/05	The Planning Commission approved a Tentative Map (TMP-9764) for a 50-lot, single-family residential subdivision. Staff recommended approval.
11/16/06	The Planning Commission recommended denial of companion items ZON-16519, VAR-16525 and SDR-16522 concurrently with this application.
11/16/06	The Planning Commission voted 6-1/ds to recommend DENIAL (PC Agenda Item #7/ng)..
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses related to this application.	
<i>Pre-Application Meeting</i>	
08/14/06	A pre-application meeting was held and the following items were noted: A bus turnout and a drainage study are required. The General Plan Amendment was discussed. A knuckle deviation would be necessary. The homes would be sprinkled.

Neighborhood Meeting	
09/26/06	A neighborhood meeting was held at Brinley Middle School, 2480 Maverick Street, Las Vegas, Nevada. In attendance were the applicant, one staff member, and one member of the public. Concerns regarding the density of the project, lack of open space, and an increase in traffic were discussed.

Details of Application Request	
Site Area	
Gross Acres	6.19
Net Acres	5.33

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	ML (Medium-Low Density Residential)	R-1 (Single Family Residential) Zone under Resolution of Intent to R-PD8 (Residential Planned Development, 8 Units per Acre) Zone
North	Storage	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
South	Single-Family Residential	ML (Medium-Low Density Residential)	R-CL (Single-Family Compact-Lot)
East	Single-Family Residential	ML (Medium-Low Density Residential)	R-CL (Single-Family Compact-Lot)
West	Convenience Store Single-Family Residential	SC (Service Commercial)	C-1 (Limited Commercial) R-E (Residence Estates)

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

DEVELOPMENT STANDARDS

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-1 (Single Family Residential) under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre)	8.49 Units Per Acre	52 Units under the R-PD8 (Residential Planned Development - 8 Units Per Acre) Designation	R-PD12 (Residential Planned Development - 12 Units Per Acre)	12.49 Units per Acre	MLA (Medium-Low Attached Density Residential)	12.49 Units Per Acre 77 Units under the R-PD12 Designation (Residential Planned Development - 12 Units Per Acre)

ANALYSIS

The proposed General Plan Amendment would allow up to 12.49 units per acre. Currently 8.49 units per acre are permitted on the subject property. The adjacent property also carries a land-use designation that permits 8.49 units per acre. While the increase is only one land-use category more intense than what is currently permitted, the change would permit an additional 25 homes on the site. The increase in density will have an overall negative affect on the area and denial of this request is recommended.

FINDINGS

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

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

In regard to “1”:

The density and intensity of the proposed General Plan Amendment are not compatible with the adjacent land-use designations. The adjacent property carries a ML (Medium-Low Density Residential) land-use designation. The ML category permits up to 8.49 units per acre. The proposed MLA (Medium-Low Attached Density Residential) land-use designation permits up to 12.49 units per acre. The additional density would permit an additional 25 homes on this property and is not considered appropriate.

In regard to “2”:

The proposed R-PD12 (Residential Planned Development – 12 Units Per Acre) District is not compatible with the surrounding uses. The R-PD12 (Residential Planned Development – 12 Units Per Acre) District would feature lot sizes that are approximately half the size of the smallest lots on adjacent properties.

In regard to “3”:

The site gains access from Smoke Ranch Road a 100-foot Primary Arterial. A crash gate is provided from Decatur Boulevard. Smoke Ranch Road will provide adequate access to and from the subject property.

In regard to “4”:

There are no additional plans and policies that affect the proposed General Plan Amendment. It is noted that the project related to this General Plan Amendment does not conform to Title 19.06 requirements for open space and a Variance (VAR-16525) is required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

3

ASSEMBLY DISTRICT

7

SENATE DISTRICT

4

NOTICES MAILED

349 by Planning Department

APPROVALS

0

PROTESTS

0

STATEMENT OF FINANCIAL INTEREST

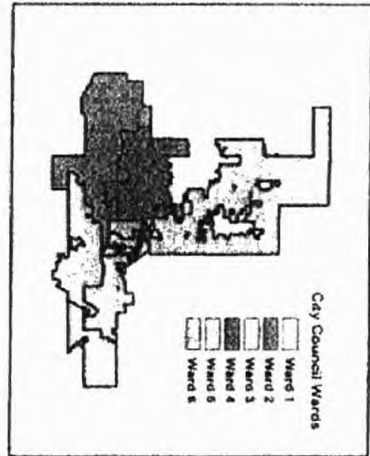
Name of Applicant: Richmond American Homes

No

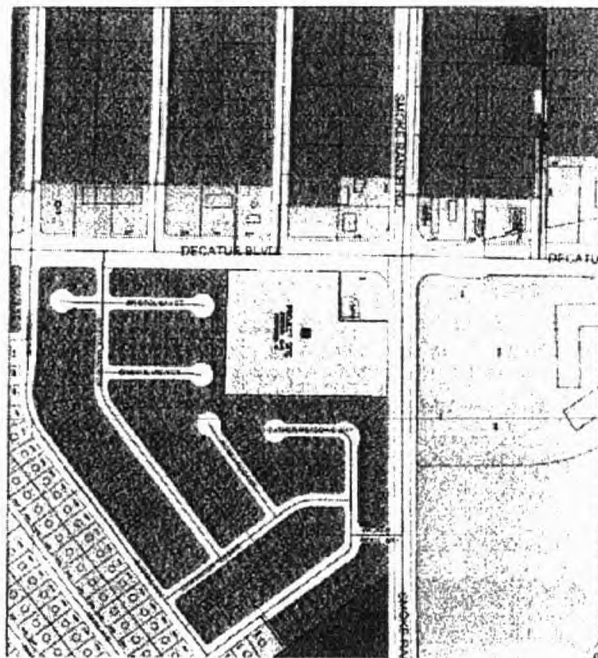
APN: _____

Print Name: _____

CARRIE L. PRICE
Notary Public State of Nevada
No. 04290890-1
My comm. exp. July 9, 2008



- 100 Pure Estates
- 200 Desert Ridge
- 300 Pure
- 400 Pure
- 500 Low
- 600 Medium - Low
- 700 Medium - Low Medium
- 800 Medium
- 900 High
- 1000 Office
- 1100 Service Commercial
- 1200 General Commercial
- 1300 Transit Commercial
- 1400 Las Vegas Medical District
- 1500 Light Industrial / Research
- 1600 Planned Community Development
- 1700 Downtown Redevelopment Area
- 1800 Park / Recreation / Open Space
- 1900 Public Facility
- 2000 Public Facility - School
- 2100 Public Facility - City/County
- 2200 Town Center
- 2300 Resource Conservation
- 2400 Downtown - Commercial
- 2500 Downtown - Mid and Low
- 2600 Not in City
- 2700 Designated - Other

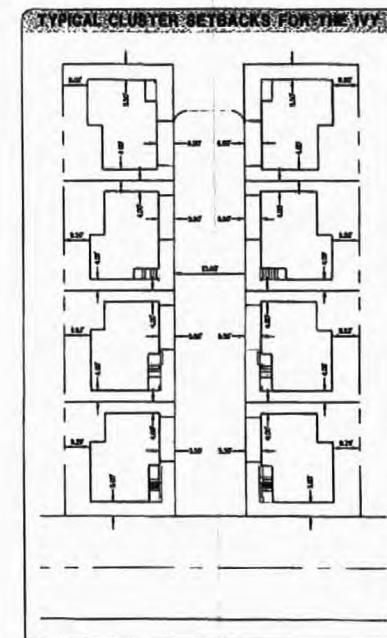
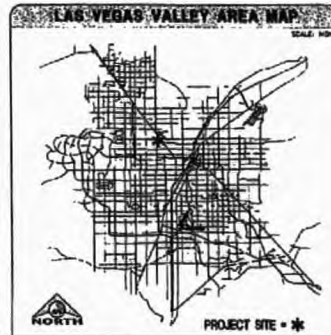


GPA-16511

11/16/06 PC

	RICHMOND AMERICAN HOMES OF NEVADA, INC. SMOKE RANCH / DECATUR LOCATION PLAN		DATE: 5/15/08 BY: A. WYMER CHECKED BY: DATE: 5/15/08 BY: A. WYMER DATE: 5/15/08 BY: A. WYMER	NO. 1 DATE: 5/15/08
	1			

**A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE
NORTH HALF (N 1/2) OF SECTION 19, TOWNSHIP 20 SOUTH,
RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA.**



THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER
(NW 1/4) OF THE NORTH HALF (N 1/2) OF SECTION 18,
TOWNSHIP 20 SOUTH, RANGE 61 EAST, N.E.M., CITY OF
LAS VEGAS, CLARK COUNTY, NEVADA.

TUTOR ENGINEERING
2757 W. CHARLESTON BLVD., SUITE 8
LAS VEGAS, NV 89146
OFFICE, (702) 234-1480
FAX, (702) 234-2082

CLARK COUNTY VERTICAL CONTROL POINT "BLVD 1200"
BEING A CITY OF LAS VEGAS PVTY AND ROUNDED PLATE
CONCRETE CULMDOOR, NORTHEAST CORNER OF JONES BLVD
AND RACE STREET.
ELEVATION: 2067.2533 (TEXT)
731 525 (NATURAL)
CLARK COUNTY VERTICAL CONTROL "2001" BASED ON
NORTH AMERICAN VERTICAL DATUM OF 1988 (NVD83) ON

138-18-901-000

NONIFFLE FINALLY TRUST
5550 CHEYENNE AVENUE, SUITE 210
LAS VEGAS, NV 89129
OFFICE: (702) 304-1947

NORTH 0700'18" NEEL, BEING THE BEARING OF THE EAST LINE OF THE NORTHEAST QUARTER (IN 1/4) OF THE SOUTHEAST QUARTER (IN 1/4) OF SECTION 12, TOWNSHIP 18 SOUTH, RANGE 68 EAST, MERID. AS SHOWN IN BOOK 126, PAGE 31 OF PLATS ON FILE AT THE CLARK COUNTY, NEVADA RECORDS OFFICE.

1. COVER SHEET
2. SITE PLAN

FRONTIER AMERICAN HOMES OF NEVADA, INC.
2440 FAIRLIE DRIVE, SUITE 120
HENDERSON, NV 89074
OFFICE (702) 877-8400

CLARK COUNTY TIME 20

TR-CONE BANCORP
 8733 N. OAKLINGTON BLVD., SUITE A
 LAS VEGAS, NV 89148
 OFFICE: (702) 521-1204
 FAX: (702) 570-4378

COMMON LOTS	NOT USABLE	USABLE	TOTAL
COMMON LOT 'A'	2,504 SF	8,701 SF	11,205 SF
COMMON LOT 'B'	1,784 SF	24,525 SF	26,309 SF
COMMON LOT 'C'	2,794 SF	0 SF	2,794 SF
COMMON LOT TOTAL	7,082 SF	33,226 SF	40,308 SF

PRESENT ZONING	LAND USE DESIGNATION	
PROPOSED ZONING	R-108 (RESIDENTIAL PLANNED DEVELOPMENT)	77 LOTS
	R-POL2 (RESIDENTIAL PLANNED DEVELOPMENT)	6.18 ACRES
		12.42 LOTS / ACRE
	SITE SUMMARY	
TOTAL UNITS		
SUBSTANDING UNITS		
CROSS ACRES		
GROSSY (SINCE)		
	USABLE OPEN SPACE	
TOTAL REQUIRED		55.25 SF
TOTAL PROVIDED		33.28 SF

Triton
Engineering



RICHMOND AMERICAN HOMES OF NEVADA, INC.

SMOKE RANCH / DECATUR II

COVER SHEET

DEET 1
C.L.V. DWG. #



Project Name:
Sunny Hills
(Smoke Ranch/Decatur)
Richmond American Homes
Las Vegas, Nevada

#	Revisions	Date	By
1	rendering	08.09.05	mh
2	buffer	10.10.05	mh
3	base revision	01.11.05	sch
4	base revision	02.01.06	sch
5	engineering	02.20.06	mf
6	base revision	08.30.06	mh
7	base revision	10.23.06	mh

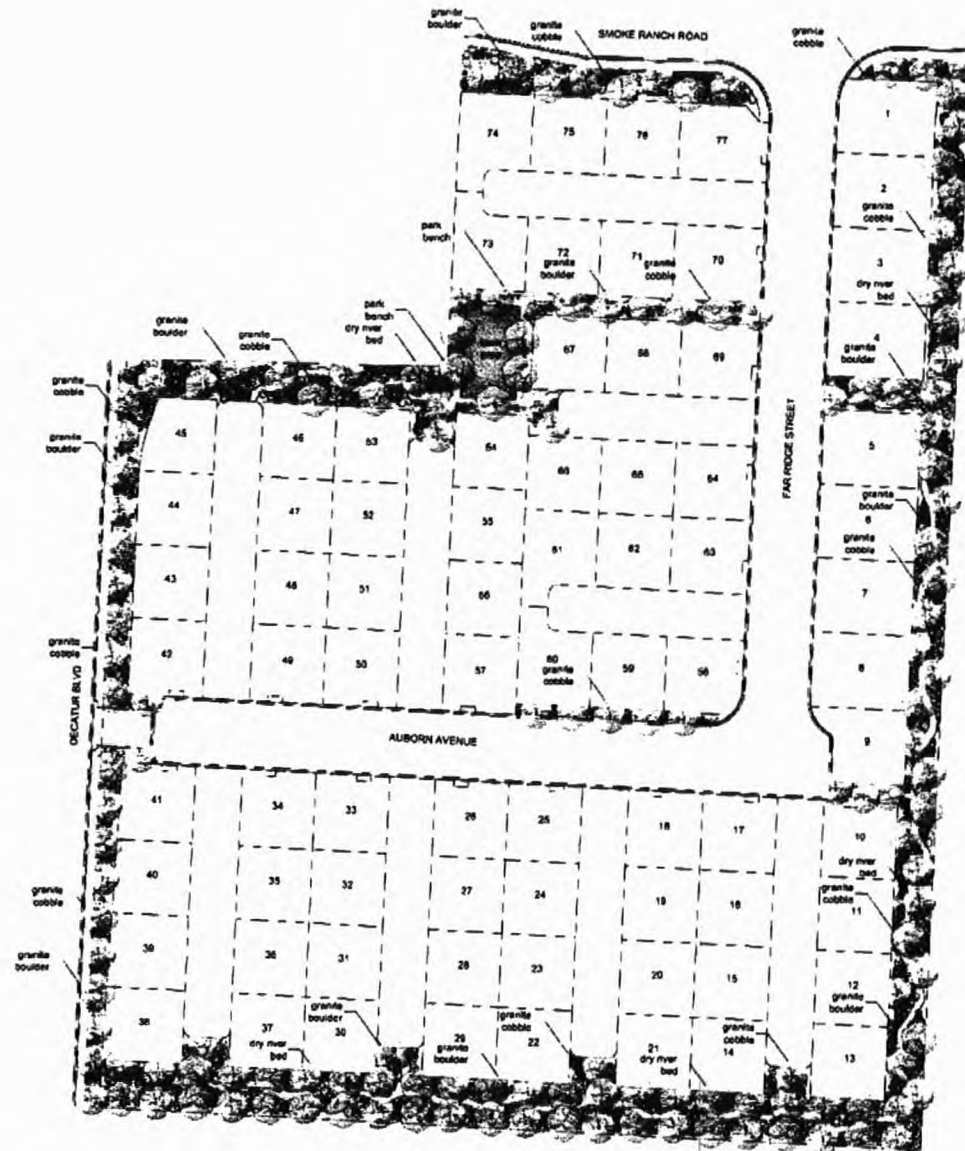
This landscape drawing is for design/visual use only. Landscape Landscaping and Grading only. Landscape Landscaping and Grading does not assume any responsibility for projects created by any contractor other than Landscape Landscaping and Grading.

Drawing:
Common Area
Landscape
Plan

Date: 07.12.05
Scale: 1" = 30'-0"
Drawn By: kd
Checked By: kny
Project #

Sheet # 1 of 1

L-1



Plant Schedule

Species	Sex	Intestine	Saliva	Coronary Saliva
26 th Nov	Male	Acute & erythrole		Shooting Acanth
26 th Nov	Female	Cholerae incrusta		Small White
26 th Nov	Female	Pringles de-vent		Clean Ventrals
26 th Nov	Male	Verm. egg in caecum		C-wide Trac
26 th Nov	Male	Acute & erythrole		Shooting Acanth

[illegible]

Landscape Schedule

34 Descriptive Risk of death

Unimpaired Urinary

4' Filter Patch

Y & Bunka College

44 phytolite to reactive in 2" layer of 5d² cementitious rock

2. No plan: a return to the general power of the full state from civil and structures where possible
3. All plan: a return to the general power (CLV Fd 1)
4. No plan: a return to the general power (CLV Fd 1)

Site Amenities

1. Signature _____

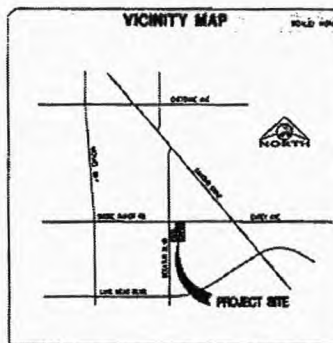
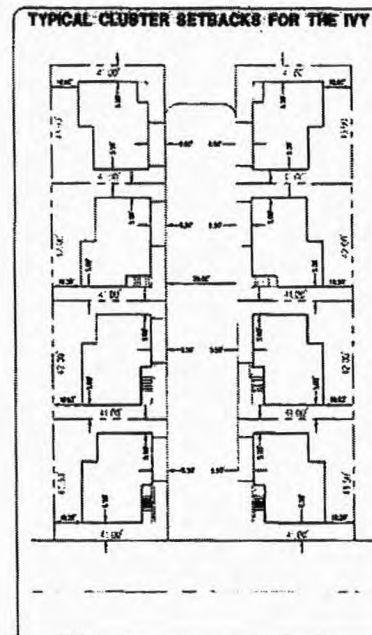
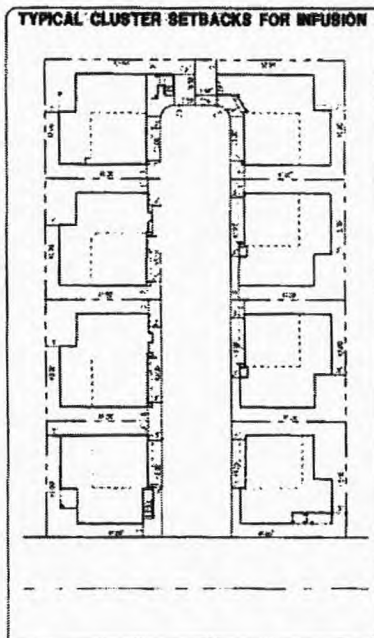
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OCT 25 2006

GPA-16511 VAR-16525
ZON-16519 SDR-16522
REVISED 11/16/06 PC



SITE PLAN OF SMOKE RANCH / DECATUR II

A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE
NORTH HALF (N 1/2) OF SECTION 19, TOWNSHIP 20 SOUTH,
RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA.



LEGAL DESCRIPTION

THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER
THE EAST HALF (E 1/2) OF THE NORTHWEST QUARTER
SECTION 19, TOWNSHIP 20 SOUTH, RANGE 61 EAST,
CLARK COUNTY, NEVADA.

ENGINEER

STEVE ENGINEERING
2000 S. GARDEN BLVD., SUITE 200
LAS VEGAS, NV 89102
OFFICE: (702) 251-1180
FAX: (702) 251-2822

BENCHMARK

CLARK COUNTY METRIC CONTROL POINT "BENCH MARK"
BEING A SET OF IRON RODS AND IRON PLATE IN
CONCRETE FOUNDATION SUPPORT CORNER OF JONES BLVD
AND HAZEL STREET.
ELEVATION: 2067.000 (FEET)
CLARK COUNTY METRIC CONTROL POINT BASED ON
NAD83 - AMERICAN VERTICAL DATUM OF 1988 (VDAT 88)

ASSESSOR'S PARCEL NUMBER

125-15-10-002

OWNER

SMOKE RANCH INVEST
2000 S. GARDEN BLVD., SUITE 200
LAS VEGAS, NV 89102
OFFICE: (702) 251-1180

SHEET INDEX

1 COVER SHEET 2. REVISIONS AND DETAILS
3. SITE PLAN

BASIS OF BEARING

"NORTH" BEARING OF THE LINE BEING THE BEARING OF THE
EAST LINE OF THE INTERSECTION CORNER OF 1/4 OF
THE NORTHWEST QUARTER SEC. 19, TOWNSHIP 20 SOUTH,
RANGE 61 EAST, CLARK COUNTY, NEVADA. AS
SHOWN IN THE 1988 PLAT OF 1/4 OF SEC. 19, TOWNSHIP 20 SOUTH,
RANGE 61 EAST, CLARK COUNTY, NEVADA. RECORDS OFFICE.

LAND USE TABULATION

PROPOSED ZONING	LAND USE RECLASSIFICATION
PROPOSED ZONING	R-PM (RESIDENTIAL PLANNED DEVELOPMENT)
	R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT)
SIZE SUMMARY	75 LOTS
TOTAL LOTS	NONE
RECLASSIFIED LOTS	6.19 ACRES
CRANK AREA	12.8 ACRES / ACRE
DEVELOP (FOOT)	
USABLE OPEN SPACE	
TOTAL RESERVE	24,100 SF
TOTAL PROVIDED	25,100 SF

SETBACK REQUIREMENTS

QTY OF LOT AREA	QTY OF LOT AREA
2000	6.19
TYPICAL LOT SIZE (SF)	1,000 SF
FRONT TO BUILDING	7' MIN.
FRONT TO DRIVE	7' MIN. OR 10' MIN.
SIDE TO BUILDING	7' MIN.
SIDE TO HOOF END	7' MIN.
HOOF ON CORNER	7' MIN.

DEVELOPER

SMOKE RANCH INVEST
2000 S. GARDEN BLVD., SUITE 200
LAS VEGAS, NV 89102
OFFICE: (702) 251-1180

SURVEYOR

STEVE ENGINEERING
2000 S. GARDEN BLVD., SUITE 200
LAS VEGAS, NV 89102
OFFICE: (702) 251-1180
FAX: (702) 251-2822

COMMON LOT AREAS

COMMON LOTS	NOT USABLE	USABLE	TOTAL
COMMON LOT 1/4	8 SF	6,883 SF	6,891 SF
COMMON LOT 1/2	8 SF	18,775 SF	18,783 SF
COMMON LOT 3/4	8 SF	2,883 SF	2,891 SF
COMMON LOT TOTAL	24,000 SF	28,541 SF	52,541 SF

RECEIVED

Submitted after final 03/07/07

Date 1/12/07 Item 924-95

ZON-16519
VAR-16525
SDR-16522

JAN 05 2007

RICHMOND AMERICAN HOMES OF NEVADA, INC.

SMOKE RANCH / DECATUR II

COVER SHEET

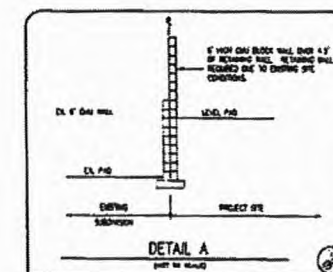
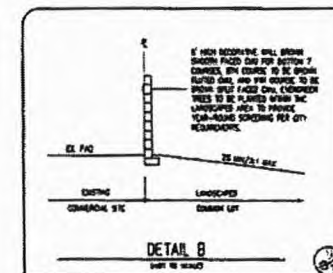
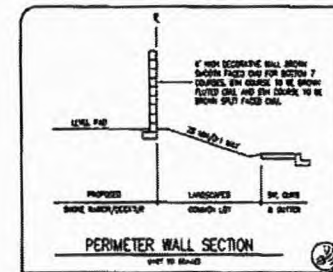
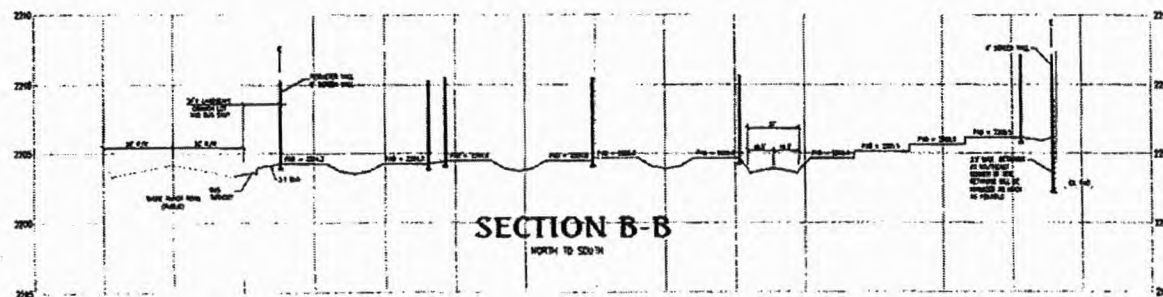
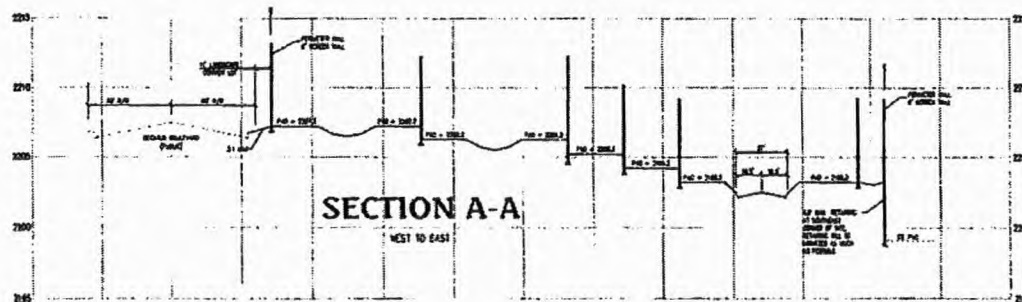
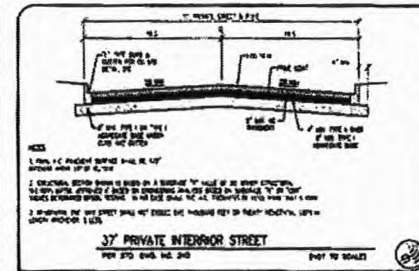
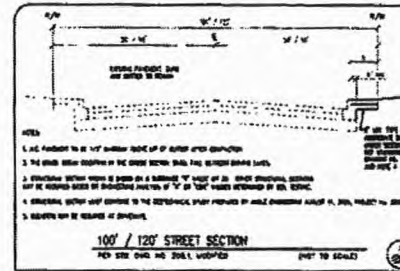
1
CL.V. DWG./

Triton
Engineering



2000 S. GARDEN BLVD.
LAS VEGAS, NV 89102

OFFICE: (702) 251-1180
FAX: (702) 251-2822



ZON-16519
 VAR-16525
 SDR-16522
 01-17-07 CC

RECEIVED

JAN 05 2007

Triton Engineering
 4010 S. Charleston Blvd.
 Las Vegas, Nevada 89102
 (702) 735-1111
 Fax: (702) 735-1112
 www.tritoneng.com

SECTIONS AND DETAILS

3
 CLK, DMS

**KUMMER
KAEMPFFER**
**KUMMER KAEMPFFER BONNER
RENSHAW & FERRARIO**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

STEPHANIE H. ALLEN

sallen@kkbr.com
702.792-7000
 LAS VEGAS OFFICE
3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.782.7000
Fax: 702.796.7181

 RENO OFFICE
5565 Kietzke Lane
Reno, NV 89511
Tel: 775.882.3900
Fax: 775.852.3982

 SUMMERLIN OFFICE
3425 Cliff Shadows Parkway
Suite 150
Las Vegas, NV 89129
Tel: 702.693.4260
Fax: 702.939.8457

 CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.882.1311
Fax: 775.882.0257

February 21, 2007

VIA FACSIMILE

382-4803

 Ms. Barbara Jo Ronemus
City Clerk
City of Las Vegas
400 E. Stewart, 1st Flr.
Las Vegas, NV 89101

Re: GPA-16511; ZON-16519; VAR-16525; SDR-16522
Smoke Ranch/Decatur
Richmond American Homes (Items #94 - 97)

Dear Ms. Ronemus:

Our office represents the applicant in the above-referenced matters. We respectfully request that these items be held from the presently scheduled City Council hearing of February 21, 2007 until March 7, 2007.

Thank you for your cooperation and please call if you have any questions.

Sincerely,

KUMMER KAEMPFFER BONNER RENSCHAW & FERRARIO

Stephanie Allen/mlt
Stephanie H. Allen

SHA/mlt

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CITY CLERK
2007 FEB 21 A 10:58


296974_1.DOC

 Date 2/21/07 Item # 94-97
8586 172

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REZONING RELATED TO GPA 16511

ZON-16519 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SCHNIPPLE FAMILY TRUST - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE) TO: R-PD12 (RESIDENTIAL PLANNED DEVELOPMENT - 12 UNITS PER ACRE) on 6.19 acres at the southeast corner of Smoke Ranch Road and Decatur Boulevard (APN 139-19-101-002), Ward 5 (Weekly). The Planning Commission (6-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Revised plans submitted 01-05-07

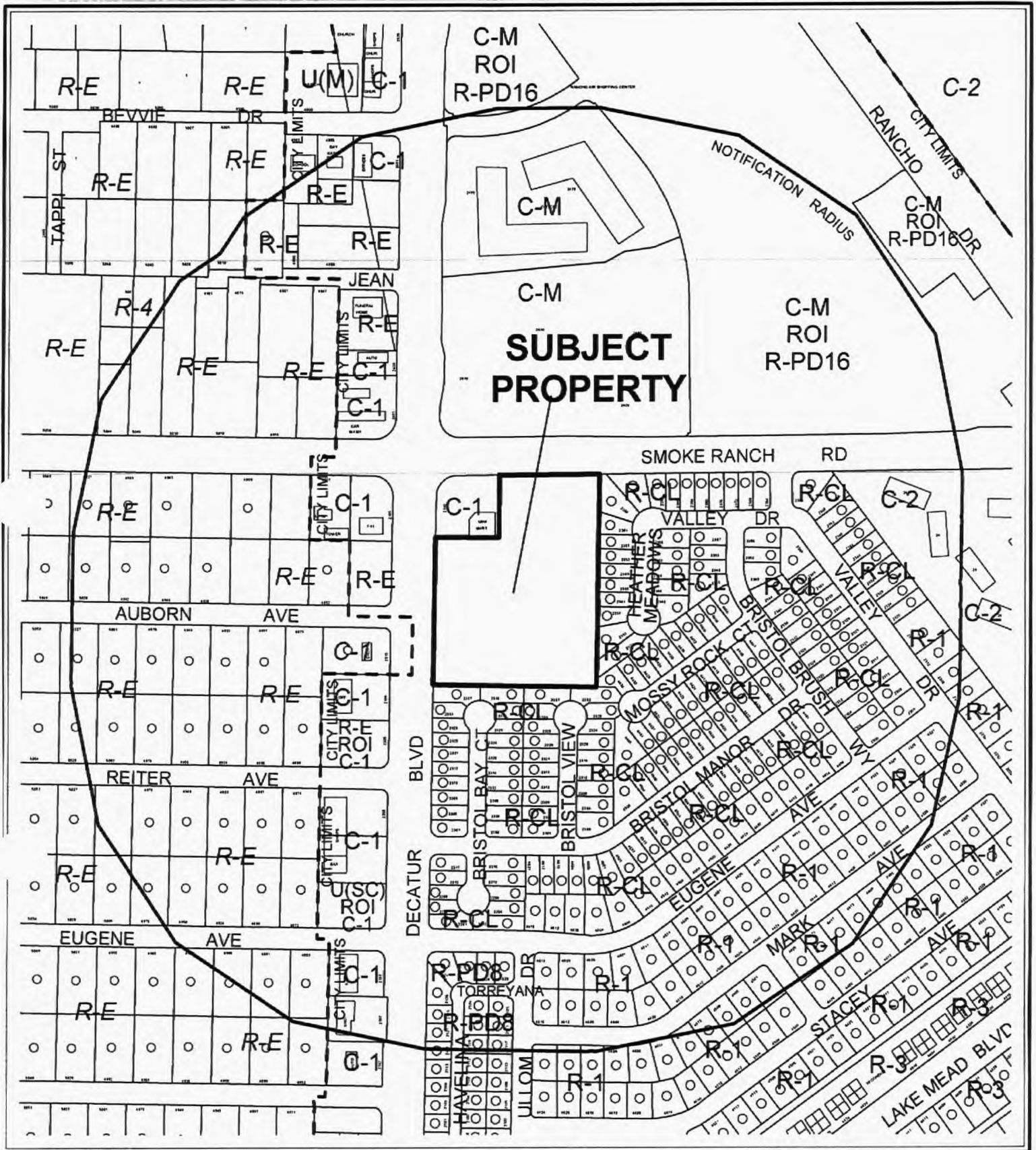
Motion made by LARRY BROWN to Hold in Abeyance Item 63 [1919 Fremont Street], Item 64 [900 Stewart Avenue, 216 and 222 N. 9th Street], Item 89 [SUP-18655], Item 94 [GPA-16511], Item 95 [ZON-16519], Item 96 [VAR-16525], Item 97 [SDR-16522], Item 105 [VAR-17871], Item 106 [SDR-17312], Item 111 [GPA-18818], Item 112 [ZON-18819], Item 113 [VAR-18820], Item 114 [SUP-18821] and Item 115 [SDR-18822] to 3/07/2007; Item 102 [ZON-17242], Item 103 [VAR-17244] and Item 104 [SDR-17247] to 3/21/2007; Item 107 [SUP-13490] and Item 110 [SDR-15747] to 4/18/2007

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

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

Minutes:

See Item 94 for related backup.



CASE: **ZON-16519**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD12 (RESIDENTIAL PLANNED DEVELOPMENT - 12 UNITS PER ACRE)

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ABEYANCE - ZON-16519 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SCHNIPPLE FAMILY TRUST**

THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 7, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

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

Planning and Development

1. A General Plan Amendment (GPA-16511) to a Medium-Low Attached Density Residential Land Use Designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit is hereby granted.
3. A Site Development Plan Review (SDR-16522) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate all additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes and additional right-of-way for a bus turnout on Smoke Ranch Road unless otherwise allowed by the City Traffic Engineer.
5. Construct all incomplete half-street improvements on Smoke Ranch Road and Decatur Boulevard adjacent to this site concurrent with development of this site.
6. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

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

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Rezoning from R-1 (Single-Family Residential) Zone under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre) Zone to R-PD12 (Residential Planned Development - 12 Units Per Acre).

The proposed rezoning is not considered appropriate for this location. The lot sizes and density that would be permitted by the proposed rezoning are not compatible with surrounding development. The project calls for lots that are approximately half the size of the smallest adjacent lots. While the single-family use is considered appropriate for this location, a design that features lots more comparable to the adjacent development and that meets open space requirements is sought. Due to these factors, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/28/05	The Planning Commission tabled at the request of the applicant an application for a Rezoning (ZON-5669) from R-1 (Single-Family Residential) to C-1 (Limited Commercial) on the subject property. Staff recommended approval.
11/16/05	The City Council approved a General Plan Amendment (GPA-7678) from SC (Service Commercial) to MLA (Medium-Low Attached Density Residential); a Waiver (WVR-9060) of Title 18.12.160 to allow 88 feet between street intersections where 220 feet is the minimum separation required; a Site Development Plan Review (SDR-9061) for a 50-lot, single-family residential development; and a Rezoning (ZON-9058) from R-1 (Single Family Residential) to R-PD8 (Residential Planned Development - 8 Units per Acre). The Planning Commission and staff recommended approval.
12/01/05	The Planning Commission Approved a Tentative Map (TMP-9764) for a 50-lot, single-family residential subdivision. Staff recommended approval.
11/16/06	The Planning Commission recommended denial of companion items GPA-16511, VAR-16525 and SDR-16522 concurrently with this application.
11/16/06	The Planning Commission voted 6-1/ds to recommend DENIAL (PC Agenda Item #8/ng)..

Related Building Permits/Business Licenses	
There are no building permits or business licenses related to this application.	
Pre-Application Meeting	
08/14/06	A pre-application meeting was held and the following items were noted. A bus turnout and drainage study is required. The General Plan change was discussed. A knuckle deviation would be necessary. The homes would be sprinkled.

Neighborhood Meeting	
09/26/06	A neighborhood meeting was held at Brinley Middle School, 2480 Maverick Street, Las Vegas, Nevada. In attendance were the applicant, one staff member, and one member of the public. Concerns regarding the density of the project, lack of open space, and an increase in traffic were discussed.

Details of Application Request	
Site Area	
Gross Acres	6.19
Net Acres	5.33

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	ML (Medium-Low Density Residential)	R-1 (Single Family Residential) Zone under Resolution of Intent to R-PD8 (Residential Planned Development, 8 Units Per Acre) Zone
North	Storage	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
South	Single-Family Residential	ML (Medium-Low Density Residential)	R-CL (Single-Family Compact-Lot)
East	Single-Family Residential	ML (Medium-Low Density Residential)	R-CL (Single-Family Compact-Lot)
West	Convenience Store Single-Family Residential	SC (Service Commercial)	C-1 (Limited Commercial) R-E (Residence Estates)

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

DEVELOPMENT STANDARDS

Per Title 19.06 the following Development Standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	1,468 SF	Y
Min. Lot Width	N/A	31 Feet	Y
Min. Setbacks			
• Front	N/A	3 Feet	Y
		5 Feet or 18 Feet (Garage)	Y
• Side	N/A	3 Feet	Y
• Corner	N/A	4 Feet	Y
• Rear	N/A	3 Feet	Y
Min. Distance Between Buildings	N/A	6 Feet	Y
Max. Building Height	N/A	3 Stories/35 Feet	Y

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-1 (Single-Family Residential) under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre)	8.49 Units Per Acre	52 Units under the R-PD8 Designation	R-PD12 (Residential Planned Development - 12 Units Per Acre)	12.49 Units per Acre	MLA (Medium-Low Attached Density Residential)	12.49 Units Per Acre 77 Units under the R-PD12 (Residential Planned Development - 12 Units Per Acre) Designation

Per Title 19.12 the following Landscape Standards apply:

<i>Landscape and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Buffer: Min. Trees	1 Tree/30 Linear Feet	69 Trees	96 Trees	Y
Min. Zone Width	6 Feet		6 Feet	Y
Wall Height	6 Feet		6 Feet	Y

<i>Open Space</i>							
<i>Total Acreage</i>	<i>Density</i>	<i>Required</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Ratio</i>	<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
6.19 Acres	12.44	1.65	20.53	1.27 Acres or 55,321 SF	12.28	0.76 Acres or 33,226 SF	N

ANALYSIS

The proposed Rezoning to an R-PD12 (Residential Planned Development –12 Units Per Acre) District is not considered appropriate for the area. The site was previously approved for an R-PD8 (Residential Planned Development –8 Units Per Acre) zone; however, that proposal met open space requirements and included larger lot sizes that were more compatible with adjacent development. The current proposal calls for lot sizes that are less than half the size of the smallest adjacent lots and fails to meet open space requirements, which is covered in Variance (VAR-16525). The R-PD12 (Residential Planned Development –12 Units Per Acre) District is considered too intense for this location and denial of this request is recommended.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. “The proposal conforms to the General Plan.”

This proposal requires a General Plan Amendment (GPA-16511) to a Medium-Low Attached Density (MLA) land-use designation. The requested General Plan Amendment to an MLA land-use designation is considered inappropriate for this location as the proposed development contains lot sizes that are less than half the size of the smallest adjacent lots and lacks the required amount of open space. Denial of the General Plan Amendment is recommended.

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

The single-family use is considered appropriate for the site; however, due to the small lot sizes and increased density this proposal is not compatible with surrounding development. A single-family development with a lower density and larger lots that meets Title 19 requirements would be more appropriate for this location.

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

Growth and development factors in the community do not indicate the need for this rezoning. The property is currently under Resolution of Intent to an R-PD8 (Residential Planned Development – 8 Units Per Acre) District. This is considered an appropriate threshold for density on this site as these lot sizes are more compatible with adjacent development.

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

The site gains access from Smoke Ranch Road a 100-foot Primary Arterial. A crash gate is provided from Decatur Boulevard. Smoke Ranch Road will provide adequate access to and from the subject property.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 7

SENATE DISTRICT 4

NOTICES MAILED 349 by Planning Department

APPROVALS 0

PROTESTS 0

STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Richmond American Homes

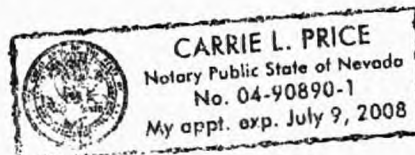
8 No

APN: _____

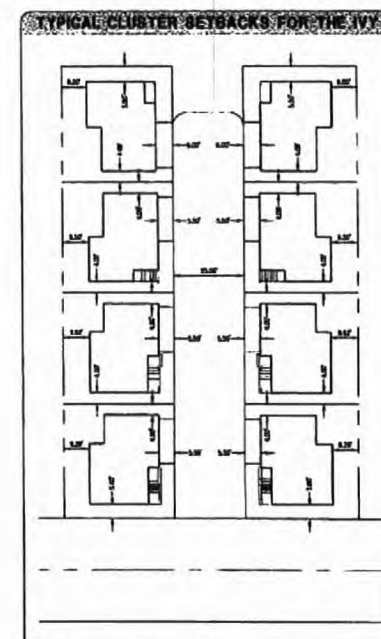
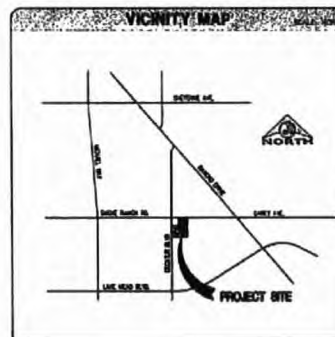
Print Name:

Mark A. Schnipfel

Carrie L. Price
Notary Public in and for said County and State



A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE
NORTH HALF (N 1/2) OF SECTION 19, TOWNSHIP 20 SOUTH,
RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA.



THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER
(NW 1/4) OF THE NORTH HALF (N 1/2) OF SECTION 18
TOWNSHIP 30 SOUTH, RANGE 81 EAST, N.M.S., CITY OF
LAS VEGAS, CLARK COUNTY, NEVADA.

TRITON ENGINEERING
5707 N. CHARLESTON BLVD., SUITE B
LAS VEGAS, NV 89148
OFFICE (702) 254-1490
FAX (702) 254-5082

CLARK COUNTY VERTICAL CONTROL POINT "N-156" (200)
BEING A CITY OF LAS VEGAS RENEY AND BOUND PLATE
CONCRETE CYLINDER, NORTHEAST CORNER OF JONES R
AND RACE STREET.

139-19-101-000

DOMINIQUE FAMILY TRUST
8940 CHEVINGE AVENUE, SUITE 210
LAS VEGAS, NV 89129
OFFICE (702) 304-1947

1. COVER SHEET

INFORMED AMERICAN HOMER OF NEVADA, INC.
3480 PACED HORSE PARKWAY, SUITE 120
PENDERGOSH, NY 08074
OFFICE: (702) 617-8400

NORTH 020°19' NEARLY THE BEARING OF THE EAST LINE OF THE SOUTHEAST QUARTER (BE 1/4) OF THE SOUTHEAST QUARTER (BE 1/4) OF SECTION 12, TOWNSHIP 18 SOUTH, RANGE 10 EAST, N.D.M., AS SHOWN IN BOOK 106, PAGE 21 OF PLATS ON FILE AT

PRESENT ZONING		LAND USE DESIGNATION	
PROPOSED ZONING		R-PD-1 (RESIDENTIAL PLANNED DEVELOPMENT)	
		R-PD-2 (RESIDENTIAL PLANNED DEVELOPMENT)	
		<u>SITE SUMMARY</u>	
TOTAL UNITS			77.10
SUBSTANDARD UNITS			NO
CRISIS ADEQUATE			6.15 ACRE
DETERY (CRSD)			12.42 UNITS / ACRE
		<u>USABLE OPEN SPACE</u>	
TOTAL REQUIRED			10.250
TOTAL PROVIDED			11.225

CLARK COUNTY TITLE 30

SURVEYOR
TRI-CONE SURVEYING
8702 W. CHARLESTON BLVD., SUITE A
LAS VEGAS, NV 89140
OFFICE (702) 831-1004
FAX (702) 830-4310

COMMON LOT#	NET USABLE	USABLE	TOTAL
COMMON LOT 1*	2,504 SF	8,701 SF	11,205 SF
COMMON LOT 2*	1,764 SF	24,325 SF	26,089 SF
COMMON LOT 3*	2,784 SF	0 SF	2,784 SF
COMMON LOT TOTAL	7,052 SF	33,026 SF	40,078 SF

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OCT 25 2006

GPA-16511 VAR-16525
ZON-16519 SDR-16522
REVISED 11/16/06 PC

COVER SHEET

SHEET 1 OF
C.L.V. DWG.#

Plant Schedule

Plant	Qty	Common Name	Common Name
1	20' Box	Arctostaphylos	Manzanita
2	20' Box	Chamaecyparis	Manzanita
3	20' Box	Chamaecyparis	Manzanita
4	20' Box	Chamaecyparis	Manzanita

Plant	Qty	Common Name	Common Name
5	20' Box	Arctostaphylos	Manzanita
6	20' Box	Chamaecyparis	Manzanita
7	20' Box	Chamaecyparis	Manzanita
8	20' Box	Chamaecyparis	Manzanita

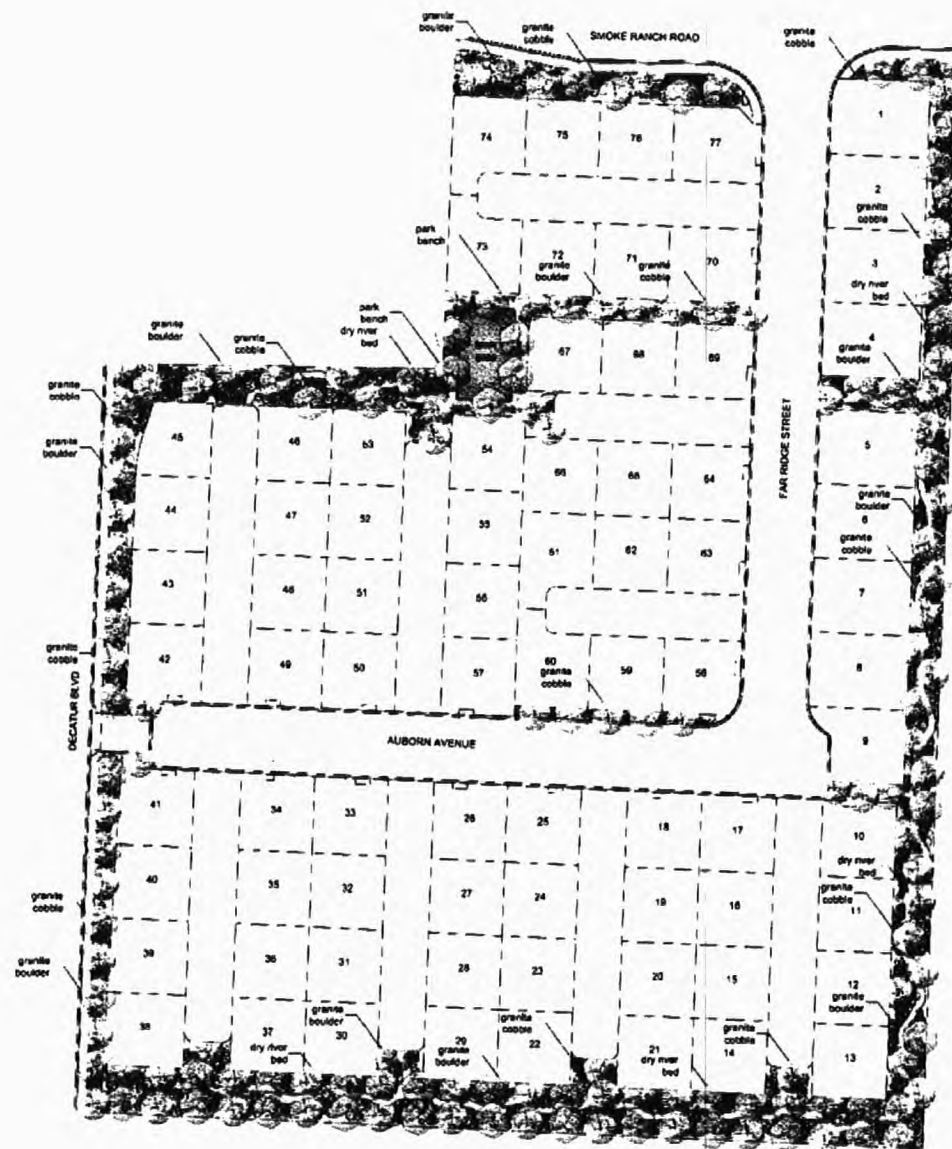
Landscape Schedule

Plant	Qty	Common Name	Common Name
1	20' Box	Arctostaphylos	Manzanita
2	20' Box	Chamaecyparis	Manzanita
3	20' Box	Chamaecyparis	Manzanita
4	20' Box	Chamaecyparis	Manzanita

Plant	Qty	Common Name	Common Name
5	20' Box	Arctostaphylos	Manzanita
6	20' Box	Chamaecyparis	Manzanita
7	20' Box	Chamaecyparis	Manzanita
8	20' Box	Chamaecyparis	Manzanita

Site Amenities

Plant	Qty	Common Name	Common Name
1	20' Box	Arctostaphylos	Manzanita
2	20' Box	Chamaecyparis	Manzanita
3	20' Box	Chamaecyparis	Manzanita
4	20' Box	Chamaecyparis	Manzanita



landaco landscaping and grading
design build landscape architecture
4800 South Pecos Las Vegas NV 89121
702.885.7801 fax 702.885.7802

Project Name:

Sunny Hills
(Smoke Ranch/Decatur)
Richmond American Homes
Las Vegas, Nevada

#	Revisions	Date	By
1	revision	08.05.06	mh
2	revision	08.10.06	mh
3	base revision	01.11.06	ach
4	base revision	02.01.06	ach
5	engineering	02.20.06	mf
6	base revision	08.30.06	mh
7	base revision	10.23.06	mh

This landscape drawing is for design/build use
by Landaco Landscaping and Grading only.
Landaco Landscaping and Grading does not
assume any responsibility for projects installed
by any contractor other than Landaco
Landscaping and Grading.

Drawing:
**Common Area
Landscape
Plan**

Date: 07.12.05
Scale: 1" = 30'-0"
Drawn By: kd
Checked By: kny
Project #

Sheet # 1 of 1

L-1

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OCT 25 2006

**GPA-16511 VAR-16525
ZON-16519 SDR-16522
REVISED 11/16/06 PC**



Triton

Engineering

October 16, 2006

City of Las Vegas
Development Services Center
731 S. Fourth Street
Las Vegas, NV 89102

**Reference: Request for Site Development Review
Smoke Ranch / Decatur II
APN # 139-19-101-002**

To Whom It May Concern:

On behalf of our client, Richmond American Homes, we respectfully submit this letter of justification for a Zone Change request for a proposed 77 lot single family project called "Smoke Ranch/ Decatur II".

The applicant is requesting a Site Development Review for a proposed 77 lot single-family residential development. Parcels adjacent to the proposed site have the following land use and zoning:

NEC – Light Industrial (C-M)
NWC – Service Commercial and Rural (C-1 & R-E)
SEC – Medium – Low, High & Service Commercial (R-CL, C-2 & C-1)
SWC – Service Commercial (C-1)

We are requesting the following setbacks for the RPD-12:

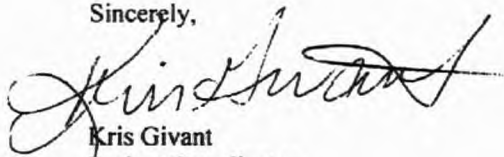
Typical Lot Size:	1,500 sq ft
Front to Roof Edge/Building:	3' Minimum
Front to Garage:	5' to 6' Min. or 18' plus
Side Yard to side of building or roof edge:	3' feet
Side on Corner to Side of building	4' feet
Rear Yard	3' feet

RECEIVED
OCT 1 2006

Richmond American Homes believes that requesting RPD-12 zoning will compliment the area and would be a proposed buffer between the R-CL SFR's and the C-1 Commercial Property.

Please place the attached request on the Planning Commission agenda. If you have any questions or require additional information, please contact me at 254-1480 (office) or 300-2912 (cell).

Sincerely,


Kris Givant
Project Coordinator

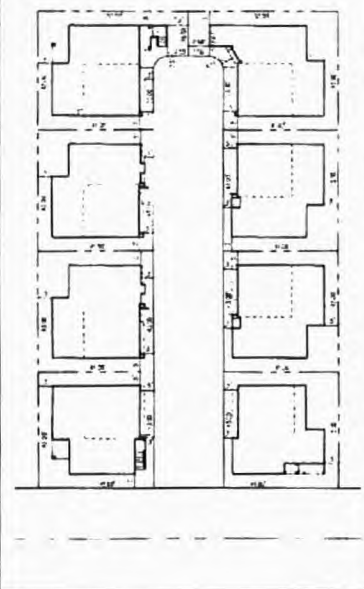
**GPA-16511 VAR-16525
ZON-16519 SDR-16522
REVISED**

6757 W. Charleston Blvd., Suite B • Las Vegas, Nevada 89146
Office: (702) 254-1480 • Fax: (702) 254-3062 • www.tritoneng.com

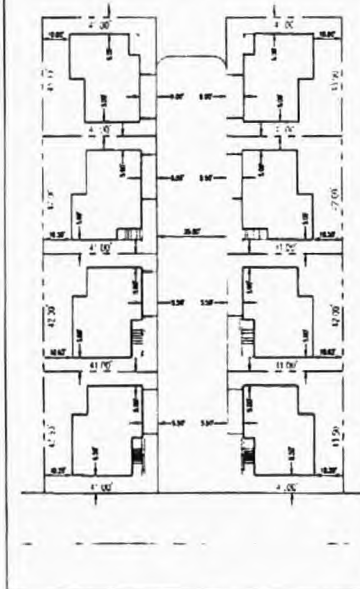
SITE PLAN OF SMOKE RANCH / DECATUR II

A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE
NORTH HALF (N 1/2) OF SECTION 19, TOWNSHIP 20 SOUTH,
RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA.

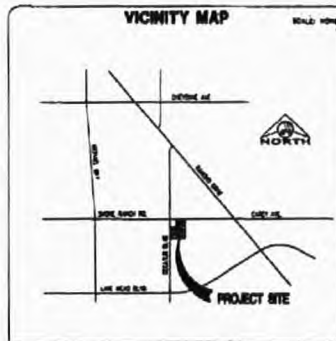
TYPICAL CLUSTER SETBACKS FOR INFUSION



TYPICAL CLUSTER SETBACKS FOR THE IVY



VICINITY MAP



LAS VEGAS VALLEY AREA MAP



LEGAL DESCRIPTION

THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER
(NW 1/4) OF THE NORTH HALF (N 1/2) OF SECTION 19,
TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CITY OF
LAS VEGAS, CLARK COUNTY, NEVADA.

