

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

VARIANCE RELATED ZON-18672

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

1

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. Backup referenced from the 01-25-07 Planning Commission Meeting Item 49

Motion made by STEVEN D. ROSS to Approve Subject to Conditions and adding the following condition as read for the record:

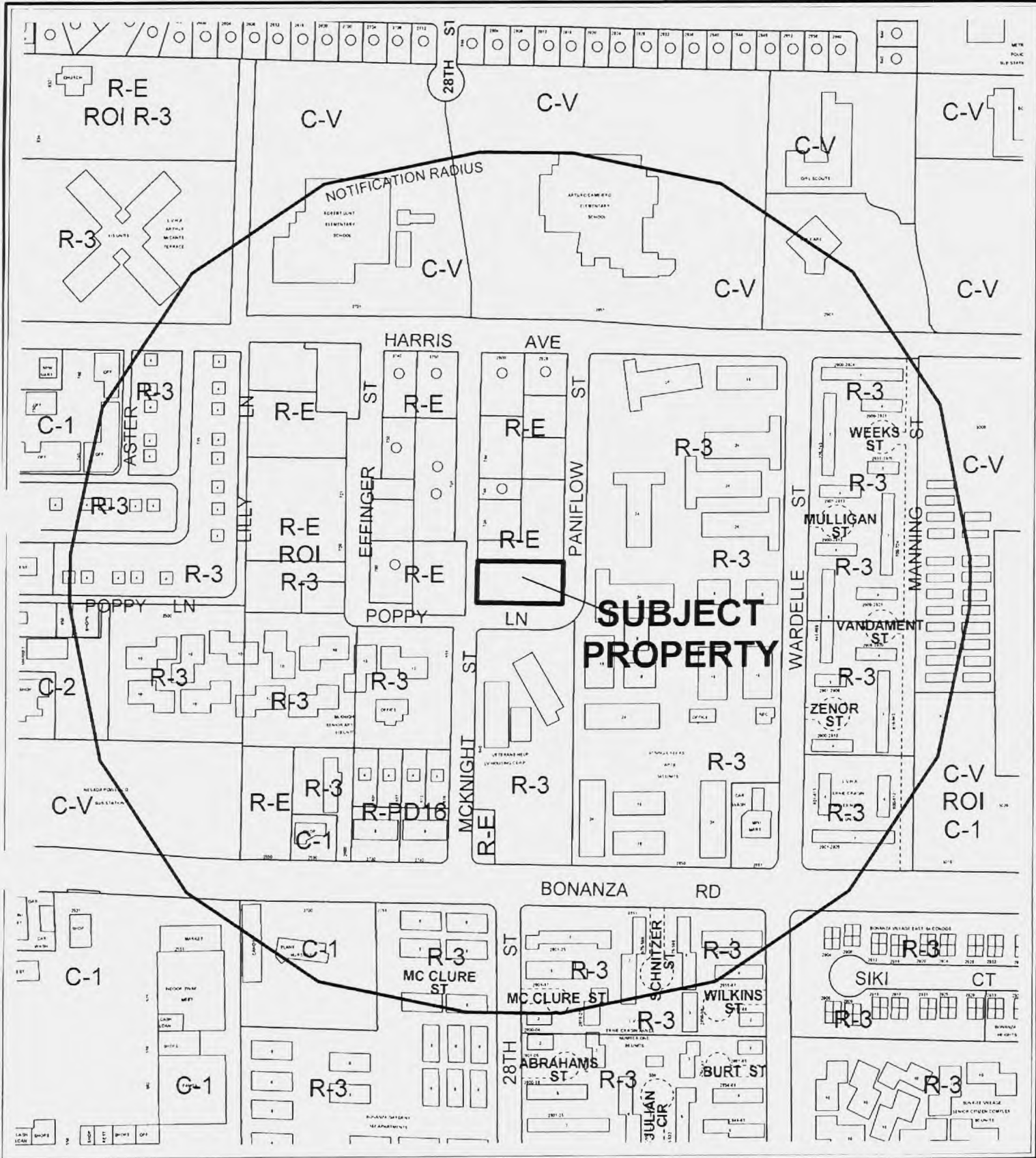
A. Approval of variance shall be for 17-1/2 feet front setback and 15 feet rear setback where 20 feet is required in residential adjacency, a 45 feet where 66 is required.

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 122 for related discussion and backup.



CASE: **VAR-18673**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-3 (MEDIUM DENSITY RESIDENTIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-18673 - APPLICANT/OWNER: ANA BELTRAN

**** CONDITIONS ****

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

Planning and Development

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

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

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/25/07	The Planning Commission recommended approval of ZON-18672 and denial of companion items VAR-18674 and SDR-18670 concurrently with this application. The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #49/rts).
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses related to this project approved or under review.	
<i>Pre-Application Meeting</i>	
11/29/06	A pre-application meeting was held and elements of this application were discussed. It was noted that the proposed density for this project is 14.49 DUA and that 23 parking spaces would be the requirement. Additionally, it was noted that two variances would be needed to deal with setback and parking deficiencies. Public Works talked about half-street improvements; need to meet with flood control; traffic signal impact fees; and dedicating radius corners. Submittal requirements were discussed.

<i>Neighborhood Meeting</i>
A neighborhood meeting is not required, nor was one held.

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

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

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

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

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

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

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

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

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

ANALYSIS

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

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

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

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

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

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

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by exceeding the capacity of the site to meet development standards. A less intensive development would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

11

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 95 by City Clerk

APPROVALS 1

PROTESTS 0



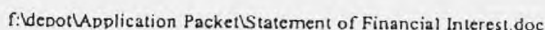
Case Number: **VAR-18673** APN: 139-25-410-022
Name of Property Owner: ANA BELTRAN
Name of Applicant: ANA BELTRAN
Name of Representative: ADAN CASTELLO

Yes X No

APN: _____

Print Name: Ana Isabel Beltrán

Marlene J. Adams
Notary Public in and for said County and State





Beltran's
Apartments

Architect's Name

Address

City, State, Zip

Phone

Fax

Project Name

Project Number

Project Location

Project Description

Project Status

Project Date

Project Owner

Project Manager

Project Engineer

Project Architect

Project Designer

Project Draftsman

Project Checker

Project Approver

Project Signer

Project Date

Project Time

Project Location

Project Description

Project Status

Project Date

Project Owner

Project Manager

Project Engineer

Project Architect

Project Designer

Project Draftsman

Project Checker

Project Approver

Project Signer

Project Date

Beltran's Apartments	
Architect's Name	
Address	
City, State, Zip	
Phone	
Fax	
Project Name	
Project Number	
Project Location	
Project Description	
Project Status	
Project Date	
Project Owner	
Project Manager	
Project Engineer	
Project Architect	
Project Designer	
Project Draftsman	
Project Checker	
Project Approver	
Project Signer	
Project Date	



McKnight St.

Panflow St.

2000

Prop. Property Line

2000

Prop. Property Line

5'-0" Sidewalk

Site Plan

Poppy St.

- Total # of Buildings of Four (4) Units
- Each Floor Units Two (2) Bedrooms & One (1) Bathroom
- Ground Floor Units Two (2) Bedrooms & One (1) Bathroom
- Total (12) Total Units
- Each Unit Living Space - 850 sq ft
- Each Building Total Living Space - 10,200 sq ft
- Total Project Living Space - 10,200 sq ft

RECEIVED

DEC 12 2006

VAR-18673
01/25/07 PC



1

~~01/25/07 PC~~

December 12, 2006

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

Justification Letter

To: City Las Vegas, Nevada

Dear Sirs:

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

Northeast Corner of McKnight & Poppy

APN= 139-25-410-022

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

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

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

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

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

VAR-18673
01/25/07 PC
REVISED

RECEIVED
JAN 23 2006

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

Escobedo Professional Plaza

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

January 15, 2007

To whom it may concern:

This is in reference of: SDR-18670, VAR-18674, VAR18673 and ZON-18673

Applicant/Owner Ana Beltran

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

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

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

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

Sincerely



Eddie Escobedo

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

VARIANCE RELATED TO ZON-18672 AND VAR-18673

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

1

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. Backup referenced from the 01-25-07 Planning Commission Meeting Item 50

Motion made by STEVEN D. ROSS to Approve Subject to Conditions and adding the following condition as read for the record:

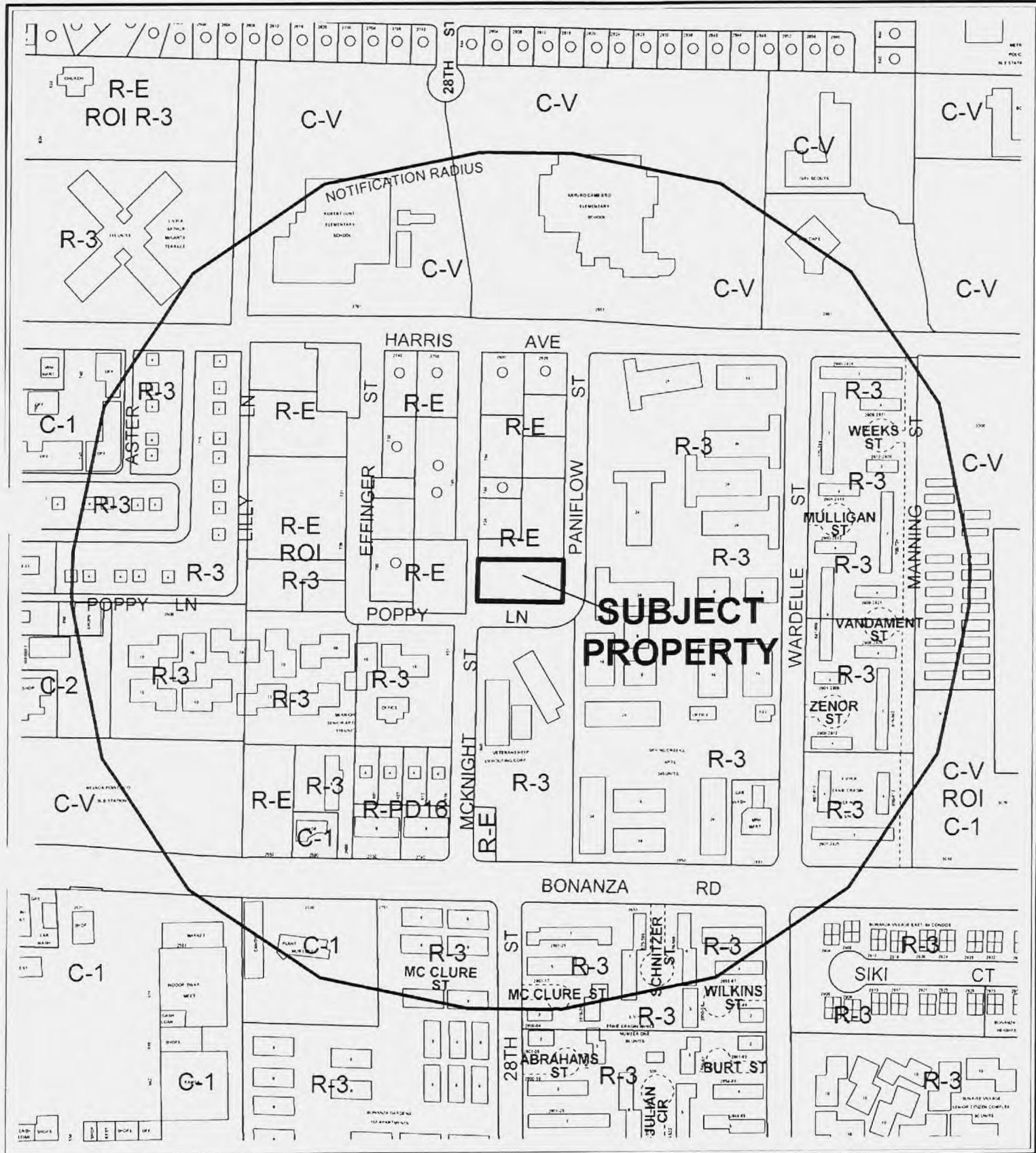
A. Approval shall be for 18 parking spaces where 21 are required for 10 units.

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

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

Minutes:

See Item 122 for related discussion and backup.



CASE: **VAR-18674**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-3 (MEDIUM DENSITY RESIDENTIAL)

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-18674 - APPLICANT/OWNER: ANA BELTRAN

**** CONDITIONS ****

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

Planning and Development

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/25/07	The Planning Commission recommended approval of ZON-18672 and denial of companion items VAR-18673 and SDR-18670 concurrently with this application. The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #50/rts).
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses related to this project approved or under review.	
<i>Pre-Application Meeting</i>	
11/29/06	A pre-application meeting was held and elements of this application were discussed. It was noted that the proposed density for this project is 14.49 DUA and that 23 parking spaces would be the requirement. Additionally, it was noted that two variances would be needed to deal with setback and parking deficiencies. Public Works talked about half-street improvements; need to meet with flood control; traffic signal impact fees; and dedicating radius corners. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.50

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

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

DEVELOPMENT STANDARDS

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

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

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

ANALYSIS

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

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

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

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

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by not providing the required number of parking spaces for the prospective residential use. The provision of additional parking spaces or a reduction in the intensity of the project would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

11

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 95 by City Clerk

APPROVALS 1

PROTESTS 0



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

Name of Property Owner: ANA BELTRAN

Name of Applicant: ANSA BELTRAN.

Name of Representative: ADAN CASTELLO

Yes

☒ No

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: A. I. B. H. M.

Print Name: Ana Isabel Beltran

This 11TH day of December, 2006

Marlene J. Brown
Notary Public in and for said County and State



Beltran's Apartments

Project Name	Beltran's Apartments
Project Address	1234 Main St., San Antonio, TX 78201
Project Description	12 Units, 1200 sq. ft. each
Project Status	Under Construction
Project Owner	Beltran's Apartments, Inc.
Project Manager	John Doe
Project Engineer	John Doe

Project Description:
Beltran's Apartments
12 Units, 1200 sq. ft. each
San Antonio, TX 78201

Project Name	Beltran's Apartments
Project Address	1234 Main St., San Antonio, TX 78201
Project Description	12 Units, 1200 sq. ft. each
Project Status	Under Construction
Project Owner	Beltran's Apartments, Inc.
Project Manager	John Doe
Project Engineer	John Doe

Project Description:
Beltran's Apartments
12 Units, 1200 sq. ft. each
San Antonio, TX 78201

Project Name	Beltran's Apartments
Project Address	1234 Main St., San Antonio, TX 78201
Project Description	12 Units, 1200 sq. ft. each
Project Status	Under Construction
Project Owner	Beltran's Apartments, Inc.
Project Manager	John Doe
Project Engineer	John Doe

North

McKinight St.

Paisflow St.

20.00'

Back Property Line

25.00'

Front Property Line

5'-0" Sidewalk

Site Plan

Poppy St.

- Three (3) Buildings of Four (4) units
- First Floor Units: Two (2) Bedrooms & One (1) Bathroom
- Second Floor Units: Two (2) Bedrooms & One (1) Bathroom
- Taxes: (12) Total Units
- Each Unit Living Space: 852 sq. ft.
- Each Building Total Living Space: 10,224 sq. ft.
- Total Project Living Space: 10,224 sq. ft.

RECEIVED

DEC 12 2006

VAR-18674
01/25/07 PC

December 12, 2006

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

Justification Letter

To: City Las Vegas, Nevada

Dear Sirs:

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

North-East Corner of McKnight & Poppy

APN= 139-25-410-022

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

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

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

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

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

VAR-18674
01/25/07 PC

**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**

Escobedo Professional Plaza

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

January 15, 2007

To whom it may concern:

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

Applicant/Owner Ana Beltran

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

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

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

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

Sincerely



Eddie Escobedo

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-18672, VAR-18673, AND VAR-18674

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

1

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. Backup referenced from the 01-25-07 Planning Commission Meeting Item 51

Motion made by STEVEN D. ROSS to Approve Subject to Conditions amending Conditions 3, 5 and 7 and adding the following condition as read for the record:

3. All development shall be in conformance with the site plan and landscape plan, date stamped 2/12/07, and building elevations and floor plans, date stamped 2/20/07, except as amended by conditions herein.

5. A Waiver from LVMC Title 19.12 is hereby approved, to allow a five foot perimeter landscape along the southern lot line where 10 is required, nine foot perimeter landscape along

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

the western lot line where 15 is required, nine feet along the eastern line where 10 feet is required.

7. The distance between buildings shall be a minimum of 10 feet.

A. Approval shall be for a maximum of 10 units with waivers to allow nine feet of landscaping along the south, east and west property lines.

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 122 for related discussion and backup.



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-18670 - APPLICANT/OWNER: ANA BELTRAN

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-18672), Variance (VAR-18673), and Variance (VAR-18674), if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 12/12/06, except as amended by conditions herein.
4. A Waiver from LVMC Title 19.10 is hereby approved, to allow zero landscaping planters in the parking lot where one is required for each six parking spaces.
5. A Waiver from LVMC Title 19.12 is hereby approved, to allow a five foot perimeter landscape buffers along the eastern and southern lot lines where ten feet is required, a five foot perimeter landscape buffers along the western lot line where 15 feet is required and 30 trees in the perimeter landscape buffer where 32 trees are required.
6. The standards for this development shall include a Minimum lot size of 6,500 square feet and Building height shall not exceed two stories or 35 feet, whichever is less.
7. The minimum distance between buildings shall be 5.5 feet.
8. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
9. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/25/07	The Planning Commission recommended approval of ZON-18672 and denial of companion items VAR-18673 and VAR-18674 concurrently with this application. The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #51/rts).
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses related to this project approved or under review.	
<i>Pre-Application Meeting</i>	
11/29/06	A pre-application meeting was held and elements of this application were discussed. It was noted that the proposed density for this project is 14.49 units per acre and that 23 parking spaces would be the requirement. Additionally, it was noted that two variances would be needed to deal with setback and parking deficiencies. Public Works talked about half-street improvements; need to meet with flood control; traffic signal impact fees; and dedicating radius corners. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.50

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

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

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

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

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

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

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

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

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

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

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

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

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

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

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

ANALYSIS

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

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

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

- Site Plan

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

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

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

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

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

- Landscape Plan

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

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

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

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

- Elevations/Floor Plan

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

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

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

FINDINGS

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

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

The proposed development is not compatible with adjacent development in the surrounding area due to landscaping wavier requests and deviations from development standards.

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

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 97 by Planning Department

APPROVALS 0

PROTESTS 0



Beltran's
Apartments

Architect's Name

Project

Project's Location

Owner

Developer's Name

Engineer

Architect's License

Contract

Project's Location

Contract

Project's Location

Beltran's
10001 Chondal St.
Las Vegas, NV 89111

1	2
3	4
5	6
7	8

Architect's Name
10001 Chondal St.
Las Vegas, NV 89111

10001 Chondal St.
Las Vegas, NV 89111

North

McKnight St.

Panflow St.

20.00' Back Property Line

25.00' Front Property Line

5'-0" Sidewalk

Site Plan

Poppy St.

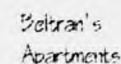
- Three (3) Buildings of Four (4) Units
- Each floor Unit has (2) Bedroom & (1) Bath
- Ground floor Unit has (2) Bedroom & (1) Bath
- Total (12) Total Units
- Each Unit Living space= 852 sqft
- Each Building Total Living space= 5,412 sqft
- Total Project Living space= 10,224 sqft

RECEIVED

DEC 12 2006

SDR-18670

01/25/07 PC



by *Robert A. Levine*

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Revised 12-24-2009 by

Keywords: child sexual abuse; disclosure; legal system

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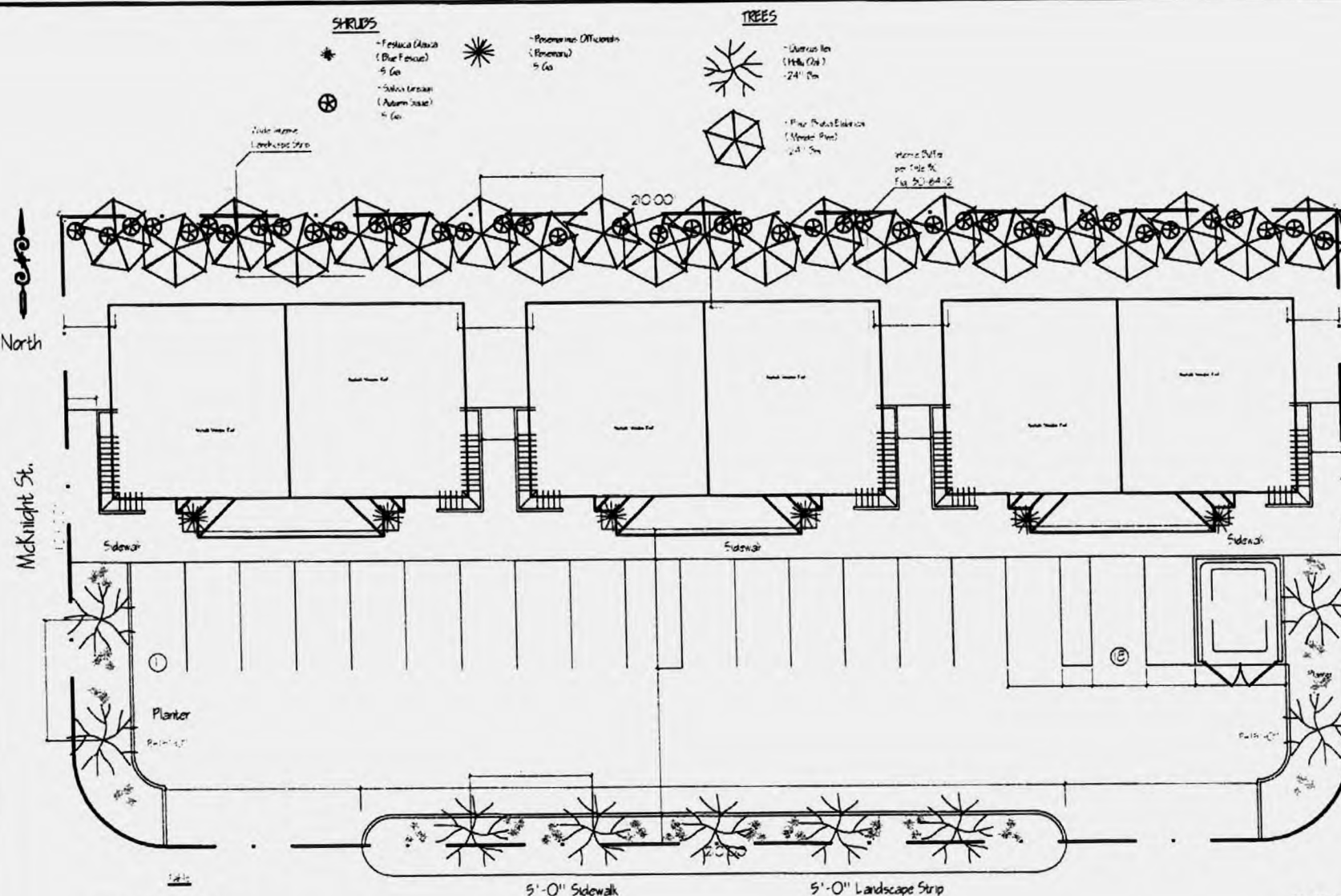
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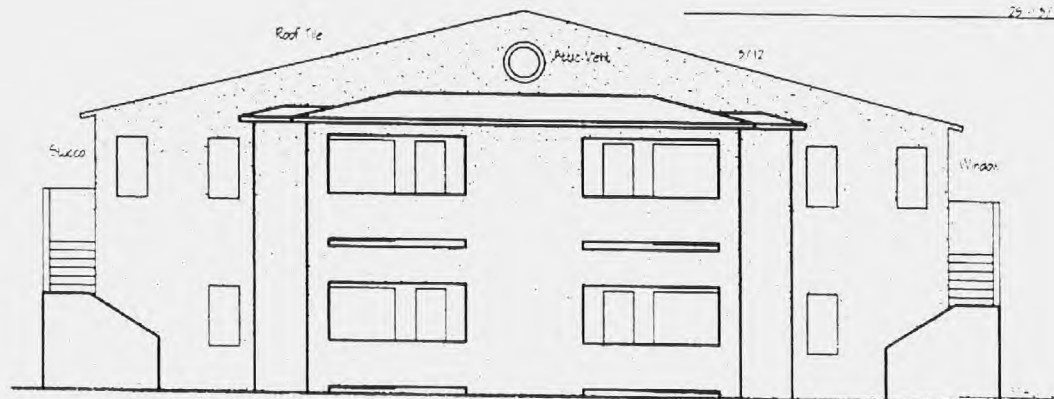


- Trees (5) Baldwins (1) + (4) others
- 1 Pine (1) + (1) Oak (2) Baldwins + (1) Oak (1) Baldwins
- Shrubs (1) + (1) Oak (2) Baldwins + (1) Oak (1) Baldwins
- Vines (12) Total lots
- Each lot in area covered - 892 sqft
- Each Baldwins Total in area covered - 9,409 sqft
- Total Project in area covered - 11,324 sqft

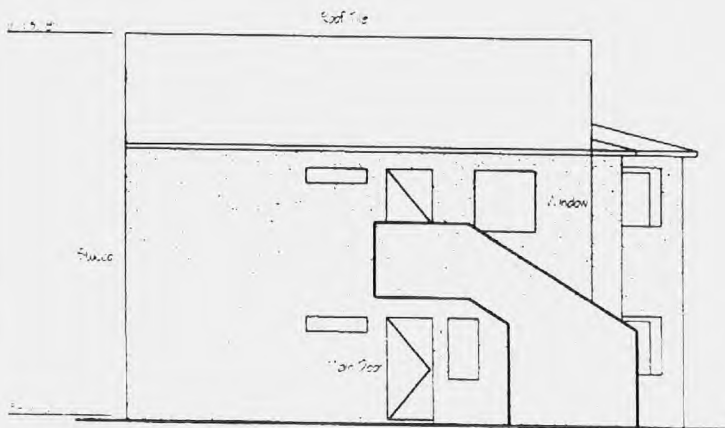
Landscape Plan

Poppy St.

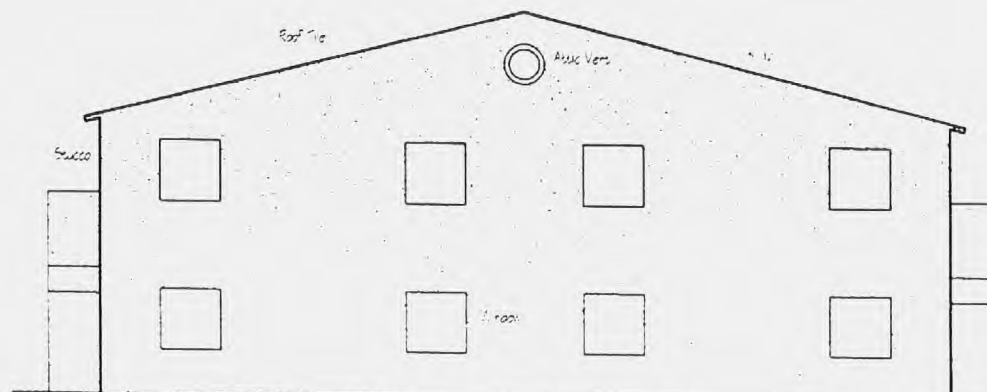
Pariflow St.



South Elevation



East and West Elevation



North Elevation



Beltran's
Apartments

Architectural Designer

Architectural Designer

Architectural Designer

Architectural Designer

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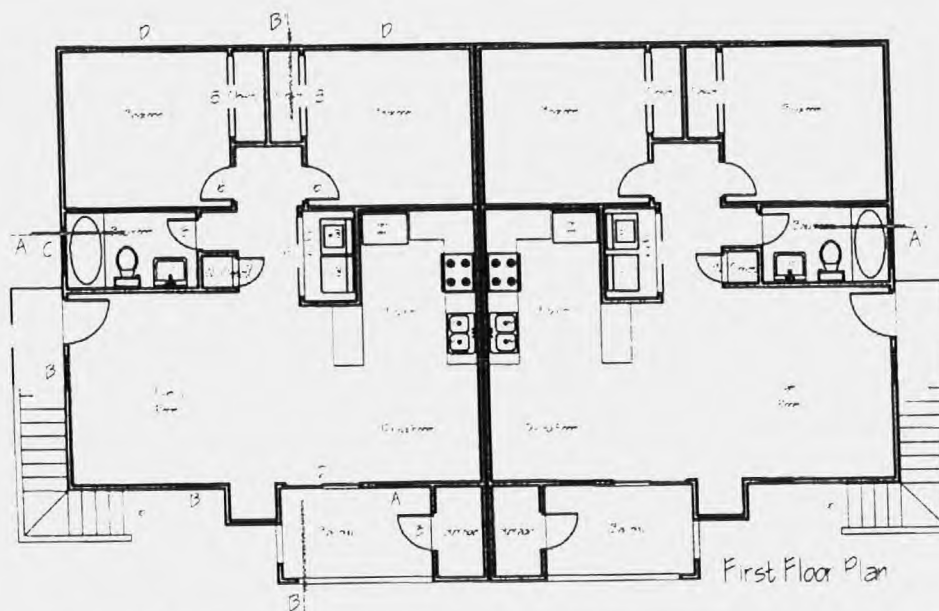
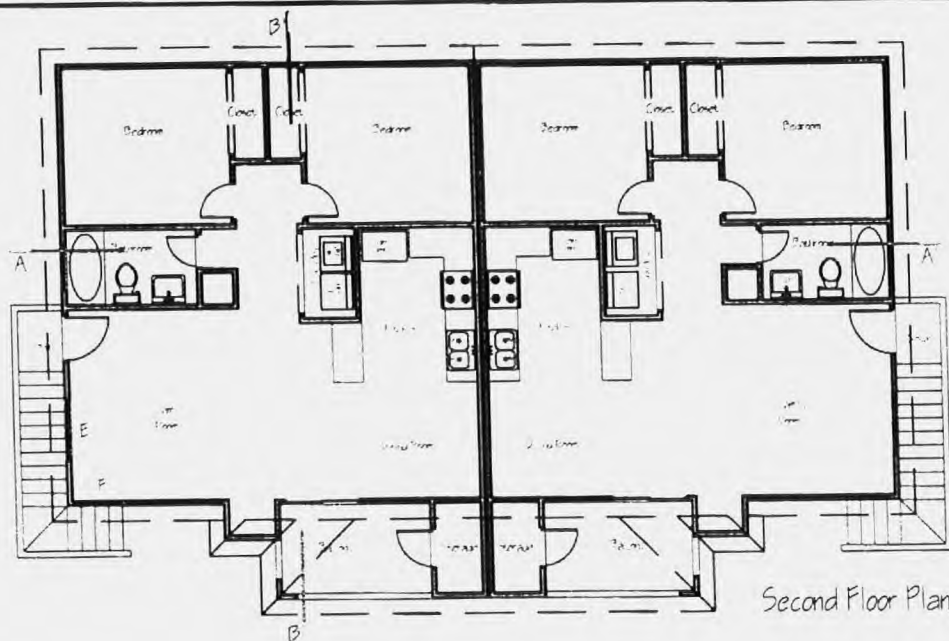
Architectural Designer

Architectural Designer

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SDR-18670

01/25/07 PC



Bethesda
Apt. 1000

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FEB 2 2006

SDR-18670

01/25/07 PC

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



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

12/26/06



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

12/26/06

December 12, 2006

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

Justification Letter

To: City Las Vegas, Nevada

Dear Sirs:

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

North-East Corner of McKnight & Poppy

APN= 139-25-410-022

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

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

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

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

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

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

**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**

Escobedo Professional Plaza

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

January 15, 2007

To whom it may concern:

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

Applicant/Owner Ana Beltran

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

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

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

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

Sincerely



Eddie Escobedo

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

ZON-18753 - PUBLIC HEARING - APPLICANT/OWNER: SMOKE RANCH DEVELOPMENT, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [O (OFFICE) GENERAL PLAN DESIGNATION] TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 2.7 acres adjacent to the south side of Smoke Ranch Road, approximately 1,300 feet east of Buffalo Drive (APN 138-22-102-004), Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

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 LARRY BROWN to Approve Subject to Conditions

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

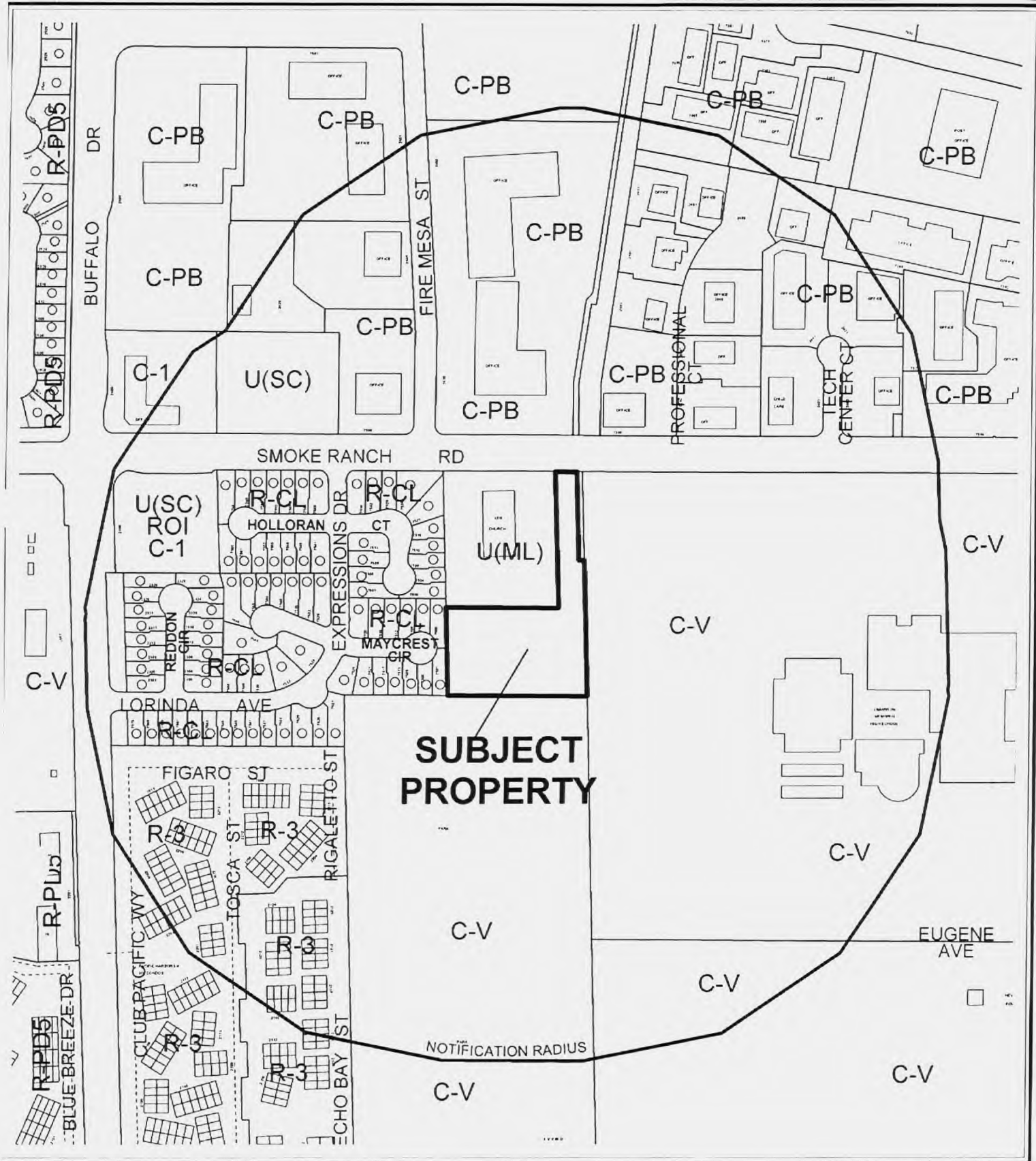
LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-GARY REESE)

Minutes:

MAYOR GOODMAN declared the Public Hearing open on Item 126 [ZON-18753] and Item 127 [SDR-18657].

DAVE CLAPSADDLE, GC Garcia, 1711 Whitney Mesa Drive, Henderson, appeared on behalf of the applicant. He appreciated staff's recommendation for approval and respectfully requested the same from Council.

MAYOR GOODMAN declared the Public Hearing closed on Item 126 [ZON-18753] and Item 127 [SDR-18657].



CASE: ZON-18753

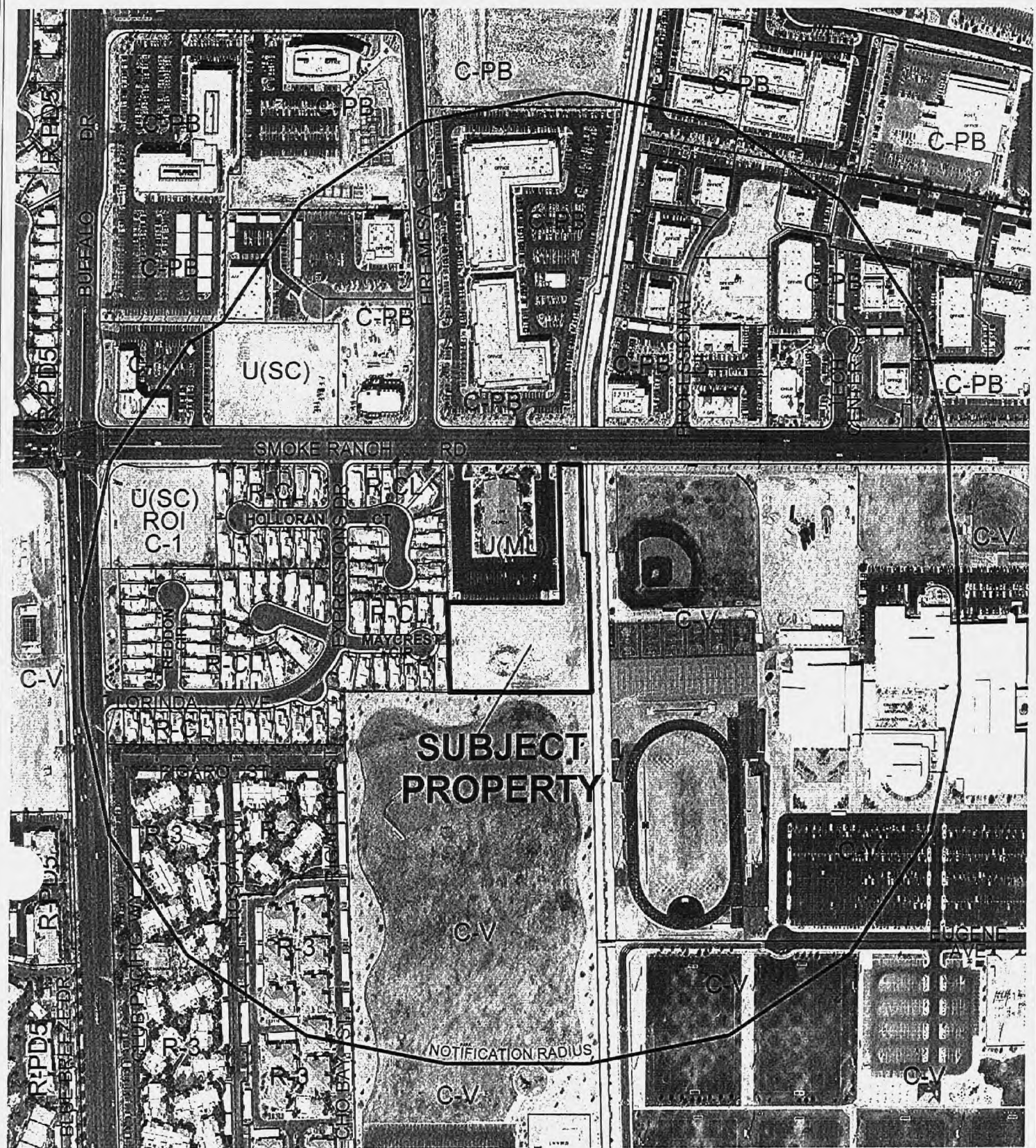
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

P-R (PROFESSIONAL OFFICE AND PARKING)



CASE: **ZON-18753**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

P-R (PROFESSIONAL OFFICE AND PARKING)

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-18753 - APPLICANT/OWNER: SMOKE RANCH DEVELOPMENT, LLC

**** CONDITIONS ****

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

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-18657) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site if approved.

