

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-18266 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: CRAIG MCCALL - OWNER: PHILLIP E. HEMPLER AND JOSEPH P. LEPIRE - Request for a Special Use Permit FOR A PAWN SHOP AND A WAIVER TO ALLOW A ZERO FOOT SEPARATION FROM AN EXISTING FINANCIAL INSTITUTION, SPECIFIED WHERE A 1,000 FOOT DISTANCE SEPARATION IS REQUIRED at 6032 West Cheyenne Avenue (APN 138-12-416-006), C-1 (Limited Commercial) Zone [SC (Service Commercial) General Plan Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (4-2-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

4

City Council Meeting

358

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

8

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-2-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest letter and petition by Seyed Emamzadeh and revised plans
6. Submitted after final agenda – Protest letter and supplemental petition by Seyed Emamzadeh
7. Submitted at meeting – Support letters by Bill Curran and map of adjacent business owners
8. Backup referenced from the 01-11-07 Planning Commission Meeting Item 38

Motion made by STEVEN D. ROSS to Approve Subject to Conditions and adding the following conditions:

B. There shall be no outdoor display, sales or storage of any merchandise.

E. No x-rated videos may be sold on site.

C. No exterior signage advertising payday loans shall be permitted.

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A. The hours of operation shall be limited to Monday through Saturday from 9 a.m. to 7 p.m., except December hours shall be from 9 a.m. to 9 p.m. The hours of operation on Sunday shall be limited to 10 a.m. to 5 p.m.

D. Firearms may be taken and pawned but sold only to dealers and not sold to retail.

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.

ATTORNEY BILL CURRAN, Ballard Spahr Andrews and Ingersoll, appeared with applicant, CRAIG McCALL, owner. ATTORNEY CURRAN mentioned that MR. McCALL owns several pawn shops in Southern Nevada and other states. He has purchased several shops and is making efforts to upgrade these shops. It was pointed out that MR. McCALL is not seeking to build a new pawn shop; he desires to relocate an existing pawn shop. At COUNCILMAN ROSS' request, ATTORNEY CURRAN explained the four categories of lending institutions and the difference between each one. The four consist of payday loans, which usually are two to four week loans; title loans involving one's vehicle; installment loans that deals with household financing; and pawn shops, involving one's personal items being used for collateral.

ATTORNEY CURRAN showed photos of the subject pawn shop and a payday loan institution within the subject shopping center. In researching within a 3,000 foot radius, there are no other financial institutions specified; the closest one is located 3/4 mile to the east, one mile to the west, one and a half miles to the north and also to the south. In essence, there are very few financial institutions specified in the surrounding area. MR. McCALL and ATTORNEY CURRAN are aware that there is a coffee shop owner in the shopping center who opposes the subject request. The attorney then submitted a signed petition of support from nearby businesses. MAYOR GOODMAN clarified that the petition simply states "we do not oppose" rather than confirming their support. ATTORNEY CURRAN also showed photos of MR. McCALL's other businesses in the Valley, including a before and after look of the subject pawn shop. He noted that MR. McCALL is willing to have the same conditions applied to this subject application identical to those on his other businesses, and he read those conditions into the record. He respectively requested approval, as he believed the business would be a great improvement, would benefit the neighborhood and play a part in revitalizing the area.

GEORGE MUNS, 5916 Paseo Del Mar, resides south of the subject shopping center, and is an area that is predominantly residential. He confirmed that there is an existing payday loan center and a bank within the shopping center and others nearby, which he felt were sufficient for the area and did not want to see another pawn shop in existence.

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SEYED EMAMZADEH, owner of adjacent coffee shop, emphasized that he has had his business for the past 18 years and has been commended for maintaining a safe and family oriented atmosphere at his business. He visited the surrounding neighborhood and he got the impression that many residents did not support the subject request. He also had a signed petition of opposition from some of the nearby businesses and claimed that it consisted of 400 signatures. MR. EMAMZADEH stated that he has had the opportunity to request for the sale of alcohol in his business; respecting his patrons and the neighborhood, he chose not to do so. MR. EMAMZADEH stated he was informed by the applicant that he desired a jewelry store more so than a pawn shop and wondered why he did not request such. Although he appreciated the applicant's efforts with his other pawn shops, he felt the request would have a negative impact on his business and may bring crime and safety issues to the forefront. He respectfully urged the Council to deny the applicant's request.

MAYOR GOODMAN questioned if MR. EMAMZADEH has experienced any negative impact on his business since the neary payday loan center has existed. MR. EMAMZADEH responded that he was informed by a neighbor that there have been three robberies but not at his coffee shop. His coffee shop hours are from 6 a.m. to 2 p.m. and has not had any incidents at his business.

COUNCILMAN ROSS did not favor pawn shops and is sensitive to the subject area; he desires to see a project that creates economic value. He believed MR. McCALL has gone above and beyond in his efforts and is an industry leader, working with the Nevada legislature requiring that these businesses be held to a higher standard. The Councilman took the time to verify the signatures and stated there were 73 and many reside in North Las Vegas. He could understand MR. EMAMZADEH'S position but wondered why he has not purchased the building and expanded his own. MR. EMAMZADEH responded that should this application be denied, he would like to pursue doing so. COUNCILMAN ROSS noted that two individuals opposed the applicant's request at the Planning Commission meeting but one, BRENDA LOVATO, has changed her mind and is now in support of the request.

ATTORNEY CURRAN confirmed that the signed petition referred by MR. EMAMZADEH had taken place after a meeting with MR. McCALL. He then referenced another signed petition from the flower shop, which in essence, expressed support. MAYOR GOODMAN remarked that the only issue at hand is whether or not the subject pawn shop is appropriate for the subject area.

Although COUNCILMAN ROSS felt that there are too many of these shops in every neighborhood, he appreciated the owner's efforts and supported the request. He felt it would benefit and not cause a loss to MR. EMAMZADEH'S coffee shop.

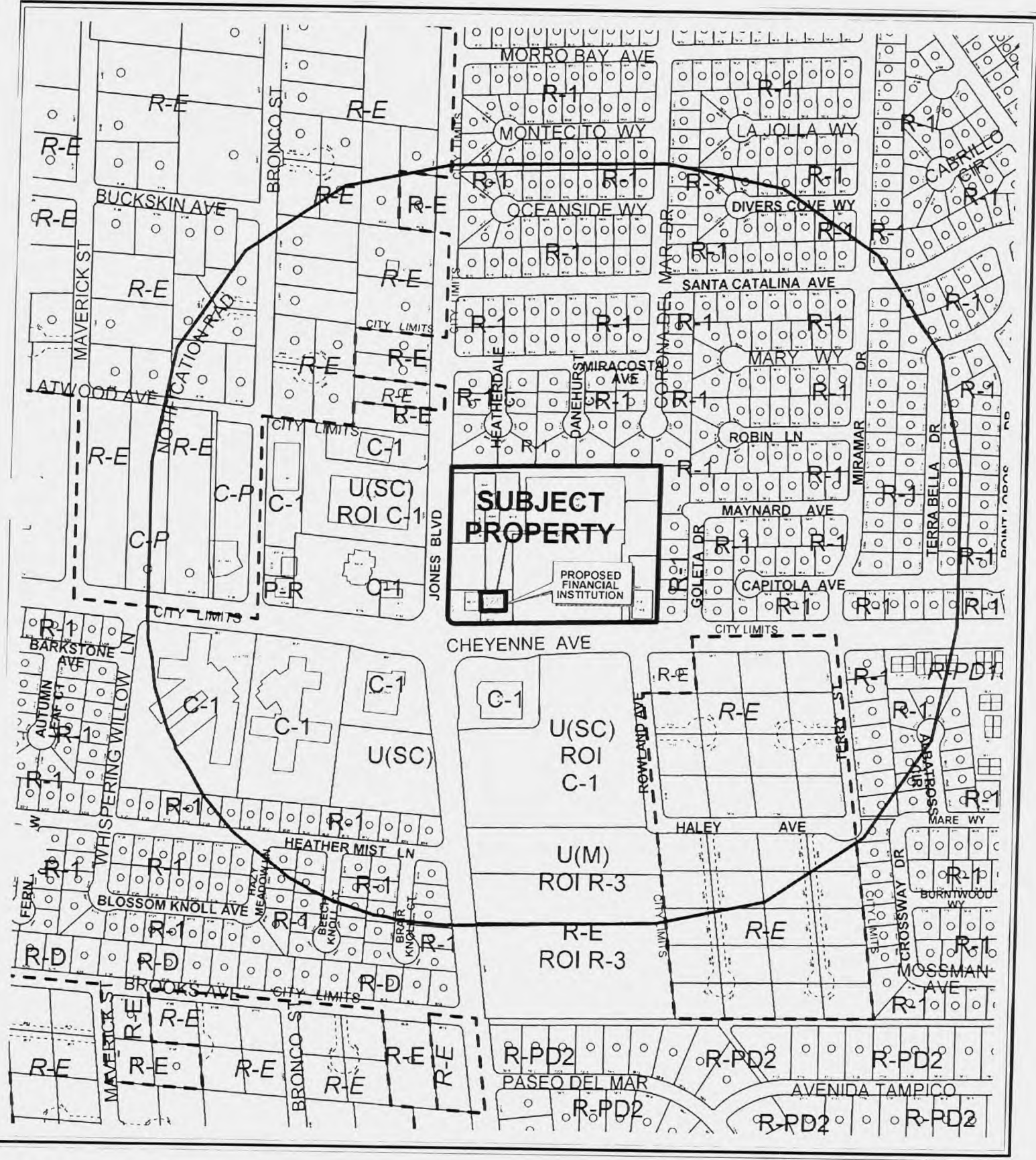
MARGO WHEELER, Director of Planning and Development, read into the record conditions dealing with the hours of operation, which will be Monday through Saturday 9 a.m. to 7 p.m., Sunday 10 a.m. to 5 p.m. In addition, no outdoor display or exterior signage, and firearms can only be sold to dealers and not retail.

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MAYOR GOODMAN preferred a condition be added relating to no firearms or x-rated videos to be sold. ATTORNEY CURRAN clarified that the applicant accepts guns as collateral but they are returned to owner upon payment in full. Responding to COUNCILMAN ROSS, MR. McCALL pointed out that the employees were just trained at one of his stores. His stores have gun safes. Some people like to pawn their firearm outside of the hunting season to avoid having the guns within their homes. Although there is some revenue in storing the guns at the pawn shop, he would agree to the condition prohibiting guns. COUNCILMAN ROSS supported the condition as well, as he desired to see MR. EMAMZADEH'S business continue to thrive. He also knew that Metro and the ATF could appreciate the condition, especially in this particular neighborhood. He also requested that a copy of the redesign be submitted to Planning and Development, in which ATTORNEY CURRAN concurred.

MAYOR GOODMAN declared the Public Hearing closed.

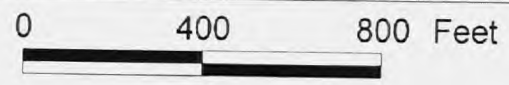




CASE: SUP-18266

RADIUS: 1000 FT

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

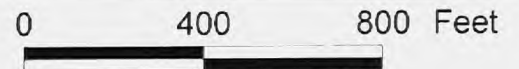


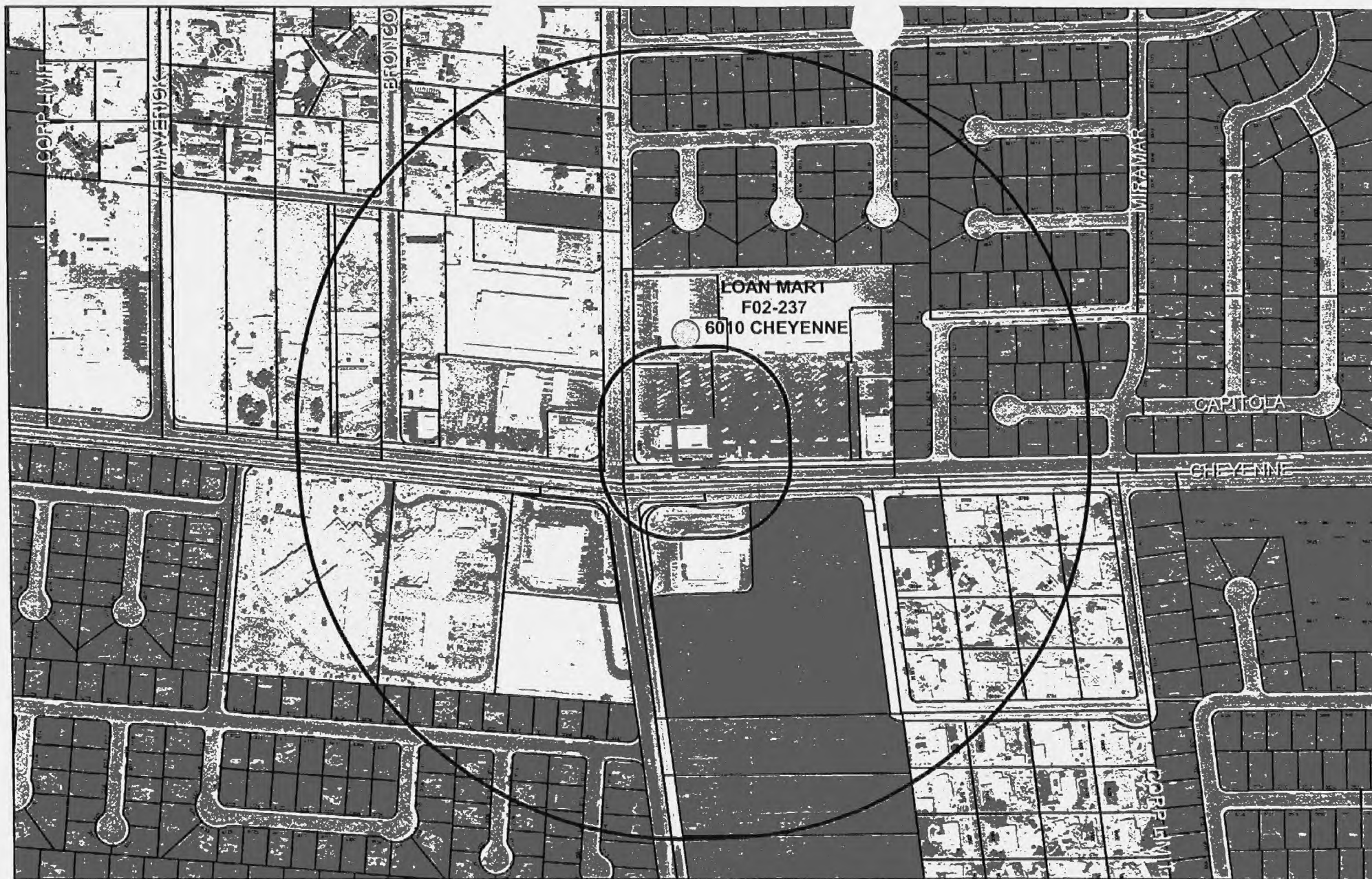


CASE: **SUP-18266**

RADIUS: 1000 FT

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



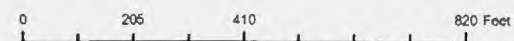


SUP-18266

Financial Business Locations

- | | |
|---|--|
|  Finance Company |  Financial Institution, Specified
(Check Cashing Service) |
|  Automobile Title Loan |  Financial Institution, Specified
(Check Cashing Service with Gross) |
|  Pawnbroker | |

- | |
|--|
|  Subject Property |
|  Residential Property |



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE - SUP-18266 - APPLICANT: CRAIG MCCALL -
OWNER: PHILLIP E. HEMPLER AND JOSEPH P. LEPIRE**

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

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-2/lld, sd-1/rt vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (Z-0120-78), if approved.
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.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request a request for a Special Use Permit for a Pawn Shop and a Waiver of the 1,000-foot distance separation requirement from an existing Financial Institution. Specified at 6032 West Cheyenne Avenue.