ENGINEER

TERRY SCHWARTZ
1707 N. GARDEN BLVD., SUITE 2
LAS VEGAS, NV 89104
OFFICE: (702) 254-1400
FAX: (702) 254-2002

BENCHMARK

CLARK COUNTY VERTICAL CONTROL POINT "AVISO CORNER"
BEING A CITY OF LAS VEGAS BENCH MARK PLATE IN
CONCRETE CURB, NORTHWEST CORNER OF JONES BLVD
AND HAWK STREET
ELEVATION: 2263.2000 (FEET)
121.525 (METERS)
CLARK COUNTY VERTICAL CONTROL - 2003 BASED ON
NORTH AMERICAN MEAN SEA LEVEL OF 1988 (NAVD 83)

ASSESSOR'S PARCEL NUMBER

004-16-10-002

OWNER

SCHWARTZ FAMILY TRUST
1707 N. GARDEN BLVD., SUITE 2
LAS VEGAS, NV 89104
OFFICE: (702) 254-1400

SHEET INDEX

1. COVER SHEET
2. SITE PLAN

DEVELOPER

RICHMOND AMERICAN HOMES OF NEVADA, INC.
1707 N. GARDEN BLVD., SUITE 2
LAS VEGAS, NV 89104
OFFICE: (702) 254-1400

BASIS OF BEARING

NORTH BENCHMARK BEING THE BEARING OF THE
EAST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF
THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 19,
TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., AS
SHOWN IN PLAT 108, PAGE 21 OF PLATS ON FILE AT
THE CLARK COUNTY, NEVADA RECORDS OFFICE.

LAND USE TABULATION

PRESENT ZONING	LAND USE DESIGNATION
PROPOSED ZONING	4-PUR (RESIDENTIAL PLANNED DEVELOPMENT)
	4-PUR2 (RESIDENTIAL PLANNED DEVELOPMENT)
SITE SUMMARY	
TOTAL UNITS	76 LOTS
GROSS HOUSING	NONE
DENSITY (GROSS)	17.24 LOTS / ACRE
USABLE OPEN SPACE	
TOTAL REQUIRED	54,343 SF
TOTAL PROVIDED	23,158 SF

SETBACK REQUIREMENTS

CITY OF LAS VEGAS	
ZONING	4-PUR
TYPICAL LOT SIZE (SQ')	1,500 SF
FRONT TO BUILDING	2' MIN
FRONT TO DRIVE	5' - 8' ON 1/2' PLUS
SIDE TO BUILDING	2' MIN
SIDE TO ROOF EAVE	2' MIN
SIDE ON CORNER	2' MIN
REAR	2' MIN

SURVEYOR

TERRY SCHWARTZ
1707 N. GARDEN BLVD., SUITE 2
LAS VEGAS, NV 89104
OFFICE: (702) 254-1400
FAX: (702) 254-2002

COMMON LOT AREAS

COMMON LOTS	NOT USABLE	USABLE	TOTAL
COMMON LOT 'A'	0 SF	8,863 SF	8,863 SF
COMMON LOT 'B'	0 SF	18,275 SF	18,275 SF
COMMON LOT 'C'	2,887 SF	0 SF	2,887 SF
COMMON LOT TOTAL	2,887 SF	25,138 SF	27,995 SF

RICHMOND AMERICAN HOMES OF NEVADA, INC.

SMOKE RANCH / DECATUR II

COVER SHEET

SHEET 1
CLV DWG.

RECEIVED

JAN 05 2007

ZON-16519
VAR-16525
SDR-16522
01-17-07 CC

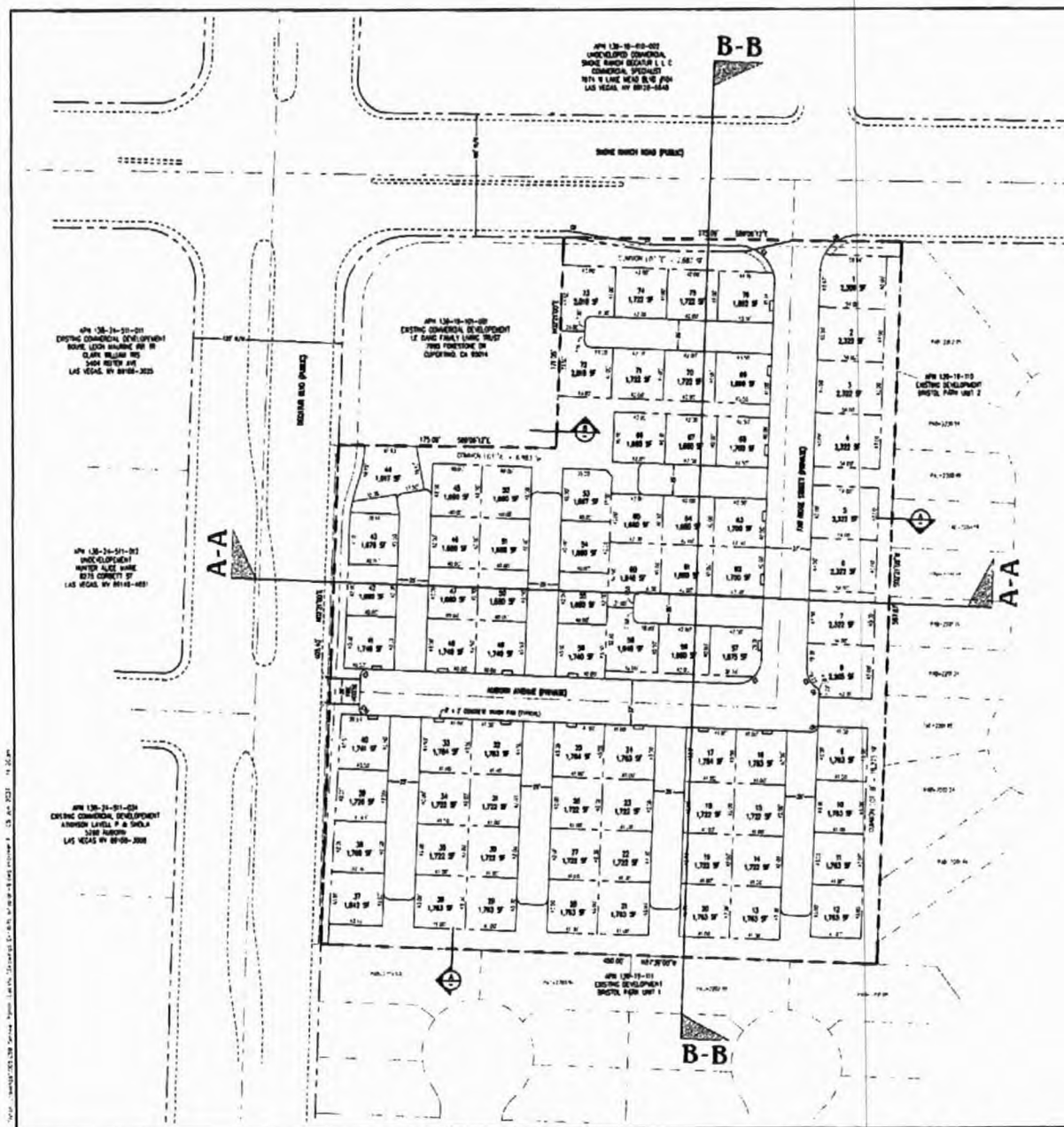


Table 1				
Year	Age	Sex	Height	Weight
1990	18	M	1.75	75
1991	19	M	1.80	80
1992	20	M	1.85	85
1993	21	M	1.90	90
1994	22	M	1.95	95
1995	23	M	2.00	100
1996	24	M	2.05	105
1997	25	M	2.10	110
1998	26	M	2.15	115
1999	27	M	2.20	120
2000	28	M	2.25	125
2001	29	M	2.30	130
2002	30	M	2.35	135
2003	31	M	2.40	140
2004	32	M	2.45	145
2005	33	M	2.50	150
2006	34	M	2.55	155
2007	35	M	2.60	160
2008	36	M	2.65	165
2009	37	M	2.70	170
2010	38	M	2.75	175
2011	39	M	2.80	180
2012	40	M	2.85	185
2013	41	M	2.90	190
2014	42	M	2.95	195
2015	43	M	3.00	200
2016	44	M	3.05	205
2017	45	M	3.10	210
2018	46	M	3.15	215
2019	47	M	3.20	220
2020	48	M	3.25	225
2021	49	M	3.30	230
2022	50	M	3.35	235
2023	51	M	3.40	240
2024	52	M	3.45	245
2025	53	M	3.50	250
2026	54	M	3.55	255
2027	55	M	3.60	260
2028	56	M	3.65	265
2029	57	M	3.70	270
2030	58	M	3.75	275
2031	59	M	3.80	280
2032	60	M	3.85	285
2033	61	M	3.90	290
2034	62	M	3.95	295
2035	63	M	4.00	300
2036	64	M	4.05	305
2037	65	M	4.10	310
2038	66	M	4.15	315
2039	67	M	4.20	320
2040	68	M	4.25	325
2041	69	M	4.30	330
2042	70	M	4.35	335
2043	71	M	4.40	340
2044	72	M	4.45	345
2045	73	M	4.50	350
2046	74	M	4.55	355
2047	75	M	4.60	360
2048	76	M	4.65	365
2049	77	M	4.70	370
2050	78	M	4.75	375
2051	79	M	4.80	380
2052	80	M	4.85	385
2053	81	M	4.90	390
2054	82	M	4.95	395
2055	83	M	5.00	400
2056	84	M	5.05	405
2057	85	M	5.10	410
2058	86	M	5.15	415
2059	87	M	5.20	420
2060	88	M	5.25	425
2061	89	M	5.30	430
2062	90	M	5.35	435
2063	91	M	5.40	440
2064	92	M	5.45	445
2065	93	M	5.50	450
2066	94	M	5.55	455
2067	95	M	5.60	460
2068	96	M	5.65	465
2069	97	M	5.70	470
2070	98	M	5.75	475
2071	99	M	5.80	480
2072	100	M	5.85	485
2073	101	M	5.90	490
2074	102	M	5.95	495
2075	103	M	6.00	500
2076	104	M	6.05	505
2077	105	M	6.10	510
2078	106	M	6.15	515
2079	107	M	6.20	520
2080	108	M	6.25	525
2081	109	M	6.30	530
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2090	118	M	6.75	575
2091	119	M	6.80	580
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2093	121	M	6.90	590
2094	122	M	6.95	595
2095	123	M	7.00	600
2096	124	M	7.05	605
2097	125	M	7.10	610
2098	126	M	7.15	615
2099	127	M	7.20	620
2100	128	M	7.25	625
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2106	134	M	7.55	655
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2108	136	M	7.65	665
2109	137	M	7.70	670
2110	138	M	7.75	675
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2163	191	M	10.40	940
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2166	194	M	10.55	955
2167	195	M	10.60	960
2168	196	M	10.65	965
2169	197	M	10.70	970
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2171	199	M	10.80	980
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2173	201	M	10.90	990
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2203	231	M	12.40	1140
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2208	236	M	12.65	1165
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2243	271	M	14.40	1340
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2249	277	M	14.70	1370
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2252	280	M	14.85	1385
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2258	286	M	15.15	1415
2259	287	M	15.20	1420
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2261	289	M	15.30	1430
2262	290	M	15.35	1435
2263	291	M	15.40	1440
2264	292	M	15.45	1445
2265	293	M	15.50	1450
2266	294	M	15.55	1455
2267	295	M	15.60	1460
2268	296	M	15.65	1465
2269	297	M	15.70	1470
2270	298	M	15.75	1475
2271	299	M	15.80	1480
2272	300	M	15.85	1485
2273	301	M	15.90	



Triton
Engineering



CHINO AMERICAN HOMES OF NEVADA, INC.
SMOKE RANCH / DECATUR II

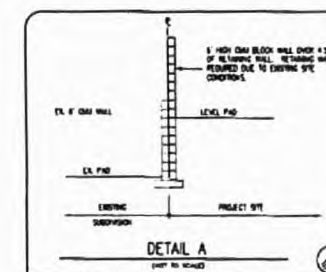
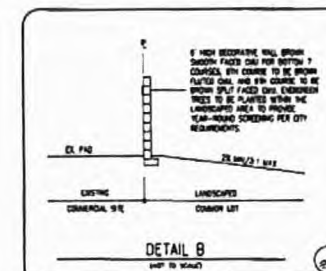
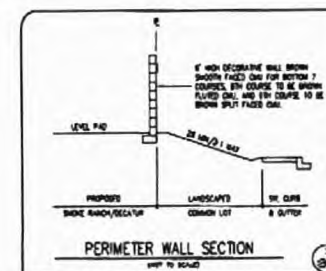
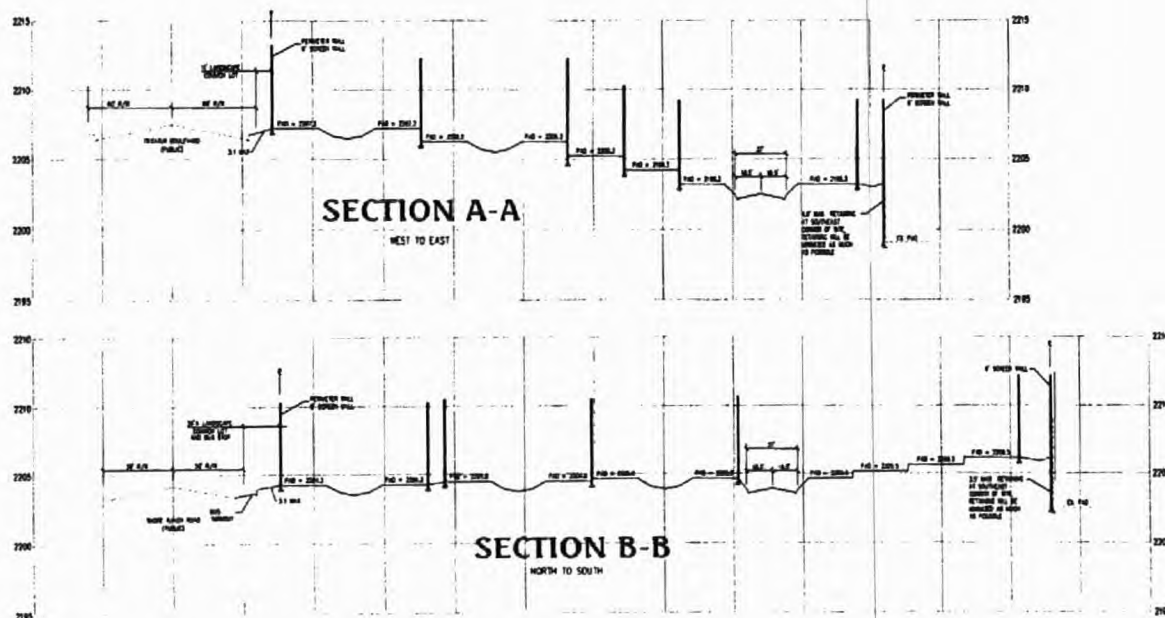
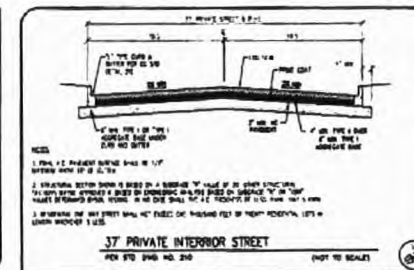
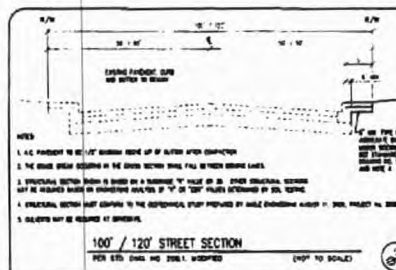
SITE PLAN

SHEET 2 of 2
CLV. DWG.

RECEIVED

JAN 05 2007

ZON-16519
VAR-16525
SDR-16522
01-17-07 CC



ZON-16519
VAR-16525
SDR-16522
01-17-07 CC

RECEIVED

JAN 05 2007

PROJECT: 100' / 120' STREET SECTION		DATE: 01-17-07	
DESIGNED BY: [Signature]	CHECKED BY: [Signature]	DATE: 01-17-07	DATE: 01-17-07
Triton Engineering 4721 W. Charleston Blvd. Suite 100 Las Vegas, Nevada 89102 PHONE: (702) 241-1100 FAX: (702) 241-1101			
PROJNO: AMERICAN HOMES OF NEVADA, INC. SMOKE RANCH / DECATUR II SECTIONS AND DETAILS			
SHEET: 3		CLV DWG	

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE RELATED TO GPA-16511 AND ZON-16519

VAR-16525 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SCHNIPPLE FAMILY TRUST - Request for a Variance TO ALLOW 35,642 SQUARE FEET OF OPEN SPACE WHERE 53,370 SQUARE FEET IS THE MINIMUM REQUIRED on 6.19 acres at the southeast corner of Smoke Ranch Road and Decatur Boulevard (APN 139-19-101-002), R-1 (Single Family Residential) Zone under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre) Zone [PROPOSED: R-PD12 (Residential Planned Development – 12 Units Per Acre) Zone], Ward 5 (Weekly). NOTE: THIS APPLICATION IS BEING AMENDED FROM 35,642 SQUARE FEET OF OPEN SPACE WHERE 53,370 SQUARE FEET IS THE MINIMUM REQUIRED TO 33,226 SQUARE FEET OF OPEN SPACE WHERE 55,321 SQUARE FEET IS THE MINIMUM REQUIRED. NOTE: THIS APPLICATION HAS BEEN AMENDED TO ALLOW 25,158 SQUARE FEET OF OPEN SPACE WHERE 54,450 SQUARE FEET IS THE MINIMUM REQUIRED. The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Revised plans submitted 01-05-07

Motion made by LARRY BROWN to Hold in Abeyance Item 63 [1919 Fremont Street], Item 64 [900 Stewart Avenue, 216 and 222 N. 9th Street], Item 89 [SUP-18655], Item 94 [GPA-16511], Item 95 [ZON-16519], Item 96 [VAR-16525], Item 97 [SDR-16522], Item 105 [VAR-17871], Item 106 [SDR-17312], Item 111 [GPA-18818], Item 112 [ZON-18819], Item 113 [VAR-18820], Item 114 [SUP-18821] and Item 115 [SDR-18822] to 3/07/2007; Item 102 [ZON-17242], Item 103 [VAR-17244] and Item 104 [SDR-17247] to 3/21/2007; Item 107 [SUP-13490] and Item 110 [SDR-15747] to 4/18/2007

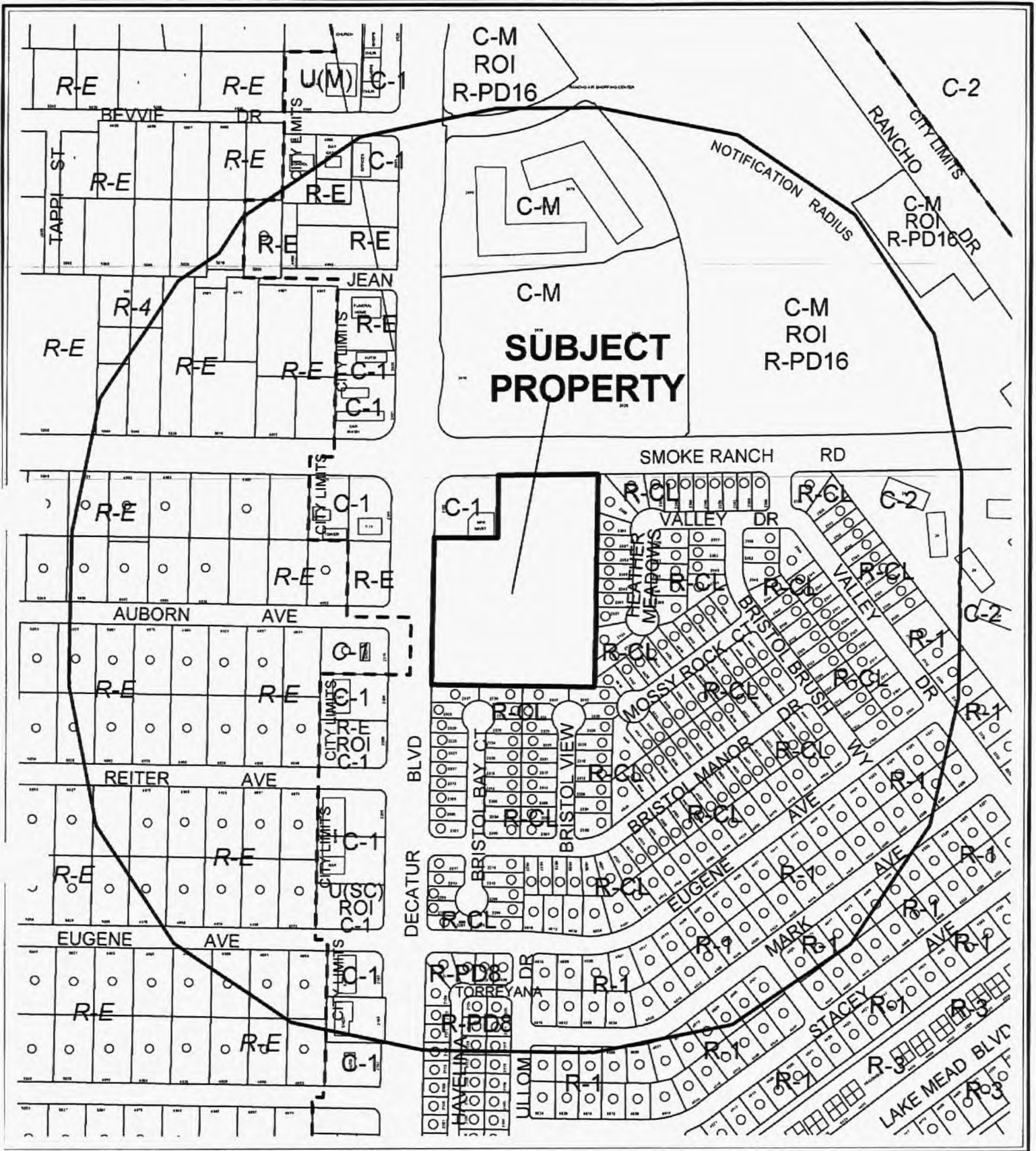
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

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

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

Minutes:

See Item 94 for related backup.



CASE: VAR-16525

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD12 (RESIDENTIAL PLANNED DEVELOPMENT - 12 UNITS PER ACRE)

0 400 800 Feet



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE - VAR-16525 - APPLICANT: RICHMOND
AMERICAN HOMES - OWNER: SCHNIPPLE FAMILY TRUS**

***THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 7, 2007 CITY
COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.***

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend DENIAL, subject to:

Planning and Development

1. Conformance to the conditions for General Plan Amendment (GPA-16511), Rezoning (ZON-16519), and Site Development Plan Review (SDR-16522) if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. The applicant shall make a contribution To Whom It May Concern: the City of Las Vegas Parks CIP Fund in the amount of \$88,380 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting to provide 33,226 square feet of open space where 55,321 square feet is the minimum amount of open space required. This is a 40 percent deviation from requirements. The open space does not provide an adequate amount of useable space and is primarily a buffer between the proposed development and adjacent properties. The nearest park is approximately one mile from the site. This is considered a self-imposed hardship and denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/28/05	The Planning Commission tabled at the request of the applicant an application for a Rezoning (ZON-5669) from R-1 (Single-Family Residential) to C-1 (Limited Commercial) on the subject property. Staff recommended approval.
11/16/05	The City Council approved a General Plan Amendment (GPA-7678) from SC (Service Commercial) to MLA (Medium-Low Attached Density Residential); a Waiver (WVR-9060) of Title 18.12.160 to allow 88 feet between street intersections where 220 feet is the minimum separation required; a Site Development Plan Review (SDR-9061) for a 50-lot, single-family residential development; and a Rezoning (ZON-9058) from R-1 (Single Family Residential) to R-PD8 (Residential Planned Development - 8 Units per acre). The Planning Commission and staff recommended approval.
12/01/05	The Planning Commission Approved a Tentative Map (TMP-9764) for a 50-lot, single-family residential subdivision. Staff recommended approval.
11/16/06	The Planning Commission recommended denial of companion items GPA-16511, ZON-16519 and SDR-16522 concurrently with this application.
11/16/06	The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #9/ng)..
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses related to this application.	
<i>Pre-Application Meeting</i>	
08/14/06	A pre-application meeting was held and the following items were noted. A bus turnout and drainage study is required. The General Plan change was discussed. A knuckle deviation would be necessary. The homes would be sprinkled.

Neighborhood Meeting

09/26/06	A neighborhood meeting was held at Brinley Middle School, 2480 Maverick Street, Las Vegas, Nevada. In attendance were the applicant, one staff member, and one member of the public. Concerns regarding the density of the project, lack of open space, and an increase in traffic were discussed.
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Details of Application Request**Site Area**

Gross Acres	6.19
Net Acres	5.33

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	ML (Medium-Low Density Residential)	R-1 (Single-Family Residential) Zone under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units per Acre) Zone
North	Storage	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
South	Single-Family Residential	ML (Medium-Low Density Residential)	R-CL (Single-Family Compact-Lot)
East	Single-Family Residential	ML (Medium-Low Density Residential)	R-CL (Single-Family Compact-Lot)
West	Convenience Store Single-Family Residential	SC (Service Commercial)	C-1 (Limited Commercial) R-E (Residence Estates)

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

DEVELOPMENT STANDARDS

Per Title 19.12 the following Landscape Standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Buffer: Min. Trees	1 Tree/30 Linear Feet	69 Trees	96 Trees	Y
Min. Zone Width	6 Feet		6 Feet	Y
Wall Height	6 Feet		6 Feet	Y

<i>Open Space</i>							
<i>Total Acreage</i>	<i>Density</i>	<i>Required</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Ratio</i>	<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
6.19 Acres	12.44	1.65	20.53	1.27 Acres or 55,321 SF	12.28	0.76 Acres or 33,226 SF	N

ANALYSIS

The open space for the proposed development does not meet Title 19.06 requirements as designed. The open space provided for the proposed development is used primarily as a buffer between this property and adjacent uses and does not include an adequate amount of useable open space. Amenities for children or other recreational areas are not provided. The nearest park is approximately one mile south of the proposed development. The provided open space constitutes a 40 percent deviation from standards. The lack of required open space is considered a self-imposed hardship and denial of this request is recommended.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship through the applicants design choices. Alternative design would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 7

SENATE DISTRICT 4

NOTICES MAILED 356 by City Clerk

APPROVALS 0

PROTESTS 0

STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Richmond American Homes

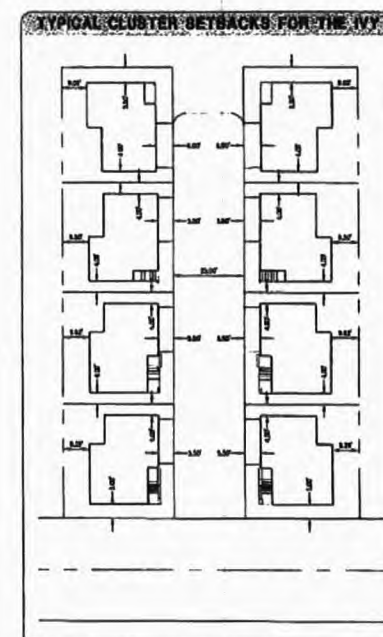
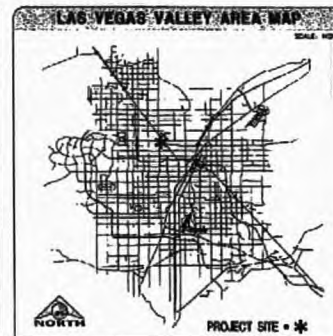
☒ No

APN: _____

Mark A. Schnippe

 **CARRIE L. PRICE**
Notary Public State of Nevada
No. 04-90890-1
My appt. exp. July 9, 2008

A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE
NORTH HALF (N 1/2) OF SECTION 19, TOWNSHIP 20 SOUTH,
RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA.



LEGAL DESCRIPTION

THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTH HALF (N 1/2) OF SECTION 16, TOWNSHIP 20 SOUTH, RANGE 31 EAST, N.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.

ENGINEER

TESTON ENGINEERING
6757 W. CHARLESTON BLVD., SUITE 9
LAS VEGAS, NV 89148
OFFICE: (702) 534-1480
FAX: (702) 534-3062

BENCHMARK

CLARK COUNTY VERTICAN CONTROL POINT "BUNG CREEK" BEING A CITY OF LAS VEGAS RACE AND RODEO PLATE IN CONCRETE CULVERT, NORTHEAST CORNER OF JONES BLVD AND RUCKA STREET.

ELEVATION: 3267.2033 (FEET)
721.823 (METERS)

CLARK COUNTY VERTICAL CONTROL +3553 BASED ON NORTH AMERICAN HORIZONTAL DATUM OF 1988 (NAD83 DAT.)

ASSESSOR'S PARCEL NUMBER
1-28-19-101-002

OWNER
SCHIFFLE FAMILY TRUST
8950 O'NEILL AVENUE, SUITE 210
LAS VEGAS, NV 89129
OFFICE: (702) 306-1947

BASIS OF BEARING

NORTH QUOTE "N" NEXT, BEING THE BEARING OF THE EAST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 18, TOWNSHIP 18 SOUTH, RANGE 80 EAST, N.D.M., AS SHOWN IN BOOK 108, PAGE 31 OF PLATS ON FILE AT THE CLARK COUNTY, NEVADA RECORDS OFFICE.

SHEET INDEX

1. COVER SHEET
2. SITE PLAN

DEVELOPER

Reinforced asphalt HOMER OF MEMPHIS, NC
2495 PAVED VERDE PARKWAY, SUITE 126
HENDERSON, NV 89074
OFFICE: (702) 812-3800

COMMON LOT AREAS			
COMMON LOTS	NOT USABLE	USABLE	TOTAL
COMMON LOT "A"	2,304 SF	8,761 SF	11,065 SF
COMMON LOT "B"	1,784 SF	34,525 SF	36,309 SF
COMMON LOT "C"	2,794 SF	0 SF	2,794 SF
COMMON LOT TOTAL	7,882 SF	33,286 SF	41,168 SF

LAND USE TABULATION	
LAND USE DESIGNATION	
PRESERVE ZONING	R-100 (RESIDENTIAL PLANNED DEVELOPMENT)
PROPOSED ZONING	R-102 (RESIDENTIAL PLANNED DEVELOPMENT)
SITE SUMMARY	
TOTAL UNITS	77 LOTS
IMPROVEMENT UNITS	ONE
OWNER ACRES	6.18 ACRES
DENSITY (GROSS)	12.42 LOTS / ACRE
USABLE OPEN SPACE	
TOTAL REQUIRED	10,251 SF
TOTAL PROVIDED	33,228 SF

SETBACK REQUIREMENTS	
CLATSOP COUNTY TITLE 20	
EDGING	5'-10'
TYPICAL LOT SIZE (SF)	LESS SF
FRONT TO BUILDING	2' min
FRONT TO GARAGE	5' - 6' OR 10' MIN
SIDE TO BUILDING	2' MIN.
SIDE TO ROOF EAVE	2' MIN.
SIDE ON CORNER	4' MIN.
REAR	2' MIN.

SURVEYOR
 760-GATE SURVEYING
 8725 N. Oremak Street, Bldg. 2, Suite A
 LAS VEGAS, NV 89119
 OFFICE (702) 821-1204
 FAX (702) 876-4228

RECEIVED
OCT 25 2006

GPA-16511 VAR-16525
ZON-16519 SDR-16522
REVISED 11/16/06 PC

Triton
Engineering
Office (787) 234-1111
Fax: (787) 234-1111

AMERICAN HOMES OF NEVADA, INC.
SNAKE RANCH / DECATUR II

COVER SHEET

SHEET **1**
 C.L.V. DWG.

Plant Schedule

Plant	Size	Quantity	Notes
1" Sun	10"	100	100
1" Sun	10"	100	100
1" Sun	10"	100	100
1" Sun	10"	100	100

Plant	Size	Quantity	Notes
1" Sun	10"	100	100
1" Sun	10"	100	100
1" Sun	10"	100	100
1" Sun	10"	100	100

Landscape Schedule

Plant	Size	Quantity	Notes
1" Sun	10"	100	100
1" Sun	10"	100	100
1" Sun	10"	100	100
1" Sun	10"	100	100

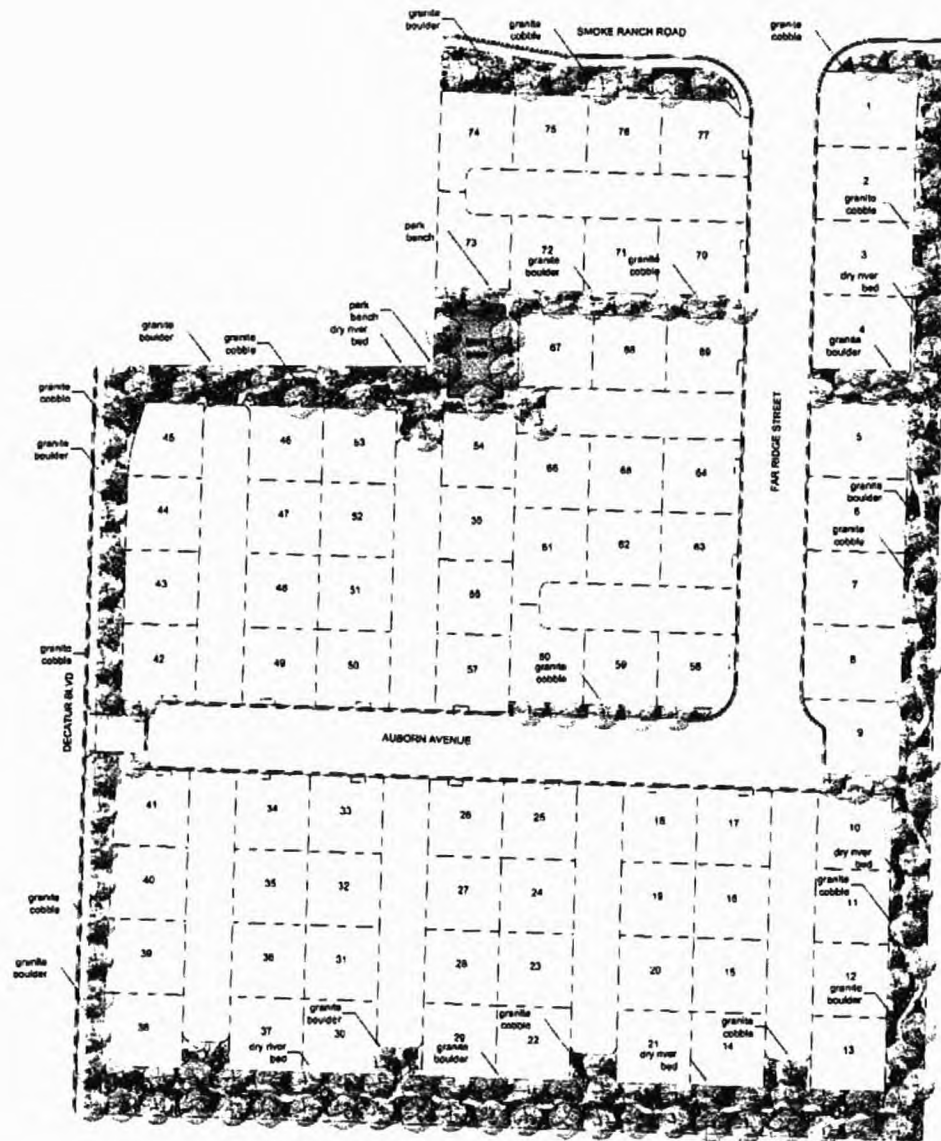
Site Amenities

Plant	Size	Quantity	Notes
1" Sun	10"	100	100
1" Sun	10"	100	100
1" Sun	10"	100	100
1" Sun	10"	100	100

Plant	Size	Quantity	Notes
1" Sun	10"	100	100
1" Sun	10"	100	100
1" Sun	10"	100	100
1" Sun	10"	100	100

Site Amenities

Plant	Size	Quantity	Notes
1" Sun	10"	100	100
1" Sun	10"	100	100
1" Sun	10"	100	100
1" Sun	10"	100	100



Project Name:
Sunny Hills
(Smoke Ranch/Decatur)
Richmond American Homes
Las Vegas, Nevada

#	Revisions	Date	By
1	revised	08.09.05	mh
2	buffer	10.10.05	mh
3	base revision	01.11.06	mh
4	base revision	02.01.06	mh
5	engineering	02.20.06	mh
6	base revision	06.30.06	mh
7	base revision	10.23.06	mh

This landscape drawing is for design/build use by Landaco Landscaping and Design only. Landaco Landscaping and Design does not assume any responsibility for projects created by any contractor other than Landaco Landscaping and Design.

Drawing:
Common Area
Landscape
Plan

Date: 07.12.05
Scale: 1" = 30'-0"
Drawn By: kd
Checked By: kny
Project #

Sheet # 1 of 1

L-1

RECEIVED
OCT 25 2003
GPA-16511 VAR-16525
ZON-16519 SDR-16522
REVISED 11/16/06 PC

Triton

Engineering

October 25, 2006

City of Las Vegas
Development Services Center
731 S. Fourth Street
Las Vegas, NV 89102

**Reference: Request for Variance of Open Space Requirements
Smoke Ranch / Decatur II
APN # 139-19-101-002**

To Whom It May Concern:

On behalf of our client, Richmond American Homes, we respectfully submit this letter of justification for a Variance of Open Space Requirements for a proposed 77 lot single family project called "Smoke Ranch / Decatur II".

At this time we are requesting a variance of the required open spaces based on our re-designed plan that provides for 33,226 s.f. of open space where 53,370 s.f. is required which is a 38% reduction in open space requirements. The open spaces we are providing serves two purposes: The first is to provide a buffer from the existing C-1 convenience store adjacent to the site while two, providing amenities for the proposed 77 residential units, such as tot lots, play areas and walking paths. The open space amenities within the proposed residential subdivision have changed with the revised plan based on a new product for this site and the community. Although we are now lacking in overall open spaces for the site we are willing to accept the in-lieu of fee and plan to coordinate with the City of Las Vegas and the Councilman's office in determining a current need for additional amenities to be used for parks and/or schools in the surrounding community that may possibly need upgrades to there existing facilities. Richmond American Homes is committed to working with the City of Las Vegas and the community in providing open space for its project as well as providing for the community at large and respectfully request your approval of our open space variance.

Please place the attached request on the Planning Commission agenda. If your have any questions or require additional information, please contact me at 254-1480 (office) or 300-2912 (cell).

Sincerely,

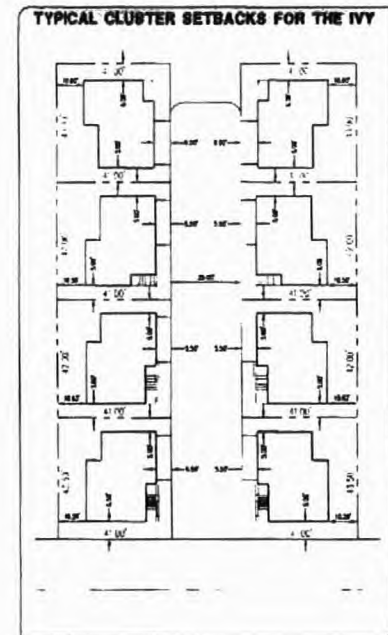
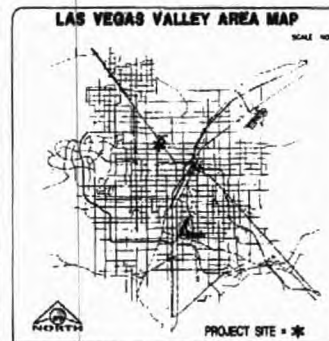
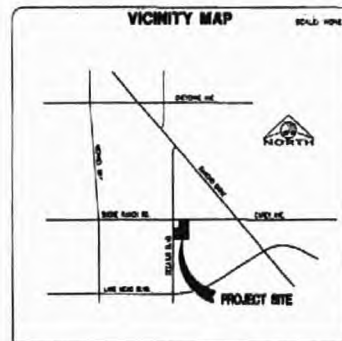
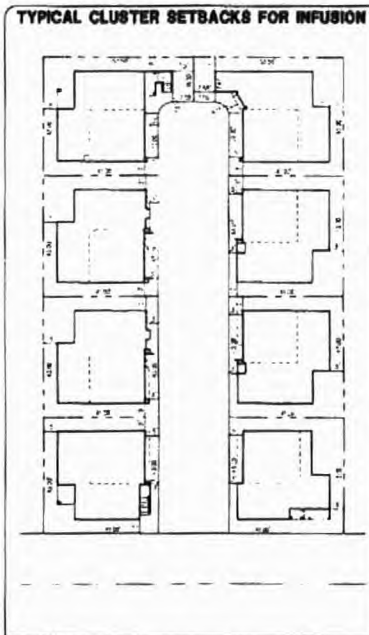


Krjs Givant
Project Coordinator

RECEIVED
OCT 25 2006

SITE PLAN OF SMOKE RANCH / DECATUR II

A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE
NORTH HALF (N 1/2) OF SECTION 19, TOWNSHIP 20 SOUTH,
RANGE 61 EAST, M.D.M, CLARK COUNTY, NEVADA.



LEGAL DESCRIPTION

SW 1/4 OF THE NORTHWEST QUARTER
SW 1/4 OF THE NORTH HALF OF SECTION 19,
TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M, CITY OF
LAS VEGAS, CLARK COUNTY, NEVADA.

ASSESSOR'S PARCEL NUMBER

128-10-10-000

SHEET INDEX

- 1. COVER SHEET
- 2. SITE PLAN
- 3. SECTIONS AND DETAILS

LAND USE TABULATION

LAND USE DESIGNATION	
PROPOSED ZONING	R-100 (RESIDENTIAL PLANNED DEVELOPMENT)
PROPOSED ZONING	R-100 (RESIDENTIAL PLANNED DEVELOPMENT)
TOTAL LOTS	11 LOTS
RESERVED LOTS	NONE
UNUSABLE AREAS	0.18 ACRES
USABLE OPEN SPACE	1.21 ACRES
TOTAL REQUIRED	1.39 ACRES
TOTAL PROVIDED	1.39 ACRES

SETBACK REQUIREMENTS

CITY OF LAS VEGAS	
ZONING	R-100
FRONT LOT SETBACK	1.000 SF
FRONT TO BUILDING	5' MIN
FRONT TO DRIVEWAY	5' MIN
SIDE TO BUILDING	5' MIN
SIDE TO ROOF EAVE	5' MIN
SIDE ON CORNER	5' MIN
REAR	5' MIN

ENGINEER

TERRY ENGINEERS
1101 W. CHARLESTON BLVD., SUITE 8
LAS VEGAS, NV 89102
OFFICE: (702) 254-1100
FAX: (702) 254-1101

OWNER

SMOKE RANCH TRUST
1101 W. CHARLESTON BLVD., SUITE 8
LAS VEGAS, NV 89102
OFFICE: (702) 254-1101

DEVELOPER

RICHMOND AMERICAN HOMES OF NEVADA, INC.
2440 RENO AVENUE, SUITE 200
SPRINGFIELD, NV 89501
OFFICE: (702) 871-1000

SURVEYOR

PAUL CORNE SURVEYING
1101 W. CHARLESTON BLVD., SUITE 8
LAS VEGAS, NV 89102
OFFICE: (702) 871-1000
FAX: (702) 871-1001

BENCHMARK

CLARK COUNTY VERTICAL CONTROL POINT "BLVD 12000"
BENCH MARK IS A 1/4" OF LAS VEGAS DISTRICT AND BENCH MARK IS
A CONCRETE PIERCE, NORTHEAST CORNER OF JONES BLVD
AND RAIL STREET
ELEVATION: 2247.200 (FEET)
CLARK COUNTY VERTICAL CONTROL POINT "BLVD 12000"
BENCH MARK IS A 1/4" OF LAS VEGAS DISTRICT AND BENCH MARK IS
A CONCRETE PIERCE, NORTHEAST CORNER OF JONES BLVD
AND RAIL STREET
ELEVATION: 2247.200 (FEET)

BASIS OF BEARING

NORTH 00°00'00" WEST, BEING THE BEARING OF THE
1/4" LINE OF THE UNDIVIDED QUARTER SW 1/4 OF
THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 19,
TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M, CLARK
COUNTY, NEVADA, BEING A 1/4" OF PLATS ON FILE AT
THE CLARK COUNTY, NEVADA, RECORDS OFFICE.

COMMON LOT AREAS

COMMON LOTS	NOT USABLE	USABLE	TOTAL
COMMON LOT "A"	0 SF	8,883 SF	8,883 SF
COMMON LOT "B"	0 SF	18,275 SF	18,275 SF
COMMON LOT "C"	0 SF	2,887 SF	2,887 SF
COMMON LOT TOTAL	0 SF	25,158 SF	25,158 SF

DATE	1/11/07
BY	CLV
CHECKED BY	CLV
APPROVED BY	CLV
DATE	1/11/07
BY	CLV
CHECKED BY	CLV
APPROVED BY	CLV



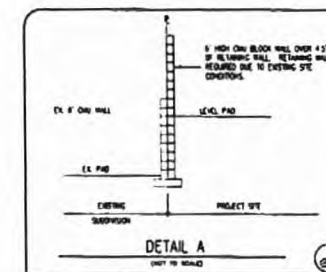
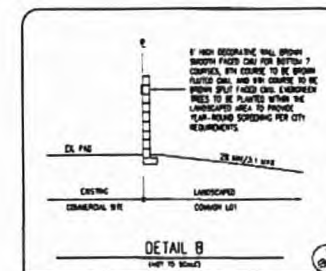
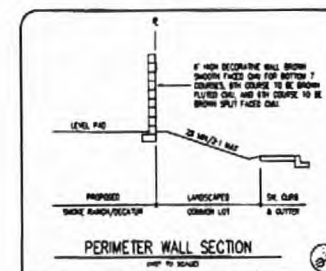
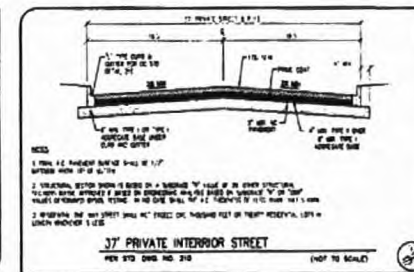
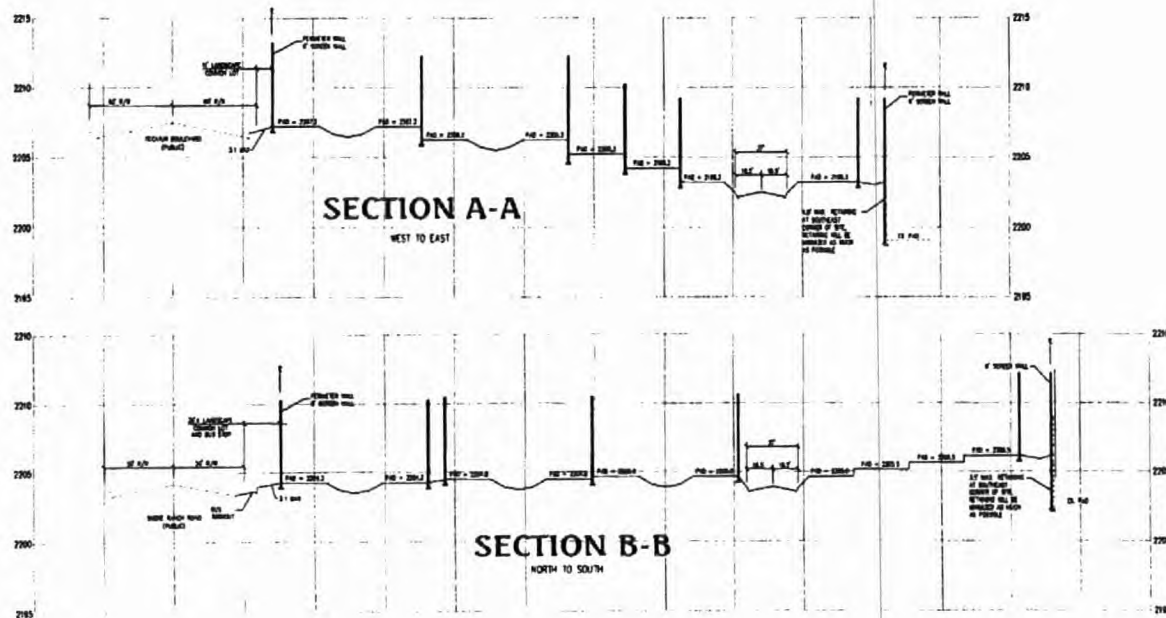
RICHMOND AMERICAN HOMES OF NEVADA, INC.
SMOKE RANCH / DECATUR II
COVER SHEET

SHEET 1
CLV DWG

RECEIVED

JAN 05 2007

ZON-16519
VAR-16525
SDR-16522
01-17-07 CC



ZON-16519
VAR-16525
SDR-16522
01-17-07 CC

RECEIVED

JAN 05 2007

Triton Engineering 1200 W. Charleston Blvd. Las Vegas, Nevada 89102 (702) 735-1100 Fax: (702) 735-1101 www.tritoneng.com	
RICHMOND AMERICAN HOMES OF NEVADA, INC. SHORE RANCH / DECATUR II	
SECTIONS AND DETAILS	
SHEET 3	CLV.DWG

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-16511, ZON-16519, AND VAR-16525

SDR-16522 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SCHNIPPLE FAMILY TRUST - Request for a Site Development Plan Review FOR A PROPOSED 77-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 6.19 acres at the southeast corner of Smoke Ranch Road and Decatur Boulevard (APN 139-19-101-002), R-1 (Single Family Residential) Zone under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre) Zone [PROPOSED: R-PD12 (Residential Planned Development - 12 Units Per Acre) Zone], Ward 5 (Weekly). NOTE: THIS APPLICATION IS BEING AMENDED TO INCLUDE PROPOSED THREE-STORY DEVELOPMENT. The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Revised plans submitted 01-05-07

Motion made by LARRY BROWN to Hold in Abeyance Item 63 [1919 Fremont Street], Item 64 [900 Stewart Avenue, 216 and 222 N. 9th Street], Item 89 [SUP-18655], Item 94 [GPA-16511], Item 95 [ZON-16519], Item 96 [VAR-16525], Item 97 [SDR-16522], Item 105 [VAR-17871], Item 106 [SDR-17312], Item 111 [GPA-18818], Item 112 [ZON-18819], Item 113 [VAR-18820], Item 114 [SUP-18821] and Item 115 [SDR-18822] to 3/07/2007; Item 102 [ZON-17242], Item 103 [VAR-17244] and Item 104 [SDR-17247] to 3/21/2007; Item 107 [SUP-13490] and Item 110 [SDR-15747] to 4/18/2007

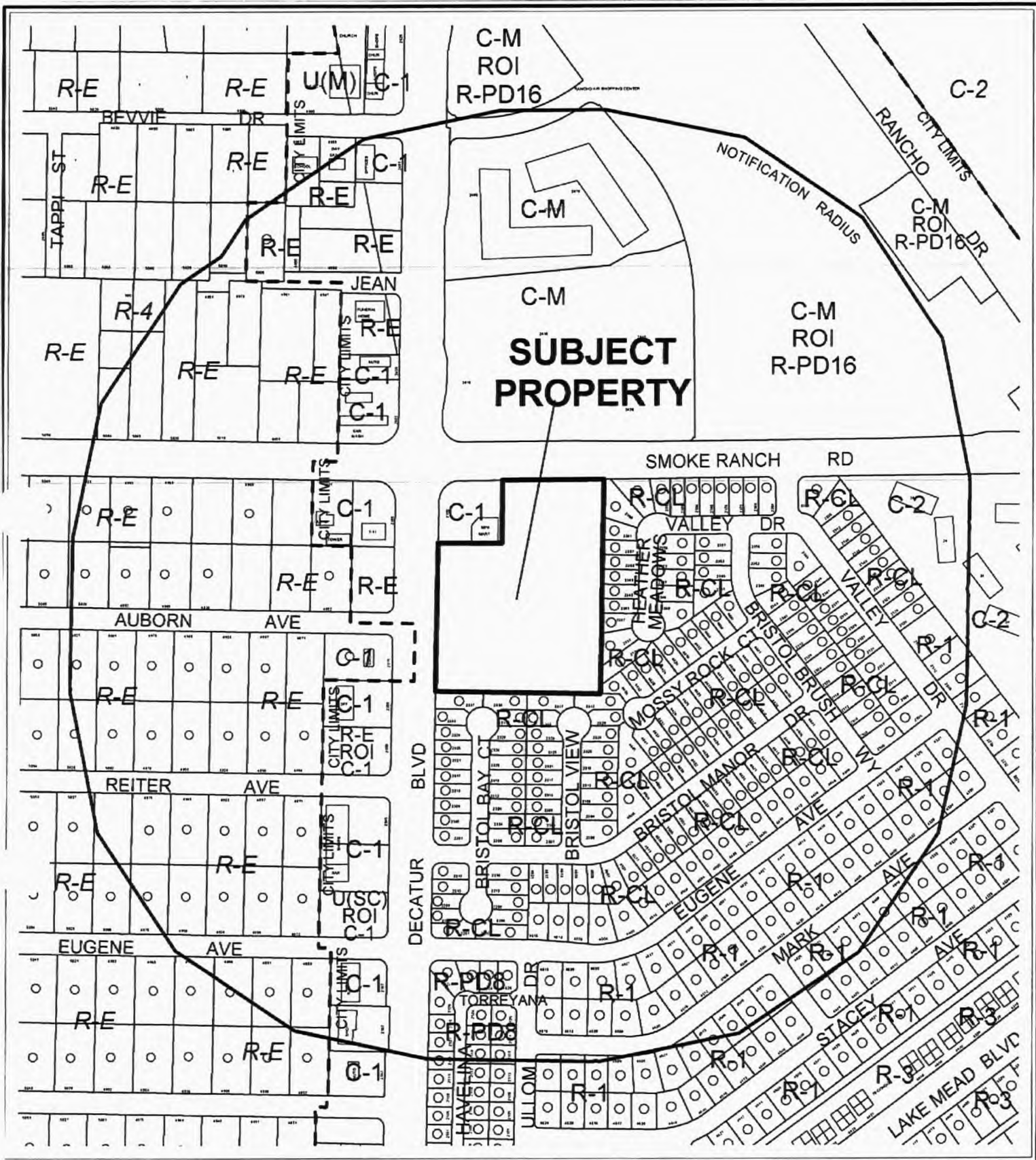
Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

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

Minutes:

See Item 94 for related backup.



CASE: SDR-16522

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE FAMILY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD12 (RESIDENTIAL PLANNED DEVELOPMENT - 12 UNITS PER ACRE)

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ABEYANCE - SDR-16522 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SCHNIPPLE FAMILY TRUST**

THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 7, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the Conditions for General Plan Amendment (GPA-16511), Rezoning (ZON-16519), Variance (VAR-16525), if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations date stamped 10/25/06, except as amended by conditions herein.
4. The standards for this development shall include a minimum lot size of 1,468 square feet and building height shall not exceed three stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of three feet to the front of the house, either five feet or less or 18 feet or greater to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, three feet on the side, four feet on the corner side, and three feet in the rear.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

8. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
15. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-16519, Waiver WVR-9060 and all other applicable site-related actions.

17. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 77-lot single-family residential subdivision that includes proposed three-story development.