Public Works

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

BACKGROUND INFORMATION

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

03/23/06	The Planning Commission considered an item and companion request for a General Plan Amendment (GPA-10776) to an SC (Service Commercial) land use designation, a Rezoning (ZON-10778) to C-1 (Limited Commercial), and a Special Use Permit (SUP-10783) for Mixed-Use Development. The Variance for Residential Adjacency (VAR-10781) has been addressed as a result of design changes and the applicant has requested that it be withdrawn without prejudice. Planning Commission approved the project and staff recommended denial. The Request for Rezoning (ZON-10778) from U (Undeveloped) [O (Office) Master Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking) C-1 (Limited Commercial) was withdrawn without prejudice.
05/17/06	The City Council considered a request for a Site Development Plan Review (SDR-10784) for a proposed three-story, 45-foot high, mixed-use development consisting of 25 residential units and 13,243 square feet of office space, waivers to allow a minimum lot width of 59 feet where 100 feet is the minimum lot width required, and to allow a reduction of perimeter landscape standards. Companion item requests for a Variance (VAR-12669) to allow a Three-Story Building where Two Stories is the maximum height allowed, and a Special Use Permit (SUP-10783) for a proposed mixed-use development were considered as well. City Council approved all requests.
01/25/07	The Planning Commission recommended approval of companion item SDR-18657 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #52/ja).
<i>Pre-Application Meeting</i>	
11/15/06	A Pre-Application Meeting was held with the applicant with regard to Site Development Plan Review application. The applicant was informed of the requirement for a handicapped accessible route to the public right-of-way.
<i>Neighborhood Meeting</i>	
Unknown	The applicant has stated that a Neighborhood Meeting was held for this project. Staff requested documentation summarizing the outcome of the meeting however the applicant did not submit this information.

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

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant lot	O (Office)	U: Undeveloped O (Office)
North	Church	ML (Medium-Low Density Residential)	U (Undeveloped) ML (Medium Low Residential) General Plan Designation
South	Athletic Fields	PR-OS (Parks and Recreation – Openspace)	C-V (Civic)
East	Concrete Drainage Channel, Undeveloped Public Trail, High School	Public Right-of-Way and Public Facility	C-V (Civic)
West	Single Family Residential	ML: Medium Low Density Residential	R-CL: Single-Family Compact Lot

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

DEVELOPMENT STANDARDS

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

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	2.72 acres	Y
Min. Lot Width	60 Feet	60 Feet	Y
Min. Setbacks			
a. Front	20 Feet	500 Feet	Y
b. Side	5 Feet	52 Feet	Y
c. Corner	15 Feet	N/A	Y
d. Rear	15 Feet	60 Feet	Y
Max. Lot Coverage	50 %	35%	Y
Max. Building Height	Lesser of 2 stories or 35 feet	3 stories, 35 Feet	Y*

Trash Enclosure	Screened and covered	Yes	Y
Loading Zone	30,000-50,000 square feet: 3 required	Not indicated	N
Mech. Equipment	On roof	Yes	Y

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

ANALYSIS

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

General Plan and Zoning

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

Public Trail

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

FINDINGS

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

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

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

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

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

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

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

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

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

PLANNING COMMISSION ACTION

There was one speaker in opposition at the Planning Commission Meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

5

ASSEMBLY DISTRICT 37

SENATE DISTRICT 6

NOTICES MAILED 210 by Planning Department

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-18753** APN: **138-22-102-004**

Name of Property Owner: Smoke Ranch Development, LLC

Name of Applicant: Great American Capital

Name of Representative: GC Garcia, Inc.

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

Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

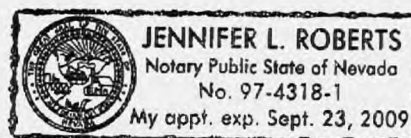
Signature of Property Owner: _____

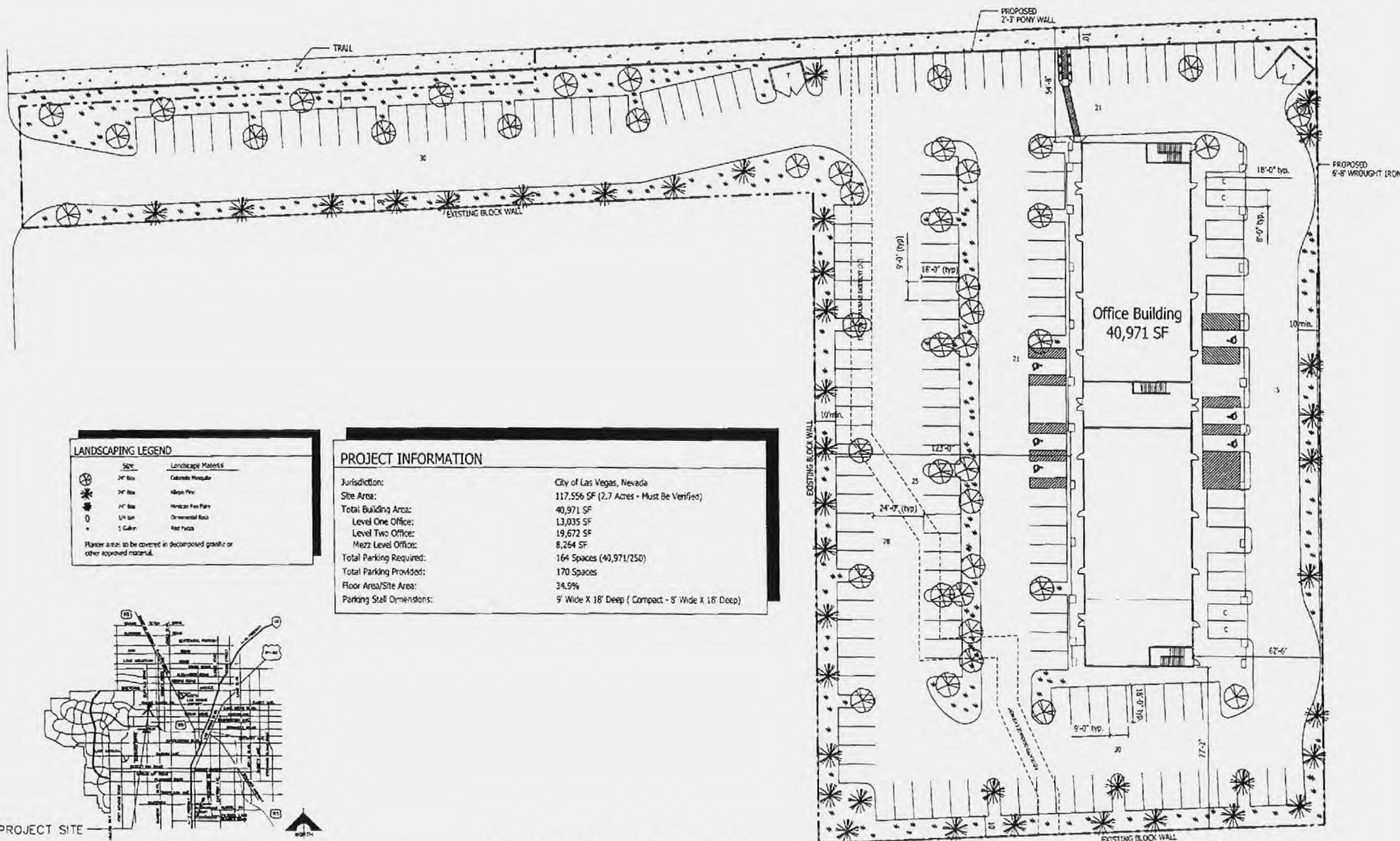
Print Name: Bonnie Schwartz

Subscribed and sworn before me

This 13th day of December, 2006

Annika Polatz
Notary Public in and for said County and State





LANDSCAPING LEGEND

Symbol	Landscaping Material
☼	24" Box Colorado Blue Spruce
☼	24" Box Norway Spruce
☼	24" Box Japanese Maple
☼	24" Box Ornamental Pear
☼	24" Box Ornamental Red
☼	24" Box Red Pine

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

PROJECT INFORMATION

Jurisdiction:	City of Las Vegas, Nevada
Site Area:	117,556 SF (2.7 Acres - Must Be Verified)
Total Building Area:	40,971 SF
Level One Office:	13,035 SF
Level Two Office:	19,672 SF
Mezz Level Office:	8,264 SF
Total Parking Required:	164 Spaces (40,971/250)
Total Parking Provided:	170 Spaces
Floor Area/Site Area:	34.5%
Parking Stall Dimensions:	9' Wide X 18' Deep (Compact - 8' Wide X 18' Deep)



LOCATION MAP

PRELIMINARY SITE/LANDSCAPING PLAN

RECEIVED

ZON-18753
REVISED
01/25/07 PC

JAN 03 2007



SHORE RANCH/ALBUQUERQUE



SHORE RANCH/ALBUQUERQUE, INC.
1000 PASEO DE LA VISTA, SUITE 100
ALBUQUERQUE, NM 87102

December 13, 2006

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

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

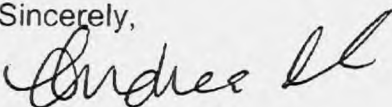
Dear Ms. Wheeler:

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

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

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

Sincerely,


David Clapsaddle
Planning Director

DWC: mw



ZON-18753
01/25/07 PC

A Planning & Development Services Corporation

1711 Whitney Mesa Drive, Suite 110, Henderson, Nevada 89014-2158

Telephone: 702 435 9909 Facsimile: 702 435 0457 E-Mail: ggarcia@gcgarciainc.com

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-18753

SDR-18657 - PUBLIC HEARING - APPLICANT/OWNER: SMOKE RANCH DEVELOPMENT, LLC - Request for a Site Development Plan Review FOR A PROPOSED 3-STORY; 40,971 SQUARE-FOOT OFFICE BUILDING, A WAIVER OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW A ZERO FOOT BUFFER WHERE 8 FEET IS REQUIRED ALONG THE SOUTHERN PROPERTY LINE AND ALONG THE ON-SITE PUBLIC TRAIL; A WAIVER OF PERIMETER LANDSCAPE STANDARDS; AND A WAIVER OF PARKING LANDSCAPING on 2.7 acres adjacent to the south side of Smoke Ranch Road, approximately 1,300 feet east of Buffalo Drive (APN 138-22-102-004), U (Undeveloped) Zone [O (Office) General Plan Designation] [PROPOSED: P-R (Professional Office and Parking) Zone], Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

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

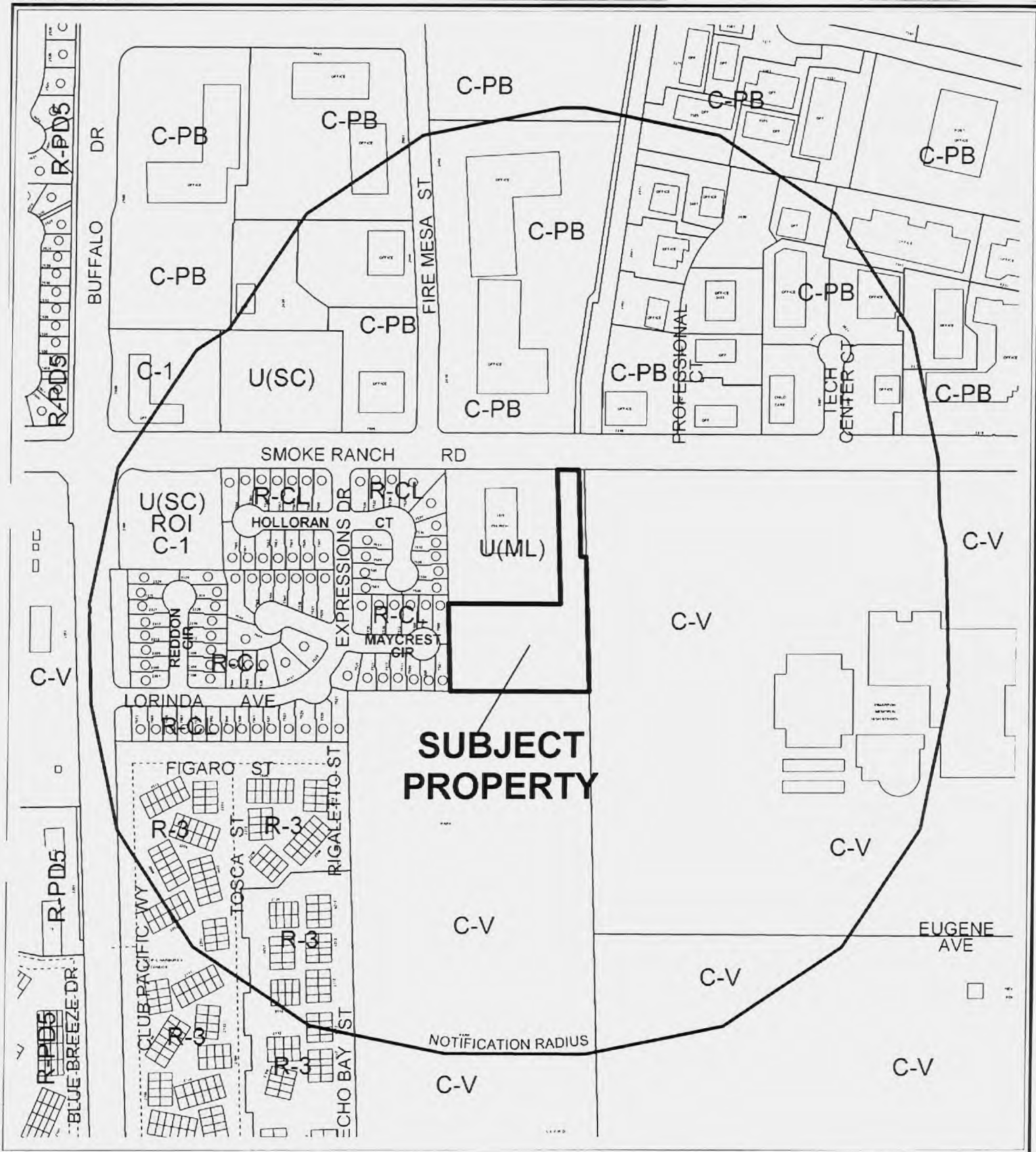
Motion made by LARRY BROWN to Approve Subject to Conditions

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

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

Minutes:

See Item 126 for related discussion.



CASE: SDR-18657

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

P-R (PROFESSIONAL OFFICE AND PARKING)

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-18657 - APPLICANT/OWNER: SMOKE RANCH DEVELOPMENT, LLC

**** CONDITIONS ****

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

Planning and Development

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

9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
10. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
11. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 25% of the total landscaped area as turf.
12. Revised elevations shall be submitted to and approved by the Planning and Development Department prior to the time application is made for a building permit to reflect a screened and covered trash enclosure pursuant to Title 19.08.
13. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
14. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
15. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
16. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
17. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
18. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

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

Public Works

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

BACKGROUND INFORMATION

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

03/23/06	The Planning Commission considered an item and companion request for a General Plan Amendment (GPA-10776) to an SC (Service Commercial) land use designation, a Rezoning (ZON-10778) to C-1 (Limited Commercial), and a Special Use Permit (SUP-10783) for Mixed-Use Development. The Variance for Residential Adjacency (VAR-10781) has been addressed as a result of design changes and the applicant has requested that it be withdrawn without prejudice. Planning Commission approved the project and staff recommended denial. The Request for Rezoning (ZON-10778) from U (Undeveloped) [O(Office) Master Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking) C-1 (Limited Commercial) was withdrawn without prejudice.
05/17/06	The City Council considered a request for a Site Development Plan Review (SDR-10784) for a proposed three-story, 45-foot high, mixed-use development consisting of 25 residential units and 13,243 square feet of office space, waivers to allow a minimum lot width of 59 feet where 100 feet is the minimum lot width required, and to allow a reduction of perimeter landscape standards. Companion item requests for a Variance (VAR-12669) to allow a Three-Story Building where Two Stories is the maximum height allowed, and a Special Use Permit (SUP-10783) for a proposed mixed-use development were considered as well. City Council approved all requests.
01/25/07	The Planning Commission recommended approval of companion item ZON-18753 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #53/ja).
<i>Pre-Application Meeting</i>	
11/15/06	A Pre-Application Meeting was held with the applicant with regard to Site Development Plan Review application. The applicant was informed of the requirement for a handicapped accessible route to the public right-of-way.
<i>Neighborhood Meeting</i>	
Unknown	The applicant has stated that a Neighborhood Meeting was held for this project. Staff requested documentation summarizing the outcome of the meeting however the applicant did not submit this information.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.72 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	O (Office)	U (Undeveloped) [O (Office) General Plan Designation] under Resolution of Intent to P-R (Professional Office and Parking)
North	Church	ML (Medium-Low Density Residential)	U (Undeveloped) [ML (Medium-Low Density Residential) General Plan Designation]
South	Sports Field	PR-OS (Parks, Recreation, Open Space)	C-V (Civic)
East	High School	PF (Public Facilities)	C-V (Civic)
West	Single family Residential	ML (Medium-Low Density Residential)	R-CL (Single Family-Compact Lot)

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

DEVELOPMENT STANDARDS

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

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	2.72 acres	Y
Min. Lot Width	60 Feet	60 Feet	Y
Min. Setbacks			
a. Front	20 Feet	500 Feet	Y
b. Side	5 Feet	52 Feet	Y
c. Corner	15 Feet	N/A	Y
d. Rear	15 Feet	60 Feet	Y
Max. Lot Coverage	50 %	35%	Y
Max. Building Height	Lesser of 2 stories or 35 feet	3 stories, 35 Feet	Y*
Trash Enclosure	Screened and covered	Yes	Y

TOTAL (including handicap)			137		170		
Loading Spaces			3		0		N

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

ANALYSIS

- **General Plan and Zoning**

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

- **Site Plan**

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

- **Elevations and Residential Adjacency**

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

The project site is located next to existing single family residences and as such is subject to the Residential Adjacency Standards (RAS) of Title 19.08. Plan Cross-sections indicate the elevation of the adjacent single family residential pads rise 7 feet above the project site. These plans also show building elevations with a tiered design with the height of the west edge of the structure at 26 feet rising to 35 feet tall. The maximum building height would not exceed the RAS 3:1 slope envelope restrictions. The matching residential setback requirement for the R-CL (single-family compact lot) zoning district is five feet from the residential property line and the required RAS setback is 60 feet. The proposed building meets all RAS required setbacks as the structure will be sited 77 feet from the west property line. Furthermore, the trash enclosures will be located at the eastern property line at a distance greater than 50 feet from the residential uses.

- **Parking**

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

- **Landscape Plan**

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

FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

5

ASSEMBLY DISTRICT 37

SENATE DISTRICT 6

NOTICES MAILED 210 by Planning Department

APPROVALS 0

PROTESTS 1



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Great American Capital

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

Yes ☒ 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:

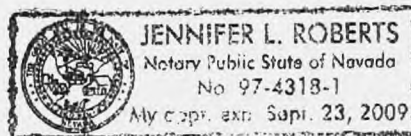
Signature of Property Owner:

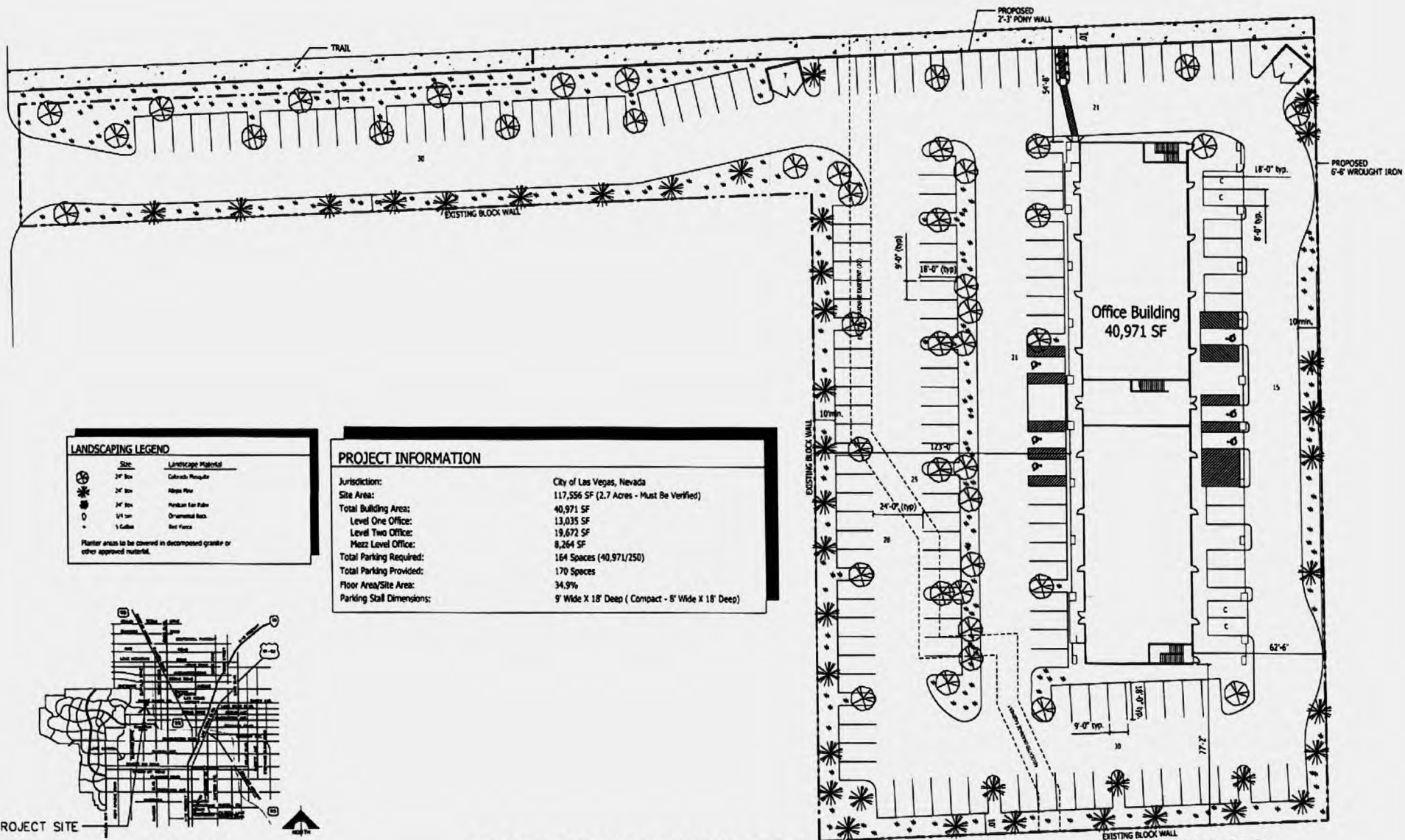
Print Name: Bonnie Schwartz

Subscribed and sworn before me

This 21st day of November, 2006

James H. Roberts
Notary Public in and for said County and State





LANDSCAPING LEGEND

Size	Landscaping Material
2" Dia	California Pomegranate
2" Dia	Albizia Rose
2" Dia	Arbutus San Pedro
1/4" Dia	Ornamental Bush
1" Dia	Small Tree

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

PROJECT INFORMATION

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



PROJECT SITE

LOCATION MAP

PRELIMINARY SITE/LANDSCAPING PLAN

RECEIVED

SDR-18657
REVISED
01/25/07 PC

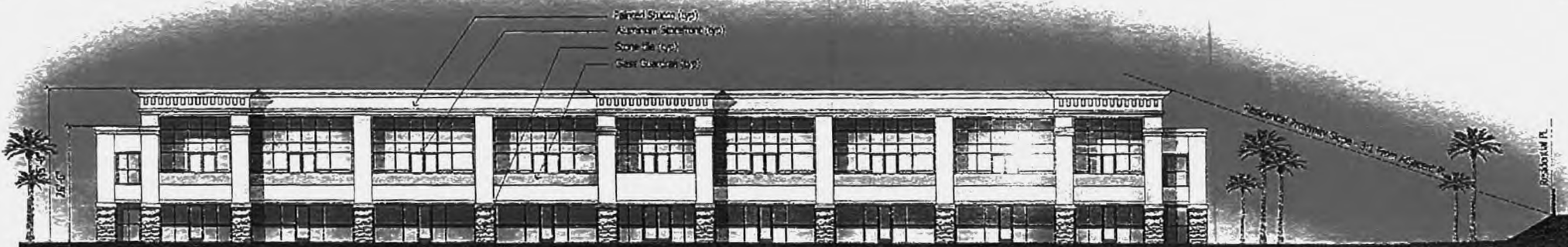
JAN 03 2007



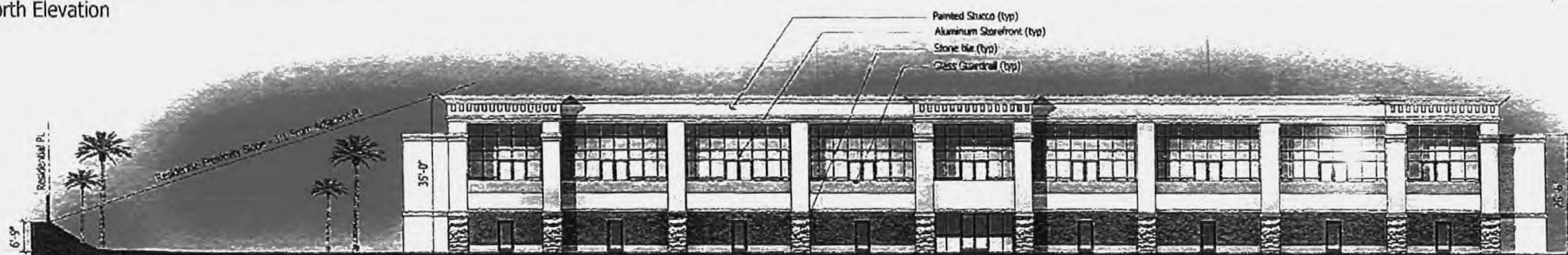
SPRINKLER RATCH-BUFFALO



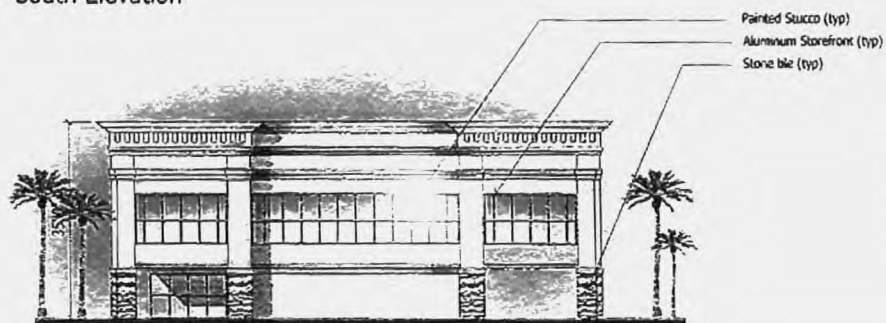
SPRINKLER RATCH-BUFFALO



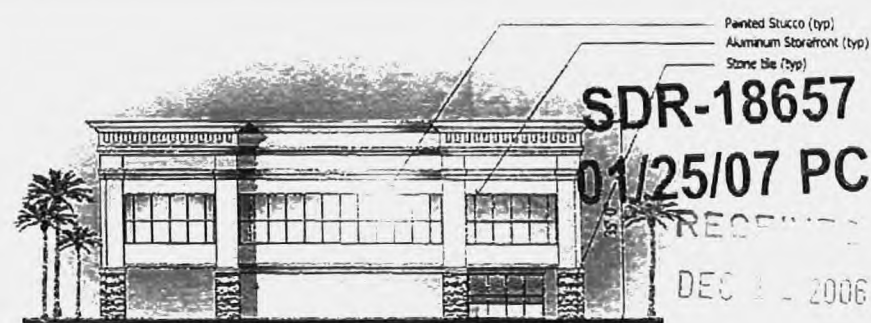
North Elevation



South Elevation



West Elevation



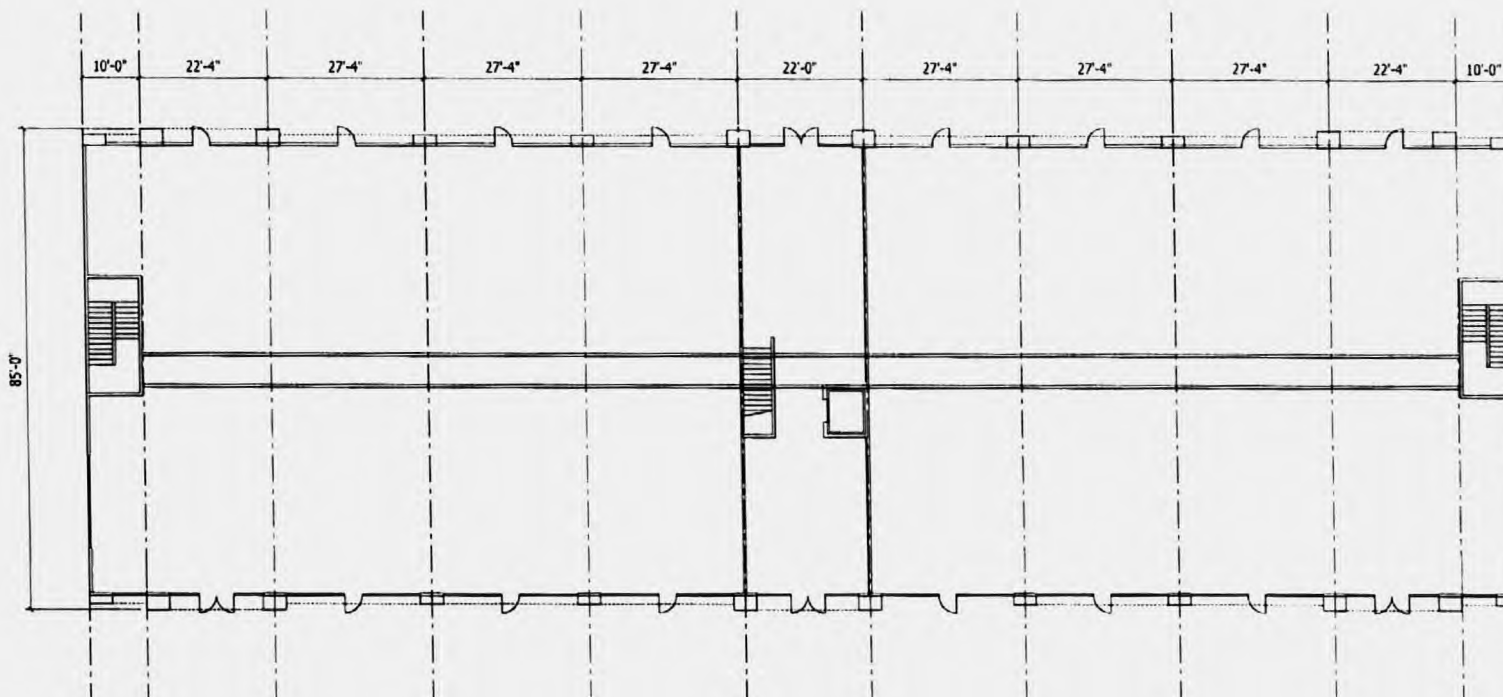
East Elevation

SDR-18657
01/25/07 PC
 RECEIVED
 DEC 11 2006

PRELIMINARY ELEVATIONS

SMOKE RANCH-BUJ FALO

Architect: [illegible]
 Project: [illegible]
 Date: [illegible]



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

SMOKE RANCH-BUFFALO



JAMES E. CRONIN ARCHITECT, INC.
1650 PIONEER LANE, LAKE REVERIE, NEWARK, NJ 07102
(908) 443-1400

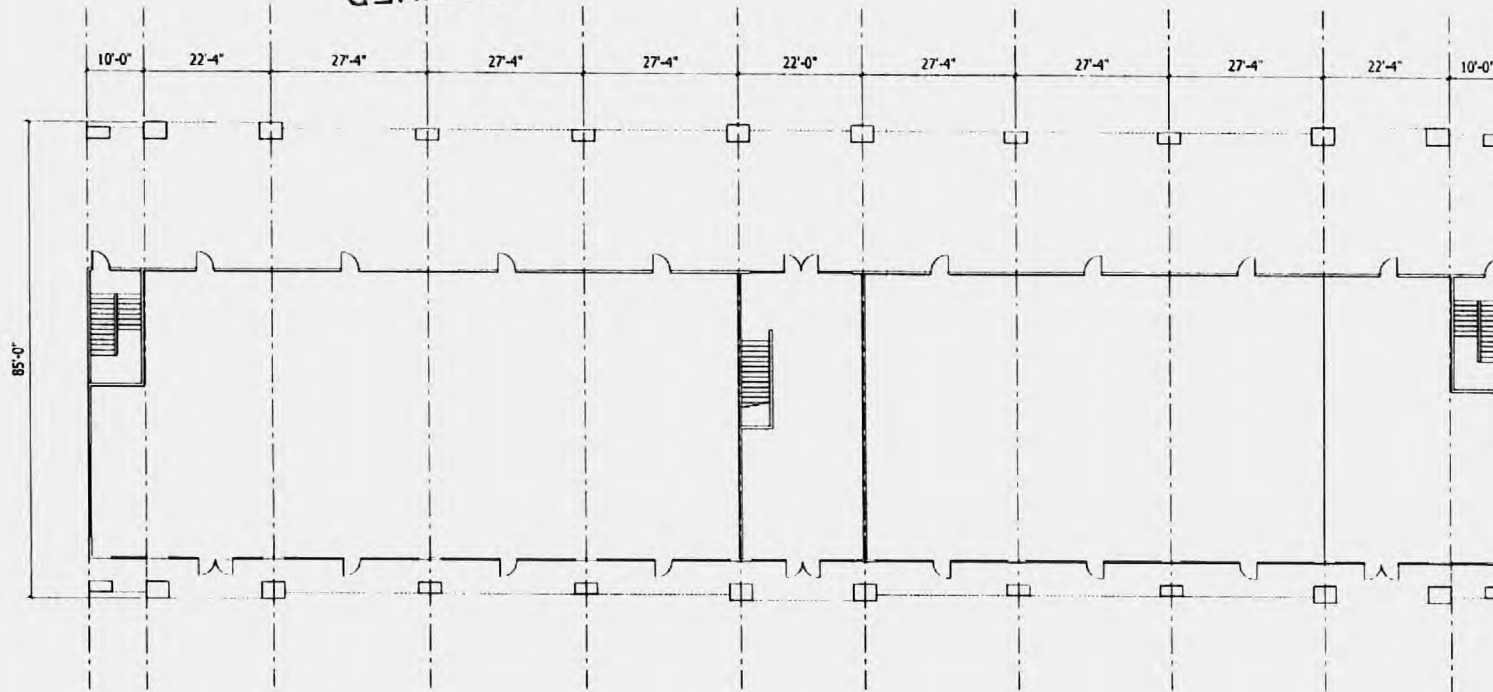
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DEC 11 2006

SDR-18657
01/25/07 PC

1. This plan is a preliminary drawing and is not to be used for construction purposes.
2. The owner is responsible for obtaining all necessary permits and approvals.
3. The architect is not responsible for the accuracy of the information provided by the owner.
4. The architect is not responsible for the accuracy of the information provided by the owner.
5. The architect is not responsible for the accuracy of the information provided by the owner.

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

SMOKE RANCH-BUFFALO

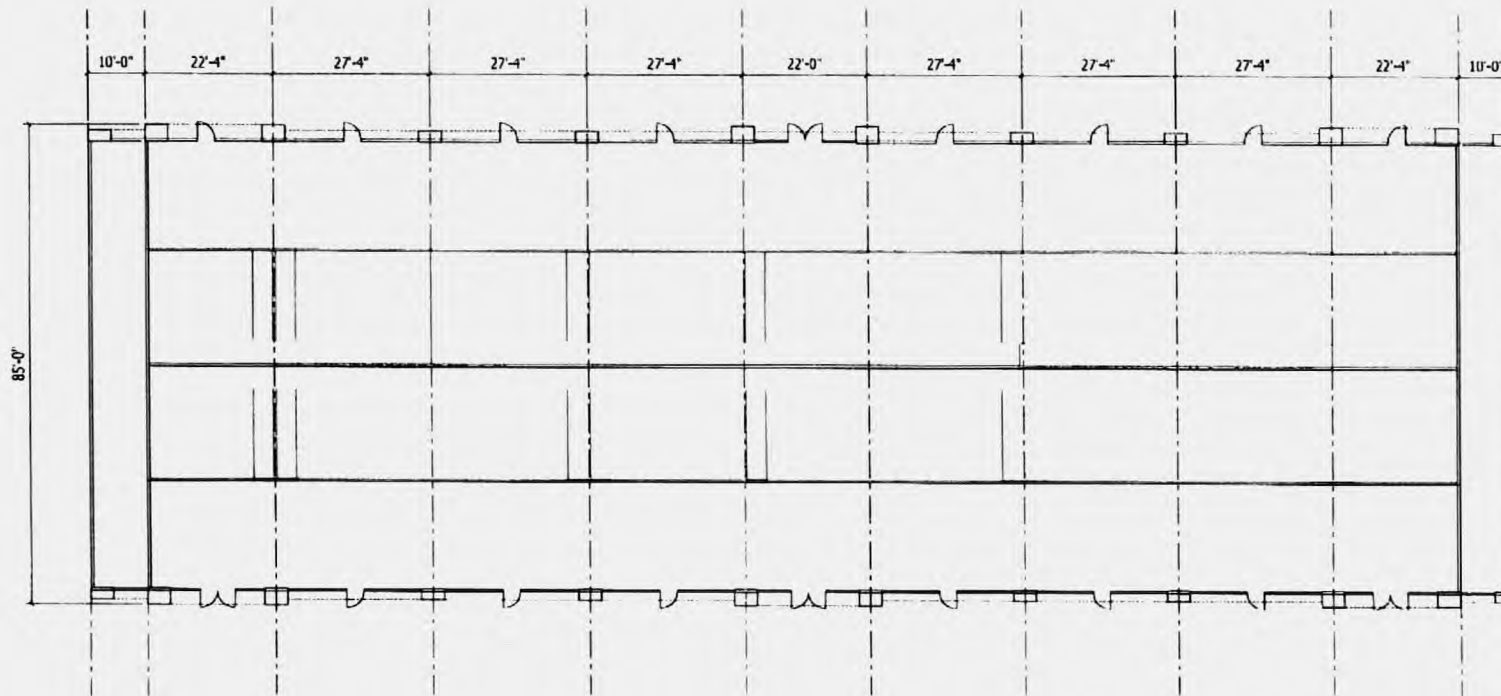


JAMES L. SMITH ARCHITECTS, INC.
1020 PHOENIX LANE, LAS VEGAS, NEVADA 89119
(702) 432-1488

ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM JAMES L. SMITH ARCHITECTS, INC.