The applicant seeks to relocate a Pawn Shop to a separate commercial building within an existing shopping center on the northeast corner of Cheyenne Avenue and Jones Boulevard. The subject site does not meet the minimum 1000-foot separation requirement from an existing Financial Institution. Specified use as the parcel is next door to a Payday Loan Center located at 6010 West Cheyenne Avenue.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/21/79	The City Council approved rezoning (Z-120-78) from R1 to C1.
01/11/07	The Planning Commission voted 4-2/l/d, sd-1/r/t to recommend APPROVAL (PC Agenda Item #38/mh).
<i>Related Building Permits/Business Licenses</i>	
11/10/98	PC #L-5344-98: Plan Check for a tenant improvement for video store creating the address 6032 W. Cheyenne Avenue
7/16/04	Business License # F07-01873: "A Family Bed & Baby" Furniture Store. Out-of-business 9/28/06.
<i>Pre-Application Meeting</i>	
9/11/06	A pre-application meeting was held to discuss the requirements for a Special Use Permit for a pawn shop at the proposed location. In addition, the applicant was informed that this would require a waiver for the distance requirement from an existing Financial Institution. Specified.
<i>Neighborhood Meeting</i>	
NA	A neighborhood meeting was not required nor was one held.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.28

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial Retail	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Pharmacy	SC (Service Commercial)	C-1 (Limited Commercial)
East	Commercial Retail	SC (Service Commercial)	C-1 (Limited Commercial)
West	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)

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

A-O Airport Overlay District

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Pawn Shop	4,000 GFA	1: 250 GFA	16	1	16	1	Y
TOTAL (including handicap)			16	1	16	1	Y

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

ANALYSIS

- Zoning

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

- Use

Pawn Shop is defined as follows:

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

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

Although there is an established Financial Institution, Specified, within immediate proximity of the proposed Pawn Shop there are no other Pawn Shops within 1.5 miles of the subject site. The applicant seeks to highlight the difference in that the majority of the revenue from the pawn operation comes primarily from retail jewelry sales. The applicant has presented photographs of the previous establishment with the application showing a layout much in-line with a jewelry store, However; as the justification letter states that pawn-loans are provided on-site the use must be applied as such. Therefore staff recommends denial.

- Conditions

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

1. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.
2. No outdoor display, sales or storage of any merchandise shall be permitted
3. No pawn shop shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.
4. No pawn shop shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.

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

FINDINGS

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

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

In regard to "1":

The proposed Pawn Shop would be in a separate building within an existing shopping center subdivision that has an established Financial Institution, Specified. Therefore, the proposed use cannot meet the conditional requirements as set forth by Title 19.04.050. As a result of the failure to meet separation requirements on these many conflicts, staff cannot recommend approval for this Special Use Permit.

In regard to “2”:

The site is physical constrained due to the location of the existing Financial Institution, Specified within the 200-foot separation requirement from the proposed Pawn.

In regard to “3”:

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

In regard to “4”:

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

In regard to “5”:

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

PLANNING COMMISSION ACTION

There were two speakers in the neighborhood opposed to the project. The applicant proposed hours of operation to be Monday through Saturday, 9:00 a.m. to 7:00 p.m. and Sunday, 10:00 a.m. to 5:00 p.m. with Thanksgiving and Christmas Eve to 9:00 p.m.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 340 by City Clerk

APPROVALS 0

PROTESTS 4

**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST****SUP-18266**Case Number: _____ APN: 138-12-416-006Name of Property Owner: JOSEPH P LEPAGEName of Applicant: PAWN PLACE

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: _____

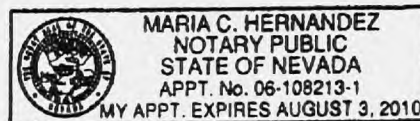
Partner(s): _____

APN: _____

Signature of Property Owner: _____

Print Name: JOSEPH P LEPAGE JR

Subscribed and sworn before me

This 21 day of November, 2006Maria C. Hernandez
Notary Public in and for said County and State

**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST****SUP-18266**Case Number: _____ APN: 138-12-416-006Name of Property Owner: PHILIP C. HEMPLERName of Applicant: PAWN PLACE

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

☐ Yes☒ No

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

City Official: _____

Partner(s): _____

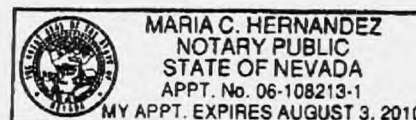
APN: _____

Signature of Property Owner: [Signature]Print Name: Philip C. Hempler

Subscribed and sworn before me

This 21 day of November, 2006Maria C. Hernandez

Notary Public in and for said County and State



NOV 22 1997

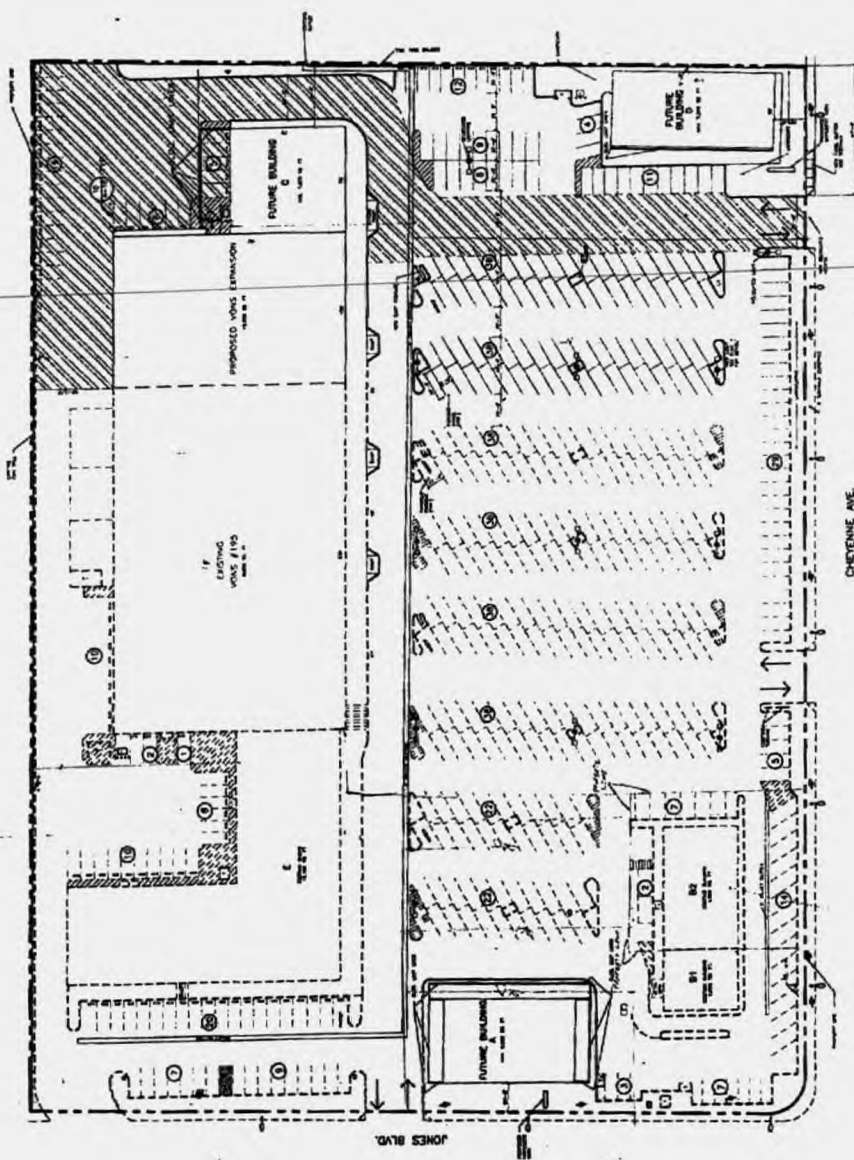
SUP-18266
01/11/07 PC

SITE PLAN
 SCALE: 1" = 10'-0"



APPROVED
Signature
 11/11/97

2. E.T. IS THE DESIGNER OF RECORD FOR THIS PROJECT AND HAS REVIEWED THIS PLAN FOR CONFORMANCE WITH THE CITY OF LAS VEGAS DEVELOPMENT CODE.



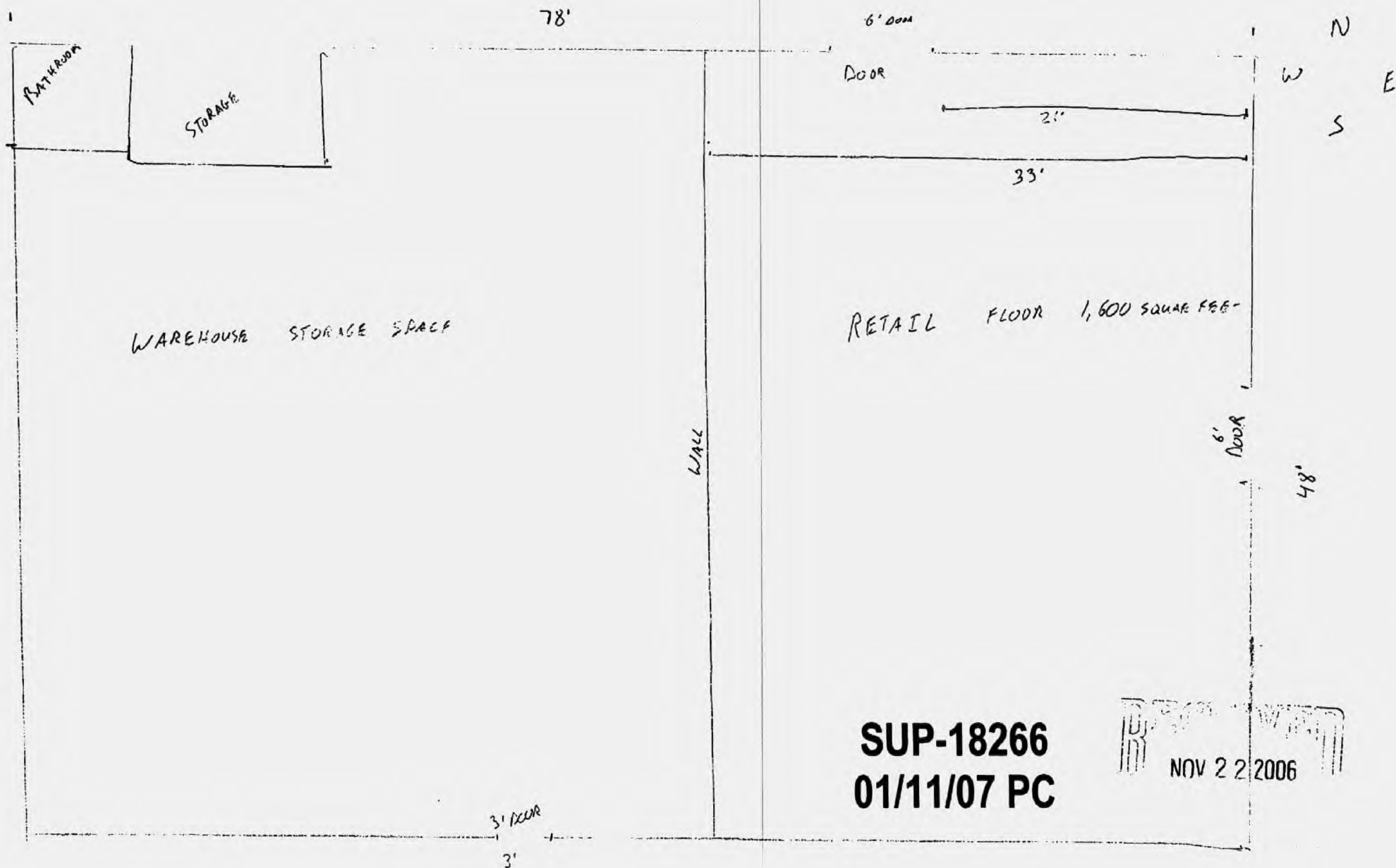
- OUTSIDE GENERAL NOTES:**
- CONTRACTOR SHALL RECONSTRUCT EXISTING DRIVEWAYS AS SHOWN ON THIS PLAN. EXISTING DRIVEWAYS SHALL BE RECONSTRUCTED TO MEET THE REQUIREMENTS OF THE CITY OF LAS VEGAS DEVELOPMENT CODE.
 - ALL NEW DRIVEWAYS SHALL BE RECONSTRUCTED TO MEET THE REQUIREMENTS OF THE CITY OF LAS VEGAS DEVELOPMENT CODE.
 - ALL NEW DRIVEWAYS SHALL BE RECONSTRUCTED TO MEET THE REQUIREMENTS OF THE CITY OF LAS VEGAS DEVELOPMENT CODE.

NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	CONCRETE DRIVEWAY	1	LINEAL FOOT	100.00	100.00
2	ASPHALT DRIVEWAY	1	LINEAL FOOT	50.00	50.00
3	PAVING STONE	1	SQ. YD.	10.00	10.00
4	PAVING STONE	1	SQ. YD.	10.00	10.00
5	PAVING STONE	1	SQ. YD.	10.00	10.00
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69	PAVING STONE	1	SQ. YD.	10.00	10.00
70	PAVING STONE	1	SQ. YD.	10.00	10.00
71	PAVING STONE	1	SQ. YD.	10.00	10.00
72	PAVING STONE	1	SQ. YD.	10.00	10.00
73	PAVING STONE	1	SQ. YD.	10.00	10.00
74	PAVING STONE	1	SQ. YD.	10.00	10.00
75	PAVING STONE	1	SQ. YD.	10.00	10.00
76	PAVING STONE	1	SQ. YD.	10.00	10.00
77	PAVING STONE	1	SQ. YD.	10.00	10.00
78	PAVING STONE	1	SQ. YD.	10.00	10.00
79	PAVING STONE	1	SQ. YD.	10.00	10.00
80	PAVING STONE	1	SQ. YD.	10.00	10.00
81	PAVING STONE	1	SQ. YD.	10.00	10.00
82	PAVING STONE	1	SQ. YD.	10.00	10.00
83	PAVING STONE	1	SQ. YD.	10.00	10.00
84	PAVING STONE	1	SQ. YD.	10.00	10.00
85	PAVING STONE	1	SQ. YD.	10.00	10.00
86	PAVING STONE	1	SQ. YD.	10.00	10.00
87	PAVING STONE	1	SQ. YD.	10.00	10.00
88	PAVING STONE	1	SQ. YD.	10.00	10.00
89	PAVING STONE	1	SQ. YD.	10.00	10.00
90	PAVING STONE	1	SQ. YD.	10.00	10.00
91	PAVING STONE	1	SQ. YD.	10.00	10.00
92	PAVING STONE	1	SQ. YD.	10.00	10.00
93	PAVING STONE	1	SQ. YD.	10.00	10.00
94	PAVING STONE	1	SQ. YD.	10.00	10.00
95	PAVING STONE	1	SQ. YD.	10.00	10.00
96	PAVING STONE	1	SQ. YD.	10.00	10.00
97	PAVING STONE	1	SQ. YD.	10.00	10.00
98	PAVING STONE	1	SQ. YD.	10.00	10.00
99	PAVING STONE	1	SQ. YD.	10.00	10.00
100	PAVING STONE	1	SQ. YD.	10.00	10.00

YONS
 1000 S. LAS VEGAS AVENUE
 SUITE 1000
 LAS VEGAS, NEVADA 89102
 (702) 394-1766 FAX (702) 394-1888

JIM L. ARBORE, ARCHITECT
 706 YUCCA, SUITE A
 BOULDER CITY, NEVADA 89006
 (702) 394-1766 FAX (702) 394-1888

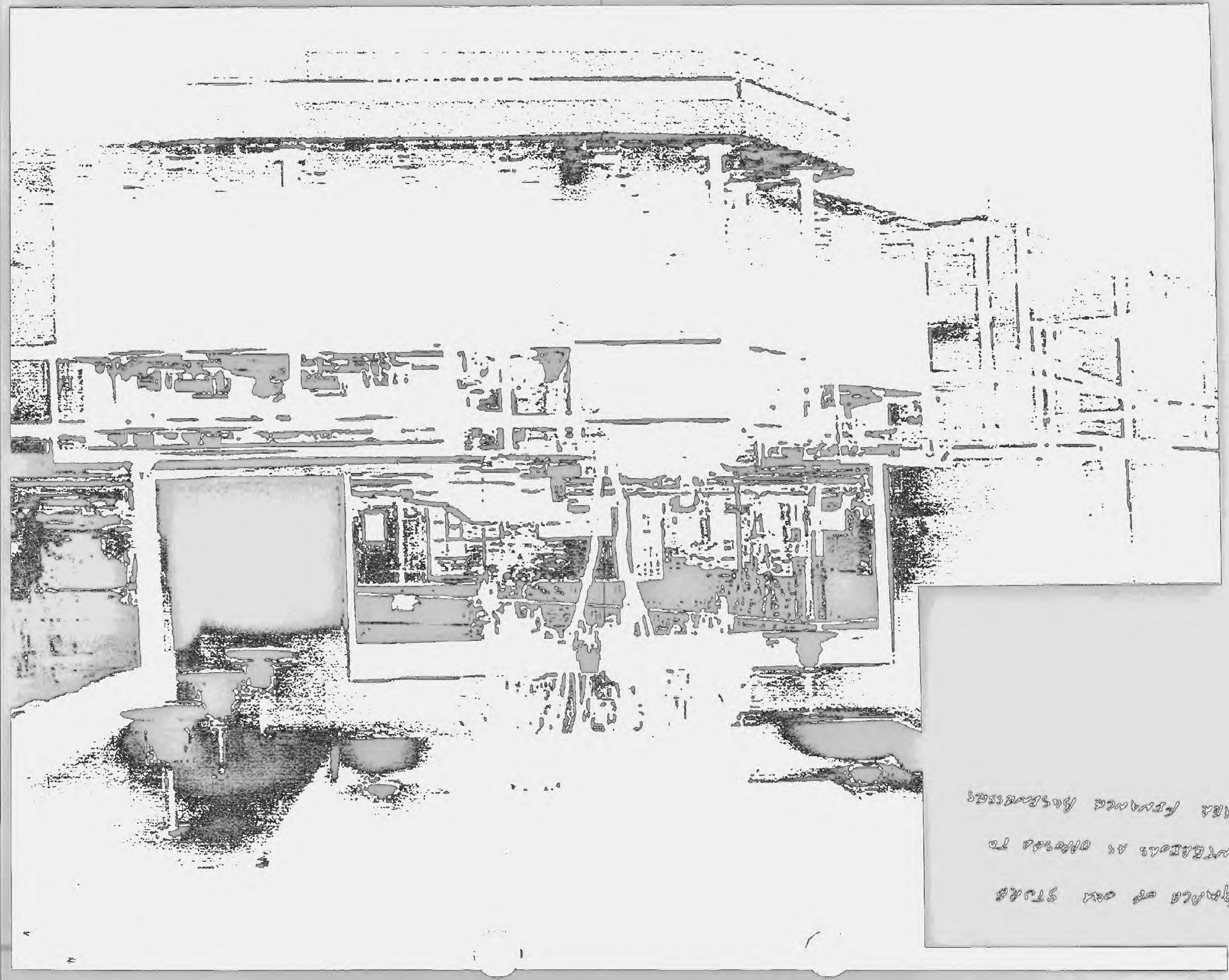
YONS' #188 LAS VEGAS
 (EXPANSION)
 8000 WEST CHEYENNE AVENUE
 LAS VEGAS, NEVADA 89108



SUP-18266
01/11/07 PC

NOV 22 2006

Sparks of our stock
intended as opposed to
other foreign businesses





SUP-18266
01/11/07 PC



SUP-18266 - APPLICANT: CRAIG MCCALL - OWNER: PHILLIP E. HEMPLER AND JOSEPH P. LEPIRE
6032 WEST CHEYENNE AVENUE
JANUARY 11, 2007 PLANNING COMMISSION

12/08/06



SUP-18266 - APPLICANT: CRAIG MCCALL - OWNER: PHILLIP E. HEMPLER AND JOSEPH P. LEPIRE
6032 WEST CHEYENNE AVENUE
JANUARY 11, 2007 PLANNING COMMISSION

12/08/06



SUP-18266 - APPLICANT: CRAIG MCCALL - OWNER: PHILLIP E. HEMPLER AND JOSEPH P. LEPIRE
6032 WEST CHEYENNE AVENUE
JANUARY 11, 2007 PLANNING COMMISSION

12/08/06

November 20, 2006

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

RE: Special Use Permit for APN: 138-12-416-006

We are requesting a SUP for the relocation of an existing pawn shop to the 6032 W. Cheyenne Avenue location. We realize staff's recommendation for approval will require applying the waiver option to the separation requirement from other finance businesses. We believe the factors associated with this request provide ample justification and the type of scenario intended for applying the waiver of the separation requirement.

We have put forth an extremely large amount of time trying to find a location that meets the City's separation requirements before presenting this location. It is very rare, if not impossible, to find a commercially zoned location with enough vacant space for a pawnshop with no finance business within 1000 feet. Our subject location has only one finance business within 1000 feet. There is not another pawn shop within approximately 1.5 miles of this location.

While pawn shops are grouped in with the finance businesses it needs to be understood that our business is quite different from the check cashing /payday loan business that is within 1000 feet of this parcel. A majority of the revenue from our pawn business comes from retail sales, primarily jewelry sales. Unlike payday loan/check cashing businesses, our pawn loan product is regulated by state statutes as far as the interest rate that can be charged. The payday loan /check cashing industry does not have caps on its interest rate. By allowing a pawn business to be located in an area the people living in the neighborhood have an alternative for loans at a lower and regulated interest rate. In addition our pawn stores offer below retail prices for merchandise that always comes with a warranty.

We have enclosed pictures of the interior of our recently opened stores to help clarify that our pawn stores are very different from the other businesses grouped under finance businesses. Our pawn stores are not only different due to the regulated interest rate and retail as the major business but also in the appearance and space requirements.

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

SUP-18266
01/11/07 PC

It would create a significant hardship on our organization if we are not able to obtain approval for the relocation of an existing store from a location where the lease agreement is not being extended due to redevelopment in the area.

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

The enclosed site map displays the parking available for this business. We have included the CC&Rs for this center. Under Section 3 of the CC&R document it outlines the shared parking agreement. We are also enclosing pictures of the subject vacant building.

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

Sincerely,



Craig McCall

SUP-18266
01/11/07 PC

February 4, 2007

Seyed Emamzadeh
Mollie's Kountry Kafe
Owner/Operator
3200 N. Jones
(702) 466-2443

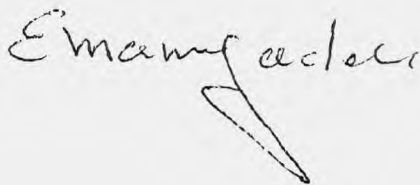
To Whom It May Concern:

I, Seyed Emamzadeh, and the persons below are objecting to the special permit requested by Phillip E. Hempler and Joseph P. Lepire (SUP-18266) for a pawn shop to be located at 6032 West Cheyenne. We feel if this permit is passed it will have a negative impact on the surrounding businesses.

I have owned and operated my restaurant for over a decade and would like to continue to keep the family atmosphere that it has been our reputation over these years. I hope you will take in consideration our concern before making any final decisions on this matter.

Sincerely,

Seyed Emamzadeh



Protest

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CITY CLERK

2007 FEB -6 A 10: 38

Date 2/6/07 Item #130

NOTICE OF PUBLIC HEARING

SPECIAL USE PERMIT

EMAMZADEH SEYED
AKHVAN-SABER FAHIMEH
4777 STAVENGER LN
LAS VEGAS NV 89147-6049

MEETING: CITY COUNCIL
DATE: FEBRUARY 07, 2007
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-18266

APPLICANT: CRAIG MCCALL - OWNER: PHILLIP E. HEMPLER AND JOSEPH P. LEPIRE -
REQUEST FOR A SPECIAL USE PERMIT FOR A PAWN SHOP AND A WAIVER TO ALLOW A ZERO
FOOT SEPARATION FROM AN EXISTING FINANCIAL INSTITUTION, SPECIFIED WHERE A 1,000
FOOT DISTANCE SEPARATION IS REQUIRED AT 6032 WEST CHEYENNE AVENUE (APN 138-12-
416-006), C-1 (LIMITED COMMERCIAL) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN
DESIGNATION], WARD 6 (ROSS).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF
(S $\frac{1}{2}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION 12, TOWNSHIP 20 SOUTH, RANGE 60
EAST, M.D.M.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file
written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 400 Stewart
Avenue, Las Vegas, Nevada. 89101. For further information, please call (702) 229-6301 (TDD 386-9108)
<http://www.lasvegasnevada.gov>



SEE LOCATION MAP ON REVERSE SIDE

BARBARA JO RONEMUS
CITY CLERK

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2007 FEB - 6 A 10:41

Name	Address	Signature
1 Bill Gilbert	3016 Briar Knoll Ct LV 89108	<i>Bill Gilbert</i>
2 DIEM NGUYEN	3220 N Jones Blvd #4	<i>Diem Nguyen</i>
3 Tara Czarnyska	3312 Heatherdale Ct. LV, NV 89108	<i>Tara Czarnyska</i>
4 Michael Woo	3308 Heatherdale Ct LV, NV 89108	<i>Michael Woo</i>
5 Gabriel de Santiago	3308 Dauchurst Ct LV, Vegas NV 89108	<i>Gabriel de Santiago</i>
6 Lilly Suarez	5900 Miracosta Ave Las Vegas NV 89108	<i>Lilly Suarez</i>
7 Rick Valdez	3321 Corona Del Mar Las Vegas 89108	<i>Rick Valdez</i>
8 MARTIN CISNEROS	3304 Corona del Mar Las Vegas 89108	<i>Martin Cisneros</i>
9 KEO APANGCHAN	3308 CORONA DEL MAR LV 89108	<i>Keo Apangchan</i>
10 Angela Diaz	3308 CORONA DEL MAR LV 89108	<i>Angela Diaz</i>
11 Ron Stewart	5821 Santa Catalina	<i>Ron Stewart</i>
12 LARRY KROLL	5800 Mary Way	<i>Larry Kroll</i>
13 Leonard Bush	5817 Mary Way	<i>Leonard Bush</i>
14 RC W. Gonz	5824 Mary Way	<i>RC W. Gonz</i>
15 DOLORES JOSEPHS	5805 MAYNARD AVE	<i>Dolores Josephs</i>
16 John Grimm	5812 Maynard Ave	<i>John Grimm</i>
17 MICHAEL NELSON	5820 MAYNARD AVE	<i>Michael Nelson</i>
18 Michael Tully	3216 GOLETA DR LAS VEGAS NV	<i>Michael Tully</i>
19 Luis Ulloa	3208 Goleta Dr Las Vegas NV	<i>Luis Ulloa</i>
20 GERARDO FLORES	3201 Goleta Dr Las Vegas NV	<i>Gerardo Flores</i>
21 Denise Thurtle	6010 W. Cheyenne #16	<i>Denise Thurtle</i>
22 Lynn Day	6010 W. Cheyenne Ave #15 Lyriand	<i>Lynn Day</i>