The proposed 77-lot single-family residential subdivision lacks the required amount of open space, would consist of lots that are less than half the size of adjacent development, contains proposed three-story development, and is considered incompatible with development in the area. A Variance (VAR-16525) has been requested to permit the deviation from open space requirements. The project also requires a Rezoning (ZON-16519) and a General Plan Amendment (GPA-16511) that are considered inappropriate as they would permit a density that is greater than adjacent development. Due to the incompatibility with the area and lack of required open space, denial of this application is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/28/05	The Planning Commission tabled at the request of the applicant an application for a Rezoning (ZON-5669) from R-1 (Single-Family Residential) to C-1 (Limited Commercial) on the subject property. Staff recommended approval.
11/16/05	The City Council approved a General Plan Amendment (GPA-7678) from SC (Service Commercial) to MLA (Medium-Low Attached Density Residential); a Waiver (WVR-9060) of Title 18.12.160 to allow 88 feet between street intersections where 220 feet is the minimum separation required; a Site Development Plan Review (SDR-9061) for a 50-lot, single-family residential development; and a Rezoning (ZON-9058) from R-1 (Single-Family Residential) to R-PD8 (Residential Planned Development - 8 Units per acre). The Planning Commission and staff recommended approval.
12/01/05	The Planning Commission Approved a Tentative Map (TMP-9764) for a 50-lot, single-family residential subdivision. Staff recommended approval.
11/16/06	The Planning Commission recommended denial of companion items GPA-16511, ZON-16519 and VAR-16525 concurrently with this application.
11/16/06	The Planning Commission voted 6-1/ds to recommend DENIAL (PC Agenda Item #10/ng)..
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses related to this application.	

Pre-Application Meeting

08/14/06	A pre-application meeting was held and the following items were noted. A bus turnout and drainage study is required. The General Plan change was discussed. A knuckle deviation would be necessary. The homes would be sprinkled.
----------	---

Neighborhood Meeting

09/26/06	A neighborhood meeting was held at Brinley Middle School, 2480 Maverick Street, Las Vegas, Nevada. In attendance were the applicant, one staff member, and one member of the public. Concerns regarding the density of the project, lack of open space, and an increase in traffic were discussed.
----------	--

Details of Application Request**Site Area**

Gross Acres	6.19
Net Acres	5.33

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	ML (Medium-Low Density Residential)	R-1 (Single-Family Residential) Zone under Resolution of Intent to R-PD8 (Residential Planned Development, 8 dwelling units per acre) Zone
North	Storage	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
South	Single-Family Residential	ML (Medium-Low Density Residential)	R-CL (Single-Family Compact-Lot)
East	Single-Family Residential	ML (Medium-Low Density Residential)	R-CL (Single-Family Compact-Lot)
West	Convenience Store Single-Family Residential	SC (Service Commercial)	C-1 (Limited Commercial) R-E (Residence Estates)

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

DEVELOPMENT STANDARDS

Per Title 19.06 the following Development Standards apply:

<i>Standard</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	1,468 SF	Y
Min. Lot Width	31 Feet	Y
Min. Setbacks		
• Front	3 Feet	Y
	5 Feet or 18 Feet (Garage)	Y
• Side	3 Feet	Y
• Corner	4 Feet	Y
• Rear	3 Feet	Y
Min. Distance Between Buildings	6 Feet	Y
Max. Building Height	3 Stories/35 Feet	Y

Per Title 19.12 the following Landscape Standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Buffer:				
Min. Trees	1 Tree/30 Linear Feet	69 Trees	96 Trees	Y
Min. Zone Width	6 Feet		6 Feet	Y
Wall Height	6 Feet		6 Feet	Y

<i>Open Space</i>							
<i>Total Acreage</i>	<i>Density</i>	<i>Required</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Ratio</i>	<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
6.19 Acres	12.44	1.65	20.53	1.27 Acres or 55,321 SF	12.28	0.76 Acres or 33,226 SF	N

ANALYSIS

The proposed single-family residential subdivision consists of 77 lots. The lots range from approximately 1,468 square feet to 2,120 square feet. The elevations show two and three story buildings with a maximum height of approximately 35 feet. Three-story development is not permitted in a single-family residential development of comparable and adjacent zoning districts, such as R-CL. The floor plans show three and four bedroom models. Building materials will consist of stucco and Spanish tile. The color palate will be desert southwest. Both the material and color palate are consistent with typical single-family residential development in the City of Las Vegas. The open space for the proposed development does not meet Title 19.06 requirements and a Variance (VAR-16525) is required, as designed. The open space for the proposed development is primarily used to provide a buffer between this property and the adjacent uses and does not include adequate usable open space. Amenities for children or other recreational areas are not provided. Access to this development is provided from Smoke Ranch Road with a crash gate from Decatur Boulevard.

The lots in the adjacent single-family development range from 4,000 square feet to 6,000 square feet. The largest lots in this development are approximately half the size of the smallest adjacent lots. The density of this development is greater than the surrounding development. Therefore; the proposed development is not compatible with the adjacent uses. Due to the incompatibility with the area and lack of required open space, denial of this application is recommended.

FINDINGS

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

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

The proposed development is not compatible with development in the area. The lot sizes proposed as part of this development are less than half the size of the adjacent single-family development.

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

The proposed development requires a Variance from the open space requirements of Title 19.06. Denial of this Variance is recommended as the lack of open space is due to the overbuilding of the site and is considered a self-imposed hardship.

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

The site gains access from Smoke Ranch Road a 100-foot Primary Arterial. A crash gate is provided from Decatur Boulevard. Smoke Ranch Road will provide adequate access to and from the subject property.

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

Building and landscape materials are appropriate for the area and the City of Las Vegas.

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

The elevation plans show two and three-story homes with a maximum height of approximately 35 feet. There are six models to choose from that range from 1,262 square feet to 1,730 square feet. These are three and four bedroom models. The design features are not unsightly nor are they undesirable; however, the development is considered out of character as the lot sizes, overall density of the project, and three-story development are not appropriate for this location.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

3

ASSEMBLY DISTRICT 7

SENATE DISTRICT 4

NOTICES MAILED 349 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SDR-16522

Case Number: _____ APN: 139-19-101-002

Name of Property Owner: SCHNIPPLE FAMILY TRUST

Name of Applicant: Richmond American Homes

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

_____ Yes

_____ 8 No

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

City Official: _____

Partner(s): _____

APN: _____

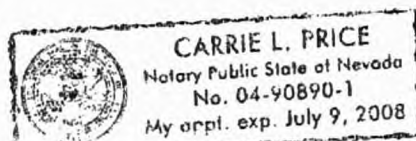
Signature of Property Owner: _____

Print Name: Mark A Schnipfel

Subscribed and sworn before me

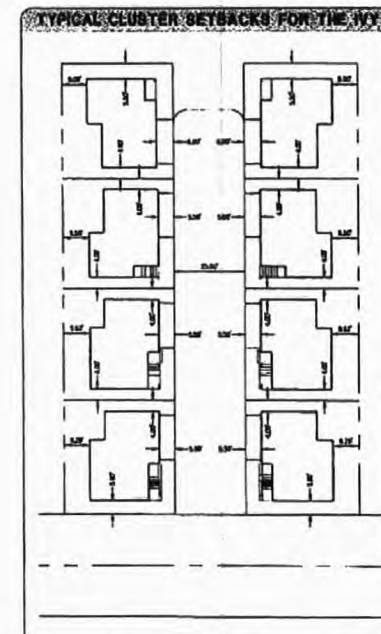
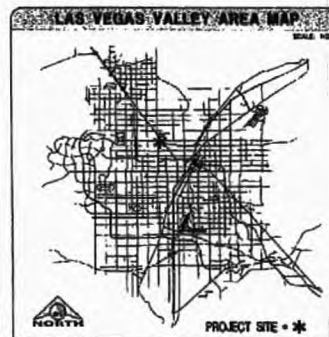
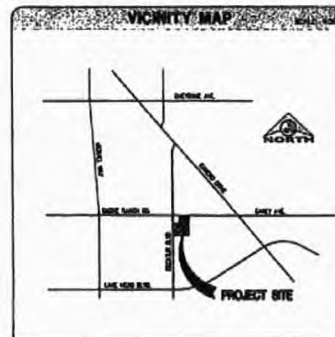
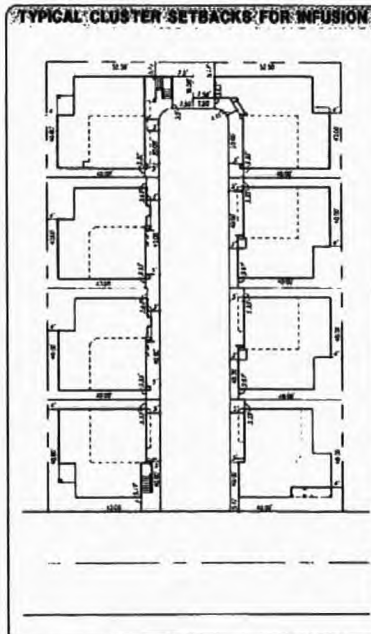
This 1st day of September 2006

Carrie L Price
Notary Public in and for said County and State



SITE PLAN OF SMOKE RANCH / DECATUR II

A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE
NORTH HALF (N 1/2) OF SECTION 19, TOWNSHIP 20 SOUTH,
RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA.



LEGAL DESCRIPTION
THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTH HALF (N 1/2) OF SECTION 19, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA.

ENGINEER
TRITON ENGINEERING
1357 S. GARDEN BLVD., SUITE 200
LAS VEGAS, NV 89102
OFFICE: (702) 264-1400
FAX: (702) 264-1402

BENCHMARK
CLARK COUNTY VERTICAL CONTROL POINT "SMOKE RANCH" BEING A CITY OF LAS VEGAS MAP AND BOUND PLATE IN CONCRETE CURB, NORTHEAST CORNER OF JONES BLVD. AND RAGEL STREET.
ELEVATION: 2267.800 (FEET)
2011.122 (METERS)
CLARK COUNTY VERTICAL CONTROL 13903 BASED ON NORTH AMERICAN DATUM, DATUM OF 1983 (NAD 83).

ASSESSOR'S PARCEL NUMBER
120-10-101-002

OWNER
RICHMOND AMERICAN HOMES OF NEVADA, INC.
2400 GARDEN AVENUE, SUITE 200
LAS VEGAS, NV 89102
OFFICE: (702) 264-1400

BASIS OF BEARING
NORTH QUARTER (N 1/4) BEING THE BOUNDARY OF THE EAST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTH HALF (N 1/2) OF SECTION 19, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., AS SHOWN IN BOOK 104, PAGE 21 OF PLATS ON FILE AT THE CLARK COUNTY, NEVADA RECORDS OFFICE.

SHEET INDEX
1. COVER SHEET
2. SITE PLAN

DEVELOPER
RICHMOND AMERICAN HOMES OF NEVADA, INC.
2400 GARDEN AVENUE, SUITE 200
LAS VEGAS, NV 89102
OFFICE: (702) 264-1400

SETBACK REQUIREMENTS
CLARK COUNTY TITLE 20
FRONT 10.00 FT
TYPICAL LOT SIDE (S) 10.00 FT
FRONT TO BUILDING 10.00 FT
FRONT TO GARAGE 10.00 FT
SIDE TO BUILDING 10.00 FT
SIDE TO REAR GATE 10.00 FT
SIDE ON CORNER 10.00 FT
REAR 10.00 FT

SURVEYOR
TRITON ENGINEERING
1357 S. GARDEN BLVD., SUITE 200
LAS VEGAS, NV 89102
OFFICE: (702) 264-1400
FAX: (702) 264-1402

COMMON LOT AREAS

COMMON LOTS	NOT USABLE	USABLE	TOTAL
COMMON LOT 1	2,504 SF	6,791 SF	11,195 SF
COMMON LOT 2	1,754 SF	24,322 SF	26,076 SF
COMMON LOT 3	2,794 SF	0 SF	2,794 SF
COMMON LOT TOTAL	7,052 SF	31,113 SF	43,165 SF

LAND USE TABULATION

PRESENT ZONING	PROPOSED ZONING	LAND USE DESIGNATION	SITE SUMMARY
R-100 (RESIDENTIAL PLANNED DEVELOPMENT)	R-100 (RESIDENTIAL PLANNED DEVELOPMENT)	77 LOTS	77 LOTS
		619 ACRES	619 ACRES
		12.43 ACRES / ACRE	12.43 ACRES / ACRE
		USABLE OPEN SPACE	11,250 SF
		TOTAL PROVIDED	11,250 SF

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OCT 25 2006

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ZON-16519 SDR-16522
REVISED 11/16/06 PC

Triton Engineering
1357 S. GARDEN BLVD., SUITE 200
LAS VEGAS, NV 89102
OFFICE: (702) 264-1400
FAX: (702) 264-1402

RICHMOND AMERICAN HOMES OF NEVADA, INC.
SMOKE RANCH / DECATUR II

COVER SHEET

SHEET 1 OF 1
CLV. DWG.



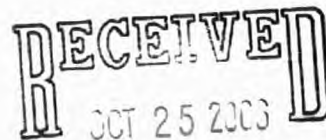
Landscape Schedule

Notes

1. *As planned to measure a 2" layer of soil containing rock*
2. *under otherwise noted*
3. *As plan to observe the planned course of the test away from the end of the structure where possible*
4. *As plan to observe the planned course of the test away from the end of the structure where possible*

See Amenities

8. Exhibit - Waiver Under Regulation 101.101 of approved sub



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ZON-16519 SDR-16522
REVISED 11/16/06 PC



L-1

Sunny Hills
(Smoke Ranch/Decatur)
Richmond American Homes
Las Vegas, Nevada

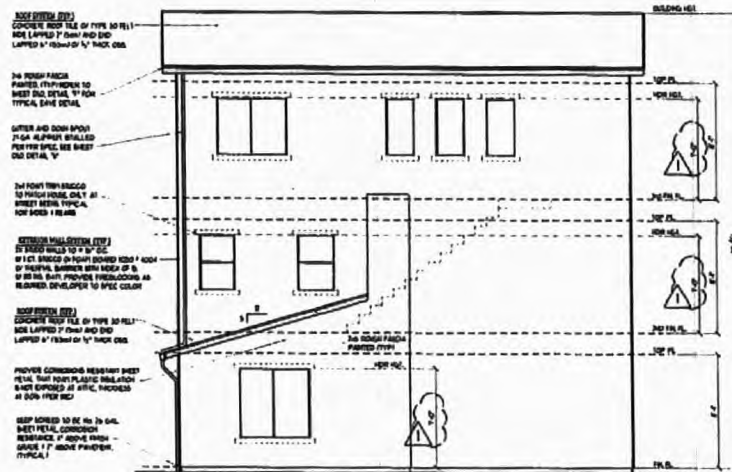
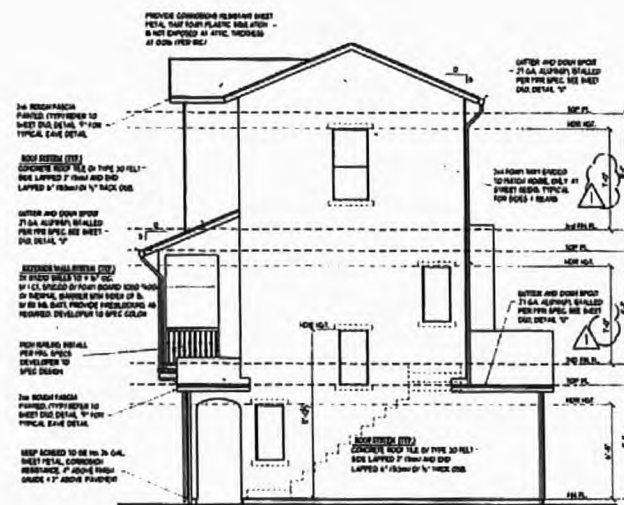
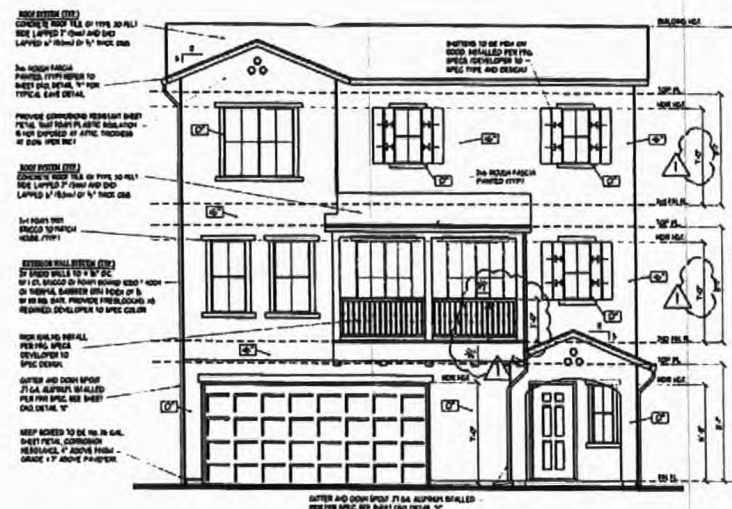
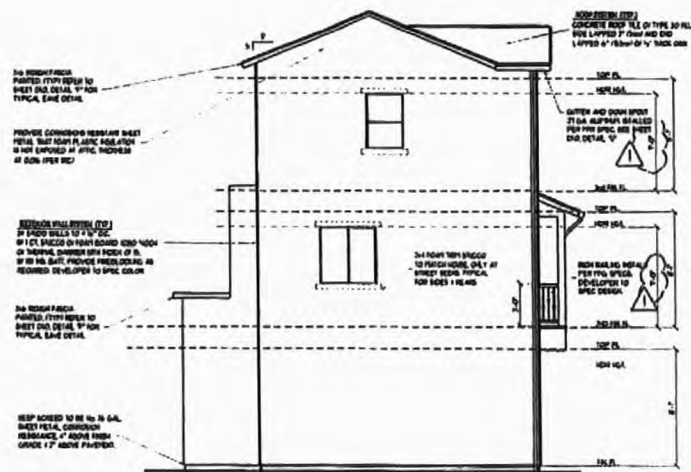
#	Revisions	Date:	By:
1	redlined	08.09.05	mh
2	buffer	10.10.05	mh
3	base revision	11.11.05	adw
4	base revision	12.01.06	adw
5	engineering	12.20.06	mf
6	base revision	08.30.06	mh
7	base revision	10.23.05	mh

This landscape drawing is for design/build use by Landscape Landscaping and Grading only. Landscape Landscaping and Grading does not assume any responsibility for projects installed by any contractor other than Landscape Landscaping and Grading.

Drawing:
**Common Area
Landscape
Plan**

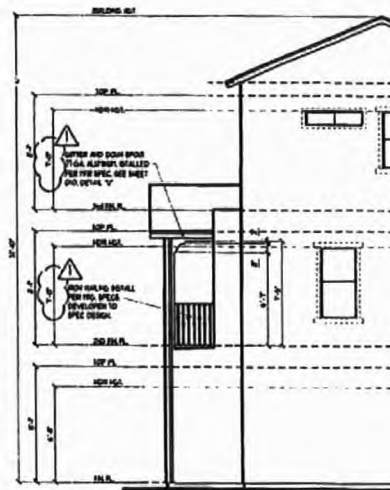
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Drawn By: kd
Checked By: kny
Project #

Sheet # 1 of 1



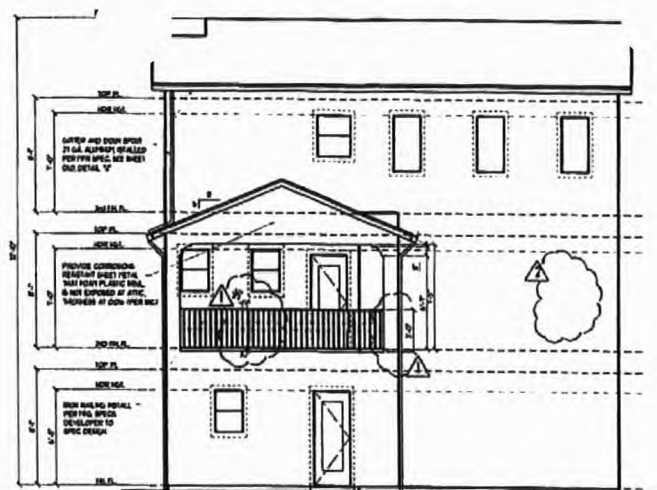
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ZON-16519 SDR-16522
REVISED 11/16/06 PC



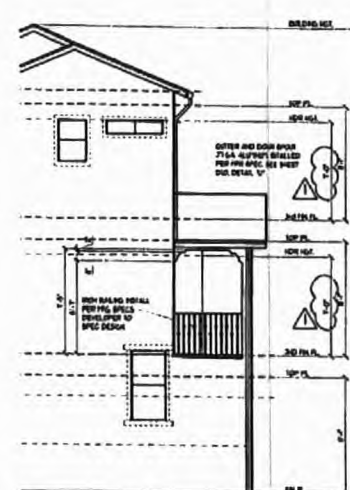
Typical Left Elevation

Opt. Covered Balcony



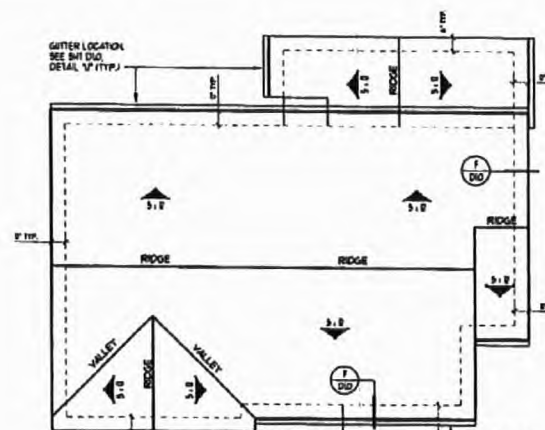
Typical Rear Elevation

Opt. Covered Balcony



Typical Right Elevation

Opt. Covered Balcony



Roof Plan

Opt. Covered Balcony

SCALE 1/4\"/>

ATC VENTILATION CALCULATION				VENT TYPE	
1/1200 Ventilation Rate				✓	CROWNED TILE 0.7
ATC SPACE	100.00	100.00		✓	5\"/>

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7250 West Pecos, Suite 212
LAS VEGAS, NV 89128 (702) 240-5600

RICHMOND
AMERICAN HOMES
CLARK COUNTY, HENDERSON
LAS VEGAS, NV NORTH LAS VEGAS

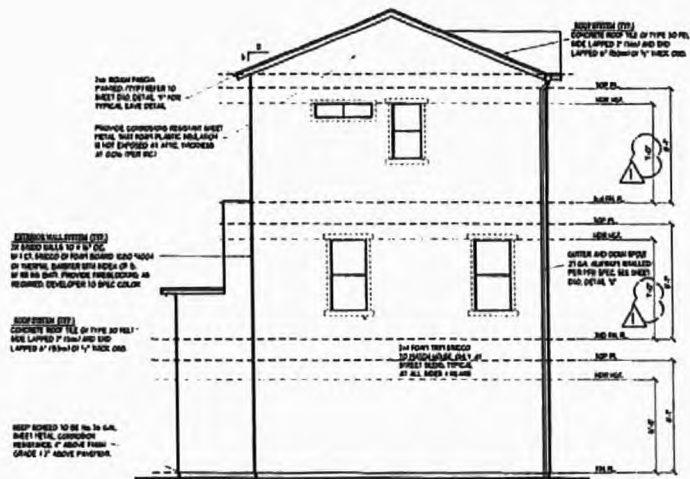
OPTIONS
ELEVATIONS AND ROOF PLAN

REVISIONS
DATE: 10/19/2006
BY: [Signature]
1 10/19/06
2 10/20/06
3 10/20/06
4 10/20/06
5 10/20/06
6 10/20/06

PLAN #
1430

REVISION
PICKET
LANE

PREP NO.
A2.1



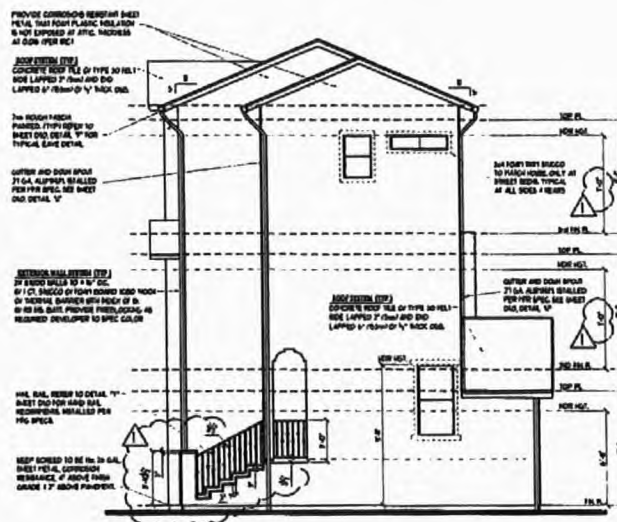
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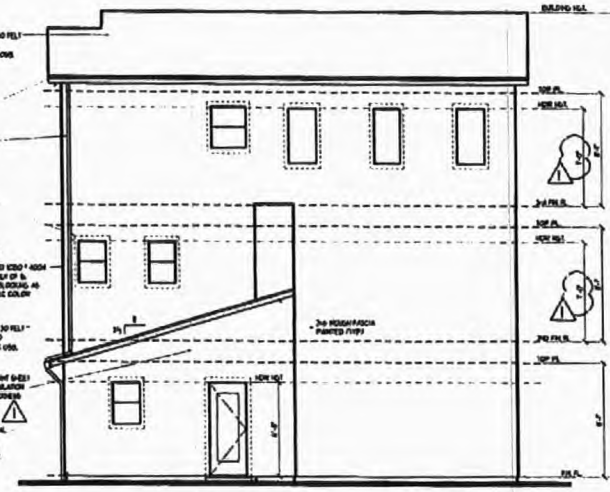
Front Elevation - A

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



Right Elevation - A

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



Rear Elevation - A

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

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ZON-16519 SDR-16522
REVISED 11/16/06 PC

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RICHMOND
AMERICAN HOMES
CLARK COUNTY - HENDERSON
LAS VEGAS, NV - NORTH LAS VEGAS

ELEVATION - A

DATE: 11/16/06
BY: [Signature]
CHECKED: [Signature]
DATE: 11/16/06

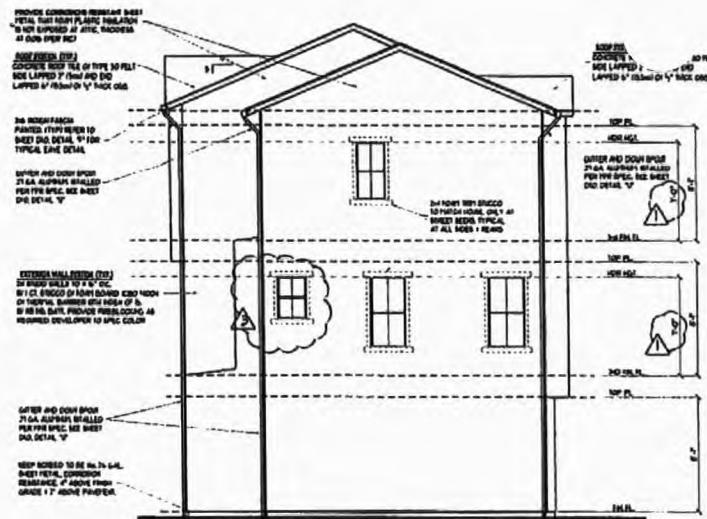
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PICKET LANE

A2.a



GPA-16511 VAR-16525
ZON-16519 SDR-16522
REVISED 11/16/06 PC



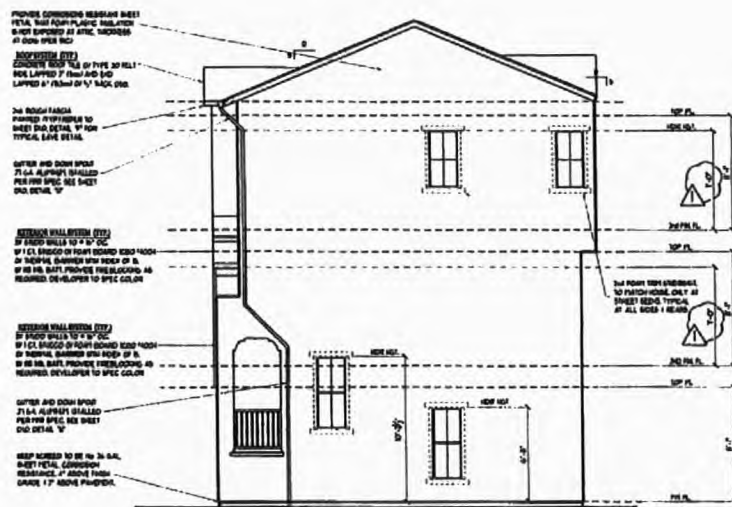
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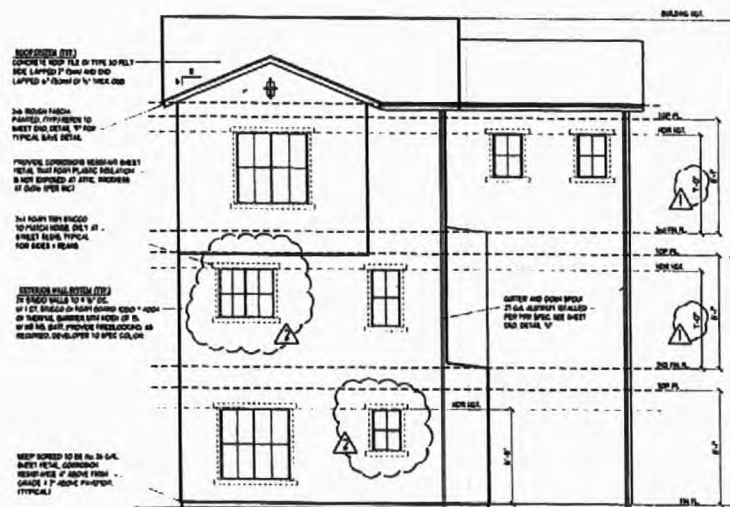
Front Elevation - A

SCALE 1/4" = 1'-0"



Right Elevation - A

SCALE 1/4" = 1'-0"



Rear Elevation - A

SCALE 1/4" = 1'-0"

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RICHMOND AMERICAN HOMES
CLARK COUNTY HEADQUARTERS
LAS VEGAS & NORTH LAS VEGAS

LAS VEGAS DIVISION
7250 West Peak, Suite 212
LAS VEGAS, NV 89128 (702) 248-6600

ELEVATION - A
TITLE

DATE: 10/12/06
BY: J.M.G.
CHECKED: 10/12/06
APPROVED: 10/12/06

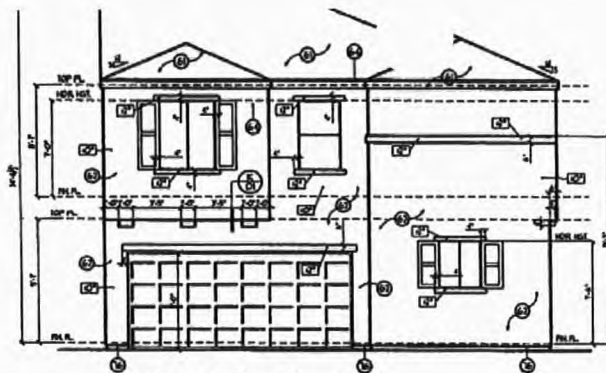
PLAN #
1730

SECTION
PICKET
LANE

SHEET NO.
A2.a

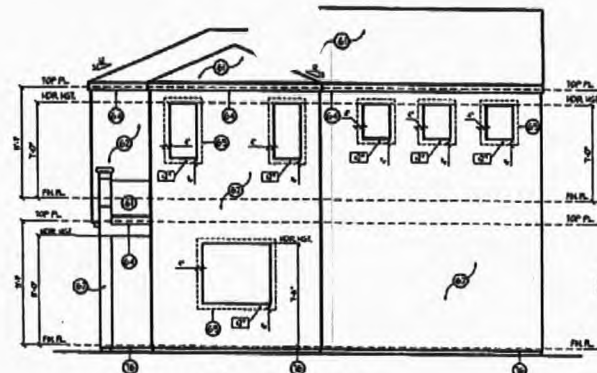
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OCT 25 2006

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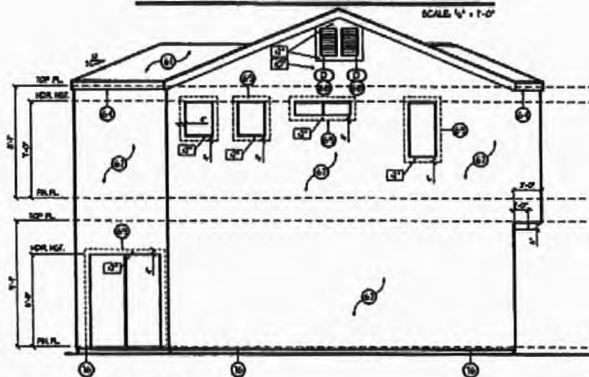
Front Elevation - A

SCALE 1/4" = 1'-0"



Rear Elevation - A

SCALE 1/4" = 1'-0"



Left Elevation

SCALE 1/4" = 1'-0"



Right Elevation

SCALE 1/4" = 1'-0"

- GENERAL NOTES**
1. ROOF APPLICATIONS SHALL COMPLY PER IRC.
 2. WINDOW HEADERS HEIGHTS NOTES ON PLANS.
 3. REFER TO SHEET A-2 FOR ATTIC VENTILATION CALCULATIONS.
 4. ALL FOAM PLANT-ONS AROUND WINDOW TO BE INSTALLED WHEN REQUIRED PER ALL ZONING CONDITION.
- (1) CONCRETE FILL OF TYPE 30 FILL SOIL LAPPED 1" OVER 1" LINES LAPPED AT 18" MAX. AND 1" MIN.
 - (2) BRICKS SPACED 16" ON CENTER. BRICKS SPACED 16" ON CENTER.
 - (3) BRICK VENEER 1 APPLICATION SHALL COMPLY TO IRC (FOOTING).
 - (4) BRICK BASH BRICKS.
 - (5) REINFORCED GLASS (FRAMED) BLINDS FOR DECORATIVE PURPOSES ONLY.
 - (6) PROVIDE CORROSION RESISTANT METAL FLASH AT FLASH JOINTS OF 1/2" (18" MIN) IN CORNER.
 - (7) BRICKS FLASH 1/2" (18" MIN) IN CORNER.
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 - (100) BRICK FLASH 1/2" (18" MIN) IN CORNER.

LAS VEGAS DIVISION
8970 W. Charleston Ave. Suite 100
LAS VEGAS, NV. 89129 702-240-5800

RICHMOND
STATE CONTRACTOR LICENSE #0006417
DIVISION PRESENT

ROOF FRAMING, FRONT, REAR & SIDE OF ELEVATION "A"

DATE: 11/16/06
BY: J. A. A. A.
REVISION: 11/16/06

1262

REVISION: 11/16/06

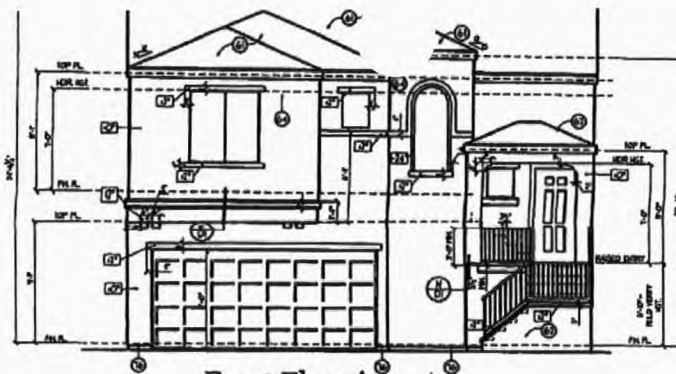
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GPA-16511 VAR-16525
ZON-16519 SDR-16522
REVISED 11/16/06 PC

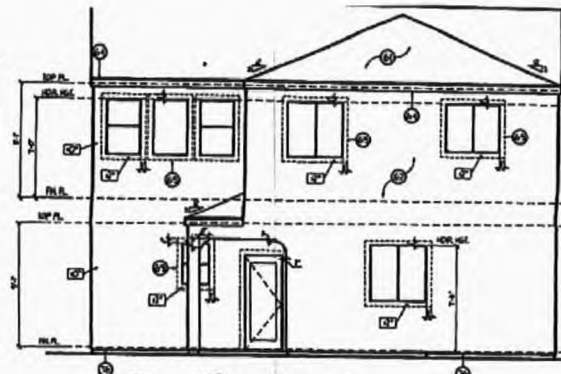


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REVISED 11/16/06 PC



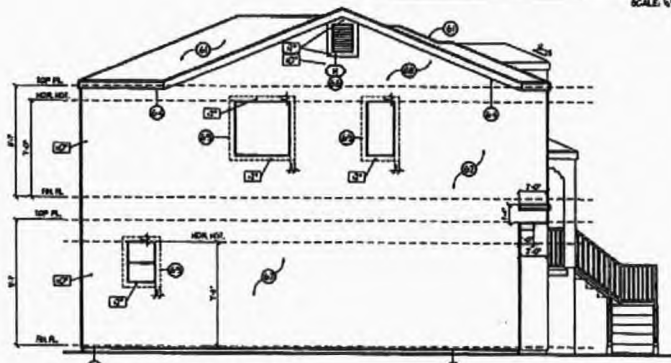
Front Elevation - A

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



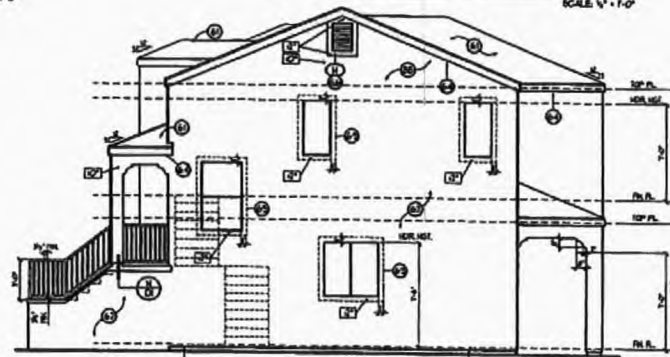
Rear Elevation - A

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



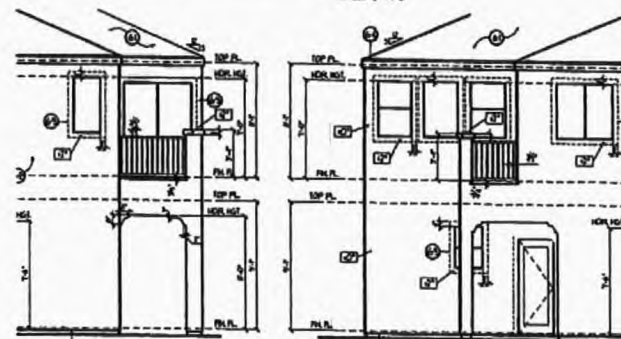
Left Elevation

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



Right Elevation

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



Opt. Deck (Typical)

Rear and side elevations

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

KEYNOTES

1. FORM APPLICATIONS SHALL COMPLY PER IRC
2. WINDOW HEADERS HEIGHTS NOTED ON PLANS
3. REFER TO SHEET ALSO FOR ATTIC VENTILATION CALCULATIONS
4. ALL POINT PLANT-ONTS AROUND WINDOW TO BE INSTALLED WHEN REQUIRED PER ALL ZONING CONDITION
5. GROUNDWATER TEST IF TYPE 30 SHALL BE LAPPED 1" (MIN) & END LAPPED 1" (MIN) WITH 3" DIA. CDS (TYP)
6. PROVIDE CORROSION RESISTANT METAL FASTENERS PER IRC
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LAS VEGAS DIVISION
9970 W. Clayborne Ave. Suite 100
LAS VEGAS, NV 89129 (702) 248-6600

RICHMOND
STATE OF NEVADA
REGISTERED ARCHITECT
NO. 10000

ROOF FRAMING, FRONT, REAR & SIDE ELEVATION 'A'

1555

1555

Kenneth Square

A2.A

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ZON-16519 SDR-16522
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ZON-16519 SDR-16522
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KENNETH SQUARE

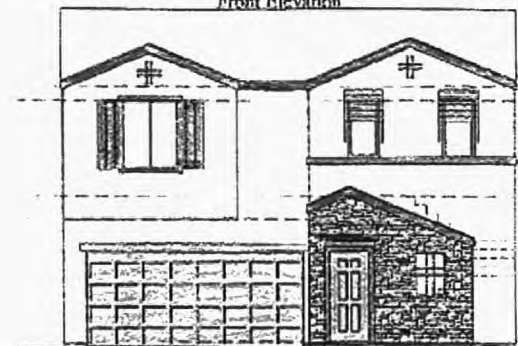
RICHMOND - LAS VEGAS



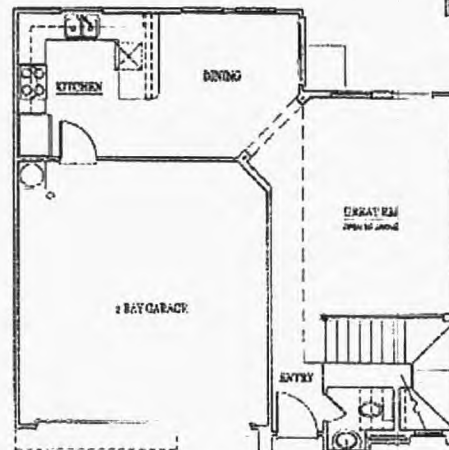
PLAN 2A
Front Elevation



PLAN 2B
Front Elevation

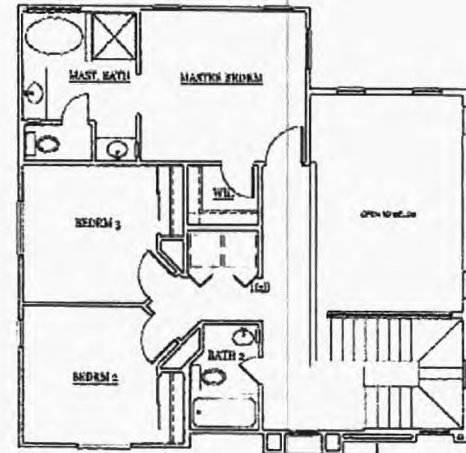


PLAN 2C
Front Elevation



PLAN 2A
First Floor Plan

PLAN 2
FIRST FLOOR - 592 SF
SECOND FLOOR - 718 SF
TOTAL - 1,310 SF



PLAN 2A
Second Floor Plan

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WATKINS
ARCHITECTURAL
GROUP, INC.

11/16/06 Kenneth Square - 1st floor plan
11/16/06 Kenneth Square - 2nd floor plan
11/16/06 Kenneth Square - 3rd floor plan
11/16/06 Kenneth Square - 4th floor plan
11/16/06 Kenneth Square - 5th floor plan
11/16/06 Kenneth Square - 6th floor plan
11/16/06 Kenneth Square - 7th floor plan
11/16/06 Kenneth Square - 8th floor plan
11/16/06 Kenneth Square - 9th floor plan
11/16/06 Kenneth Square - 10th floor plan

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ZON-16519 SDR-16522
REVISED 11/16/06 PC

KENNETH SQUARE

RICHMOND - LAS VEGAS



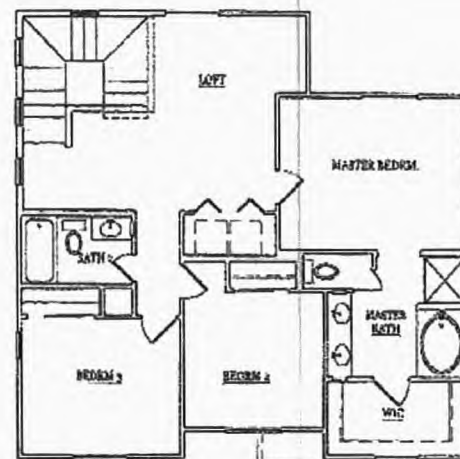
PLAN 4A
Front Elevation



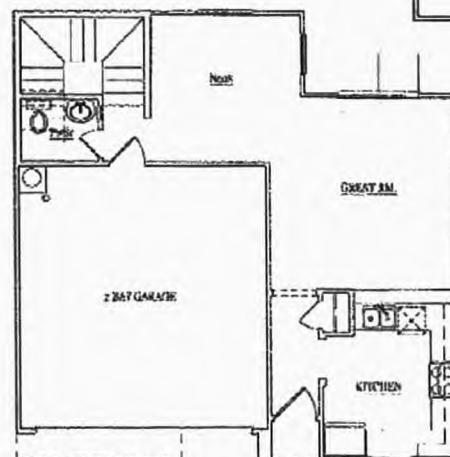
PLAN 4B
Front Elevation



PLAN 4C
Front Elevation



PLAN 4A
Second Floor Plan



PLAN 4A
First Floor Plan

PLAN 4
FIRST FLOOR - 600 SF
SECOND FLOOR - 923 SF
TOTAL - 1,523 SF

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WOODLEY
ARCHITECTURAL
DESIGN, INC.



1111 South Main Street, Suite 100
Richmond, VA 23131
Tel: (804) 771-1111
Fax: (804) 771-1111
www.woodleyarch.com

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KENNETH SQUARE

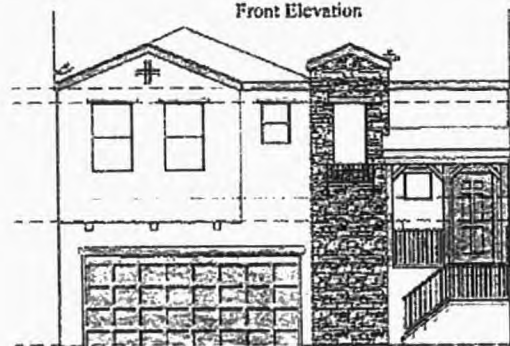
RICHMOND - LAS VEGAS



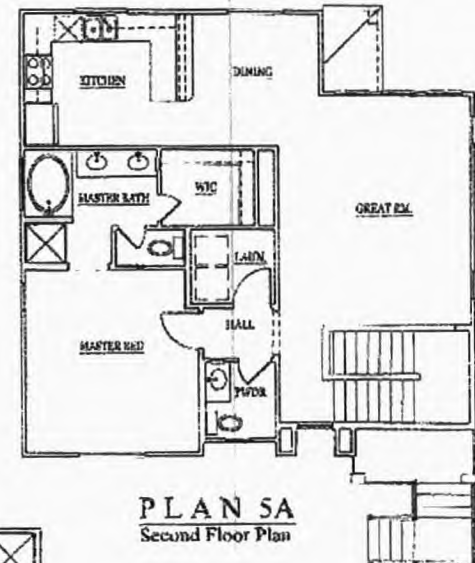
PLAN 5A
Front Elevation



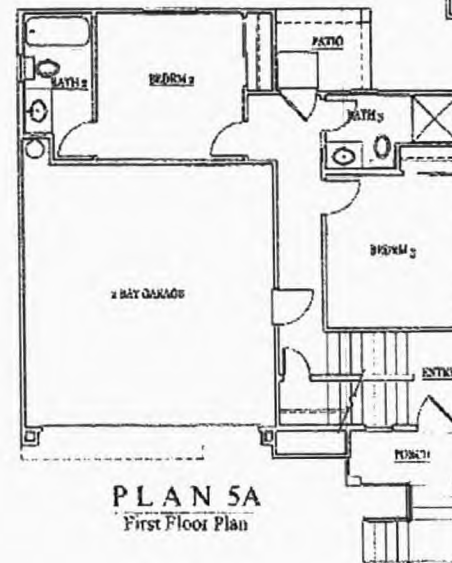
PLAN 5B
Front Elevation



PLAN 5C
Front Elevation



PLAN 5A
Second Floor Plan



PLAN 5A
First Floor Plan

PLAN 5
FIRST FLOOR - 566 SF
SECOND FLOOR - 989 SF
TOTAL - 1,555 SF

DEC
OCT 25 2006

WOODLEY
ARCHITECTURAL
GROUP, INC.
1111 South Main Street, Suite 100
Las Vegas, NV 89101
702.735.1111
702.735.1112
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ZON-16519 SDR-16522
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RICHMOND - LAS VEGAS



PLAN 6
FIRST FLOOR - 648 SF
SECOND FLOOR - 988 SF
TOTAL - 1,636 SF

WOODLEY
ARCHITECTURAL
GROUP, INC.

[illegible]

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ZON-16519 SDR-16522
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GPA-16511 VAR-16525
ZON-16519 SDR-16522
REVISED 11/16/06 PC



GPA-16511 VAR-16525
ZON-16519 SDR-16522
REVISED 11/16/06 PC

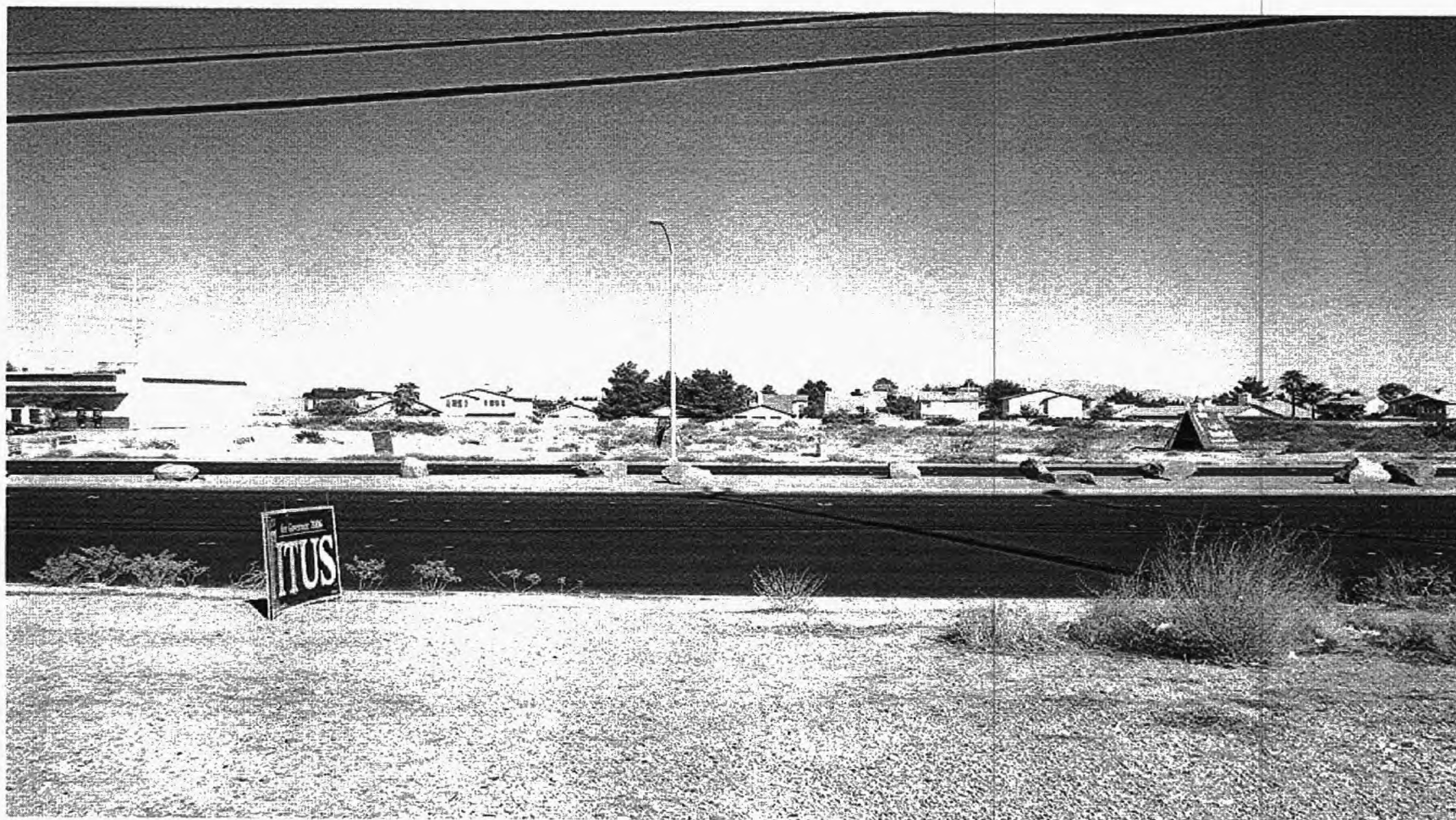


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REVISED 11/16/06 PC



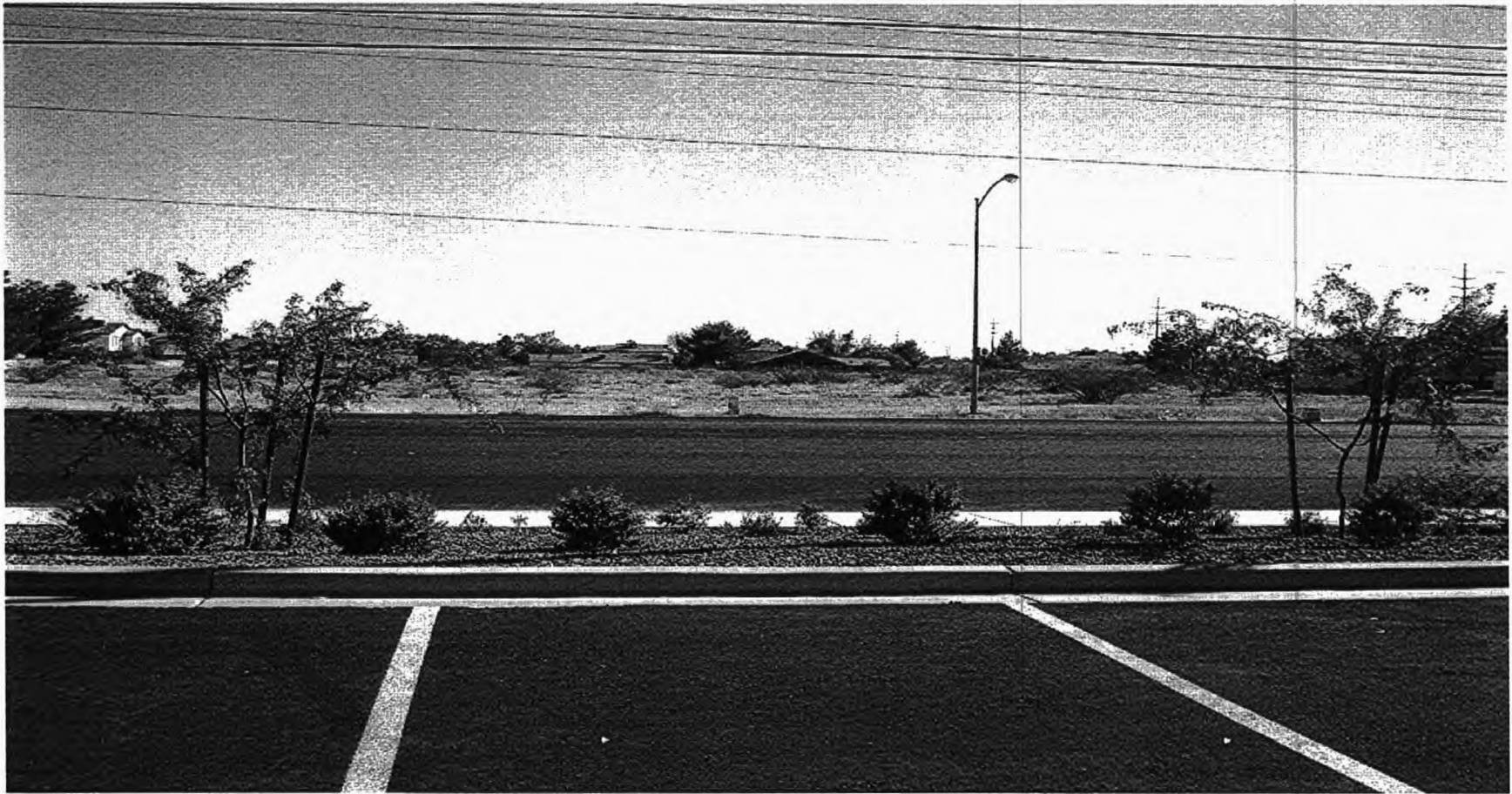
GPA-16511 VAR-16525
ZON-16519 SDR-16522
REVISED 11/16/06 PC

SDR 16522				
Richmond American Homes				
SEC Smoke Ranch & Decatur				
Proposed 77 single family development.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DWELL]	77	9.57	737
AM Peak Hour			0.75	58
PM Peak Hour			1.01	78
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Smoke Ranch Road				
Average Daily Traffic (ADT)	14,661			
PM Peak Hour	1173			
(heaviest 60 minutes)				
Decatur Boulevard				
Average Daily Traffic (ADT)	26,972			
PM Peak Hour	2158			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Smoke Ranch	32585			
Decatur	51700			
This project will add approximately 737 trips per day on Smoke Ranch and Decatur .This will increase expected volumes by about five percent on Smoke Ranch and about three percent on Decatur. Smoke Ranch is at about 45 percent of capacity and Decatur at about 52 percent of capacity.				
Based on Peak Hour use, this development will add roughly 78 additional cars into the area; which works out to about four every three minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



GPA-16511, ZON-16519, VAR-16525, & SDR-16522 - APPLICANT: RICHMOND AMERICAN HOMES -
OWNER: SCHNIPPLE FAMILY TRUST
SOUTHEAST CORNER OF SMOKE RANCH ROAD AND DECATUR BOULEVARD
NOVEMBER 16, 2006 PLANNING COMMISSION

09/16/06



GPA-16511, ZON-16519, VAR-16525, & SDR-16522 - APPLICANT: RICHMOND AMERICAN HOMES -
OWNER: SCHNIPPLE FAMILY TRUST
SOUTHEAST CORNER OF SMOKE RANCH ROAD AND DECATUR BOULEVARD
NOVEMBER 16, 2006 PLANNING COMMISSION

09/16/06

Triton

Engineering

October 16, 2006

City of Las Vegas
Development Services Center
731 S. Fourth Street
Las Vegas, NV 89102

**Reference: Request for Site Development Review
Smoke Ranch / Decatur II
APN # 139-19-101-002**

To Whom It May Concern:

On behalf of our client, Richmond American Homes, we respectfully submit this letter of justification for a Zone Change request for a proposed 77 lot single family project called "Smoke Ranch/ Decatur II".