SDR-18657
01/25/07 PC

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DEC 11 2006



PRELIMINARY MEZZANINE FLOOR PLAN - Office - 8,264 SF

SMOKE RANCH-BUFFALO



JAMES E. SMITH ARCHITECTS, INC.
1000 PARK LANE, SUITE 200, NEWTON, MASSACHUSETTS 02459
(781) 452-1100

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
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SDR-18657
01/25/07 PC

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



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

12/22/06



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

12/22/06



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

12/22/06



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

12/22/06

December 12, 2006

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

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

Dear Ms. Wheeler:

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

SITE DEVELOPMENT PLAN REVIEW

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

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

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

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



SDR-18657
01/25/07 PC

A Planning & Development Services Corporation

1711 Whitney Mesa Drive, Suite 110, Henderson, Nevada 89014-2158

Telephone: 702 435 9909 · Facsimile: 702 435 0457 · E-Mail: ggarcia@gcgarciainc.com

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

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

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

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

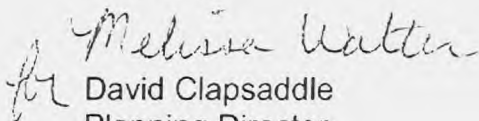
The building elevations have not substantially changed from the previous approval. It will be an attractive addition to this area of the City. Substantive landscaping is provided along the perimeter and parking areas of the project.

SUMMARY

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

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

Sincerely,


David Clapsaddle
Planning Director

DWC: mw

**SDR-18657
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:

VARIANCE

VAR-18669 - PUBLIC HEARING - APPLICANT/OWNER: TODD MORIN - Request for a Variance TO ALLOW AN EXISTING NON-HABITABLE ACCESSORY STRUCTURE TO EXCEED THE HEIGHT OF THE PRINCIPLE DWELLING BY 1.5 FEET at 5901 Huff Mountain Avenue (APN 125-12-311-017), R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone, Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

6

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

6

City Council Meeting

1

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-1 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 – Support letter by Stacy C. Edgington
6. Backup referenced from the 01-25-07 Planning Commission Meeting Item 56

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.

TODD MORIN, 5901 Huff Mountain Avenue, indicated that after receiving approval and building permits from the City, he was advised thereafter that his request would be denied due to the square footage exceeding the allowed 50 percent of his existing home square footage.

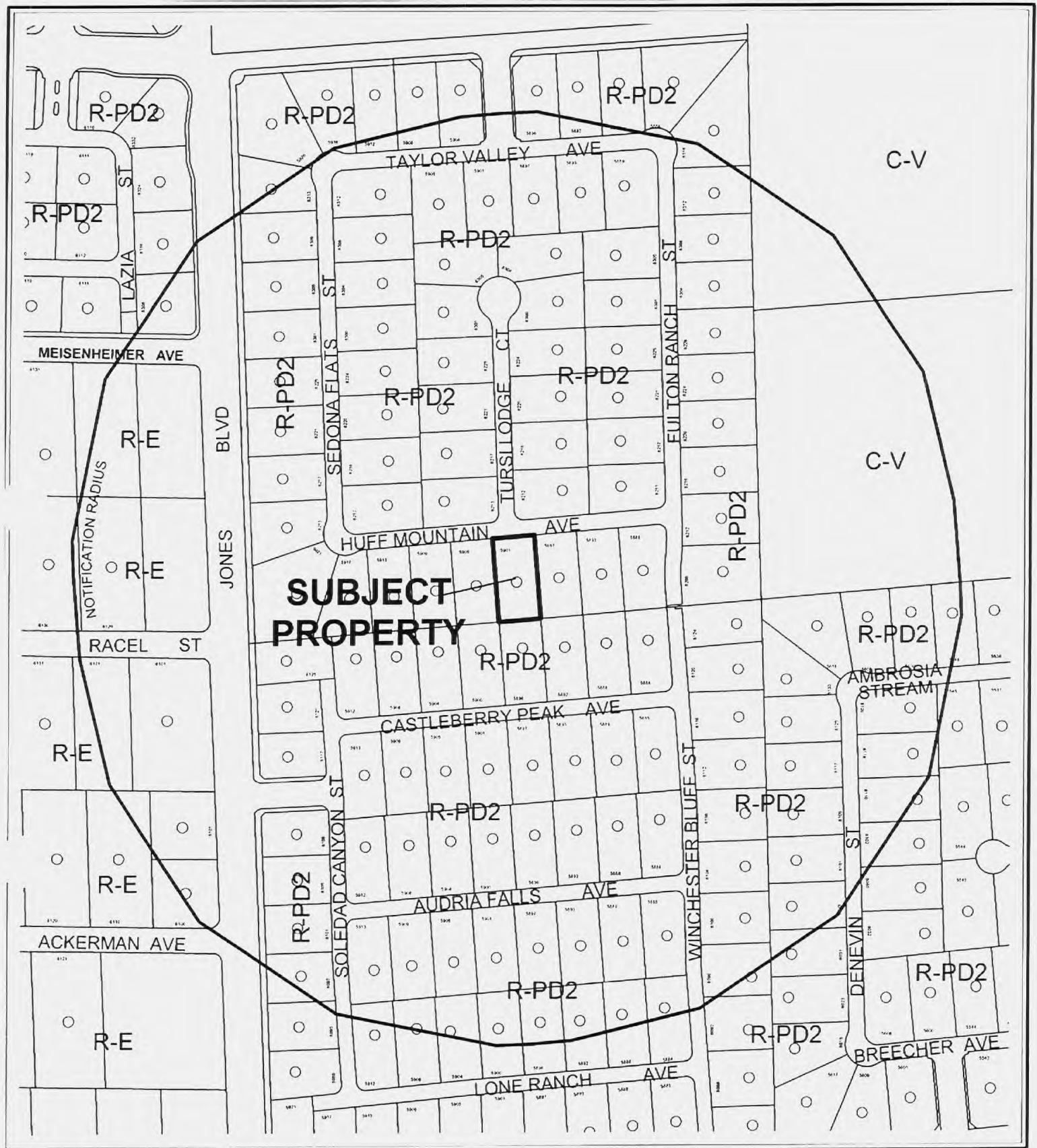
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

Thereafter, he redesigned his plans with decreased square footage. He has followed all procedures, and noted that no discussions have taken place regarding the overall height structure. There are both single and two-story homes within his development, including casitas and a recently completed 22-foot high detached RV garage with larger square footage than his request. MR. MORIN then showed photos of his neighbor's detached garage at 5889 Huff Mountain Avenue and his proposed project.

COUNCILMAN ROSS sympathized with MR. MORIN'S situation and thanked him for waiting for his item to be heard.

MAYOR GOODMAN declared the Public Hearing closed.





CASE: **VAR-18669**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

0 300 600 Feet





CASE: **VAR-18669**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-18669 - APPLICANT/OWNER: TODD MORIN

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-1/ds vote) recommends APPROVAL, subject to:

Planning and Development

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
8/18/2006	Current Planning staff inadvertently approved project plan elevations and floor plans that depicted a non-habitable accessory structure that exceeds Title 19 height limit for accessory structures.
11/01/06	City Building Inspector conducted a site visit of the project location and determined the structure exceeded Title 19.08 height regulation for accessory structures. The applicant and building inspector reviewed the height measurement calculations of the existing single family residence and determined they were miscalculated.
01/25/07	The Planning Commission recommended approval of companion item SUP-18671 concurrently with this application. The Planning Commission voted 6-1/ds to recommend APPROVAL (PC Agenda Item #56/ja).
<i>Related Building Permits/Business Licenses</i>	
10/03/2006	A Building Permit was issued for the construction of a 22 foot high non-habitable accessory structure located at 5901 Huff Mountain Avenue.
<i>Pre-Application Meeting</i>	
12/06/2006	A Pre-application meeting was held with the applicant. Planning staff advised the applicant of Title 19 regulations for non-habitable accessory structures and the requirement for a Special Use Permit and Variance.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was is not required for this type of application nor was one held.	
<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.46 acre site

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

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

DEVELOPMENT STANDARDS

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

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

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

ANALYSIS

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

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

- **General Plan and Zoning**

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

- **Site Plan and Elevations**

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

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship _by constructing a building over the height regulation for accessory structures. An alternative design with a overall height at or less than 20 feet would allow conformance to the Title 19.08 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances. Staff recommends denial of the Variance request.

PLANNING COMMISSION ACTION

There were four speakers and a petition submitted in opposition. There were three speakers in favor at the Planning Commission Meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 155 by City Clerk

APPROVALS 6

PROTESTS 6

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: TODD K. MORIN

Name of Applicant: TODD K. MORIN

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

 Yes No

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

City Official: _____

Partner(s): _____

APN: _____

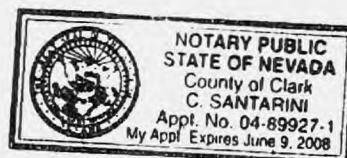
Signature of Property Owner:

Print Name: TODD K. MORIN

Subscribed and sworn before me

This 10 day of December, 2006

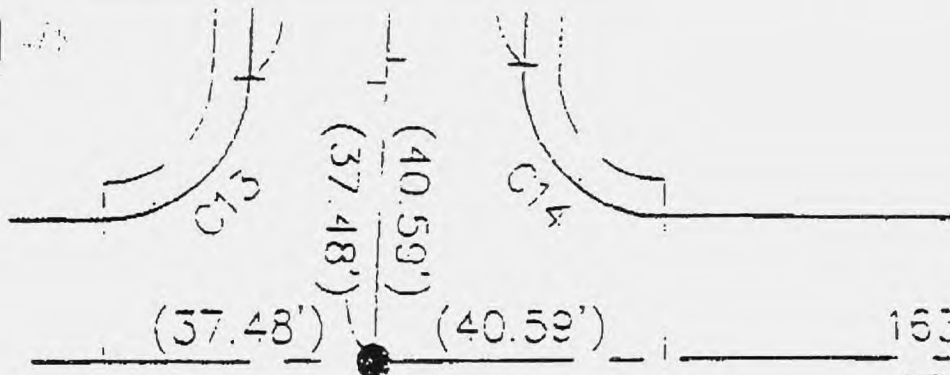
Notary Public in and for said County and State



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



M-540-06



HUFF MOUNTAIN AVE

100.00'

N04°37'25"W

1170

20,000 S.F.

N04°37'25"W

200.00'

200.00'

JOB

RECEIVED

AUG 15 2008

CITY OF LAS VEGAS
PERMITS

M-540-06

VAR-18669

01/25/07 PC

100.00'

DEC 12 2008

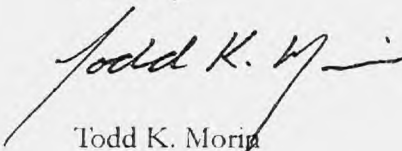
November 28, 2006

City of Las Vegas Planning and Development Department

Dear Sir or Madam:

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

Sincerely,



Todd K. Morin

VAR-18669
01/25/07 PC

DEC 12 2006

February 12, 2007

RECEIVED
CITY CLERK

Michael and Stacy Edgington
5889 Huff Mountain Ave.
Las Vegas, NV 89131

2007 FEB 14 A 10: 48

Support

To Whom It May Concern:

This letter is in response to VAR-18669 in the name of Todd Morin, who is requesting a variance to allow an existing structure to exceed the height of the principle dwelling by 1.5 feet at 5901 Huff Mountain Ave. As you can tell, we live on the same street, and actually just a few houses down, and we do not feel the structure poses any problem. If it is too tall as stated, you can't tell by just looking at it with the naked eye, and therefore we feel the structure should be able to exist. If it takes a measuring tape to notice the difference, I don't understand why lowering the structure by only 1.5 feet will make a visual difference. In closing, our opinion is we think the structure should be allowed to exist. Thank you.

Stacy C Edgington
Stacy C Edgington

702-395-9225

Form 100-1 (Rev. 1/06)

Date 02-15-07 Item # 128

**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**

Telephone Protest/ Approval Log

Meeting Date: 1/25/07

Case Number: 18669

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

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

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

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

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

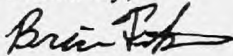
Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

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

To Whom It May Concern:

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

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Fitzpatrick", with a stylized flourish at the end.

Brian Fitzpatrick

1/24/07

City of Las Vegas Planning Commission

RE: 5901 Huff Mountain Ave.

APN #125-12-311-017

VAR-18669

SUP- 18671

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

Peter & Cindy Vlassopoulos
5900 Castleberry Peak Ave.

ERIC M. CHEESE
5896 CASTLEBERRY PEAK AVE
89131

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

Submitted at Planning Commission

Date 01/25/07 Item #56-57

Telephone Protest/ Approval Log

Meeting Date: 1/25/07

Case Number: VAL-18669

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

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

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

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

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

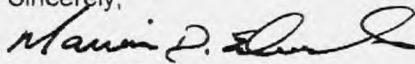
Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

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

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

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

Sincerely,

 1/20/07

Marvin D. Edwards

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 RELATED TO VAR-18669

SUP-18671 - PUBLIC HEARING - APPLICANT/OWNER: TODD MORIN - Request for a Special Use Permit FOR AN EXISTING NON-HABITABLE ACCESSORY STRUCTURE at 5901 Huff Mountain Avenue (APN 125-12-311-017), R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone, Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

1

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Support letter by Stacy C. Edgington
6. Backup referenced from the 01-25-07 Planning Commission Meeting Item 57

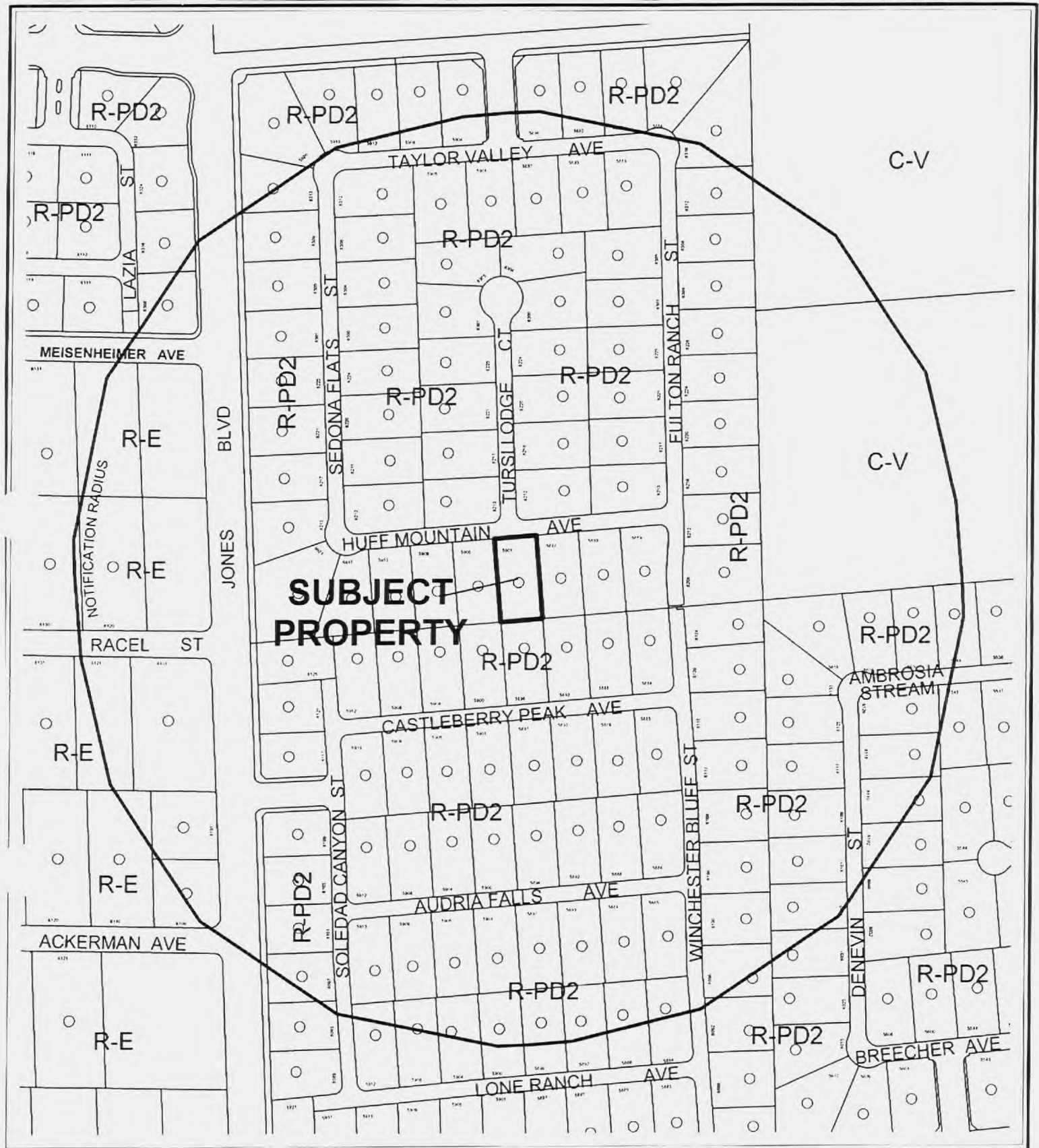
Motion made by STEVEN D. ROSS to Approve Subject to Conditions

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:

See Item 128 for related discussion.



CASE: **SUP-18671**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-18671 - APPLICANT/OWNER: TODD MORIN

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-1/ds vote) recommends APPROVAL, subject to:

Planning and Development

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/01/06	City Building Inspector conducted a site visit of the project location and determined the structure exceeded Title 19.08 height regulation for accessory structures. The applicant and building inspector reviewed the height measurement calculations of the existing single family residence and determined the measurement was miscalculated.
08/18/06	Current Planning staff inadvertently approved project plan elevations and floor plans that depicted a non-habitable accessory structure that exceeds Title 19 height limit for accessory structures.
01/25/07	The Planning Commission recommended approval of companion item VAR-18669 concurrently with this application. The Planning Commission voted 6-1/ds to recommend APPROVAL (PC Agenda Item #57/ja).
<i>Related Building Permits/Business Licenses</i>	
10/03/06	A Building Permit was issued for the construction of a 22 foot high non-habitable accessory structure located at 5901 Huff Mountain Avenue.
<i>Pre-Application Meeting</i>	
12/06/06	A Pre-application meeting was held with the applicant. Planning staff advised the applicant of Title 19 regulations for non-habitable accessory structures and the requirement for a Special Use Permit and Variance.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was is not required for this type of application nor was one held.	

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

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

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

DEVELOPMENT STANDARDS

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

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

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

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

ANALYSIS

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

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

• General Plan and Zoning

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

• Site Plan and Elevations

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

FINDINGS

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

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

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

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

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

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

Neighborhood street systems adequately serve the project site.

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

The Special Use Permit will not result in human health and public safety effects that detract from the intent of the General Plan.

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

The use will conform to Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

3

ASSEMBLY DISTRICT

13

SENATE DISTRICT

9

NOTICES MAILED 155 by City Clerk

APPROVALS 4

PROTESTS 6

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

Name of Property Owner: Todd K. Morin

Name of Applicant: TODD K. MORIN

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

 Yes ~~X~~ No

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

City Official: _____

Partner(s): _____

APN: _____

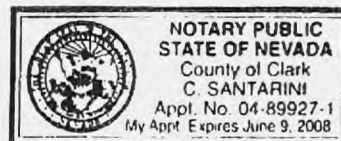
Signature of Property Owner:

Print Name: _____

Subscribed and sworn before me

This 10 day of December, 20 06

Notary Public in and for said County and State



DEC 12 2006

(CLARK COUNTY)
E. VACANT

ZONING R-E (CLARK COUNTY)
LAND USE VACANT



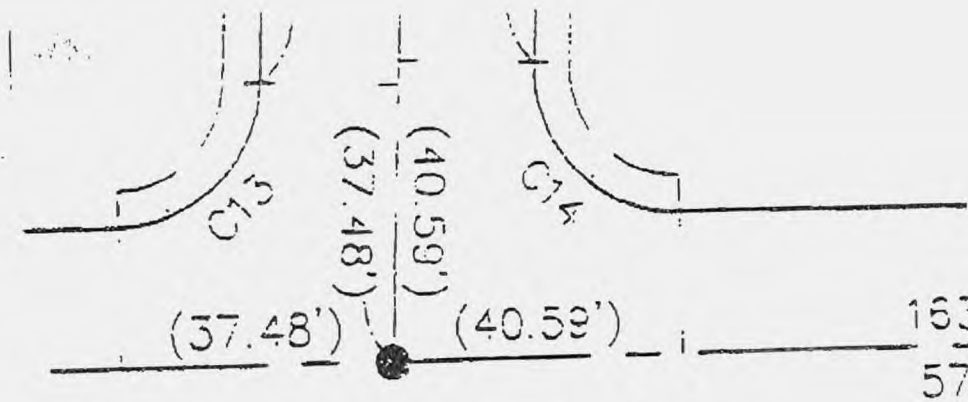
RECEIVED
AUG 15 2006
SEWER,
V.V.W.D.
CITY OF LAS VEGAS
DEPT. OF PUBLIC UTILITIES

SUP-18671
01/25/07 PC

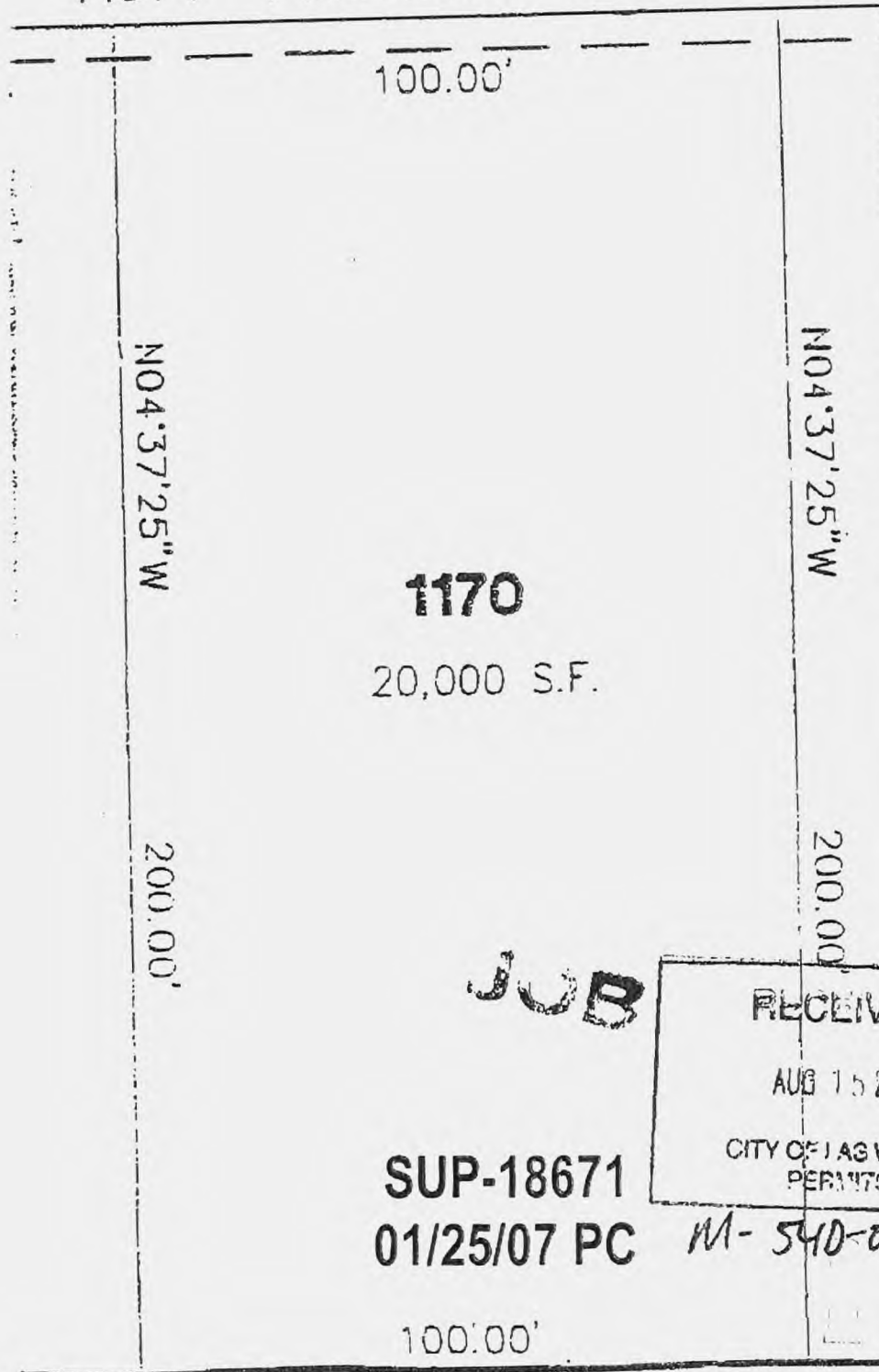
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M-540-06

DEC 12 2006



HUFF MOUNTAIN AVE



1170

20,000 S.F.

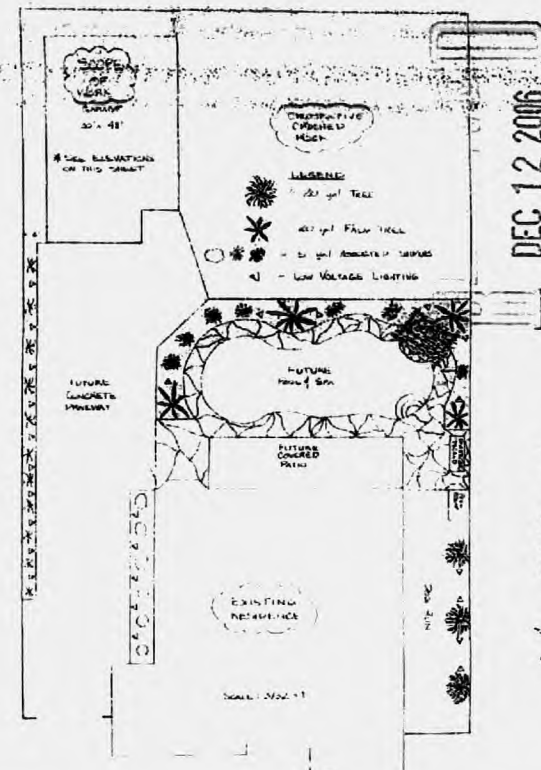
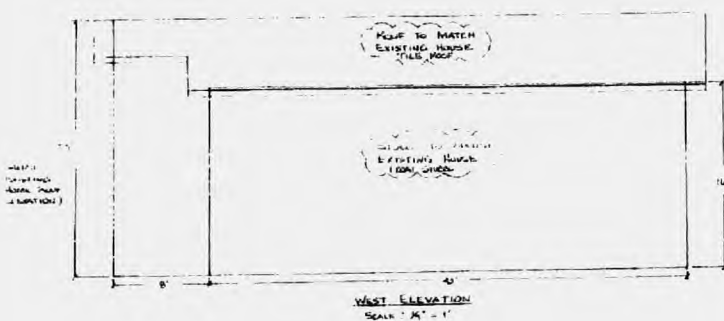
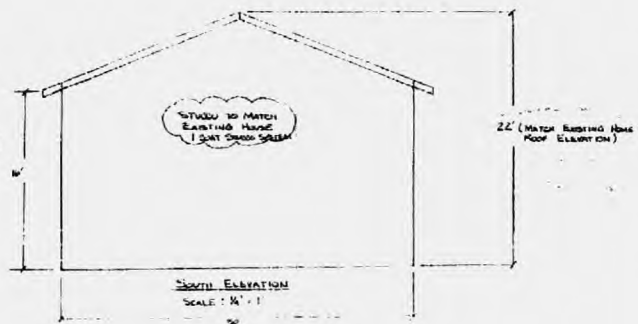
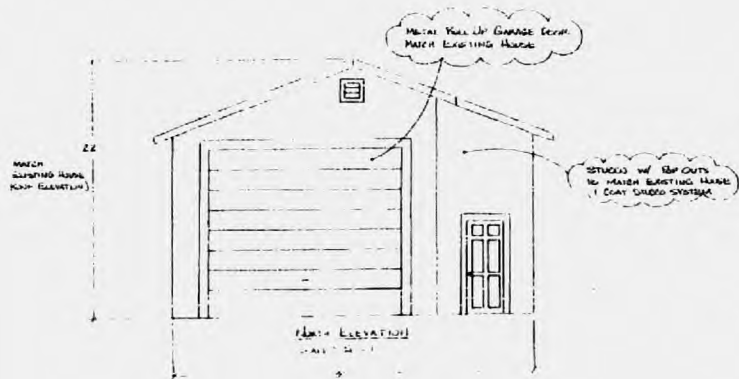
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SUP-18671
01/25/07 PC

RECEIVED
AUG 15 2006
CITY OF LAS VEGAS
PERMITS

M-540-06

DEC 12 2006



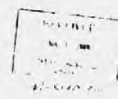
DEC 12 2006

21-540-06

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

See plan for garage (1/4\"/>

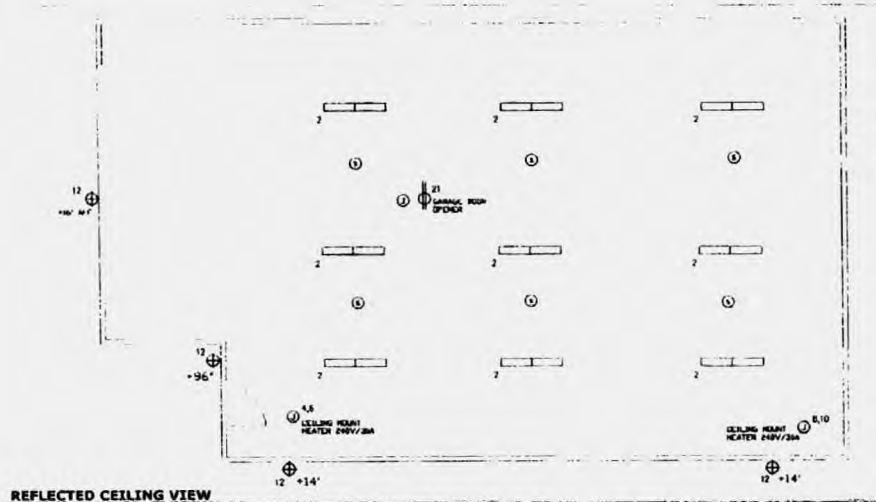
SEE ATTACHED
SCHEDULE
PAGE 10/200



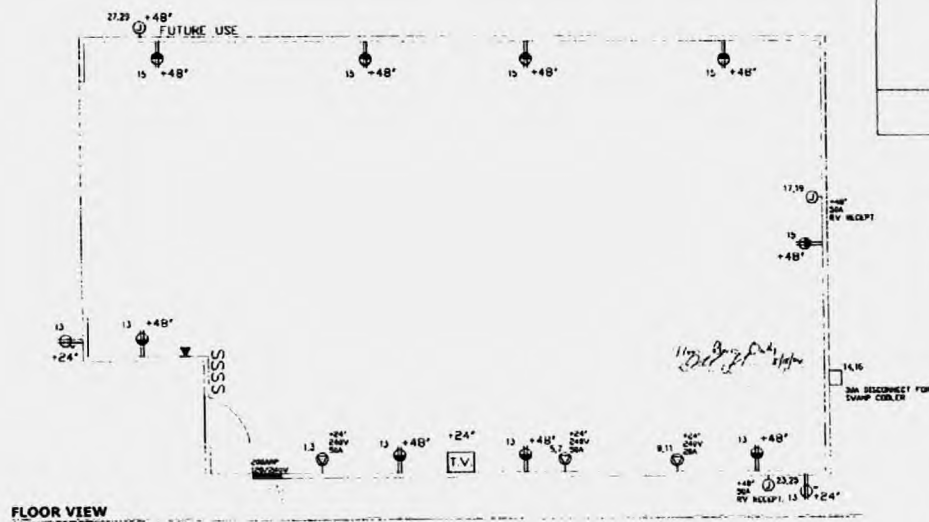
THIS IS A RESIDENCE
DETACHED GARAGE &
SANDY ARE LANDSCAPE
ARCHITECT
-SEE P. 10- 8/1/06

SUP-18671
01/25/07 PC

DEC 12 2006



REFLECTED CEILING VIEW



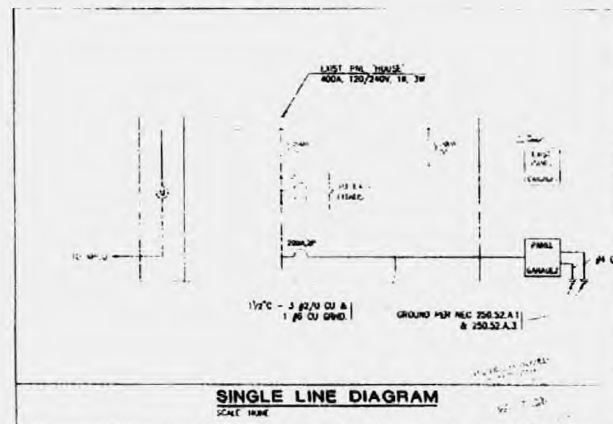
FLOOR VIEW

LOAD CALCULATION

PH. HOUSE
EXIST. LOAD = 24 KVA
NEW LOAD = 37 KVA
TOTAL = 61 KVA
/240V, 1PH = 254 A

LEGEND

- ⊙ RECEPTACLE
- ⊙ WEATHER-PROOF RECEPTACLE
- ⊙ DOUBLE DUPLEX RECEPTACLE
- ⊙ JUNCTION BOX
- S SINGLE POLE SWITCH
- ⊙ SPECIAL USE RECEPTACLE
- ⊙ LIGHT FIXTURE
- ⊙ SPEAKER
- FLUORESCENT LIGHT FIXTURE
- ▽ WALLMOUNT PHONE
- T.V. TELEVISION CABLE



SINGLE LINE DIAGRAM

PANEL: GARAGE2

NO.	DESCRIPTION	AMPS	VOLTS	WATTS	VA	TYPE	LOCATION
1	RECEPTACLE	15	120	1800	1800	15A	Garage
2	RECEPTACLE	15	120	1800	1800	15A	Garage
3	RECEPTACLE	15	120	1800	1800	15A	Garage
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CONSULTING ENGINEERS



MOON RESIDENCE - DETACHED GARAGE - ELECTRICAL

E-1

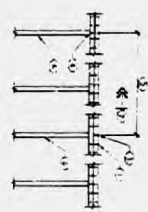
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01/25/07 PC



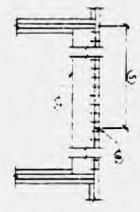
TYPICAL DETAILS, STD ABBREVIATIONS

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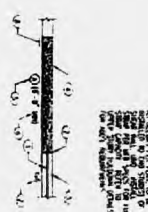


1. Mr. and Mrs. J. H. Smith, 1234 Main St., Chicago, Ill.
2. Mr. and Mrs. J. H. Smith, 1234 Main St., Chicago, Ill.
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4. Mr. and Mrs. J. H. Smith, 1234 Main St., Chicago, Ill.
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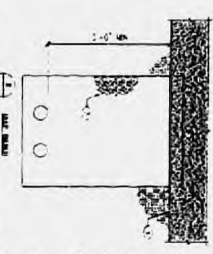


[illegible]

SECRET



1. The Secretary (see attached letter) is asked to advise the Director of the FBI whether the FBI is aware of any information regarding the activities of the "Black Liberation Army" (BLA) in the United States.
2. The Secretary is asked to advise the Director of the FBI whether the FBI is aware of any information regarding the activities of the "Black Liberation Army" (BLA) in the United States.
3. The Secretary is asked to advise the Director of the FBI whether the FBI is aware of any information regarding the activities of the "Black Liberation Army" (BLA) in the United States.
4. The Secretary is asked to advise the Director of the FBI whether the FBI is aware of any information regarding the activities of the "Black Liberation Army" (BLA) in the United States.



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3. INDEXED BY _____

4. FILED BY _____

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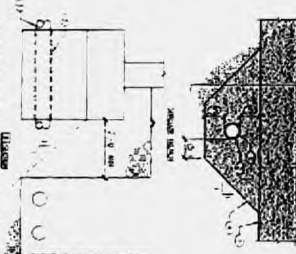
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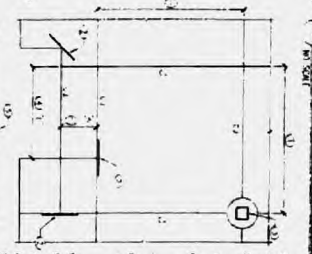
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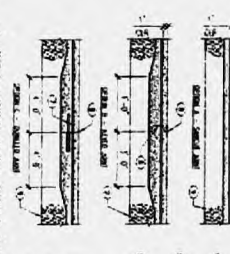
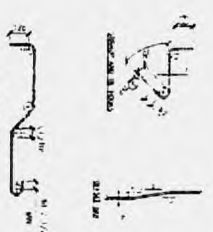
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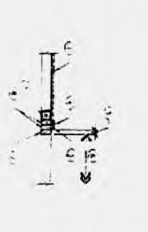
REMARKS



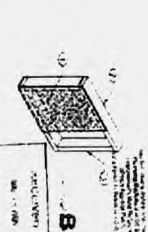
1. **NAME** Mr. MICHAEL
2. **DATE** 10/10/1968
3. **ADDRESS** 1000 N. 1st St.
4. **CITY** Phoenix, Arizona
5. **STATE** Arizona
6. **ZIP** 85004
7. **TELEPHONE** 234-1234
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[illegible]

1. The financial audit shall be a
 2. separate audit of the accounts
 3. of the company and shall be
 4. conducted by an auditor
 5. appointed by the shareholders
 6. at the first meeting after the
 7. formation of the company
 8. and thereafter at each annual
 9. general meeting of the
 10. shareholders.