RECEIVED
CITY CLERK
FEB-6 A 10:41

- 23 Judy Astland - 4544 Crimson Leaf Dr. - Las Vegas, NV. 89130
- 24 Robert Berta - 4544 CRIMSON LEAF DR. LV, NV - 89130
- 25 Neil Walli - 5301 Tim Deer Way, LV, NV 89149
- 26 Don Feris - 1700 W. Alta - #150, L.V., NV. 89106
- 27 Murrel Rankin - 6621 W. Cheyenne Ave 89108
- 28 Daniel Velasquez 9043 Claretta DR. LV. NV
- 29 Joan Parker 9043 Claretta Dr. LV. NV
- 30 KARELY SALAS-VAZQUEZ (702) 266-5835 ~~Funk~~
- 31 JODY S Morton 2829 N Michael Way Jody S Morton
- 32 EDNA A Ochoa 3540 TRILOGY DR LV NV 89108 Edna A Ochoa
- 33 Kristina Mendoza 6001 Santa Catalina 89108 KMM
- 34 WILLIAM O. BAUGHMAN 4524 W. SAN MIGUEL 89032 W O Baughman
- 35 Anthony C Smith 4909 Golden Haven Ave L.V. NV 89130 Anthony C Smith
- 36 CORINNA Wortman 4909 Golden Haven Ave LV NV 89130 Corinna Wortman
- 37 TAMARA Kuhlman 2629 CATHEDRAL LANE LV NV 89108 Tamara Kuhlman
- 38 Rob Tenaglia 2629 Cathedral Lane LV NV 89108 Rob Tenaglia
- 39 ALAN TAYLOR 6405 GROVE HILL LN. LV NV 89108 Alan Taylor
- 40 Cindy Taylor 6405 GROVE HILL LN LV NV 89108 Cindy Taylor
- 41 Judith Summers 4721 TRIMWATER CT LV NV 89130 Judith Summers
- 42 GLEN SUMMERS 4721 TRIMWATER CT LV NV 89130 Glen Summers
- 43 NANCY & GORDON RAMSEY 8840 ARROYO AZUL LV 89131 Gordon Ramsey
- 44 NANCY RAMSEY 8840 ARROYO AZUL ST NANCY RAMSEY

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CITY CLERK
FEB - 6 A 10:41

RECEIVED
CITY CLERK

Nancy Ramsey

	name	address	Signature
RECEIVED 4:15 PM 2007 FEB 6 A 10:41	TIS ROSS	4713 Boulder Bay NLV 89081	<i>[Signature]</i>
	Heather York-Ross	4713 Boulder Bay NLV 89081	<i>H. York-Ross</i>
47	Stacey Paez	4713 Boulder Bay NLV 89081	<i>[Signature]</i>
48	ENRIQUE PAEZ	4713 Boulder Bay NLV 89081	<i>[Signature]</i>
49	Linda York	4539 Roper Ct. NLV NV 89081	<i>[Signature]</i>
50	Danny York	4539 Roper Ct. NLV NV 89081	<i>[Signature]</i>
51	DWAYNE P	7125 W Yacht Landing	<i>[Signature]</i>
52	Tom McQuinn	7641 Sunhampton	<i>Tom McQuinn</i>
53	Delia McKown	11013 W. Sheridan St. Apt 8532	<i>Delia McKown</i>
54	Rick McKown	11013 W. Sheridan St. Apt 8532	<i>[Signature]</i>
55	SHARON MOORE	4324 E. LAKE MEAD BLVD.	<i>Sharon Moore</i>
56	Krystal Catlett	5355 W. Edmond LVNV 89118	<i>Krystal Catlett</i>
57	Gene Willis	4717 Victoria Beachway LVNV	<i>Gene Willis</i>
58	BAHARIE Emanzadeh	11900 RED CAMELLIA ST LVNV 89138	<i>[Signature]</i>
59	Edgar Velazquez	1890 Mother St peroid	<i>Edgar Velazquez</i>
60	Regina Oms	931 Hunters Ridge Way 89032	<i>Regina Oms</i>
61	William Oms	931 Hunters Ridge Way 89032	<i>William Oms</i>
62	Ernest Horton	6714 Hawthorne Ct 89131	<i>[Signature]</i>
63	Rick Lee	3331 Bay Horse Ct	<i>Rick Lee</i>
64	Edna Pothier	3177 N Michael Way Apt B	<i>Edna Pothier</i>
65	W. Adams	PO. Box 6443	<i>[Signature]</i>
66	Frank Lopez	9437 Russell Rd	<i>Frank Lopez</i>
67	Bob Sanders	3705 Dalecrest Dr	<i>Bob Sanders</i>
68	Cory Shanklin	3705 Dalecrest Dr	<i>Cory Shanklin</i>
69	Brent Sanders	3705 Dalecrest Dr.	<i>Brent Sanders</i>
70	Wendy Cherry	1607 Springway Dr	<i>Wendy Cherry</i>
71	KATHLEEN HENLEY	1208 AUTUMN RIDGE CIR, NV NV	<i>[Signature]</i>
72	MELISSA JAMES	5321 Euphonia Ct NLV NV	<i>Melissa James</i>
73			

SUP-18266

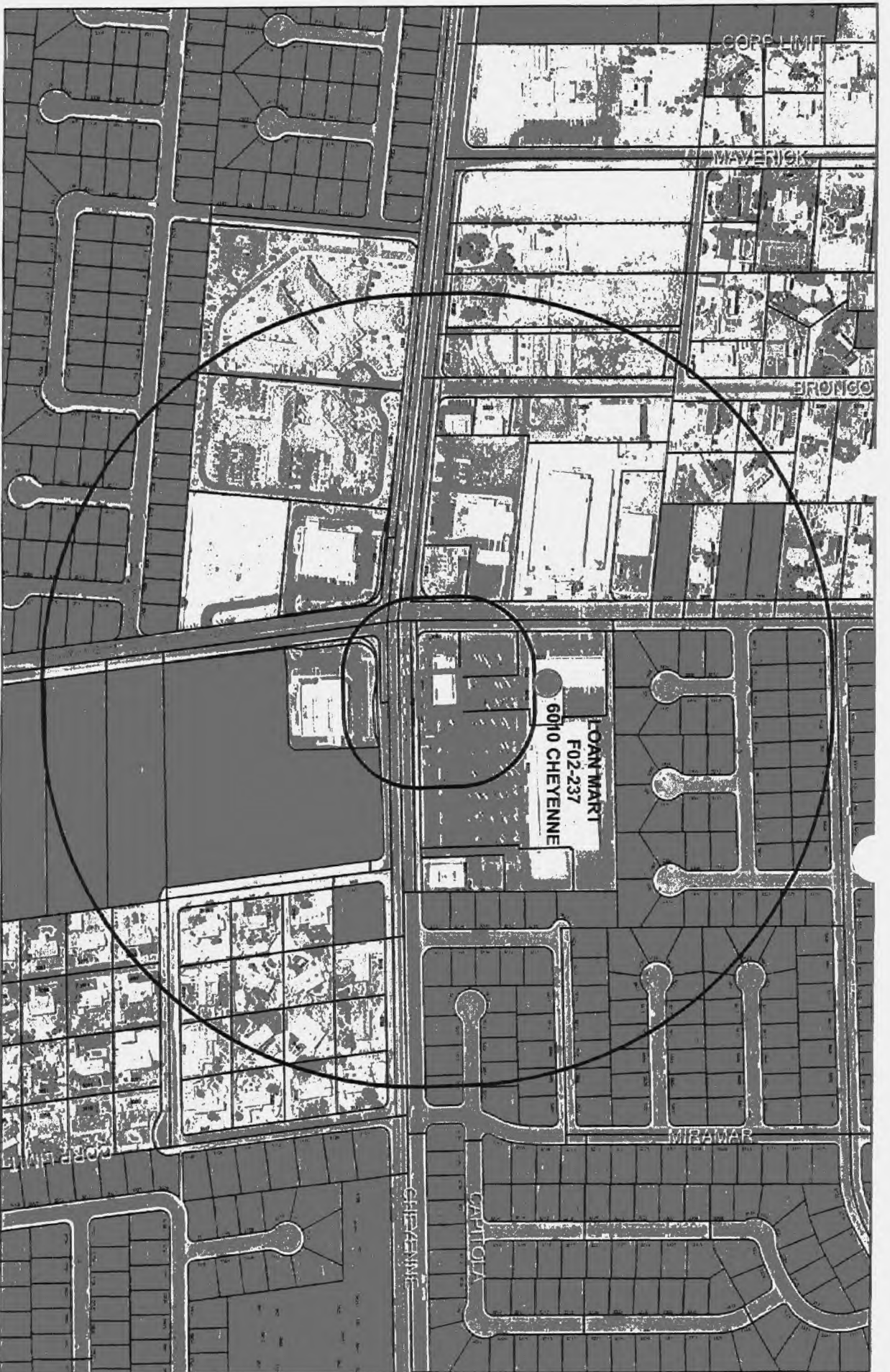
Financial Business Locations

- Finance Company
- Financial Institution, Specified
- Automobile Title Loan
- Pawnbroker

- Subject Property
- Residential Property



Buffer



RECEIVED
CITY CLERK

February 4, 2007

2007 FEB 20 P 12: 29

Seyed Emamzadeh
Mollie's Kountry Kafe
Owner/Operator
3200 N. Jones
(702) 466-2443

Protest

To Whom It May Concern:

I, Seyed Emamzadeh, and the persons below are objecting to the special permit requested by Phillip E. Hempler and Joseph P. Lepire (SUP-18266) for a pawn shop to be located at 6032 West Cheyenne. We feel if this permit is passed it will have a negative impact on the surrounding businesses.

I have owned and operated my restaurant for over a decade and would like to continue to keep the family atmosphere that it has been our reputation over these years. I hope you will take in consideration our concern before making any final decisions on this matter.

Sincerely,

Seyed Emamzadeh

Submitted after final

Date 2/20/07 Item #108

Protest

NAME	ADDRESS	SIGNATURE
1 Patricia L Welchman	6010 W. Cheyenne	P L Welchman
2 MARGARET MCGUIGAN	5717 AVENIDA TAMPICO	Margaret McGuigan
3 Stephanie VanHouten	6010 W. Cheyenne	Steph VanHouten
4 Victoria Priest	6010 W Cheyenne	Vict Priest
5 KIMMEL		
6 Richie Welchman	6010 W Cheyenne	Richie Welchman
7 Larry Prouding	5717 AVENIDA TAMPICO	Larry Prouding

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Protest

NAME	ADDRESS	SIGNATURE
28 MARY OLIVIER	400 ANTIQUE BAY ST. #145	Mary M. Olivier
29 Elizabeth Stemp	8122 W Flamingo Rd. Las Vegas	Elizabeth Stemp
30 Bonnie Shaffer	2632 Shakespeare Rd. 89108	Bonnie Shaffer
31 Gary Shaffer	2632 Shakespeare Rd.	Gary Shaffer
32 Mary Field	3713 Pennysauce	Mary Field
33 Pearl Priest	5417 Indian Hills	Pearl Priest
34 Patsy McCrimon	6010 W Cheyenne Suite	Patsy McCrimon
3 Amy Swager	1684 Duarte Dr.	Amy Swager
36 Lois Estoque	6301 Johnson Ln NW 89632	Lois Estoque
37 Vicki Franklin	6010 W Cheyenne Ave 89108	Vicki Franklin
38 Cary Warren	6010 W Cheyenne Ave 89108	Cary Warren
39 Howard Dotzler	816 Peacock St #16-455	Howard Dotzler
40 CORA BAKER	5025 S. EASTERN AVE #16-455	Cora Baker
41 CATHLEEN HODD	7505 WHEAT GRASS CT	Cathleen S. Hodd
42 Carol Lamb	3433 Jusciny Village	Carol Lamb
4 Nancy Barenet	5805 Divers Cove	Nancy Barenet
44 Rena Nino	6010 W Cheyenne Ste #12	Rena Nino
45 Ed J. Soudin	6010	
46		
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55		

Protest

NAME	ADDRESS	SIGNATURE
Rhonda Huskey	337 Penney View Ct	Rhonda Huskey
CHRISTINE GREGG	1725 LITTLE VLY	Christine Gregg
YVONNE BRADLEY-WATKINS	3632 COPPER CACTUS	Yvonne Bradley-Watkins

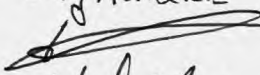
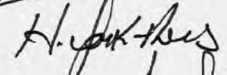
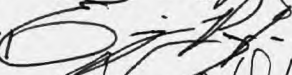
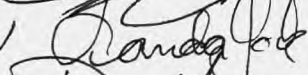
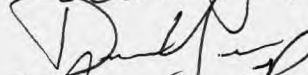
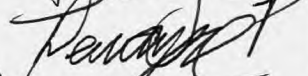
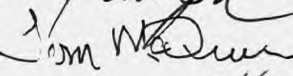
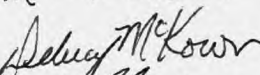
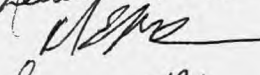
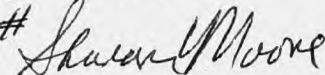
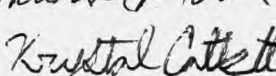
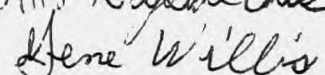
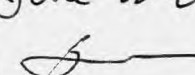
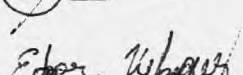
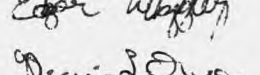
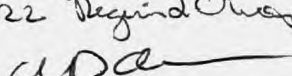
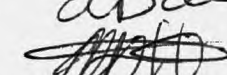
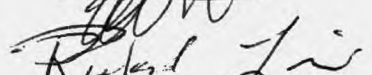
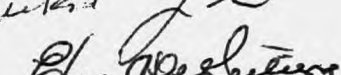
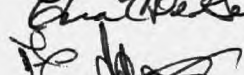
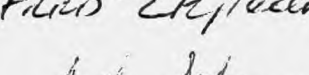
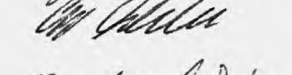
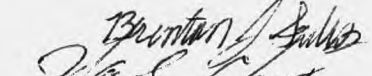
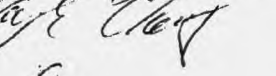
Protest