The applicant is requesting a Site Development Review for a proposed 77 lot single-family residential development. Parcels adjacent to the proposed site have the following land use and zoning:

NEC – Light Industrial (C-M)
NWC – Service Commercial and Rural (C-1 & R-E)
SEC – Medium – Low, High & Service Commercial (R-CL, C-2 & C-1)
SWC – Service Commercial (C-1)

We are requesting the following setbacks for the RPD-12:

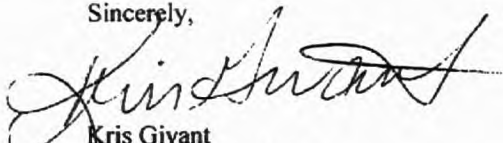
Typical Lot Size:	1,500 sq ft
Front to Roof Edge/Building:	3' Minimum
Front to Garage:	5' to 6' Min. or 18' plus
Side Yard to side of building or roof edge:	3' feet
Side on Corner to Side of building	4' feet
Rear Yard	3' feet

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Richmond American Homes believes that requesting RPD-12 zoning will compliment the area and would be a proposed buffer between the R-CL SFR's and the C-1 Commercial Property.

Please place the attached request on the Planning Commission agenda. If you have any questions or require additional information, please contact me at 254-1480 (office) or 300-2912 (cell).

Sincerely,

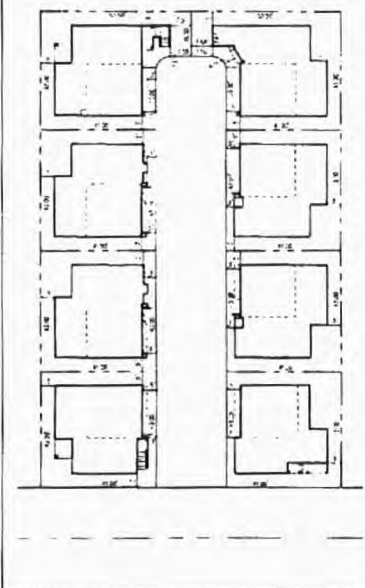

Kris Givant
Project Coordinator

**GPA-16511 VAR-16525
ZON-16519 SDR-16522
REVISED**

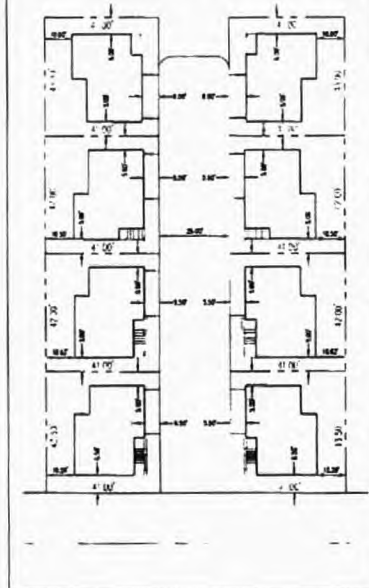
SITE PLAN OF SMOKE RANCH / DECATUR II

A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE
NORTH HALF (N 1/2) OF SECTION 19, TOWNSHIP 20 SOUTH,
RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA.

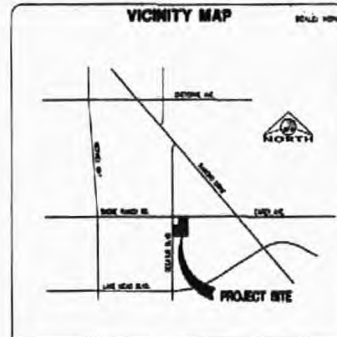
TYPICAL CLUSTER SETBACKS FOR INFUSION



TYPICAL CLUSTER SETBACKS FOR THE IVY



VICINITY MAP



LAS VEGAS VALLEY AREA MAP



LEGAL DESCRIPTION

THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER
(NW 1/4) OF THE NORTH HALF (N 1/2) OF SECTION 19,
TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CITY OF
LAS VEGAS, CLARK COUNTY, NEVADA.

ENGINEER

TRITON ENGINEERING
1700 N. DECATUR BLVD., SUITE 210
LAS VEGAS, NV 89128
PHONE: (702) 254-1100
FAX: (702) 254-1100

BENCHMARK

CLARK COUNTY VERTICAL CONTROL POINT "ALVISO 12388"
BEING A CITY OF LAS VEGAS BENCH MARK AND BEING PLACED IN
CONCRETE CURB, NORTHWEST CORNER OF JONES BLVD
AND HAZEL STREET
ELEVATION: 3261.2883 (FEET)
22' 51.5' (48' 10")
CLARK COUNTY VERTICAL CONTROL POINT "ALVISO 12388" BASED ON
NORTH AMERICAN DATUM, YEAR OF 1988 (NAD 83)

ASSESSOR'S PARCEL NUMBER

120-10-10-002

OWNER

SHAWNEE FAMILY TRUST
1700 N. DECATUR BLVD., SUITE 210
LAS VEGAS, NV 89128
OFFICE: (702) 254-1100

SHEET INDEX

- 1 COVER SHEET
- 2 SECTIONS AND DETAILS
- 3 SITE PLAN

DEVELOPER

RICHMOND AMERICAN HOMES OF NEVADA, INC.
1700 N. DECATUR BLVD., SUITE 210
LAS VEGAS, NV 89128
OFFICE: (702) 671-1000

BASIS OF BEARING

NORTH SPECTRUM WEST, BEING THE BEARING OF THE
1/4" LINE OF THE NORTHWEST QUARTER (NW 1/4) OF
THE NORTHWEST QUARTER (NW 1/4) OF SECTION 19,
TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CLARK
COUNTY, NEVADA, BEING PLACED IN CONCRETE CURB, NORTHWEST
CORNER OF JONES BLVD AND HAZEL STREET, BEING PLACED AT
THE CLARK COUNTY VERTICAL CONTROL POINT "ALVISO 12388".

LAND USE TABULATION

LAND USE DESIGNATION		
PURPOSE ZONE	R-100 (RESIDENTIAL PLANNED DEVELOPMENT)	
PROPOSED ZONE	R-100 (RESIDENTIAL PLANNED DEVELOPMENT)	
SITE SUMMARY		
TOTAL LOTS	15 LOTS	
SUBSTANDARD LOTS	NONE	
SPREAD AREAS	6.16 ACRES	
DENSITY (DENS)	17.24 LOTS / ACRE	
USABLE OPEN SPACE		
TOTAL REQUIRED	34.50 SF	
TOTAL PROVIDED	25.08 SF	

SETBACK REQUIREMENTS

CITY OF LAS VEGAS		
FRONT	5' MIN.	
REAR	5' MIN.	
LEFT	5' MIN.	
RIGHT	5' MIN.	
TO BUILDING	5' MIN.	
TO DRIVEWAY	5' MIN.	
TO SIDEWALK	5' MIN.	
TO CORNER	5' MIN.	
TO ROAD	5' MIN.	

COMMON LOT AREAS

COMMON LOTS	NOT USABLE	USABLE	TOTAL
COMMON LOT "A"	0 SF	8,863 SF	8,863 SF
COMMON LOT "B"	0 SF	18,275 SF	18,275 SF
COMMON LOT "C"	2,887 SF	0 SF	2,887 SF
COMMON LOT TOTAL	2,887 SF	25,138 SF	27,865 SF

ZON-16519
VAR-16525
SDR-16522
01-17-07 CC

RECEIVED

JAN 05 2007

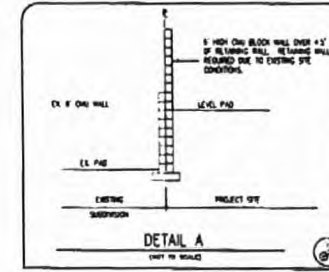
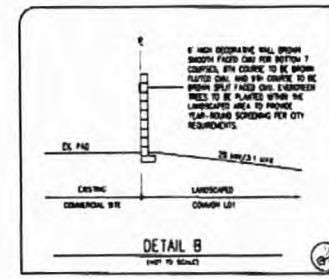
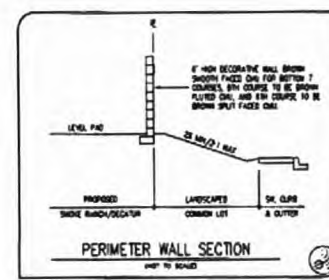
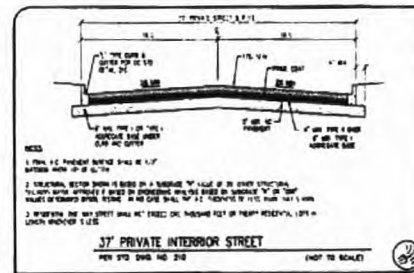
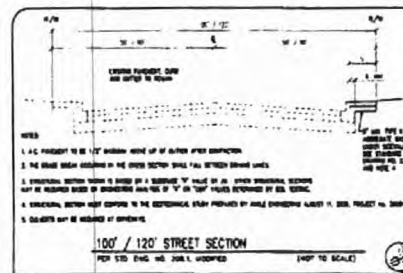
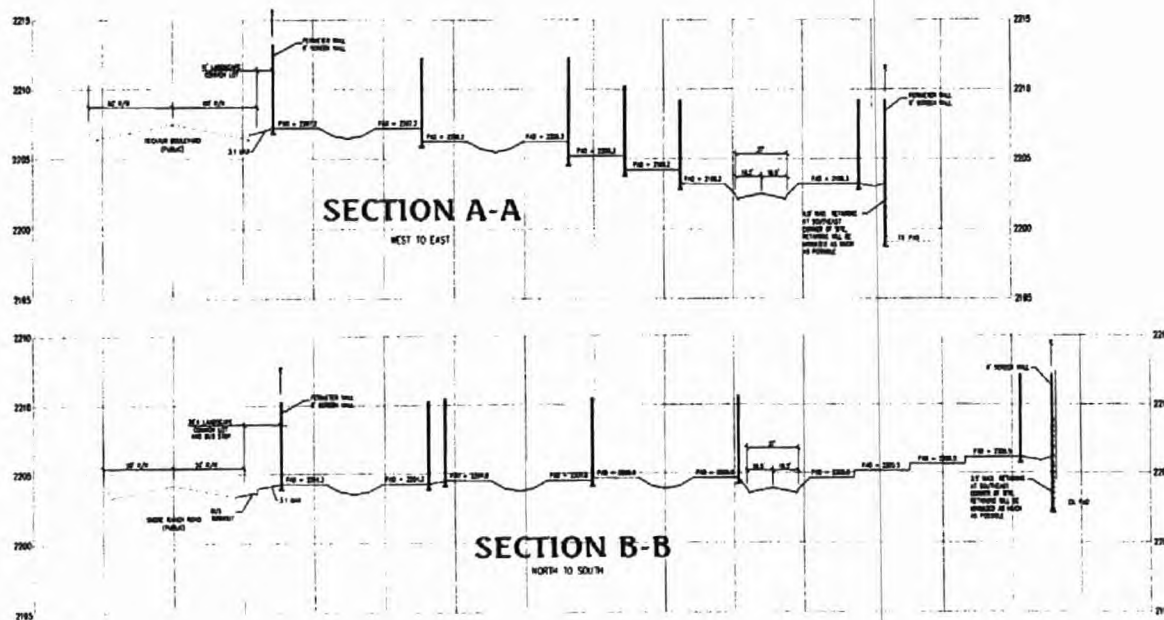


RICHMOND AMERICAN HOMES OF NEVADA, INC.

SMOKE RANCH / DECATUR II

COVER SHEET

SHEET 1 OF 1
CLV DWG



ZON-16519
VAR-16525
SDR-16522
01-17-07 CC

RECEIVED

JAN 05 2007

Triton Engineering 1000 S. 10th Street Las Vegas, NV 89101 (702) 735-1100 FAX (702) 735-1101 www.tritoneng.com	
PROJECT NO. DRAWING NO. SHEET NO.	DATE SCALE DESIGNED BY CHECKED BY APPROVED BY
RICHMOND AMERICAN HOMES OF NEVADA, INC. SMOKE BRANCH / DECATUR II SECTIONS AND DETAILS	
SHEET 3 CLV.DWG	

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**
REZONING

ZON-16179 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: YIN YAN & PETER CHUNG - Request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 0.26 acres at 1333 Angel Drive (APN 163-01-612-039), Ward 1 (Tarkanian). NOTE: THIS APPLICATION IS BEING AMENDED FROM 1333 ANGEL DRIVE TO 5104 MOUNTAIN VIEW DRIVE. The Planning Commission (5-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

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

Motion made by LOIS TARKANIAN to Approve Subject to Conditions and adding the following condition as read for the record:

- A. Approval shall be to PR (Professional Office) and parking zoning.

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open on Item 98 [ZON-16179], Item 99 [VAR-16181], Item 100 [VAR-17191] and Item 101 [SDR-16180].

LINDALL MAINS, 3930 East Patrick Lane, appeared with DAVE ROBERTS, DGR Construction, on behalf of the applicant. MR. MAINS stated they met with staff and now have

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

revised the plan to reflect a reduction in the size of the building. There will be a 20-foot setback on the front and 20-foot setback on the rear, landscaping is around the site, and the trash enclosure has been relocated further away from the rear property line. Although the lot width is still an issue, MR. ROBERTS believed that staff supported their current proposal.

MARGO WHEELER, Director of Planning and Development, clarified that the project has substantially improved. However, because of the requested variances, staff still cannot support the request, as there is nothing unusual to warrant the variance.

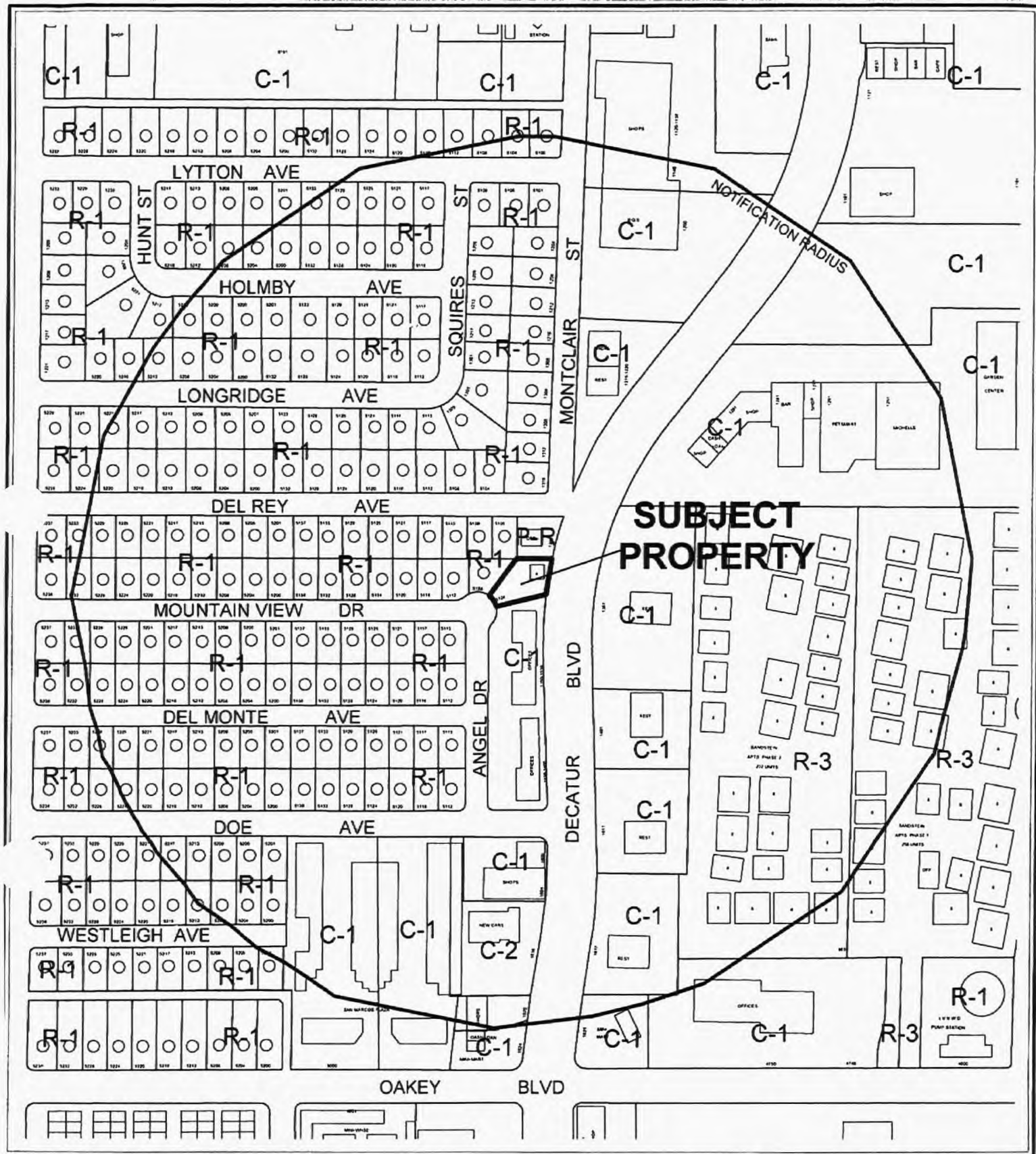
COUNCILWOMAN TARKANIAN reiterated to MR. ROBERTS that she still could only support a professional use and not commercial, and MR. ROBERTS concurred with the rezoning to (PR) Professional.

MS. WHEELER confirmed that the applicant can withdraw the Variance, as it is not needed with PR zoning.

After further discussion, COUNCILWOMAN TARKANIAN confirmed with MS. WHEELER, who read the additional conditions and amendments to Items 99 through 103, relative to landscaping, wall height, correct site plans, and no vehicle/pedestrian access. The Councilwoman emphasized that she has not been in contact with the applicant or representatives, and she received the plans late, as she has tried to voice her concerns prior to this meeting. She would be willing to have the applicant work with staff on finding an amenable solution to alleviate the attraction for unwanted traffic in the open area of the site. MS. WHEELER added that the wall height must match that of the adjacent residential.

COUNCILWOMAN TARKANIAN commented that the applicant's neighbors are excited and look forward to the upcoming development. MS. WHEELER confirmed with MR. ROBERTS that even if the applicant is seeking an address change to Decatur Boulevard, the front of the property still remains on the cul-de-sac.

MAYOR GOODMAN declared the Public Hearing closed on Item 98 [ZON-16179], Item 99 [VAR-16181], Item 100 [VAR-17191] and Item 101 [SDR-16180].



CASE: **ZON-16179**

RADIUS: 1000 FT

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

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

0 200 400 Feet





CASE: **ZON-16179**

RADIUS: 1000 FT

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

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - ZON-16179 - APPLICANT/OWNER: YIN YAN & PETER CHUNG

THIS ITEM WAS HELD IN ABEYANCE FROM THE JANUARY 17, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (5-0 vote) and staff recommend DENIAL

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. Conformance to the conditions for Variance (VAR-16181), Variance (VAR-17191) and Site Development Plan Review (SDR-16180), if approved.

Public Works

3. 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.
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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application seeks a rezoning of the subject property located at 5104 Mountain View Drive from R-3 (Medium Density Residential) to C-1 (Limited Commercial). A companion Site Development Plan Review (SDR-16180), Variance (VAR-16181) and Variance (VAR-17191) have been filed with this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/06	The Planning Commission recommended denial of companion items VAR-16181, VAR-17191 and SDR-16180 concurrently with this application. The Planning Commission voted 5-0 to recommend DENIAL (PC Agenda Item #13/r1).

<i>Pre-Application Meeting</i>	
08/04/06	At a Pre-application meeting, the applicant was informed that the proposed office development will require a Rezoning, a Site Development Plan Review, and a Variance for residential adjacency for a trash enclosure.
<i>Neighborhood Meeting</i>	
	A Neighborhood Meeting is not required for this application, nor was one held.
<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.26

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Duplex	SC (Service Commercial)	R-3 (Medium Density Residential)
North	Office	SC (Service Commercial)	SC (Service Commercial)
South	Office	SC (Service Commercial)	C-1 (Limited Commercial)
East	Service Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
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
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		Y
A-O Airport Overlay District – 200 Foot Buffer	X		Y
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	Y

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	0.26 Acres	Y
Min. Lot Width	100 SF	87.77 SF	N*
Min. Setbacks			
• Front	20 Feet	15Feet	N**
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	NA	NA
• Rear	20 Feet	15 Feet	N**
Max. Lot Coverage	50%	27%	Y
Max. Building Height	2 Stories 35 Feet	1 Story 25 Feet including Parapet	Y
Trash Enclosure	50 Feet	6 Feet	N**
Mech. Equipment	Screened	Yes	Y
<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	56.25 Feet	77.25 Feet	N**
Adjacent development matching setback	15 Feet	15 Feet	Y
Trash Enclosure	50 Feet	6 Feet	N**

* Addressed in companion Variance (VAR-17191)

** Addressed in companion Variance (VAR-16181)

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-3 (Medium Density Residential)	13-25 2 units on subject site	6 units/acre 2 units on subject site	C-1 (limited Commercial)	0	SC (Service Commercial)	0

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces	1 Tree	1 Tree	Y
Buffer:				
Min. Trees	1 Tree/20 Linear Feet	17 Trees	14 Trees	N***
TOTAL		18 Trees	15 Trees	N***

Min. Zone Width				
• East	15 Feet	5 Feet	N***	
• Others	8 Feet	5 Feet	N***	
Wall Height	6-8 Feet	Not Shown		

*** Requested Waivers in companion Site Development Plan Review (SDR-16180)

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	3,000 SF	1/300 SF	9	1	9	1	Y
TOTAL			10		10		Y

Waivers		
Request	Requirement	Staff Recommendation
No Landscaping Buffer along south property line	8 -foot Buffer	Denial
5-foot Buffer along a 41-foot portion of the 110-foot west property lines	8 -foot Buffer	Denial
5-foot Buffer along a east property line	15 -foot Buffer	Denial

ANALYSIS

The C-1 (Limited Commercial) zone is intended to provide most retail shopping and personal services. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 (Limited Commercial) District is consistent with the Service Commercial category of the General Plan. The location of the subject site meets all of the above

criteria, but the site itself is ill-suited to this zone, and would be more appropriately zoned for P-R (Professional Office and Parking). The site does not meet the 100-foot minimum lot width required for a rezoning to C-1 (Limited Commercial), and therefore a related Variance (VAR-17191) must be approved in order to permit this request. The proposed site plan further requires waivers of the perimeter landscape buffer widths on the east and west property lines in order to allow a 5-foot buffer where a 15-foot and an 8-foot buffer is required, respectively and additional Variances as it fails to meet the requirements for residential adjacency, front yard, and rear yard setbacks. Therefore, staff recommends denial of this request.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. "The proposal conforms to the General Plan."

The proposed C-1 (Limited Commercial) zone is in conformance with SC (Service Commercial) General Plan designation.

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

The purpose of the C-1 (Limited Commercial) zoning district is to provide commercial land uses that are less intense in nature, and may be appropriate for mixed-use developments. As the property is proposed to front Decatur Boulevard, a 100-foot Primary Arterial, the subject site will be compatible with development along Decatur Boulevard. However, the property still abuts residential uses on Mountain View Drive, and requires a Variance for residential adjacency for the trash enclosure and setback. Therefore this request is not compatible with surrounding land uses.

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

While the General Plan calls for the lot to ultimately be converted to commercial use, the size, shape and other constraints on the lot make it insufficient to support the proposed development appropriately.

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."

Decatur Boulevard, a 100-foot Primary Arterial, is sufficient to meet the access needs of the proposed zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 215 by Planning and Development Dept

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number **ZON-16179** APN: 163-01-612-039
Name of Property Owner: Peter Chung & Yin YAN
Name of Applicant: Peter Chung & Yin YAN

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

_____ Yes X No

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

City Official: _____

Partner(s): _____

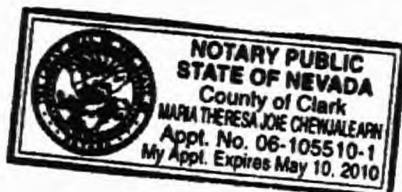
APN: _____

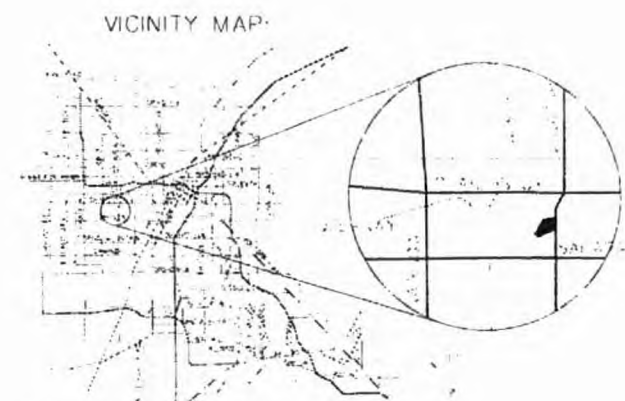
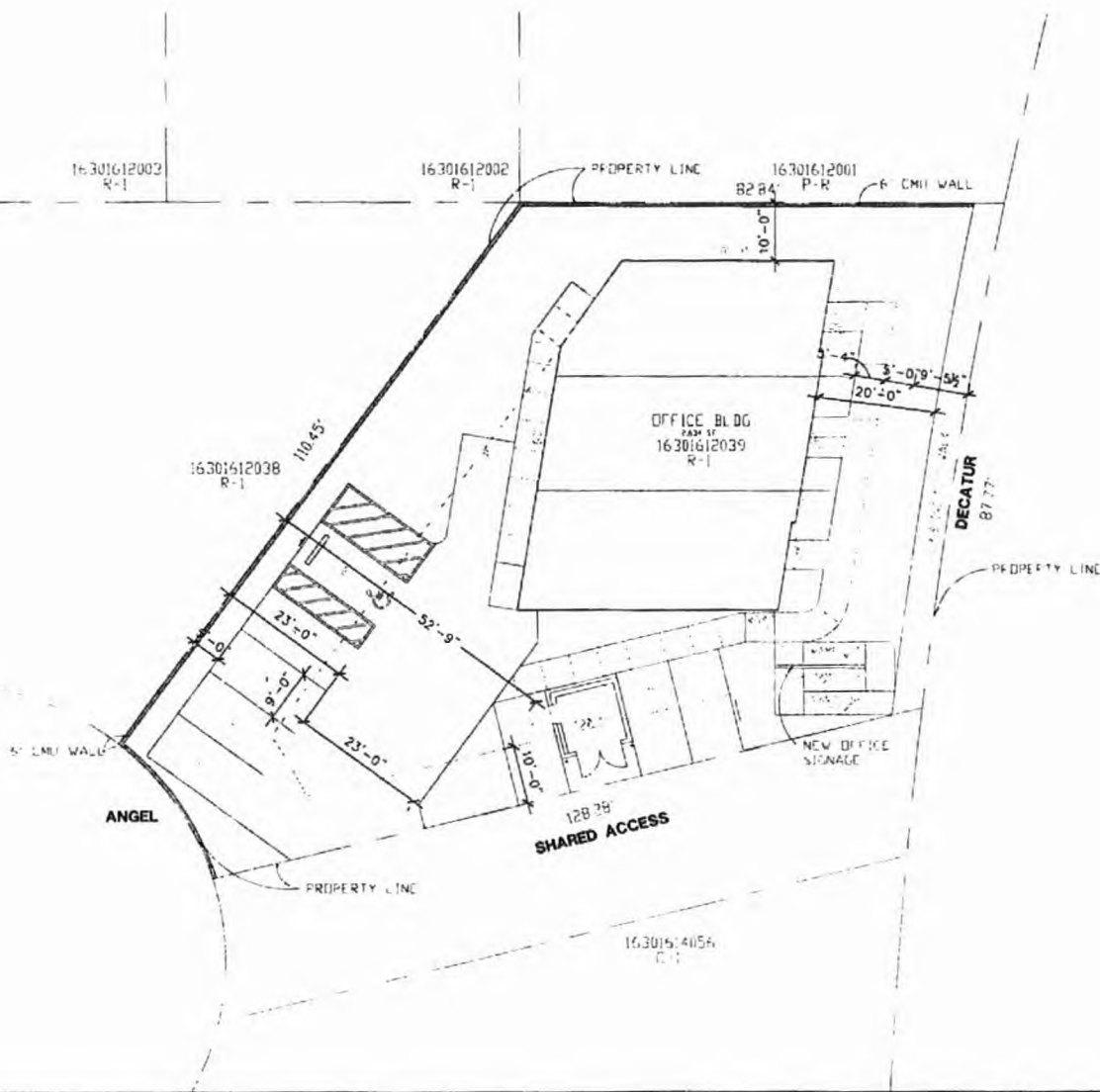
Signature of Property Owner: [Signature]
Print Name: YIN YAN & Peter Chung

Subscribed and sworn before me

This 21 day of August, 2006

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

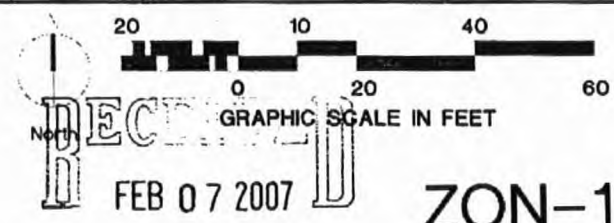




PROJECT SUMMARY

SITE		
SITE AREA	PHASE 1	0.26 ACRES (11,325 SQ FT)
PARCEL NUMBERS	PHASE 1	161-01-612-039
CURRENT ZONING	LIMITED COMMERCIAL	C-1
LOT COVERAGE BY BUILDING FOOT PRINT (MAXIMUM)		
SETBACKS	ALLOWABLE	50%
FRONT YARD		20 FEET
SIDE YARDS		10 FEET
REAR YARDS		20 FEET
BUILDING HEIGHT ALLOWED		NONE
BUILDING OCCUPANCY		
ONE STORY OFFICE		2,634 SQ FT
MAXIMUM CAPACITY		26 PEOPLE
PARKING		
TOTAL PARKING REQUIRED		2.634 / 100 = 2.634 SPACES
1 SPACE FOR EVERY 300 SQ FT (HANDICAP SPACES)		(1 SPACES)
TOTAL PARKING PROVIDED		(2 SPACES)
PARKING SPACES (HANDICAP SPACES)		(1 SPACES)

SITE PLAN ANGEL OFFICE



LENDALL MAINS
ARCHITECT
4000 East 7th Avenue
Suite #11
Denver, CO 80202
(303) 733-4000
FAX (303) 733-4001

SHEET No
AS-1
DATE: 11/13/06

FEB 07 2007

ZON-16179
02-21-07 CC

LENDALL MAINS ARCHITECT

August 21, 2004

Doug Rankin, Planner
City of Las Vegas
731 S. 4th St.
Las Vegas, NV 89101

RE: 1333 Angel Drive
Request for Zoning Change, Site development, landscape wavers and trash and building variance.

Please accept this letter as justification for re-zoning changes to A.P.No. 163-016-120-38. We are also requesting perimeter landscape and parking landscape wavers and a variance for trash enclosure location and front pediment height at Decatur side of building.

We request that A.P. No. 163-016-120-38 be re-zoned from R-3 to C-1 Commercial which compliments the c-1 zoning to the property directly south that joint access is shared with. We are also changing the entry to the site from Angel Drive which is residential to Decatur Boulevard. We will comply with all C-1 requirements on the parcel except as follows. We are requesting that the following items be approved due to this being a small, odd shaped lot; parking and perimeter landscape will be provided as shown with a waver for widths; variance to have trash enclosure next to the adjacent C-1 parcel to keep the trash from being back by the adjacent residence; and a height variance for the front center parapet pediment that is along Decatur Boulevard from 18'-9" to 25'-9".

Sincerely,



Lendall Mains, FCSI, AIA
Principal

ZON-16179 VAR-16180
SDR-16180
12/21/06 **PC**
3930 E. Patrick
Las Vegas
(702) 437-5621
(702) 437-5621

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

VARIANCE RELATED TO ZON-16179

VAR-16181 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: YIN YAN & PETER CHUNG - Request for a Variance TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 56.25 FEET WHERE 77.25 FEET IS THE MINIMUM REQUIRED AND TO ALLOW A TRASH ENCLOSURE TO BE PLACED 6 FEET FROM RESIDENTIAL PROPERTY WHERE 50 FEET IS THE MINIMUM REQUIRED on 0.26 acres at 1333 Angel Drive (APN 163-01-612-039), R-3 (MEDIUM DENSITY RESIDENTIAL) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 1 (Tarkanian). NOTE: THIS APPLICATION IS BEING AMENDED FROM 1333 ANGEL DRIVE TO 5104 MOUNTAIN VIEW DRIVE AND TO REDUCE THE FRONT YARD SETBACK TO 15 FEET WHERE A MINIMUM SETBACK OF 20 FEET AND TO REDUCE THE REAR SETBACK 15 FEET WHERE A MINIMUM SETBACK OF 20 FEET IS REQUIRED. The Planning Commission (5-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

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

Motion made by LOIS TARKANIAN to Approve Subject to Conditions and adding the following condition as read for the record:

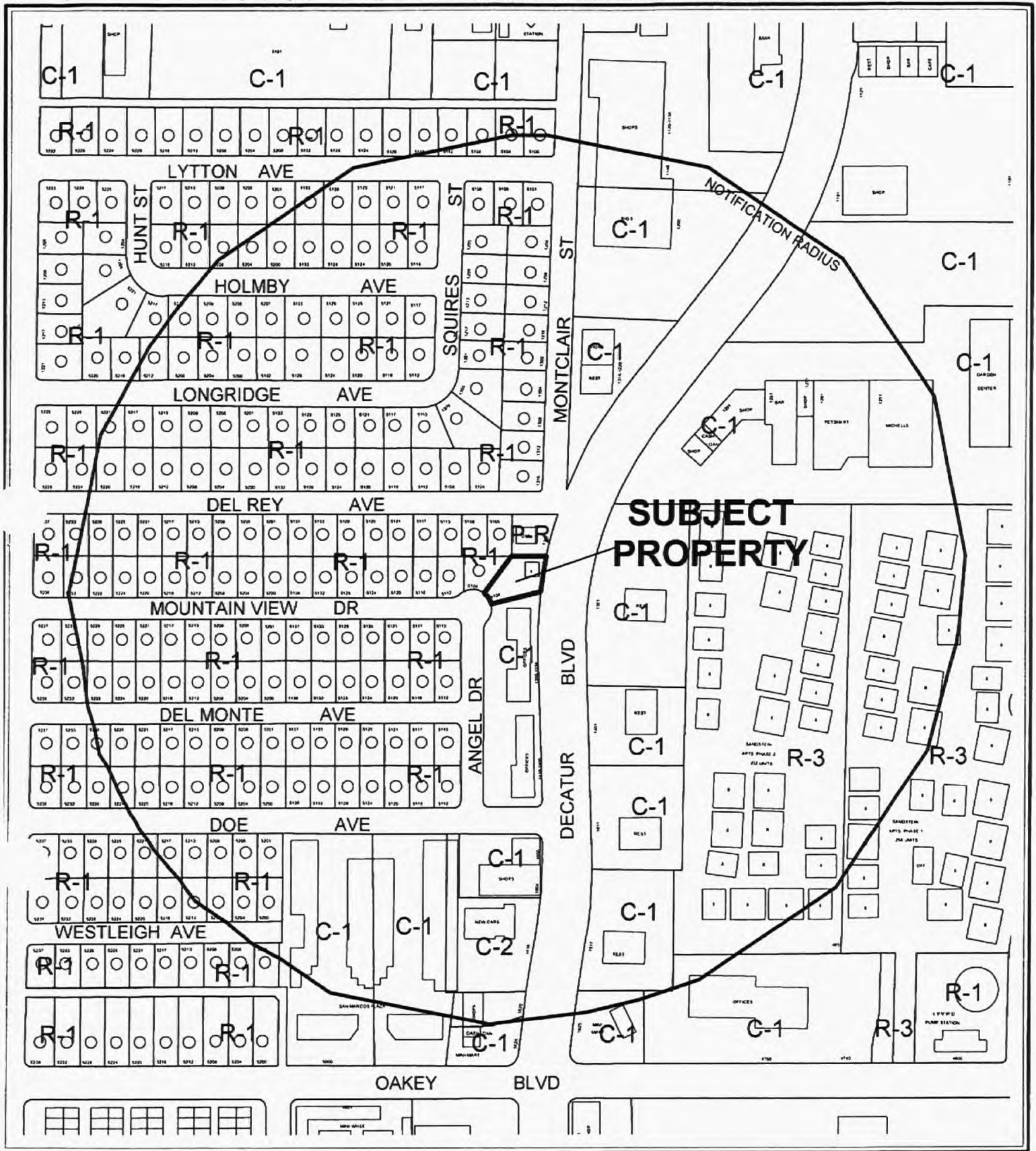
A. The Variance of trash enclosure placement is not approved and no building setback Variances are approved.

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

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

Minutes:

See Item 98 for related discussion.



CASE: **VAR-16181**

RADIUS: 1000 FT

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

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - VAR-16181 - APPLICANT/OWNER: YIN YAN & PETER CHUNG

THIS ITEM WAS HELD IN ABEYANCE FROM THE JANUARY 17, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (5-0 vote) and staff recommend DENIAL.

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-16179), Variance (VAR-17191), and Site Development Plan Review (SDR-16180) 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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application serves to request a Variance to allow a trash enclosure to be located six feet from a residential property where 50 feet is required and to allow a residential adjacency setback of 56.25 feet where 77.25 feet is required, as well as a 15-foot front yard setback where 20 feet is required, and a 15-foot rear yard setback where 20 feet is required on 0.26 acres at 5104 Mountain View Drive. Companion applications include ZON-16179, VAR-17191, and SDR-16180.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.

12/21/06	The Planning Commission recommended denial of companion items ZON-16179, VAR-17191 and SDR-16180 concurrently with this application. The Planning Commission voted 5-0 to recommend DENIAL (PC Agenda Item #14/r).
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Pre-Application Meeting

08/04/06	At a Pre-application meeting, the applicant was informed that the proposed office development will require a Rezoning, a Site Development Plan Review, and a Variance for residential adjacency for a trash enclosure.
----------	--

Neighborhood Meeting

	A Neighborhood Meeting is not required for this application, nor was one held.
--	--

Details of Application Request

Site Area

Gross Acres	0.26
-------------	------

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Duplex	SC (Service Commercial)	R-3 (Medium Density Residential)
North	Office	SC (Service Commercial)	SC (Service Commercial)
South	Office	SC (Service Commercial)	C-1 (Limited Commercial)
East	Service Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
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	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		Y
A-O Airport Overlay District – 200 Foot Buffer	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	0.26 Acres	Y
Min. Lot Width	100 Square Feet	87.77 Square Feet	N*
Min. Setbacks			
• Front	20 Feet	15 Feet	N
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	NA	NA
• Rear	20 Feet	15 Feet	N
Max. Lot Coverage	50%	27%	Y
Max. Building Height	2 Stories	1 Story and 25.75	Y
Trash Enclosure	50 Feet	6 Feet	N
Mech. Equipment	Screened	Yes	Y
<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	77.25 Feet	56.25 Feet	N
Adjacent development matching setback	15 Feet	15 Feet	Y
Trash Enclosure	50 Feet	6 Feet	N

* Addressed in companion Variance (VAR-17191)

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-3 (Medium Density Residential)	13-25 2 du on subject site	6 du/acre 2 du on subject site	C-1 (Limited Commercial)	0	SC (Service Commercial)	0

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces	1 Tree	1 Tree	Y
Buffer: Min. Trees	1 Tree/20 Linear Feet	17 Trees	14 Trees	N**
TOTAL		18 Trees	15 Trees	N**
Min. Zone Width				
• East	15 Feet		5 Feet	N**
• Others	8 Feet		5 Feet	N**
Wall Height	6-8 Feet		Not Shown	

** Requested Waivers in companion Site Development Plan Review (SDR-16180)

<i>Parking Requirement</i>						
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Required</i>			<i>Provided</i>	
		<i>Parking Ratio</i>	<i>Parking</i>		<i>Parking</i>	
			Regular	Handi-capped	Regular	Handi-capped
Office	3,000 SF	1/300 SF	9	1	9	1
TOTAL			10		10	

ANALYSIS

This variance has been requested because the front of the subject proposal does not meet several setback requirements. This development does not meet the 20-foot front yard setback requirement. The building is proposed to be located 15 feet from the front property line. Additionally, this development does not meet the residential adjacency and the rear yard setback requirements. The site elevations depict a 3:1 proximity slope setback of 56.25 feet where 77.25 feet is required, and the site plan shows a trash enclosure setback of six feet where 50 feet is required. The 25.75-foot overall building height, including the parapet requires a variance from residential adjacency setback requirements. Had the design incorporated a building height, including the parapet of 19 feet or less, no variance for residential adjacency would be needed. Additionally, the large size of the building prevents the trash enclosure from meeting the required residential adjacency requirement. Finally, because of the angled rear property line, the rear yard setback is as few as 15 feet near the northwest corner of the property where 20 feet is required. A companion Variance (VAR-17191) seeks to allow the C-1 (Limited Commercial) zoning on a site with a minimum width of 87 feet where 100 feet is required.

The subject proposal does not meet current Title 19 standards for landscaping. There is no parking area landscaping provided where two trees are required. Further, there is no buffer along the south property line in order to meet parking and access requirements.

While the subject site is undoubtedly restricted by an unusual shape and a sewer easement running along the southern edge of the property, the deviation from standards is considered a self-imposed hardship. The applicant is choosing to deviate from standards by requesting a zoning district which requires a wider lot where the alternative P-R (Professional Office and Parking) zoning district requires only a minimum lot width of 60 feet, exceeded by the subject site. Due to their design choice in utilizing a 25-foot high building, including the parapet, on a single-story structure and building a 3,000 square-foot office building, the applicant is proposing to overbuild the site.

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.”

While this parcel is of an irregular shape and is further encroached by a sewer easement along the south property line, no evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship simply by proposing to overbuild on this site. A slightly smaller office building would allow conformance to the Title 19 setback, trash enclosure, parking and setback 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

15

SENATE DISTRICT 11

NOTICES MAILED 215 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-16181** APN: 163-01-612-039
Name of Property Owner: Peter Chung & Yin YAN
Name of Applicant: Peter Chung & Yin YAN

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

_____ Yes X No

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

City Official: _____

Partner(s): _____

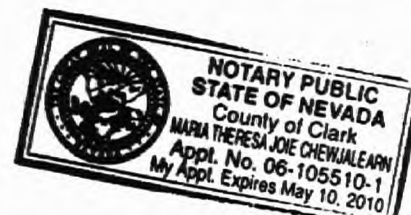
APN: _____

Signature of Property Owner: [Signature]
Print Name: Yin YAN & Peter Chung

Subscribed and sworn before me

This 21 day of August, 2006

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



LENDALL MAINS ARCHITECT

August 21, 2004

Doug Rankin, Planner
City of Las Vegas
731 S. 4th St.
Las Vegas, NV 89101

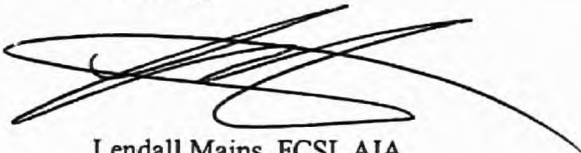
RE: 1333 Angel Drive

Request for Zoning Change, Site development, landscape wavers and trash and building variance.

Please accept this letter as justification for re-zoning changes to A.P.No. 163-016-120-38. We are also requesting perimeter landscape and parking landscape wavers and a variance for trash enclosure location and front pediment height at Decatur side of building.

We request that A.P. No. 163-016-120-38 be re-zoned from R-3 to C-1 Commercial which compliments the c-1 zoning to the property directly south that joint access is shared with. We are also changing the entry to the site from Angel Drive which is residential to Decatur Boulevard. We will comply with all C-1 requirements on the parcel except as follows. We are requesting that the following items be approved due to this being a small, odd shaped lot; parking and perimeter landscape will be provided as shown with a waver for widths; variance to have trash enclosure next to the adjacent C-1 parcel to keep the trash from being back by the adjacent residence; and a height variance for the front center parapet pediment that is along Decatur Boulevard from 18'-9" to 25'-9".

Sincerely,



Lendall Mains, FCSI, AIA
Principal

VAR-16181
12/21/06 PC

3930

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE RELATED TO ZON-16179 AND VAR-16181

VAR-17191 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: YIN YAN & PETER CHUNG - Request for a Variance TO ALLOW A MINIMUM LOT WIDTH OF 87 FEET WHERE 100 FEET IS THE MINIMUM WIDTH REQUIRED on 0.26 acres at 1333 Angel Drive (APN 163-01-612-039), R-3 (Medium Density Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 1 (Tarkanian). NOTE: THIS APPLICATION IS BEING AMENDED FROM 1333 ANGEL DRIVE TO 5104 MOUNTAIN VIEW DRIVE. The Planning Commission (5-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

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

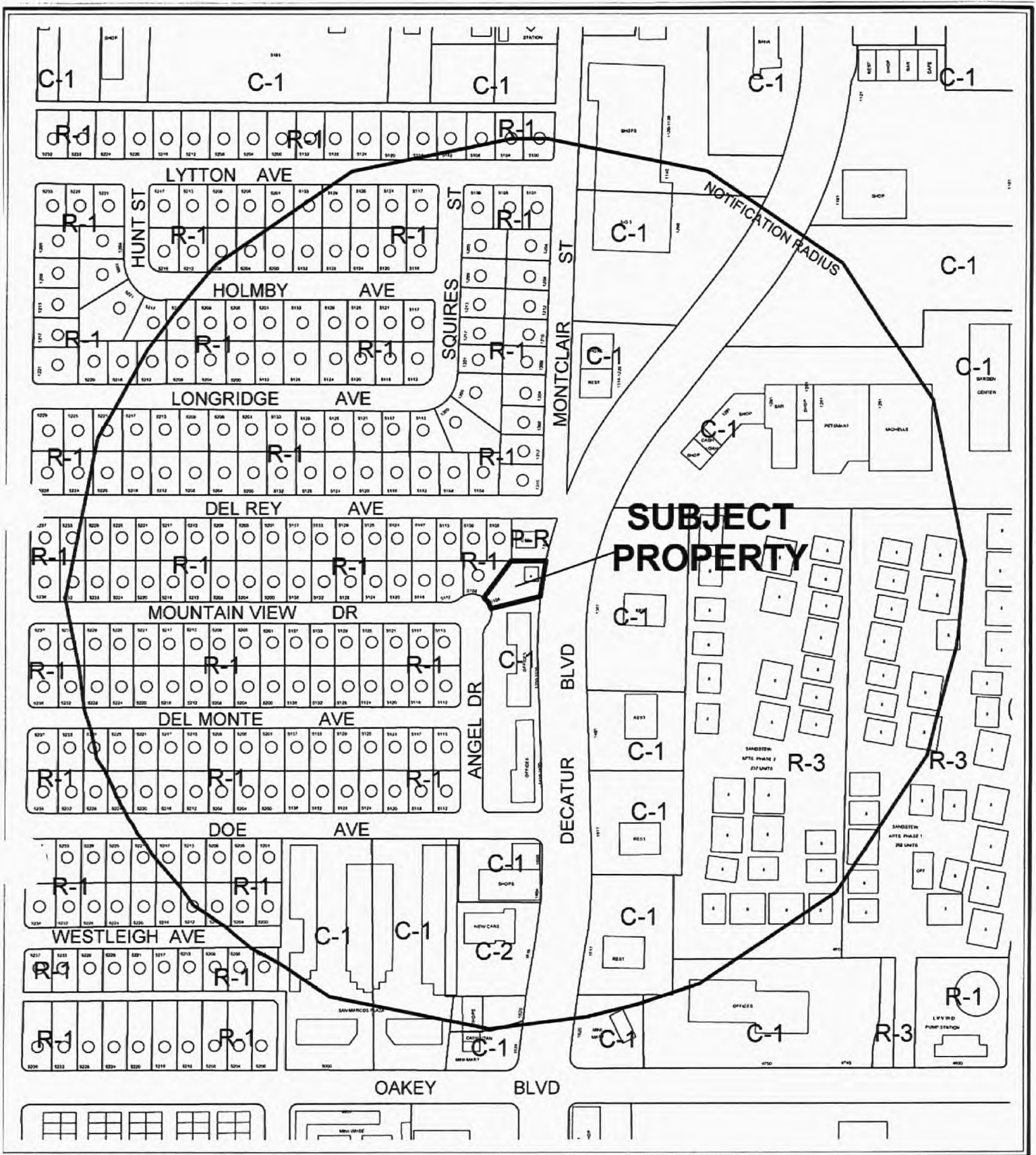
Motion made by LOIS TARKANIAN to Withdraw

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

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

Minutes:

See Item 98 for related discussion.



CASE: **VAR-17191**

RADIUS: 1000 FT

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

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

0 200 400 Feet





CASE: **VAR-17191**

RADIUS: 1000 FT

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

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - VAR-17191 - APPLICANT/OWNER: YIN YAN & PETER CHUNG

THIS ITEM WAS HELD IN ABEYANCE FROM THE JANUARY 17, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (5-0 vote) and staff recommend DENIAL.

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-16179), Variance (VAR-16181) and Site Development Plan Review (SDR-16180), 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

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application serves to request a Variance to allow a lot width of 87 feet where 100 feet is required on 0.26 acres at 5104 Mountain View Drive. Companion applications include ZON-16179, VAR-16181 and SDR-16180.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/06	The Planning Commission recommended denial of companion items ZON-16179, VAR-16181 and SDR-16180 concurrently with this application. The Planning Commission voted 5-0 to recommend DENIAL (PC Agenda Item #15/rl).

<i>Pre-Application Meeting</i>	
08/04/06	At a Pre-application meeting, the applicant was informed that the proposed office development will require a Rezoning, a Site Development Plan Review, and a Variance for residential adjacency for a trash enclosure.
<i>Neighborhood Meeting</i>	
	A Neighborhood Meeting is not required for this application, nor was one held.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.26

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Duplex	SC (Service Commercial)	R-3 (Medium Density Residential)
North	Office	SC (Service Commercial)	SC (Service Commercial)
South	Office	SC (Service Commercial)	C-1 (Limited Commercial)
East	Service Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
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
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		Y
A-O Airport Overlay District – 200 -foot Buffer	X		Y
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	Y

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	0.26 Acres	Y
Min. Lot Width	100 Square Feet	87.77 Square Feet	N
Min. Setbacks			
• Front	20 Feet	15 Feet	N*
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	NA	NA
• Rear	20 Feet	15 Feet	N*
Max. Lot Coverage	50%	27%	Y
Max. Building Height	2 Stories	1 Story	Y
Trash Enclosure	50 Feet	6 Feet	N*
Mech. Equipment	Screened	Yes	Y
<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	56.25 Feet	77.25 Feet	N*
Adjacent development matching setback	15 Feet	15 Feet	Y
Trash Enclosure	50 Feet	6 Feet	N*

* Addressed in companion Variance (VAR-16181)

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-3 (Medium Density Residential)	13-25 2 du on subject site	6 du/acre 2 du on subject site	C-1 (Limited Commercial)	0	SC (Service Commercial)	0

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces	1 Tree	1 Tree	Y
Buffer:				
Min. Trees	1 Tree/20 Linear Feet	17 Trees	14 Trees	N**
TOTAL		18 Trees	15 Trees	N**
Min. Zone Width				
• East	15 Feet		5 Feet	N**
• Others	8 Feet		5 Feet	N**
Wall Height	6-8 Feet		Not Shown	

** Requested as waivers in companion Site Development Plan Review (SDR-16180)

Parking Requirement						
Use	Gross Floor Area or Number of Units	Required			Provided	
		Parking Ratio	Parking		Parking	
			Regular	Handi-capped	Regular	Handi-capped
Office	3,000 SF	1/300 SF	9	1	9	1
TOTAL			10		10	

Waivers		
Request	Requirement	Staff Recommendation
No Landscaping Buffer along south property line	8 -foot Buffer	Denial
5-foot Buffer along a 41-foot portion of the 110-foot west property lines	8 -foot Buffer	Denial
5-foot Buffer along a east property line	15 -foot Buffer	Denial

ANALYSIS

This variance has been requested because the subject proposal does not meet the minimum lot width requirements. The minimum lot width in the C-1 (Limited Commercial) zoning district is 100 feet where this lot is only 87 feet wide along the Decatur Avenue frontage. In addition, the size of the floor plan as well as the parking required to support an office of that size require the building to encroach the required rear yard setback by five feet and force the placement of the trash enclosure within six feet of the adjacent residential property. A related Variance (VAR-16181) will be considered concurrently for setback and residential adjacency deficiencies.

The subject proposal does not meet current Title 19 standards for landscaping in two areas. First, there is no parking area landscaping provided where two trees are required. Further, there is no buffer along the south property line in order to meet parking and access requirements.

While the subject site is undoubtedly restricted by an unusual shape and a sewer easement running along the southern edge of the property, the deviation from standards is considered a self-imposed hardship. The applicant is choosing to deviate from standards through their design choice in utilizing a 25-foot high building, including parapet and building a 3,000 square-foot office building on a site more suited to a smaller structure. Therefore, staff is recommending 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.”