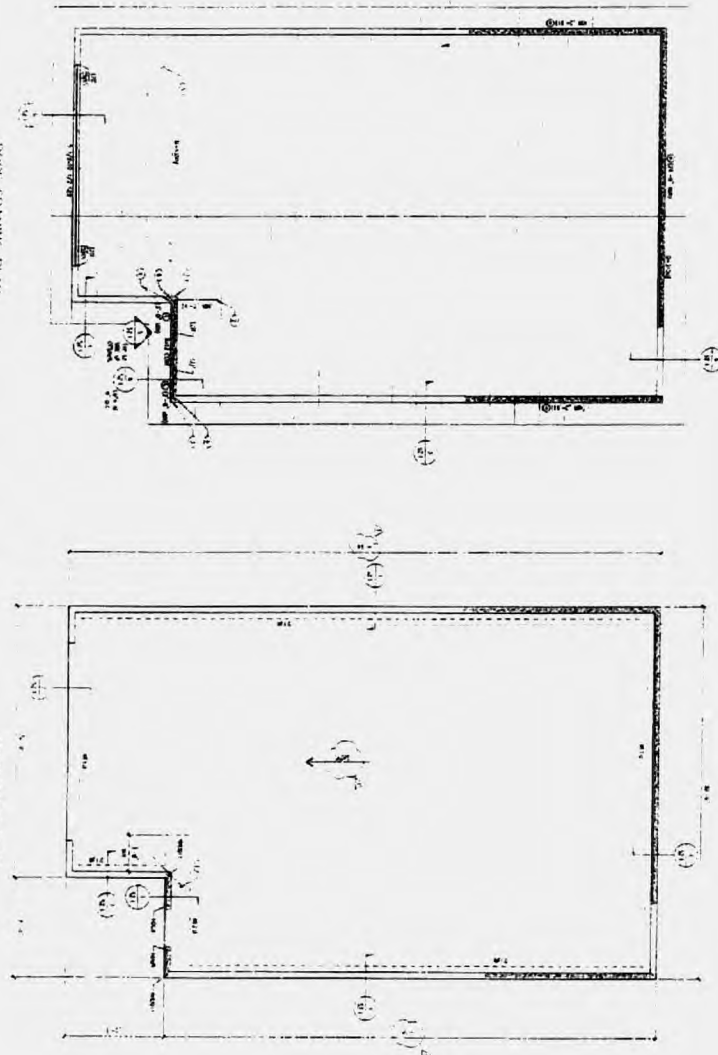


- 1. LOCATION OF THE PROJECT
- 2. DESCRIPTION OF PROJECT
- 3. STATUS OF THE PROJECT
- 4. PROBLEMS AND CHALLENGES
- 5. CONCLUSIONS AND RECOMMENDATIONS

[illegible]

5501 HUFF MOUNTAIN AVE
LAS VEGAS, NV 89121

FOUNDATION AND FRAMING PLAN

[illegible]

FOUNDATION RUN MORE

- TEACHING TEAM NOTES**

TRAINING PLAN NOTES

- [illegible]

Self-Defense Instruction

- Case 1**—A 32-year-old male with a 10-year history of rheumatoid arthritis, treated with prednisone 10 mg per day and aspirin 325 mg per day, presented with a 2-week history of progressive weakness and numbness in both lower extremities. He had no urinary or fecal incontinence, no sexual dysfunction, and no weight loss. He had no recent falls or trauma. His medical history was significant for hypertension, hyperlipidemia, and type 2 diabetes mellitus. He was a former smoker (10 pack-years) and drank alcohol socially. His family history was unremarkable. On physical examination, he had a body mass index of 28 kg/m², blood pressure of 140/90 mm Hg, heart rate of 72 beats per minute, and oxygen saturation of 98% on room air. Neurologic examination revealed mild weakness in the lower extremities (4/5 strength) and sensory deficits in the lower extremities (numbness to light touch and vibration). Reflexes were normal. Laboratory studies showed a hemoglobin of 12 g/dL, hematocrit of 36%, and platelet count of 150,000/mm³. Serum electrolytes, renal function, and liver enzymes were within normal limits. Antinuclear antibody, rheumatoid factor, and anti-cyclic citrullinated peptide antibody were negative. Magnetic resonance imaging of the spine showed no significant abnormalities. Electromyography and nerve conduction studies showed a sensorimotor polyneuropathy. The patient was treated with intravenous immunoglobulin 2 g/kg over 5 days, which resulted in partial improvement of his symptoms. He was then started on azathioprine 50 mg per day and prednisone was tapered to 5 mg per day over 4 weeks. He remained stable on this regimen for 6 months and was discharged on azathioprine 50 mg per day and prednisone 5 mg per day.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 02-28-2001 BY 60322 UCBAW

- THE FORTY-FOURTH ANNUAL MEETING OF THE AMERICAN SOCIETY OF CLIMATE ENGINEERS**
- will be held at the Sheraton Hotel, New York City, on November 13-14, 1977. The program will include a variety of technical sessions, including a special session on "Climate Engineering and the Environment." For more information, contact the American Society of Climate Engineers, 1100 Avenue of the Americas, New York, NY 10020.
- THE FORTY-FOURTH ANNUAL MEETING OF THE AMERICAN SOCIETY OF CLIMATE ENGINEERS**
- will be held at the Sheraton Hotel, New York City, on November 13-14, 1977. The program will include a variety of technical sessions, including a special session on "Climate Engineering and the Environment." For more information, contact the American Society of Climate Engineers, 1100 Avenue of the Americas, New York, NY 10020.



FOUNDATION PLAN STUDY LECTURE
W/2011

SUP-18671

01/25/07 PC



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

12/22/06



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

12/22/06



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

12/22/06

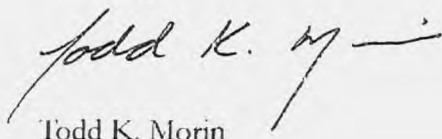
November 28, 2006

City of Las Vegas Planning and Development Department

Dear Sir or Madam:

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

Sincerely,



Todd K. Morin

SUP-18671
01/25/07 PC

DEC 17 2006

February 12, 2007

RECEIVED
CITY CLERK

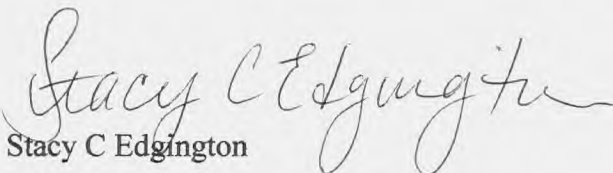
Michael and Stacy Edgington
5889 Huff Mountain Ave.
Las Vegas, NV 89131

2007 FEB 14 A 10:48

Support

To Whom It May Concern:

This letter is in response to SUP-18671 in the name of Todd Morin, who is requesting a special use permit for an existing structure at 5901 Huff Mountain Ave. As you can tell, we live on the same street, and actually just a few houses down, and we do not feel the structure poses any problems. Our opinion is we think the structure should be allowed to exist. Thank you.


Stacy C Edgington
702-395-9225

Date 02-15-07 #129

**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**

Telephone Protest/ Approval Log

Meeting Date: 1/25/07

Case Number: 18671

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

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

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

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

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

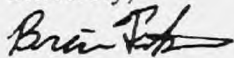
Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

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

To Whom It May Concern:

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

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Fitzpatrick", with a stylized flourish at the end.

Brian Fitzpatrick

1/24/07

City of Las Vegas Planning Commission

RE: 5901 Huff Mountain Ave.

APN #125-12-311-017

VAR-18669

SUP- 18671

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

Peter & Cindy Vlassopoulos
5900 Castleberry Peak Ave.

ERIC M. CHEESE
5896 CASTLEBERRY PEAK AVE
89131

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

Submitted at Planning Commission

Date 01/25/07 Item #56-57

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

VARIANCE

VAR-18908 - PUBLIC HEARING - APPLICANT/OWNER: FFPW MEDICAL DEVELOPMENT, LLC - Request for a Variance TO ALLOW A 33 PERCENT LOT COVERAGE WHERE 30 PERCENT IS THE MAXIMUM LOT COVERAGE ALLOWED on 5.0 acres at 9040 and 9092 West Cheyenne Avenue (APNs 138-08-401-008 and 009), U (Undeveloped) Zone under Resolution of Intent to O (Office) Zone, Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0-1 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. Backup referenced from the 01-25-07 Planning Commission Meeting Item 58

Motion made by LARRY BROWN 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 on Item 130 [VAR-18908] and Item 131 [SDR-18660].

ATTORNEY BOB GRONAUER, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He indicated there was a miscalculation on the lot coverage so the variance request is for 33 percent where 30 percent is required. He then accepted all conditions and committed to

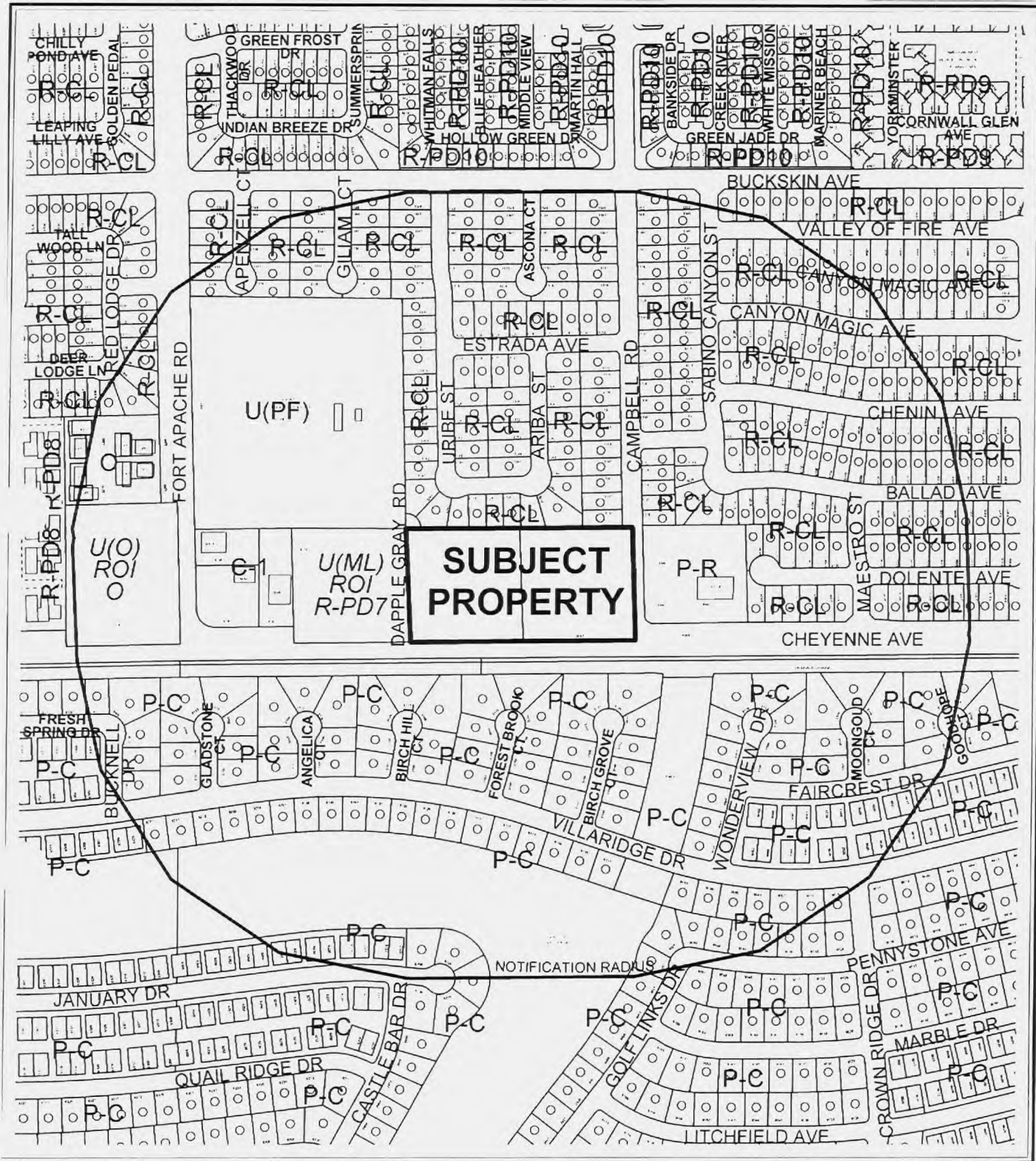
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

ensuring the walls will be parallel and reassured COUNCILMAN BROWN of his commitment to mitigate any issues with the wall.

ATTORNEY GRONAUER reassured COUNCILMAN BROWN that he is committed to ensuring any issues with the wall will be mitigated.

MAYOR GOODMAN declared the Public Hearing closed on Item 130 [VAR-18908] and Item 131 [SDR-18660].





CASE: **VAR-18908**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

0 500 Feet





CASE: **VAR-18908**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

0 500 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

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

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0-1/rt vote) recommends APPROVAL, subject to:

Planning and Development

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

BACKGROUND INFORMATION

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

05/06/04	The Planning and Development Department approved an administrative site plan and elevation drawing for a proposed slim-line wireless communication facility at the northwest corner of the subject site.
07/22/04	The Department of Building and Safety issued a building permit (#04019515) for a monopole and slim-line antennas at 9176 West Cheyenne Avenue. A final inspection was approved for the block wall enclosure on 12/03/04, but no final inspection for the wireless facility was approved.
08/04/04	The City Council approved the request for an Extension of Time (EOT-4691) on an approved Rezoning (Z-0063-02) from U (Undeveloped) [ML (Medium-Low Density Residential) General Plan Designation] to O (Office) on 2.68 acres adjacent to the north side of Cheyenne Avenue, approximately 340 feet west of Campbell Road.
09/15/04	The City Council approved the request for a Rezoning (ZON-4699) from U (Undeveloped) [O (Office) General Plan Designation] to O (Office) on 2.5 acres adjacent to the northwest corner of Cheyenne Avenue and Campbell Road. The Planning Commission and staff recommended approval.
09/15/04	The City Council approved a Vacation (VAC-4700) application for a Petition to Vacate U.S. Government Patent Easements generally located west of Campbell Road, north of Cheyenne Avenue. The Planning Commission and staff recommended approval.
12/02/04	The Planning Commission approved a request for a Tentative Map (TMP-5356) for a one-lot commercial subdivision on 5.36 acres adjacent to northwest corner of Cheyenne Avenue and Campbell Road. Staff recommended approval.
03/01/06	The City Council approved a General Plan Amendment (GPA-10763) to change the land use designation on this site from O (Office) and SC (Service Commercial) to ML (Medium-Low Density Residential), a Rezoning (ZON-10766) to R-PD7 (Residential Planned Development – 7 Units Per Acre), a Variance (VAR-10765) to allow a reduction in required open space, and a Site Development Plan Review (SDR-10769) for a proposed 56-lot single-family residential development with this item. The City Council approved SDR-10769 for a maximum of 55 lots. The Planning Commission and staff recommended denial.
09/06/06	The City Council approved a General Plan Amendment (GPA-14417) to change the land use designation on this site from ML (Medium-Low Density Residential), to O (Office) and to a Rezoning (ZON-14420) from: U (Undeveloped) [ML (Medium-Low Density Residential) Master Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units per acre) to: O (Office), and a Site Development Plan Review (SDR-14423) for a 58,400 square foot office development.
10/05/06	The City Council approved a request for a Tentative Map (TMP-16175) for a one-lot commercial subdivision on 5.0 acres at 9040 and 9092 West Cheyenne Avenue.
01/25/07	The Planning Commission recommended approval of companion item SDR-18660 concurrently with this application. The Planning Commission voted 6-0-1/rt to recommend APPROVAL (PC Agenda Item #9/ng).

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

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	4.16

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

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 Development Standards

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	NA	NA	NA
Min. Lot Width	100 Feet	608 Feet	Y
Min. Setbacks • Front • Side • Corner • Rear	25 Feet 10 Feet 15 Feet 15 Feet	25 Feet 15 Feet NA NA	Y
Max. Lot Coverage	30%	33%	N*
Max. Building Height	2 stories or 35 feet	2 stories and 35 Feet	Y
Trash Enclosure	Yes	Yes	Y
Mech. Equipment	Yes	Yes	Y

A Variance (VAR-18908) application is required.

ANALYSIS

The previous application, Site Development Plan Review (SDR-14423); supplied an incorrect acreage total for the site. The Site Development Plan Review supplied a gross acreage of five acres where it should have been 4.16 net acres for the site. The proposed plan shows 33 percent lot coverage where 30 percent maximum lot coverage is permitted for an O (Office) Zoning District. Therefore, the application needs a Variance.

The applicant has supplied a different office layout and increased the office floor area. Per Title 19.18 the increase in the floor area necessitates a Major Amendment, or a Site Development Plan Review. The applicant is proposing four single story office buildings and three 2-story office buildings totaling 28,000 square feet of medical office space and 32,160 square feet of professional offices on the 4.16 acre site. On 09/06/06, a Site Development Plan Review (SDR-14423) was approved for the site for a 58,400 square-foot office development consisting of one 2-story and four single story office buildings totaling 36,400 square feet of medical office space and 22,000 square feet of professional offices. This included a General Plan Amendment (GPA-14417) to change the land use designation on this site from ML (Medium-Low Density Residential), to O (Office) and a Rezoning (ZON-14420) from U (Undeveloped) [ML (Medium-Low Density Residential) Master Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units Per Acre) to O (Office).

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 4

SENATE DISTRICT 6

NOTICES MAILED 432 by City Clerk

APPROVALS 1

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-18908** APN: 138-08-401-008&009

Name of Property Owner: FFPW MEDICAL DEVELOPMENT, LLC

Name of Applicant: SCOTT WALKER

Name of Representative: JOHN DAVID BURKE ARCHITECT

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

☒ Yes

☐ No

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

City Official: SAMUEL DUNNAM

Partner(s): Real Estate Partners with John David Burke (DBA: Badd Investments LLC)

APN: 16232202009

Signature of Property Owner: [Signature]

Print Name: Greg S. Walker

Subscribed and sworn before me

This 22 day of December, 2006
[Signature]
Notary Public in and for said County and State



Bill Bell
Notary Public, State of Nevada
Notary Public No. 00648331
Expires: October 1, 2008

LANDSCAPE LEGEND

SYMBOL	LARGE TREES	TYPE	SIZE	SYMBOL	LARGE TREES	TYPE	SIZE	SYMBOL	SHRUBS	SIZE
	SHADBLOW HONEY LOCUST Gleditsia	LARGE DECIDUOUS	24" DIA		CAROLINA LAUREL CHERRY Prunus caroliniana	MEDIUM EVERGREEN	9" GAL		EVERGREEN EUCALYPTUS Eucalyptus japonica	9 GAL
	DESERT ACACIA Acacia greggii	MEDIUM EVERGREEN	9" GAL		CATALPA ACACIA Acacia greggii	MEDIUM DECIDUOUS	9" GAL		COMMON WINTER CREEPER Euonymus fortunei	9 GAL
	ARIZONA ASH Fraxinus	LARGE DECIDUOUS	24" DIA		CHASTE TREE VITEX	MEDIUM EVERGREEN	9" GAL		TEXAS RANGER Leucophyllum frutescens	9 GAL
	SOUTHERN LIVE OAK Quercus	LARGE EVERGREEN	24" DIA		ALEPPO PINE Pinus halepensis	LARGE EVERGREEN	24" DIA		FEATHERY CACTUS Cylindropuntia cholla	9 GAL
STREET PLANTING NOTE:										
SHRUBS SHALL BE DESIGNED TO COVER MORE THAN FIFTY PERCENT OF THE LANDSCAPED AREA AND MAY BE GROUPED IF DISTRIBUTED ALONG BOTH SIDES OF THE DRIVEWAY. ROOT BALLS FOR NEW PLANTS SHALL BE CONTROLLED DEEPER THAN 6" TO THE SIDEWALK.										
VALADOR AVENUE										
INTERIOR PLANTING NOTE:										
								SYMBOL		
								MEXICAN PAPYRUS Dioscorea batatas		
								HYPERICUM Sedum hybridum		
								DWARF COYOTE BUSH Desmodium illinoense		
								1 GAL 18" DIA		
								1 GAL 18" DIA		
								1 GAL 18" DIA		

STREET FRONTAGE NOTE:
SHRUBS SHALL BE DESIGNED TO COVER MORE THAN FIFTY PERCENT OF THE LANDSCAPED AREA AND MUST BE COMBINED & DISTRIBUTED ALONG ENTIRE STREET FRONTAGE. PLANTINGS SHALL BE PLANTED AT LEAST 5' TO THE SIDEWALK.

INTERIOR PARKING NOTE:
ONE LARGE TREE MUST BE PROVIDED PER 50 PARKING SPACES.

KEYNOTES

- 6" x 8" HIGH CONCRETE BLOCK TRASH ENCLOSURE WITH PAIR OF BUILT-IN IRON GATES WITH STAMPED METAL BACKING AND LEFT HAND LOCK/LATCH
- 2" AC PAVING
- LANDSCAPED AREA - BY OTHERS
- CONCRETE SIDEWALK CURB 1 OUTLET AS PER CITY OF LAS VEGAS
- 4" CONCRETE SIDEWALK W/POSSIBLE FINISH
- HANDICAP ACCESSIBLE AISE
- HANDICAP CURB
- HANDICAP ACCESSIBLE ROUTE
- 8' x 25' LOADING ZONE

PROJECT DATA

REQUIRED ZONING: O
EXISTING ZONING: O

AREA SUMMARY

USE	HEIGHT	AREA
MEDICAL LEASE A	1-STORY	5,000 SF
MEDICAL LEASE B	1-STORY	10,000 SF
OFFICE LEASE C	2-STORY	10,120 SF
OFFICE LEASE D	2-STORY	10,120 SF
OFFICE LEASE E	2-STORY	10,120 SF
MEDICAL LEASE F	1-STORY	5,000 SF
TOTAL		50,360 SF

USE	AREA	FACTOR	MOD.
MEDICAL LEASE A	5,000 SF	1000	5
MEDICAL LEASE B	10,000 SF	1000	10
OFFICE	30,360 SF	1000	30
TOTAL			45

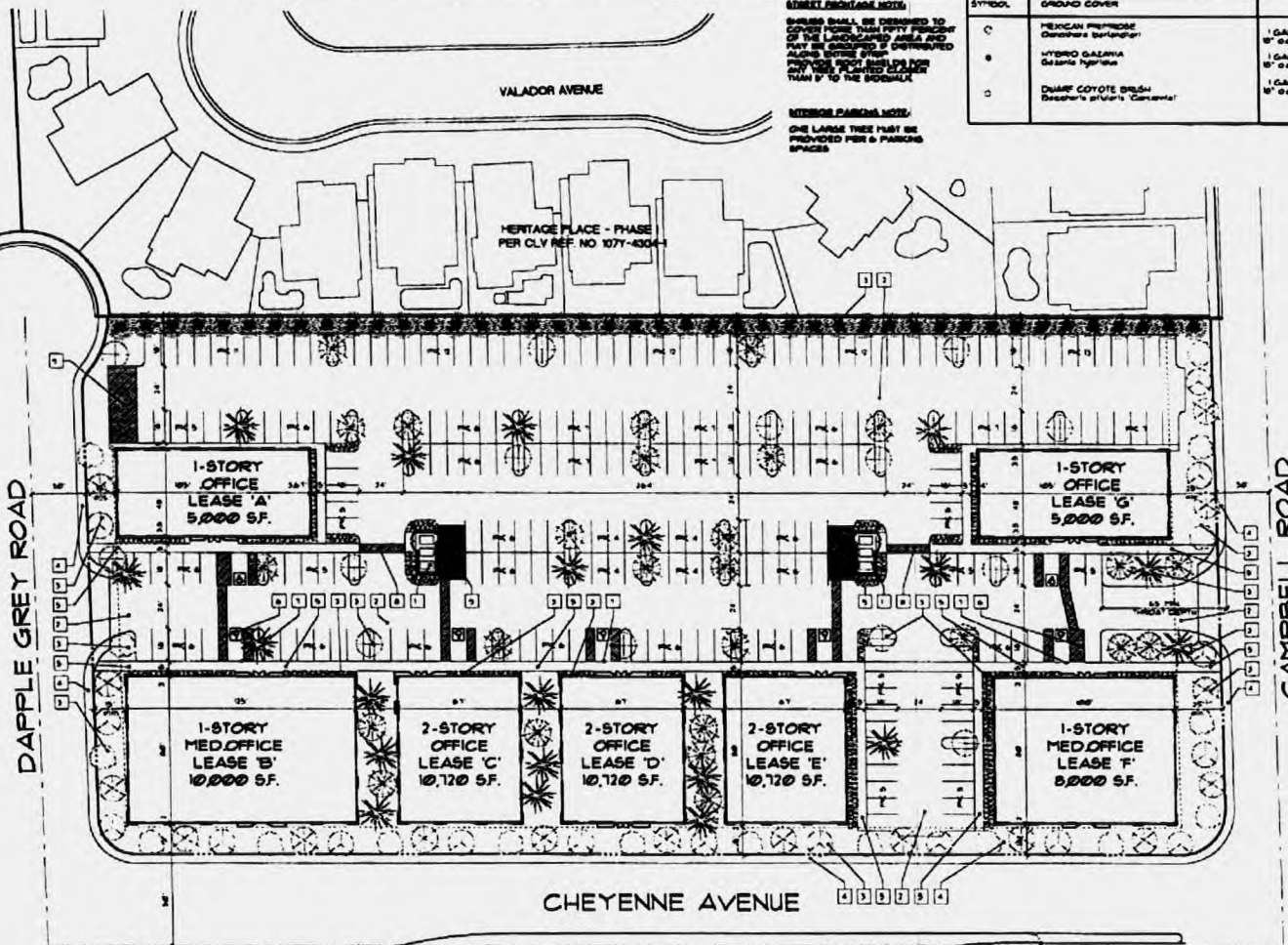
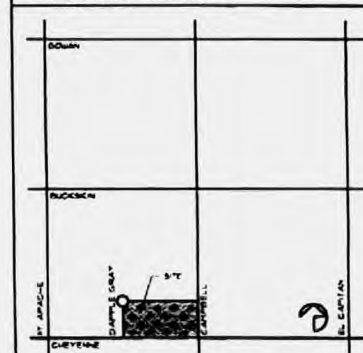
EXISTING PARKING: 261 SPACES

SITE ACREAGE: 80,955 SF, 2.4 ACRES

BUILDING COVERAGE: 33.7%

APR

LOCATION



SITE PLAN

SCALE: 1" = 30'-0"

DEC 22 2006

VAR-18908
01/25/07 PC

REVISIONS
1
2
3

JOHN COUL
burke, archited

CHEYENNE WEST
MEDICAL CENTRE
for: FFW, LLC.
City of Las Vegas Nevada

date: 1/25/07
proj. no.: 18908-1
dwn. by: [blank]
chkd. by: [blank]

sheet no.: A1

December 21, 2006

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING & DEVELOPMENT
731 South Fourth Street
Las Vegas, Nevada 89101

Re: Justification Letter -- Variance Request
Office Project
9040 and 9092 West Cheyenne Avenue
Tax Assessor's Parcel No.: 138-08-401-008 & 009

The plans we are submitting today for your review depict a one and to story office project previously approved under ZON-14420, SDR-14423 and TMP-16175. This is a request for a variance to allow 60,160 s.f. of building where 58,400 s.f. was previously approved (SDR 14423).

Due to the fact that the allowable building coverage is based on net and not gross site area, the applicant feels that an excessive amount of his initial gross square footage has been dedicated to the City for streets. The initial site area of 233,173 square feet has been reduced to a net of 181,063 square feet. That's a 22.4% reduction - almost a quarter of the property. This has created a hardship on his allowable building coverage.

The building coverage based on gross is 25.8%. The coverage based on net is 33.2% where 30% is allowable. This request is for a 1,760 square foot increase over what has previously been approved. That works out to a requested increase of 3%. Based on the hardship created by the dedication of streets on three sides of the property, the applicant feels this is a reasonable request.

Otherwise, these plans are consistent with the master plan and with the requirements of City of Las Vegas Zoning Code and all previous approvals.

We respectfully request your consideration in this matter. If you have any questions or comments, please call.

Sincerely,


JOHN DAVID BURKE, ARCHITECT

VAR-18908
01/25/07 PC

**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**

Telephone Protest/ Approval Log

Meeting Date: 1/25/07

Case Number: VAR - 18908

Date: 1/12/07
Name: Louise Joyce
Address: 3248 Ariba
Phone: 254-8566
☐ PROTEST ☒ APPROVE

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

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

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

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

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

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-18908

SDR-18660 - PUBLIC HEARING - APPLICANT/OWNER: FFPW MEDICAL DEVELOPMENT, LLC - Request for a Site Development Plan Review FOR A PROPOSED 60,160 SQUARE-FOOT OFFICE DEVELOPMENT on 4.16 acres at the northeast corner of Campbell Road and Cheyenne Avenue (APNs 138-08-401-008 and 009), U (Undeveloped) Zone [O (Office) General Plan Designation] under Resolution of Intent to O (Office) Zone, Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

Motion made by LARRY BROWN to Approve Subject to Conditions and amending Condition 10 as read for the record:

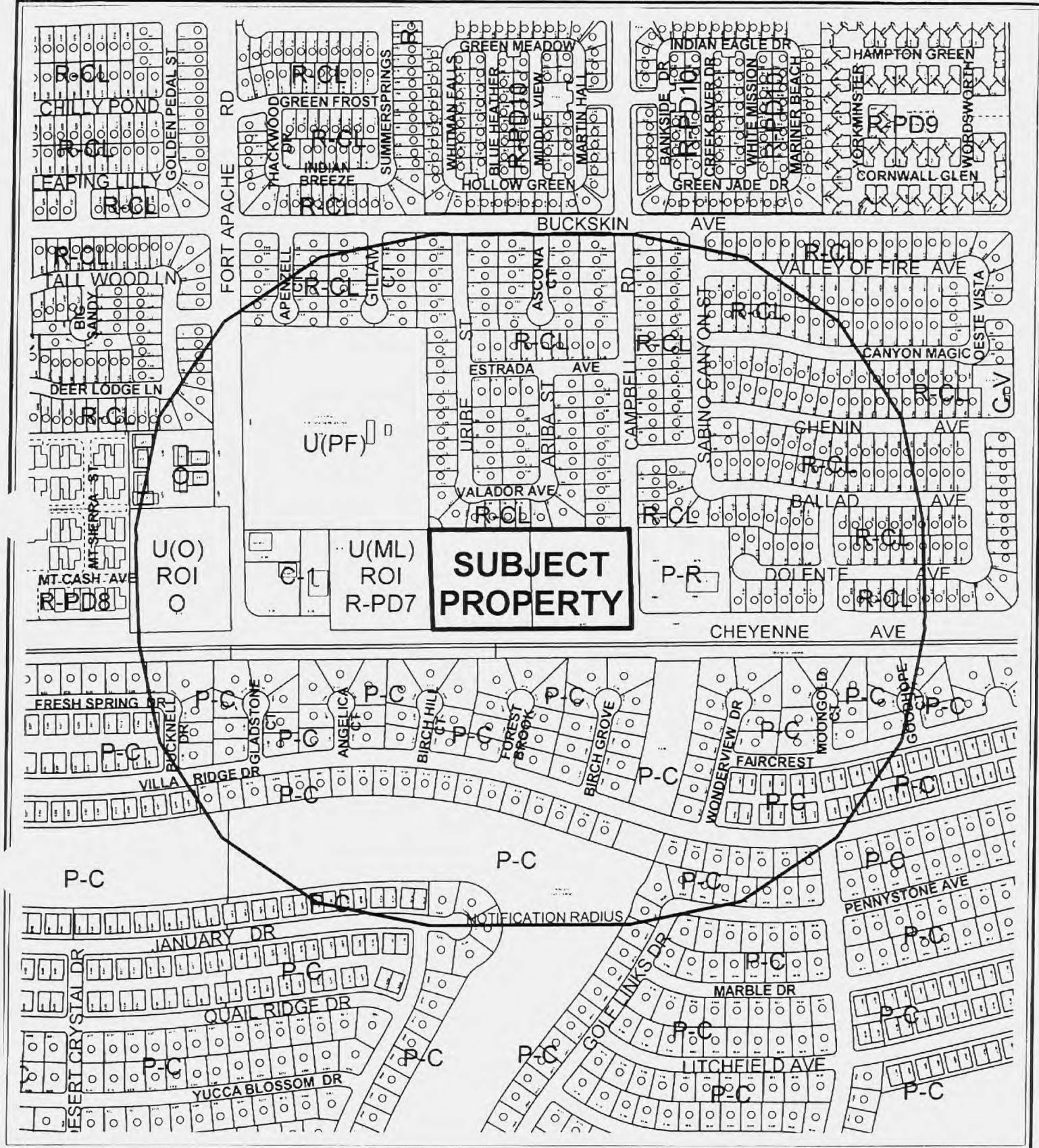
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties. All lighting shall be located as far as possible from adjacent residential properties.

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

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

Minutes:

See Item 130 for related discussion.



CASE: **SDR-18660**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [O (OFFICE) GENERAL PLAN LAND USE DESIGNATION]
 UNDER RESOLUTION OF INTENT O (OFFICE)





CASE: **SDR-18660**

RADIUS: 1000 FT

0 600 1200 Feet

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [O (OFFICE) GENERAL PLAN LAND USE DESIGNATION]
UNDER RESOLUTION OF INTENT O (OFFICE)



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-18660 - APPLICANT/OWNER: FFPW MEDICAL DEVELOPMENT, LLC

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0-1/rt vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for Variance (VAR-18908) shall be required, if approved.
2. Approval of this application shall expunge the previous Site Development Plan Review (SDR-14423), if approved.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All development shall be in conformance with the site plan, and landscape plan, date stamped 12/11/06, and building elevations, date stamped 01/19/07 except as amended by conditions herein.
5. A Waiver to allow 41 trees in the parking lot landscape finger area where 45 trees in the parking lot landscape finger area are the minimum required is hereby approved.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

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

Pubic Works

14. Coordinate with the City Surveyor to determine the appropriate mapping method for this site; comply with the recommendations of the City Surveyor.
15. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
16. Submit an application for a deviation from Standard Drawing #222a for the driveways accessing this site from Campbell Road and Dapple Grey Drive.
17. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

18. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing#201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
19. Site development to comply with all applicable conditions of approval for ZON-14420 and all other applicable site-related actions.
20. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the ITS Communication Infrastructure Phase III project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Surveyor.
21. The Applicant shall work with staff prior to submittal of a Site Development Plan Review to ensure that the final elevations of building pad(s) and parking lot are to the lowest height allowed by the Regional Flood Control District Manual and shall submit an exterior wall plan with the Site Development Plan Review showing existing and proposed grades, proposed wall heights and maximum retaining wall heights at the perimeters of the site.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing four single story office buildings and three 2-story office buildings totaling 28,000 square feet of medical office space and 32,160 square feet of professional offices on the 4.16 acre site.

The proposed development is not consistent with city standards because the site exceeds the maximum lot coverage in an O (Office) Zoning District. Staff cannot support as it is the result of a self-imposed hardship.

BACKGROUND INFORMATION

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

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

01/25/07	The Planning Commission recommended approval of companion item VAR-18908 concurrently with this application. The Planning Commission voted 6-0-1/rt to recommend APPROVAL (PC Agenda Item #59/jm).
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Pre-Application Meeting

11/20/06	A pre-application meeting was held. It was noted that this would be a major amendment to the approved Site Development Plan Review (SDR-14423). After reviewing the submittal, staff discovered that the applicant supplied an incorrect acreage total for the site. The Site Development Plan Review application supplied a gross acreage where it should have been net acreage for the site. As calculated in net acres, the site exceeds the maximum lot coverage for an O (Office); therefore, the application needs a Variance.
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Neighborhood Meeting

A neighborhood meeting was not held, nor was one required.
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Details of Application Request

Site Area

Net Acres	4.16
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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	O (Office)	U (Undeveloped) Under Resolution of Intent to O (Office)
North	Single Family Residential	ML (Medium Low) Residential	R-CL (Single Family Compact-Lot)
South	Single Family Residential	ML (Medium Low) Residential	P-C (Planned Community)
East	Office Buildings	O (Office)	P-R (Professional Office and Parking)
West	Undeveloped	ML (Medium Low) Residential	U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation]

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 Development Standards

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	NA	NA
Min. Lot Width	100 Feet	608 Feet	Y
Min. Setbacks • Front • Side • Corner • Rear	25 Feet 10 Feet 15 Feet 15 Feet	25 Feet 15 Feet NA NA	Y
Max. Lot Coverage	30%	33%	N*
Max. Building Height	2 stories or 35 feet	2 stories and 35 Feet	Y
Trash Enclosure	Yes	Yes	Y
Mech. Equipment	Yes	Yes	Y

A Variance (VAR-18908) application is required.

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Required		Provided	
		Ratio	Parking		Parking
			Regular	Handicap	
Medical Offices	28,000	One space for each 200 S.F. of GFA up to 2,000 S.F., plus one space for each additional 175 S.G.	159		204
Professional Offices	32,160	One space for each 300 S.F. of GFA	108		74
Total			267	7	267
Loading Spaces	60,160		3		3

Pursuant to Title 19.08.060, the following residential adjacency standards apply:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	60 Feet	72.5 Feet	Y

Pursuant to Title 19.12, the following landscape standards apply:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree / 6 Spaces	45 Trees	41 Trees*
Buffer:			
Min. Trees			
• North	1 Trees/ 20 Linear Feet	30 Trees	43 Trees
• South		31 Trees	27 Trees
• East	1 Trees/ 20 Linear Feet	9 Trees	13 Trees
• West		13 Trees	12 Trees
	1 Trees/ 30 Linear Feet		
	1 Trees/ 20 Linear Feet		
Min. Zone Width			
• North	8 Feet		10 Feet
• South	15 Feet		25 Feet
• West	15 Feet		15 Feet
• East	15 Feet		15 Feet
			15 extra trees are provided on site.

*Waiver of landscape parking fingers.

ANALYSIS

- Zoning

The proposed medical and professional office development is consistent with the O (Office) Zoning District.

- Residential Adjacency

The site is adjacent to residential properties to the north; therefore, Title 19.08.060 Residential Adjacency Standards apply. This standard requires that no building shall exceed the height of a line drawn from the property line of a protected property at a 3:1 slope. By these standards, Building "A" is 20 feet in height and is required to be 60 feet setback from the protected property to the north. Building "A" is 72.5 feet in distance from the protected property; therefore, is in compliance.