Name	Address	Signature
1 Bill Gilbert	3016 Briar Knoll Ct LV 89108	Bill Gilbert
2 DIEM NGUYEN	3220 N Jones Blvd #4	Diem Nguyen
3 Tara Czarny-Szka	3312 Heatherdale Ct. LV, NV 89108	Tara Czarny-Szka
4 Michael Lebo	3308 Heatherdale Ct LV, NV 89108	Michael Lebo
5 Gabriel de Santiago	3308 Danchurst Ct LV, Vegas NV 89108	Gabriel de Santiago
6 Lilly Suarez	5900 Miracosta Ave Las Vegas NV 89110	Lilly Suarez
7 Ricki Valdez	3321 Corona Del Mar Las Vegas 89118	Ricki Valdez
8 MARTIN Cisneros	3304 Corona del Mar Las Vegas 89108	Martin Cisneros
9 KEO APANGCHAN	3308 CORONA DEL MAR LV 89108	Keo Apangchan
10 Angela Diaz	3308 CORONA DEL MAR LV 89108	Angela Diaz
11 Ron Stewart	5821 Santa Catalina	Ron Stewart
12 LARRY KROLL	5800 MARYWAY	Larry Kroll
13 Leonard Bush	5817 Maryway	Leonard Bush
14 RC W. Gonz	5824 Maryway	RC W. Gonz
15 DOLORES JOSEPHS	5805 MAYNARD AVE	Dolores Josephs
16 John Grimm	5812 maynard Ave	John Grimm
17 MICHAEL NELSON	5820 MAYNARD AVE	Michael Nelson
18 Michael Tully	3216 GOLETA DR LAS VEGAS NV	Michael Tully
19 Luis Ulloa	3208 Goleta Dr Las Vegas NV	Luis Ulloa
20 GERARDO FLORES	3201 Goleta Dr Las Vegas NV	Gerardo Flores
21 Denise Thurtle	6010 W. Cheyenne #16	Denise Thurtle
22 Lyrianand Sergio Diaz	6010 W. Cheyenne Ave #15	Lyrianand Sergio Diaz

Protest

- 23 Judy Aststrand - 4544 Crimson Leaf Dr. - Las Vegas, NV. 89130
- 24 Robert Berta - 4544 CRIMSON LEAF DR. LV, NV - 89130
- 25 Neil Walli - 5301 TIM DEER WAY, LV, NV 89149
- 26 Don Ferris - 1700 W. Alta - #150, L.V., NV. 89106
- 27 Murrel Rastin - 6621 W. Cheyenne Ave 89108
- 28 Daniel Velasquez 9043 Clarretta DR LV NV
- 29 Joan Parker 9043 Clarretta Dr. LV NV
- 30 KARELY SALAS-VAZQUEZ (702) 266-5835 ~~Karely~~
- 31 JODY S Morton 2829 N Michael Way Jody S Morton
- 32 EDNA A OCHOA 3540 TRILOGY DR LV NV 89108 Edna A Ochoa
- 33 Kristina Mendoza 6001 Santacatalina 89108 KMM
- 34 WILLIAM O. BAUGHMAN 4524 W. SAN MIGUEL 89032 W O Baughman
- 35 Anthony C Smith 4909 Golden Haven Ave L.V. NV 89130 Anthony Smith
- 36 CORINNA Wortman 4909 Golden Haven Ave LV NV 89130 Corinna Wortman
- 37 TAMARA Kuhlman 2629 CATHEDRAL LANE LV NV 89108 Tamara Kuhlman
- 38 Rob Tenaglia 2629 Cathedral Lane LV NV 89108 RST
- 39 ANITA TAYLOR 6405 GROVE HILL LN. LV NV 89108 Anita Taylor
- 40 Cindy Taylor 6405 GROVE HILL LN LV NV 89108 Cindy Taylor
- 41 Judith Summers 4721 TRIMWATER CT LV NV 89130 Judith Summers
- 42 GLEN SUMMERS 4721 TRIMWATER CT LV NV 89130 Glen Summers
- 43 NANCY & GORDON RAMSEY 8840 ARROYO AZUL LV 89131 Gordon Ramsey
- 44 NANCY RAMSEY 8840 ARROYO AZUL ST LV 89131 Nancy Ramsey

Protest

	name	address	Signature
45	CURTIS ROSS	4713 BOULDER BAY NLV 89081	
46	Heather York-Ross	4713 Boulder Bay NLV 89081	
47	Stacey PAEZ	4713 Boulder Bay NLV 89081	
48	ENRIQUE PAEZ	4713 Boulder Bay NLV 89081	
49	Linda York	4539 Roper Ct. NLV NV 89081	
50	Danny York	4539 Roper Ct. NLV NV 89081	
51	Dewayne P	7125 W Yacht Landing	
52	Tom McQuinn	7641 Sunhampton	
53	Delma McKown	11013 W. Sheridan St. NV 89320	
54	Rick McKown	11013 W. Sheridan St. NV 89320	
55	SHARON MOORE	4324 E. LAKE MEAD BLVD. #	
56	Krystal Catlett	5355 W. Edmond LVNV 89118	
57	Gene Willis	4717 Victoria Beach Way LVNV	
58	BAHADIR Emamzadeh	11900 RED CAMELLIA ST LV NV 89138	
59	Edgar Velazquez	1890 Mother St peroid	
60	Regina Ours	931 HUNTERS RIDGE WAY 89032	
61	William Ours	931 HUNTERS RIDGE WAY 89032	
62	Ever Horton	6714 Hawthorne Ct 89131	
63	Rick Lee	3331 BAY HORSE CT	
64	Edna Pothiering	3177 N Michael way P.O. Box 6443	
65	Ed Adams	P.O. Box 6443	
66	Ed Speck	9437 Russell Rd	
67	Jacob Sanders	3705 Dalecrest Dr	
68	Cory Shanklin	3705 Dalecrest Dr	
69	Brent Sanders	3705 Dalecrest Dr.	
70	WARRICK CHERRY	1607 SPOTLIGHT Pkwy DC	
71	KATHLEEN HENLEY	1208 AUTUMN RIDGE CIR, NLV NV	
72	MELISSA JAMES	5331 ELPHIN CT NLV, NV	
73			

NAME	ADDRESS	SIGNATURE
74 Candy Leland	6429 Vincrest	Candy Leland
75 Spruill W. Watkins	3333 Michael way #219	S. Watkins
76 William W. Maghardt	3209 Duesy Field Dr.	W. Maghardt
77 Larry Crisp	3932 Linnick ST	Larry Crisp
78 Albert Strahl	7124 LAGOON Landing	Albert Strahl
79 C. LO CERECED0	3333 Michael way	C. Lo Cerecedo
80 Rami R. Lopez	514 ME	Rami R. Lopez
81 Michael Petersen	1800 Valley Dr	Michael Petersen
82 Joseph Porter	3920 Rose Canyon	Joseph Porter
83 MICHAEL J DELVES	4833 BLOSSOM KNOLL	Michael J. Delves
84 GEORGEANNA FREEMAN	5236 COLEMAN	Georganna Freeman
85 MARIE MAGNATHA	5124 Langport	Marie Magnatto
86 THOMAS JONES	3613 KITTIWAKE RD	Thomas Jones
87 DONA CORNISH		Dona Cornish
88 THOMAS GARCIA	463 LAVA BEDS WAY	Thomas P. Garcia
89 CAROL GILBERT	1060 Canoga Park Ave	Carol Gilbert
90 [Signature]	11912 Red Canella	Frank Lazear
91 Nicholas Snow	3092 Woods Dr.	Nicholas Snow
92 Anthony Snow	3092 Woods Dr.	Anthony Snow
93 T-Lawn Reed	5801 Lake mead	T-Lawn Reed
94 Tray Tate	3092 Woods Dr	Tray Tate
95 JOE MILLER	2308 EL MOLINO	Joe Miller
96 ISIDRO D. JUAREZ SR.	6318 LITTLE CANYON ST	Isidro D. Juarez Sr.
97 Frank Cook	3610 Edrenee	Frank Cook
98 MATTHEW WARRICK	1413 Golden Sparrow	Matthew Warrick
99 Peter Jay	4523 CASA BONITA DR	Peter Jay
100 JAMES L. NESCIATE	5201 W. GILMORES	James L. Nesciate
101 DENNIS WISE	4565 N CHIEFTAIN	Dennis Wise
102 ROBERT BILLY	7425 JOCKEY AVE	Robert Billy

	Name	address	Protest	Signature
103	JUDITH Blakey	6036 Port of Dreams, LV NV 89130		[Signature]
104	Dorothy OWENS	5400 Brent Ln Las Vegas NV 89131		[Signature]
105	Bruce Coffman	2701 N. Decatur, #2027		
106	Fahimeh Akhavan	4777 stavanger Ln LV NV		F. AKHAVAN
107	BILLY CHILES	5700 GRAND GULINES 89130		[Signature]
108	Ryan Painter	5617 W. CHEYENNE #A		
109	Paul Copeland	2320 TUCUMCARI PR,		
110	Brian [unclear]	4908 TUCUMCARI		
111	John Logano	4017 MAISON HALL CT, LV.		
112	Juni Madden	1358 Journey way N.L.		
113	Margaret DeBart	4308 GOVERNORS Hill St LV NV		
114	Steven DeBart	4308 GOVERNORS Hill St LV NV		
115	PON KANE	504 Dune Hills LV NV		
116	LEN BARTON	2621 IRONSIDE DR.		
117	Steve Cochran	1830 N. Buffalo #2002 LV		
118	Mary Jo Christian	3617 Roseglent Ct LV 89108		
119	Dan Christian	3617 Roseglent Ct LV 89108		
120	S. BRAD SPARKS	3829 DUBOIS DR 891032		[Signature]
121	RONALD A. BEW	4017 RITONDA DR. LV 89102		[Signature]
122	Charles EVANS	2302 El Cerrito - 89108		[Signature]
123	Billy R. Andre	4543 Golden Palomino Ln - 89108		[Signature]
124	Lynn D Andie	4543 Golden Palomino Ln - 89108		[Signature]
125	STEVE HUMBLE	7060 WILD WAVE DR. LV. NV. 89131		[Signature]
126	KEN SICKMAN	4301 N. ORANGE BLOSSOM ST LV NV 89108		[Signature]
127	Kevin Sickman	4301 N. Orangeblason St. LV. NV 89108		[Signature]
128	GERALD PRUITT	1422 CHIPPINGTON AVE - HEND. NV		[Signature]
129	MARK A WILKINS	8221 Fulton Ranch St LV NV		[Signature]
130	Tay Wright	4960 N Buffalo LV NV		[Signature]
131	Gerry M Dermott	5009 Meadows Lilly Ave 89108		[Signature]

Name

add res

Protest

Signature

- 132 Mary Sawyer 5009 Meadows Lill Ave 89108 Mary Sawyer
- 133 KENNETH CUINKLE 3219 KINSBIRD DR NV, NV 89084 Kenneth Cunkle
- 134 Cheryl Winkle 3219 Kingbird DR. NV. 89084 Cheryl Winkle
- 135 David Wilcox 6557 Chardonay Way LV NV 89108 David Wilcox
- 136 Lindsey Wilcox 6557 Chardonay Way LV, NV 89108 Lindsey E. Wilcox
- 137 Juanita Thomas 3318 N. Decatur Blvd #144 Juanita Thomas
- 138 ROGER WEAVER 3150 SOFT BREEZES DR. #1049 LV NV 89128 Roger Weaver
- 139 PAT BOWEN 3150 SOFT BREEZES #1049 LV Pat Bowen
- 140 LINDY WEAVER 3150 SOFT BREEZES #1049 LV, 89128 Cynthia Weaver
- 141 Eugene U. Tapia 6185 Buckskin Ave Las Vegas NV 89108 Eugene U. Tapia
- 142 MILKY TAPIA 6165 Buckskin L.V.N. 89108 Milky Tapia
- 143 SHERYL TAPIA 6165 BUCKSKIN LV NV 89108 Sheryl Tapia
- 144 HAMED EMMANUAEL 4777 STAVANGER CN LV NV 89107 Hamed Emmanuel
- 145 Tom Chandler 6005 Oceanside Way LV NV 89108 Tom Chandler
- 146 Andrea Chandler 6005 Oceanside Way LV NV 89108 Andrea Chandler
- 147 ANNETTE CANTU 5821 Mary Way L.V. NV. 89108 Annette Cantu
- 148 JOHN S WARNER 6519 GATEHOUSE LN LV. NV. 89108 John S. Warner
- 149 Jimmie M. Young 7858 W. Gilmore L.V. NV. 89129 Jimmie M. Young
- 150 EVELYN YOUNG 7858 W. Gilmore L.V. NV 89129 Evelyn Young
- 151 Bryan Herald 3132 Mendocino Ave LV. NV 89102 Bryan Herald
- 152 Debra Collins " " Debra Collins
- 153 Pollack Purwarth 8711 W Farm Rd LV. NV 89183 Pollack Purwarth
- 154 Danny Stern 8414 W Farm Rd 89131 Danny Stern
- 155 Alex Peek 2921 Wintercraft 89031 Alex Peek
- 156 Myra Aplan 4537 Special Ct Myra Aplan
- 157 Judah Williams 621 Digger St. Judah Williams
- 158 Menke Bishop 13825 Race Menke Bishop
- 159 DIANE BISHOP 14CR38, BOX 127 Diane Bishop
- 20 160 Ramona McAlinden 5804 La Jolla Way Ramona McAlinden