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship in proposing to overbuild this site. Alternatively proposing a site plan for a smaller structure along with a Rezoning request for P-R (Professional Office and Parking) 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 15

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 215 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-17191** APN: 163-01-612-039

Name of Property Owner: PETER CHUNG & YIN YAN

Name of Applicant: PETER CHUNG & YIN YAN

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: PETER CHUNG & YIN YAN

Subscribed and sworn before me

This 25th day of Sep, 2006

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



SEP 28 2006

16301612002
R-1

16301612002
R-1

16301612001
P-R

16301612038
R-1

OFFICE BLDG
EAST ST
16301612039
R-1

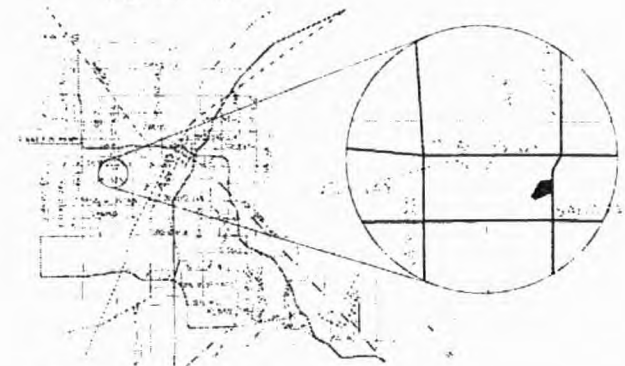
DECATUR
8777

ANGEL

128.28'
SHARED ACCESS

16301614036
C-1

VICINITY MAP



PROJECT SUMMARY

SITE

SITE AREA	PHASE 1	0.26 ACRES (11,324 SQ FT)
PARCEL NUMBERS	PHASE 1	163-01-612-039
CURRENT ZONING	LIMITED COMMERCIAL	C-1
LOT COVERAGE BY BUILDING FOOT PRINT	ALLOWABLE	50%
SETBACKS		
FRONT YARD		20 FEET
SIDE YARDS		10 FEET
REAR YARDS		20 FEET
BUILDING HEIGHT		
ALLOWED		NONE

BUILDING OCCUPANCY

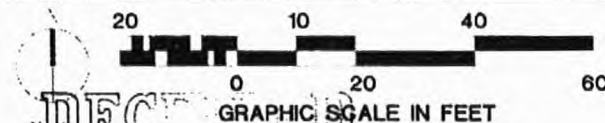
ONE STORY OFFICE	2,634 SQ. FT.
MAXIMUM CAPACITY	28 PEOPLE

PARKING

TOTAL PARKING REQUIRED	
1 SPACE FOR EVERY 300 SQ. FT. (HANDICAP SPACES)	2,634 / 300 = 9 SPACES (7 SPACES)
TOTAL PARKING PROVIDED	
PARKING SPACES (HANDICAP SPACES)	(9 SPACES) (1 SPACES)

SITE PLAN

ANGEL OFFICE



RECEIVED
FEB 07 2007

LENDALL MAINS
ARCHITECT
2005 First Place Lane
Suite #11
Lawrenceville, GA 30046
Phone: 770-967-5811
Fax: 770-967-5811

SHEET No
AS-1
DATE: 11/13/06

VAR-17191
02-21-07 CC

General Contracting and Construction Mgmt.

September 22, 2006

City Of Las Vegas
Planning & Development
731 South Fourth Street
Las Vegas, NV 89101

Re: Zon-16179 - Rezoning / 1333 Angel Drive

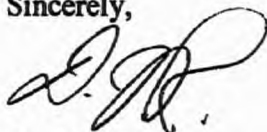
To Whom It May Concern,

Pursuant to the telephone call we received from your office today indicating the necessity of an additional variance to be filed in conjunction with the subject property re-zoning request related to the existing lot not meeting minimum lot width, please find the attached additional variance per your request. This letter serves also as the confirmation you requested of the need to address this minimum lot width variance, as well as your indication that it should not hinder the re-zoning of this property.

If you have any other requirements or questions of us, please do not hesitate to contact the undersigned.

*Further, it is acknowledged, that this will now be held until the
11/2/06 Planning Commission Mtg. DJR*

Sincerely,



David J. Roberts
President
D.J.R. CONSTRUCTION, INC.
Lic. #55636, Limit: \$750,000

RECEIVED
SEP 28 2006

w/ attachment

xc: Peter Chang, Yan Yin

8255 Hickam Ave. • Las Vegas, NV 89129 • (702) 210-8143 • Fax (702) 306-6860

VAR-17191
12/21/06 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-16179, VAR-16181, AND VAR-17191

SDR-16180 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: YIN YAN & PETER CHUNG - Request for a Site Development Plan Review FOR A 3,000 SQUARE FOOT COMMERCIAL BUILDING AND A WAIVER OF THE PERIMETER LANDSCAPE REQUIREMENTS on 0.26 acres at 1333 Angel Drive (APN 163-01-612-039), R-3 (Medium Density Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 1 (Tarkanian). NOTE: THIS APPLICATION IS BEING AMENDED FROM 1333 ANGEL DRIVE TO 5104 MOUNTAIN VIEW DRIVE. The Planning Commission (5-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

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

Motion made by LOIS TARKANIAN to Approve Subject to Conditions and amending Conditions 1, 3 and 4, delete Condition 5 and adding the following conditions as read for the record:

1. Conformance to the conditions for Rezoning (ZON-16179) and Variance (VAR-16181) if approved.

3. All development shall be in conformance with the site plan and landscape plan (date stamped 02/07/07) and building elevations (date stamped 08/22/06), except as amended by conditions herein.

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

4. The Waivers that are approved are for no perimeter landscaping where eight (8) feet is required on the south property line, nine feet landscaping on east side where 15 feet required and five feet landscaping on west side where eight feet are required.

A. The access to the cul-de-sac shall be limited as allowed by the Departments of Planning and Development and Public Works.

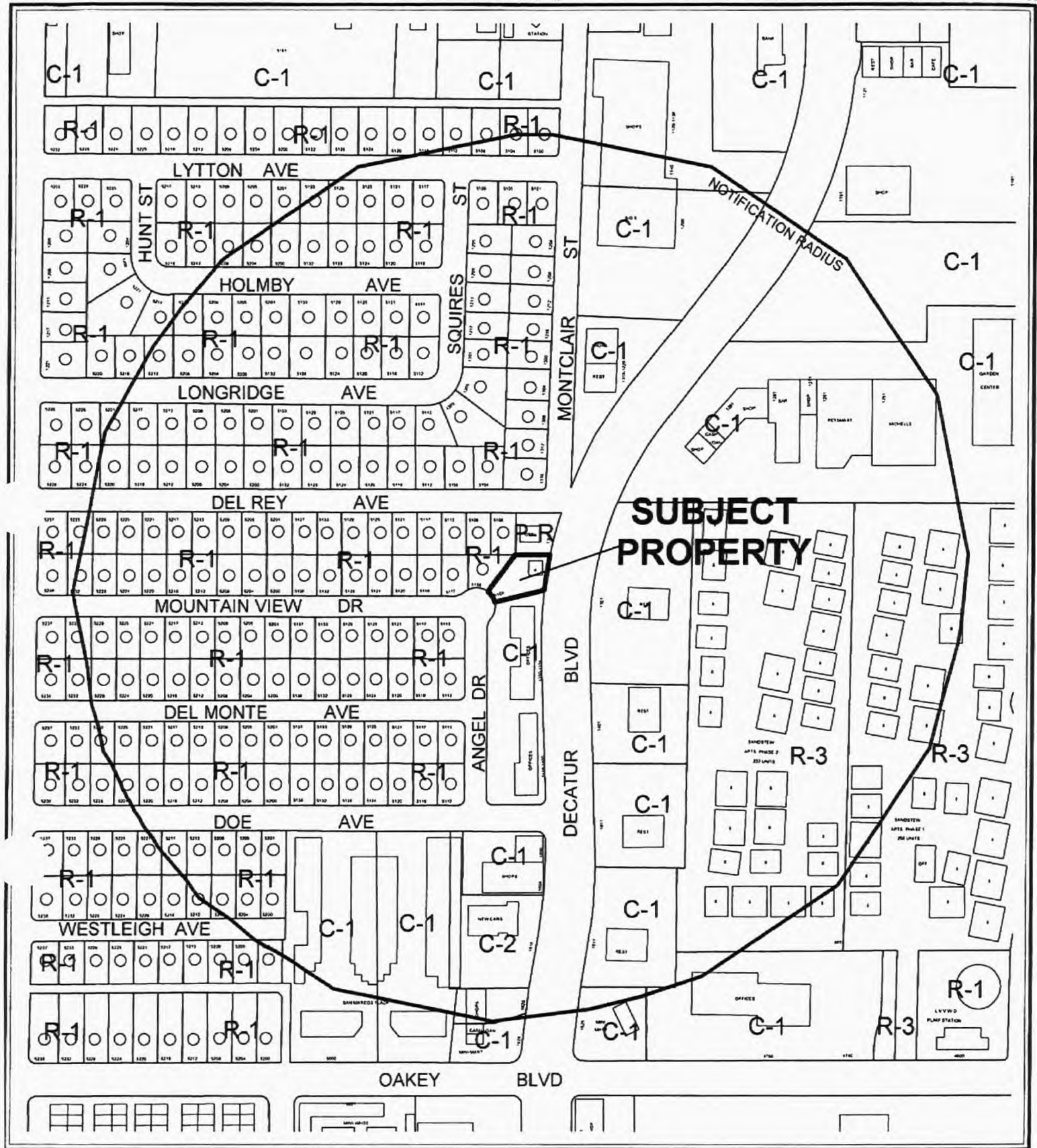
B. The western property lines shall meet residential wall requirements.

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

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

Minutes:

See Item 98 for related discussion.



CASE: **SDR-16180**

RADIUS: 1000 FT

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

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - SDR-16180 - APPLICANT/OWNER: YIN YAN & PETER CHUNG

THIS ITEM WAS HELD IN ABEYANCE FROM THE JANUARY 17, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (5-0 vote) and staff recommend DENIAL.

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-16179), Variance (VAR-16181) and Variance (VAR-17191) if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, (date stamped 11/20/06) and building elevations (date stamped 08/22/06), except as amended by conditions herein.
4. A Waiver from Title 19.12 is hereby approved, to allow no perimeter landscaping along the south property line where an eight-foot buffer and four trees are required, and to allow five-foot buffers along the north and west property lines where eight feet are required and along the east property line where 15 feet are required.
5. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for building permit, to reflect a maximum building area of 3,000 square feet.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
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 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. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the south prior to the issuance of any permits.
15. No permanent structures, such as the proposed sign, shall be constructed within the existing 6-foot Public Sewer Easement along the south side of this lot. The handicap access ramp may be permitted to be within the sewer easement; the applicant/owner shall televise the sewer line prior to any demolition or construction and provide a video tape to the Collection Systems Planning section of the Department of Public Works for review and approval prior to construction. The applicant shall also televise the sewer line after construction is complete and provide a video tape to the Collection Systems Planning section. If the sewer line is damaged in any way from construction all repair work shall be paid for in full by the applicant.
16. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

17. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
18. Site development to comply with all applicable conditions of approval for ZON-16179 and all other site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is for a 3,000 square-foot office building with Waivers of Perimeter Landscaping requirements to allow no trees and no landscape buffer along the south property line where 3 trees and a minimum 8-foot buffer is required, to allow a five-foot landscape buffer along the east property line where a 15-foot buffer is required, and to allow a five-foot buffer along a portion of the west property line where an eight-foot buffer is required, on 0.26 acres at 5104 Mountain View Drive. Companion applications include ZON-16179, VAR-16181 and VAR-17191.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>			
12/21/06	The Planning Commission recommended denial of companion items ZON-16179, VAR-16181 and VAR-17191 concurrently with this application. The Planning Commission voted 5-0 to recommend DENIAL (PC Agenda Item #16/rl).		
<i>Pre-Application Meeting</i>			
08/04/06	At a Pre-application meeting, the applicant was informed that the proposed office development will require a Rezoning, a Site Development Plan Review, and a Variance for residential adjacency for a trash enclosure.		
<i>Neighborhood Meeting</i>			
	A Neighborhood Meeting is not required for this application, nor was one held.		
<i>Details of Application Request</i>			
<i>Site Area</i>			
Gross Acres	0.26		
Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Duplex	SC (Service Commercial)	R-3 (Medium Density Residential)
North	Office	SC (Service Commercial)	SC (Service Commercial)
South	Office	SC (Service Commercial)	C-1 (Limited Commercial)
East	Service Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
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	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		Y
A-O Airport Overlay District – 200 -foot Buffer	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A

DEVELOPMENT STANDARDS

<i>Standard</i>				<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size				NA	0.26 Acres	Y
Min. Lot Width				100	87.77	N*
Min. Setbacks						
• Front				20 Feet	15 Feet	N**
• Side				10 Feet	10 Feet	Y
• Corner				15 Feet	NA	NA
• Rear				20 Feet	15 Feet	N**
Max. Lot Coverage				50%	27%	Y
Max. Building Height				2 Stories 35 Feet	1 Story 25 Feet including Parapet	Y
Trash Enclosure				50 Feet	6 Feet	N**
Mech. Equipment				Screened	Yes	Y
<i>Residential Adjacency Standards</i>				<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope				56.25 Feet	77.25 Feet	N**
Adjacent development matching setback				15 Feet	15 Feet	Y
Trash Enclosure				50 Feet	6 Feet	N**
<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-3	13-25 2 d/u on the subject site	6 2 d/u on the subject site	C-1	0	SC	0

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces	1 Tree	1 Tree	Y
Buffer:				
Min. Trees	1 Tree/20 Linear Feet	17 Trees	14 Trees	N
TOTAL		18 Trees	15 Trees	N
Min. Zone Width				
• East	15 Feet		5 Feet	N
• Others	8 Feet		5 Feet	N
Wall Height	6-8 Feet		Not Shown	

* Addressed in companion Variance (VAR-17191)

** Addressed in companion Variance (VAR-16181)

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office	3,000 SF	1/300 SF	9	1	9	1	Y
TOTAL			10		10		Y

Waivers		
Request	Requirement	Staff Recommendation
No Landscaping Buffer along south property line	8 -foot Buffer	Denial
5-foot Buffer along a 41-foot portion of the 110-foot west property lines	8 -foot Buffer	Denial
5-foot Buffer along a east property line	15 -foot Buffer	Denial

ANALYSIS

- Zoning

The proposed C-1 (Limited Commercial) zone that the applicant requests for the subject site in the related Rezoning (ZON-16179) will conform to the General Plan Designation of SC (Service Commercial), but the subject site is 87 feet wide where 100 feet is the minimum lot width required in the C-1 zone. This deficiency requires a Variance (VAR-17191) which accompanies this application. The site is currently located in the R-3 (Medium Density Residential) zone, which is non-conforming to the

General Plan Designation of SC (Service Commercial). Because the subject site does not meet the minimum lot width requirements and because the applicant proposes to overbuild this site, staff is recommending denial on the requested Rezoning.

- Site Plan

The applicant is proposing to build a 3,000 square-foot office building on the subject site fronting Decatur Boulevard. Currently, the residential structure fronts the corner of Mountain View Drive and Angel Drive. Access to the property will be provided through a shared access agreement for an existing driveway on the parcel directly south of the subject site on Decatur Boulevard. The minimum 10 required parking spaces are provided. Four spaces, including the required van accessible space back directly onto the shared access drive on the adjoining parcel. The remaining six spaces and the trash enclosure are provided in a small parking lot to the rear of the building, also accessed via the shared driveway.

The site plan shows the building to be set back 15 feet from both the front and rear property line where 20 feet is the minimum setback required. In addition, a trash enclosure is sited six feet from the rear property line which abuts a residential lot where a 50 residential adjacency setback is required for a trash enclosure. These deficiencies require a Variance (VAR-16181), which accompanies the subject Site Development Plan Review. The applicant is requesting waivers as a part of this project, including perimeter and parking lot landscape requirements.

- Waivers

This application requires waivers for perimeter landscaping. Specifically, the waivers are requested to allow no perimeter landscaping along the south property line where eight 24-inch box trees are required 20 feet apart on center in an eight-foot landscape buffer and to allow a five-foot landscape buffer along 41 feet of the 110-foot long west property line where an eight-foot landscape buffer is required. The required eight-foot buffer is provided along the remaining 69 feet of the property, and all six trees required along the west property line are provided every 20 feet. A waiver is also requested to allow 5 Trees in a five-foot landscape buffer along Decatur Boulevard where 5 Trees in a 15-foot landscape buffer is required.

- Landscaping

The proposed project indicates one parking lot tree where one is required. There are seven Modesto Ash trees and nine Southern Live Oaks provided to meet the required 24-inch box trees accompanied by 44 red yucca shrubs and 42 sea green junipers to meet the five-gallon shrub requirements. A waiver is requested to allow no landscaping along the southern property line and a reduction of the width of a portion of the buffer along the west property line to allow parking. The north and east property line buffers provide a

24-inch box tree every 20 feet on center where only one tree every 30 feet on center is required, but the buffer width on the east property line is only five feet wide where 15 feet is the minimum buffer width required, necessitating an additional waiver.

- Elevation

The elevation plan depicts a single 3,000 square-foot building fronting Decatur Boulevard to the east and extending 52 feet westerly to the rear property line, closest to the existing residential parcel immediately to the west of the subject site. The front (east elevation) of the building consists of aluminum storefront fixtures with insulated glass, typical of this type of development. The aluminum storefront structure is nine feet and eight inches high. The primary façade is of brown stucco with tan and violet accents. The north and south elevations, the sides of the building, show the continuation of the aluminum storefront for the easterly third with a continuation of the stucco pattern for the remainder of the walls. The west (rear) elevation shows a stucco façade with three exit doors spaced evenly along the wall with a scupper on each side of the middle door, place halfway between the middle door and the outer doors. Most of the building is 15 feet high, although a 25.75-foot parapet in front fails to conform to the residential adjacency proximity slope setback requirements of Title 19.08. The parapet at its maximum height is only 56.25 feet from a residential property where 77.25 feet is required for the residential adjacency proximity slope setback requirements of Title 19.08. This deficiency would require the approval of a Variance (VAR-16181) which accompanies this application.

- Floor Plan

The provided floor plan depicts a 3,000 square-foot office building consisting of three equally sized 1,000 square-foot office suites. The floor plan shows three open areas with dimensions of 20 feet by 50 feet.

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 a change from residential to commercial use is consistent with the General Plan designation of SC (Service Commercial) on the subject site, the proposed 3,00 square-foot office building on the oddly shaped site requires waivers and variances in order to comply with Title 19. A smaller building on the subject site would be appropriate and could conform to Title 19 standards.

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

The proposed site plan is consistent with the General Plan, but is not consistent with Title 19 in meeting landscape and setback requirements.

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

Access to the site will no longer be from the residential Mountain View Drive. Instead, the site will be accessed by Decatur Boulevard, a 100-Foot Primary Arterial that is adequate to meet the needs of the proposed development.

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

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;**

The 25-foot, nine-inch high building, including the parapet is inconsistent with the design and development standards in Title 19.08 in that it is only 56.75 Feet from the adjacent residential property where 77.25 Feet is required. The proposed development further fails to meet minimum setback and lot width requirements. The landscape buffer waivers which are implemented in order to approve a building larger than is appropriate for the size and shape of the subject site are neither harmonious nor compatible with development in the area.

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

The need for numerous waivers indicates that appropriate measures are not taken to secure and protect the public health, safety and general welfare

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

15

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 215 by Planning and Development Dept

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-16180** APN: 163-01-612-039

Name of Property Owner: Peter Chung & Yin YAN

Name of Applicant: peter chung & Yin YAN

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

 Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

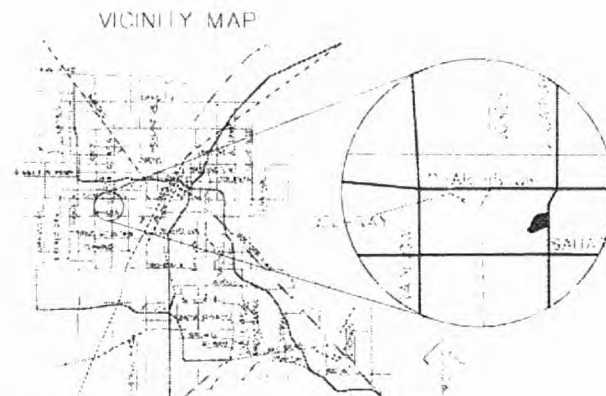
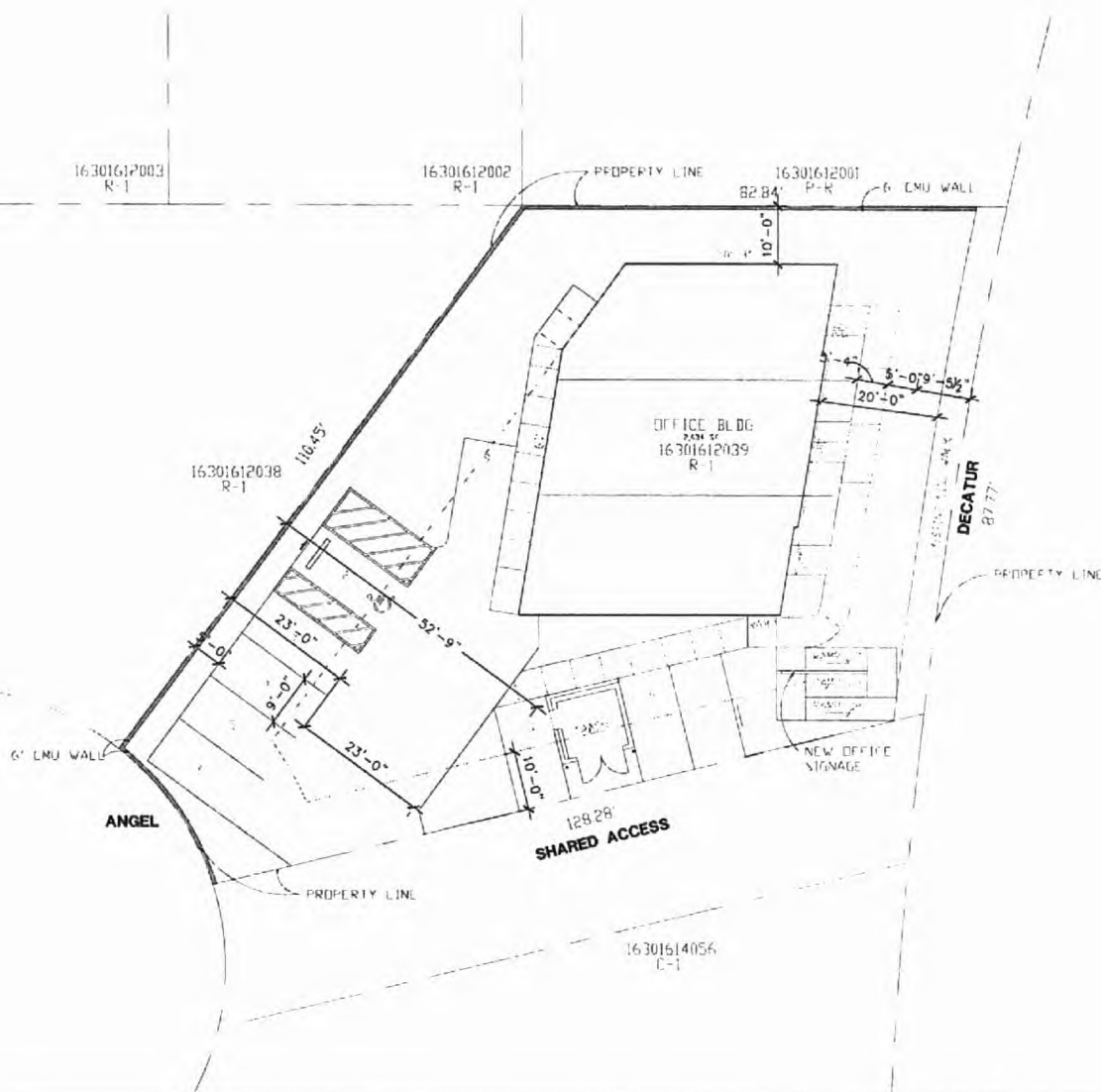
Signature of Property Owner: Ying P. S.
Print Name: YIN YAN & Peter Chung

Subscribed and sworn before me

This 21 day of August, 2006

Notary Public in and for said County and State





PROJECT SUMMARY

SITE		
SITE AREA:	PHASE 1	0.26 ACRES (11,324 SQ. FT.)
PARCEL NUMBERS:	PHASE 1	163-01-612-039
CURRENT ZONING:	LIMITED COMMERCIAL	LC-1
LOT COVERAGE BY BUILDING FOOT PRINT (MAXIMUM):	ALLOWABLE	50%
SETBACKS:		
FRONT YARD:		25 FEET
SIDE YARDS:		10 FEET
REAR YARDS:		20 FEET
BUILDING HEIGHT ALLOWED:		NONE

BUILDING OCCUPANCY

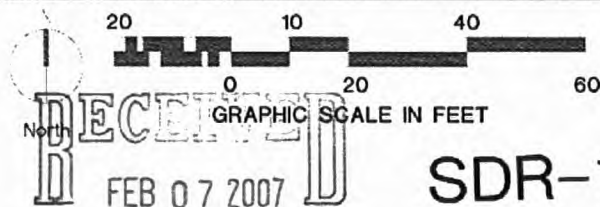
ONE STORY OFFICE	2,634 sq. ft.
MAXIMUM CAPACITY	26 PEOPLE

PARKING

TOTAL PARKING REQUIRED:	
1 SPACE FOR EVERY 300 S.F.	2,634/300 = 9 SPACES
(HANDICAP SPACES)	(1 SPACES)
TOTAL PARKING PROVIDED:	
PARKING SPACES	(9 SPACES)
(HANDICAP SPACES)	(1 SPACES)

SITE PLAN

ANGEL OFFICE



LENDALL MAINS
ARCHITECT
2025 Full Power Line
Scale #1
1/4" = 1'-0" (1/8" = 1'-0")
1/8" = 1'-0" (1/16" = 1'-0")
1/16" = 1'-0" (1/32" = 1'-0")

SHEET No.

AS-1

DATE: 11/13/06

SDR-16180

02-21-07 CC

16301612003
R-1

16301612002
R-1

16301612001
8284 P-R

16301612038
R-1

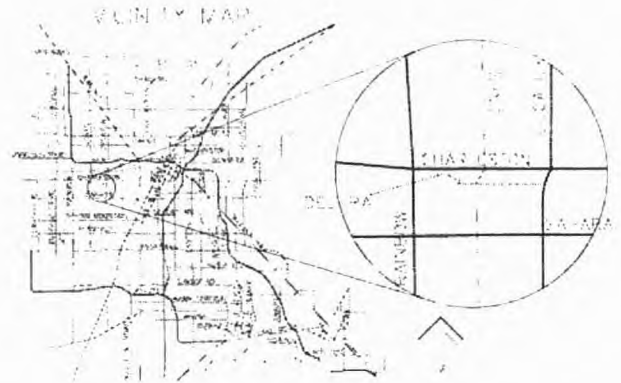
OFFICE BLDG
16301612039
R-1

DECATUR
8777

ANGEL

120 PM
SHARED ACCESS

16301614056
C-1



PLANT LISTING

SYMBOL TOTAL SIZE BOTANICAL NAME COMMON NAME

TREES



7 24" BOX FRAXINUS MODESTO ASH



9 24" BOX QUERCUS VIRGINIANA SOUTHERN LIVE OAK

SHRUBS/ACCENTS



44 5' GAL NESPORALE PARVIFLORA RED YUCCA



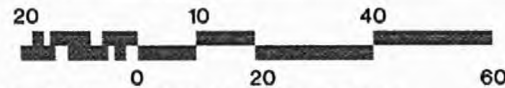
42 5' GAL JUNIPERUS CHINENSIS SEA GREEN JUNIPER

NOTES

- ALL LANDSCAPING SHALL MEET THE REQUIREMENTS OUTLINED IN THE SITE LANDSCAPING & SCREENING STANDARDS, LAS VEGAS ZONING CODE, TITLE 12
- ALL PLANTING AREAS SHALL RECEIVE A 2" MINIMUM LAYER OF CRUSHED ROCK
- ALL PLANTS SHALL BE WATERED BY AN AUTOMATIC DRIP IRRIGATION SYSTEM
- CONTRACTOR TO LOCATE ALL PLANT MATERIAL RELATIVE TO THE CENTER OF THE PLANT SYMBOL, WHICH IS THE SIZE OF THE MATURE PLANT. THIS CRUCIAL ESPECIALLY ALONG WALKWAY

LANDSCAPE PLAN

ANGEL OFFICE



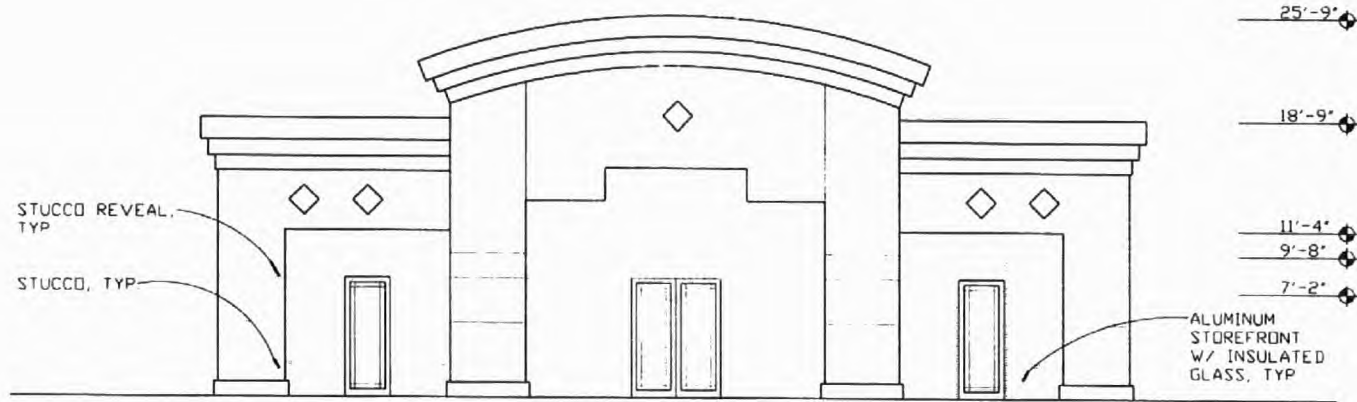
GRAPHIC SCALE IN FEET

LENDALL MAINS
ARCHITECT
1000 N. MOUNTAIN VIEW
SUITE 101
LAS VEGAS, NEVADA 89101
PHONE: 794-1100
FAX: 794-1101

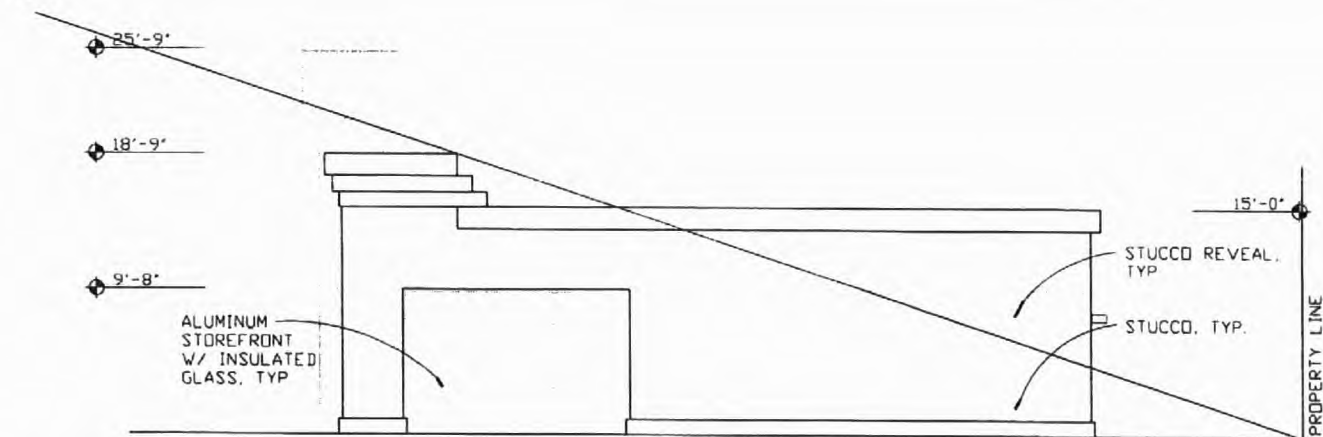
L-1

RECEIVED
FEB 07 2007

SDR-16180
02-21-07 CC



(B) EAST ELEVATION



(A) NORTH ELEVATION

RECEIVED
AUG 22 2006

ELEVATIONS

ANGEL OFFICE

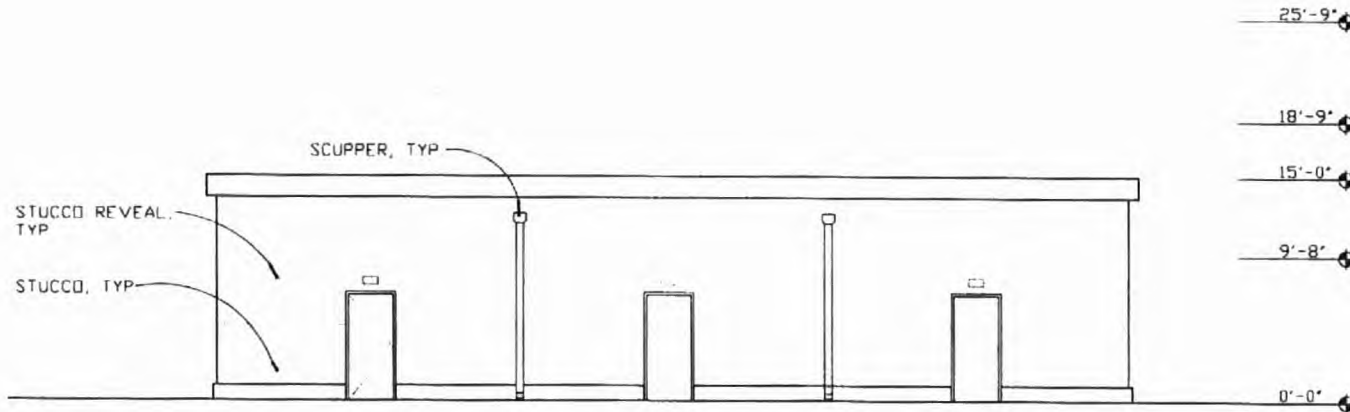


LENDALL MAINS
ARCHITECT
3550 East Patrick Lane
Suite #1
Las Vegas, Nevada 89120
Phone: (702) 437-5621
Fax: (702) 437-5623

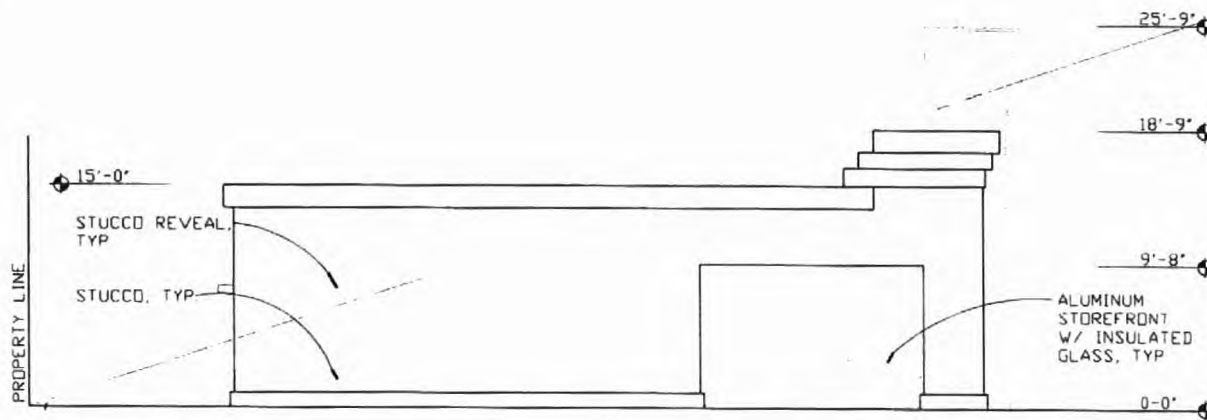
SHEET No

A-2
DATE: 8/21/06

ZON-16179 VAR-16181
SDR-16180 12/21/06 PC



B WEST ELEVATION



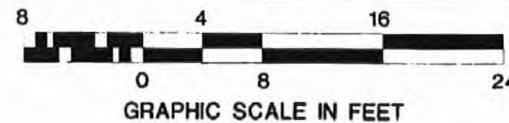
A SOUTH ELEVATION

RECEIVED

AUG 22 2006

ELEVATIONS

ANGEL OFFICE



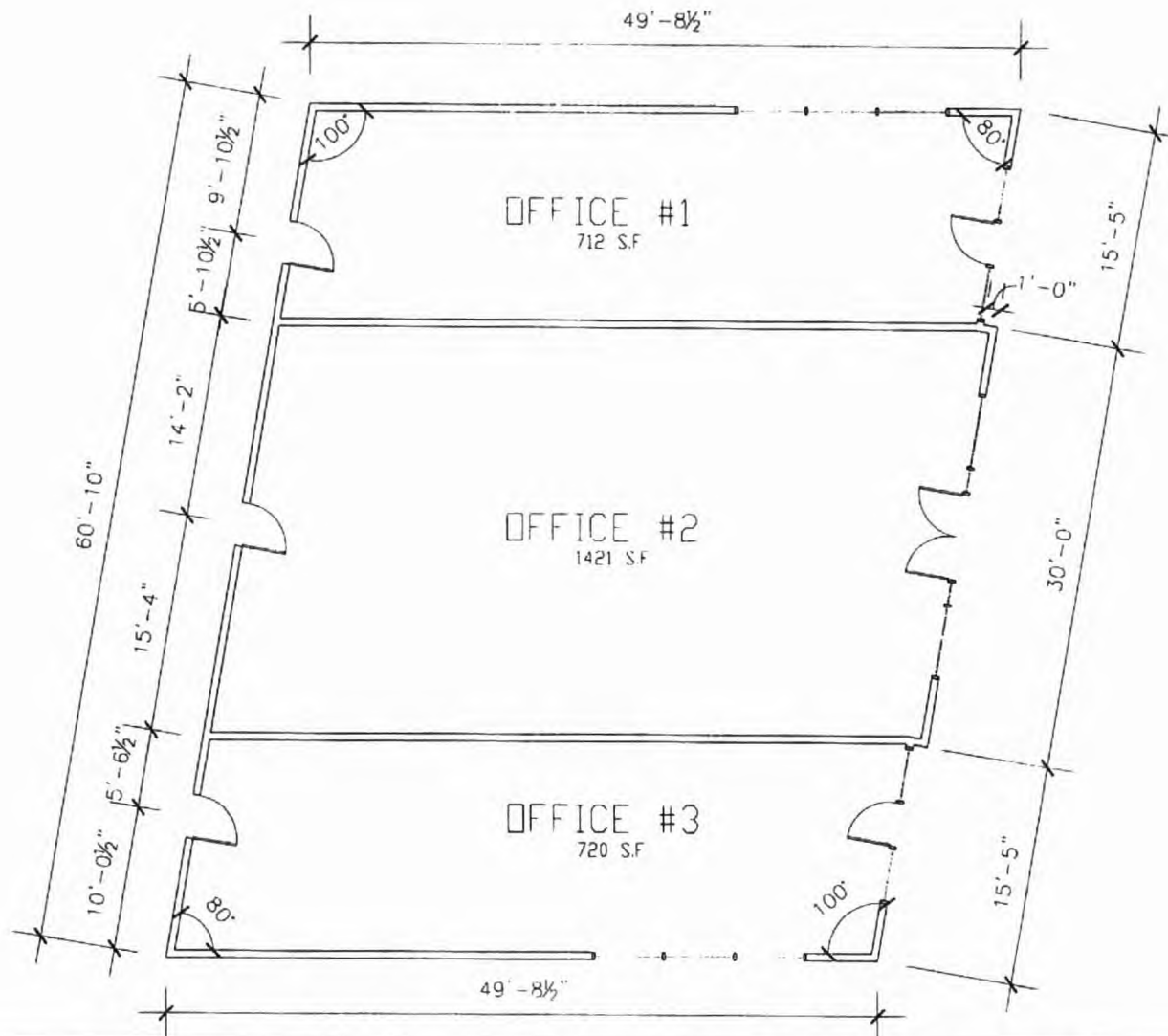
LENDALL MAINS
ARCHITECT
3930 East Patrick Lane
Suite #1
Las Vegas, Nevada 89120
Phone: 702.437.5621
Fax: 702.437.5623

SHEET No.

A-3

DATE: 8/21/06

ZON-16179 VAR-16181
SDR-16180 12/21/06 PC



FLOOR PLAN - 3,086.5 SF.

ANGEL OFFICE



LENDALL MAINS
ARCHITECT
2850 East Patrick Lane
Suite #1
Las Vegas, Nevada 89119
Phone 702 437 5821
Fax 702 437 5821

SHEET No.

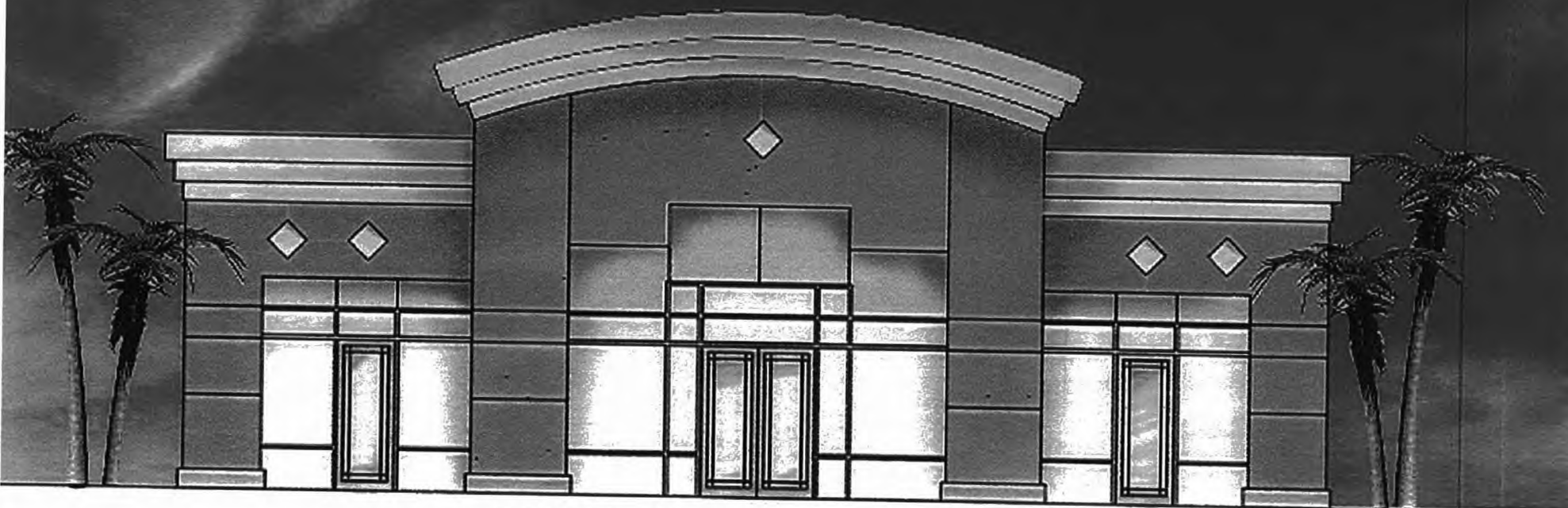
RECEIVED

DATE: 8/21/06

ZON-16179 VAR-16181
SDR-16180 12/21/06 PC

AUG 22 2006

HENDALL MATS
ARCHITECT
1990 E. PATRICK LANE
LAS VEGAS, NV
P: (702)437-5821
F: (702)437-5822



ANGEL OFFICES'

RECEIVED

AUG 22 2006

ZON-16179 VAR-16181
SDR-16180 12/21/06 PC

SDR 16180				
Yin Yan & Peter Chung				
1333 Angel Drive				
Proposed 3 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	11.01	33
AM Peak Hour			1.55	5
PM Peak Hour			1.49	4
(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]	3		23
AM Peak Hour				4
PM Peak Hour				3
(heaviest 60 minutes)				
Existing traffic on all nearby streets: Counts not available for Angle Drive				
Decatur Boulevard				
Average Daily Traffic (ADT)	47,999			
PM Peak Hour	3840			
(heaviest 60 minutes)				
Charleston Boulevard				
Average Daily Traffic (ADT)	49,083			
PM Peak Hour	3927			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets: Counts not available for Angle Drive				
	Adjacent street ADT			

	Capacity			
Decatur Boulevard	51700			
Charleston Boulevard	51700			
This project will add approximately 23 trips per day on Decatur and Charleston. This will increase expected volumes by less than 1 percent on these streets. Decatur is at 93 percent of capacity and Charleston is at about 95 percent of capacity. Counts are not available for Angel, but it is believed to be under capacity.				
Based on Peak Hour use, this development will add roughly 3 additional cars into the area; which works out to about one every twenty minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



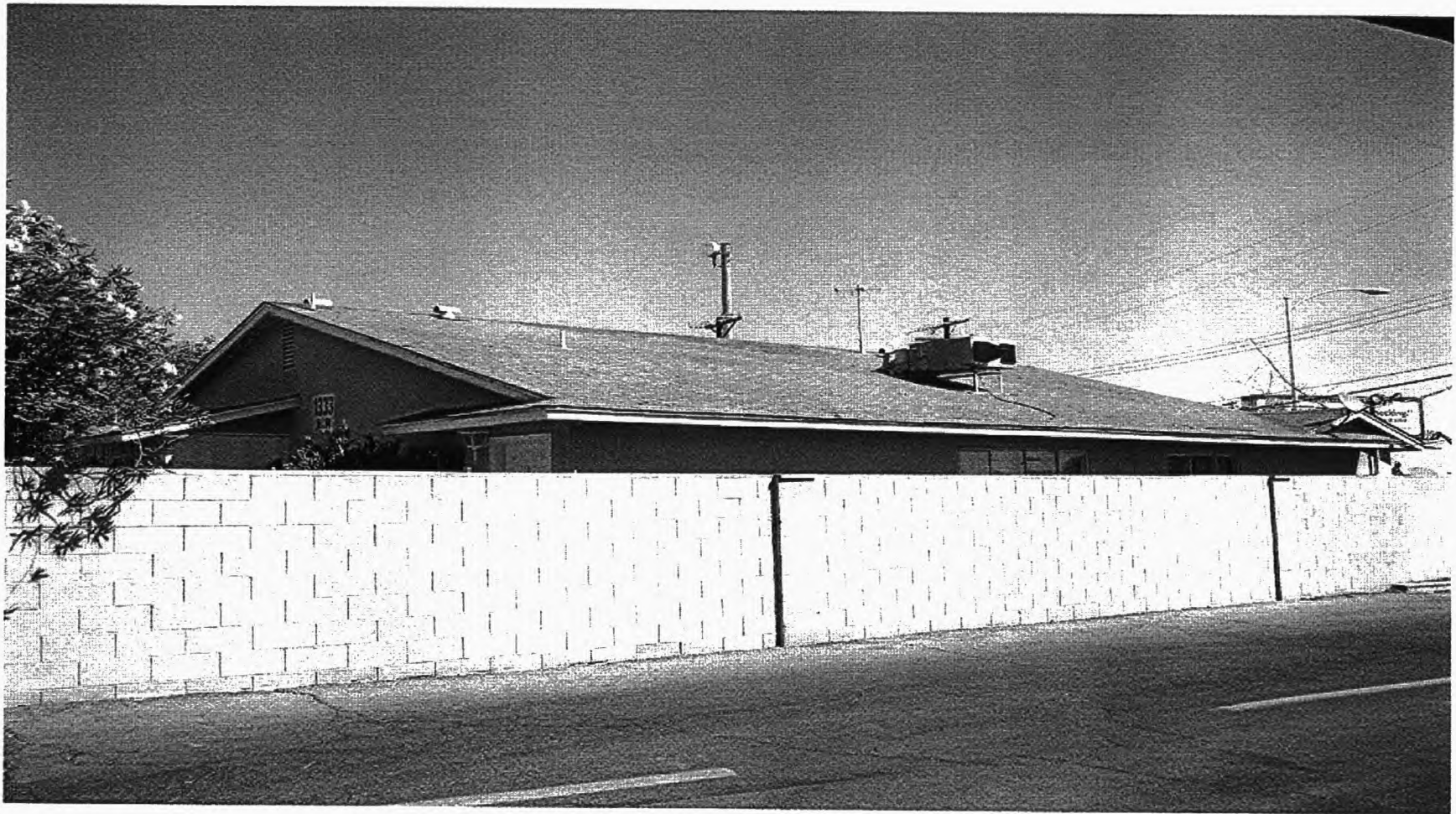
ZON-16179, VAR-16181, VAR-17191 & SDR-16180 - APPLICANT/OWNER: YIN YAN & PETER CHUNG
5104 MOUNTAIN VIEW DRIVE
DECEMBER 21, 2006 PLANNING COMMISSION

08/30/06



ZON-16179, VAR-16181, VAR-17191 & SDR-16180 - APPLICANT/OWNER: YIN YAN & PETER CHUNG
5104 MOUNTAIN VIEW DRIVE
DECEMBER 21, 2006 PLANNING COMMISSION

08/30/06



ZON-16179, VAR-16181, VAR-17191 & SDR-16180 - APPLICANT/OWNER: YIN YAN & PETER CHUNG
5104 MOUNTAIN VIEW DRIVE
DECEMBER 21, 2006 PLANNING COMMISSION

08/30/06

LENDALL MAINS ARCHITECT

August 21, 2004

Doug Rankin, Planner
City of Las Vegas
731 S. 4th St.
Las Vegas, NV 89101

RE: 1333 Angel Drive
Request for Zoning Change, Site development, landscape wavers and trash and building variance.

Please accept this letter as justification for re-zoning changes to A.P.No. 163-016-120-38. We are also requesting perimeter landscape and parking landscape wavers and a variance for trash enclosure location and front pediment height at Decatur side of building.

We request that A.P. No. 163-016-120-38 be re-zoned from R-3 to C-1 Commercial which compliments the c-1 zoning to the property directly south that joint access is shared with. We are also changing the entry to the site from Angel Drive which is residential to Decatur Boulevard. We will comply with all C-1 requirements on the parcel except as follows. We are requesting that the following items be approved due to this being a small, odd shaped lot; parking and perimeter landscape will be provided as shown with a waver for widths; variance to have trash enclosure next to the adjacent C-1 parcel to keep the trash from being back by the adjacent residence; and a height variance for the front center parapet pediment that is along Decatur Boulevard from 18'-9" to 25'-9".

Sincerely,



Lendall Mains, FCSI, AIA
Principal

ZON-16179 VAR-16181
SDR-16180 12/21/06 F
3930 E. Patrick Lane, Ste.
Las Vegas NV 89111
(702) 437-5621
(702) 437-5623 F

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**
REZONING

ZON-17242 – ABEYANCE ITEM - PUBLIC HEARING – APPLICANT/OWNER: TOUSA HOMES, INC. - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 2.86 acres at the northwest corner of Bradley Road and Deer Springs Way (APN 125-24-203-022), Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

49

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to conditions.

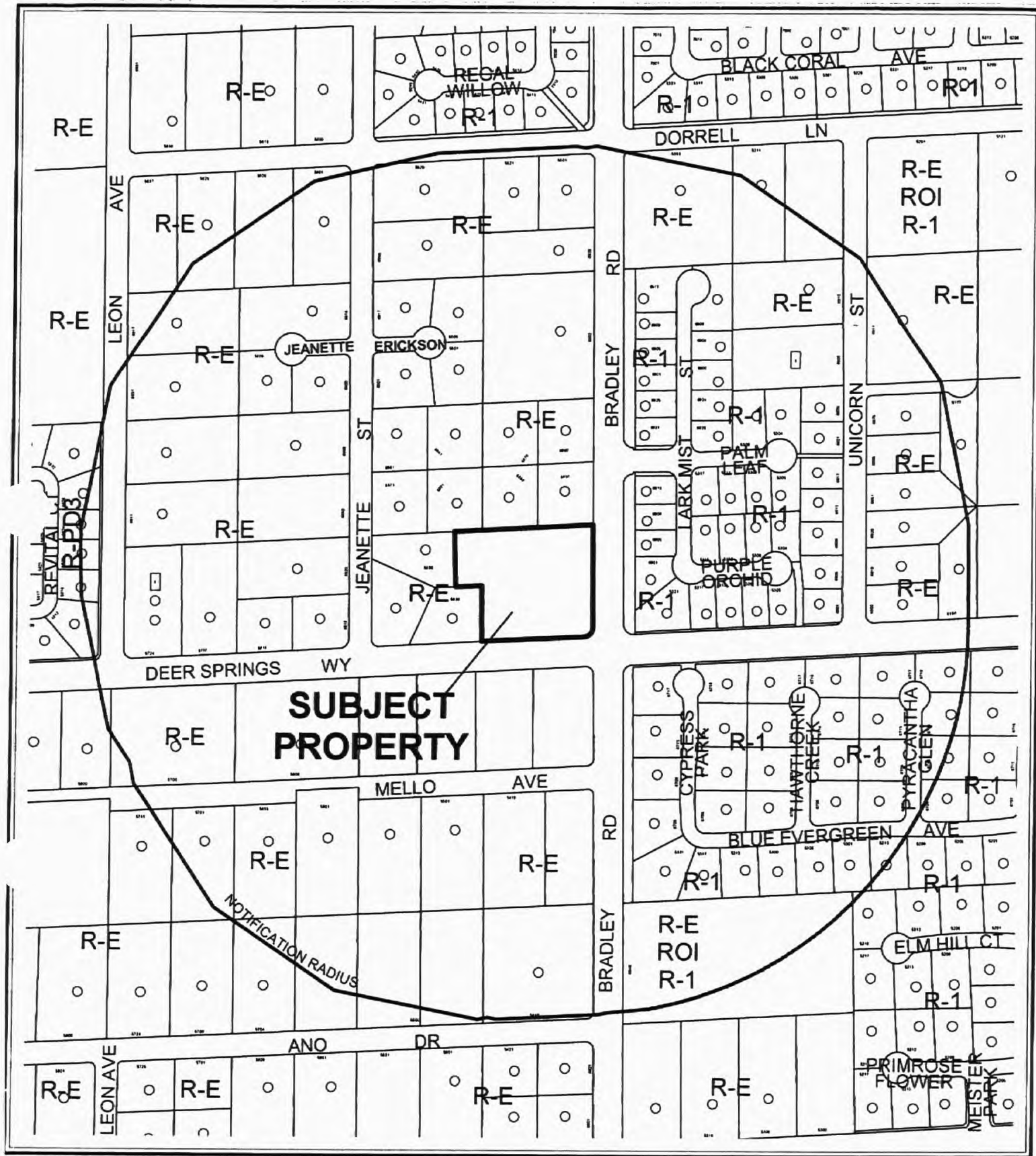
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Protest letter by Rock D. Halverson and protest petition for Items 102-104 and revised plans by staff

Motion made by LARRY BROWN to Hold in Abeyance Item 63 [1919 Fremont Street], Item 64 [900 Stewart Avenue, 216 and 222 N. 9th Street], Item 89 [SUP-18655], Item 94 [GPA-16511], Item 95 [ZON-16519], Item 96 [VAR-16525], Item 97 [SDR-16522], Item 105 [VAR-17871], Item 106 [SDR-17312], Item 111 [GPA-18818], Item 112 [ZON-18819], Item 113 [VAR-18820], Item 114 [SUP-18821] and Item 115 [SDR-18822] to 3/07/2007; Item 102 [ZON-17242], Item 103 [VAR-17244] and Item 104 [SDR-17247] to 3/21/2007; Item 107 [SUP-13490] and Item 110 [SDR-15747] to 4/18/2007

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

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



CASE: **ZON-17242**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

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

0 200 400 Feet





CASE: ZON-17242

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - ZON-17242 - APPLICANT/OWNER: TOUSA HOMES, INC.