- Site Plan

The applicant is proposing four single story office buildings and three 2-story office buildings totaling 28,000 square feet of medical office space and 32,160 square feet of professional offices on the 4.16 acre site. On 09/06/06, a Site Development Plan Review (SDR-14423) was approved for the site for a 58,400 square-foot office development consisting of one 2-story and four single story office buildings totaling 36,400 square feet of medical office space and 22,000 square feet of professional offices. This included a General Plan Amendment (GPA-14417) to change the land use designation on this site from ML (Medium-Low Density Residential), to O (Office) and a Rezoning (ZON-14420) from U (Undeveloped) [ML (Medium-Low Density Residential) Master Plan Designation] under Resolution of Intent to R-PD7 (Residential Planned Development - 7 Units per acre) to O (Office).

The applicant has supplied a different office layout and increased the office floor area. Per Title 19.18 the increase in the floor area necessitates a Major Amendment, or a Site Development Plan Review. In addition, the previous application, Site Development Plan Review (SDR-14423) supplied an incorrect acreage total for the site. The SDR supplied a gross acreage where it should have been net acreage for the site. As calculated in net acres, the site exceeds the maximum lot coverage for an O (Office); therefore, the application needs a Variance.

- Waivers

The applicant is requesting a Waiver to allow 41 trees in the parking lot landscape finger area where 45 trees in the parking lot landscape finger area are the minimum required.

- Landscape Plan

On the perimeters of the development along Cheyenne Avenue, Campbell Road and Dapple Grey Road, the applicant provides 15 feet of landscape buffer with 24-inch Shademaster Honey Locust, Arizona Ash, and Southern Live Oak spaced appropriately. In the interior, the applicant provides eight feet of landscape buffer with 24-inch Aleppo Pine spaced appropriately.

Title 19.10 Parking, Loading and Traffic standards requires a landscape island for every six uncovered parking spaces. The applicant is providing sufficient landscape islands on the site.

- Elevation

The building elevations depict a three 2-story, 35-Foot office building and four, ranging from 20-foot to 23-foot, single-story office buildings with exteriors of stone veneer, painted panels and aluminum window systems.

- Floor Plan

No floor plans were provided with this application.

- Trails

A Pedestrian Path alignment exists along the north side of Cheyenne Avenue, adjacent to the proposed development. A Pedestrian Path is a dedicated route for pedestrians and other trail users proposed for rights-of-way in developed areas where enough right-of-way to accommodate a multi-use trail cross section requirement is not available. The cross section requires less width due to a reduction in amenity but provides an unobstructed path for trail users. The site path is in conformance with the Pedestrian Path cross-section.

FINDINGS

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

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

The proposed development is compatible with other commercial development that is occurring at this intersection. However, staff cannot support this development as is not consistent with city standards because the site exceeds the maximum lot coverage in an O (Office) Zoning District. Staff cannot support as it is the result of a self-imposed hardship.

2. **“The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;”**

The proposed development is not consistent with city standards because the site exceeds the maximum lot coverage in an O (Office) Zoning District. Staff cannot support as it is the result of a self-imposed hardship.

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

Cheyenne Avenue, a Primary (100-foot) Arterial, is fully constructed and will provide access to the proposed development. Improvement to Dapple Grey Road and Campbell Road, both 60-foot public streets, will be adequate to meet the requirements of the proposed development.

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

The proposed building materials and landscape materials are appropriate for the area and for the City.

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

The building elevations, design characteristics, and other architectural and aesthetic features are attractive and compatible with development in the area.

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

The proposed development will be subject to permits and final inspection for a Certificate of Occupancy and; therefore, will not compromise the health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 4

SENATE DISTRICT 6

NOTICES MAILED 428 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-18660** APN: 138-08-401-008 & 009

Name of Property Owner: FFPW MEDICAL DEVELOPMENT, LLC

Name of Applicant: SCOTT WALKER

Name of Representative: JOHN DAVID BURKE ARCHITECT

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

Print Name: GREGORY SCOTT WALKER

Subscribed and sworn before me

This 4th day of December, 2006
Megan A. Williams
Notary Public in and for said County and State



LANDSCAPE LEGEND										KEYNOTES		
SYMBOL	LARGE TREE#	TYPE	SIZE	SYMBOL	LARGE TREE#	TYPE	SIZE	SYMBOL	SHADE#	SIZE	#	DESCRIPTION
		LANDSCAPE DECIDUOUS	24" DIA		CATALPA LARUEL CHENET Prunus Carolinensis	REDWOOD EVERGREEN	6 gallon		EVERGREEN EUCALYPTUS Eucalyptus marginata COTTONWOOD GREENER Eucalyptus fortunei	2 GAL	1	6" HIGH CONCRETE OR LOCK THRESHOLD LOCUS WITH MAIN OF WALKWAY. MAIN GATES WITH STAIRS METAL SHADING AND LEFT PIN LOCK ATCH.
		REDWOOD EVERGREEN	10 gallon		CATALPA ACACIA Acacia Goulet	REDWOOD DECIDUOUS	10 gallon		TEXAS MOUNTAIN Leucosiphon Phlox	2 GAL	2	3" AC PAVING
		LANDSCAPE DECIDUOUS	24" DIA		CHASTE TREE Viburnum	REDWOOD EVERGREEN	10 gallon		FEATHERING CATALPA Catalpa bignonioides	3 GAL	3	LANDSCAPED AREA BY OTHERS
		LANDSCAPE EVERGREEN	24" DIA		ALBUQUERQUE Prunus laurocerasus	LANDSCAPE EVERGREEN	24" DIA				4	CONCRETE SIDEWALK, CURB & GUTTER AS PER CITY OF LAS VEGAS
											5	4" CONCRETE SIDEWALK, SIDEWALK & FINISH
											6	HANDICAP ACCESSIBLE WALK
											7	HANDICAP CURB

#	DESCRIPTION
1	6" - 8" THICK CONCRETE BLOCK TRAILER ENCLOSURE WITH MESH OF WOODEN IMPEDED WITH STAPLED METAL CHAINING AND LIST PIN LOCKDOWN ATCH
2	2' AC PAVING
3	LANDSCAPED AREA BY OTHERS
4	CONCRETE SIDEWALK CURBS 4' QUOTED AND MEN CITY OF LAS VEGAS
5	4" CONCRETE SIDEWALK 4' WIDE X 1' HIGH
6	HANDICAP ACCESSIBLE AISLE
7	HANDICAP CURB
8	HANDICAP ACCESSIBLE MOUNT
9	15 X 25 LOADING ZONE

SHRUBS SHALL BE DESIGNED TO COVER MORE THAN FIFTY PERCENT OF THE LANDSCAPED AREA AND MAY BE GROUPED & DISTRIBUTED ALONG ENTIRE STRIP. PROVIDE ROOT BARRIERS FOR ANY TREES PLANTED CLOSER THAN 5' TO THE SIGNALS.

INTERIOR PARKING NOTE:
ONE LARGE TREE MUST BE
PROVIDED PER 6 PARKING
SPACES

SYMBOL	GROUND COVER
1	MEXICAN PHORPHEE <i>Dactyloctenium aegyptium</i>
2	HYBRID GRASS <i>Setaria viridis</i>
3	GRASS COTTON <i>Gossypium hirsutum</i>

USE	LEIGHT	AREA
MEDICAL LEASE A	1-STORY	5,900 SQ
MEDICAL LEASE B	1-STORY	5,900 SQ
OFFICE LEASE C	2-STORY	18,100 SQ
OFFICE LEASE D	2-STORY	18,100 SQ
OFFICE LEASE E	2-STORY	18,100 SQ
MEDICAL LEASE F	1-STORY	5,900 SQ
MEDICAL LEASE G	1-STORY	5,900 SQ
TOTAL:		94,000 SQ

	JOB	AMOUNT	FACILITY	PRICE
REQUIRED FINANCING	MED OFFICE	2,000 SF	1700	10
	MED OFFICE	26,000 SF	1710	143
	OFFICE	32,000 SF	1700	107
	TOTAL			250

EXISTING PAVING	26.1 SPAGAS
ITE ACREAGE	10.000 01 4 W ACRES
BUILDING COVERAGE	332%
APPX.	38 000-400 0000
	38 000-400 0000

01/25/07 PC

OFFICE PARK
Cheyenne & Campbell
for: FFW, LLC. Nevada
City of Las Vegas

sheet no.	date	7-9-88
A1	proj. no.	1688-4
	drwn. by	
	chkd. by	

DEC 11 2005

DAPPLE GREY ROAD.

SITE PLAN

SCALE 1" = 30' @

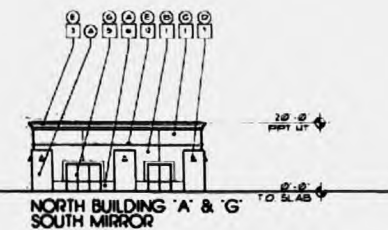
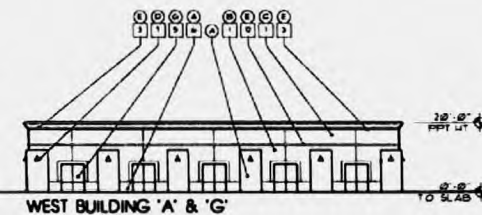
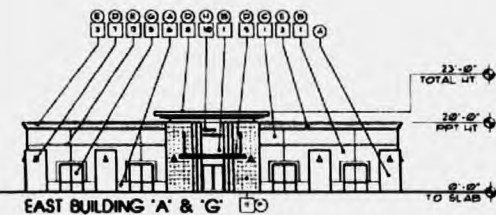
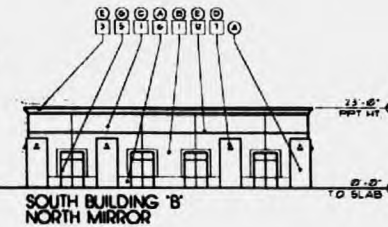
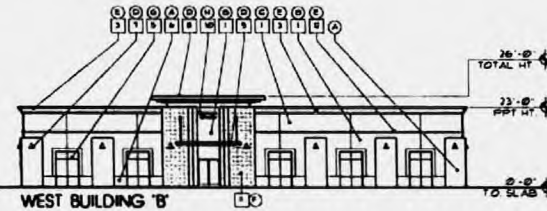
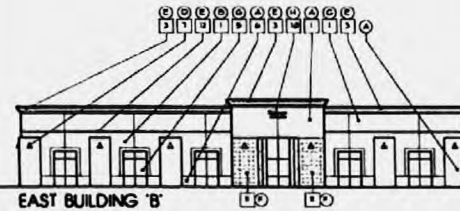
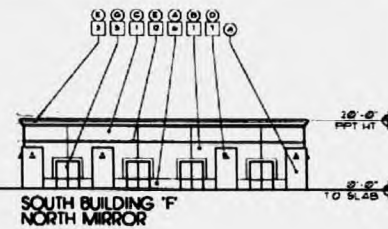
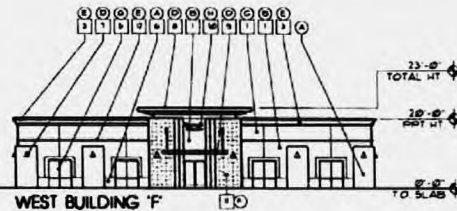
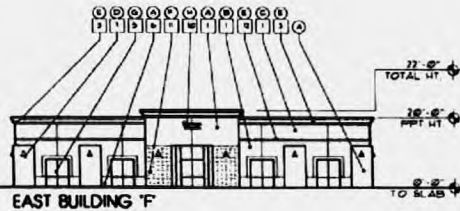
CAMPBELL ROAD

COLOR SCHEME

Sym	Color/Material	Location	Sym	Color/Material	Location
1	MAIZE 875H - TECHA BROWN	STUCCO DARK FIELD STUCCO PLASTER	1	STONE CONNECTION SLATE TILE VENEER	SLATE TILE VENEER
2	MAIZE 875A - COACH HOUSE	STUCCO MEDIUM FIELD	2	ANCADIA STUCCO MEDIUM DROPLE AS 3 ANODIZED FINISH	STORMWIND FRAMES
3	MAIZE 874T - FREEDOMLAND	STUCCO LIGHT FIELD	3	EVERGREEN RECLINE ADVANTAGE ON 7" SURFACE	GLAZING
4	MAIZE 874N - FRENCH RED	METAL ASHING ACCENT	4	COLOR 'A' AGAINST A 'C' BACKGROUND COLOR 'A' AGAINST A 'B' BACKGROUND COLOR 'C' AGAINST AN 'A' BACKGROUND	SIGNAGE
5	MAIZE 873W - SAWYER'S FENCE	STUCCO TINT			

KEYNOTES

#	Description
1	SYNTHETIC STUCCO FINISH SYSTEM OVERLATHING AND TA PLUMBING
2	KEENE "HD" STUCCO CONTROL JOINT
3	STUCCO CORNER
4	STUCCO FASCIA
5	ALUMINUM STORMWIND DOOR OR WINDOW
6	STUCCO MANICOT
7	DECORATIVE LIGHT BOUNCE
8	STANDING SEAM METAL ROOF
9	DECORATIVE STEEL TUBE ASHING
10	SIGNAGE - BY OTHERS
11	SLATE VENEER
12	STUCCO PLANT-ON



ELEVATIONS

SCALE 1/16" = 1'-0"

REVISIONS

jon
duke
architect

3471 WES. COLLEGG RD. 150 LAS VEGAS, NV 89118 (702) 734-4883

CHEYENNE WEST
MEDICAL CENTRE
for: FFPJ, LLC.
City of Las Vegas, Nevada

date
proj. no.
dwn. by
chkd. by

sheet no.
A2

JAN 10 2007

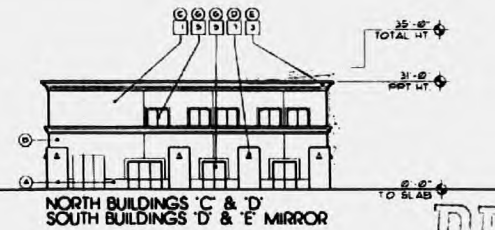
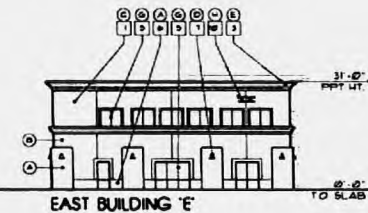
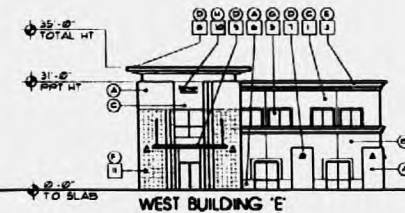
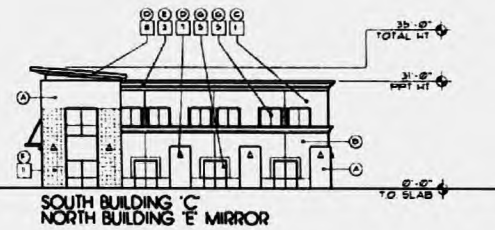
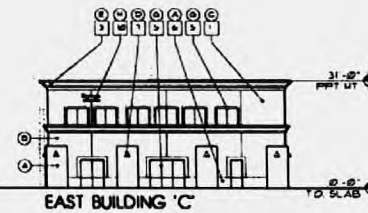
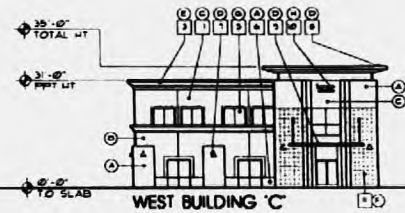
VAR-18908 SDR-18660
REVISED 01/25/07 PC

COLOR SCHEME

Sym.	Color/Material	Location	Sym.	Color/Material	Location
①	PHAZEE 8764 - MOCHA BROWN	STUCCO DARK FIELD STUCCO PLASTER	①	STONE CONNECTION SLATE 18.8 VENEER CONTACT 180-139-5166	SLATE 18.8 VENEER
②	PHAZEE 8754 - COACH HOUSE	STUCCO MEDIUM FIELD	②	AMERICA'S STANDARD FILICUT BRONZE AD-3 ANODIZED FRAMES	STONE/PAINT FRAMES GLAZING
③	PHAZEE 8744 - PRACQUA LARK	STUCCO LIGHT FIELD	③	EVERGREEN ECLIPSE ADVANTAGE ON TO SURFACE	
④	PHAZEE AC94N - FRENCH RED	METAL AWNING ACCENT	④	COLOR 'A' AGAINST A 'C' BACKGROUND COLOR 'A' AGAINST A 'B' BACKGROUND COLOR 'C' AGAINST AN 'A' BACKGROUND	SHRUBS COLOR 'C' AGAINST AN 'A' BACKGROUND
⑤	PHAZEE 8234U - SAWYER'S FENCE	STUCCO TRIM			

KEYNOTES

#	description
1	SYNTHETIC STUCCO FINISH SYSTEM OVER SHEATHING AND IR INSULATION
2	KEENE 740 STUCCO CONTROL JOINT
3	STUCCO CORNICE
4	STUCCO FASCIA
5	ALUMINUM STONE/PAINT DOOR OR WINDOW
6	STUCCO WAINSCOT
7	DECORATIVE LIGHT SCULPTURE
8	STANDING BEAM METAL ROOF
9	DECORATIVE STEEL TUBE AWNING
10	SIGNAGE - BY OTHERS
11	SLATE VENEER
12	STUCCO PLANT-ON



ELEVATIONS

SCALE 1/16" = 1'-0"

REVISIONS



JOHN ADAMS
DURKE ARCHITECT

347 WEST COLEMAN RD. #100 LAS VEGAS NV 89102-2448

CHEYENNE WEST
MEDICAL CENTRE
for: FFPJ, LLC.
City of Las Vegas, Nevada

date: 1/10/07
proj. no.: 18660
dwg. by: [blank]
chd. by: [blank]

sheet no.: A3

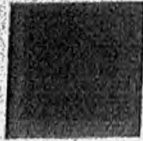
DECEMBER
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VAR-18908 SDR-18660
REVISED 01/25/07 PC

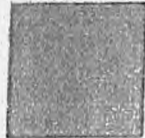
COLOR/MATERIALS BOARD



- (A) STUCCO DARK FIELD:
STUCCO PILASTER:
FRAZEE 8126N - MOCHA BROWN



- (B) STUCCO MEDIUM FIELD:
FRAZEE 8125A - COACH HOUSE



- (C) STUCCO LIGHT FIELD:
FRAZEE 8124M - MEADOWLARK

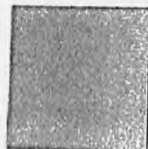


- (D) METAL AWNING ACCENT:
FRAZEE 8011N - FRENCH RED

- (E) STUCCO TRIM:
FRAZEE 8231W - SAUTER'S FENCE



- (F) SLATE VENEER:
STONE CONNECTION
SLATE 1518
CONTACT: 702-355-5122



- (G) STOREFRONT FRAMES:
ARCADIA STANDARD MEDIUM BRONZE
2B-14 ANODIZED FRAMES



- GLAZING:
BRONZE REFLECTIVE

VAR-18908 SDR-18660
REVISED 01/25/07 PC

CHEYENNE WEST
MEDICAL CENTRE
for JEPW LLC
City of Las Vegas Nevada

John
dau
burke, architect

100 WEST 100TH AVE SUITE 100 LAS VEGAS NV 89135-4903

November 14, 2006

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING & DEVELOPMENT
731 South Fourth Street
Las Vegas, Nevada 89101

Re: Justification Letter – Site Plan Development Review
Office Project
9040 and 9092 West Cheyenne Avenue
Tax Assessor's Parcel No.: 138-08-401-008 & 009

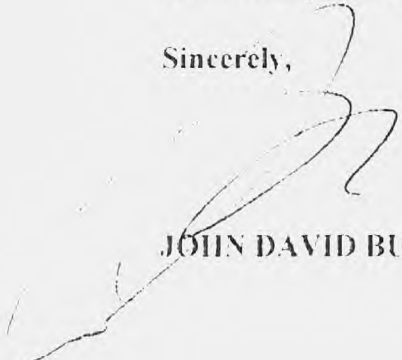
The plans we are submitting today for your review depict a one and to story office project previously approved under ZON-14420, SDR-14423 and TMP-16175. This is a request for a site plan development review to slightly revise the site plan and reduce the requested total building area. Also revised are the exterior elevations of the buildings. There are seven smaller size buildings (previously there were five) and a new architect has been hired (thereby generating new exteriors).

The elevations depict multi-colored stucco exteriors in an earthtone/desert palette with decorative steel tube awnings and standing seam metal roofs. The entries are enhanced with cultured stone veneer. The balance of the elevations are enhanced with aluminum storefront windows/doors and decorative light sconces.

Otherwise, these plans are consistent with the master plan and with the requirements of City of Las Vegas Zoning Code and all previous approvals.

We respectfully request your consideration in this matter. If you have any questions or comments, please call.

Sincerely,


JOHN DAVID BURKE, ARCHITECT

SDR-18660 . . . DEC 11 2006
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:****SPECIAL USE PERMIT**

SUP-18637 - PUBLIC HEARING – APPLICANT/OWNER: DAN MARTINEZ - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT on 1.39 acres at 709-731 Fremont Street (APN 139-34-612-084), C-2 (General Commercial) Zone, Ward 5 (Weekly). 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 LAWRENCE WEEKLY to Approve Subject to Conditions and amending Condition 2 as read for the record:

2. This approval shall be void one year 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.

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 132 [SUP-18637] and Item 133 [SDR-18638].

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

Because Item 132 and 133 were moved up on the agenda at COUNCILMAN WEEKLY'S request, MAYOR GOODMAN noted that should anyone arrive later, he will grant them the opportunity to speak.

DAN MARTINEZ appeared with his son, JUSTIN MARTINEZ, 709-731 Fremont Street. MR. MARTINEZ, SR. stated that the proposed structure has been redesigned to allow for relocating the parking structure. They are committed to the project and have been working with architects and engineers to ensure that the project is viable.

MAYOR GOODMAN queried about the financing and the price ranges. MR. MARTINEZ, SR. replied that financing was not in place, but they have prospects. In addition, the size of the units range from 800 to 2,400 square feet, at approximately \$400 per square foot.

MAYOR GOODMAN commented that he has been criticized for possibly sending the wrong message while expressing his main concern for ensuring that the City is not duped relative to granting entitlements. He did not agree, as he felt it was a responsible measure to have developers come back with updates to ensure their projects are successful. He wondered what would be a fair and reasonable timeframe. COUNCILMAN WEEKLY added that the City is making substantial contributions and want to send a clear message towards projects that are ambitious.

SCOTT ADAMS, Director, Office of Business Development, was not present to address the timeframe; therefore, MARGO WHEELER, Director of Planning and Development, believed that one year would be sufficient time for the engineering work and mapping progress to take place, even though the applicant would not have the building permit. Both MR. MARTINEZ, SR. and JR. agreed that one year was not unreasonable.

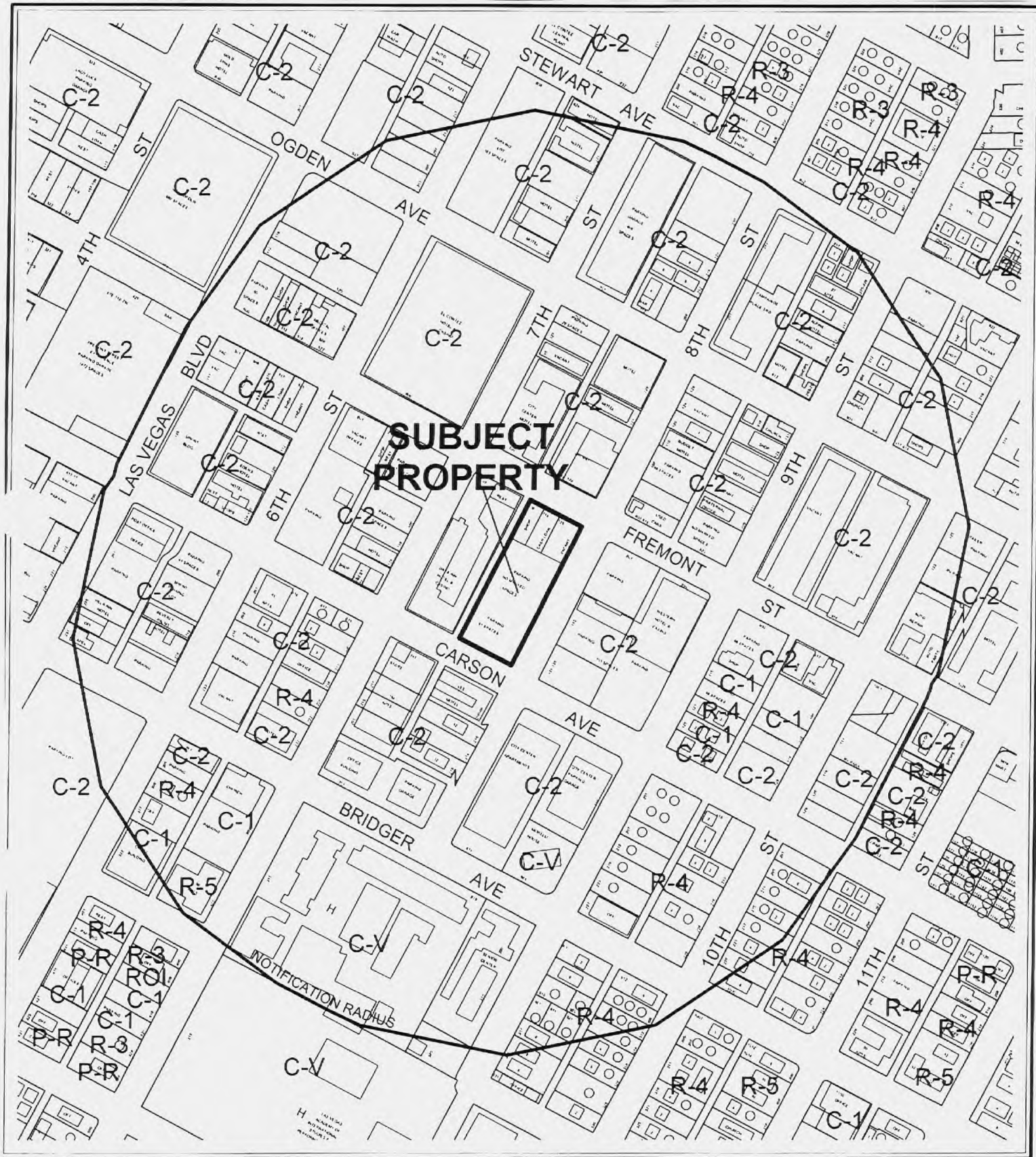
AL GALLEGOS confirmed the applicant's name and expressed uncertainty towards the applicant.

TED RUSSELL, Las Vegas resident, questioned the height of the Fremont Street Experience elevation. MR. MARTINEZ, JR. was unsure of the exact figure but pointed out that the canopy has been addressed and is not an issue.

COUNCILMAN WEEKLY thanked MR. MARTINEZ, SR. and JR. for being present. The Councilman would like to see them work with the Office of Business Development to assist in keeping Council briefed and staying informed of the project's progress.

MS. WHEELER confirmed with COUNCILMAN WEEKLY that Condition 2 would need to be amended to reflect a one-year approval.

MAYOR GOODMAN declared the Public Hearing closed on Item 132 [SUP-18637] and Item 133 [SDR-18638].



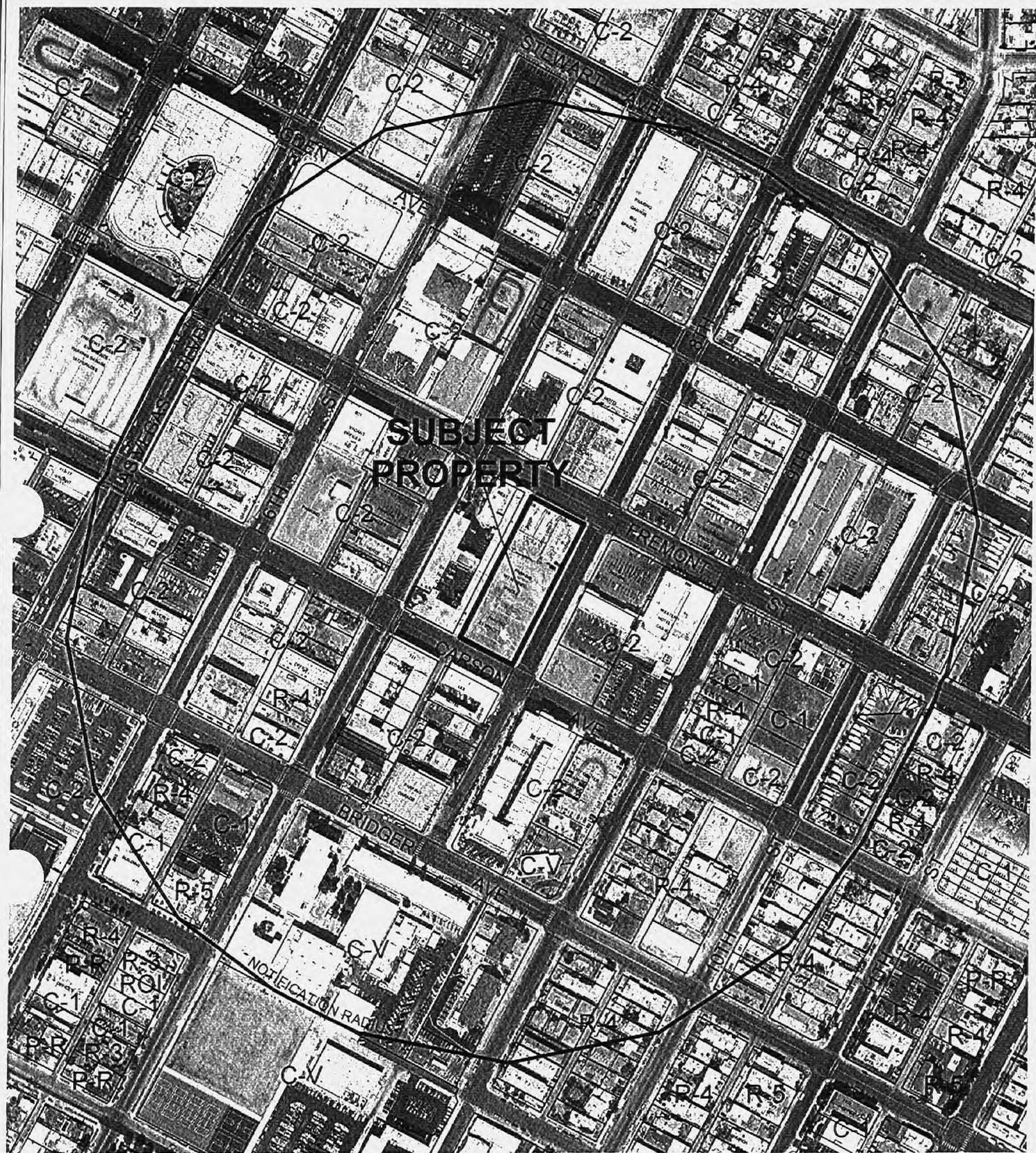
CASE: **SUP-18637**

RADIUS: 1000 FT

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

0 300 600 Feet





CASE: **SUP-18637**

RADIUS: 1000 FT

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-18637 - APPLICANT/OWNER: DAN MARTINEZ

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions of approval for Site Development Plan Review (SDR-18638).
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. Written approval by the Clark County Department of Aviation with no change in flight patterns shall be submitted to the City of Las Vegas prior to the issuance of building permits.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This project is a request for a Special Use Permit (SUP-18637) to allow a 40-story mixed-use development consisting of 395 residential units, 15,892 square feet of commercial retail space and 9,050 square feet of office space on 1.39 acres at 709-731 Fremont Street. A companion Site Development Plan Review (SDR-18638) will be heard with this item. The applicant states that the goal is to build a project that will be affordable to those downtown employees who would also like to live downtown.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/15/04	City Council approved SUP-5362 for a restaurant with bar for 731 Fremont Street
06/01/05	City Council approved SUP-6267 for a tavern for 719 Fremont Street.
	The Planning Commission recommended approval of companion item SDR-18638 concurrently with this application.
01/25/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #62/yk).
<i>Pre-Application Meeting</i>	
09/13/06	The applicant was advised of the two applications and three waivers that would be necessary to move the project forward.
<i>Neighborhood Meeting</i>	
09/13/06	The applicant was advised no neighborhood meeting would be required.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.39 acres
Net Acres	1.28 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant lot	C (Gen. Commercial)	C-2 (Gen. Commercial)
North	Vacant building	C (Gen. Commercial)	C-2 (Gen. Commercial)
South	Motel	Mixed-Use	C-2 (Gen. Commercial)
East	Vacant lot	C (Gen. Commercial)	C-2 (Gen. Commercial)
West	Motel	C (Gen. Commercial)	C-2 (Gen. Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Overlay District	X		Y
G-O (Gaming Enterprise Overlay) District		X	N/A
A-O (Airport Overlay) District	X		Y
Downtown Casino Overlay District		X	N/A
Downtown Entertainment Overlay District	X		Y
Live/Work Overlay District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The Downtown Centennial Plan addresses certain site development standards, which are detailed below:

<i>Standards</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	60,394 sq.ft.	N/A
Min. Lot Width	N/A	155 ft.	N/A
Min. Setbacks			
• Front	N/A	0 Feet	N/A
• Side	N/A	0 Feet	N/A
• Corner	N/A	0 Feet	N/A
• Rear	N/A	0 Feet	N/A
Max. Lot Coverage	Up to 100 %	89.3%	N/A
Max. Building Height	N/A	472'-9"	N/A
Trash Enclosure	Enclosed/Covered	Enclosed/Covered	Y
Loading Zone	1	1	Y
F.A.R.	N/A	14.1%	N/A
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	N/A	N/A	0
Streetscape Treatment: 8 th Street	1 Palm Tree/30' o.c. (min. 25' height)	14	10
Streetscape Treatment: Carson Avenue	1 Shade Tree/30' o.c. (min. 25' height)	5	4
Streetscape Treatment: Fremont Street	1 Shade Tree/30' o.c. (min. 25' height)	5	4

As with other development standards, the property is exempt from the automatic application of the parking requirements listed in Title 19.10 due to its being located within the boundaries of the Downtown Centennial Plan area. The following table compares the parking requirements listed in Title 19.10 with the amount of parking to be provided for the development:

Uses	GFA	Recommended			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Retail	15,892 SF	1 per 175 SF	91	4	149	4
Office	9,050 SF	1 per 300 SF	30	2	40	2
Residential	395 units	1 per unit	395	8	395	8
Total			516	14	584	14 of 584

The parking provided is greater than the minimum normally required for a downtown mixed-use project. This allows flexibility in case some of the retail space is used for entertainment venues which call for greater parking.

ANALYSIS

- **Zoning**

The commercial use located at the ground floor is permitted in accordance with the requirements of the C-2 (General Commercial) zoning district. The Special Use Permit for a Mixed-Use structure requires non-residential uses on the ground floor and architectural features that distinguish the separate uses within the building; the proposed development is in conformance with these requirements.

- **Site Plan**

This projects site plan has the residential lobby directly off of the parking garage with additional access off the Fremont Street frontage. The retail space is clustered along Fremont Street on both the ground and 2nd levels with the office space totally on the 2nd level. Ingress/egress to the parking garage is located off of 8th Street with an additional egress off of Carson Avenue. This limits the area for landscape treatments. One loading dock area is located off of the west alley and provides for loading to take place without blocking the flow of traffic on the public streets or within the parking garage. Overall the project uses it's footprint for maximum commercial advantage.

- **Elevation**

Contemporary materials are used on the building exterior, which include composite aluminum panels, painted pre-cast concrete, insulated glass and an aluminum louver system. There is sufficient vertical relief that extends the entire height of the building from the ground level to the penthouse that meets the intent of the Centennial Plan requirements. The addition of the balconies provides additional off-set to the stepback requirement to render it a mute issue. The parking structure is situated behind the tower structure and has metal louver screens on the first two levels. Three separate metal panel canopies are included, one over the parking garage entrance and the other two off of the retail spaces on 8th Street and Fremont Street.

- **Floor Plan**

The symmetry of the floor plan allows for efficient access from the parking structure to the elevator lobbies, and contributes to the effectiveness of the pedestrian circulation within the structure. The amenities for the residential units will be located atop the parking structure on the ninth level. There are several unit floor plans that will encourage a wide spectrum of residents from different backgrounds. This will add to the energy of the Entertainment District.

FINDINGS

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

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

The proposed development will be compatible with adjacent development, and will assist in improving the energy needed in order for the Entertainment District to be successful.

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

This project is ideally located within the Entertainment District and will seamlessly blend in with the surroundings.

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

The existing streets offer adequate access to the buildings' parking garage. In addition, the Region Transportation Commission has a bus route along Fremont Street with additional routes just two blocks away on Las Vegas Boulevard to serve this development.

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

The proposed development is consistent with the General Plan, and is generally consistent with the requirements of Title 19 and the Downtown Centennial Plan. Waivers have been requested for elements of the development that do not strictly conform to the Centennial Plan requirements in conjunction with the Site Development Review (SDR-18638).

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

This Special Use Permit request meets all of the requirements called for in Title 19.04 for a mixed-use development.

PLANNING COMMISSION ACTION

The applicant agreed to all conditions.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 119 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-18637 APN: 139-34-612-084
Name of Property Owner: DAN MARTINEZ
Name of Applicant: JUSTEN MARTINEZ

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

Print Name: Dan Martinez

Subscribed and sworn before me

This 2nd day of September 2006

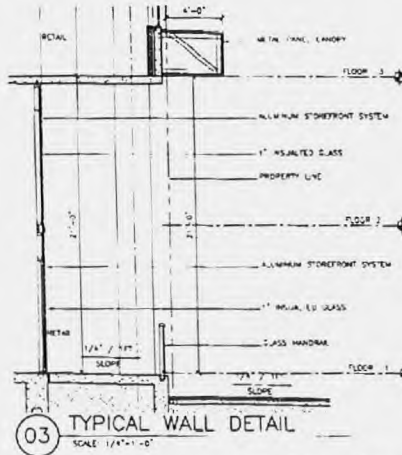
Angela C. Luna, Santa Fe, New Mexico

Notary Public in and for said County and State



RULES AND REGULATIONS FOR THE CITY OF LAS VEGAS									
1. ALL DIMENSIONS SHALL BE IN FEET AND INCHES.	2. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE STREET.	3. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE STREET.	4. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE STREET.	5. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE STREET.	6. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE STREET.	7. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE STREET.	8. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE STREET.	9. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE STREET.	10. ALL DIMENSIONS SHALL BE TO THE CENTERLINE OF THE STREET.