	name	address	Protest	Signature
161	TERRY SCHENK	653T Roy ROGERS dr.		Terry Schenk
162	PAMELA DECKER	8332 Maplewood L.V. No.		Pamela Decker
163	Paula Heel	6441 Deadwood Rd. LV		Paula Heel
164	Harold Hill	6441 Deadwood Rd LV		Harold Hill
165	Immy McDonald	6229 Blossomwood L.V.		Immy McDonald
166	Nancy McDonald	6229 Blossomwood L.V.		Nancy McDonald
167	Jesus Longoria	5821 Mary Way L.V. N.V.		Jesus Longoria
168	Jennifer Higgins	5713 Auburn Ave.		Jennifer Higgins
169	Jim C. Higgins	5713 Auburn Ave		Jim C. Higgins
170	Terri Lantz	4420 Summer Glen Ln		Terri Lantz
171	Karl Lantz	4420 Summer Glen Ln		Karl Lantz
172	ROBERT LEWIS	1426 N. JONES BLVD		Robert Lewis
173	JASON SALE	2617 LOS PAOS ST		Jason Sale
174	William Appleyard	5017 Judy Ct		William J. Appleyard
175	Regina Appleyard	5017 Judy Ct		Regina Appleyard
176	Philip Oppenheim	4209 Kame Dr NW		Philip Oppenheim
177	ELLEN OPPENHEIM	4209 Kame Dr NW		Ellen Oppenheim
178	Ray Herfel	4442 Scarlet Sea Ave		Ray Herfel
179	Anna Messina	4442 Scarlet Sea Ave.		Anna Messina
180	Jennifer Kukek	3425 MOSAIC ST		Jennifer Kukek
181	Nathan Tafaya	3425 MOSAIC ST		Nathan Tafaya
182	WILLIAM PILLBLAD	3975 N. HAWTHORNE ST		William Pillblad
183	Michelle Pro	5009 Pacific Grove Dr.		Michelle Pro
184	Sairy Pro	5009 Pacific Grove Dr.		Sairy Pro
185	Ron Carmean	5040 Drifting Creek		Ron Carmean
186	Sheri Carmean	5040 Drifting Ck LV 89130		Sheri Carmean
187	Chunh Kungul	5040 Drifting Creek W 89130		Chunh Kungul
188	Thoma C. Ault	8309 PREPPY FOX AVE LV 89131		Thoma C. Ault
189	LINDA D. ARNETT	8309 PREPPY FOX AVE LV 89131		Linda D. Arnett

name address signature

- 190 CARL C. WILLIST 8309 Peppy Fox Ave
LAS VEGAS NV 89131
- 191 Christine Ramirez 10544 Pinedale #124
2700 13th St Las Vegas 89144
- 192 Brian Ferguson 245 Vegas NV 89103
- 193 LEE BOMBARDI 5820 Sueila AV 89129
- 194 Michele Bombard 5800 Stelle RD 89109
- 195 Doug Willie 6028 Albee Blvd
- 196 Rich Ewelchman 6010
- 197 Charles Stewart 3944 Bull Rd. NV.
- 198 David Bealand 5629 San Aldo Pl
- 199 Chris Stratton 4633 Wether, +
- 200 Ralph Scheidt 901 Kearns Ave NV
- 201 ESLE MOORE 6616 Light Breeze Dr
Las Vegas, NV 89108
4925 Elmhurst Lane
Las Vegas, NV 89108
- 202 Joe DUKUSKI 6112 Run Runner
- 203 Frank Reeves 6112 Run Runner
- 204 Susan Reeves 6112 Run Runner
- 205 Jennifer Salgado 6532 Wheelbarrow Road Dr
- 206 Mike Velasquez 9043 Clarissa Dr
- 207 Roy & Jerry 10400 Chinese Flat Ct
- 208 Pat & Kent Lawrence 8450 W. Alameda Ave.
P.O. Box 10000
- 209 Mary Clements 5851 Madreness Dr.
- 210 KARY JAKOWITZ P.O. Box 75061 89136
- 211 Lindsay & Bret Bood 13500 N. Town Center #1103
equity underground
- 212 Buck Osborne 2905 Skilits CT
- 213 Jana Kisser 4744 Brushfire St
- 214 Ken Kisser 4744 Brushfire St M. NV 89031
- 215 Nancy Rebarro 4629 Valley Dr NV 89030
- 216 Robert Morris 5844 Bungal Bay Ave
- 217 Tammy Fark 5139 West Desert Inn
- 218 Victoria Fark 5134 W. Desert Inn

Protest

	NAME	ADDRESS	SIGNATURE
219	KEVIN Kimble	6636 Pepperidge Way	Kevin Kimble
220	Shannan Kimble	6636 Pepperidge Way	Shannan Kimble
221	Chad Wili	3213 Soann Way	Chad Wili
222	ROY JEMISON	3225 POINT LOBOS	R. J.
223	Cindy MARTIN	6517 Daphnia	Cindy Martin
224	Fred GARCIA	3730 CARROLL	Fred Garcia
225	Janet Martinez	6100 Golden Saddle	Janet Martinez
226	ROBERT TEAGUE	7723 Bentate Dr.	Robert Teague
227	Amanda Hack	" " "	Amanda Hack
228	JOSE C LIGER	6513 VINESTIDE DR.	Jose C Liger
229	Paul A. Jolin	5024 DRUMMOND RD	Paul A. Jolin
230	Andie Dummett	2316 Valley Dr	Andie Dummett
231	HONNA J. GUNN	7209 Old Mission Dr.	Honna J. Gunn
232	ROBERT W. GUNN	7209 OLD MISSION DR, LUN 89128	Robert W. Gunn
234	LONA BUSH	3609 PORCH SWINGS WAY	Lona Bush
235	Teresa Mayer	2637 Rialto Rd.	Teresa Mayer
236	Kelly May	2637 Rialto Rd	Kelly May
237	Maggie Varnum	7121 Dillseed Dr.	Maggie Varnum
238	David Varnum	7121 Dillseed Dr.	David Varnum
239	Ken Wargo	3932 Cobble Creek Ct	Ken Wargo
240	Justin Beretz	7995 Prairie Bluffs	Justin Beretz
241	Al Cepeda	6509 W. Brooks	Al Cepeda
242	Jeff Cepeda	3028 Country Dancer Ave	Jeff Cepeda
243	David S Palmer	4612 Steeplechase Ave	David S Palmer
244	Gary Bell	9109 Solente Ave	Gary Bell
245	LARRY C APPLE	9095 Gray Bluff Dr	Larry C Apple
246	Ruth L Apple	9095 Gray Bluff Dr.	Ruth L Apple
247	Gig's Piel	3609 Danah Ave	Gig's Piel

Name	Address	Signature
248 Garth Garth	5426 E 100th	Garth
249 Joe Dunham	5985 N. Grand Canyon Dr	Joe Dunham
250 Mary Dunham	5985 N. GRAND DR	M. Dunham
251 JERRY CHENAULT	548 Springer Lane	Jerry Chenaunt
252 Hilary Balli	6320 Ackerman Ave	Hilary Balli
253 Karen Biletsky	7840 Bessingway	Karen Biletsky
253 Karen Jensen	5804 Delvaire	Karen Jensen
254 Chris Marshall	1101 N Rainier	Chris Marshall
255 Dan Wainman	6916 Evaux Ave	Dan Wainman
256 ERNEST HARTSELL	561 BASTANCHURY AVE	Ernest Hartsell
257 Mamie Washington	5309 Baemar Dr	Mamie Washington
258 Noelle Spratt	8527 Hurtado R. Dr	Noelle Spratt
259 Dan Don	5317 Hornum	Dan Don
260 Herman Felling	8517 Lost Point Ave	Herman Felling
261 THOMAS ONAM	5506 AVONIA CABALLO	Thomas Onam
262 Jerry Bussey	5800 N Jones	Jerry Bussey
263 Dan Tom	6755 N PIONEER	Dan Tom
264 Dennis Van der Horst	2700 N. Rainbow #2065	Dennis Van der Horst
265 Scott Dornel	5608 Burntwood Way	Scott Dornel
266 Ruth Durney	5608 Burntwood Way	Ruth Durney
267 Sandra D Woods	1700 N. Lamb #139	Sandra D Woods
268 Joshua ANDAI	1700 N. Lamb #139	Joshua Andai
269 Deanna DeQuine	191 Betty Lane	Deanna DeQuine
270 DENNIS DeQuine	191 Betty Ln.	Dennis DeQuine
271 Jennifer Neschke	520 Gilmore	Jennifer Neschke
272 Sandra Scheidt	901 Agave Ave.	Sandra Scheidt
273 Dan May	10572 Fairbush	Dan May
274 Charlie King	965 NO. CHURCH LN 69110	Charlie King

NAME	ADDRESS	SIGNATURE
275 TASHA MCVADE	8016 PASADENA ST. LV NV 89131	Tasha McVade
276 Chester Bucklog	421 STAR FERN	C Bucklog
277 Lauren Wright	4960 N. Buffalo	Lauren Wright
278 STEVE WYNER	10724 BK Drive	Steve Wyner
279 Duane L. French	5400 W. Cheyenne #206	Duane French
280 Shanth Malone	5912 Miracosta Ave	Shanth Malone
281 Kiana Scruggs	3212 Arlene Way	Kiana Scruggs
282 Harlene Karas	17225 Gran Paradiso Dr	Harlene Karas
283 ERIN MATAS	4364 ALTAMIRA CAYEDR.	Erin Matas
284 ANN Piper	5124 LANGPORT DR.	Ann Piper
285 Ruth Brown	6833 Dovecote	N. Las Vegas NV
286 Dixie Brown	6833 Dovecote	N. Las Vegas Dixie Brown
287 CHAD Stevenson	8216 Cedar Mesa	Chad Stevenson
288 Robert Wolfe	3551 ATHINA DR	Robert Wolfe
289 Gene K. H	4605 CASA BAPTISTA DR.	Gene K. H
290 Hank Morello	1525 ARVILLE	Hank Morello
291 RANDOLPH SEIDOR	1837 BODGEFIELD DR	Randy Seidor
292 LAURA ANDERSON	6005 W. WASHINGTON	Laura Anderson
293 BEVERLY ROSS	4307 Winlock CT	Beverly Ross
294 GLORIA WICKETT	6341 MOLINO ST	Gloria Wickett
295 Harold A Mitchell	9023 Heather Falls Dr	Harold A Mitchell
296 Holly A Mitchell	9023 Heather Falls Dr.	Holly A Mitchell
297 Melissa Catherine Avery	6340 Molino St	McCatherine Avery
298 The Rev. Bada Pamy	5733 Capitol 89108	Bada Pamy
299 David Parker	8036 C. B. LER 89143	David Parker
300		
301		
302		

Protest

ADDRESS

NAME

303 Noelle Camarero 5000 W. Cheyenne #1081

304 Arthur Brady 5400 W. Cheyenne Ave. #1031

305 Mary Delves 6133 Blossum Knoll Ave

306 Marion Van Driest 5909 Carpenter's Way

307 Sarah DeHart 5909 Carpenter's Way

308 James E. Lawrence 5025 Hwy Ave

309 Johannes Cavanees "

310 Wendy Bracker 4143 Lost Creek Ct.

311 Keith Greer 1212 Yerba Ln. Nph #

312 Albert J. Danyon 5509 Meadow Lily Ave

313 Otto J. Danyon 5938 Rose St NW #8031

314 Michael Danyon 5938 Rose St NW #8031

315 Carl L. Christian 2408 Weeping Rock Ave NW #8031

316 Aubrey Christian "

317 Joyce C. Willis 4717 Victoria Beach Way 89130

318 Time Street HT 5600 Oak Ave 89168

319 Deborah del Covo 3151 Scavenging Gulls 89128

320 Jose M. Navarro 3151 Scavenging Gulls 89128

321 Lawrence M. Navarro 4049 San Mateo St #89032

322 Jennifer Phillips 3206 Inlet Bay Ave #89031

323 William Phillips 3206 Inlet Bay #89031

324 Clark C. Moore 9617 Windam Point Ave 89129

325 David Turner 9404 Water - Flow Ct

326 Brett A. Sansone 3512 Empress Diamond Dr #89032

327 Lloyd L. Fierston 4336 Fenton Ln. NIV

328 Richard Fierston 1001 1st St NW

329 John Knowles 6132/Avoca mi Ave

330

SIGNATURE

#1081

5000 W. Cheyenne

Arthur Brady

Mary Delves

Marion Van Driest

Sarah DeHart

James E. Lawrence

Johannes Cavanees

Wendy Bracker

Keith Greer

Albert J. Danyon

Otto J. Danyon

Michael Danyon

Carl L. Christian

Aubrey Christian

Joyce C. Willis

Time Street HT

Deborah del Covo

José M. Navarro

Lawrence M. Navarro

Jennifer Phillips

William Phillips

Clark C. Moore

David Turner

Brett A. Sansone

Lloyd L. Fierston

Richard Fierston

John Knowles

I have met with Craig McCall to review the proposed pawn store at 6032 W. Cheyenne Avenue, Las Vegas, (north east corner of Jones Blvd. and Cheyenne Avenue). I am not opposed to this project.

Husan Lal
Signature

2/15/07
Date

HUSAN LAL
Name

SMOKE SHOP

Submitted at City Council

Date 2/21/07 Item 108

I have met with Craig McCall to review the proposed pawn store at 6032 W. Cheyenne Avenue, Las Vegas, (north east corner of Jones Blvd. and Cheyenne Avenue). I am not opposed to this project.

Denise Thurtle 2/14/07
Signature Date

Denise Thurtle
Name

SKATEBOARD SHOP

I have met with Craig McCall to review the proposed pawn store at 6032 W. Cheyenne Avenue, Las Vegas, (north east corner of Jones Blvd. and Cheyenne Avenue). I am not opposed to this project.

Victor Marin
Signature

2.14.07
Date

VICTOR MARIN
Name

DAY CLEANER

I have met with Craig McCall to review the proposed pawn store at 6032 W. Cheyenne Avenue, Las Vegas, (north east corner of Jones Blvd. and Cheyenne Avenue). I am not opposed to this project.