THIS ITEM WAS HELD IN ABEYANCE FROM THE JANUARY 17, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-17247) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the northwest corner of Bradley Road and Deer Springs Way and grant a traffic signal chord easement.
4. Construct all incomplete half-street improvements, including appropriate transitional paving, on Bradley Road and Deer Springs Way adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. A working sanitary sewer connection shall be in place prior to final inspection of any units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed within 24 months of approval of construction drawings. No partial bond releases will be allowed until all perimeter roadway improvements are in place.

6. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sewer in the private street to the existing residences west of this site at a location and to a depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from R-E (Residence Estates) to R-PD2 (Residential Planned Development - 2 Units Per Acre).

The proposed rezoning to and R-PD2 (Residential Planned Development – 2 Units Per Acre) is not considered appropriate for this location. The parcel does not meet the minimum lot size for Residential Planned Development and a Variance (VAR-17244) is required. The lot sizes that result from this rezoning are approximately 4,000 square feet smaller than what is currently permitted on this property. The setbacks that would result are more closely related to those of the R-D (Single-family Residential-Restricted) District than the current R-E (Residence Estates) District. Due to these factors denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/06	The Planning Commission recommended approval of companion items VAR-17244 and SDR-17247 concurrently with this application. The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #27/ng).
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this development.	
<i>Pre-Application Meeting</i>	
09/15/06	A pre-application meeting was held. It was noted that the site was located in the Rural Preservation Overlay District Buffer. The applicant stated that these would be a mix of one and two-story homes and that the cul-de-sac would align with the western portion that is already developed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.86
Net Acres	2.26

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single-family Residential	L (Low Density Residential)	R-E (Residence Estates)
North	Single-family Residential	L (Low Density Residential)	R-E (Residence Estates)
South	Undeveloped	L (Low Density Residential)	R-E (Residence Estates)
East	Single-family Residential	ML (Medium Low Density Residential)	R-1 (Single-family Residential)
West	Single-family Residential	L (Low Density Residential)	R-E (Residence Estates)

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

DEVELOPMENT STANDARDS

Per Title 19.06 the following Development Standards apply:

Standard	Provided
Min. Lot Size	16,030 SF
Min. Lot Width	91.79 Feet
Min. Setbacks	
• Front	20 Feet
• Side	10 Feet
• Corner	15 Feet
• Rear	25 Feet
Max. Building Height	29.5 Feet

Existing Zoning	Permitted Density	Units Allowed	Proposed Zoning	Permitted Density	General Plan	Permitted Density
R-E (Residence Estates)	2 Units per Acre	Seven (Only Five are Proposed)	R-PD2 (Residential Planned Development – 2 Units Per Acres)	2.49 Units per Acre	L (Low Density Residential)	5.49 Units Per Acre)

Per Title 19.06.040, the following parking standards apply:

Open Space

Residential Planned Developments with less than 12 units are not required to provide open space. This development proposes five-lots and open space is not required. It is noted that the applicant is providing a six-foot streetscape area along Bradley Road (Common Lot A) that includes landscaping that meets Code requirements. The applicant is requesting a waiver of the streetscape requirements along Deer Springs Way.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement

The project is required to provide a minimum of two parking spaces per unit. Each unit proposes a minimum of a two car garage, while most units include a three car garage. This meets Title 19.10 parking requirements.

ANALYSIS

The proposed rezoning is not considered appropriate. The parcel does not meet the requirements of Title 19.06.040 for Residential Planned Development as it is less than five acres in area. The subject property is 43 percent deficient in acreage. This deviation requires a Variance (VAR-17244) and denial of that variance is recommended. It is further noted that this rezoning to an R-PD2 (Residential Planned Development – 2 Units Per Acre) District would permit the applicant to develop one additional lot on the property than what would currently be permitted under the R-E (Residence Estates) District. The result is lot sizes of just over 16,000 square feet where 20,000 square feet is currently the minimum permitted. The smaller lots create shorter setbacks. The proposed development standards make the site incompatible with the surrounding neighborhood. Denial of this request is recommended.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. “The proposal conforms to the General Plan.”

The proposed R-PD2 (Residential Planned Development – 2 Units Per Acre) District would be in compliance with the General Plan, which is L (Low Density Residential). It is noted that this General Plan Designation is not reflective of the development in the neighborhood. The area is primarily R-E (Residence Estates) zoned with lot sizes of over 20,000 square feet. This is more typical of the RNP (Rural Neighborhood Preservation) land use designation. While the proposed development conforms to the General Plan, the proposal is considered to be incompatible with the surrounding area due to smaller lot sizes, the required Variance, and waivers of streetscape standards.

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

The single-family residential use is compatible with the area; however, the proposed design includes lot sizes that are smaller than adjacent lots and additional deviations from standards that make the proposed project incompatible with the area.

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

Growth and development factors do not indicate the need for this rezoning. The applicant is simply gaining an additional lot over what would otherwise be permissible under the current zoning designation.

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.”**

Site access is provided from Deer Springs Way, an 80-foot Secondary Collector. This street will provide adequate access to the proposed development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 150 by Planning and Development Dept

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-17242** APN: 125-24-203-022
Name of Property Owner: Tousa Homes
Name of Applicant: Wright Engineers

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: _____

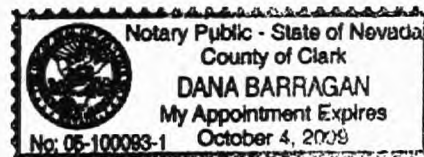
Signature of Property Owner: _____

Print Name: _____

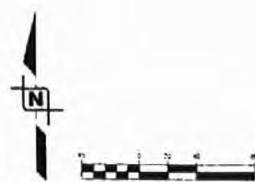
Cheryl Kypreos

Subscribed and sworn before me

This 21st day of September 2006
Dana Barragan
Notary Public in and for said County and State



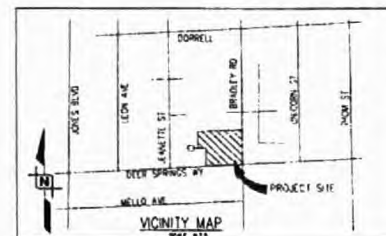
R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT-2 UNITS PER ACRE)
APN# 125-24-203-022



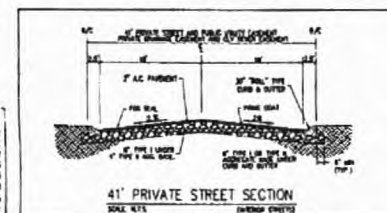
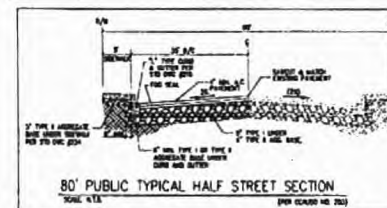
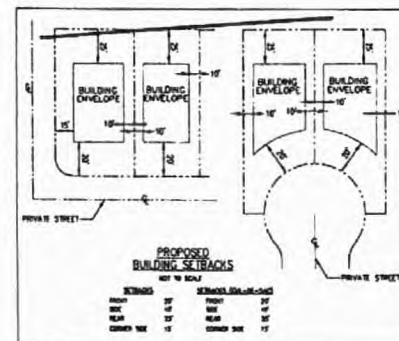
ZON-17242
12/21/06 PC

ENGINEER
WRIGHT ENGINEERS
7425 PEAR DRIVE
LAS VEGAS, NEVADA 89120
91 (702) 832-7880 Fax (702) 834-8129
CIVIL MECHANICAL ELEC. & PLUMBING

SUE WATA	
ASSESSORS PRICE, \$10000	125-24-200-02
CURRENT ZONING	R-
PROPOSED ZONING	R-PD
CROSS ACRES	2.8
NUMBER OF LOTS	
COMMON LOTS	
DU/AC	1.7
MINIMUM LOT SIZE	10,000



RECEIVED
OCT 02 2006



WRIGHT
client driven

[illegible]

ENGLE HOMES

1872 WEST SHAWNA AVE.
LAS VEGAS, NEVADA 89117
TEL (702) 248-0125 FAX (702) 248-0411

CHECK NO. 1	DATE
CHECK NO. 2	DATE

ENGLE HOMES
FALCON CREST UNIT 1
SITE PLAN -DEER SPRINGS WAY

DATE	9/25/78
DRAWING BY	SLB
PROJECT NAME	
PROJECT NO.	0104192
REVISION	1-1



SHEET
51
1 OF 1 SHEETS
DRAWING NO



September 28, 2006

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

Dear Ladies/Gentlemen:

Please accept this letter from Wright Engineers on behalf of our client, Tousa Homes, Inc., as the justification for related requests for a Rezoning, a Variance and a Site Development Plan Review for development of property located at the northwest corner of Deer Springs Way and Bradley Road, also known as Falcon Crest Unit 1 (APN 125-24-203-022).

Our client intends to develop five single-family homes on the site. The site is currently designated L (Low Density Residential) in the City's Master Plan, which allows for densities up to 5.5 u.p.a. The site is currently zoned R-E (Residence Estates).

The applicant is requesting a conforming Rezoning from the R-E district to the R-PD2 (Residential Planned Development - 2 Units per Acre) on the subject site. Although the density of the proposed project, at 2.86 u.p.a., is far below the Low Density threshold of 5.5 u.p.a., the intent is to match the scale and density of the surrounding properties in the area. All of the proposed lots exceed 16,000 s.f. in area, which is in scale with nearby development. A Site Development Plan Review for the project is also being submitted. This site plan conforms to Title 19 regulations, with the exception of the minimum site size requirement of 5 acres for R-PD developments (a request for a Variance to this requirement is also being filed), and a waiver of the perimeter landscaping strip along Deer Springs Way (the one on Bradley Road is being provided). The reason for this waiver is to have the project match the lots to the west of the cul-de-sac entrance, where no landscape buffer exists. This waiver is requested as part of this Site Development Plan Review.

The proposed rural density residential development will be compatible with surrounding residential uses, and will be a logical and attractive use of an infill parcel that will be designed to compliment the area.

Thank you for your consideration.

Sincerely,


Gary Leebold, AICP
Director of Planning

ZON-17242
12/21/06 PC

Protest

Date: 02-15-07

Hello Mayor Goodman, Councilman Ross, and Planning Commissioners, I am the residence and owner of 5510 Deer Springs Way of Las Vegas Nevada 89131 for the last 16 years and I built this house and helped develop the private entrance road and private cul-de-sac to the addresses of 5510, 5500, and 5520 Deer Springs way at the corner of Deer Springs Way and Jeanette. Me and my family are in PROTEST against this rezoning of (ZON-17242; VAR-17244; SDR-17247) and would like to keep the quality of life that we planed and paid for and in no way agree or allow the rezoning of our cul-de-sac or give up the writes or easements to the developers or city to our private drive way and private cul-de-sac our for the new homes proposed to have access to our private drive way our private cul-de-sac.

We also would like to keep or agree to the following:

1. Retain our private drive way and private cul-de-sac as is
2. Retain our well and water as is
3. Retain our power as is as we are on The Sloan Grid
4. Retain our R-E zoning
5. Retain our horse zoning
6. No Street lights
7. No Side walks or curbs
8. meet all elevation concerns and flood issues which may arise from the new elevations
9. Have other community new homes entrance from Bradley
10. Lot sizes to measure 1/2 acre (not to the middle of the street)
11. Retaining and keeping of No association fees
12. Absolutely No CC&RS proposed by new developers

We the residence of Deer Springs way, unanimously agree to the above noted and hereby accept this by signing the attached page.

Thank You for you time and consideration of the situation and issues that are concerning to me my family and neighbors.

From: Rock D Halverson 43 years old and 43 years living and native to Las Vegas, Nevada.

2001 FEB 21 A 10:39

RECEIVED
CITY CLERK

Submitted after final agenda

Date 2/21/07 Item #102-104

Protest signing sheet to Rezoning of (ZON-17242; VAR-17244: SDR-17247)

Name	Signature	Address	Phone#
Rock Halverson	[Signature]	5510 Deersprings Way	658-5619 / 413-3441
Valerie Schram	[Signature]	5600 Mello Ave	395-8900 / cell 419-3193
GEORGE R Cole	[Signature]	5701 MELLO AVE	207-2306
Lori Cole	[Signature]	5701 MELLO AVE	207-2306 303-2543
Celine Green	[Signature]	5700 Mello Ave	645-0375 245-7096
Linda Suarez	[Signature]	5711 Mello	369-1957
Andre Suarez	[Signature]	5711 Mello	369-1957
G sheldon Green, M.D	[Signature]	5700 Mello Ave	645-0375
MAURICE Lynn	[Signature]	5501 Mello Ave	645-1538
Lay Mearns	[Signature]	5501 Mello Ave	645-1538
Vinny Suarez	[Signature]	5711 Mello Ave	400-0122
Tara Suarez	[Signature]	5711 Mello Ave	400-0122
TRICIA GESLER	[Signature]	5810 Mello Ave	656-8624
Bryan GESLER	[Signature]	5810 Mello Ave	656-8624
SHARON GESLER	[Signature]	6048 Standlight	870-1308
MIKE GESLER	[Signature]	6048 Standlight	870-1308
EARL PERRY	[Signature]	5850 Mello	645-0310
Gary Kello	[Signature]	4217 Fountain	526-7011
MIKE HENDRIX	[Signature]	5940 Mello Ave	658-5251
Grace Hendrix	[Signature]	" "	645-9606
Marcia Geil	[Signature]	5921 Mello Ave	658-9326
Barbara Sue Geil	[Signature]	" "	658-9325
Robert G. Geil	[Signature]	" "	" "
Dana S Mancuso	[Signature]	6820 Jeanette St	301-1444
Mitzi Springait	[Signature]	6841 Jeanette St	395-1300
Kelly J Myers	[Signature]	6801 Jeanette St	636-1503
Todd Myers	[Signature]	6801 JEANETTE ST	636-1503
Georgie Thelen	[Signature]	6801 JEANETTE ST	649-4760
Tina K. Morris	[Signature]	6900 Jeanette St	431-4497
Todd C. Andrews	[Signature]	5609 Jeanette Cir	395-0835
MARIC Dixon	[Signature]	5600 DORRILL DR LV NV	810-8053
Arnette Brown-Barkin	[Signature]	9312 Parkway	89149
Ken Land	[Signature]	5501 DORRILL	8912
GREGG ALKMAN	[Signature]	8025 RUSSELL RD	89113
WILLIAM A. JONES	[Signature]	6920 BRADLEY RD	89131
Wanda S. Jones	[Signature]	6920 BRADLEY RD	89131
Brian W Astle	[Signature]	6880 Bradley Rd	89131
Josh Astle	[Signature]	6880 Bradley Rd	89131
Brent Springall	[Signature]	6891 Jeanette St	89131
Ana M. Salas	[Signature]	6800 Bradley Rd	89131
Ana Briza Salas	[Signature]	6800 Bradley Rd	89131

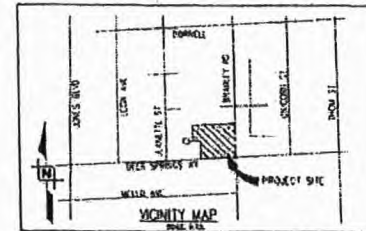
Protest signing sheet to Rezoning of (ZON-17242; VAR-17244: SDR-17247)

Name Signature Address Phone#

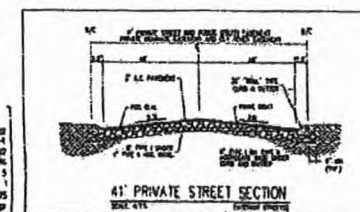
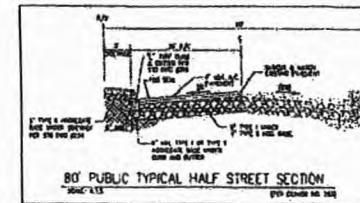
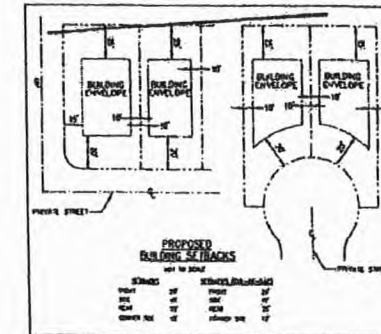
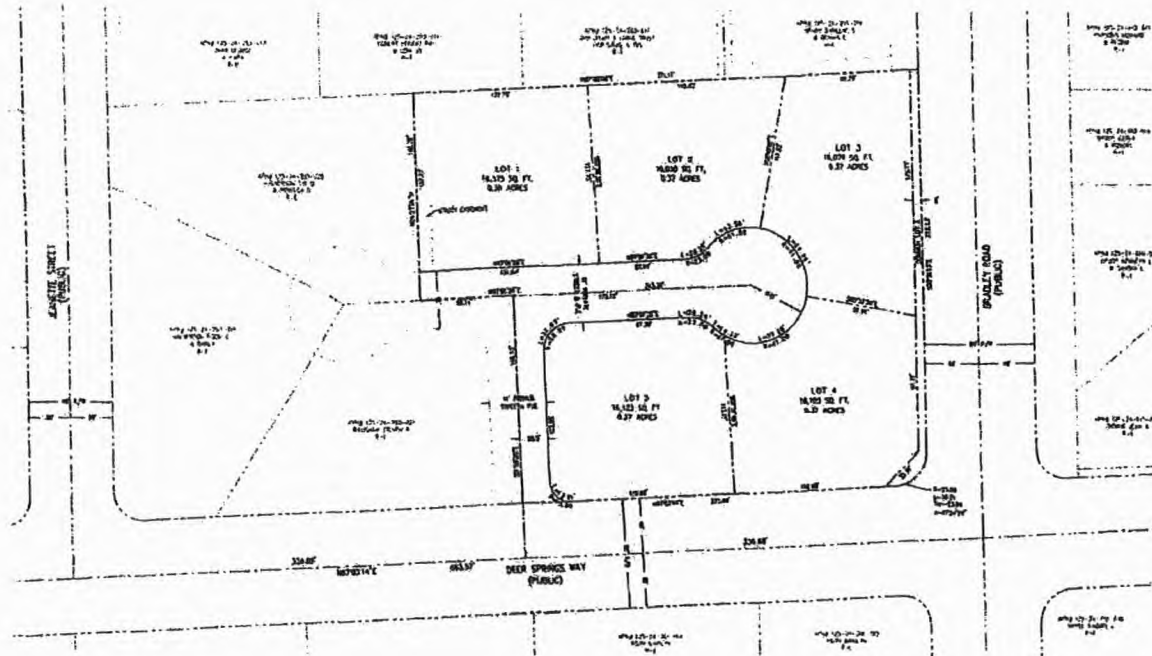
asl 43 ~~Rock D Halverson, Rock D Halverson~~ 5510 Deersprings way, 658-5619 asl 43
asl 42 Daria Halverson Daria Halverson 5510 Deer Springs ny 658 5619 q4.
asl 22 BLADE HALVERSON ~~Blade~~ 5510 DEER SPRING LN NY 769-1107
asl 17 Konrad Halverson Konrad Halverson 5510 Deer Springs way 658-5619
 ~~Stefan Back~~ 5520 Deersprings 645-6209
 ~~Steven R. Backhaus~~
 ~~Theresa Backhaus~~
 Rebecca L Backhaus 5520 Deerspring 645-6209
 JEN COX 1116 BOSTON BAY AVE N.L.V. 982-0055
 AL COWGER 5920 APRIL LN LV NV 893-1963

SITE PLAN FOR FALCON CREST UNIT 1 BY ENGLE HOMES

**R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT-2 UNITS PER ACRE)
APN# 125-24-203-022**



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OCT 02 2006



**ZON-17242
12/21/06 PC**

OWNER INFORMATION
APN 125-24-203-022
125-24-203-022
125-24-203-022
125-24-203-022

DEVELOPER
ENGLE HOMES
125-24-203-022
125-24-203-022
125-24-203-022

ENGINEER
JULIA WALIA
125-24-203-022
125-24-203-022
125-24-203-022

ALL INFORMATION
125-24-203-022
125-24-203-022
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WRIGHT
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DATE	BY	REVISION

ENGLE HOMES
125-24-203-022
125-24-203-022
125-24-203-022
125-24-203-022

ENGLE HOMES
FALCON CREST UNIT 1
SITE PLAN - DEER SPRINGS WAY

APPROVED
125-24-203-022
125-24-203-022
125-24-203-022
125-24-203-022

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

VARIANCE RELATED TO ZON-17242

VAR-17244 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: TOUSA HOMES, INC. - Request for a Variance TO ALLOW A RESIDENTIAL PLANNED DEVELOPMENT ON 2.86 ACRES WHERE FIVE ACRES IS THE MINIMUM REQUIRED on 2.86 acres at the northwest corner of Bradley Road and Deer Springs Way (APN 125-24-203-022), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

49

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

1

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest letter and support letter revoking protest letter from Roger D. Schafer

Motion made by LARRY BROWN to Hold in Abeyance Item 63 [1919 Fremont Street], Item 64 [900 Stewart Avenue, 216 and 222 N. 9th Street], Item 89 [SUP-18655], Item 94 [GPA-16511], Item 95 [ZON-16519], Item 96 [VAR-16525], Item 97 [SDR-16522], Item 105 [VAR-17871], Item 106 [SDR-17312], Item 111 [GPA-18818], Item 112 [ZON-18819], Item 113 [VAR-18820], Item 114 [SUP-18821] and Item 115 [SDR-18822] to 3/07/2007; Item 102 [ZON-17242], Item 103 [VAR-17244] and Item 104 [SDR-17247] to 3/21/2007; Item 107 [SUP-13490] and Item 110 [SDR-15747] to 4/18/2007

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

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

Minutes:

See Item 102 for related backup.



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-17244 - APPLICANT/OWNER: TOUSA HOMES, INC.

THIS ITEM WAS HELD IN ABEYANCE FROM THE JANUARY 17, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. Minimum lot size of 16,000 square feet.
2. Conformance to the Conditions of Approval for Rezoning (ZON-17242) and Site Development Plan Review (SDR-17247), if approved.
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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

Request for a Variance to allow a residential planned development on 2.86 acres where five acres is the minimum required.

The proposed development is located on 2.86 gross acres. Per Title 19.06.040 a Residential Planned Development shall be located on a minimum of five acres. The proposed location is only 57 percent of the required area. This is a 43 percent deviation from Title 19.06.040 standards. The proposed deviation is considered a self-imposed hardship as it is the applicant's choice to rezone the property to accommodate the proposed development; therefore, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/06	The Planning Commission recommended approval of companion items ZON-17242 and SDR-17247 concurrently with this application. The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #28/ng).
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this development.	
<i>Pre-Application Meeting</i>	
09/15/06	A pre-application meeting was held. It was noted that the site was located in the Rural Preservation Overlay District Buffer. The applicant stated that these would be a mix of one and two-story homes and that the cul-de-sac would align with the western portion that is already developed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.86
Net Acres	2.26

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single-family Residential	L (Low Density Residential)	R-E (Residence Estates)
North	Single-family Residential	L (Low Density Residential)	R-E (Residence Estates)
South	Undeveloped	L (Low Density Residential)	R-E (Residence Estates)

East	Single-family Residential	ML (Medium Low Density Residential)	R-1 (Single-family Residential)
West	Single-family Residential	L (Low Density Residential)	R-E (Residence Estates)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
R-PD (Residential Planned Development) District	X		N
Trails		X	Y
Rural Preservation Overlay District (Buffer)	X		Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

DEVELOPMENT STANDARDS

Per Title 19.06 the following Development Standards apply:

<i>Standard</i>	<i>Provided</i>
Min. Lot Size	16,030 SF
Min. Lot Width	91.79 Feet
Min. Setbacks • Front • Side • Corner • Rear	20 Feet 10 Feet 15 Feet 25 Feet
Min. Distance Between Buildings	20 Feet
Max. Building Height	29.5 Feet

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-E (Residence Estates)	2 Units Per Acre	Seven (Only Five are Proposed)	R-PD2 (Residential Planned Development – 2 Units Per Acre)	2.49 Units Per Acre	L (Low Density Residential)	5.49 Units Per Acre

Open Space

Per Title 19.06.040 Residential Planned Developments with less than 12 dwelling units are not required to provide open space. This development proposes five-lots and open space is not required. It is noted that the applicant is providing a six-foot streetscape area along Bradley Road (Common Lot A) that includes landscaping that meets Code requirements. The applicant is requesting a waiver of the streetscape requirements along Deer Springs Way.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement

The project provides a minimum of two parking spaces per dwelling unit. Each unit proposes to have a minimum of a two car garage, while most units include a three car garage. This meets Title 19.10 parking requirements.

ANALYSIS

The proposed development is located on 2.86 gross acres. Per Title 19.06.040 a Residential Planned Development shall be located on a minimum of five acres. The proposed location is only 57 percent of the required area. This is a 43 percent deviation from Title 19.06.040 standards.

Per Title 19.06.040 for the R-PD (Residential Planned Development) District the minimum site area that is eligible for rezoning to the R-PD (Residential Planned Development) zoning district is five acres. Any additional tract which contains less than the minimum site area, but which is contiguous to property previously zoned R-PD (Residential Planned Development), may also be zoned R-PD (Residential Planned Development) by the City Council if it otherwise qualifies for the R-PD (Residential Planned Development) zoning designation. Both such properties must be owned by or be under the control of the same property owner. This particular development is an infill parcel. The adjacent parcels are zoned R-E (Residence Estates).

The site does not meet the intent of the R-PD (Residential Planned Development) District as defined in Title 19.06.040. The proposed deviation is considered a self-imposed hardship as it is the applicant's choice to rezone the property to accommodate the proposed development; therefore, denial of this request is recommended.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship through requesting a zoning district that does not meet Code requirements. Alternative zoning would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 153 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

VAR-17244

Case Number: _____ APN: 125-24-203-022

Name of Property Owner: Tousa Homes

Name of Applicant: Wright Engineers

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: _____

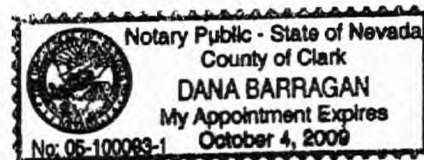
Signature of Property Owner: *Cheryl Kypreos*

Print Name: Cheryl Kypreos

Subscribed and sworn before me

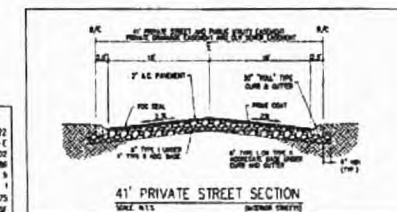
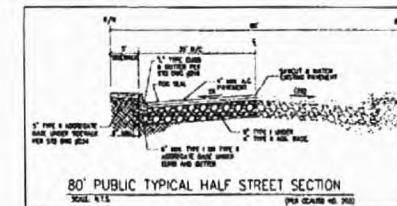
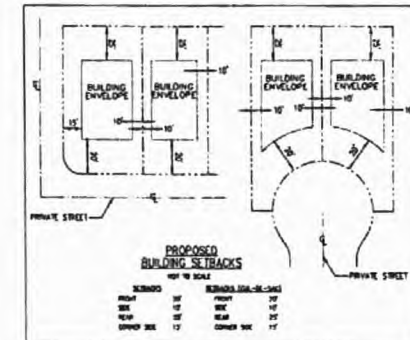
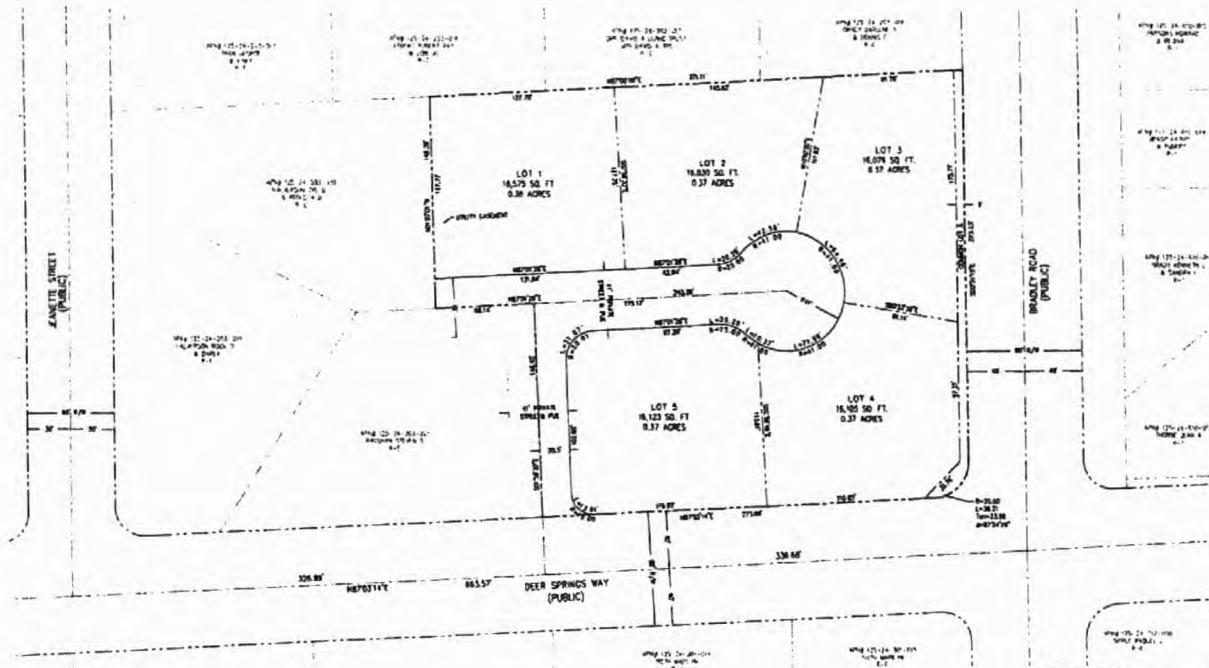
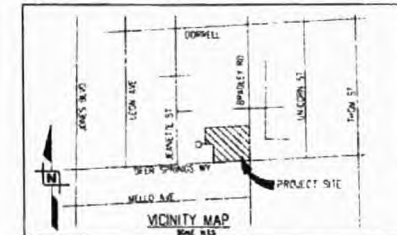
This 21st day of September, 20 06

Dana Barragan
Notary Public in and for said County and State



SITE PLAN FOR FALCON CREST UNIT 1 BY ENGLE HOMES

R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT-2 UNITS PER ACRE)
APN# 125-24-203-022



RECEIVED
OCT 02 2006

VAR-17244
12/21/06 PC



OWNER INFORMATION
APN# 125-24-203-022
ENGLE HOMES
1211 N. SHAWAN AVE
LOS ANGELES, CA 90012

DEVELOPER
ENGLE HOMES
1211 N. SHAWAN AVE
LOS ANGELES, CA 90012

ENGINEER
WRIGHT
1211 N. SHAWAN AVE
LOS ANGELES, CA 90012
TEL: (213) 624-1000 FAX: (213) 624-1001
WWW.WRIGHTENGINEERS.COM

SITE DATA
ASSESSING PARCEL NUMBER 125-24-203-022
CURRENT ZONING R-PD2
PROPOSED ZONING R-PD2
GROSS ACRES 1.75
NET ACRES 1.75
NUMBER OF LOTS 5
CONTRACT LOTS 1
TOTAL AC 1.75
ADJACENT LOT SIZE 16,830 sq ft

WRIGHT client driven													
1211 N. SHAWAN AVE LOS ANGELES, CA 90012 TEL: (213) 624-1000 FAX: (213) 624-1001 WWW.WRIGHTENGINEERS.COM													
DATE	9/28/06												
DESIGNED BY	DB												
PROJECT NO.	0104182												
SCALE	1"=40'												
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DESIGNED BY	DB												
PROJECT NO.	0104182												
SCALE	1"=40'												
NO.	51												
DATE	12/21/06												



September 28, 2006

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

Dear Ladies/Gentlemen:

Please accept this letter from Wright Engineers on behalf of our client, Tousa Homes, Inc., as the justification for related requests for a Rezoning, a Variance and a Site Development Plan Review for development of property located at the northwest corner of Deer Springs Way and Bradley Road, also known as Falcon Crest Unit 1 (APN 125-24-203-022).

Our client intends to develop five single-family homes on the site. The site is currently designated L (Low Density Residential) in the City's Master Plan, which allows for densities up to 5.5 u.p.a. The site is currently zoned R-E (Residence Estates).

The applicant is requesting a conforming Rezoning from the R-E district to the R-PD2 (Residential Planned Development - 2 Units per Acre) on the subject site. Although the density of the proposed project, at 2.86 u.p.a., is far below the Low Density threshold of 5.5 u.p.a., the intent is to match the scale and density of the surrounding properties in the area. All of the proposed lots exceed 16,000 s.f. in area, which is in scale with nearby development. A Site Development Plan Review for the project is also being submitted. This site plan conforms to Title 19 regulations, with the exception of the minimum site size requirement of 5 acres for R-PD developments (a request for a Variance to this requirement is also being filed), and a waiver of the perimeter landscaping strip along Deer Springs Way (the one on Bradley Road is being provided). The reason for this waiver is to have the project match the lots to the west of the cul-de-sac entrance, where no landscape buffer exists. This waiver is requested as part of this Site Development Plan Review.

The proposed rural density residential development will be compatible with surrounding residential uses, and will be a logical and attractive use of an infill parcel that will be designed to compliment the area.

Thank you for your consideration.

Sincerely,


Gary Leebold, AICP
Director of Planning

VAR-17244
12/21/06 PC

RECEIVED
CITY CLERK

Las Vegas City Council
ATT: Barbara Jo Ronemus-City Clerk
400 Stewart Avenue
Las Vegas, NV 89101

2007 JAN 10 A 10: 39

January 9, 07

RE: Var-17244

Re: 85

Dear Barbara, Council ~~Mack~~, Pro-Mayor Gary Reese and Beloved Mayor Oscar Goodman. My name is Roger J. Schafer of 6821 Jeanette Street, Las Vegas 89131 and the attached Request for a Notice of Hearing is why this letter which I hoped will be recognized and addressed during the Meeting January 17, 07 at 1:00 P.M.

Unfortunately I will be at work and unable to attend yet I do have several concerns as well as questions for the proposed Variance Changes and how they may effect myself, neighbors and the area itself.

Protest

Question Number 1) Will they have City Water and/or will the be on Well.

IF Well: Then has a recent study by an independant licensed Well Person taken current readings on the level of the well water and will it support these additional people.

After all water is a huge concern and thus allowing twice as much residents will have a severe impact and will deplete at an accelerated rate. A HUGE PART WHY THE INTIAL CODES/RULES are in Place prior.

Question Number 2) What will be the square footages of these proposed homes along with the lot size of each one?? Plus the Value of these proposed homes for none of wish to see our current/exsisting home drop in appraised value.

Question Number 3) When is the proposed construction to begin and also a tenative time along when the project should be fully completed?? Also would like to know the hours of operation and will it have an impact on my quality of life and health in terms of "DUST" and noise?

These are indeed concerns and questions which are very important and hopefully have been discussed. "IF" they have not since I will unable to attend hope that all of these questions and concerns will be investigated by the proper industry especially where the water is concerned...IF its city water and not well then of coarse do fully understand and no need to answer other than "City Water".

Page 1 of 2

Submitted after time 5/1/07

Date 1/10/07 Item #123

RECEIVED
CITY CLERK

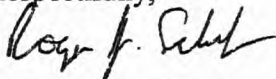
2007 JAN 10 A 10:39

However "IF" its going to be well water I fully expect a current reading and/also an independant research to see if we are capable of handel a 200% percent increase in water use verses what would be half if this variance is not approved.

I will state that this is directly in my backyard and will indeed have an impact and understand the need and development however they intial reasons these previous/current rules have been put in place is for all of us to follow <as we all have> and to ensure that all of us have the resources to live the lifestyle which we have and should be entitled to live.

Will appreciate your response and feel free to address it directly to me as well as the results of the soon to take place meeting and the final results.

Respectfully,



Roger J. Schafer
6821 Jeanette Street
Las Vegas, NV 89131

CC: Council Ross
CC: Gary Reese
CC: Oscar Goodman
CC: Las Vegas Water District

Page 2 of 2

RECEIVED
CITY CLERK

Las Vegas City Council
ATT: Charlie Kajkowski-Director of Public Works
400 E. Stewart Avenue
Las Vegas, NV 89101

2001 FEB -5 A 10: 43

February 01, 07

Support

RE: Var-17244

Dear Barbara, Council Ross, Pro-Mayer Gary Reese, Charlie Kajkowski and the Best Mayor Ever Oscar Goodman. I, Roger J. "Derby" Schafer wish to thank you for the correspondances on the issues regarding the Variance 17244 and was especially impressed that Dave Clapsaddle Director of Planning from GCGARCIA stopped my home today.

Mr. Dave Clapsaddle answered not only my concerns and issues fully yet also my neighbors. We are all extremely happy with what we were told especially the water issue and the size/pricing of the homes.

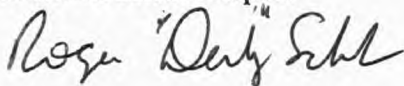
Thus am writing this letter to "THANK YOU" Each and Every One including Mr. Dave Clapsaddle for not only answering our questions and concerns yet also ensuring us that our homes and the water will not be in jeopardy of any nature.

I was Greatly impressed by this measure of taking the time and bringing over the plans and various stages along with being able to answer each and every question and past concern. Thus am writing this letter to let you know that we are all greatly happy and also a great concern of the unknow has now been answered and ensures that this project will be what I call a "Win-Win" good for all.

At this time I also would like to say how impressed I am by the Greatest Mayor Ever "Oscar Goodman" taking the time to write back and respond and did also Charlie Kajkowski Director of Public Works as well.

Not only do we live in the Worlds Greatest City we also have the Greatest Mayor , Council and Staff. Thus I do fully approve and look forward to the develop being completed as planned and Once again wish to Say "Thank You One and All."

With the Greatest Respect



Roger J. "Derby" Schafer
6821 Jeanette Street
Las Vegas, NV 89131

any questions feel free to call me directly on my personal cell 702-525-4782

Submitted after lunch

Date 2/20/07 Item #103

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-17242 AND VAR-17244

SDR-17247 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: TOUSA HOMES, INC. - Request for a Site Development Plan Review FOR A PROPOSED FIVE-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT AND A WAIVER OF THE STREETSCAPE REQUIREMENTS on 2.86 acres at the northwest corner of Bradley Road and Deer Springs Way (APN 125-24-203-022), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

49

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

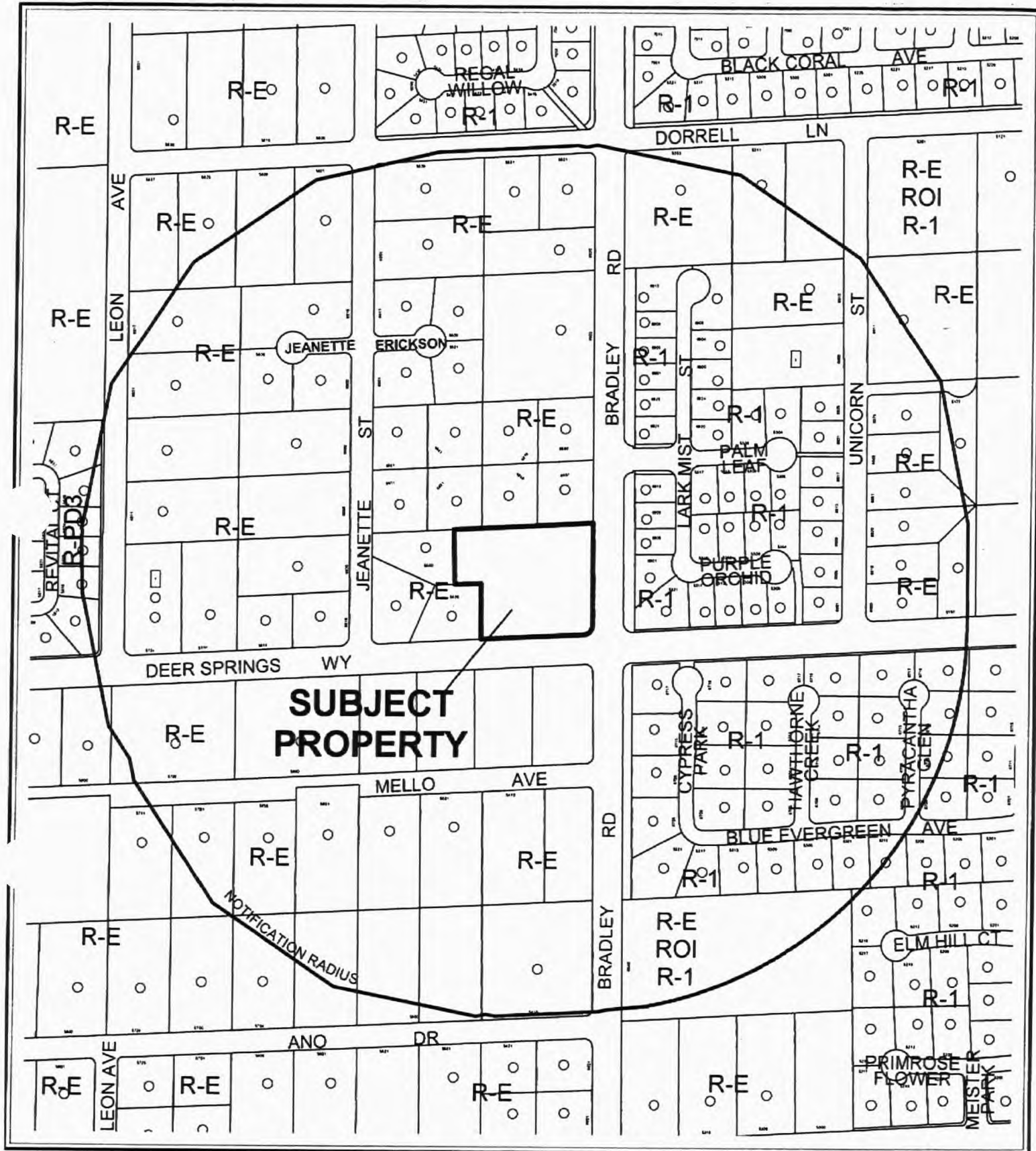
Motion made by LARRY BROWN to Hold in Abeyance Item 63 [1919 Fremont Street], Item 64 [900 Stewart Avenue, 216 and 222 N. 9th Street], Item 89 [SUP-18655], Item 94 [GPA-16511], Item 95 [ZON-16519], Item 96 [VAR-16525], Item 97 [SDR-16522], Item 105 [VAR-17871], Item 106 [SDR-17312], Item 111 [GPA-18818], Item 112 [ZON-18819], Item 113 [VAR-18820], Item 114 [SUP-18821] and Item 115 [SDR-18822] to 3/07/2007; Item 102 [ZON-17242], Item 103 [VAR-17244] and Item 104 [SDR-17247] to 3/21/2007; Item 107 [SUP-13490] and Item 110 [SDR-15747] to 4/18/2007

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

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

Minutes:

See Item 102 for related backup.



CASE: **SDR-17247**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-17247 - APPLICANT/OWNER: TOUSA HOMES, INC.

THIS ITEM WAS HELD IN ABEYANCE FROM THE JANUARY 17, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (ZON-17242) and Variance (VAR-12244), 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 10/02/06, except as amended by conditions herein.
4. A Waiver from streetscape requirements is hereby approved, to allow no streetscape along Deer Springs Way where six feet of streetscape is required.
5. The standards for this development shall include a Minimum lot size of 16,030 square feet and Building height shall not exceed two stories or 29.5 feet, whichever is less.
6. The setbacks for this development shall be a minimum of 20 feet to the front of the house, as measured from back of sidewalk or from back of curb if no sidewalk is provided, 10 feet on the side, 15 feet on the corner side, and 25 feet in the rear.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

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. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. 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. The private entry street shall not be gated.
15. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All private improvements and landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-17242 and all other applicable site-related actions.
17. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
18. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The proposed development is for a five-lot single-family residential subdivision. The site would be accessed by a cul-de-sac off Deer Springs Way. The project requires a Variance to allow a Residential Planned Development on less than five acres and a waiver of streetscape requirements along Deer Springs Way. These deviations are not supported as they are due to the applicants design choices. The proposed development standards more closely match the R-D (Single-family Residential-Restricted) District than the R-E (Residence Estates) that is currently in place on the site and is most prevalent in the area. The rezoning would permit five lots where four lots would be permitted under the current designation. Due to the deviations from standards and smaller lot sizes than the adjacent property, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/06	The Planning Commission recommended approval of companion items ZON-17242 and VAR-17244 concurrently with this application. The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #29/ng).
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this development.	
<i>Pre-Application Meeting</i>	
09/15/06	A pre-application meeting was held. It was noted that the site was located in the Rural Preservation Overlay District Buffer. The applicant stated that these would be a mix of one and two-story homes and that the cul-de-sac would align with the western portion that is already developed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.86
Net Acres	2.26

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single-family Residential	L (Low Density Residential)	R-E (Residence Estates)
North	Single-family Residential	L (Low Density Residential)	R-E (Residence Estates)
South	Undeveloped	L (Low Density Residential)	R-E (Residence Estates)

East	Single-family Residential	ML (Medium Low Density Residential)	R-1 (Single-family Residential)
West	Single-family Residential	L (Low Density Residential)	R-E (Residence Estates)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
R-PD (Residential Planned Development) District	X		N
Trails		X	Y
Rural Preservation Overlay District (Buffer)	X		Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

DEVELOPMENT STANDARDS

Per Title 19.06 the following Development Standards apply:

<i>Standard</i>	<i>Provided</i>
Min. Lot Size	16,030 SF
Min. Lot Width	91.79 Feet
Min. Setbacks	
• Front	20 Feet
• Side	10 Feet
• Corner	15 Feet
• Rear	25 Feet
Max. Building Height	29.5 Feet

<i>Residential Adjacency Standards</i>
Residential Adjacency Standards do not apply to the proposed development.

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-E (Residence Estates)	2 Units Per Acre	Seven (Only Five are Proposed)	R-PD2 (Residential Planned Development – 2 Units Per Acre)	2.49 Units Per Acre	L (Low Density Residential)	5.49 Units Per Acre)

Open Space

Per Title 19.06.040 Residential Planned Developments with less than 12 dwelling units are not required to provide open space. This development is proposing five-lots and is not required to provide open space. It is noted that the applicant is providing a six-foot streetscape area along Bradley Road (Common Lot A) that includes landscaping that meets Code requirements. The applicant is requesting a waiver of the streetscape requirements along Deer Springs Way.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement

The project is required to provide a minimum of two parking spaces per dwelling unit. Each unit is proposed to have a minimum of a two car garage, while most units include a three car garage. This meets Title 19.10 parking requirements.

Waivers

Request	Requirement	Staff Recommendation
Streetscape requirements along Deer Springs Way. The applicant is requesting no streetscape and would like rural standards in this area.	6 Feet	This waiver is not supported and the applicant should provide the streetscape along Deer Springs Way.

ANALYSIS

The proposed development would consist of five lots. The smallest lot is 16,030 square feet. The largest lot is 16,575 square feet. The current R-E (Residence Estates) zone permits a minimum lot size of 20,000 square feet; therefore, with the current zoning a total of four lots would be permitted. The setbacks that are proposed are similar to the setbacks for the R-D (Single-family Residential-Restricted) District. These setbacks are much less than what is permitted in the R-E (Residence Estates) Zone. Elevations show one and two story homes. Materials will consist of stucco and Spanish tile. Colors will be white and tan stucco with tan and green accents.

Per Title 19.06.040 for the R-PD (Residential Planned Development) District the minimum site area that is eligible for rezoning to the R-PD (Residential Planned Development) zoning district is five acres. Any additional tract which contains less than the minimum site area, but which is contiguous to property previously zoned R-PD (Residential Planned Development), may also be zoned R-PD (Residential Planned Development) by the City Council if it otherwise qualifies for the R-PD (Residential Planned Development) zoning designation. Both such properties must be owned by or be under the control of the same property owner. This particular development is an infill parcel. The adjacent parcels are zoned R-E (Residence Estates). The site does not meet the intent of the R-PD (Residential Planned Development) District as defined in Title 19.06.

The proposed development would have five lots and would not require open space. It is noted that streetscape is required along both Bradley Road and Deer Springs Way. The applicant is providing the required six-foot wide streetscape along Bradley Road; however, a waiver is requested for the streetscape along Deer Springs Way. This is in an effort to maintain a rural appearance to the property. This waiver is not supported as the applicant has the room to provide for this landscaping and is opting not to provide the streetscape based on their design choices.

The homes are single and two-story homes. These homes range in size from 3,300 to 4,800 square feet and typically feature three-car garages. Design and color schemes are typical of development in this area.

FINDINGS

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

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

The proposed development is not considered compatible with the area. The adjacent cul-de-sac features three lots built to R-E standards. The proposed development consists of five lots and the proposed standards more closely match those of the R-D District.

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

The proposed development is not consistent with Title 19. The project requires a Variance (VAR-17244) to allow a Residential Planned Development on less than five acres. Additionally, the project does not meet the intent of the Residential Planned Development District as defined in Title 19.06.040. The site also requires a waiver of streetscape standards along Deer Springs Way, as designed. Due to these several deviations from Title 19, denial of this request is recommended.

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

Site access is provided from Deer Springs Way an 80-foot Secondary Collector. This street will provide adequate access to the proposed development.

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

Building and landscape materials are appropriate for the area and the City of Las Vegas.