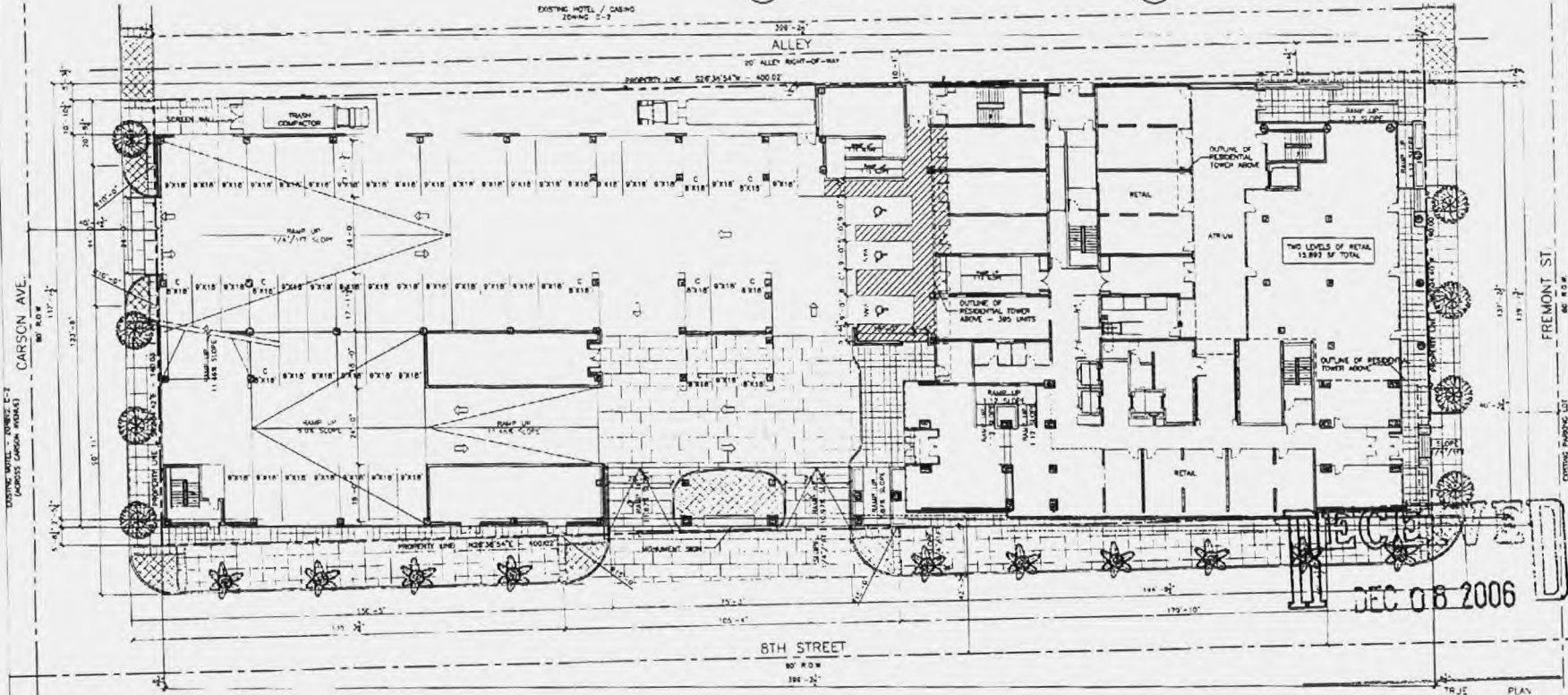
PARKING ANALYSIS									
Proposed Number of Parking	1	2	3	4	5	6	7	8	9
Regular	22	26	30	34	38	42	46	50	54
Visitor	18	24	30	36	42	48	54	60	66
Emergency	2	2	2	2	2	2	2	2	2
Other	0	0	0	0	0	0	0	0	0
Total	42	52	62	72	82	92	102	112	122
Required	10	10	10	10	10	10	10	10	10
Excess	32	42	52	62	72	82	92	102	112



BENCHMARK:
CITY OF LAS VEGAS BENCHMARK NO. 8001, 3000 FEET
EAST AND 100 FEET NORTH OF THE
NORTHWEST CORNER OF FREMONT & 8TH STREET
ELEVATION = 3082.08 FEET (DAWG 801)

BASIS OF BEARINGS:
THE BEARING OF SOUTH STREET WEST FOR THE
CENTRAL LINE OF SOUTH STREET AS SHOWN BY THE
RECORDS OF THE CLARK COUNTY RECORDS OFFICE, CLARK COUNTY,
NEVADA.

LEGAL DESCRIPTION:
BEING A PORTION OF THE SOUTH EAST QUARTER
SECTION 34, TOWNSHIP 35 SOUTH, RANGE 11 EAST
R15N, CITY OF LAS VEGAS, CLARK COUNTY, NEVADA.



01 ARCHITECTURAL SITE PLAN
SCALE: 1/4" = 1'-0"

SUP-18637
01/25/07 PC

ROBERT B. DUPREE
REGISTERED ARCHITECT
NEVADA LICENSE #100

C/O Beverly Dupree and Associates
2000 East Main, Suite 100
Las Vegas, NV 89101
Phone: (702) 871-8888
Fax: (702) 871-8888
www.bvldupree.com

CONTRACT # 100

NEON
HEIGHTS
LAS VEGAS, NEVADA
777 FREMONT

Martinez &
Associates



FOR PLANNING COMMISSION SUBMITTAL
ONLY

Design Team	
ARCHITECT	ROBERT B. DUPREE
DESIGNER	JOHN J. BERRY
DRAWER	JOHN J. BERRY
CHECKER	JOHN J. BERRY
APPROVER	JOHN J. BERRY

Revisions	
No.	Description
1	11/21/06
2	11/21/06
3	11/21/06
4	11/21/06
5	11/21/06
6	11/21/06
7	11/21/06
8	11/21/06
9	11/21/06
10	11/21/06

Job No. 5045.00 Issue Date 11.21.06

Project Package PLANNING COMMISSION SUBMITTAL

Sheet Title ARCHITECTURAL SITE PLAN

Sheet Number

A1.01

Justification Letter

To: City of Las Vegas
Regarding: APN 139-34-612-084

My name is Justen Martinez of Martinez & Associates. Our company is a family owned operation that had owned and managed over 1000 apartment units in Texas for over 10 years. Prior to being in the multifamily business, my father Dan Martinez was a McDonald's franchisee in San Francisco and Santa Fe in the 1980's. He sold his stores in 1989 and became an international investor in the Philippines where he built low income housing for the Philippine government. He also has built several luxury homes in Santa Fe. Last year we sold all of the apartment complexes in Texas and have bought vacant land here in Las Vegas where I currently reside. I have spent almost two years working on this project and it will be ready to be built by the summer of 2007. We are in agreement with this city's vision of improving downtown Las Vegas.

We would like to build a 395 unit condominium building with 15,892 square feet of entertainment retail at the SW corner of Fremont and 8th St. The building will also include 9,050 square feet of office space. Our team includes Gromatzky Dupree and Associates (GDA), an architectural firm in Dallas. They recently received several awards including the 2005 Golden Nugget Award for "Best High Rise Apartment Project". GDA has designed our building, so that it could be built using a form of construction called "Tunnel Forming". This method of construction uses forms that will be filled with concrete and repeated identically every floor. This will allow us to build each floor in a matter of days rather than weeks.

Our goal for this building is to make it more affordable than what is currently proposed here in Las Vegas. We are trying to keep the selling price per square foot on average of \$400. With our apartment management skills, we know that we can have the lowest association fees than anyone. I believe that this project will appeal to a local resident working downtown, an out of state resident looking for a 1st or 2nd home, and to the condominium investor looking for future gain based on the improvement of downtown Las Vegas.

I would like to start construction immediately as I have been working very hard on this project. We have already done much of the preliminary work such as obtaining a Topographic Map & Boundary Survey, Traffic Impact Study, Phase I Environmental Site Assessment and Geotechnical Exploration Report. All reports done to date warrant the building of a 40 story structure. We are currently in the process of getting this project to construction document ready.

We are committed to this building and have lenders eager to give us construction financing. I currently have \$300,000 in a Wells Fargo Bank checking account to cover current operating expenses. We have \$4,000,000 in escrow from sales of two our vacant parcels. We have another \$3,500,000 in a Bank One savings account. We also own all of our parcels outright without monetary liens.

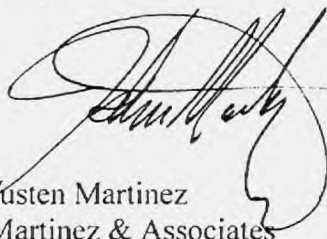
RECEIVED
DEC 08 2006

SUP-18637
01/25/07 PC

We are requesting a waiver of building to the property line. This would give us a minimum back of curb radius. We are also requesting a waiver of step back. This would allow us to use tunnel form construction. Finally we are requesting a possible streetscape waiver. We understand that downtown redevelopment would super cede our plans.

Martinez & Associates would greatly appreciate the City of Las Vegas to allow us to help rebuild downtown to a new destination spot. We believe that the design of this building would fit in perfectly with its surroundings. Combined with a realistic pricing of the condominiums and association fees will add immediate value and credibility to downtown Las Vegas.

Respectfully,



Justen Martinez
Martinez & Associates
1729 Wandering Winds Way
Las Vegas, NV 89128
(702) 274-3808 cell

RECEIVED
DEC 08 2006

SUP-18637
01/25/07 PC

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-18637

SDR-18638 - PUBLIC HEARING – APPLICANT/OWNER: DAN MARTINEZ - Request for a Site Development Plan Review FOR A 40-STORY, 395-UNIT CONDOMINIUM DEVELOPMENT WITH 15,892 SQUARE FEET OF RETAIL SPACE AND 9,050 SQUARE FEET OF OFFICE SPACE AND WAIVERS OF THE DOWNTOWN BUILDING STEPBACK, PARKING STRUCTURE STEPBACK, AND DOWNTOWN STREETScape REQUIREMENTS on 1.39 acres at 709-731 Fremont Street (APN 139-34-612-084), C-2 (General Commercial) Zone, Ward 5 (Weekly). 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 Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter

Motion made by LAWRENCE WEEKLY to Approve Subject to Conditions and amending Condition 1 as read for the record:

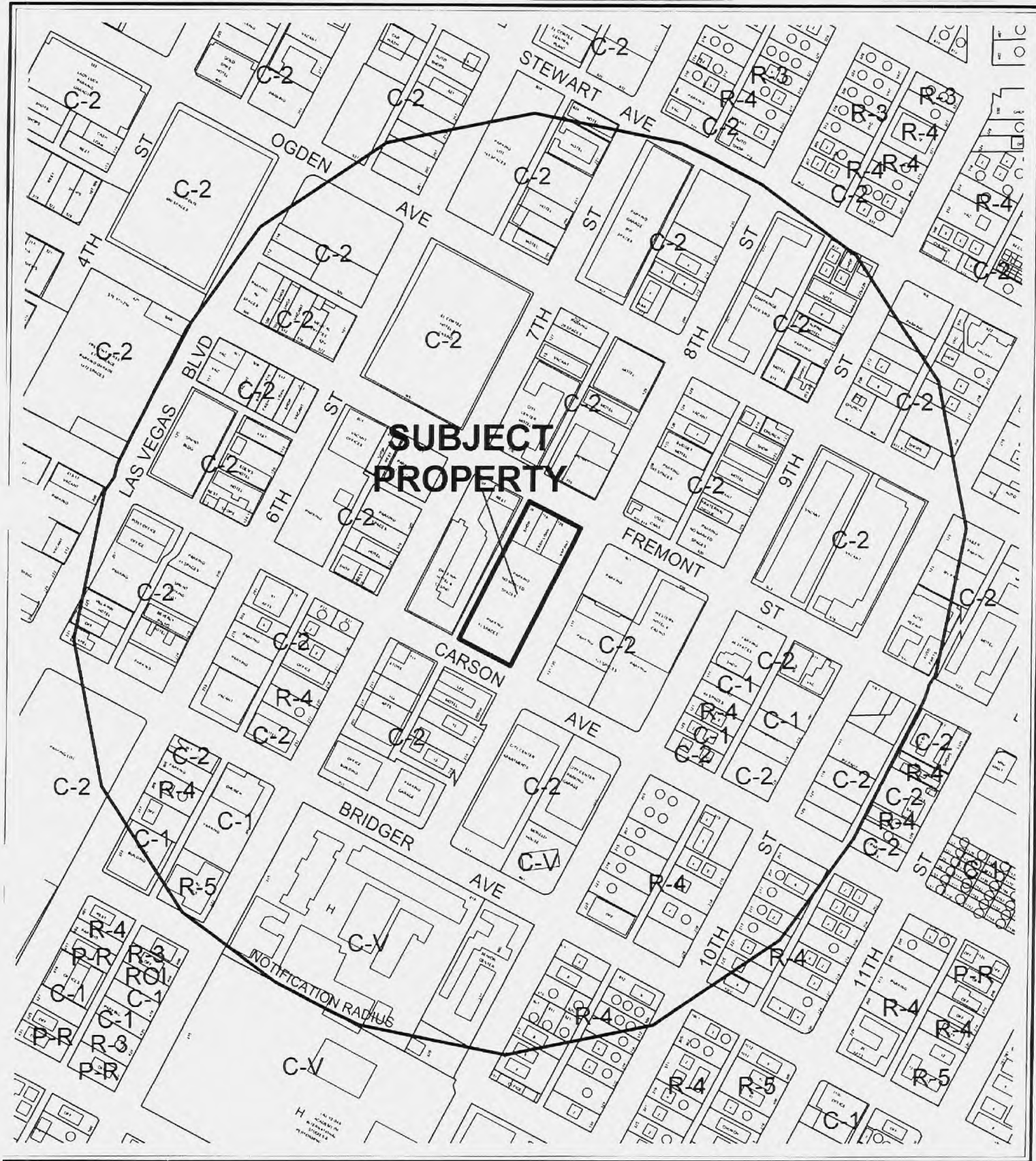
1. This approval shall be void one year from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

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

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

Minutes:

See Item 132 for related discussion.



CASE: **SDR-18638**

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: SDR-18638 - APPLICANT/OWNER: DAN MARTINEZ

**** 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. A Waiver from the Downtown Centennial Plan is hereby approved, to allow for no stepback at the 4th, 11th and 18th levels.
4. A Waiver from the Downtown Centennial Plan is hereby approved, to allow for no parking structure stepback.
5. A Waiver from the Downtown Centennial Plan Streetscape is hereby approved, to allow for 10 trees on 8th Street where 14 are required, to allow for 4 trees on Carson Avenue where 5 are required, to allow a 9'-6" wide sidewalk and amenity area where 16' wide is required on Fremont Street, to allow a 9'-7" wide sidewalk and amenity area where 16' wide is required on Carson Avenue and to allow an 14'-6" wide sidewalk and amenity area where 16' wide is required on 8th Street.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A Master Sign Plan shall be submitted for approval by the City of Las Vegas Downtown Entertainment Overlay Design Review Committee for all proposed signage prior to being issued a sign permit.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
15. Written approval by the Clark County Department of Aviation with no change in flight patterns shall be submitted to the City of Las Vegas prior to the issuance of building permits.
16. Prospective buyers shall be informed that views may be obscured by future adjacent development and this information shall be included in project CC & R's.
17. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
18. Aerial encroachment agreements must be secured from the City of Las Vegas Public Works Department for the three proposed metal canopies that extend over the sidewalks on Fremont and 8th Street.
19. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

20. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 12/08/06, except as amended by conditions herein.

Public Works

21. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; comply with the recommendations of the City Surveyor.
22. Dedicate a 10-foot radius on the southwest corner of Fremont Street and Eighth Street and dedicate a 10-foot radius on the northwest corner of Eighth Street and Carson Avenue.
23. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Downtown Centennial Design Standards (except as amended by conditions herein) concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
24. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the "Fremont Street Pedestrian Improvements" project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
25. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.
26. Submit an Encroachment Agreement for all landscaping, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site. The proposed building shall be designed and constructed such that there are no balconies or other permanent structures within or overlying the public right-of-way adjacent to this site.
27. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
28. Coordinate with the Collection System Planning Section of the Department of Public Works to determine public sewer connection requirements prior to the issuance of any permits or the submittal of a map for this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

29. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
30. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits, or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.
31. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
32. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.
33. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This project is a request for a Site Development Plan Review to allow a 40-story mixed-use development consisting of 395 residential units, 15,892 square feet of commercial retail space and 9,050 square feet of office space with waivers of the stepback, parking structure stepback and downtown streetscape requirements of the Downtown Centennial Plan on 1.39 acres at 709-731 Fremont Street. A companion Special Use Permit (SUP-18637) for a Mixed-Use development will be heard with this item.

The applicant of this single tower mixed-use project states that the goal is to build a project that will be affordable to those downtown employees who would also like to live downtown. The aim is to keep construction costs under \$400 a square foot. They plan to do this with a construction method called "Tunnel Forming" that uses forms that are filled with concrete and repeated identically on every floor. Since the project is also located within the Fremont East Entertainment District, 15,892 square feet of entertainment commercial space is being provided on the first two levels of the development. The provided office space will be utilized primarily for the projects administrative offices.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/15/04	City Council approved SUP-5362 for a restaurant with bar for 731 Fremont Street
06/01/05	City Council approved SUP-6267 for a tavern for 719 Fremont Street.
01/25/07	The Planning Commission recommended approval of companion item SU-18637 concurrently with this application.
	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #63/yk).
<i>Pre-Application Meeting</i>	
09/13/06	The applicant was advised of the two applications and three waivers that would be necessary to move the project forward.
<i>Neighborhood Meeting</i>	
09/13/06	The applicant was advised no neighborhood meeting would be required.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.39 acres
Net Acres	1.28 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant lot	C (General Commercial)	C-2 (General Commercial)
North	Vacant building	C (General Commercial)	C-2 (General Commercial)
South	Motel	Mixed-Use	C-2 (General Commercial)
East	Vacant lot	C (General Commercial)	C-2 (General Commercial)
West	Motel	C (General Commercial)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Overlay District	X		Y
G-O (Gaming Enterprise Overlay) District		X	N/A
A-O (Airport Overlay) District	X		Y
Downtown Casino Overlay District		X	N/A
Downtown Entertainment Overlay District	X		Y
Live/Work Overlay District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The Downtown Centennial Plan addresses certain site development standards, which are detailed below:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	60,394 sq.ft.	N/A
Min. Lot Width	N/A	155 ft.	N/A
Min. Setbacks			
• Front	N/A	0 Feet	N/A
• Side	N/A	0 Feet	N/A
• Corner	N/A	0 Feet	N/A
• Rear	N/A	0 Feet	N/A
Max. Lot Coverage	Up to 100 %	89.3%	N/A
Max. Building Height	N/A	472' -9"	N/A
Trash Enclosure	Enclosed/Covered	Enclosed/Covered	Y
Loading Zone	1	1	Y
F.A.R.	N/A	14.1%	N/A
Mech. Equipment	Screened	Screened	Y

This project meets the minimum standards required by the Downtown Centennial Plan.

A2) Residential Adjacency Standards

The Residential Adjacency Standards do not apply to this project as it borders no residential zone and is within the Las Vegas Downtown Centennial Plan area.

A3) Parking and Traffic Standards

As with other development standards, the property is exempt from the automatic application of the parking requirements listed in Title 19.10 due to its being located within the boundaries of the Downtown Centennial Plan area. The following table compares the parking requirements listed in Title 19.10 with the amount of parking to be provided for the development:

Uses	GFA	Recommended			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Retail	15,892 SF	3 per 1,000 SF	48	2	149	4
Office	9,050 SF	3 per 1,000 SF	28	2	40	2
Residential	395 units	1 per unit	395	8	395	8
Total			471	12	584	14 of 584

The parking provided is greater than the minimum normally recommended for a downtown mixed-use project. This allows flexibility in case some of the retail space is used for entertainment venues which call for greater parking.

A4) *Landscape and Open Space Standards*

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	N/A	N/A	0
Streetscape Treatment: 8 th Street	1 Palm Tree/30' o.c. (min. 25' height)	14	10
Streetscape Treatment: Carson Avenue	1 Shade Tree/30' o.c. (min. 25' height)	5	4
Streetscape Treatment: Fremont Street	1 Shade Tree/30' o.c. (min. 25' height)	5	4

Due to the parking garage ingress/egress off of both Carson Avenue and 8th Street there is not enough room for the required number of trees or sidewalk width. A waiver (streetscape) of this condition is included with this application. There is no clearly apparent reason not to install the required five shade trees on Fremont Street and thus staff recommends that all five trees be installed.

Waivers		
Request	Requirement	Staff Recommendation
Remove	Building setback @ 4th, 11th & 18 th floors	Approval
Reduce	10' sidewalk widths and trees every 30'	Approval
Remove	Parking Structure setback	Approval

ANALYSIS

- Zoning

The commercial use located at the ground floor is permitted in accordance with the requirements of the C-2 (General Commercial) zoning district. The residential units are only permitted upon approval of a Special Use Permit; Special Use Permit (SUP-18637) has been filed as a companion case. The Special Use Permit for a Mixed-Use structure requires non-residential uses on the ground floor and architectural features that distinguish the separate uses within the building; the proposed development is in conformance with these requirements.

- Site Plan

This projects site plan has the residential lobby directly off of the parking garage with additional access off the Fremont Street frontage. The retail space is clustered along Fremont Street on both the ground and 2nd levels with the office space totally on the 2nd level. Ingress/egress to the parking garage is located off of 8th Street with an additional egress off of Carson Avenue. This limits the area for landscape treatments. One loading dock area is located off of the west alley and provides for loading to take place without blocking the flow of traffic on the public streets or within the parking garage. Overall the project uses it's footprint for maximum commercial advantage.

- Waivers

The development requires waivers from the Downtown Centennial Plan requirement for building setback, parking structure setback and streetscape treatments. The configuration of the building with balconies and the modern sleek façade provides sufficient variation to the appearance of the building to justify the setback waiver and is consistent with the design goals of the Centennial Plan. The applicant has also requested a waiver from the streetscape requirements due to the reduced street frontage available for landscaping due to the parking garage egress/ingress. The applicant is requesting a waiver from the required sidewalk width and the five foot wide amenity area for the entire project. The waiver is to allow 10 trees on 8th Street when 14 are required and to allow for 4 trees where 5 are required on Carson Avenue. The applicant is also requesting that 4 trees be permitted where 5 is required on Fremont Street. Staff does not support this portion of the requested waivers.

- Elevation

Contemporary materials are used on the building exterior, which include composite aluminum panels, painted pre-cast concrete, insulated glass and an aluminum louver system. There is sufficient vertical relief that extends the entire height of the building from the ground level to the penthouse that meets the intent of the Centennial Plan requirements. The addition of the balconies provides additional off-set to the setback requirement to render it a moot issue. The parking structure is situated behind the tower structure and has metal louver screens on the first two levels. Three separate metal panel canopies are included, one over the parking garage entrance and the other two off of the retail spaces on 8th Street and Fremont Street.

- Floor Plan

The symmetry of the floor plan allows for efficient access from the parking structure to the elevator lobbies, and contributes to the effectiveness of the pedestrian circulation within the structure. The amenities for the residential units will be located atop the parking structure on the ninth level. There are several unit floor plans that will encourage a wide spectrum of residents from different backgrounds. This will add to the energy of the Entertainment District.

FINDINGS

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

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

The proposed development will be compatible with adjacent development, and will assist in improving the energy needed in order for the Entertainment District to be successful.

2. **“The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;”**

The proposed development is consistent with the General Plan, and is generally consistent with the requirements of Title 19 and the Downtown Centennial Plan. Waivers have been requested for elements of the development that do not strictly conform to the Centennial Plan requirements.

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

The traffic circulation for the site has been designed so as to reduce impacts to Carson Avenue and 8th Street and the surrounding neighborhood with two driveway entrances to the project. A loading dock with access off of the west alley will reduce the traffic interruptions when residents are moving into and out of the project.

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

The proposed landscape materials are appropriate for the area and conform closely to the Downtown Centennial Plan requirements. The proposed building materials are appropriate for the area and the City.

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

Adequate care has been exercised in detailing the building facade in order to create an orderly and harmonious appearance between the tower and the attached parking structure. At the same time there are vertical architectural elements that unite the structure as a whole. The addition of balconies with each unit also provides additional architectural relief to the buildings exterior.

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

The development will be subject to ongoing inspections and therefore will not compromise the public health, safety, and welfare or the overall objectives of the General Plan.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 121 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-18638** APN: 139-34-612-084
Name of Property Owner: Mr. Martinez
Name of Applicant: JUSTEN MARTINEZ

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

Print Name: Dan & Stephany Martinez

Subscribed and sworn before me

This 2nd day of September, 2000

Angela C. Luna
Notary Public in and for said County and State





Developer:
Martinez & Associates
 Las Vegas, Nevada

NEON HEIGHTS
 LAS VEGAS, NEVADA
 777 fremont street

PLANNING & DEVELOPMENT SUBMITTAL DOCUMENTS
 SITE DEVELOPMENT REVIEW (SDR)
 ISSUED: 11/21/2006

RECEIVED
 DEC 08 2006



Architect:
ROBERT B. DUPREE
 REGISTERED ARCHITECT
 NEVADA LICENSE #3294

NATIONAL UNIVERSITY DESIGN AND ASSOCIATES
 2825 Cole Ave. Suite 300
 Dallas, TX 75204
 Phone: (214) 671-8078
 Fax: (214) 671-8888
 www.nudesign.com

SDR-18638
01/25/07 PC

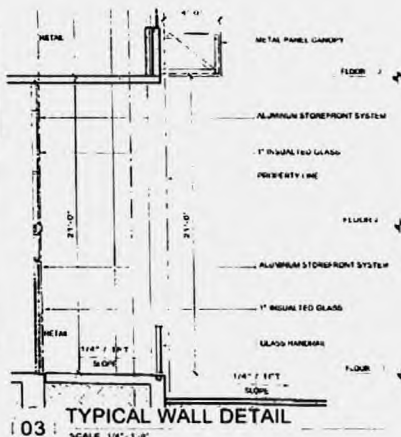
- COMMERCIAL
MULTI-FAMILY
PAVEMENT
PARKING
STREET
PARKING METER
EXISTING LIGHT POLE
TYPICAL PALM TREE
TYPICAL SHADE TREE

[illegible]

PARKING ANALYSIS

Provided General Funding:											
Year		2	3	4	5	6	7	8	9	10	11
2001	43	58	58	66	56	86	55	371	26.0%		
2002	14	24	24	24	24	24	18	150	26.0%		
2003	3	2	2	2	2	2	1	14	2.0%		
2004	7	7	7	7	7	7	6	61	1.0%		
2005	50	60	60	66	66	66	78	582	18.0%		
Current Year	25,158	24,563	24,563	24,563	24,563	24,563	24,563	257,848			

Typed Parking Space Descriptions		Cost Parking Station	
STANDARD CAR	0.00	STANDARD CAR	1
STANDARD VAN	0.00	STANDARD VAN	1.50
MOBILE HOME	12.00		
TRUCK TRAILER	12.00		



BENCHMARK

CITY OF LAS VEGAS BENCHMARK NO. BEST 2466 BEING
A TIE-1 AND PLATE ON TOP OF CURB AT THE
NORTHWEST CORNER OF FREEMAN & 7TH STREET

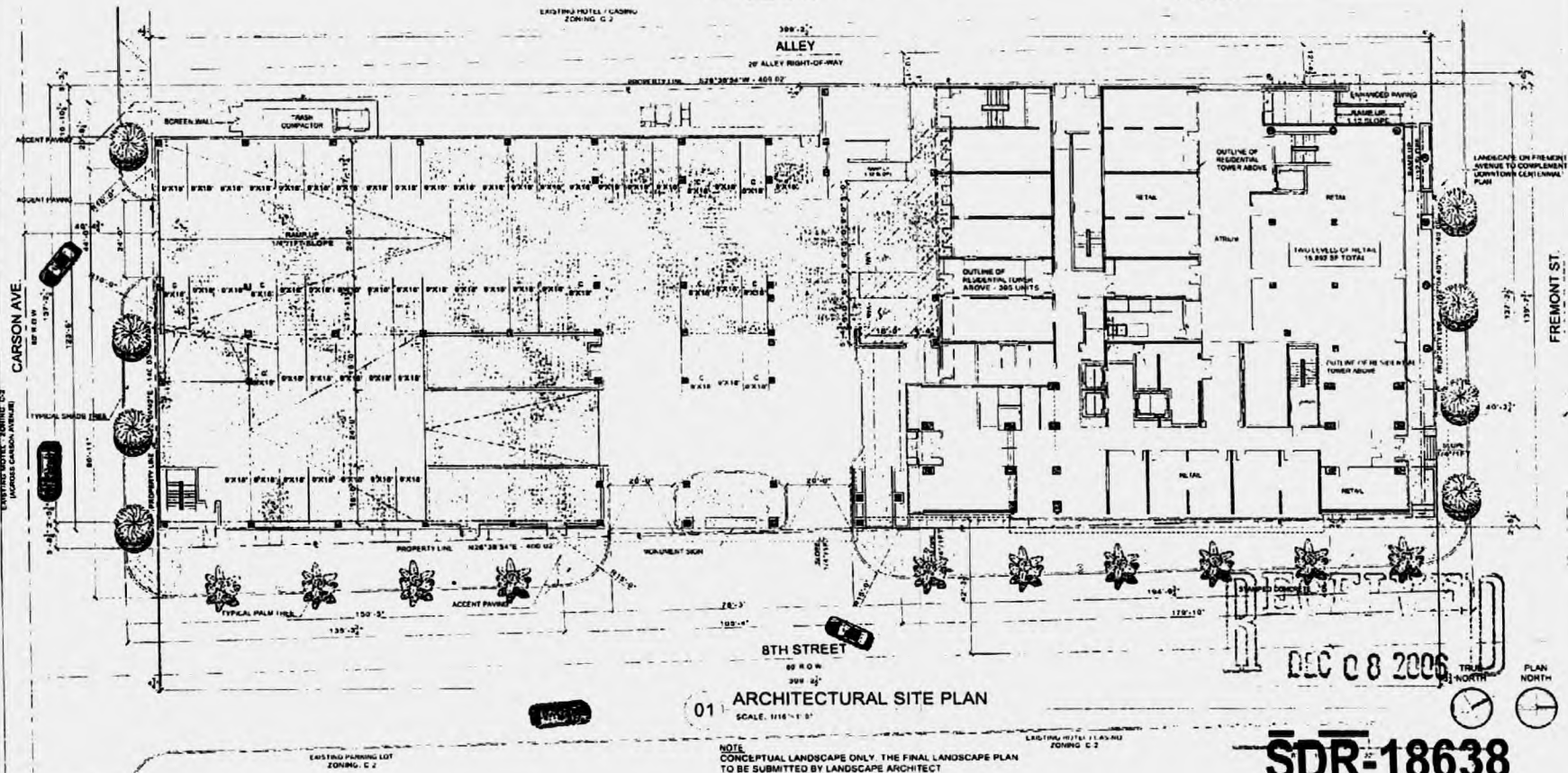
CALWATIME = 2002 (30 FEET IN VUL 708)

BASIS OF HEARINGS

THE SPACING OF "EIGHT 28' 14 3/4" WEST FROM THE
CENTERLINE OF EIGHT STREET AS SHOWN ON MAP
RECORDED IN FILE 57 PAGE 75 OF SURVEYS IN THE
CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY
NEVADA.

LEGAL DESCRIPTION:

BEING A PORTION OF THE SOUTH EAST QUARTER
(SE 1/4) OF THE NORTH EAST QUARTER (NE 1/4) OF
SECTION 24 - TOWNSHIP 28 NORTH - RANGE 91 EAST -
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Sheet

LEVEL 01 FLOOR PLAN

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01 LEVEL 01 FLOOR PLAN
SCALE: 1/16"=1' 0"

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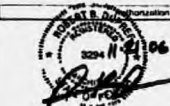
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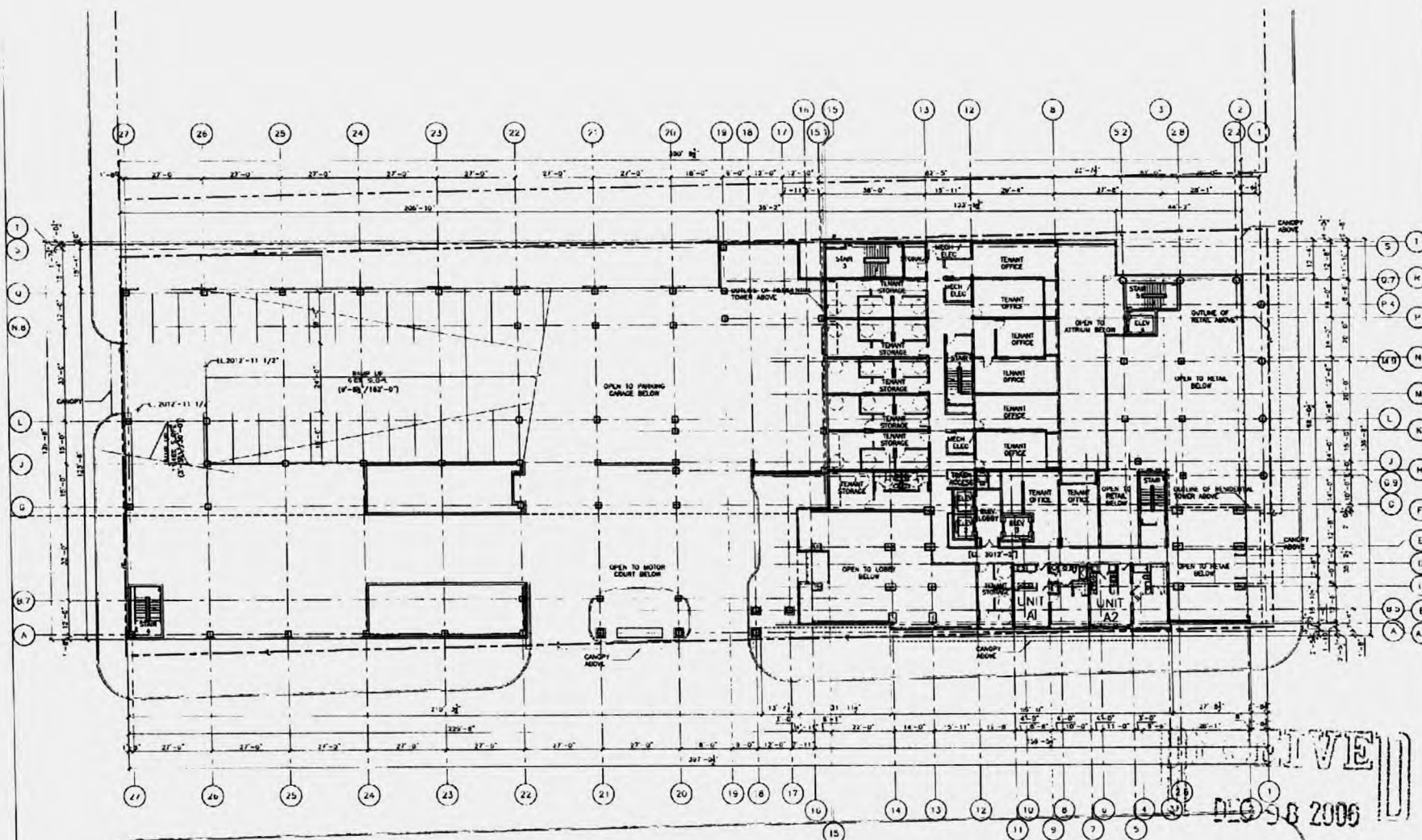
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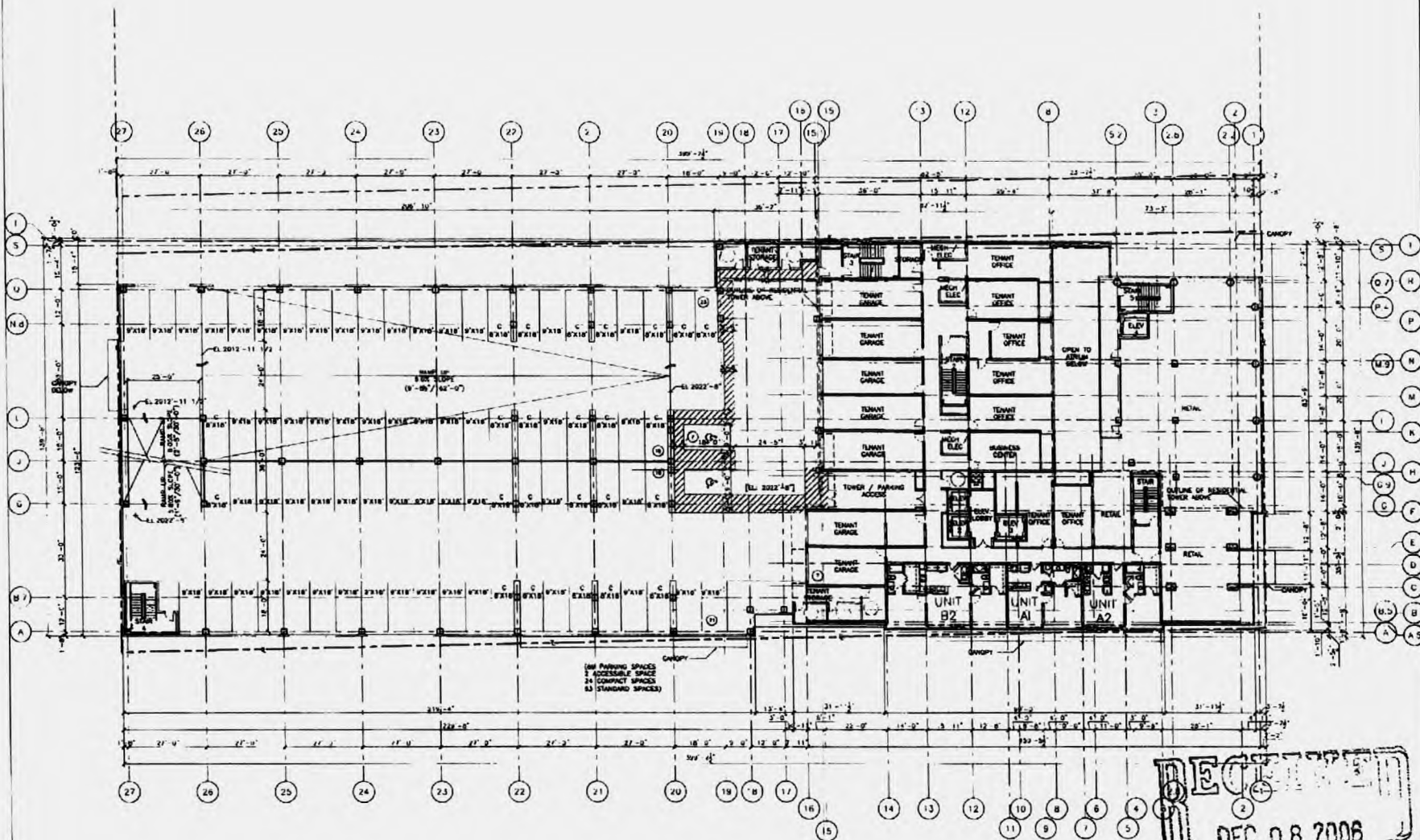
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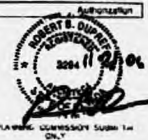
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DESIGNER: JAMES A. MARTINEZ
CHECKER: JAMES A. MARTINEZ
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DATE: 11/21/06

Revisions and Remarks		
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Figure 1: A schematic diagram of a single-layered, two-dimensional, isotropic, and homogeneous plate. The plate is represented as a horizontal rectangle with a central vertical line. The left half is labeled "Left half" and the right half is labeled "Right half". The total width is labeled "Width: 2B" and the total height is labeled "Height: 2h". The central vertical line is labeled "Center line".