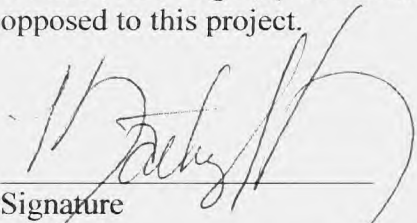
William Gozic
Signature

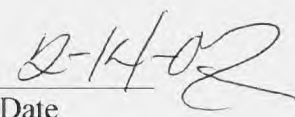
2-14-06
Date

William Gozic
Name

VENUS STORE MANAGER

I have met with Craig McCall to review the proposed pawn store at 6032 W. Cheyenne Avenue, Las Vegas, (north east corner of Jones Blvd. and Cheyenne Avenue). I am not opposed to this project.


Signature


Date


Name

DEN RST

I have met with Craig McCall to review the proposed pawn store at 6032 W. Cheyenne Avenue, Las Vegas, (north east corner of Jones Blvd. and Cheyenne Avenue). I am not opposed to this project.

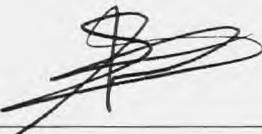
BBM
Signature

2-14-07
Date

Charles Ballard
Name

HOLLYWOOD USED

I have met with Craig McCall to review the proposed pawn store at 6032 W. Cheyenne Avenue, Las Vegas, (north east corner of Jones Blvd. and Cheyenne Avenue). I am not opposed to this project.



Signature

2/14/07
Date

Sergio Diaz Mora
Name

FLOWER SHOP

**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**

Dorothy Marsili

From: Doug Rankin
Sent: Monday, January 08, 2007 10:47 AM
To: Dorothy Marsili
Cc: Joni Johnson
Subject: FW: Internet Submission - SUP-18266

-----Original Message-----

From: Tina A. Past
Sent: Monday, January 08, 2007 10:43 AM
To: Joni Johnson
Cc: John Korkosz; Doug Rankin
Subject: FW: Internet Submission - SUP-18266

Will you please make sure that the proper recording of this opposition to this application is handled?

Thanks very much,

Tina Past
Public Information Officer
Direct: 702-229-2343
tpast@lasvegasnevada.gov
Planning & Development Department
City of Las Vegas
731 S. 4th Street
Las Vegas, NV 89101

-----Original Message-----

From: Nora Lares
Sent: Monday, January 08, 2007 10:35 AM
To: Tina A. Past
Subject: FW: Internet Submission - SUP-18266

-----Original Message-----

From: warlord49@msn.com [mailto:warlord49@msn.com]
Sent: Friday, January 05, 2007 7:27 AM
To: planning@LasVegasNevada.gov
Subject: Internet Submission - SUP-18266

Citizen Name: Felicia Mitchell

Email: warlord49@msn.com

Comments: I received a notice of a hearing for SUP-18266 to allow a Pawn Shop at 6032 West Cheyenne Ave. I own a home on Jones & Heather Mist and I am sending this e-mail to express my opposition to this request. I will not be able to attend the meeting on January 11, 2006; but I want to let you know I think allowing a Pawn Shop to do business in a residential area will not only attract the wrong kind of people to the neighborhood but it will also bring down the property values.

Thank you for your time.

Felicia A. Mitchell
3016 Briar Knoll Ct.
Las Vegas, NV 89108

ITEM # 38
CASE # SUP-18266
PC MTG 1-11-07

P

SUP-18266

Jan 3, 2007

To Whom it May Concern:

I oppose the request for
a special use permit for a pawn
shop & a waiver to allow a zero foot
separation from an existing financial
institution at 6032 W. Cheyenne Ave.

The city of Las Vegas, and our
area is overrun with pawn
shops.

13811804017 Case SUP-18266
GUMFORY JERRY P & PATRICIA ANN
6124 W CHEYENNE AVE
LAS VEGAS NV 89108-4207

Respectfully

Patricia A. Gumfory

ITEM # 38
CASE # SUP-18266
PC MTG 1-11-07

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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-18279 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: BIOMAT USA - OWNER: CIVIC CENTER PLAZA, LLC. - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR THE EXPANSION OF AN EXISTING BLOOD PLASMA DONOR CENTER at 611-623 Las Vegas Boulevard North (APN 139-27-812-005), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

1

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Appeal letter filed by Bob Camp
6. Approval letter submitted by Immune Deficiency Foundation dated 01-24-07

Motion made by LAWRENCE WEEKLY to Approve Subject to Conditions and adding the following conditions as read for the record:

- A. Plans for a new facade on the entire building shall be submitted for approval by the Planning and Development Department and work shall be completed prior to or concurrent with the final inspection for tenant improvements or remodeling.
- B. New landscape and irrigation plan for the entire center shall be submitted to the Department of Planning and Development for approval and implementation prior to final inspection of tenant improvements permit on remodeling. All landscaping shall meet Title 19 requirements and be maintained.
- C. Entire parking lot shall be repaired, resealed and repainted prior to final inspection of tenant improvements permit or remodeling.

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

D. A new sign plan shall be submitted to Planning and Development for approval. Signage shall meet all requirements of the Title 19 and the Scenic Byways Guidelines.

E. The property shall be cleared of graffiti, debris and trash within 30 days and maintained. All roof equipment shall be repaired or replaced and screened to meet Title 19 requirements.

F. The block wall on the south property line shall be six feet block with two feet wrought iron and installed prior to the final inspection on the tenant improvements, subject to approval of adjacent property owner.

G. All window signage shall meet requirements of Title 19.

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.

ATTORNEY CHRIS KAEMPFER, Kummer Kaempfer Bonner Renshaw and Ferrario, appeared on behalf of the applicant and explained the benefits of the subject facility and what plasma offers. Plasma centers are indispensable but the perception is that plasma is for alcoholics, drug users or the homeless. He showed a diagram depicting zip codes where there are at least 25 donors. Once a donor, individuals must continue to give plasma but must have picture identification, permanent residence excluding shelters, social security card, blood tests with thorough exams and complete an extensive medical questionnaire. A regular donor can earn up to \$150 to 200 monthly, if donating twice a week. The applicant desires to extend their business to increase the size of the waiting rooms, modernize the bathrooms, and make any upgrades that should have been done by the landlord. With the expansion, the majority of the space would be utilized within the center of the facility.

At COUNCILMAN WEEKLY'S request, a meeting was held with MARILYN GILESPIE regarding the appearance of the building and not wanting any signage on the windows. The applicant is willing to tint all the windows and agreed to having the word "plasma" only on the door but not on the signage. With that MS. GILESPIE supported the project.

AL GALLEGOS opposed to the wall height, so the applicant agreed to placing an additional two feet, making the wall height eight feet. The applicant is willing to address any noise issue and the possibility of installing laundromats at an agreed location.

DAN ROMANO did not like the signs painted on the windows and would like more neon use in signage with an upscale food service center. He also noted CHARLES RICHARD DREW, who

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

was the first individual to start the plasma idea and set up the first blood bank in the U.S., which is a fitting tribute for this month.

MAYOR GOODMAN questioned the time remaining on the current lease. ASSISTANT CITY ATTORNEY BRYAN SCOTT expressed caution to the tenant agreeing to conditions without the landlord's consent. ATTORNEY KAEMPFER responded that the existing lease is for 10 years.

MR. GALLEGOS questioned the cost for a pint of plasma. ATTORNEY KAEMPFER responded that the cost is approximately \$125 to create one liter of plasma; the value depends on its use. MR. GALLEGOS believed that a pint of blood costs over \$1,000. He felt that even if the tenant was not the owner, there should still be an agreement because the owner has been a slum lord.

CITY MANAGER DOUGLAS SELBY informed MAYOR GOODMAN that Bonanza Road will be affected. The Mayor felt that the landlord should be present to agree to the conditions. For the record, MICHAEL GOLD, Biomet USA, confirmed that he had already made arrangements with the landlord, STEVEN FAZEKAI, to handle any issues, as his primary residence is in Utah. MR. GOLD assured MAYOR GOODMAN that he could obtain a written agreement from MR. FAZEKAI within two weeks.

After reviewing the materials and having a better understanding of the significance of plasma, MAYOR GOODMAN was now supportive of the request. ATTORNEY KAEMPFER reiterated that the applicant is committed to upgrading this site. He also informed COUNCILMAN WOLFSON that the plasma donated is used all over the United States, such as is the case for blood. He is aware of two other similar centers in the Valley. COUNCILMAN WOLFSON visited the properties and was impressed with the facility. Even though it had the appearance of a hospital, it was clean, modern and appropriate. He thinks the improvements spoken of are great for the area, especially the exterior. If the facility is expanded, then it would alleviate those waiting outside.

MR. GALLEGOS did not feel that the owner has been a good neighbor in the past and desired to see that change. In addition, he requested a copy of the aforementioned agreement be mailed to him.

TED RUSSELL, Las Vegas resident, stated he was a previous donor. He is not as supportive of the facility but understands it is a vital service to the community. For humanitarian reasons alone, the waiting room needs to be expanded as it will alleviate uncomfortable surroundings.

COUNCILMAN WOLFSON quoted backup documentation relative to the applicant stating that despite past problems, the Neighborhood Services Department reported having no record of complaints at the site since prior to 2002.

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

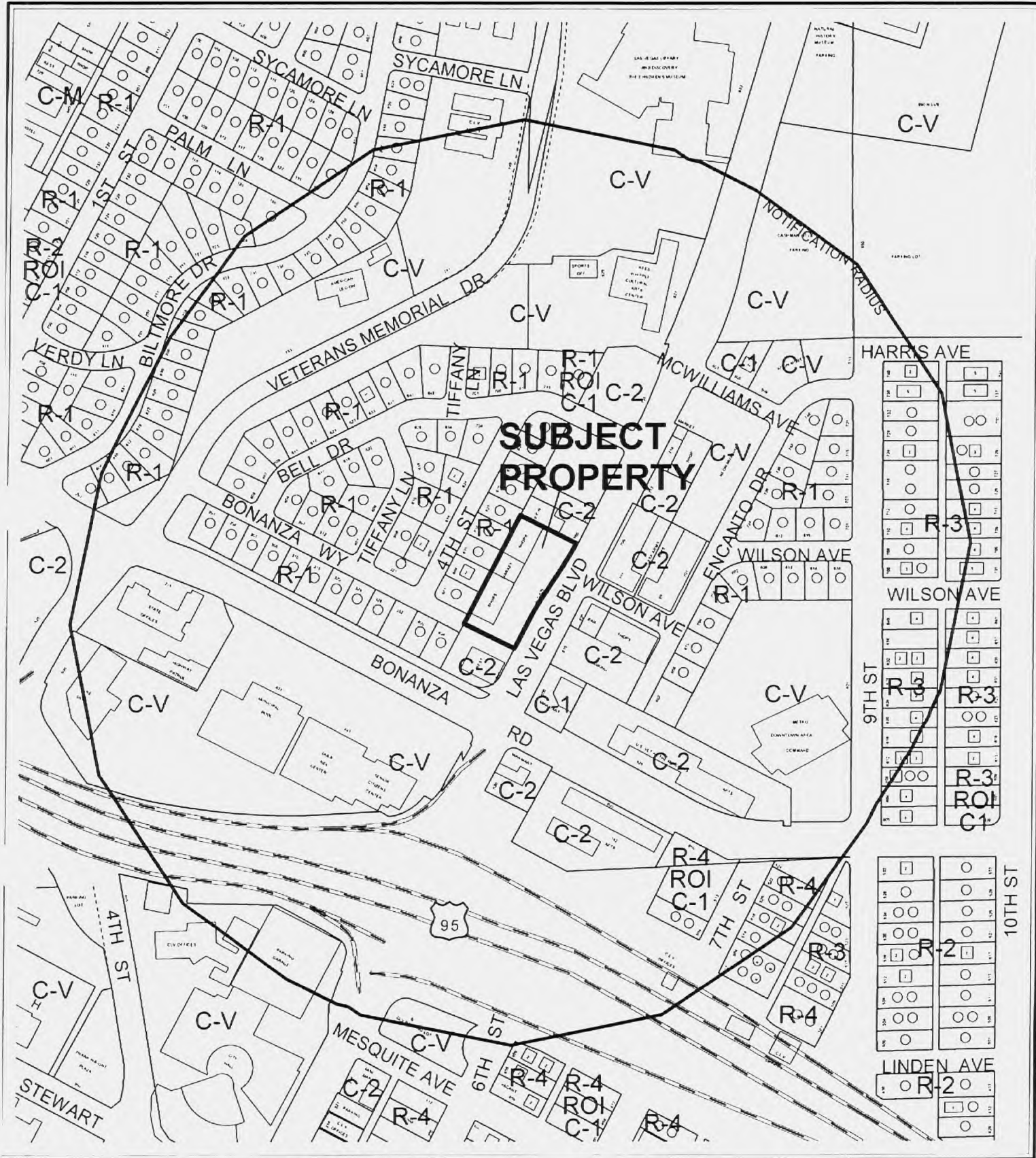
DANIEL DEEGAN, 1801 Granite Avenue, noted that the subject use is located on an appropriate site for the future success of the cultural corridor.

COUNCILMAN WEEKLY appreciated MR. DEEGAN'S well wishes. Relative to the proposal, he is aware of some past issues but was comforted by ATTORNEY KAEMPFER'S presentation and his commitment. He was also supportive of the written agreement. He understands the use and the need for it. ATTORNEY KAEMPFER assured the Councilman he will prepare the letter that will list the conditions with the acknowledgement and acceptance on the landlord's part of these conditions, and the letter will be presented in two weeks.

MARGO WHEELER, Director of Planning and Development, read the conditions into the record, to which ATTORNEY KAEMPFER concurred.

MAYOR GOODMAN declared the Public Hearing closed.