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

Elevations and design characteristics are not unsightly or obnoxious and will be harmonious and compatible with development in the area.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 150 by Planning and Development Dept

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-17247** APN: 125-24-203-022

Name of Property Owner: Tousa Homes

Name of Applicant: Wright Engineers

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

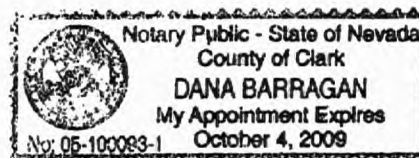
APN _____

Signature of Property Owner: _____

Print Name: _____

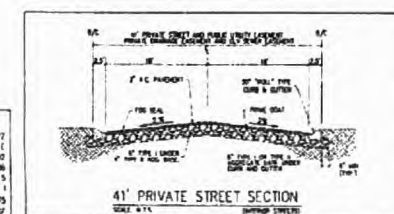
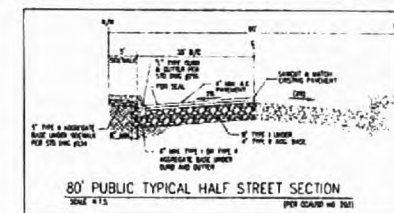
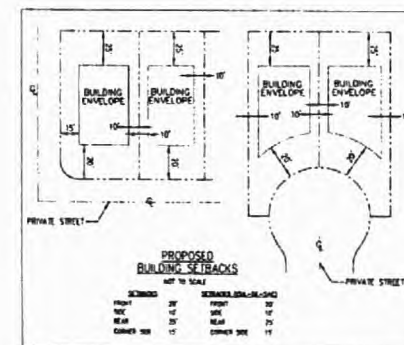
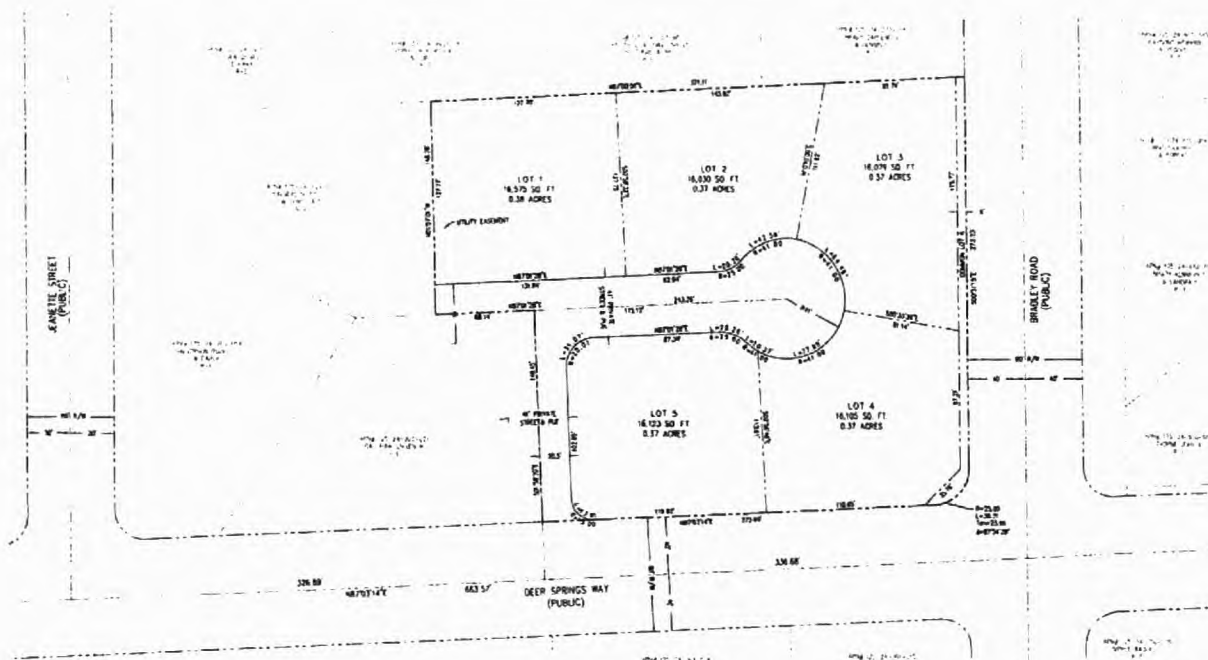
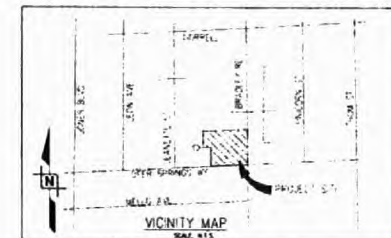
Subscribed and sworn before me

This 21st day of September 2006
Dana Barragan
Notary Public in and for said County and State



SITE PLAN FOR FALCON CREST UNIT 1 BY ENGLE HOMES

R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT-2 UNITS PER ACRE)
APN# 125-24-203-022



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OCT 02 2006

SDR-17247
12/21/06 PC

OWNER INFORMATION
APN# 125-24-203-022
FALCON CREST
201 N. SERRANO AVE
LOS ANGELES, CA 90012

DEVELOPER
ENGLE HOMES
201 N. SERRANO AVE
LOS ANGELES, CA 90012

ENGINEER
MICHAEL BAKER CORP.
201 N. SERRANO AVE
LOS ANGELES, CA 90012
TEL: (213) 443-2000 FAX: (213) 443-2001
WWW.MBCORP.COM

SITE DATA
ASSASSINATED PARCEL NUMBER: 125-24-203-022
CURRENT ZONING: R-PD2
PROPOSED ZONING: R-PD2
CITY: LOS ANGELES
COUNTY: LOS ANGELES
SECTION: 12
SUBSECTION: 1
SHEET: 1 OF 1
DATE: 12/21/06

WRIGHT
civil division
201 N. SERRANO AVE
LOS ANGELES, CA 90012
TEL: (213) 443-2000 FAX: (213) 443-2001
WWW.WRIGHTCIVIL.COM

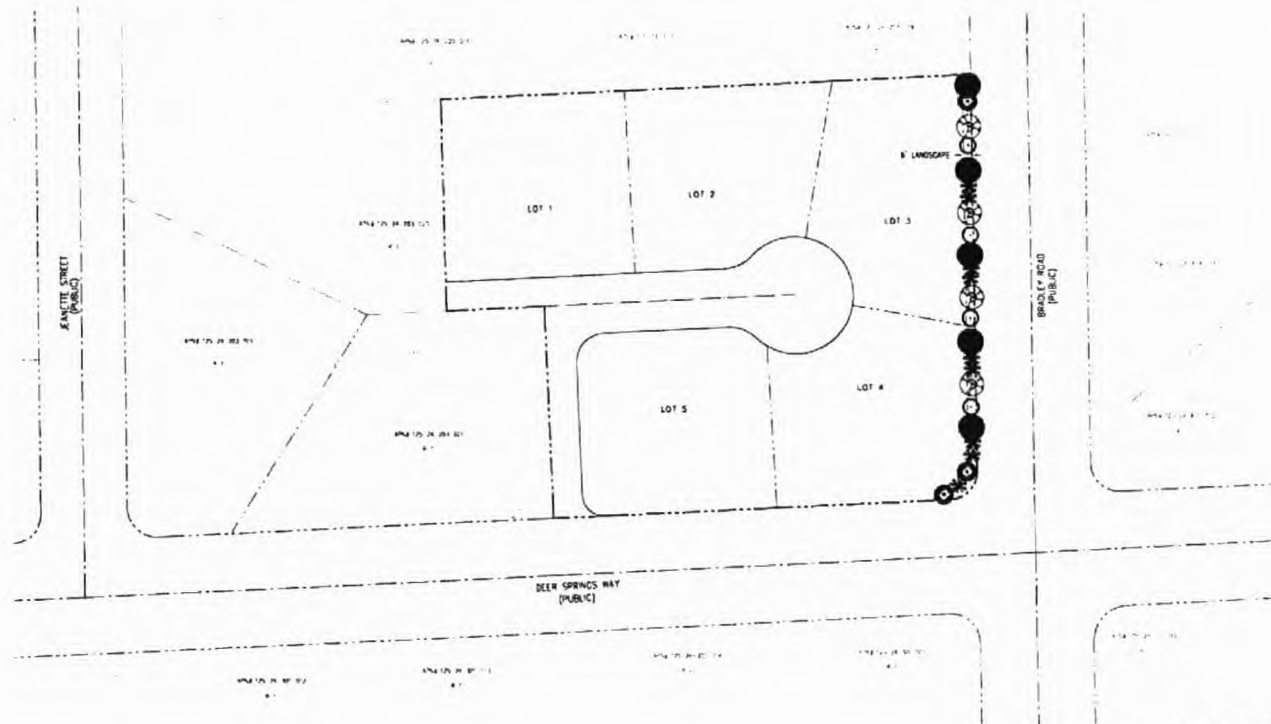
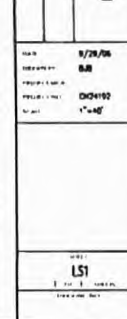
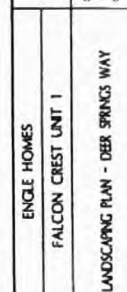
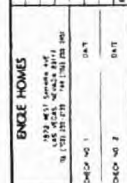
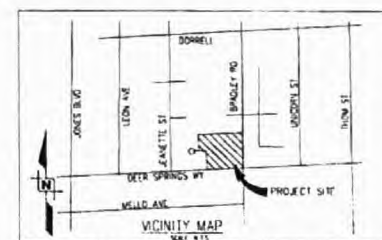
NO.	DATE	BY	REV.
1	12/21/06	WRIGHT	1

ENGLE HOMES
201 N. SERRANO AVE
LOS ANGELES, CA 90012
TEL: (213) 443-2000 FAX: (213) 443-2001
WWW.ENGLEHOMES.COM

ENGLE HOMES
FALCON CREST UNIT 1
SITE PLAN - DEER SPRINGS WAY

DATE: 12/21/06
PROJECT NO: SDR-17247
SHEET NO: 1 OF 1
SCALE: 1"=100'
CITY: LOS ANGELES
COUNTY: LOS ANGELES
SHEET NO: 1 OF 1
DATE: 12/21/06

R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT-2 UNITS PER ACRE)
APN# 125-24-203-022



PLANTING LEGEND			
SYMBOL	BETWEEN/CAL/COMMON NAME	S/21	D/1*
	ACACIA TRELLIS DROG. ACACIA	24" BOX	4
	MIMOSA TRELLIS DROG. MIMOSA TRELLIS	24" BOX	4
	FICUS TRELLIS DROG. FICUS	24" GAL	4
	MIMOSA TRELLIS DROG. MIMOSA TRELLIS	24" GAL	5
	MIMOSA TRELLIS DROG. MIMOSA TRELLIS	24" GAL	6
	MIMOSA TRELLIS DROG. MIMOSA TRELLIS	24" GAL	7
	MIMOSA TRELLIS DROG. MIMOSA TRELLIS	24" GAL	8
	MIMOSA TRELLIS DROG. MIMOSA TRELLIS	24" GAL	9
	MIMOSA TRELLIS DROG. MIMOSA TRELLIS	24" GAL	10
	MIMOSA TRELLIS DROG. MIMOSA TRELLIS	24" GAL	11
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NOTES

- [illegible]

BASIS OF BEARING

SOUTH 470314" WEST
BEING THE BEARING OF THE CENTERLINE OF DEER SPRINGS WAY, THE
SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF
SECTION 24, Township 10 SOUTH, RANGE 50 EAST, W.D.M., COINCIDENT WITH
THE CENTERLINE OF UPLAND BOULEVARD AS SHOWN ON THAT CERTAIN
PARCEL MAP DECORATED AS FILE 53, PAGE 70 OF PARCEL MAPS, CLARK
COUNTY OFFICIAL RECORDS.

LEGAL DESCRIPTION

SITUATED IN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 24, TOWNSHIP 19 SOUTH, RANGE 40 (45'), N.W.M. CLARK COUNTY, NEVADA MORE PARTICULARLY DESCRIBED AS LOT 130 OF THAT CERTAIN RECORD OF SURVEY FILE 52, PAGE 70 OF SURVEYS.

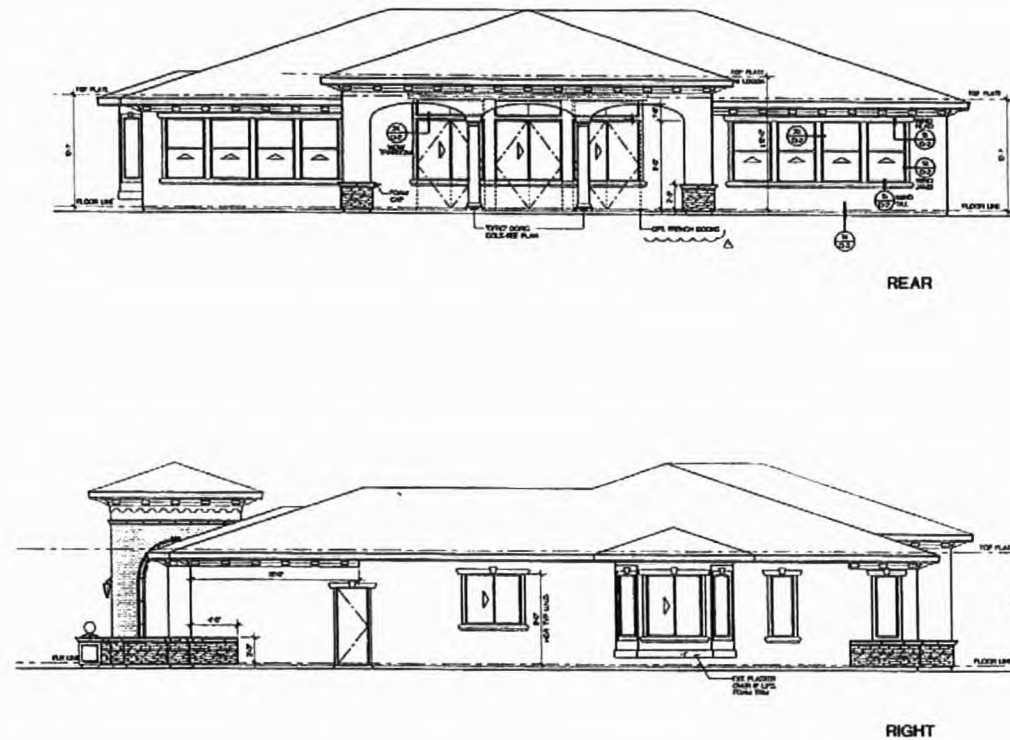
BENCHMARK

[illegible]

FREE ESTIMATE TODAY AND COMMITMENT FREE Call before you OVERHEAD 1-800-227-2629 NO SALES TAX NO CREDIT CHECK NO HIDDEN CHARGES	CALL COUNTRY UNDERGROUND FOR A FREE ESTIMATE Call before you Dig. 1-800-227-2600 NO SALES TAX NO CREDIT CHECK NO HIDDEN CHARGES	 Call before you Underground UNDERGROUND NO SALES TAX NO CREDIT CHECK NO HIDDEN CHARGES
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OCT 02 2006

SDR-17247
12/21/06 PC



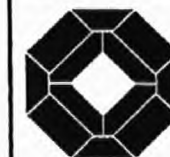
EXTERIOR ELEVATIONS SCALE: 1/4" = 1'-0" 1

No.	Date	Issue / Description
1		3/28/06 BLUE EXPT. SUBMITTAL
2		4/10/06 BLUE EXPT. REVISION
3		4/10/06 BLUE EXPT. REVISION
4		
5		
6		
7		
8		
9		
10		

Comments

Project: BENNINGTON PARK

TOUSA HOMES Inc. d.b.a.
ENGLE HOMES
7872 WEST SAHARA
LAS VEGAS, NV 89117
2004-0777



KTOY GROUP, INC.
ARCHITECTS
1000 WESTERN AVENUE
SUITE 200
LAS VEGAS, NV 89102
702.735.1111
www.ktoygroup.com

License Stamp

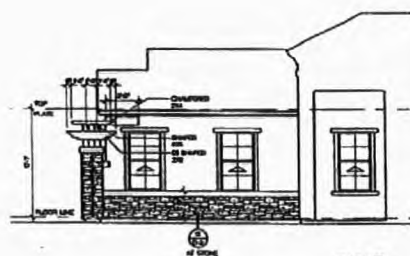
Prepared by: J. TULLY
Project Designer: M. FOWLER
Project Manager: H. SQUARA
Project Engineer: J. TULLY
Checked by:

Sheet Title:
PLAN 1
"B" EXTERIOR ELEVATIONS

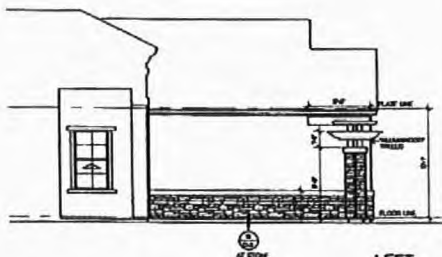
Sheet No.:

A1.6A

OCT 9 2006 SDR-17247
12/21/06 PC



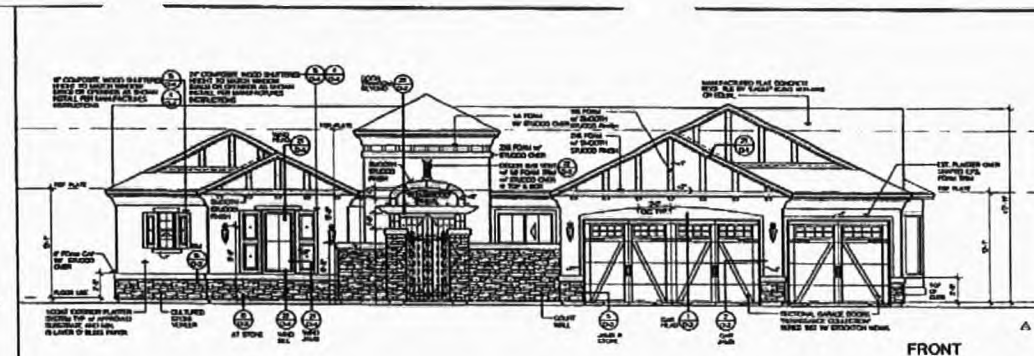
RIGHT



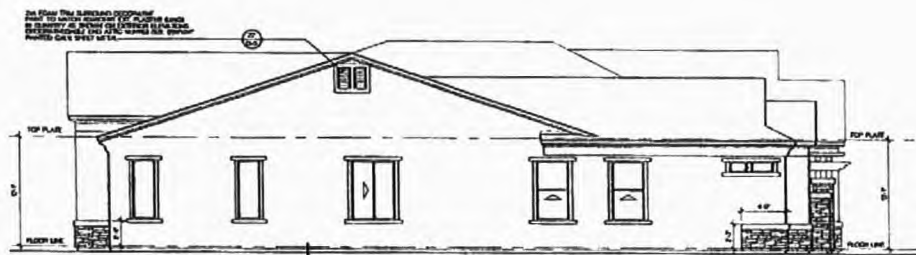
LEFT

FRONT PORCH PARTIAL ELEVATION

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



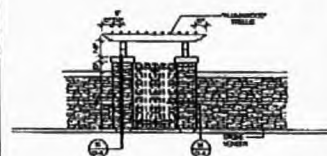
FRONT



LEFT

EXTERIOR ELEVATIONS

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



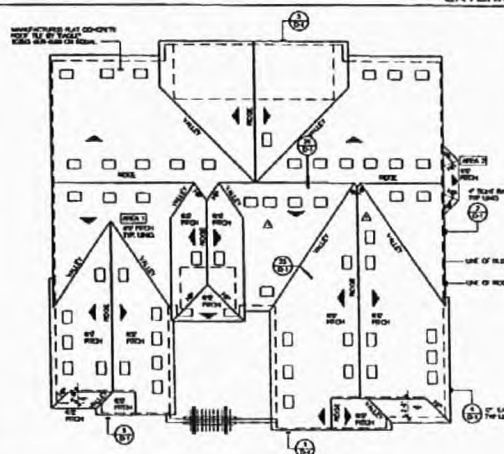
TRELLIS FRONT ELEVATION

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



FRONT ELEVATION w/o GARDEN WALL

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



"C" ROOF PLAN

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

ATTIC VENTILATION

ALL VENTILATION FOR THIS HOUSE SHALL BE PROVIDED BY THE FOLLOWING:

- 1. ALL ROOF VENTILATION SHALL BE PROVIDED BY THE FOLLOWING:
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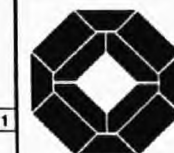
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- 10. ALL ROOF VENTILATION SHALL BE PROVIDED BY THE FOLLOWING:

No. Date Name / Description

3/20/04 BLDG. DEPT. SUBMITTAL
3/20/04 BLDG. DEPT. REVIEW
3/20/04 BLDG. DEPT. APPROVAL

Project: **BENNINGTON PARK**

TOUSA HOMES Inc. d.b.a.
ENGLE HOMES
7872 WEST SAHARA
LAS VEGAS, NV 89117
2004-0777



KTGY GROUP, Inc.
2000 WESTERN AVENUE
BIRMINGHAM, AL 35202
205.988.8888
www.ktgy.com

License: Stamp

Principal in Charge: J. TULLY
Project Manager: M. POWERS
Project Designer: R. SODERSTROM
Checked By: J. TULLY

Sheet Title:
PLAN 1
"C" EXTERIOR ELEVATIONS
"C" ROOF PLAN

Sheet No.: A17

RECEIVED
OCT 9 2 2006
SDR-17247
12/21/06 PC

Comments

**TOUSA HOMES Inc. d.b.a.
ENGLE HOMES
7872 WEST SAHARA
LAS VEGAS, NV 89117
2004-0777**



**FIVE MICHIGAN ROUTE
DEVON, CA 94011**

**JOHN WILSON
JOHN WILSON FINE**

San Jose, California

Lynne Stanger

Principal in Charge :	J. TULLY
Principal Designer :	M. FOWLER
Project Manager :	H. BOWEN
Project Designer :	J. TSAN
Contract No. :	

Sheet Title :
PLAN 2
"B" EXTERIOR ELEVATIONS
"B" ROOF PLAN

2000

A2.6



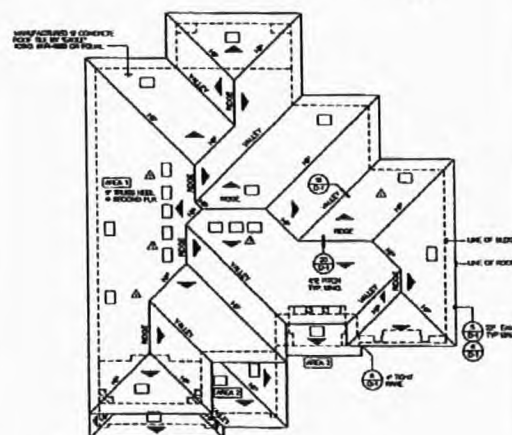
EXTERIOR ELEVATIONS SCALE: WP = 1/8"

ATTIC VENTILATION

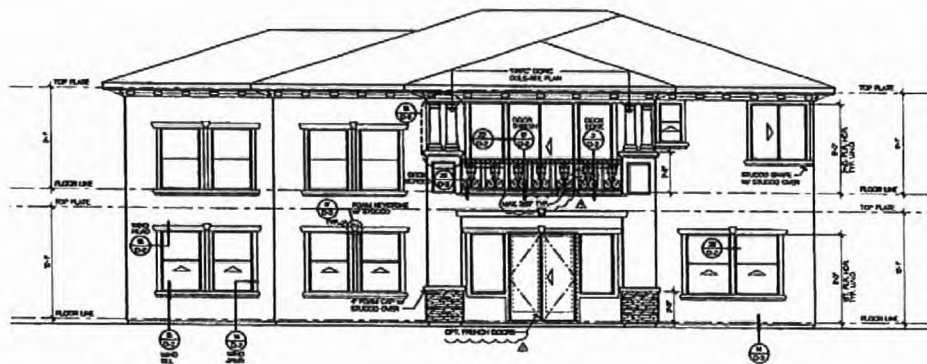
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U.S. AIR FORCE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20330

ALL RATES SHOWN TO-DATE INCLUDE THE 5% OFFSHORE ADDED
ON THE 1ST OF JAN.

[illegible]

"B" ROOF PLAN	SCALE: 1/4" = 1'-0"	2
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REAR



RIGHT

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

No.	Date	Revised / Description
1	12/21/06	100% BLDG DEPT SUBMITTAL
2	01/05/07	100% BLDG DEPT REMODE
3	01/05/07	100% BLDG DEPT REMODE
4		
5		
6		
7		
8		
9		
10		

Comments:

Project: **BENNINGTON PARK**

TOUSA HOMES Inc. d.b.a.
ENGLE HOMES
7872 WEST SAHARA
LAS VEGAS, NV 89117
2004-0777



KTGY GROUP, INC.
ARCHITECTS

2000 SOUTHWEST 11TH AVENUE
SUITE 100
MIAMI, FL 33135
305.556.1100
www.ktgy.com

Licensed Architect

Principal in Charge - J. TRACY
Project Director - M. FOWLER
Project Manager - M. SCHURR
Project Designer - J. TRACY
Checked By -

Sheet Title -
PLAN 2
'R' EXTERIOR ELEVATIONS

Sheet No. -

A2.6A

12/21/06 PC
SDR-17247

OCT 02 2006



EXTERIOR ELEVATIONS SCALE: 1/4" = 1'-0"

A3.4

SDR-17247
12/21/06 PC



JOHN MITCHELL, 60/68
ELYON, CA 95624

JOHN MITCHELL
60/68 ELYON, CA 95624

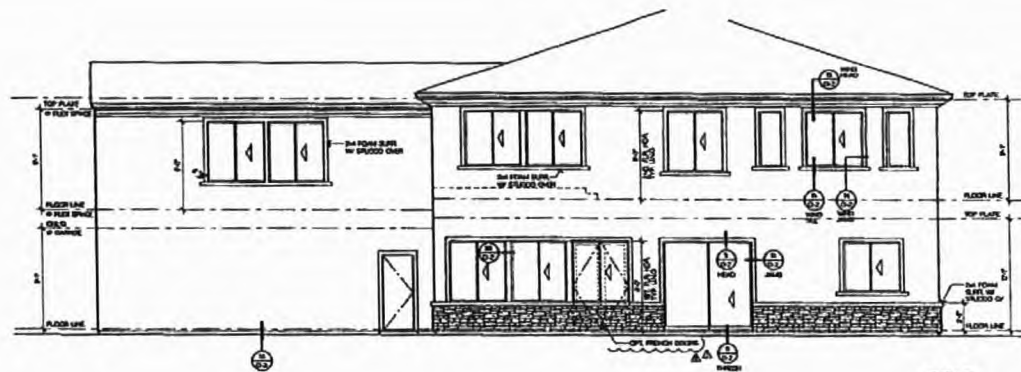
ELYON, California

Principal in Charge • J. TILLY
Project Director • M. FOWLER
Project Manager • R. SCHARRA
Project Designer • A. TSM
Checked By •

Sheet Title •
PLAN 4
"A" EXTERIOR ELEVATIONS
"A" ROOF PLAN

Sheet No. •

OCT 02 2006

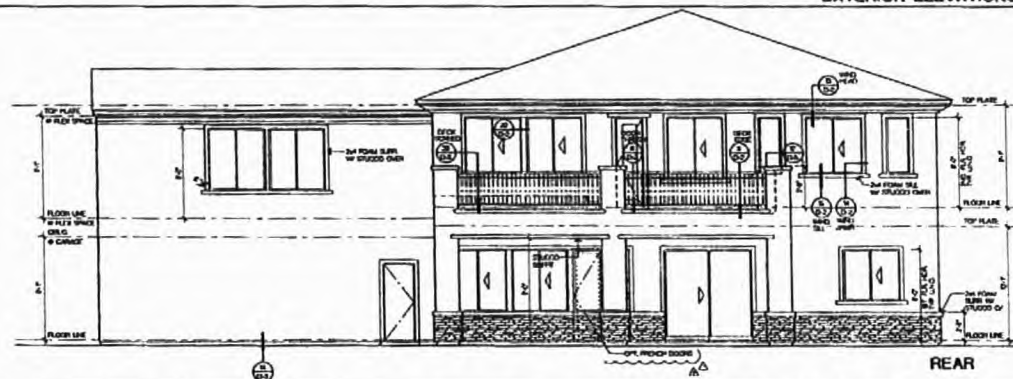


REAR



RIGHT

EXTERIOR ELEVATIONS SCALE: 1/4" = 1'-0" 1



REAR

DECK OPTION ELEVATION SCALE: 1/4" = 1'-0" 2

No.	Date	Revised / Description
1		3/20/06 HKS DEPT. SUBMITTAL
2		3/20/06 HKS DEPT. REVISIONS
3		3/20/06 HKS DEPT. REVISIONS
4		3/20/06 HKS DEPT. REVISIONS
5		3/20/06 HKS DEPT. REVISIONS
6		3/20/06 HKS DEPT. REVISIONS
7		3/20/06 HKS DEPT. REVISIONS
8		3/20/06 HKS DEPT. REVISIONS
9		3/20/06 HKS DEPT. REVISIONS
10		3/20/06 HKS DEPT. REVISIONS

Consultant

Project: BENNINGTON PARK

TOUSA HOMES Inc., d.b.a.
ENGLE HOMES
7872 WEST SAHARA
LAS VEGAS, NV 89117
2004-0777



KTGYGROUP, INC.

10000 W. WILLOW BLVD.

ST. LOUIS, MO 63114

St. Louis, Missouri

License Stamp

Principal in Charge: J. TRACY
Project Engineer: M. FOWLER
Project Manager: M. SCHMIDT
Project Designer: J. TRACY
Checked By:

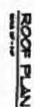
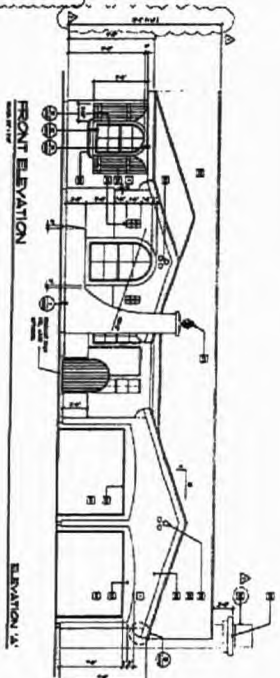
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PLAN 4
"A" EXTERIOR ELEVATIONS

Sheet No.:

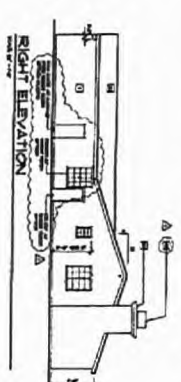
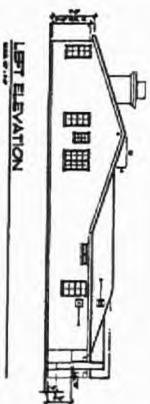
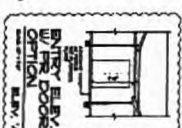
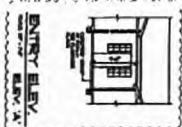
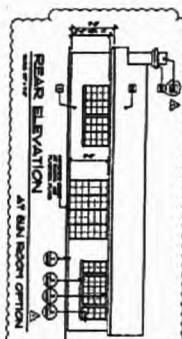
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SDR-17247
12/21/06 PC



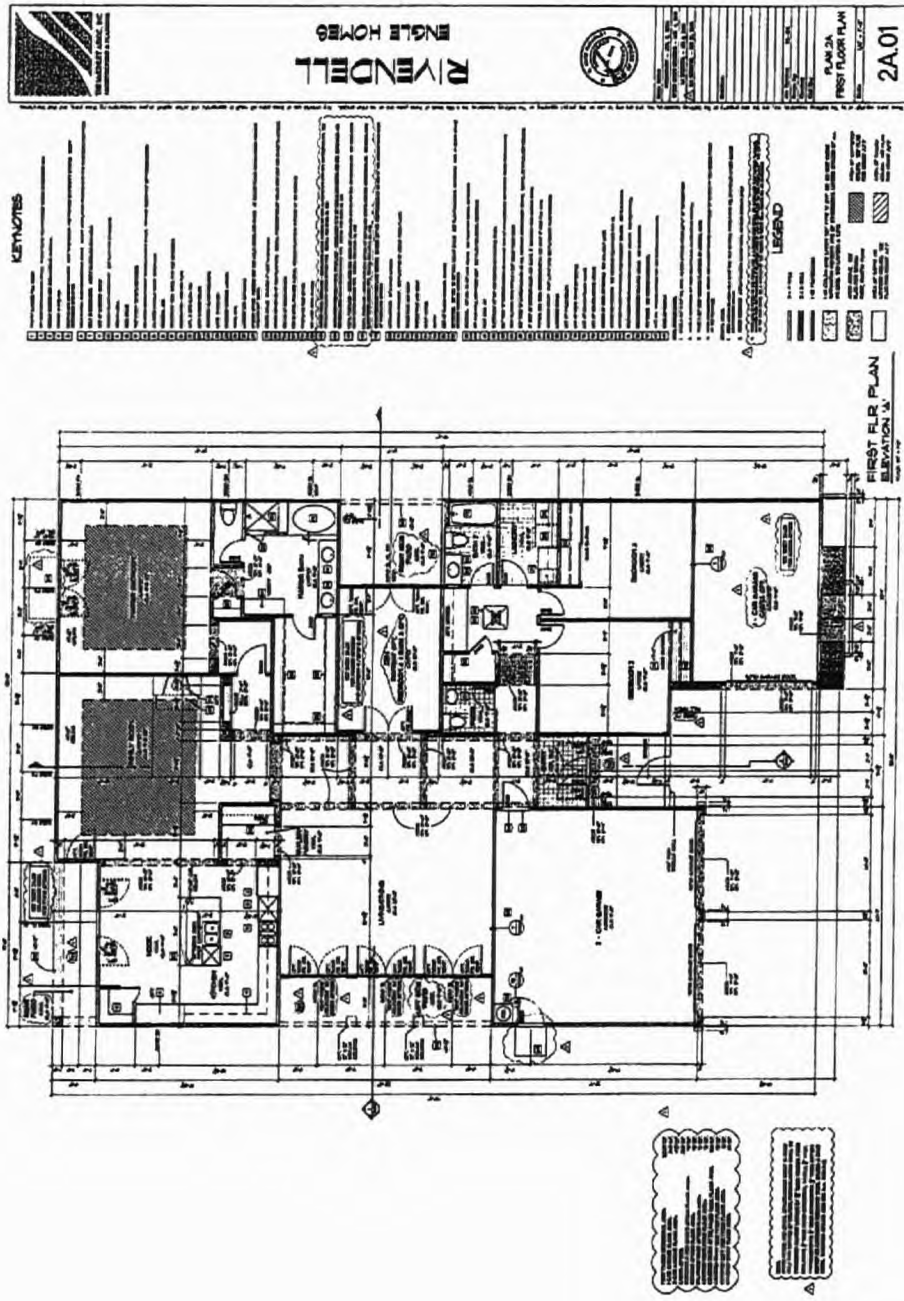
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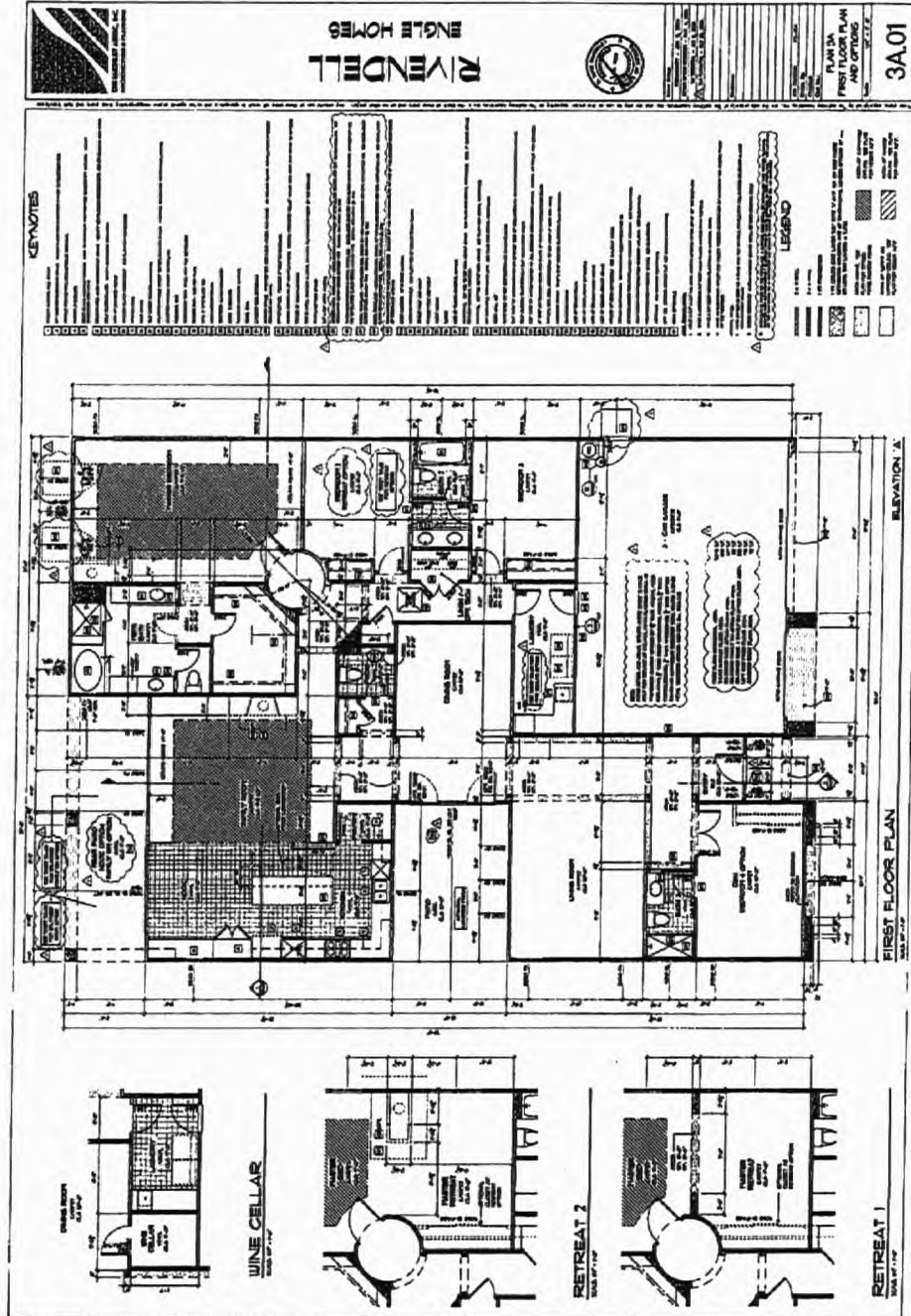
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OCT 02 2006
12/21/06 PC
SDR-17247



OCT 02 2006
12/21/06 PC
SDR-17247

SDR-17247
12/21/06 PC

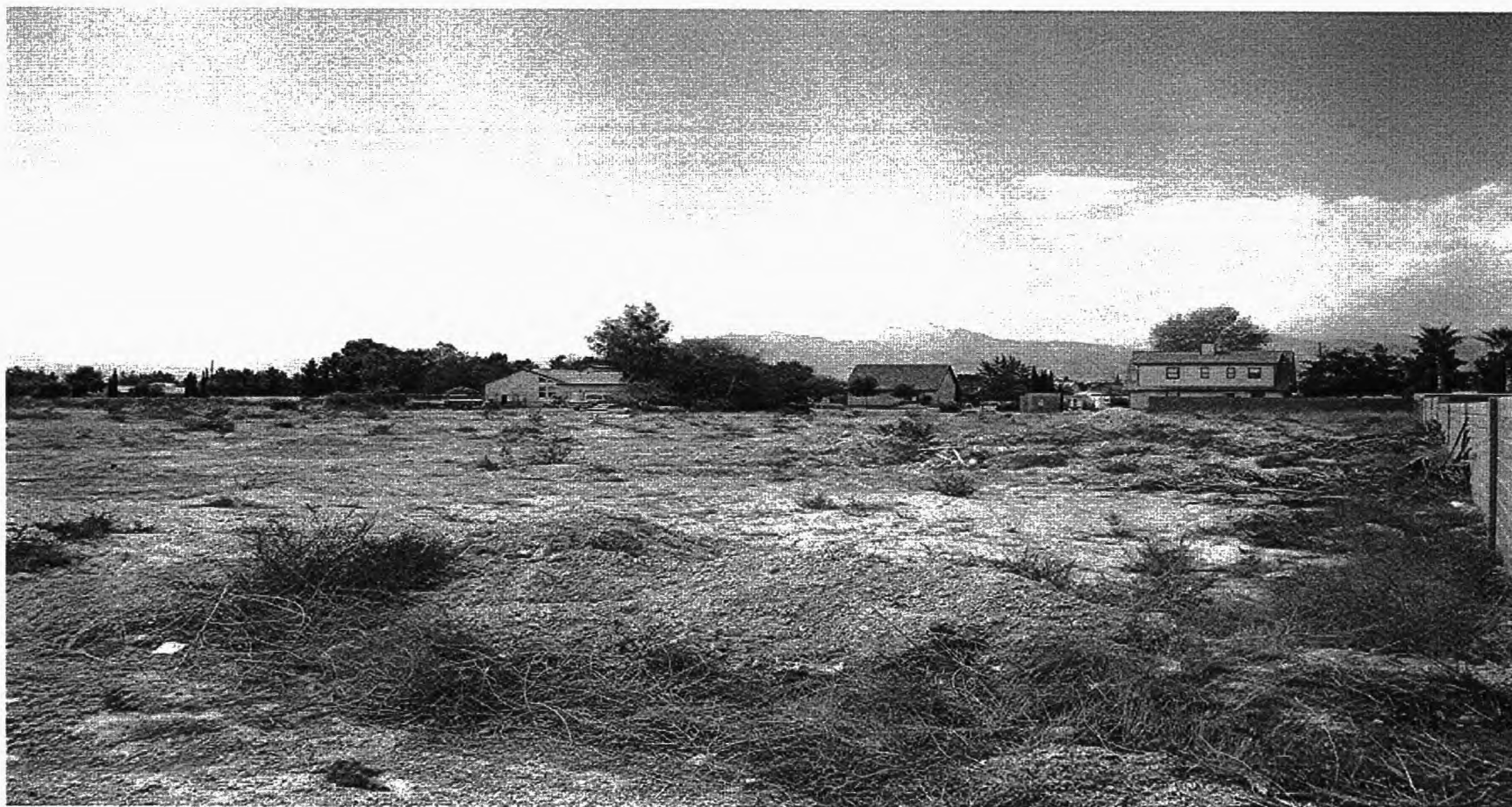


SDR 17247				
Wright Engineers				
NWC Deer Springs & Bradley				
Proposed 5 lot single family development.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DWELL]	5	9.57	48
AM Peak Hour			0.75	4
PM Peak Hour			1.01	5
<i>(heaviest 60 minutes)</i>				
Existing traffic on all nearby streets:				
Deer Springs Way				
Average Daily Traffic (ADT)	516			
PM Peak Hour	41			
<i>(heaviest 60 minutes)</i>				
Bradley Road				
Average Daily Traffic (ADT)	1,329			
PM Peak Hour	106			
<i>(heaviest 60 minutes)</i>				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Deer Springs Way	49115			
Bradley Road	16200			
This project will add approximately 46 trips per day on Deer Springs and Bradley. This will increase expected volumes by about nine percent percent on Deer Springs and about four percent on Bradley. Deer Springs is at about 1 percent of capacity and Bradley is at about 8 percent of capacity.				
Based on Peak Hour use, this development will add roughly 9 additional cars into the area; which works out to about one every twelve minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



ZON-17242, VAR-17244 & SDR-17247 - APPLICANT/OWNER: TOUSA HOMES, INC.
NORTHWEST CORNER OF BRADLEY ROAD AND DEER SPRINGS WAY
NOVEMBER 16, 2006 PLANNING COMMISSION

10/10/06



ZON-17242, VAR-17244 & SDR-17247 - APPLICANT/OWNER: TOUSA HOMES, INC.
NORTHWEST CORNER OF BRADLEY ROAD AND DEER SPRINGS WAY
NOVEMBER 16, 2006 PLANNING COMMISSION

10/10/06



September 28, 2006

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

Dear Ladies/Gentlemen:

Please accept this letter from Wright Engineers on behalf of our client, Tousa Homes, Inc., as the justification for related requests for a Rezoning, a Variance and a Site Development Plan Review for development of property located at the northwest corner of Deer Springs Way and Bradley Road, also known as Falcon Crest Unit 1 (APN 125-24-203-022).

Our client intends to develop five single-family homes on the site. The site is currently designated L (Low Density Residential) in the City's Master Plan, which allows for densities up to 5.5 u.p.a. The site is currently zoned R-E (Residence Estates).

The applicant is requesting a conforming Rezoning from the R-E district to the R-PD2 (Residential Planned Development - 2 Units per Acre) on the subject site. Although the density of the proposed project, at 2.86 u.p.a., is far below the Low Density threshold of 5.5 u.p.a., the intent is to match the scale and density of the surrounding properties in the area. All of the proposed lots exceed 16,000 s.f. in area, which is in scale with nearby development. A Site Development Plan Review for the project is also being submitted. This site plan conforms to Title 19 regulations, with the exception of the minimum site size requirement of 5 acres for R-PD developments (a request for a Variance to this requirement is also being filed), and a waiver of the perimeter landscaping strip along Deer Springs Way (the one on Bradley Road is being provided). The reason for this waiver is to have the project match the lots to the west of the cul-de-sac entrance, where no landscape buffer exists. This waiver is requested as part of this Site Development Plan Review.

The proposed rural density residential development will be compatible with surrounding residential uses, and will be a logical and attractive use of an infill parcel that will be designed to compliment the area.

Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "G. Leebold".

Gary Leebold, AICP
Director of Planning

SDR-17247
12/21/06 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE

VAR-17871 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DEJA VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND JEAN M. GRANT - Request for a Variance TO ALLOW A PROPOSED 80-FOOT DOUBLE FACE 2,470 SQUARE-FOOT FREESTANDING SIGN WHERE 720 SQUARE FEET IS THE MAXIMUM ALLOWED on 2.46 acres at 1508 Western Avenue (APN 162-04-602-010), M (Industrial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

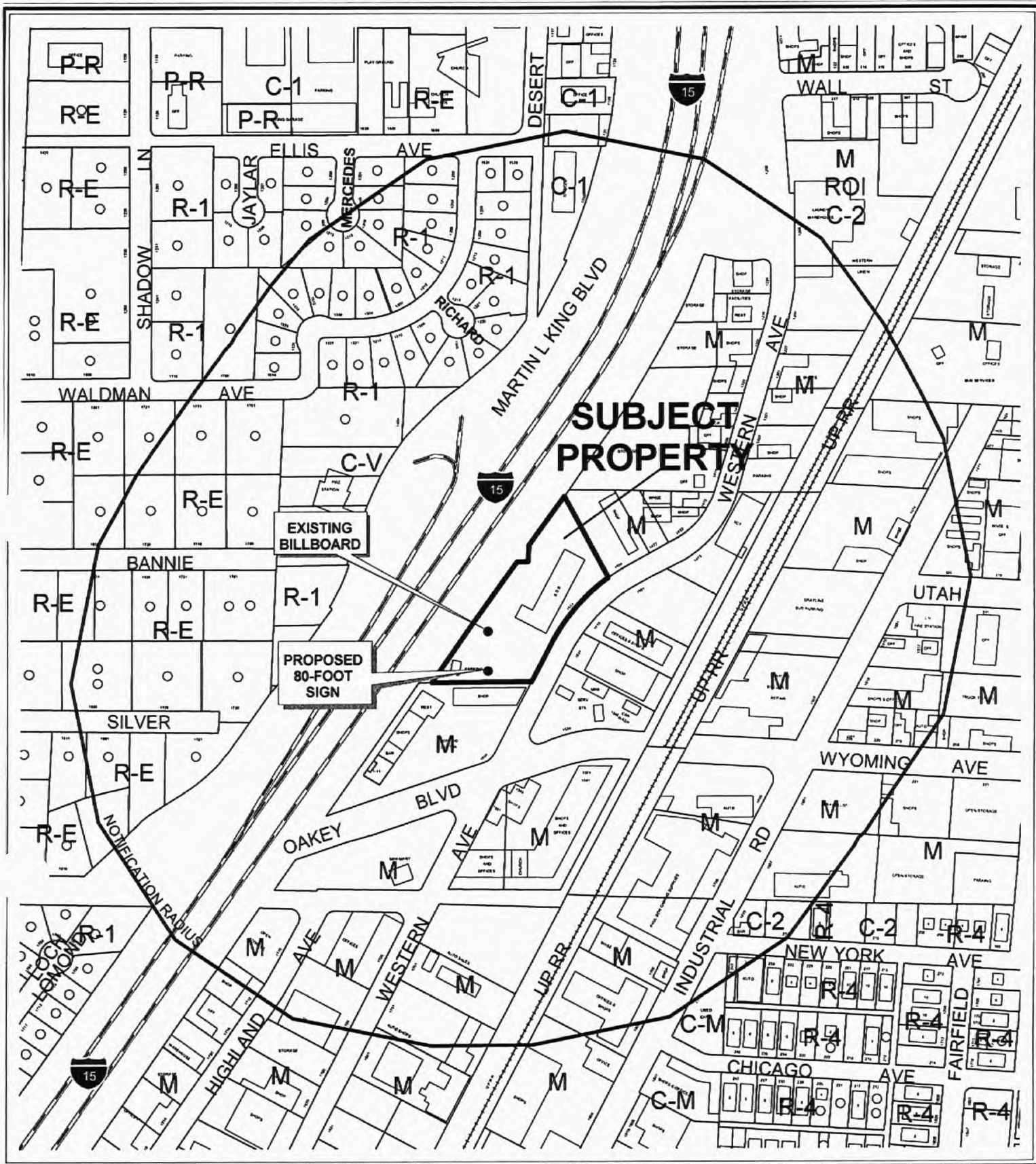
1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Protest letter by Stephen Grogan
5. Protest email from Michael Kiger
6. Submitted after final agenda – Justification letter and abeyance letter by Attorney Jay Brown for Items 105 and 106
7. Backup referenced from the 12-21-06 Planning Commission Meeting Item 35

Motion made by LARRY BROWN to Hold in Abeyance Item 63 [1919 Fremont Street], Item 64 [900 Stewart Avenue, 216 and 222 N. 9th Street], Item 89 [SUP-18655], Item 94 [GPA-16511], Item 95 [ZON-16519], Item 96 [VAR-16525], Item 97 [SDR-16522], Item 105 [VAR-17871], Item 106 [SDR-17312], Item 111 [GPA-18818], Item 112 [ZON-18819], Item 113 [VAR-18820], Item 114 [SUP-18821] and Item 115 [SDR-18822] to 3/07/2007; Item 102 [ZON-17242], Item 103 [VAR-17244] and Item 104 [SDR-17247] to 3/21/2007; Item 107 [SUP-13490] and Item 110 [SDR-15747] to 4/18/2007

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

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

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



CASE: **VAR-17871**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - VAR-17871 - APPLICANT: DÉJÀ VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND JEAN M. GRANT

THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 7, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-17312) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The application is a request for a Variance to allow a proposed 80-foot high double face 1,235 square-foot freestanding sign where 720 square feet is the maximum allowed on a 2.46 acre site located at 1508 Western Avenue, east of the Interstate 15 corridor and Western Avenue.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/06	The Planning Commission recommended approval of companion item SDR-17312 concurrently with this application. The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #35/ja).
<i>Pre-Application Meeting</i>	
09/20/06	A Pre-application meeting was held with the applicant. The applicant was informed of the Title 19 – Section 19.14.060 sign regulations related to sign quantity, area, height, setbacks, and separation.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not held for this type of application nor is one required.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.46 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Adult Entertainment	LI/R – Light Industrial/Research	M (Industrial)
North	Commercial Industrial	C (Commercial)	M (Industrial)
South	Commercial Industrial	C (Commercial)	M (Industrial)
East	Commercial Industrial	C (Commercial) LI/R (Light Industrial/Research)	M (Industrial)
West	Commercial Industrial	C (Commercial)	M (Industrial)

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

DEVELOPMENT STANDARDS

Freestanding Signs: [type in sign reference]				
Standards	Ratio	Allowed	Provided	Compliance
Maximum Number	1 sign / 200 Lineal feet of Street frontage	1 sign	1 sign	Y
Maximum Area	2 SF of sign area /lineal foot of Street frontage	720 SF	1,235 SF	N
Maximum Height	40 Feet (maximum 30-feet above nearest elevated freeway near proposed freestanding sign)		80 Feet	Y
Minimum Setback	5 Feet		5 Feet	Y
Illumination	200 feet from single- family residential		N/A	N/A

ANALYSIS

The project requests a Variance to allow for an 80-foot freestanding sign with a 1,235 square foot sign face where 720 square feet is the maximum allowed per Title 19 Sign Standards.

- **General Plan/Zoning**

The General Plan land use category for the project site is LI/R (Light Industrial/Research) and is situated within a designated revitalization area. Additionally, the site is within the M (Industrial) zone and freestanding signage is permitted within this zone classification.

- Site Plan

The project would involve installation of one 80-foot tall freestanding sign located near the southern property line. Title 19 Sign Standards limits the maximum number of signs to 1 sign for every 200 lineal feet of street frontage. The eastern property line fronting Western Avenue contains 360 lineal feet therefore 1 sign is the maximum permitted for this site.

- Elevations

The freestanding sign would be a double faced illuminated pylon display installed within an existing surface parking lot of a sexually oriented business. Title 19 Sign Standards limits the total maximum area of freestanding signage to no greater than 2 square feet of sign area for each lineal foot of street frontage. The street frontage for the subject parcel is 360 lineal feet and as such the sign face is limited to 720 square feet.

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 with the excessive design of the proposed sign face. A reduced project alternative that meets or exceeds the applicable Title 19 sign face threshold (at or below 720 square feet) 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. Staff recommends denial of the Variance request.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 111 by City Clerk

APPROVALS 0

PROTESTS 2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-17871** APN: 162-046-020-10

Name of Property Owner: Arthur & Jean Grant

Name of Applicant: Deja Vu's Little Darlings

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: _____

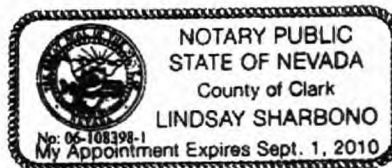
Signature of Property Owner: Jean M. Grant

Print Name: JEAN M. GRANT

Subscribed and sworn before me

This 26th day of October, 2006

Lindsay Sharbono
Notary Public in and for said County and State



TOTAL SQ. FT.
1235 SQ. FT.

RACEWAY
O.P.A. RACEWAY W/ CHASE
INCANDESCENT LAMPS 6"
O.C. w/ 28 WATTS CLEAR
LAMPS

34'-0"
32'-2"
VIDEO
8'-0"

FLEX FACE CABINET
METAL CABINET & RETAINERS
PAINTED WHITE. - WHITE FLEX
FACE w/ GRAPHICS APPLIED.
ILLUM W/ T-12 FLUORESCENT
LAMPS AS REQ'D.

AS PER
REQ'D.

Little
Darlings
TOTALLY NUDE

METAL CABINET
SAND FINISH TEX-COTE PAINT
TO MATCH #230-78 VIVID ROSE.
RETURN OF CABINET TO BE
DECKING 12" O.C.

SCROLL
PAINT WHITE w/ EXPOSE
WHITE NEON ILLUM.

LITTLE DARLINGS
OPEN PAN CHANNEL LTRS.
PAINT WHITE INSIDE & PAINT
OUTSIDE RETURN WHITE w/
DT PINK NEON ILLUM.

TOTALLY NUDE
OPEN PAN CHANNEL LTRS.
PAINT TO MATCH #230-167 BLUE
VINYL INSIDE & PAINT OUTSIDE
RETURN WHITE w/ DT CLEAR BLUE
NEON ILLUM.

EXPOSE CLEAR BLUE NEON
STEADY BURN.

PMU
PS 23MM 224 X 413 MATRIX
17'-16" X 32'-2" PRO-STAR
VIDEO.



80'-0"
O.A. HT.

575 SQ. FT.

EXPOSE CLEAR BLUE NEON
STEADY BURN.

PYLON COVER
METAL SAND FINISH TEX-COTE
POLE COVER AND CAPS PTD TO
MATCH #230-78 VIVID ROSE.
SMOOTH PAINT STRIPE DOWN
THE CENTER WHITE.



END VIEW

VAR-17871

12/21/06 PC

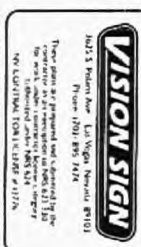
A D/F ILLUMINATED PYLON DISPLAY 1/8" = 1'-0"
(1) REQ'D.

001

REVISIONS PAGE	DATE	BY	DESCRIPTION
04-24-06	01-08-2006	DERECK	ADJUST SIZES OF SIGN
04-24-06	01-08-2006	SHOCK	A LED UNIT
04-24-06	01-08-2006	SHOCK	ADJUST SIZES OF SIGN
04-24-06	01-08-2006	SHOCK	A LED UNIT

PROJECT	103663
DATE	01-08-2006
DESIGNER	DERECK
CHECKER	SHOCK
DATE	01-08-2006
PROJECT	103663

THIS DRAWING WAS PREPARED BY AND IS THE PROPERTY
OF VISION SIGN INC. ANY UNAUTHORIZED USE OR
REPRODUCTION OF THIS DRAWING IS PROHIBITED.



Little
Darlings
1514 WESTERN AVE
80' FREEWAY
PYLON SIGN

Scotch 80's Home Owners Association

2121 Silver Avenue
Las Vegas, NV 89102

Monday, January 19, 1007

Dear Mayor and Council Members,

Our association is opposed to the proposed new signage for the 'Little Darlings' establishment.

We have gone on record of being opposed to signage that may environmentally impact on a neighborhoods esthetics.

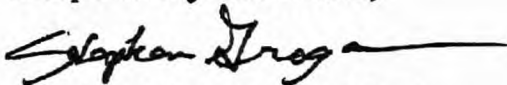
It is our understanding that this sign may be viewed by residents in the Scotch 80's neighborhood. We find this totally unacceptable.

We have seen no engineering that provides a 'cast off' impact to surrounding businesses and neighborhoods. This should be provided by the applicant before this matter is further considered.

Again, we ask this issue to be tabled or to be removed from consideration.

Thank you.

Respectfully submitted,



Stephen Grogan, President
Scotch 80's Home Owners Association
759-0001

Protest

2007 JAN 16 P 4:58

RECEIVED
CITY CLERK

Date 1/16/07 Item # 128

Kimberly Reid

From: mkiger@tmi-group.com
Sent: Monday, February 05, 2007 8:52 AM
To: councilwoman-ltarkanian@LasVegasNevada.gov
Subject: Internet Submission - Little Darlings Signage

Citizen Name: Michael Kiger

Email: mkiger@tmi-group.com

Comments: Dear Ms. Tarkanian,

Please limit the size of the requested new sign for the Little Darlings club. We do not need to see more X-rated advertisement from the freeway. It is difficult to shield the children from such advertisement.

Thank you.

Date: 2/5/2007 8:52:13 AM

VAR 17871 / SDR 17312
Regarding items # 104 + # 105
ON THE FEBRUARY 7, 2007
AGENDA

Protest

RECEIVED
CITY CLERK
2007 FEB - 6 P 1:21

Date 2/6/07 Item #104-105

LAW OFFICE

Jay H. Brown, Ltd.

A PROFESSIONAL CORPORATION
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jay@jhbrownltd.com

November 16, 2006

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

Re: Justification Letter
SDR-17312
VAR-17871

Gentlemen:

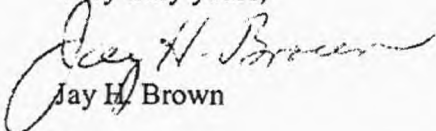
Application SDR-17312 is for a site design review of Déjà vu's Little Darlings' free-standing pole sign, an allowed used in the current M zoning. The freestanding sign is aesthetically pleasing to the eye and meets the design standards set forth in the city code, and is consistent with other signs in the area.

A variance is required to allow the increase in the height of the sign to 80 feet and increase the size of the face of the sign from the allowed 760 sq. ft. to 1,235 sq. ft. for the following reasons:

1. The location of the sign is within 200 feet of I-15.
2. I-15 is elevated approximately 50 ft. and the sign would not be visible unless it was raised to 80 ft.
3. The face of the sign needs to be much larger than the 760 sq. ft. allowed by code in order for it to be spatially appealing while being viewed from I-15.
4. The sign is located on an irregular shaped parcel, which limits the visibility of signage on the property.

We respectfully request that our application for the variance in the height and size of the freestanding sign be approved.