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LEVEL 08 FLOOR PLAN

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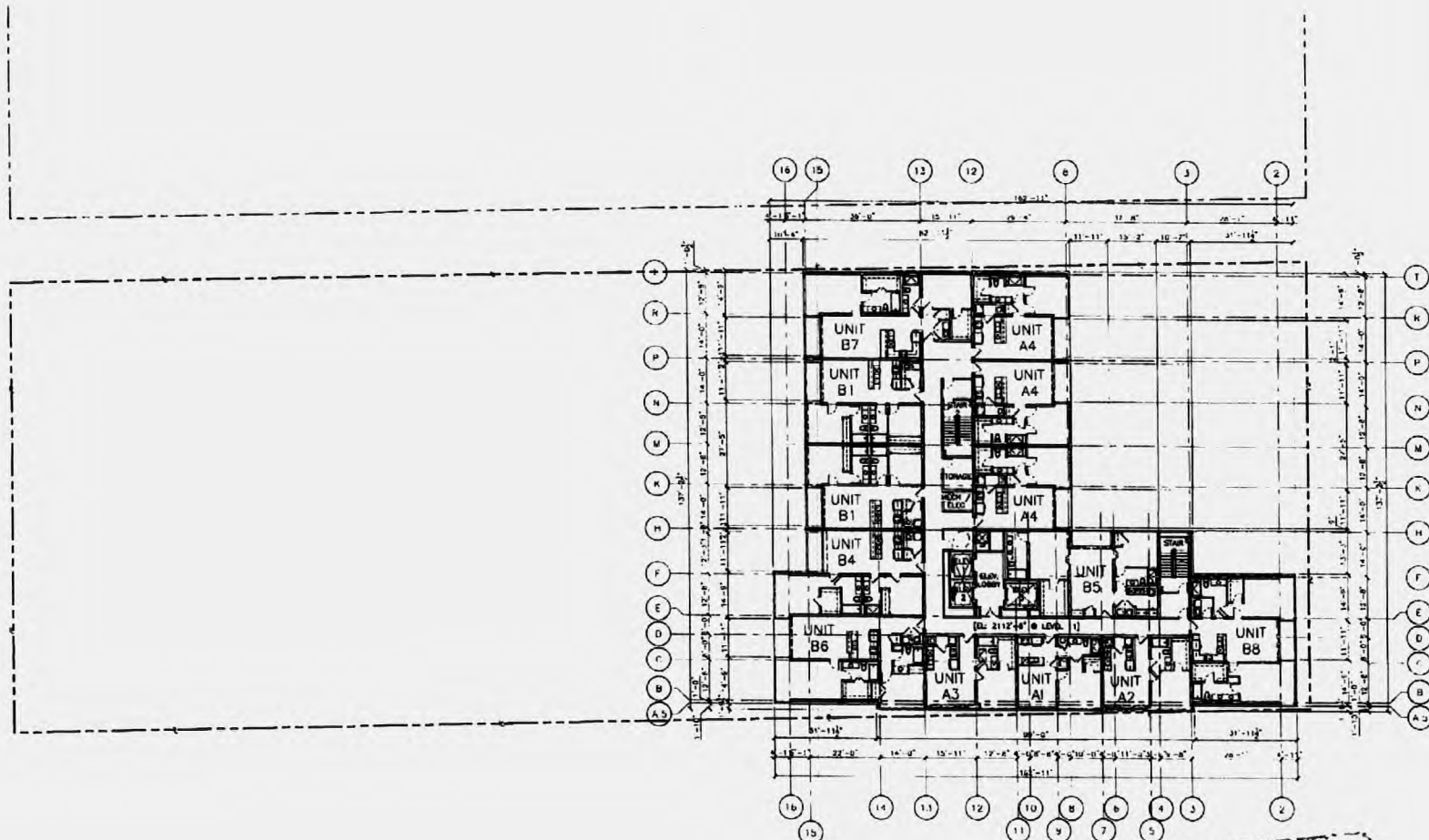
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LEVELS 11 - 32 FLOOR PLANS
(TYPICAL FLOOR PLAN)

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ISSUES and REVISIONS	
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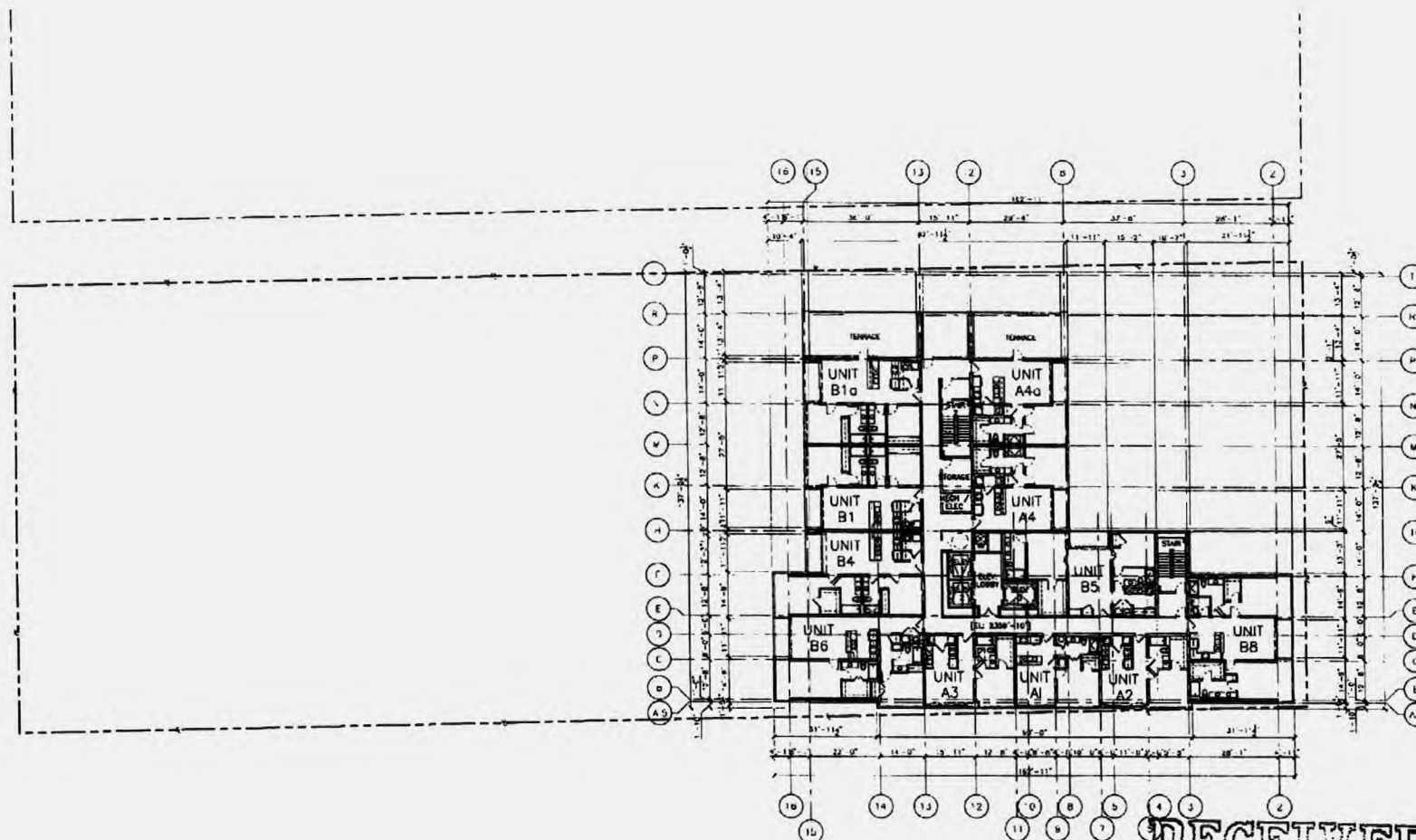
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LEVEL 34 FLOOR PLAN

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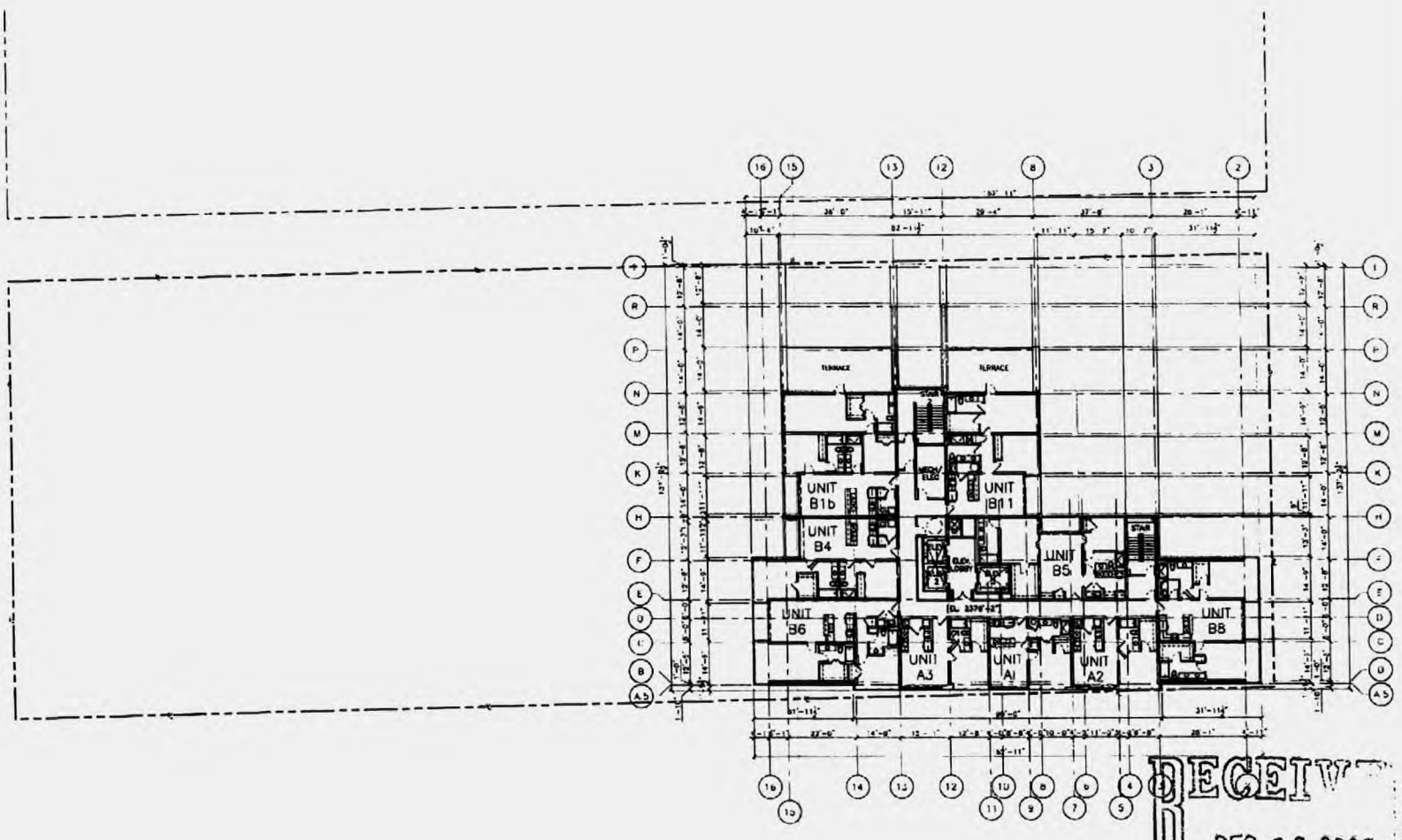
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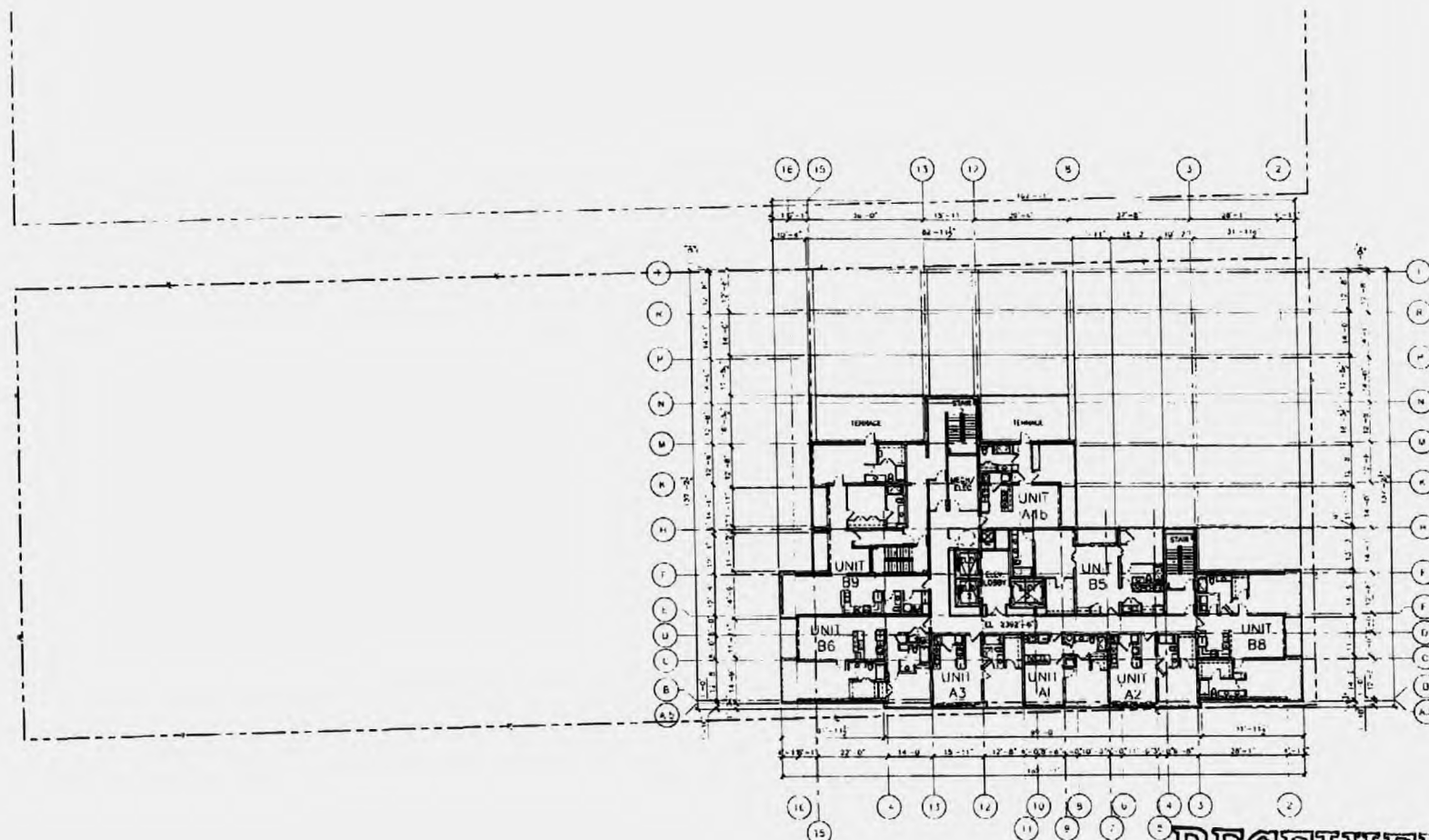
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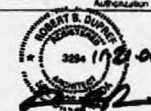
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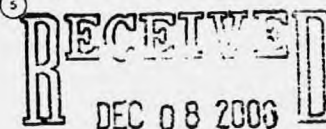
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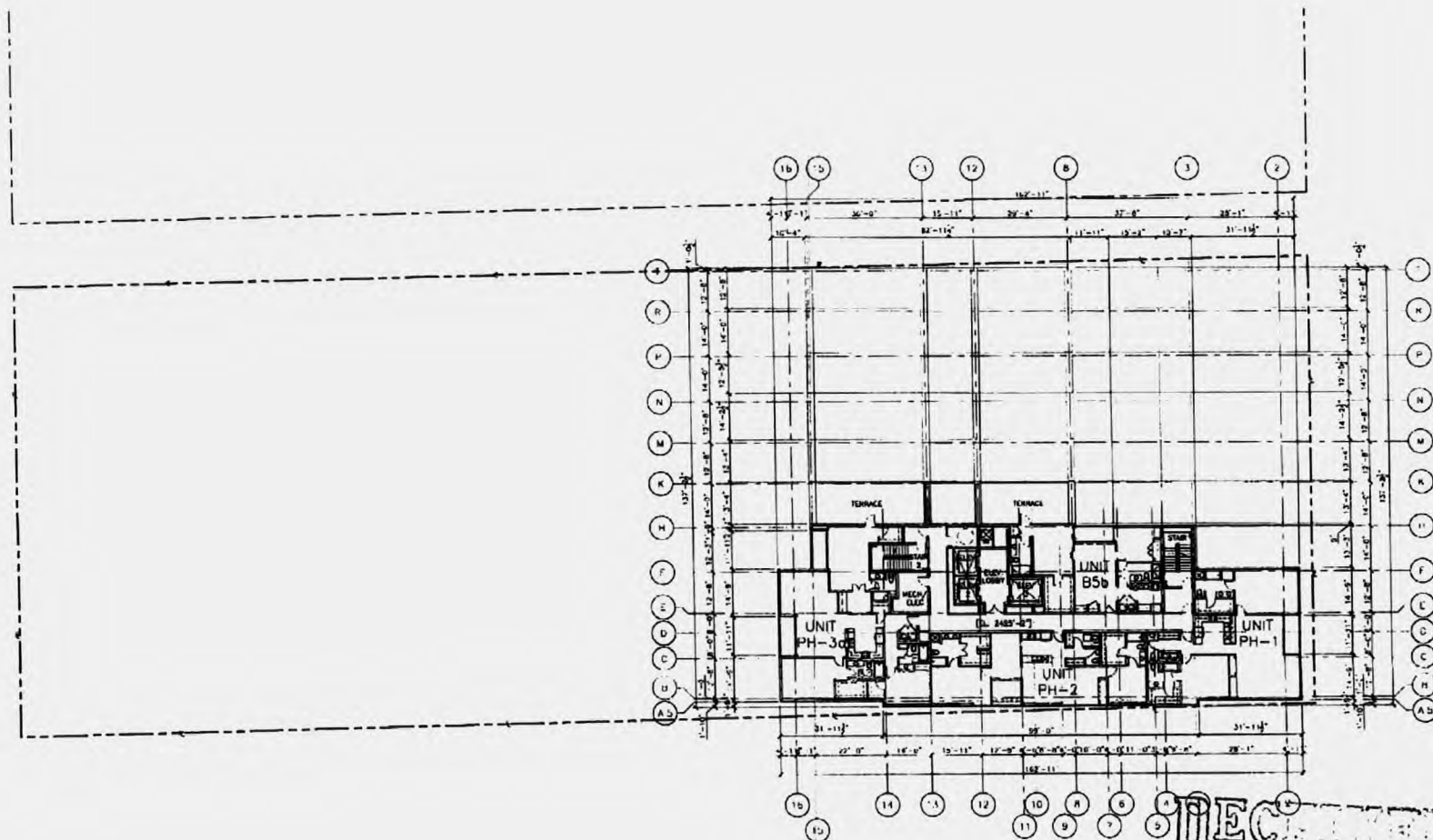


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CHECKED BY: R.B. Dupree
DATE: 11/21/06
PROJECT: NEON HEIGHTS
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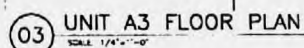
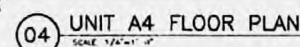
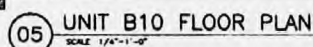
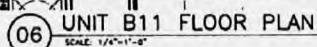


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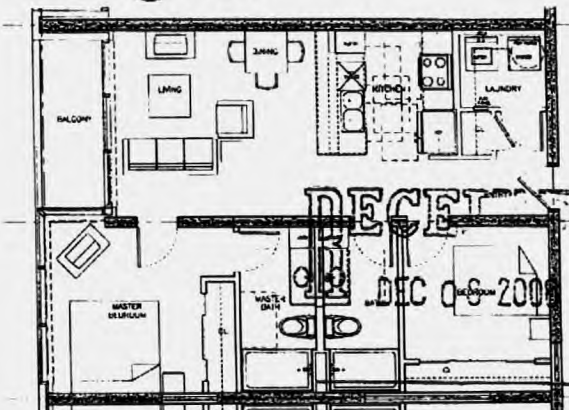
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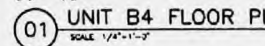
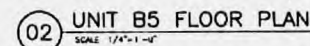
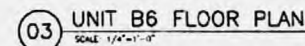
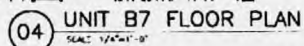
**Martinez &
Associates**

Author's name:



FOR PLANNING COMMISSION SUBMITTAL

Discussion

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5045.00	11.21.06

Issue Package

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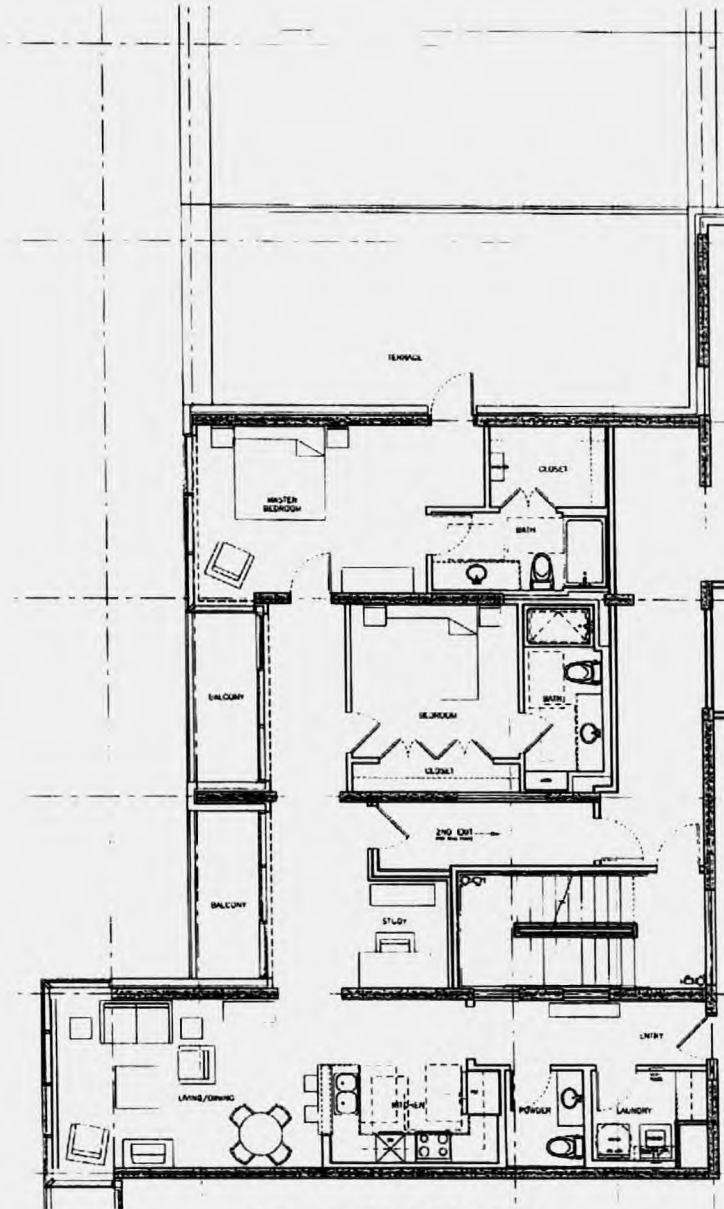
UNIT FLOOR PLANS

A2 52

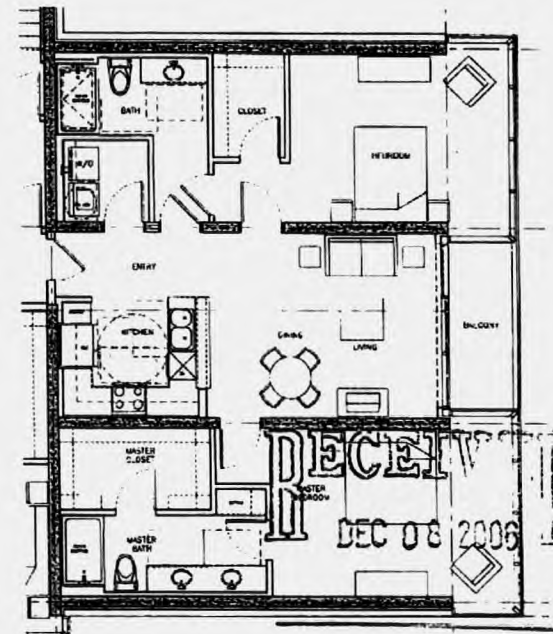
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PLIN SDR-18638

01/25/07 PC



02 UNIT B9 FLOOR PLAN
SCALE: 1/4"=1'-0"



01 UNIT B8 FLOOR PLAN
SCALE: 1/4"=1'-0"

ROBERT B. DUPREE
REGISTERED ARCHITECT
Nevada License #2071

1110 Lafayette Square and Associates
2000 East Ave., Suite 200
Reno, NV 89501
Phone: (775) 781-1111
Fax: (775) 781-1111
www.rbdupree.com

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Project

NEON
HEIGHTS
LAS VEGAS, NEVADA
777 FREMONT

Martinez &
Associates

Authorization



Design Team

Author: Robert B. Dupree
Reviewed: Robert B. Dupree
Date: 11/11/06
Project: NEON HEIGHTS
Sheet: UNIT FLOOR PLANS

Revisions and Approvals

No.	Date	Description
1		
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Job No. 5045.00 Issue Date 11.21.06

Issue Package PLANNING COMMISSION SUBMITTAL

Sheet Title UNIT FLOOR PLANS

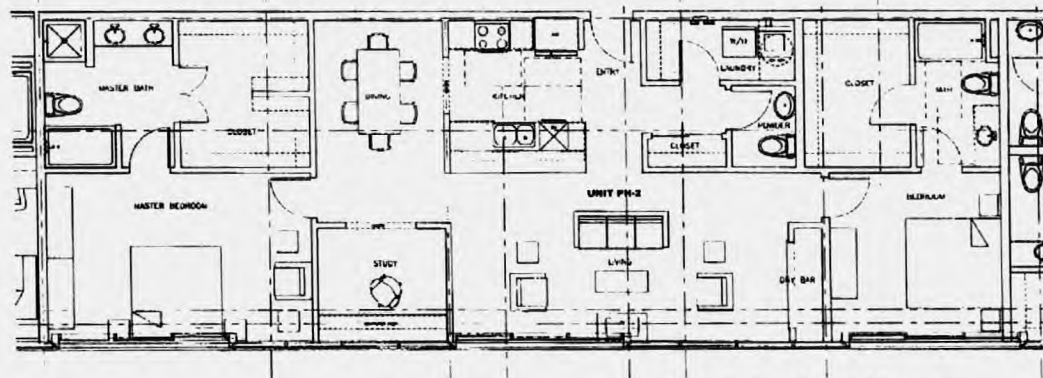
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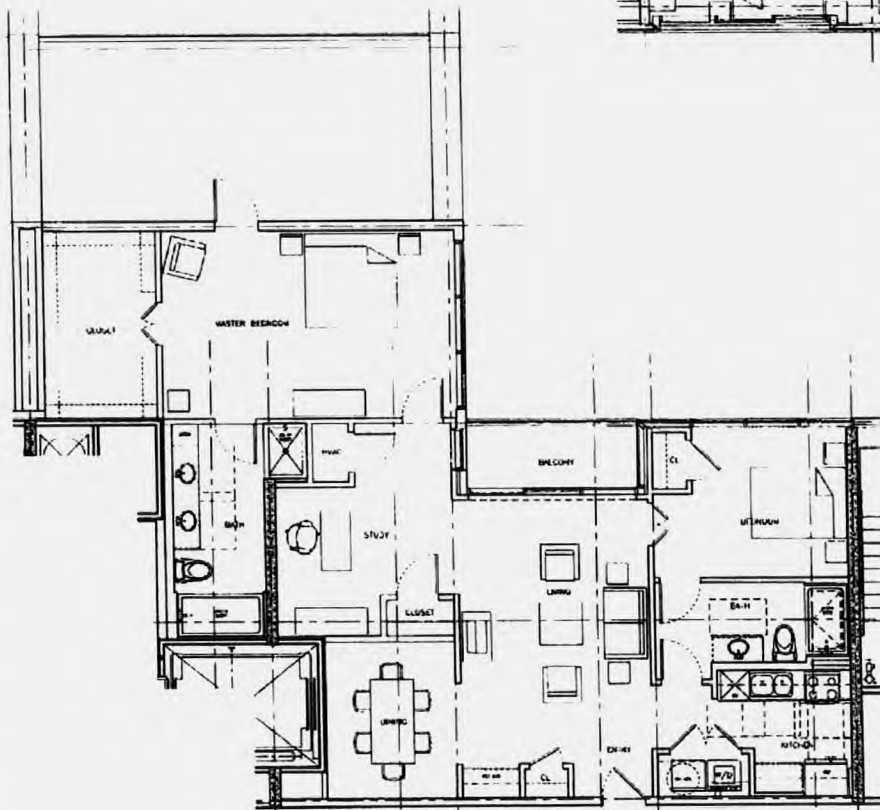
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SDR-18638

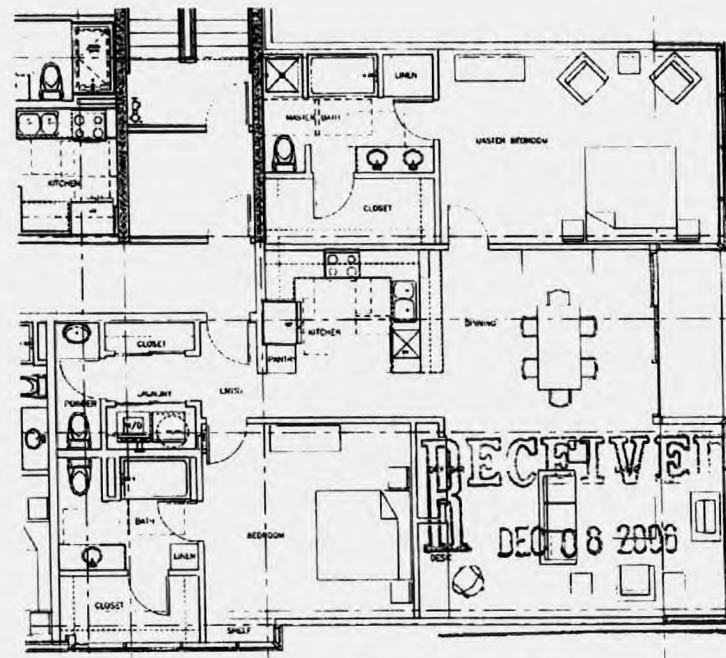
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03 UNIT PH-2 FLOOR PLAN
SCALE: 1/4"=1'-0"
PENTHOUSE LEVEL UNIT (LEVEL 27-28)



02 UNIT B5a FLOOR PLAN
SCALE: 1/4"=1'-0"
PENTHOUSE LEVEL UNIT (LEVEL 27)



01 UNIT PH-1 FLOOR PLAN
SCALE: 1/4"=1'-0"
PENTHOUSE LEVEL UNIT (LEVEL 27-28)

SDR-18638

01/25/07 PC

ROBERT B. DUPREE
REGISTERED ARCHITECT
RECEIVED 1/25/07 1:00 PM

1-1/2 Glenview Drive and Associates
2800 Glenview Drive, Suite 200
Boulder, CO 80504
Phone: (303) 440-1000
Fax: (303) 440-1001
www.glenview.com

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NEON HEIGHTS
LAS VEGAS, NEVADA
777 FREMONT

Martinez & Associates

FOR PLANNING COMMISSION SUBMITTAL ONLY

Design Team	
OWNER	Martinez & Associates
DESIGNER	Robert B. Dupree, Inc. 10000 S. Eastern Ave. Suite 200 Las Vegas, NV 89149
ARCHITECT	Robert B. Dupree, Inc. 10000 S. Eastern Ave. Suite 200 Las Vegas, NV 89149

Issues and Revisions		
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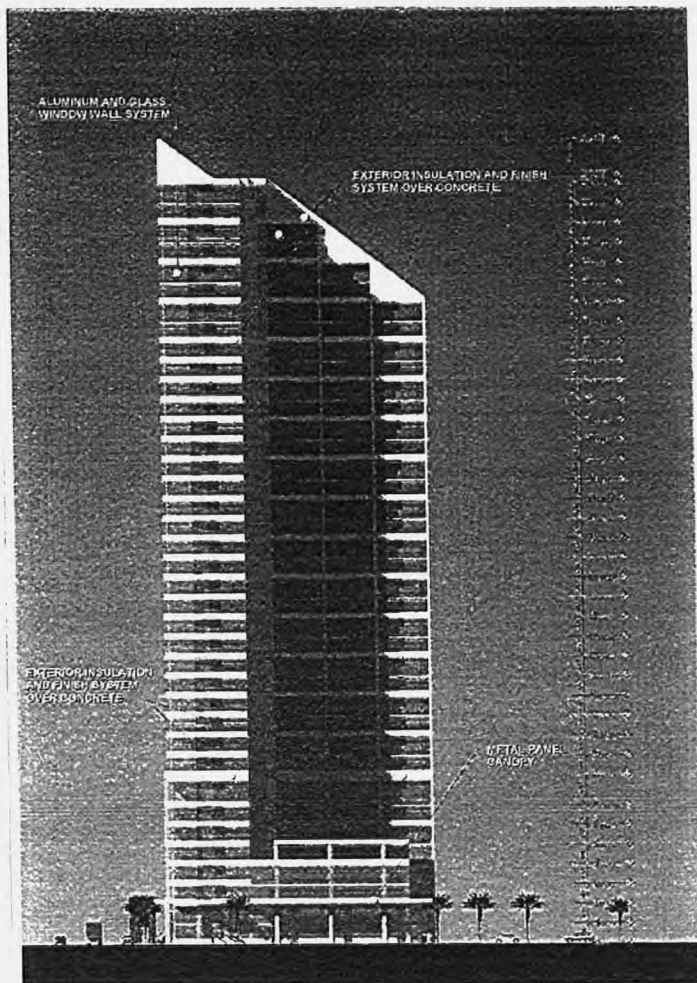
Issue Package PLANNING COMMISSION SUBMITTAL

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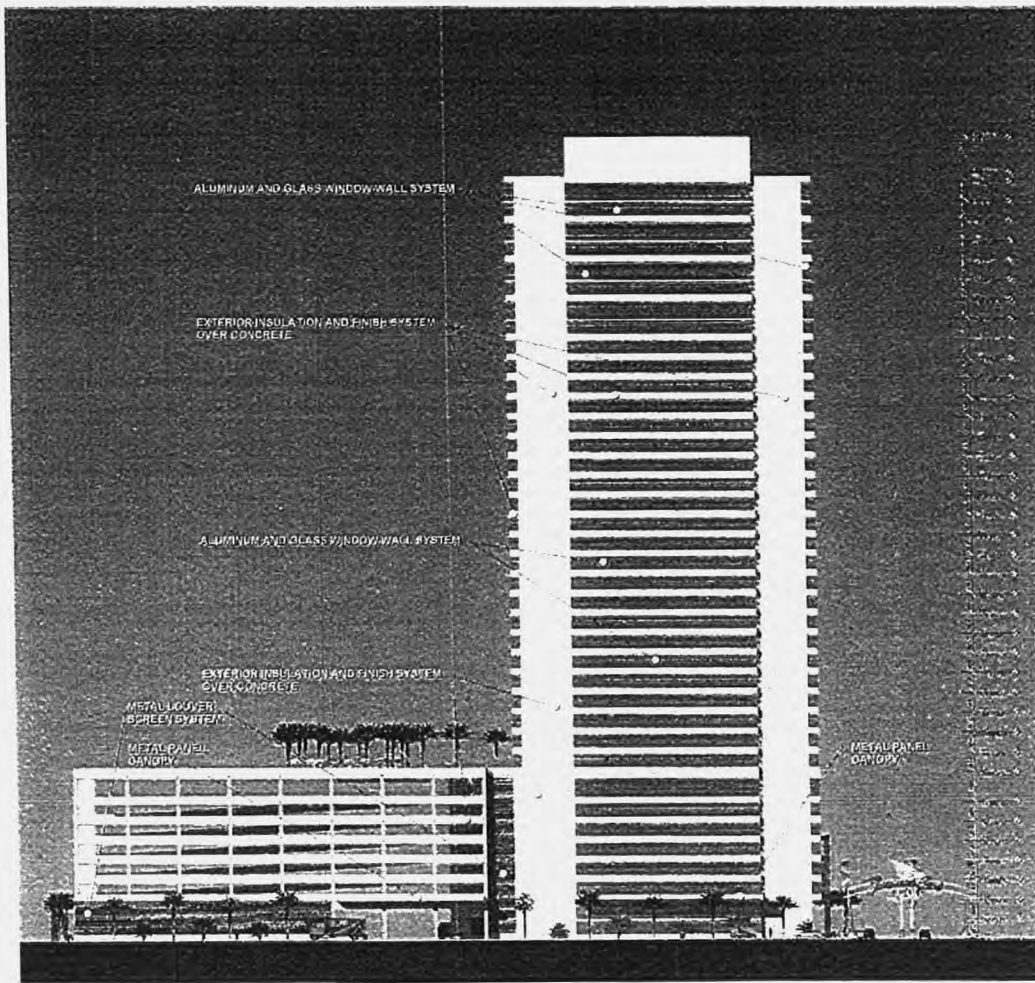
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01-11-10-07



01 NORTH ELEVATION
NOTE: BUILDING SIGNAGE COLOR,
SIZE AND LOCATION PER CITY APPROVAL



02 EAST ELEVATION
NOTE: BUILDING SIGNAGE COLOR,
SIZE AND LOCATION PER CITY APPROVAL

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SDR-18638
01/25/07 PC

ROBERT B. DUPREE

REGISTERED ARCHITECT

MEMBER AIA, ASLA, IIDA

10000 NEON HEIGHTS, SUITE 200

LAS VEGAS, NV 89168

PHONE (702) 881-8878

FAX (702) 881-8878

WWW.RBDUPREE.COM

Project

NEON
HEIGHTS

LAS VEGAS, NEVADA

777 FREMONT

Martinez &
Associates



DATE: 11/21/06

DESIGN: 11/21/06

DATE: 11/21/06

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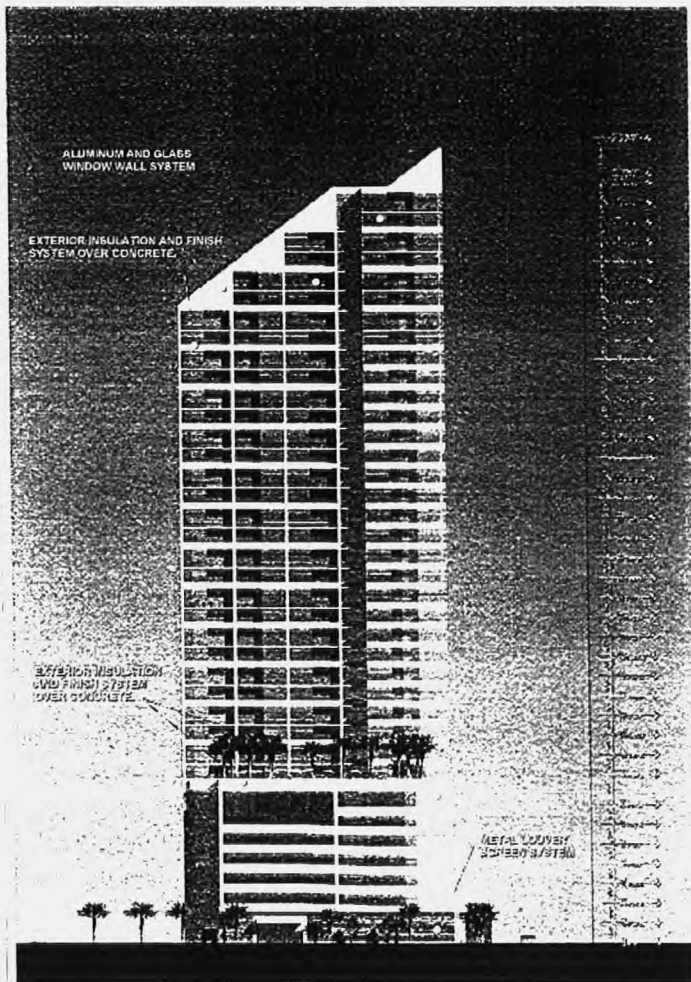
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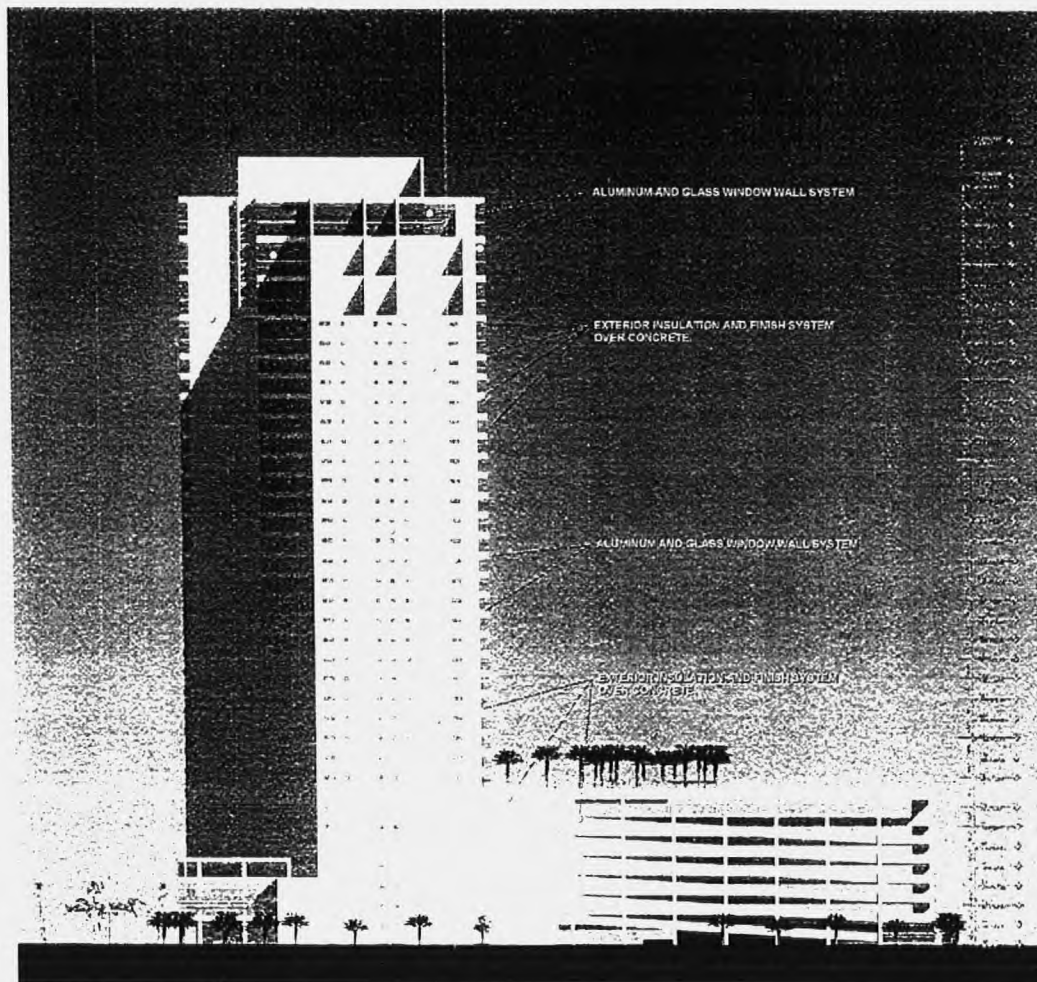
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01

SOUTH ELEVATION

NOTE: BUILDING SIGNAGE COLOR, SIZE AND LOCATION PER CITY APPROVAL.



02

WEST ELEVATION

NOTE: BUILDING SIGNAGE COLOR, SIZE AND LOCATION PER CITY APPROVAL.

ROBERT B. DUPREE

Professional Engineer and Architect
2000 City Center, Suite 300
Las Vegas, NV 89101
Phone: 702.477.1010
Fax: 702.477.1010

NEON
HEIGHTS
LAS VEGAS, NEVADA
777 FREMONT

Martinez &
Associates



Design Team:
Architect: Martinez & Associates
Engineer: Robert B. Dupree
Interior Designer: [Name]
Landscape Architect: [Name]
Civil Engineer: [Name]
Mechanical Engineer: [Name]
Electrical Engineer: [Name]
Plumbing Engineer: [Name]
Structural Engineer: [Name]
Other: [Name]

Project No. 5045.00

Project Name: Neon Heights

Project Location: 777 Fremont, Las Vegas, NV

Project Status: Planning

Project Date: 01/25/07

Project Owner: [Name]

Project Manager: [Name]

Project Engineer: [Name]

Project Architect: [Name]

Project Interior Designer: [Name]

Project Landscape Architect: [Name]

Project Civil Engineer: [Name]

Project Mechanical Engineer: [Name]

Project Plumbing Engineer: [Name]

Project Structural Engineer: [Name]

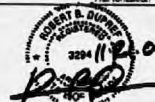
SDR-18638
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Author/Editor



FOR PLANNING COMMISSION SUBJECTS
ONLY

Drinking Tree

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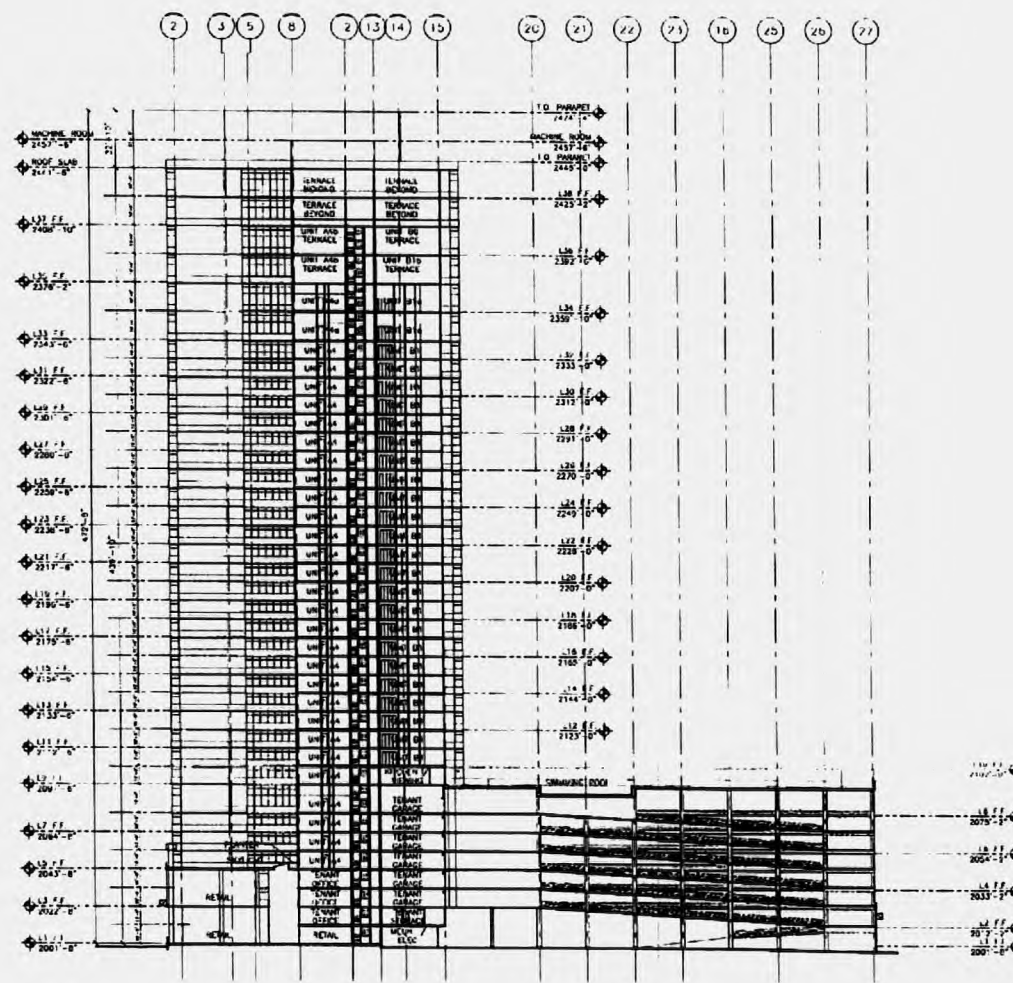
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Issue Package

Sheet Title
BUILDING SECTION

Sheet number

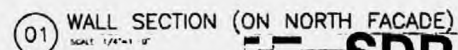
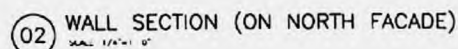
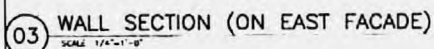
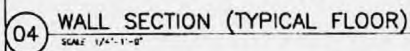
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01 BUILDING SECTION (NORTH SOUTH SECTION)
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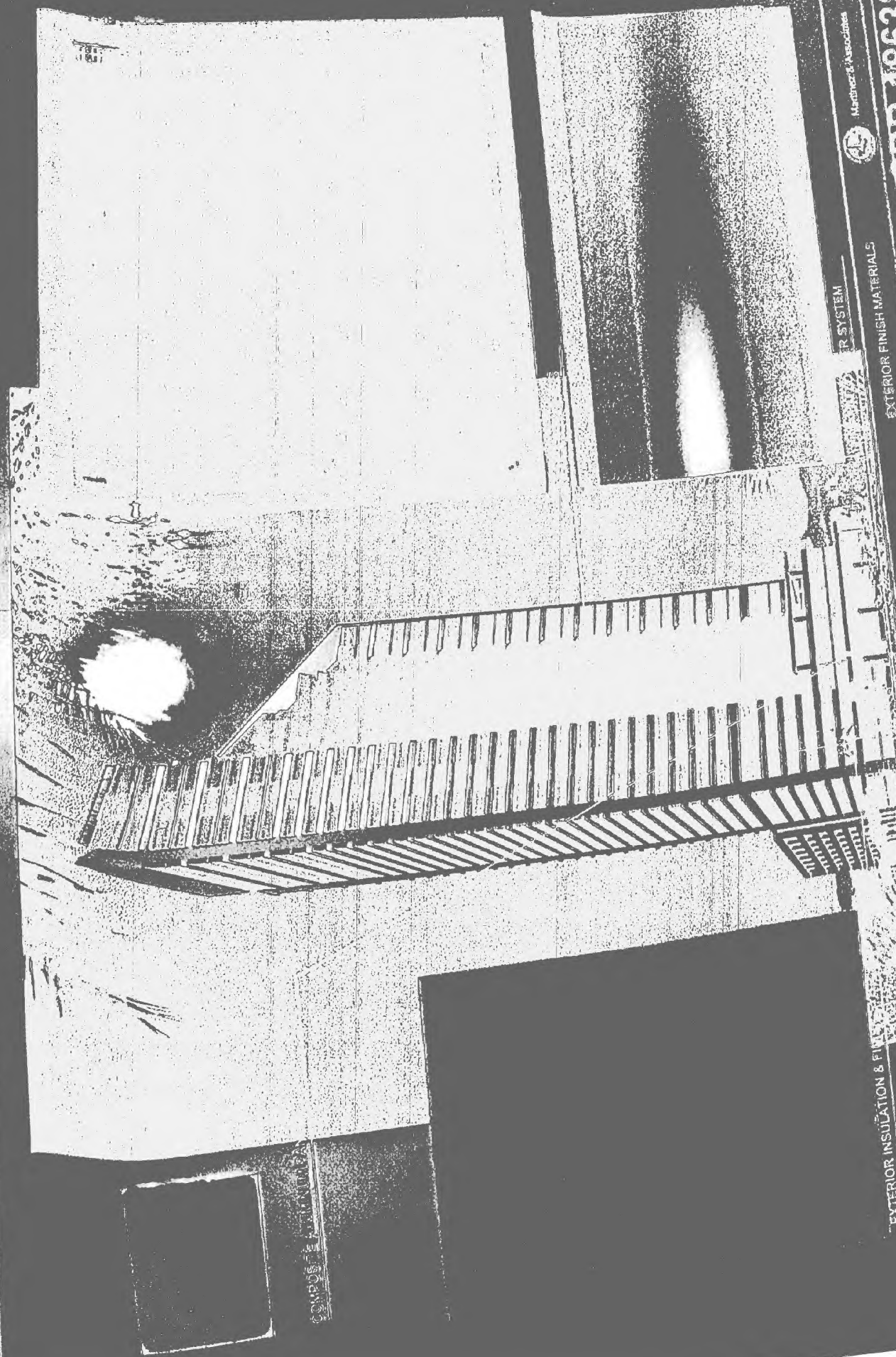
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SDR-18638

01/25/07 PC



Harmer & Associates

IR SYSTEM

EXTERIOR FINISH MATERIALS

SDR-18638

01/25/07 PC

Neon Heights

EXTERIOR INSULATION & FINISH

COMPOSITE MATERIALS

PROJECT & LOCATION

SDR 18638

Dan Martinez

NWC Carson & 8th

Proposed 395 unit multi-family development.

Traffic produced by proposed development:

	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	RES. CONDO/TOWNHOUSE [DWELL]	395	5.86	2,315
AM Peak Hour			0.44	174
PM Peak Hour			0.52	205
(heaviest 60 minutes)				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	9.05	11.01	100
AM Peak Hour			1.55	14
PM Peak Hour			1.49	13
(heaviest 60 minutes)				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	15.892	42.94	682
AM Peak Hour			1.03	16
PM Peak Hour			3.75	60
(heaviest 60 minutes)				
Total	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	RES. CONDO/TOWNHOUSE [DWELL]	395		3,097
AM Peak Hour				204
PM Peak Hour				278
(heaviest 60 minutes)				
Existing traffic on all nearby streets: counts not available for 8th				
Fremont Street				
Average Daily Traffic (ADT)	8,009			
PM Peak Hour	641			
(heaviest 60 minutes)				

Carson Avenue				
Average Daily Traffic (ADT)	3,996			
PM Peak Hour (heaviest 60 minutes)	320			
7th Street				
Average Daily Traffic (ADT)	2,984			
PM Peak Hour (heaviest 60 minutes)	239			
Traffic Capacity of adjacent streets:				
	Adjacent street ADT Capacity			
Fremont Street	12240			
Carson Avenue	15300			
7th Street	15300			
This project will add approximately 3,097 trips per day on 6th, Fremont, 7th and Carson. This will increase expected volumes by about 39 percent on Fremont, 77 percent on Carson and 104 percent on 7th. Fremont is at about 65 percent of capacity, Carson at about 26 percent of capacity and 7th is at about 19 percent of capacity. Counts are not available for 8th Street, but it is believed to be under capacity.				
Based on Peak Hour use, this development will add roughly 278 additional cars into the area; which works out to about nine every two minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



SUP-18637 & SDR-18638 - APPLICANT/OWNER: DAN MARTINEZ
709-731 FREMONT STREET
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06



SUP-18637 & SDR-18638 - APPLICANT/OWNER: DAN MARTINEZ
709-731 FREMONT STREET
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06

Justification Letter

To: City of Las Vegas

Regarding: APN 139-34-612-084

My name is Justen Martinez of Martinez & Associates. Our company is a family owned operation that had owned and managed over 1000 apartment units in Texas for over 10 years. Prior to being in the multifamily business, my father Dan Martinez was a McDonald's franchisee in San Francisco and Santa Fe in the 1980's. He sold his stores in 1989 and became an international investor in the Philippines where he built low income housing for the Philippine government. He also has built several luxury homes in Santa Fe. Last year we sold all of the apartment complexes in Texas and have bought vacant land here in Las Vegas where I currently reside. I have spent almost two years working on this project and it will be ready to be built by the summer of 2007. We are in agreement with this city's vision of improving downtown Las Vegas.

We would like to build a 395 unit condominium building with 15,892 square feet of entertainment retail at the SW corner of Fremont and 8th St. The building will also include 9,050 square feet of office space. Our team includes Gromatzky Dupree and Associates (GDA), an architectural firm in Dallas. They recently received several awards including the 2005 Golden Nugget Award for "Best High Rise Apartment Project". GDA has designed our building, so that it could be built using a form of construction called "Tunnel Forming". This method of construction uses forms that will be filled with concrete and repeated identically every floor. This will allow us to build each floor in a matter of days rather than weeks.

Our goal for this building is to make it more affordable than what is currently proposed here in Las Vegas. We are trying to keep the selling price per square foot on average of \$400. With our apartment management skills, we know that we can have the lowest association fees than anyone. I believe that this project will appeal to a local resident working downtown, an out of state resident looking for a 1st or 2nd home, and to the condominium investor looking for future gain based on the improvement of downtown Las Vegas.

I would like to start construction immediately as I have been working very hard on this project. We have already done much of the preliminary work such as obtaining a Topographic Map & Boundary Survey, Traffic Impact Study, Phase I Environmental Site Assessment and Geotechnical Exploration Report. All reports done to date warrant the building of a 40 story structure. We are currently in the process of getting this project to construction document ready.

We are committed to this building and have lenders eager to give us construction financing. I currently have \$300,000 in a Wells Fargo Bank checking account to cover current operating expenses. We have \$4,000,000 in escrow from sales of two our vacant parcels. We have another \$3,500,000 in a Bank One savings account. We also own all of our parcels outright without monetary liens.

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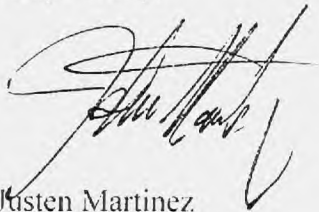
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01/25/07 PC

We are requesting a waiver of building to the property line. This would give us a minimum back of curb radius. We are also requesting a waiver of step back. This would allow us to use tunnel form construction. Finally we are requesting a possible streetscape waiver. We understand that downtown redevelopment would super cede our plans.

Martinez & Associates would greatly appreciate the City of Las Vegas to allow us to help rebuild downtown to a new destination spot. We believe that the design of this building would fit in perfectly with its surroundings. Combined with a realistic pricing of the condominiums and association fees will add immediate value and credibility to downtown Las Vegas.

Respectfully,



Justen Martinez
Martinez & Associates
1729 Wandering Winds Way
Las Vegas, NV 89128
(702) 274-3808 cell

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SDR-18638
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:

SPECIAL USE PERMIT

SUP-18685 - PUBLIC HEARING - APPLICANT: VEGAS CASH - OWNER: CHARLESTON HEIGHTS SHOPPING CENTER, LLC - Request for a Special Use Permit FOR A PROPOSED AUTO TITLE LOAN ESTABLISHMENT; A WAIVER OF THE 1,000 FOOT DISTANCE SEPARATION REQUIREMENT FROM 2 FINANCIAL INSTITUTIONS - SPECIFIED, A WAIVER OF THE 200-FOOT DISTANCE SEPARATION REQUIREMENT FROM A PARCEL ZONED FOR RESIDENTIAL USE, AND A WAIVER OF THE MINIMUM SQUARE FOOTAGE REQUIREMENT at 4923 Alta Drive (APN 138-36-701-018), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Submitted after final agenda – Letter from Becker Enterprises

Motion made by LOIS TARKANIAN to Hold in Abeyance to 3/07/2007

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

CHRISTINE WILLIAMS appeared on behalf of the applicant and requested approval of the application.

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

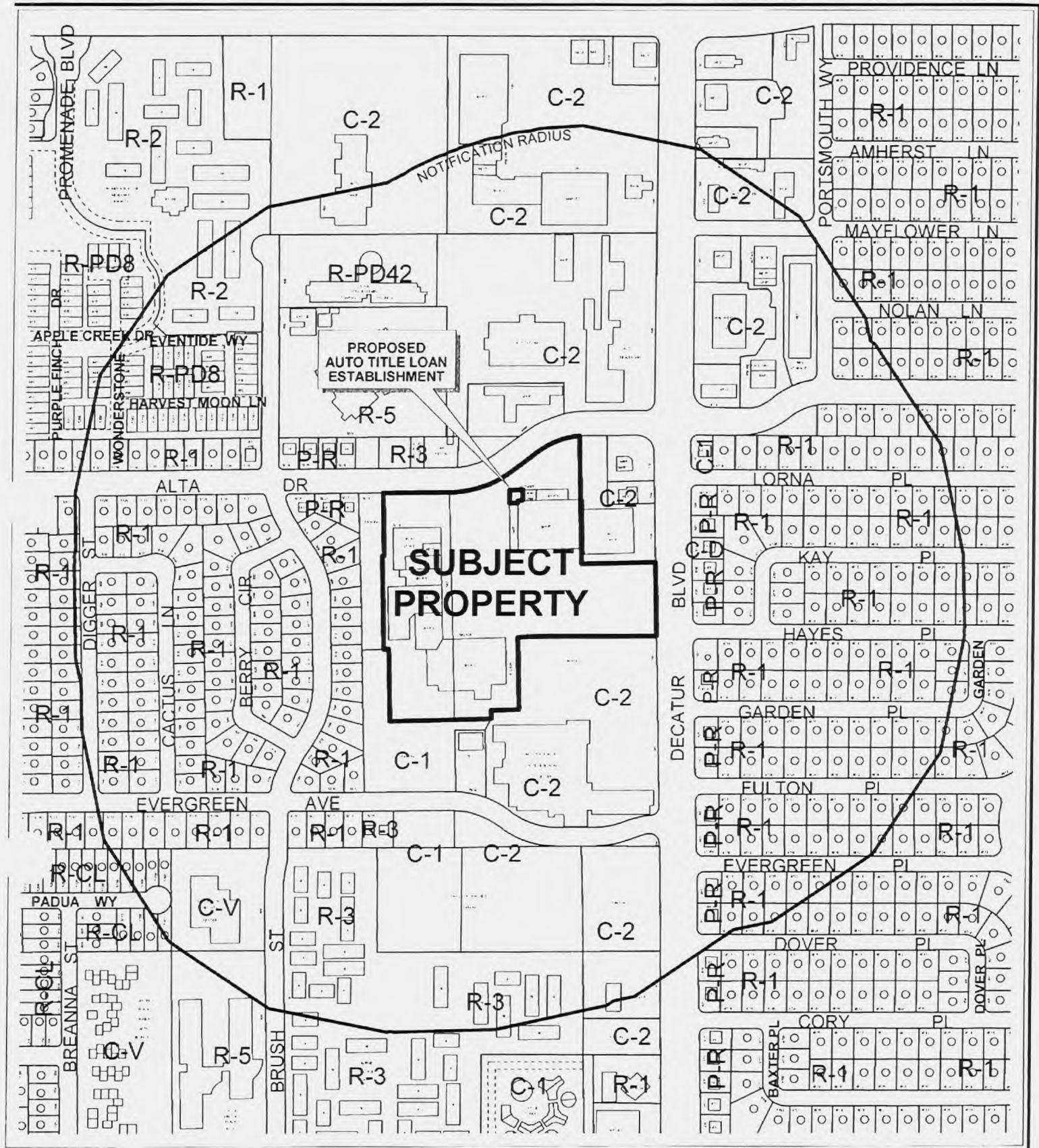
COUNCILWOMAN TARKANIAN noted her great concern regarding an additional financial institution that would be located close to an existing one, as well as the residents' desire not to have an additional one in their neighborhood. In addition, the request includes three waivers, so she could not support the request.

MS. WILLIAMS explained the existing business is licensed and has been established for 19 years. The request is to simply move to the adjacent corner suite, as the applicant is desiring to expand the business to a larger square footage area.

MARGO WHEELER, Director of Planning and Development, confirmed that staff does not have a business license for the subject use at the existing subject location, only applications and a license for a Lake Mead address. MS. WILLIAMS noted that the business has existed at the subject location for the past nine years, and she could give the state business license number. MS. WHEELER explained to MS. WILLIAMS that state and city licenses are not one in the same. With that, COUNCILWOMAN TARKANIAN preferred to abey the item for two weeks for further review. ASSISTANT CITY ATTORNEY BRYAN SCOTT felt it was in the best interest of the Council to place a condition that the Special Use Permit at the current location be expunged once the subject location is approved.

COUNCILMAN WOLFSON urged applicants to be in contact with the Councilman representing the ward relative to their application prior to the Council meeting, as it will help alleviate any misunderstandings and/or potential injustice. MS. WHEELER pointed out that staff does not take the position in advising applicants to contact the ward representative unless the Councilperson makes that directive. MAYOR GOODMAN closed by stating the Councilperson can contact MS. WHEELER, who can then advise ward by ward. MS. WHEELER concurred.

MAYOR GOODMAN declared the Public Hearing closed.



CASE: **SUP-18685**

RADIUS: 1000 FT

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

0 400 800 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-18685 - APPLICANT: VEGAS CASH - OWNER:
CHARLESTON HEIGHTS SHOPPING CENTER, LLC**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.
2. Waiver of the 1,000 foot minimum separation requirement from another financial institution is hereby granted.
3. Waiver of the 200 foot minimum separation requirement from residentially zoned property is hereby granted.
4. Waiver of the minimum square footage requirement for Auto Title Loan use is hereby granted.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Special Use Permit for a proposed Auto Title Loan Establishment, a Waiver of the 1,000 foot distance separation requirement from another financial institution, a Waiver of the 200-foot distance separation requirement from a parcel zone for residential use, and a Waiver of the minimum square footage requirement for Auto Title Loan use. The project is located at 4923 Alta Drive, southeast corner of Decatur Boulevard at Alta Drive.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/24/06	Development Services – Current Planning Staff advised the applicant of the requirement for a Special Use Permit for the proposed Auto Title Loan business at the subject address.
10/11/06	Development Services – Current Planning staff determined that a Special Use Permit is required for the proposed use.
01/25/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #64/ja).
<i>Related Building Permits/Business Licenses</i>	
11/02/06	Business license applications to allow for the operation of a finance company and auto title loan company (Fo2 and F14) to be located at 4923 Alta Drive were denied by Business Services Division due to the determination that a Special Use Permit is required through the Planning and Development Department.
<i>Pre-Application Meeting</i>	
11/13/06	A Pre-application meeting was held with the applicant. Planning staff advised the applicant of Title 19 parking requirements for the proposed use as well as the distance separation requirements.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of application nor was one held.	

<i>Details of Application</i>		
Special Use Permit Requested	Minimum Square footage required	Minimum Square footage proposed
Auto Title Loan	1,500 square feet	1,428 square feet

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial	SC (Service Commercial)	C-2 (General Commercial)
North	Commercial	GC (General Commercial) SC (Service Commercial)	C-2 (General Commercial)
South	Commercial	SC (Service Commercial)	C-2 (General Commercial)
East	Commercial	SC (Service Commercial)	C-2 (General Commercial)
West	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Exhibit 10 - The 2012, the gross floor area and parking spaces for the
 11.2

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Auto Title Loan	1,428	1 space for each 250 square feet of gross floor area	6	1	6	1	Y
SubTotal			6		6		Y
TOTAL (including handicap)			6		6		Y
Loading Spaces			1		1		Y

Waivers		
Request	Requirement	Staff Recommendation
Separation distance from other financial institution	1,000 feet	Denial
Separation distance from residentially zoned property	200 feet	Denial
Minimum square footage for Auto Title Loan use	1,500	Denial

ANALYSIS

The project proposes establishment of an Auto Title Loan business located at 4923 Alta Drive within an existing retail/commercial center. The business will be relocated from 4921 Alta Drive to a larger tenant suite directly adjacent to the current location.

- **General Plan and Zoning**

The project is located within an area designated as SC (Service Commercial) in the General Plan and is within the C-2 (General Commercial) Zone. Per Title 19.04, an Auto Title Loan business is a permitted use within the C-2 (General Commercial) Zone with a Special Use Permit.

- **Floor Plan**

The minimum square footage for the proposed financial institution requires a minimum of 1,500 square feet. The square footage of the proposed office is 1,428 square feet. A Waiver of the minimum square footage requirement is included in this request.

- **Parking**

Six parking spaces are required for the proposed use and will be provided on-site within the existing commercial center.

- **Distance Separation**

The project will be located at an existing retail and commercial center located at 4923 Alta Drive. Pursuant to Title 19.04, the project is required to show conformance with the distance separation requirements from existing financial institutions and residentially zoned districts. Financial institutions may not be located within 1,000 feet of another financial institution, and cannot be located within 200 feet of residentially zoned property. Two existing financial institutions with active business licenses located at 459 South Decatur (check cashing service) and 803 South Decatur (finance company) are within a 1,000 lineal foot radius of the proposed project site. Furthermore, the proposed use is within the 200 feet distance separation requirement of residential uses.

Planning staff coordinated with Business Services Enforcement (BSE) Section to determine the status of other financial institutions in operation (December 2006 to January 2007) surrounding the project site. Staff determined 2 other businesses currently operate without license at 439 South Decatur (U.S. Auto Title Loans) and 4921 Alta Drive (Cash Out) respectively and Notices of Violation were issued by BSE for unlicensed businesses at each address.

On January 8, 2007 BSE received a call from the manager of U.S. Auto Title Loans informing the city of a pending change of location to 5000 West Charleston Boulevard, Suite 1. Additionally on January 9, 2007 BSE determined that a change of name was not fully executed and this was discussed with the manager for Cash Out (Vegas Cash). Vegas Cash is the applicant for this Special Use Permit application to relocate from 4921 to 4923 Alta Drive. The BSE has determined that the businesses are allowed to continue operating at the current locations until they have been approved for the new addresses.

All financial institutions reviewed as under this application request are considered nonconforming under Title 19.16.030. Planning staff considers the project vicinity as having an over concentration of licensed and unlicensed financial institutions and does not recommend approval of the Special Use Permit and requested.

FINDINGS

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

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

The proposed use will not comply with Title 19 distance separation requirements for financial institutions and protected residential uses and as such the proposal is considered incompatible with existing and projected land uses.

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

The project will be located within an existing commercial center and would not intensify land use in the project area.

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

Adequate vehicular access is provided to the project site and will not degrade street operations.

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

The project will not result in any detrimental effects to human health and public safety.

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

The project does not conform to Title 19.04 regulations for Auto Title Loan businesses.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 435 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-18685** APN: 138-36-701-018

Name of Property Owner: Charleston Heights Shopping Center, L.L.C.

Name of Applicant: Vegas Cash

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 XX 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: _____

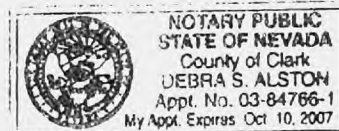
Signature of Property Owner: _____

Print Name: Ernest A. Becker, Jr.

Subscribed and sworn before me

This 27th day of November, 2011

Notary Public in and for said County and State



TI-1



SUP-18685 - APPLICANT: VEGAS CASH - OWNER: CHARLESTON HEIGHTS SHOPPING CENTER, LLC
4923 ALTA DRIVE
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06



SUP-18685 - APPLICANT: VEGAS CASH - OWNER: CHARLESTON HEIGHTS SHOPPING CENTER, LLC
4923 ALTA DRIVE
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06



February 5, 2007

Doug Rankin, AICP, Planning Manager
Planning & Development
City of Las Vegas
731 South Fourth Street
Las Vegas, Nevada 89101

Via facsimile: 385-7268

Re: 4921 Alta Drive, Las Vegas NV
Special Use

Dear Doug:

This is to confirm our telephone conversation of today where the Tenant at 4921 Alta Drive is grandfathered in for a loan/check cashing service business. Since the Tenant is moving to a new location in the same shopping center, we, the owner of the premises, hereby give up our permanent non-conformed Use for the above referenced premises and waive the 180 day requirement for the above location.

If you need any further information please feel free to note the information on this letter and fax a copy back to me at (702) 878-1057, and we will make any changes you require.

Please feel free to contact me at (702) 878-1903 extension 6525 if you have any questions regarding this matter.

Yours truly,

BECKER INVESTMENT CO.
LIMITED PARTNERSHIP

Ernest A. Becker, Jr.
Agent

Date 02-15-07 Item #134

SUP-18685
02-21-07 CC

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

Minutes:

AB 629 W. McWilliams Avenue, AB 1405 S. Casino Center Boulevard, AB 1913 S. 11th Street, AB 5953 Round Castle Street, AB 804 Sunny Place; SUP-18347, SUP-18630, SUP-18691, SUP-18789, SUP-18902, SUP-18910 and SUP-18927; VAR-18790, VAR-18973 and VAR-19208 (3/07/2007 Agenda)



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

SUBJECT:

CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

Minutes:

In response to MAYOR GOODMAN'S query, two homeless individuals raised their hands seeking assistance.

AL HESSER, retired Veteran/City resident, commented on his appearance in court addressing alleged threats made to MAYOR GOODMAN. He believed one should never use the legal process to haul someone into court, and the Mayor violated his right to freedom of speech. MR. HESSER will pursue the federal courts in seeking monetary damages for what he believed to be ridiculous charges made by MAYOR GOODMAN.

JOE MAVIGLIA updated the Council on his mission towards affordable mobile home housing. He has made contact with the administrator of the prison system and has been able to secure a construction company. He was pleased that people have listened to him, as he started participating and not complaining at the City Council meetings. These mobile homes will be offered to ex-felons and allow them the opportunity to build equity, having a six-month period for option to buy. He has had a problem with space and is working with the GATES program.

FRED stated he appeared before Council two weeks ago, homeless, but has since received assistance from the Council. Although he is still homeless, he is employed. He wanted to speak up and let the homeless people know that assistance is available and thanked the Council from the bottom of his heart. MAYOR GOODMAN thanked him for returning and informing Council and the homeless. The Mayor urged FRED to continue working with those individuals assisting him and looked forward to him not being homeless.

RASHAND JOSHUA COLLINS, homeless and youth advocate, voiced concerns in the city of Las Vegas, such as the luring of young individuals into drinking and what the penalty should be, such as jail time. He felt this activity is a greater crime than someone being arrested for sleeping outside or digging in a dumpster. He believed the need is to promote morality and pleaded for assistance. He stressed there is a great need to encourage the youths, the next generation, and avoid them from being pulled into these kinds of deception. He noted that the book of Revelations should be read, as it entails many warnings to be considered.

RICKY HOOPER voiced his frustration with the Regional Transportation Commission (RTC) and the bus drivers, as well as other entities, when seeking assistance or information. He

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

continues to get the runaround. MAYOR GOODMAN questioned if a handicap booklet existed for the handicap/disabled. MAYOR GOODMAN suggested he speak with JACOB SNOW, Director of RTC, and asked the City Manager to forward the contact number to MR. HOOPER.

PAMELA LOONEY was displeased at the way the police department has been handling her complaints. She believes there are individuals stalking her and has been assaulted by a gang member, GREG OLIVER. She also believed that one of her daughters has been assaulted as well. She is not currently employed but has a degree and does not desire to remain homeless or continue to be cited for sleeping in bathrooms. She felt that her filed reports are not being addressed and sought assistance from the Council. MAYOR GOODMAN informed MS. LOONEY that the Council does not have jurisdiction over the police department; he advised her to contact the Civilian Review board to seek relief and/or to file a complaint.

JOHN BROWN, homeless advocate, congratulated COUNCILMAN WEEKLY on his next endeavor. MR. BROWN expressed the importance of individuals having identification and would like to see some of the homeless acquire theirs. It is easier for the locals to obtain a Nevada ID, but for the out-of-state individuals who have lost their ID, it is difficult to obtain another one. He currently purchases day passes and would like the RTC to give him some that are not dated. He asked for a contact person to assist him with his request. MAYOR GOODMAN suggested he speak with one of the City representatives present who is currently assisting the homeless.

ROBERT JOHNSTON, Evangelist for Jesus Christ, became homeless in October due to an auto accident and financial hardship. He moved from Massachusetts and was pleased about the direction he received regarding assistance. He felt that more advertisement should be done regarding programs and assistance to the homeless, as his opinion of MAYOR GOODMAN has changed. He agreed that Metro is hard on the homeless, and there needs to be a stronger compassion for the homeless. MAYOR GOODMAN believed that the best form of communication to the homeless is the homeless advocates, as they have an established degree of trust. He urged MR. JOHNSTON to invite them to these City Council meetings where assistance is offered.

AL GALLEGOS, citizen of Las Vegas, commented on two individuals in the audience who received a notice from Code Enforcement. The individuals had been waiting all day and when contacting this department (229-6615), there was not an employee present who spoke Spanish. Some citizens contact him for assistance, but he was frustrated that there are insufficient Spanish speaking employees in various departments to assist these individuals.

DOROTHY BARNES, Las Vegas resident, stated she may be relocating. She voiced her ongoing concerns with individuals using her name on the program. She is pursuing a class action law suit and hoped that those individuals will stop the illegal activity. She thanked Council and everyone for listening to her during public comment.

Meeting adjourned at 5:09 p.m.