Very truly yours,


Jay H. Brown

JHB:cc

RECEIVED

NOV 23 2006

Submitted after final review

Date 2/15/07 Item #105+106

RECEIVED
CITY CLERK

LAW OFFICE

Jay H. Brown, Ltd.

A PROFESSIONAL CORPORATION

2007 FEB 20 P 4: 57
370 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jay@jhbrownltd.com

February 20, 2007

VIA FACSIMILE TO: 382-4803

City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101
Attn: Barbara Jo Ronemus
City ClerkRe: City Council Agenda of February 21, 2007
Item No. 105 - VAR-17871
Item No. 106 - SDR-17312
Déjà vu's Little Darlings

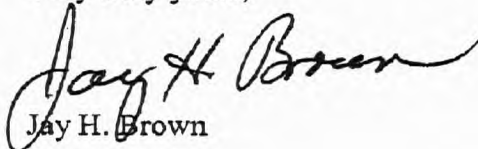
Dear Ms. Ronemus:

Please be advised that I represent the applicant in the above referenced matter.

I respectfully request that this item be abeyed from the presently scheduled meeting to the meeting to be held on March 7, 2007 in order for my client and me to work out content problems with the City Attorney.

Thank you for your cooperation.

Very truly yours,


Jay H. Brown

JHB:cc

Submitted after final agenda

Date 2/20/07 Item #105 +
106

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

December 11, 2006

City of Las Vegas Planning Commission
City Council Chambers
400 Stewart Avenue
Las Vegas, NV 89101

In re: **Objections to SDR-17312 and VAR-17871**

Dear City Commissioners:

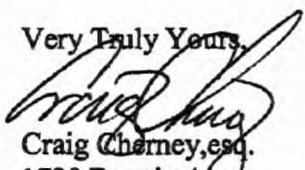
I would like to tender a formal **objection** to the aforementioned matters on behalf of myself and my wife Aubree Cherney. We reside at 1720 Bannie Avenue, in the Scotch 80's Neighborhood which lies directly west of the proposed signage.

While every business is entitled to signage, the enormous size of the proposed "Little Darlings" sign is completely unacceptable.

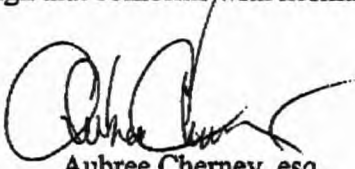
While our neighborhood lies next to these kinds of businesses, I don't believe it's fair that a new sign, which will become an ENORMOUS BEACON to all passers-by for this Little Darlings establishment would benefit the city, its residents, or people like us who will live under the shadow of this signage.

Please compel the applicant to build a sign that conforms with normal city code.

Very Truly Yours,



Craig Cherney, esq.
1720 Bannie Ave
Las Vegas, NV 89102



Aubree Cherney, esq.
1720 Bannie Ave
Las Vegas, NV 89102

Renee Poole
Not Just Antiques Mart
1422 Western Avenue
Las Vegas, NV 89102

December 15, 2006

RE: SDR-17312 AND VAR-17871 Little Darlings Déjà vu's Sign Applications

Dear Council:

I am OPPOSED to both of these plans passing. I have property adjacent to this address, which is a retail establishment. The neighborhood has long been known for its nudey bars, And many who live in Las Vegas and tourists, do not travel in this neighborhood because of the reputation that it has gotten. Western Avenue and the adjacent neighborhood is just beginning to see the arrival of new retail businesses, art galleries, and building promotions.

I think a sign of that size will mislead passer-bys; especially those on the freeway, and will discourage potential customers from seeking our retail businesses. Although, I am not in opposition to this type of business, I don't feel that the promotion of this with a 80 foot sign is necessary, and may actually hurt the small businesses that are in this area.

I am hopeful that you will vote no on this matter.

Renee Poole

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-17871

SDR-17312 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DÉJÀ VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND JEAN M. GRANT - Request for a Site Development Plan Review FOR A PROPOSED 80-FOOT HIGH FREESTANDING SIGN on 2.46 acres at 1508 Western Avenue (APN 162-04-602-010), M (Industrial) Zone, Ward 3 (Reese). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Backup referenced from the 12-21-06 Planning Commission Meeting Item 36

Motion made by LARRY BROWN to Hold in Abeyance Item 63 [1919 Fremont Street], Item 64 [900 Stewart Avenue, 216 and 222 N. 9th Street], Item 89 [SUP-18655], Item 94 [GPA-16511], Item 95 [ZON-16519], Item 96 [VAR-16525], Item 97 [SDR-16522], Item 105 [VAR-17871], Item 106 [SDR-17312], Item 111 [GPA-18818], Item 112 [ZON-18819], Item 113 [VAR-18820], Item 114 [SUP-18821] and Item 115 [SDR-18822] to 3/07/2007; Item 102 [ZON-17242], Item 103 [VAR-17244] and Item 104 [SDR-17247] to 3/21/2007; Item 107 [SUP-13490] and Item 110 [SDR-15747] to 4/18/2007

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

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

Minutes:

See Item 105 for related backup.

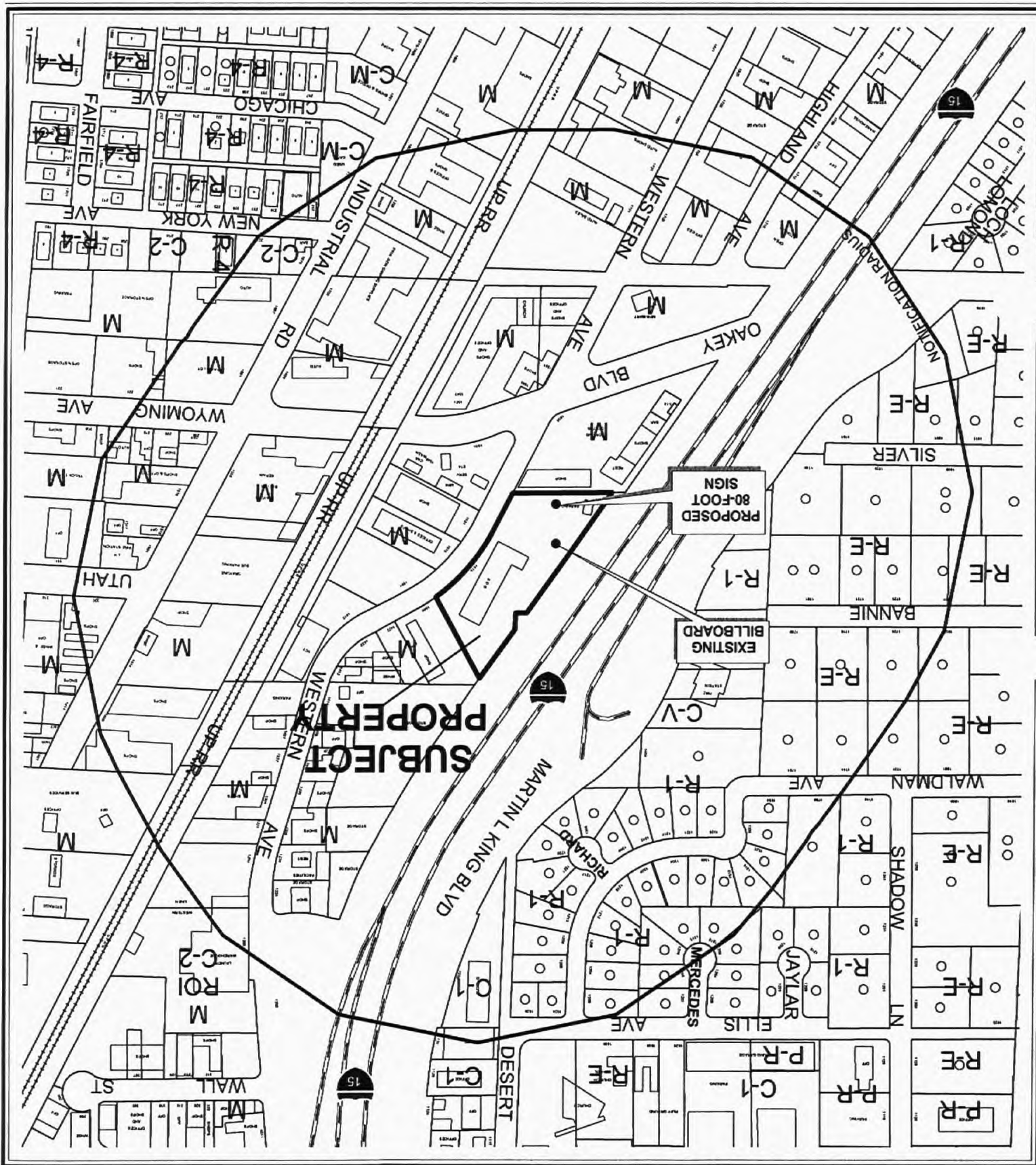


ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

RADIUS: 1000 FT

CASE: SDR-17312

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - SDR-17312 - APPLICANT: DÉJÀ VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND JEAN M. GRANT

THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 7, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan, and sign elevations date stamped 10/3/06, except as amended by conditions herein.
3. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

4. The proposed freestanding sign shall not be located within the public right-of-way or interfere with Site Visibility Restriction Zones. The billboard base shall not be located within existing or proposed public sewer or drainage easements.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Site Development Plan Review for a proposed 80-foot high 2,470 square-foot freestanding sign on 2.46 acres at 1508 Western Avenue, between Interstate 15 and Western Avenue. A companion Variance (VAR-17871) shall be considered with this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/06	The Planning Commission recommended approval of companion item VAR-17871 concurrently with this application. The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #36/ja).
<i>Pre-Application Meeting</i>	
09/20/06	A Pre-application meeting was held with the applicant. The applicant was informed of the Title 19 – Section 19.14.060 sign regulations related to sign quantity, area, height, setbacks, and separation.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not held for this type of application nor is one required.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.46 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Sexually Oriented Business	LI/R (Light Industrial/Research)	M (Industrial)
North	Commercial Industrial	C (Commercial)	M (Industrial)
South	Commercial Industrial	C (Commercial)	M (Industrial)
East	Commercial Industrial	C (Commercial) and LI/R (Light Industrial/Research)	M (Industrial)
West	Commercial Industrial	C (Commercial)	M (Industrial)

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

DEVELOPMENT STANDARDS

Freestanding Signs: [type in sign reference]				
Standards	Ratio	Allowed	Provided	Compliance
Maximum Number	1 sign / 200 Lineal feet of Street frontage	1 sign	1 sign	Y
Maximum Area	2 SF of sign area /lineal foot of Street frontage	720 SF	2,470 SF	N
Maximum Height	40 Feet (maximum 30-feet above nearest elevated freeway near proposed freestanding sign)		80 Feet (I-15 Highway is elevated 50- feet above project site)	Y
Minimum Setback	5 Feet		5 Feet	Y
Illumination	200 feet from single- family residential		N/A	N/A

ANALYSIS

The project request is for the removal of an existing 55-foot tall double face freestanding sign with electric matrix display and construction of a new double face freestanding 80-foot high illumination and pylon sign with video display. The new sign will serve to advertise the location of a sexually oriented business at the subject property.

Development surrounding the project site includes commercial and light industrial uses to the south, east, and north, and Interstate Highway 15 (I-15) to the west. Other existing signage on-site includes an 85-foot tall double face approximately 20-feet by 40-feet commercial billboard near the southwest corner of the property; and illuminated wall, roof, and awning signage.

- General Plan/Zoning

The General Plan land use category for the project site is LI/R (Light Industrial/Research) and is situated within a designated revitalization area. Additionally, the site is within the M (Industrial) zone and freestanding signage is permitted within this zone classification.

- Site Plan

The freestanding sign will be located within a paved surface parking lot near the southern property line and within 100 feet of the Interstate 15 (I-15) corridor. An approximately 85 foot tall billboard located east of the I-15 highway and west of the proposed sign location exists on the project site. The proposed sign will be installed more than 100 feet (measured on center) from the billboard as required per Title 19 signage distance separation requirements. All other existing signage for the sexually oriented business was reviewed for conformance to current Title 19 Sign Standards. Scaled plans of all existing signage was requested of the applicant by Planning staff however a complete set of drawings was not submitted for review. Staff estimated that current signage complies with Title 19 sign standards.

- Sign Elevation

The sign would be a freestanding illuminated display constructed of metal and with pylon cover featuring neon and incandescent lighting, video screen, and open pan channel lettering. The sign will be 80-feet high installed approximately 100 feet east of an elevated state public right-of-way. Which (I-15) rises approximately 50-feet above the adjacent surface parking lot. Title 19 – Section 19.14 Sign Standards permits the construction of freestanding signage within 200 feet of the right-of-way line of an elevated freeway or highway to which it is oriented, and may be erected up to 30 feet above the elevation of an elevated freeway or highway nearest the sign.

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 sign is a permitted use within the industrial zone district.

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

The proposed sign is consistent with the General Plan land use and Title 19 Sign Standards.

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

The project will not adversely affect street operations on Western Avenue.

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

The sign structure is designed to complement the existing sexually oriented business and will utilize materials that will provide structural stability.

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 architectural design of the structure will blend well with the exterior building design as well as with surrounding uses by utilizing modern design elements.

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

Implementation of the proposed project will not result in substantial risk to human health and public safety.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 111 by Planning and Development Dept

APPROVALS 0

PROTESTS 2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-17312** APN: 162-046-020-10
Name of Property Owner: Arthur & Jean Grant
Name of Applicant: Deja Vu's Little Darlings

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): _____

APN _____

Signature of Property Owner: _____

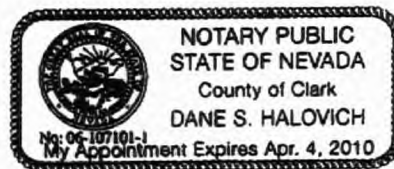
Print Name: _____

JEAN GRANT

Subscribed and sworn before me

This 01 day of AUGUST, 2006

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



80' FREEWAY SIGN

5' MIN SETBACK
FROM P/L

I-15



80' FREEWAY SIGN

SITE PLAN

1"=60'



WESTERN AVE

EXISTING SIGN
TO BE REMOVED



AERIAL VIEW N.T.S.

**Little
Darlings**

1514 WESTERN AVE

SITE PLAN

VISION SIGN

3425 S. Pikes Ave. Las Vegas, Nevada 89103
Phone: (702) 895-7474

These plans were prepared and submitted by the contractor as an exemption to NRS 423.150 for work under contractor license category authorized under NRS 624.
NV CONTRACTOR LICENSE #42776

THIS ARTWORK WAS PREPARED BY AND IS THE PROPERTY OF VISION SIGN, INC. ANY UNAUTHORIZED USE OF SAME, IN WHOLE OR PART IS PROHIBITED.

JOB NO. 10366a
DATE 02-08-2006
DRAWN DERRICK
SALES SHOCK
FILE NAME LD10366a.CDR
PLOTTER

REVISIONS MADE
04-20-06 ON ADJUST SIZES OF SIGN
& LED UNIT

SITE

SDR-17312

12/21/06 PC

TOTAL SQ. FT.
1235 SQ. FT.

RACEWAY
SEAS RACEWAY W/ CHASE
INCANDESCENT LAMP
60-75 WATT CLEAR
GLASS

FLEX FACE CABINET
METAL CABINET & RETAINERS
PAINTED WHITE. - WHITE FLEX
FACE w/ GRAPHICS APPLIED.
100% 120V FLUORESCENT
LAMPS AS REQ'D.

AS PER
REQ'D

METAL CABINET
HAND FINISH TO MATCH
TO MATCH 120V FLUORESCENT
RETURN OF CABINET TO BE
DECKING 12-0-0

SCROLL
PAINT WHITE w/ EXPOSE
WHITE NEON ILLUM.

UTTER DANKINGS
OPEN PAN CHANNEL LTRS.
PAINT WHITE INSIDE & PAINT
OUTSIDE RETURN WHITE w/
DIP PINK NEON ILLUM.

TOTALLY NUDE
OPEN PAN CHANNEL LTRS.
PAINT TO MATCH #230-167 BLUE
VINYL INSIDE & PAINT OUTSIDE
RETURN WHITE w/ CLEAR BLUE
NEON ILLUM.

PROSELYTARD BLUE NEON
512 D BURN

310
15-2MM 22 X 416 MATRIX
12-10X12-2 PRO-STAR
VIDEO

Little
Darlings
TOTALLY NUDE



575 SQ. FT.

EXPOSE CLEAR BLUE NEON
STEADY BURN.

PYLON COVER
METAL SAND FINISH TEX-COTE
POLE COVER AND CAPS PTD TO
MATCH #230-78 VIVID ROSE.
SMOOTH PAINT STRIPE DOWN
THE CENTER WHITE.

RECEIVED
OCT 03 2006

1/8" = 1'-0"
D/F ILLUMINATED PYLON DISPLAY (1) REQ'D.

12/21/06 PC
SDR-17312

001

REVISED INVOICE	DATE	10/26/06
04-20-06 DM ADJUST SIZES OF SIGN	DATE	02-08-2006
4 LED UNIT	QUANTITY	DERIVED
04-24-06 DM ENLARGE SIZES OF SIGN	QUANTITY	SHOCK
4 LED UNIT	QUANTITY	10/03/06 CON

THIS ADVERTISING UNIT WAS PREPARED BY AND IS THE PROPERTY OF VISION SIGN. ANY REPRODUCTION OR SALE OF THIS UNIT WITHOUT OUR WRITTEN PERMISSION IS PROHIBITED.

VISION SIGN
2424 S. Main Ave. Las Vegas, Nevada 89101
Phone: (702) 895-7474
Fax: (702) 895-7474
E-mail: info@visionsign.com
Website: www.visionsign.com
This unit was prepared and submitted by the advertiser as an advertisement to NAB 425,100
for the purpose of being transmitted by the
station under license to the advertiser.
ANY REPRODUCTION OR SALE OF THIS UNIT
WITHOUT OUR WRITTEN PERMISSION IS PROHIBITED.

Little Darlings
1514 WESTERN AVE
80' FREEWAY
PYLON SIGN



VAR-17871 & SDR-17312 - APPLICANT: DEJA VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND
JEAN M. GRANT
1508 WESTERN AVENUE
DECEMBER 21, 2006 PLANNING COMMISSION

11/28/06



VAR-17871 & SDR-17312 - APPLICANT: DEJA VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND
JEAN M. GRANT
1508 WESTERN AVENUE
DECEMBER 21, 2006 PLANNING COMMISSION

11/28/06



VAR-17871 & SDR-17312 - APPLICANT: DEJA VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND
JEAN M. GRANT
1508 WESTERN AVENUE
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11/28/06



VAR-17871 & SDR-17312 - APPLICANT: DEJA VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND
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11/28/06



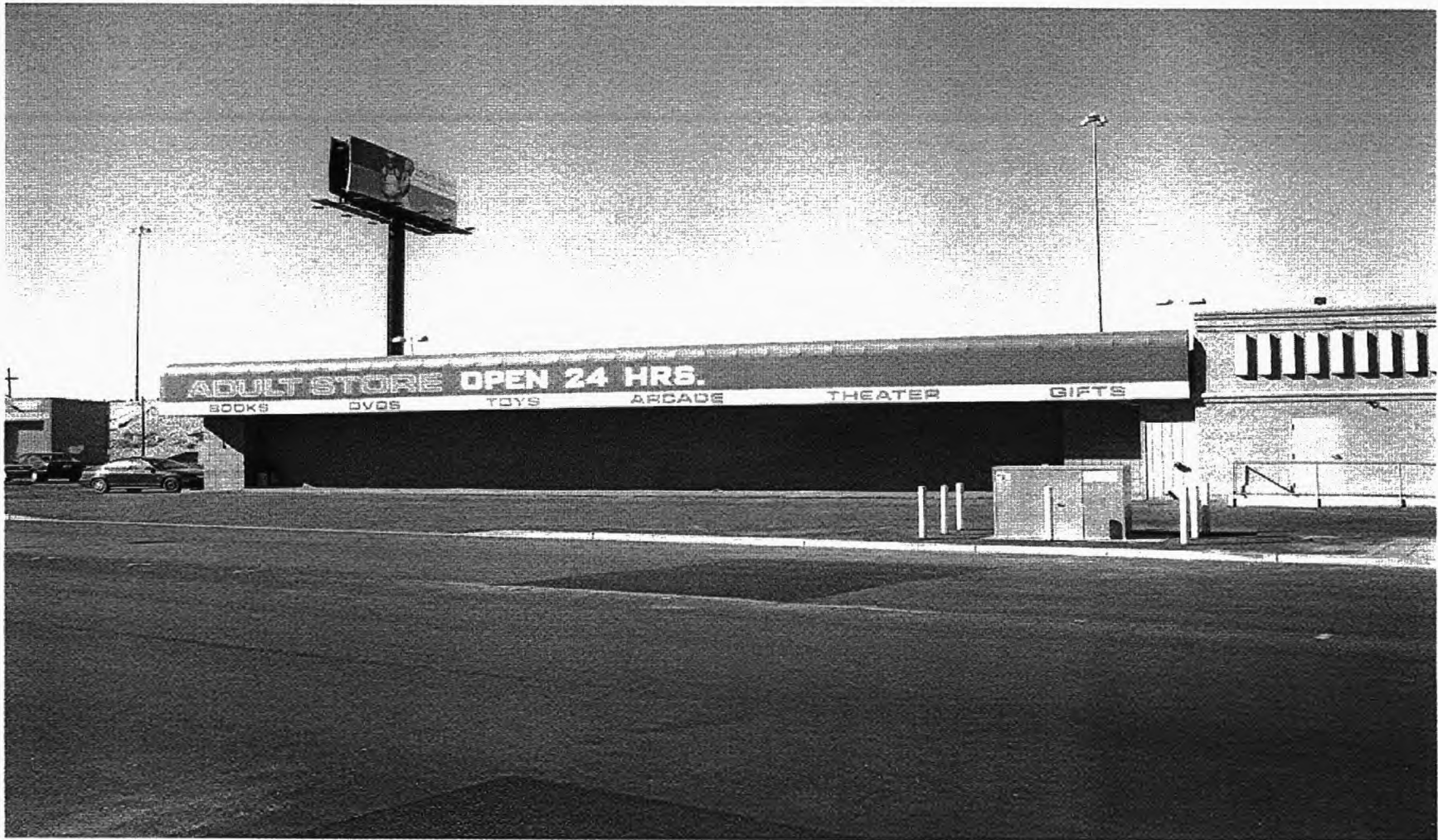
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DECEMBER 21, 2006 PLANNING COMMISSION

11/28/06



VAR-17871 & SDR-17312 - APPLICANT: DEJA VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND
JEAN M. GRANT
1508 WESTERN AVENUE
DECEMBER 21, 2006 PLANNING COMMISSION

11/28/06



VAR-17871 & SDR-17312 - APPLICANT: DEJA VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND
JEAN M. GRANT
1508 WESTERN AVENUE
DECEMBER 21, 2006 PLANNING COMMISSION

11/28/06

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

December 11, 2006

City of Las Vegas Planning Commission
City Council Chambers
400 Stewart Avenue
Las Vegas, NV 89101

In re: **Objections to SDR-17312 and VAR-17871**

Dear City Commissioners:

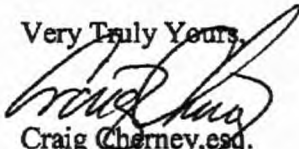
I would like to tender a formal **objection** to the aforementioned matters on behalf of myself and my wife Aubree Cherney. We reside at 1720 Bannie Avenue, in the Scotch 80's Neighborhood which lies directly west of the proposed signage.

While every business is entitled to signage, the enormous size of the proposed "Little Darlings" sign is completely unacceptable.

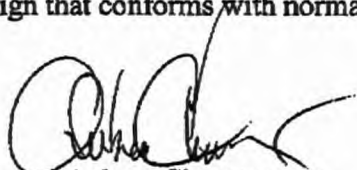
While our neighborhood lies next to these kinds of businesses, I don't believe it's fair that a new sign, which will become an ENORMOUS BEACON to all passers-by for this Little Darlings establishment would benefit the city, its residents, or people like us who will live under the shadow of this signage.

Please compel the applicant to build a sign that conforms with normal city code.

Very Truly Yours,



Craig Cherney, esq.
1720 Bannie Ave
Las Vegas, NV 89102



Aubree Cherney, esq.
1720 Bannie Ave
Las Vegas, NV 89102

Renee Poole
Not Just Antiques Mart
1422 Western Avenue
Las Vegas, NV 89102

December 15, 2006

RE: SDR-17312 AND VAR-17871 Little Darlings Déjà vu's Sign Applications

Dear Council:

I am OPPOSED to both of these plans passing. I have property adjacent to this address, which is a retail establishment. The neighborhood has long been known for its nudey bars, And many who live in Las Vegas and tourists, do not travel in this neighborhood because of the reputation that it has gotten. Western Avenue and the adjacent neighborhood is just beginning to see the arrival of new retail businesses, art galleries, and building promotions.

I think a sign of that size will mislead passer-bys; especially those on the freeway, and will discourage potential customers from seeking our retail businesses. Although, I am not in opposition to this type of business, I don't feel that the promotion of this with a 80 foot sign is necessary, and may actually hurt the small businesses that are in this area.

I am hopeful that you will vote no on this matter.

Renee Poole

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: FEBRUARY 21, 2006

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT

SUP-13490 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: FIRST PRESBYTERIAN CHURCH OF LV NV - Appeal filed by the applicant from the denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1619 West Charleston Boulevard (APN 162-04-510-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Revised Justification Letter
5. Appeal letter filed by Kelleen Cota
6. Submitted after final agenda – Abeyance letter by Kellen Cota
7. Backup referenced from the 11-16-06 Planning Commission Meeting Item 25

Motion made by LARRY BROWN to Hold in Abeyance Item 63 [1919 Fremont Street], Item 64 [900 Stewart Avenue, 216 and 222 N. 9th Street], Item 89 [SUP-18655], Item 94 [GPA-16511], Item 95 [ZON-16519], Item 96 [VAR-16525], Item 97 [SDR-16522], Item 105 [VAR-17871], Item 106 [SDR-17312], Item 111 [GPA-18818], Item 112 [ZON-18819], Item 113 [VAR-18820], Item 114 [SUP-18821] and Item 115 [SDR-18822] to 3/07/2007; Item 102 [ZON-17242], Item 103 [VAR-17244] and Item 104 [SDR-17247] to 3/21/2007; Item 107 [SUP-13490] and Item 110 [SDR-15747] to 4/18/2007

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

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





CASE: **SUP-13490**

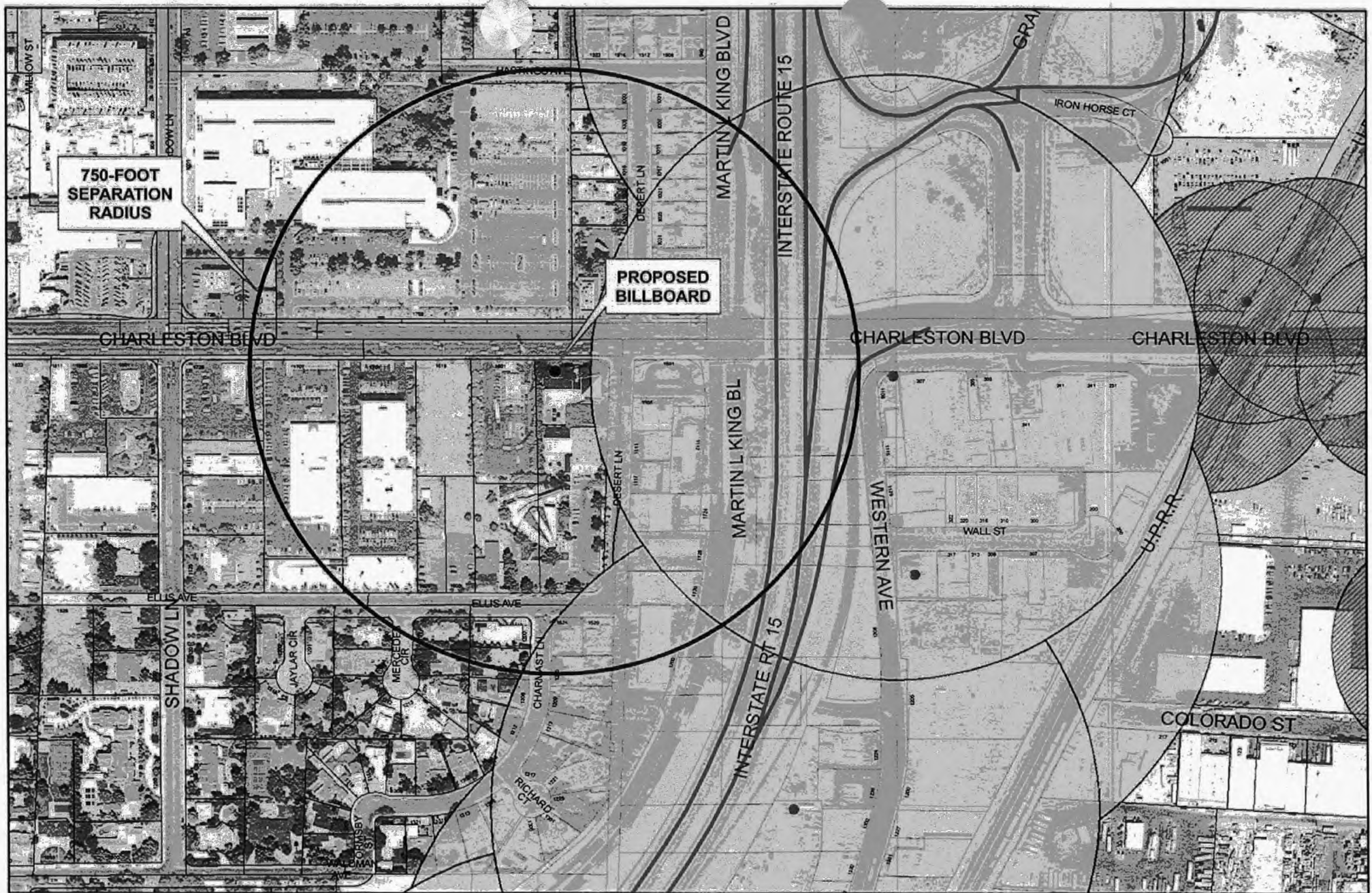
RADIUS: 1000 FT

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

0 300 600 Feet







SUP-13490

City of Las Vegas Billboard Data

- | | | |
|--------------------------------------|--|-------------------------------------|
| Subject Parcel | 300 Foot Buffer Around Billboard | Off Premise Sign Exclusion Area |
| City of Las Vegas Billboard Location | 750 Foot Buffer Around Freeway Billboard | Exempt - Off Premise Area Sign Area |
| Clark County Billboard Location | | |



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-13490 - APPLICANT/OWNER: FIRST PRESBYTERIAN CHURCH OF LAS VEGAS

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

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend DENIAL.

Planning and Development

1. Approval of a General Plan Amendment (GPA-13372) to a Service Commercial land use.
2. The billboard shall be placed so that it is perpendicular to Charleston Boulevard.
3. The billboard face shall consist of static vinyl panels, or a similar material as approved by the Planning and Development Department
4. Animated and electronic message unit signage is prohibited.
5. The billboard shall not be internally or externally illuminated.
6. The billboard is limited to the exact height as specified in the public hearing notice. If the height of the adjacent freeway increases, the billboard is not entitled to any height increases allowed by Title 19 or Nevada Revised Statutes.
7. Prior to the issuance of any building permits, the applicant shall submit a site plan which includes a stamped certification, signed by a professional engineer, which includes the exact distances to the nearest residential property and to all other billboards and which states that the billboard complies with all separation requirements.
8. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for a off-premise advertising (billboard) use.
9. 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.
10. This Special Use Permit shall be reviewed in two years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

11. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
12. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
13. Only one advertising sign is permitted per sign face.
14. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
15. Bird deterrent devices shall be installed on the sign.

Public Works

16. The proposed (billboard) sign shall not be located within the public right-of-way or interfere with Site Visibility Restriction Zones. The sign base shall not be located within existing or proposed public sewer or drainage easements.

**** STAFF REPORT ****

APPLICATION REQUEST

This is an appeal filed by the applicant from the denial by the Planning Commission of a request for a Special Use Permit for a proposed 40-foot tall, 14-foot x 48-foot off-premise advertising (billboard) sign at 1619 West Charleston Boulevard. The sign is to be located within an existing church parking lot located west of the McDonalds restaurant.

This billboard is one of four to be considered on this agenda. Staff has prepared a map of the proposed billboard locations, on which the subject sign is identified as billboard "C"

EXECUTIVE SUMMARY

The Southeast Sector Map of the General Plan and the Charleston/Rancho land use study both designate this site for O (Office) land uses. Because the zoning districts recommended for this property by the Office land use designation do not permit billboards, and because staff is recommending denial of a related General Plan Amendment to SC (Service Commercial) (GPA-13372), staff's recommendation is for denial.

BACKGROUND INFORMATION

- | | |
|----------|---|
| 01/06/54 | The City Council approved a Special Use Permit (U-70-53) to allow a church on the subject property |
| 08/07/85 | The City Council approved the Community Profiles of the City of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for SC (Service Commercial) land uses. |
| 10/24/91 | The Board of Zoning Adjustment approved a Special Use Permit for a child care facility in conjunction with the church on the subject property (U-261-91). |
| 05/24/94 | The Board of Zoning Adjustment approved a Special Use Permit for a school in conjunction with the church on the subject property (U-108-94). |
| 06/19/02 | The City Council adopted the Rancho Charleston Land Use Study and approved General Plan Amendment GPA-47-01. This amendment designated the subject property for O (Office) land uses. |

- 07/13/06 The Planning Commission voted to hold this item in abeyance to allow the applicant to meet with neighbors.
- 08/10/06 The Planning Commission voted to table this item.
- 10/19/06 The Planning Commission voted to hold this item in abeyance to allow the applicant to meet with neighbors.
- 11/16/06 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #25/ar).

B) Pre-Application Meeting

- 04/26/06 Staff explained the requirements for a Special Use Permit to the applicant and provided information regarding the required neighborhood meeting.

C) Neighborhood Meetings

A neighborhood meeting was held on Tuesday, June 20, 2006 at 6:00 pm at the First Presbyterian Church, 1515 West Charleston Boulevard. In attendance were: 32 citizens; 3 applicant representatives; Councilwoman Tarkanian and two council liaisons; and Margo Wheeler, Planning and Development Director

The applicant presented the project as five total signs. Three of the signs will be billboards and two of them will be for the church. The applicant indicated the height of signs could increase if the freeway is modified, and that all signs are proposed to include reader board.

DETAILS OF APPLICATION REQUEST

Site Area: 0.93 Net acres

Existing Land Use

Subject Property	Church parking lot
North	UNLV Dentistry School/Restaurant
South	Single Family Dwellings
East	Restaurant
West	Offices

Planned Land Use

Subject Property	O (Office)
North	MD-1 (Medical Support)
South	L (Low Density Residential)
East	SC (Service Commercial)
West	O (Office)

Existing Zoning

Subject Property C-1 (Limited Commercial)
North PD (Planned Development)
South R-1 (Single Family Residential)
East C-1 (Limited Commercial)
West C-1 (Limited Commercial)

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan	X	
Charleston/Rancho Study Area	X	
Special Overlay District		X
Trails		X

The subject site is located within the Charleston/Rancho study area. This study designates this site for Office uses.

ANALYSIS

A) Zoning Code Compliance

A1) Minimum Distance Separation Requirements

The Off-Premise Advertising (Billboard) Sign is subject to a minimum 300-foot separation from other off-premise advertising signs not oriented toward I-15. There are no existing billboards within the separation distance, and the applicant has indicated that this billboard will be at least 300 feet from the billboards that are proposed under Special Use Permits SUP-13362, SUP-13494, and SUP-13495.

In addition, the sign cannot be located less than 300 feet from the nearest property line of a lot in the "R" Zoning District. The nearest "R" zoned property is located approximately 600 feet to the south of the proposed location.

A2) Off-Premise Sign Requirements

Pursuant to Title 19.04, the following Standards apply to the subject proposal:

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise sign may be located within the public right-of-way	Located south of the Charleston Boulevard right-of-way	Y
Zoning	Off-premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a C-1 (Limited Commercial) zoning district	Y

Area	No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The east and west faces are each 378 square feet.	Y
Height	40 Feet above grade	40 Feet above grade	Y
Setback	Off-premise signs shall not be located closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.	The subject sign is set back approximately 470 feet from the right-of-way line of the intersection of Charleston Boulevard and Desert Lane	Y
Screening	All structural elements of an off-premise sign to which the display panels are attached shall be screened from view.	Screened from view by sign panels	Y
Other	All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; no residential uses on site.	Y

The proposed Off-Premise Advertising (Billboard) Sign meets the provisions of the Title 19 sign code.

B) General Analysis and Discussion

- Zoning

The subject site is zoned C-1 (Limited Commercial) and is not located within the Off-Premise Sign Exclusionary Zone. An Off-Premise Advertising (Billboard) Sign is a permitted use in this district with the approval of a Special Use Permit. However, the Southeast Sector Map of the General Plan and the Charleston/Rancho land use study both designate this site for O (Office) land uses. The zoning districts recommended for this property by the Office land use designation do not permit billboards.

FINDINGS

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

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

Per Title 19.14 (B)(2), in determining whether to approve or deny a Special Use Permit under this Section, the Planning Commission and City Council may consider the aesthetic impact of the sign on the area and all other aspects of the sign's compatibility with the surrounding area, including the existence or nonexistence of other signage in the area. This proposed use would be located in the O (Office) General Plan designation. This area is characteristic of office development, and is not compatible with this proposed billboard.

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

There are no physical constraints to the location of the use on the subject site.

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

There are no requirements for access to a property containing an Off-Premise Advertising (Billboard) Sign.

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 2002, the City of Las Vegas approved a land use study of properties located in the vicinity of Charleston Boulevard, Rancho Drive and Martin L. King Boulevard in an effort to resolve land use conflicts in the study area. The Charleston/Rancho study redesignated all properties along the south side of Charleston Boulevard between Rancho Drive and Desert Lane for O (Office) land uses. This action provides a consistent land use buffer between the very intense uses of the Las Vegas Medical District and the residential neighborhoods south of the subject properties. The proposed Off-Premise Advertising (Billboard) Sign would result in the incompatibility of land uses that the Charleston/Rancho study sought to resolve.

PLANNING COMMISSION ACTION

There were two speakers in opposition at the Planning Commission meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 105 by City Clerk

APPROVALS 0

PROTESTS 2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-13490** APN: 162-04-510-004, 005, 006, 007

Name of Property Owner: First Presbyterian Church Las Vegas Nevada

Name of Applicant: First Presbyterian Church Las Vegas Nevada

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: _____

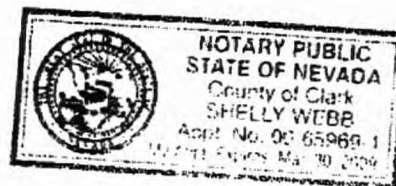
Signature of Property Owner: Wayne Petersen

Print Name: Wayne Petersen, President

Subscribed and sworn before me

This 2nd day of May, 2006

Shelly Webb
Notary Public in and for said County and State



[illegible]

PLAN REFERENCE MAP

CHARLOTTE

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VISIT - MAP

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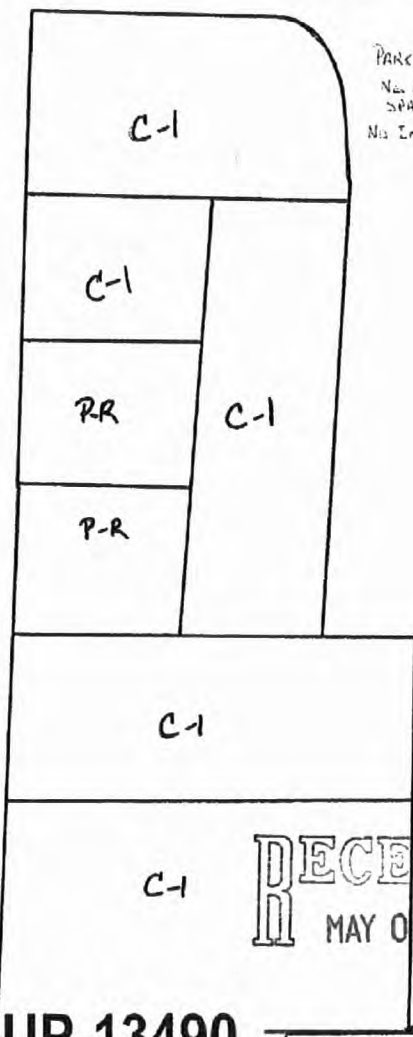
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PARKING ANALYSIS
NO ADDITIONAL
SPACES REQUIRED
NO IMPACT ON PEAK PERIOD



RECEIVED
MAY 08 2006

SUP-13490
11/16/06 PC

FIRST PRESBYTERIAN CHURCH L.V.N.V.		
NAME: <u>LEE</u>	APPROVED BY: <u>RCS</u>	GROUP: <u>2</u>
DATE:		APPROVED:
MESSAGE		
11-24-510-503.004:5.5.006 007		
S. HARRIS		

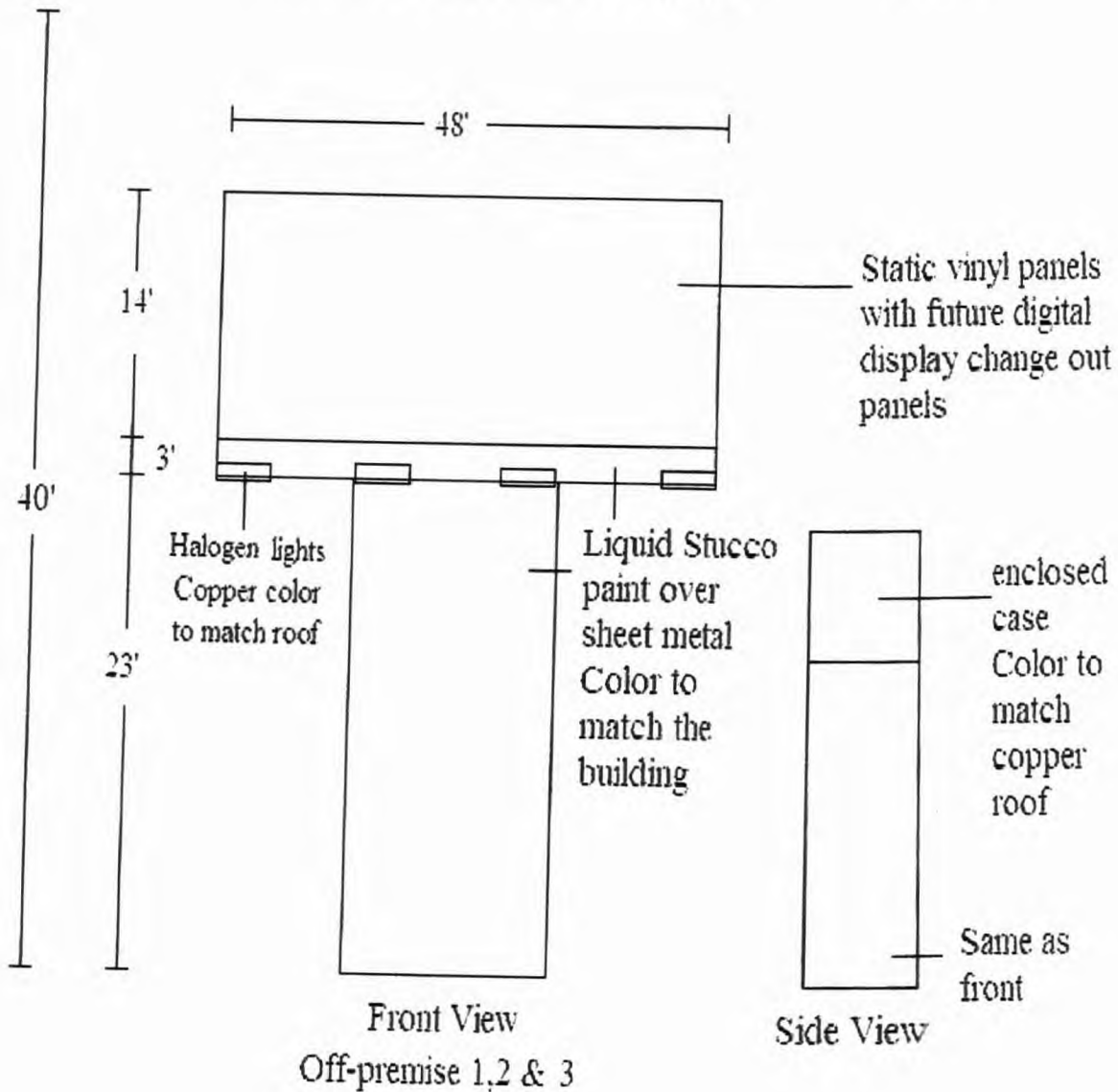
ELEVATION & MATERIALS

FIRST PRESBYTERIAN CHURCH

COLOR, DESIGN AND TEXTURE TO MATCH
BUILDING AND ROOF OF THE CHURCH

162-04-510-002

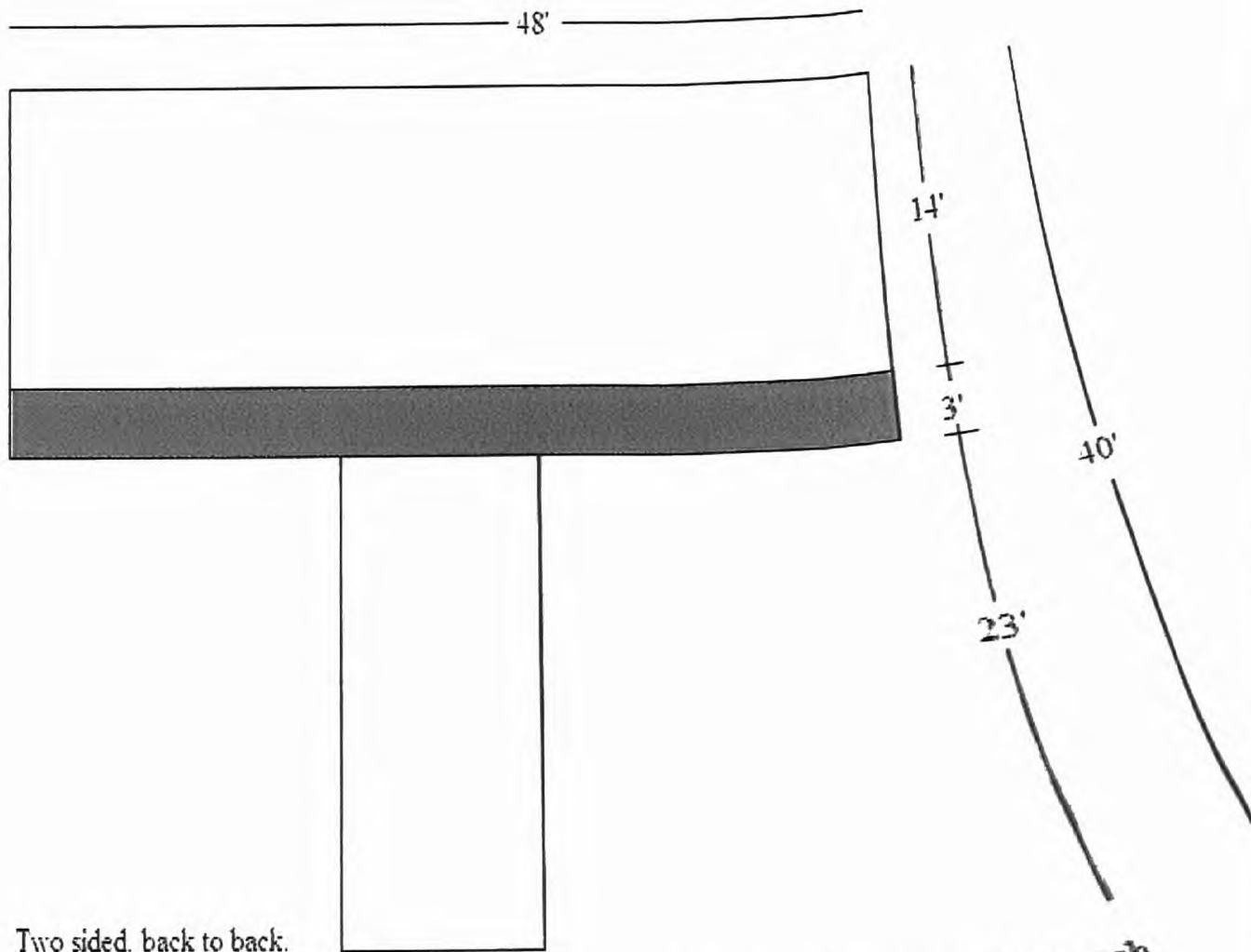
NO SCALE



SUP-13490
11/16/06 PC

RECEIVED
MAY 08 2006

Scale 1:10
Elevation



Two sided, back to back,
illuminated, enclosed case
Off Premise Sign

First Presbyterian Church
162-04-510-00X2
On Desert 243' N of Ellis

SUN
11'



SUP-13490 - APPLICANT/OWNER: FIRST PRESBYTERIAN CHURCH OF LV NV
1619 WEST CHARLESTON BOULEVARD
NOVEMBER 16, 2006 PLANNING COMMISSION

06/20/06

Justification Letter required by Doug Rankin

June 23, 2006

Doug Rankin
City of Las Vegas
Planning and Development Department
731 South Fourth Street
Las Vegas, Nevada 89101

RE: First Presbyterian Church, 1515 W. Charleston, 162-04-510-002, & 004

Dear Mr. Rankin:

I would like to clarify the off-premise billboards in terms of orientation to particular streets

- The proposed Sign on 162-04-510-002 and is oriented only to traffic traveling east and west on Charleston. This sign is not oriented to nor can it be reasonably seen from the Interstate 15.
- The northern most Sign on 162-04-510-004 is oriented only to traffic traveling east and west on Charleston. This sign is not oriented to nor can it be reasonably seen from the Interstate 15.
- The southern most Sign on 162-04-510-004 is oriented only to traffic traveling north and south on Desert, this Sign is not intended to be seen nor can it be reasonably seen from Interstate 15. There is a proposed Sign to the east of this location that is oriented to the Interstate 15 and is significantly taller.

ADDITIONALLY:

- I agree to a condition that within 30 days of approval of the sign oriented to traffic on Desert that a site plan with a wet stamp for all locations be submitted to prove that the minimum spacing requirements are met.

Thank you in advance for your anticipated time and attention concerning this matter.

Sincerely,

Thalia Dondero

Thalia Dondero
Representative

SUP-1349

SUP-1349

11/1

RECEIVED
CITY CLERK

2006 NOV 27 A 7:58

PECKMAN

SIGN COMPANY

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

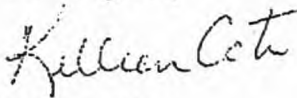
November 22, 2006

Dear City Clerk;

On behalf of The First Presbyterian Church, I hereby appeal item SUP-13490 that was denied by the Planning Commission on November 16, 2006. The Planning Commission stated that they were denying the billboard application because of the time and money the City of Las Vegas has spent on getting the UNLV Dental School across the street. I believe this is an erroneous fact and the UNLV Dental School has in fact been notified at least three times and has not opposed this project and furthermore this is an appropriate place for a billboard.

Thank you in advance for your anticipated time and attention concerning this matter.

Best regards,



Kelleen Cota
Authorized representative

RECEIVED
CITY CLERK

2007 FEB 21 A 7:58

Beverly Bridges
Acting City Clerk
City Hall, First Floor
400 Stewart Avenue
Las Vegas, NV 89101

February 20, 2007

I hereby request a hold on item SUP-13490 on behalf of the applicant First Presbyterian Church. Our Representative, Thalia Dondero, is in Carson City on Official Business and unable to attend on the applicants behalf. The applicant and Thalia Dondero are requesting a 60 day hold that will better coincide with scheduling and the temporary suspension of billboard applications. Thank you in advance for your anticipated time and attention concerning this matter.

Best regards,



Kelleen Cota
702-525-5988
866-435-8421 FAX

Submitted after final review

Date 02-21-07 Item #107

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

LAW OFFICE OF L. EARL HAWLEY

916 CASINO CENTER BOULEVARD

LAS VEGAS, NEVADA 89101

(702) 382-8910

FAX (702) 382-6675

July 03, 2006

City of Las Vegas
Planning and Development Dept.
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, Nevada 89101

Re: SUP 13494, 134954, 13372, 13362, 13490
SDR 13820

To Whom It May Concern:

This is to advise you on behalf of the entity I represent, that objection to above permit applications is hereby made. Traffic in the area is a problem now and proposed development in the immediate area is only going to increase financial costs to the public, as well as create hazards that could result in accidents.

Very truly yours,


L. Earl Hawley, Esq.

LEH/sv

RECEIVED
JUL 10 3 01 PM '06
CITY OF LAS VEGAS
PLANNING AND DEVELOPMENT DEPT.

Patricia Ames
1201 Shadow Lane
Las Vegas, NV 89102
Email: patriciaames@hotmail.com

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

July 10, 2006

RE: SUP-13372, 13490, 13491, 13494, 13495

Dear Current Planning Division:

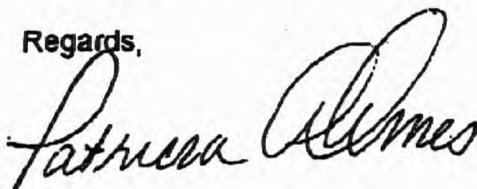
I would like to voice my strong objection to changing the zoning of what now is the First Presbyterian Church to Service Commercial. This is a lovely residential area, and right next to an historic Las Vegas neighborhood. While modern office buildings have in my opinion improved the area around Charleston, changing the zoning to a more commercial application could affect the area negatively and interrupt the residential properties adjacent. In addition, if the new zoning would at all increase traffic flow along Ellis Street, this could have a very negative impact on the residences along Ellis. It is a small side street in a residential area and does not appear to be meant for the heavier traffic associated with commercial activities.

The church has been a nice buffer between the busy C-1 activities on Charleston and the local neighborhood. Any zoning change will definitely impact the local community. A change from R-E to C-1 is quite dramatic. A much easier transition for the people that actually live adjacent would be from R-E to P-R, as is done on Shadow Lane. P-R tends to be quieter with much less traffic.

Also, raising 3 additional billboards in this area is extreme. There is already a proliferation of billboards here (Wendy's, MacDonald's, Carls Jr), and more would really ruin any residential character the area has left. Since I am not sure whether the billboards are only temporary in nature, and what the billboards would say, it is difficult to elaborate further. But, I strongly oppose any permanent billboards on any of the sites listed. There are residences right behind the church and billboards are very unsightly to have in a residential area.

Thank you for taking the time to gather our input!

Regards,



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Kimberly Reid

From: Judy Norman [dept14ea@co.clark.nv.us]
Sent: Wednesday, November 15, 2006 9:30 AM
To: Lois Tarkanian
Subject: SUP-13362 & SUP-13490

Dear Councilwoman Tarkanian,

I would like to register my opposition to SUP-13362 and SUP-13490. (the Presbyterian Church's application for two billboards) The members of my neighborhood association to which I have spoken agree with me that this is merely an attempt on the part of the applicant to generate a great deal of income at the expense of the residential nature of the area. It seems that here in Las Vegas there is virtually no end to the number of billboards that "spring up".

I would ask for denial of this application. We appreciate the work you are doing for our district.

Sincerely,

Donald Mosley

Submitted at Planning Commission

Date 11/16/06 Item #25