CASE: **SUP-18279**

RADIUS: 1000

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

0 80160 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE - SUP-18279 - APPLICANT: BIOMAT USA -
OWNER: CIVIC CENTER PLAZA, LLC.**

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

**** CONDITIONS ****

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

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is an appeal filed by the applicant from the denial by the Planning Commission of a request for a Special Use Permit for the 2,016 square-foot expansion of an existing 6,545 square-foot Blood Plasma Donor Center at 611 to 623 Las Vegas Boulevard North.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/27/98	The City Council approved a Special Use Permit (U-0006-98) for a 1,930 square-foot expansion of an existing 4,455 square-foot Blood Plasma Donor Center at the subject site. Planning Commission recommended denial, staff recommended approval.
12/18/06	The Department of Neighborhood Services indicates that there is no record of any issues on the subject site since 2002 related to the Blood Plasma Donor Center Use.
12/27/06	Las Vegas Metropolitan Police report 13 responses at the subject address in 2006 and 12 in 2005. None of these cases related to the Blood Plasma Donor Center Use.
01/11/07	The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #39/rl).

<i>Related Building Permits/Business Licenses</i>	
12/30/02	Business License C08-11272-93934 for Coin Amusement and L01-1324-93934 for Coin Operated Laundromat issued to Blue Ribbon Laundromat & Cleaners.
07/02/03	Business License 14-73-6-18404 issued to BIOMAT USA Inc. for Clinic/Lab/X-ray/Imaging.

<i>Pre-Application Meeting</i>	
11/14/06	A pre-application meeting was held and the requirements of a Special Use Permit was discussed.

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

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.05

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Blood Plasma Donor Center, Service Commercial	MXU (Downtown Mixed Use)	C-2 (General Commercial)
North	Non-profit organization	MXU (Downtown Mixed Use)	C-2 (General Commercial)
South	Restaurant	MXU (Downtown Mixed Use)	C-2 (General Commercial)
East	Retail, Tavern	MXU (Downtown Mixed Use)	C-2 (General Commercial)
West	Single Family Residential, Duplex	MXU (Downtown Mixed Use)	R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown North Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown North District Mixed Use	X		Y
A-O Airport Overlay District 200 Foot Buffer	X		Y
Las Vegas Boulevard Scenic Byway Overlay District	X		Y
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	49,763 SF	NA
Min. Lot Width	100 Feet	160	Y
Min. Setbacks			
• Front	20 Feet	75 Feet	Y
• Side	10 Feet	0 Feet	N*
• Corner	15 Feet	NA	NA
• Rear	20 Feet	5 Feet	N*
Trash Enclosure	50 Foot separation from residential	Existing 32 foot separation	N**
Max. Lot Coverage	50%	29%	Y

* The subject building was constructed in 1964 and is a legal non-conforming building.

** Existing trash enclosure constructed as previously approved.

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Barber Shop	1 chair (980 square feet)	2 per barber chair	2				
Video Rental	980 square feet	1 per 250 square feet	4				
Retail	2,734 square feet	1 per 175 square feet	16				
Blood Plasma Center	8,561 square feet	1 per 200 square feet	43				
SubTotal			62	3	65	3	
TOTAL	13,239 sq. ft.		65		68		Y*

* A site visit confirms that the parking spaces meet the minimum width and depth requirements of Title 19.10.010 J.

ANALYSIS

- **General**

The subject site is located in the MXU (Downtown Mixed Use) General Plan designation in the Southeast Sector of the Las Vegas 2020 Master Plan and as Commercial or Mixed-Use in the Downtown North Land Use Plan. The subject site is further located within the Downtown Redevelopment Area of the Southeast General Plan. To stimulate revitalization of the City's historic, urban core, several special overlay districts have been adopted which contain unique standards for redevelopment.

The subject business was previously expanded to its existing size in 1998, and while the landscaping does not conform to current Title 19 standards, improvements were made to the parking lot landscaping through the addition of planters and the removal of 27 parking spaces as conditions of approved Special Use Permit (U-6-98) for that expansion. These improvements included the removal of 27 parking spaces and the addition of landscaping improvements including 11 palm trees.

In addition, the applicant provides security on the site and, despite past problems, the Neighborhood Services Department reports that there is no record of complaints at the site since prior to 2002.

- **Zoning**

The subject property is located in the C-2 zone, in which the Blood Plasma Donor Center is allowed with an approved Special Use Permit. The C-2 zone is designed to provide the broadest scope of compatible services for both the general and traveling public. This category allows retail, service, automotive, wholesale, office and other general business uses of an intense character, as well as mixed-use developments. This district should be located away from low and medium density residential development and may be used as a buffer between retail and industrial uses.

- **Use**

Title 19.20 defines Blood Plasma Donor Center as a building used for the collection of human blood plasma from plasma donors. This use does not include a facility for the provision of medical care or treatment. This use is permitted in the C-2 (General Commercial) zone with a Special Use Permit.

- **Conditions**

There are no special conditions required for the issuance of a special use permit for a Blood Plasma Donor Center except for the on-site parking requirements of one space for each 200 square feet of gross floor area. The subject site requires 42 parking spaces for the Blood Plasma Donor Center as well as an additional 26 spaces for the other businesses within the retail center. The required 68 spaces are provided on the site, and this has been confirmed by two site visits. In addition, located at the intersection of Bonanza Road and Las Vegas Boulevard, the subject site is served by two major transit lines with eight buses serving the site every hour. In addition, the subject site is within one half mile of high density residential and high intensity employment centers, allowing for easy walkability.

FINDINGS

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

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

While there are concerns about the proposed expansion, the proposed land use can be conducted in a manner that is harmonious and compatible with surrounding uses. The proposed expansion will increase the waiting area and decrease the impact on loitering outside the current facility. According to the Neighborhood Services Department, in the last four years, there is no record of neighborhood complaints nor code violations regarding the subject business.

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

The subject site is an existing retail center and the expansion of the existing Blood Plasma Donor Center into the former Laundromat location will not add undue burden to the subject site as the number of parking spaces is sufficient to meet the additional two parking spaces required by the change in use. As the expansion will take place within an existing vacant suite, no expansion to the square footage of the existing building is proposed. The parking lot includes 68 parking spaces that are 10 feet wide and 18 feet deep. An existing trash enclosure is installed on the south side of the building and conforms with

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

The subject site is served by Las Vegas Boulevard, a 100-foot Primary Arterial as designated on the Master Plan of Streets and Highways. This arterial is adequate to meet the increased demands associated with the expansion of this business. The subject site is further served by pedestrian infrastructure and two major mass transit routes, serving much of its clientele.

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

The proposed use will not compromise the public health, safety, and welfare because the use will be constructed in compliance with applicable building codes.

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

The proposed expansion of an existing Blood Plasma Donor Center meets all applicable conditions of Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 159 by City Clerk

APPROVALS 0

PROTESTS 3



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-18279** APN: _____Name of Property Owner: PARALLName of Applicant: H. ABITS - BOB CAMP

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?

YesNo

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: [Signature]Print Name: STEVEN FAZEKAS

Subscribed and sworn before me

This 21 day of Nov., 2006Desirae Sehon

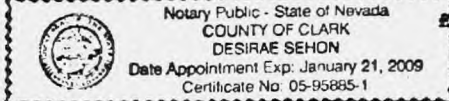
Notary Public in and for said County and State

State of Nevada

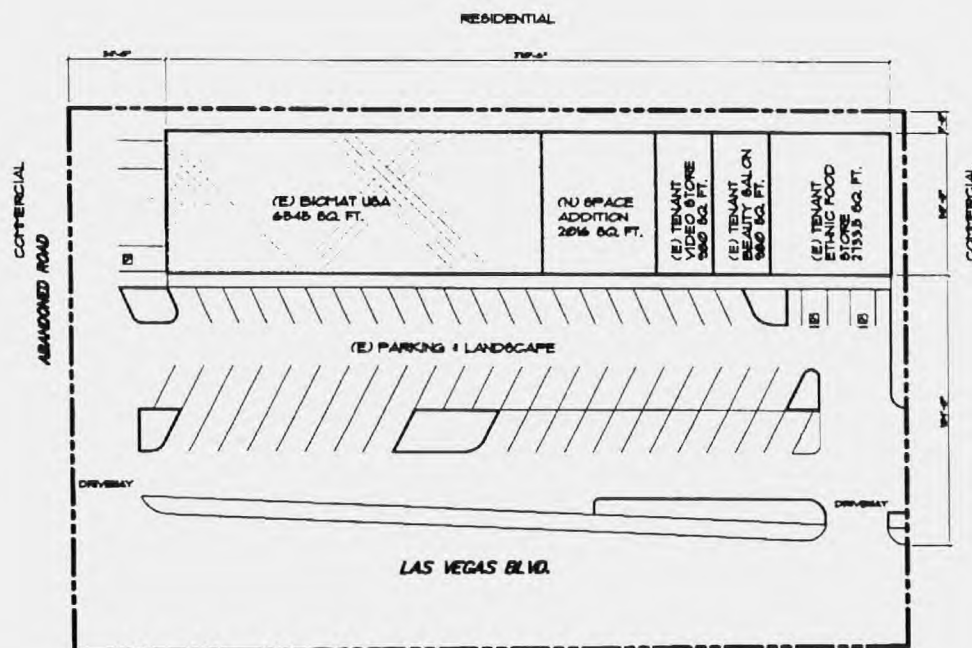
County of ClarkThis instrument was acknowledged before me on Nov 21, 06by STEVEN FAZEKASDesirae Sehon

Notary Signature

Revised 12-03-04



Support Application Packet Statement of Financial Interest.doc



SITE PLAN
SCALE: 1" = 30'

This sheet is issued for information only.
Tenant improvement work to be contained
in the interior of the building. All existing
parking and site lighting to remain.
NO WORK IS TO BE DONE TO THE
BUILDING EXTERIOR OR SITE.

SUP-18279
REVISED
01/11/07 PC

RECEIVED
DEC 21 2006

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REVISIONS

Rev.	Date	By

STEED
STEED CONSULTANTS, INC.
1748 S. Las Vegas Blvd.
Suite 200
Las Vegas, NV 89102
Phone: 702-738-7200
Fax: 702-738-7132

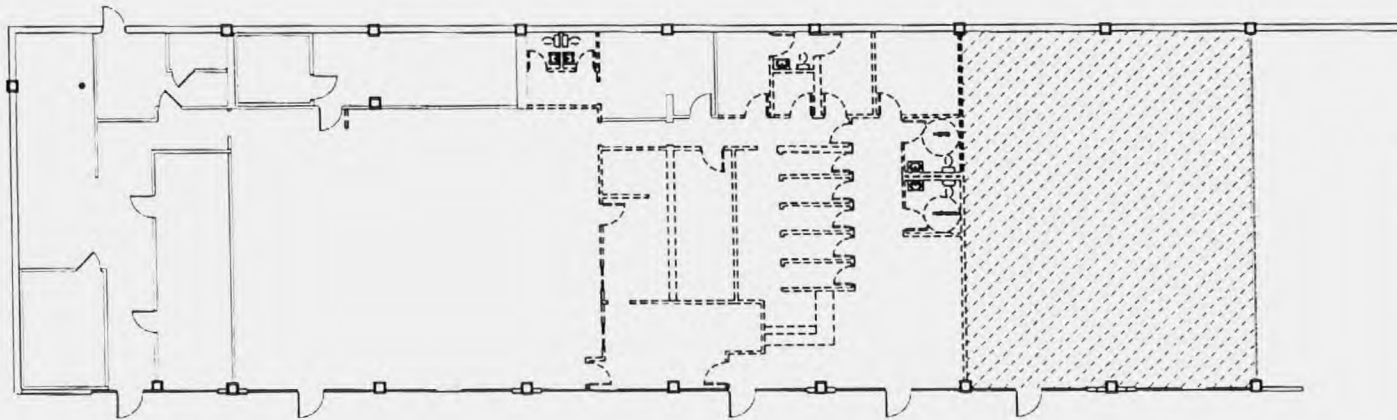
PROJECT:
TENANT IMPROVEMENT FOR:
BIOMAT
USA
611 LAS VEGAS BLVD. NORTH
LAS VEGAS NEVADA

habitec
ARCHITECTURE - PLANNING
INTERIOR DESIGN
1000 S. Las Vegas Blvd., Suite 200
Las Vegas, NV 89102
(702) 738-7200

SITE PLAN

DATE: 21 OCT 06
BY: AS NOTED
BY: BC
BY: 0228-39.00

A1.1

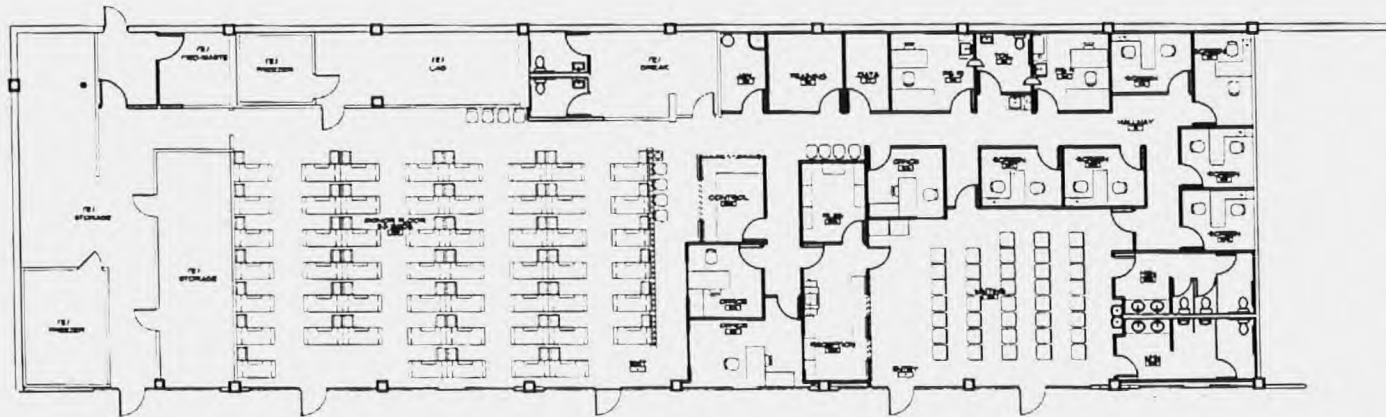


GENERAL NOTES:

- ALL EXISTING STRUCTURAL ELEMENTS AND FINISHES, PARTIAL AND ENTIRE, TO BE DEMOLISHED ARE INDICATED BY DASHED LINES.
- ALL EXISTING CONDITIONS ARE NOT INDICATED ON THE DEMOLITION PLAN. CONTRACTOR SHALL CORRELATE THE EXISTING WITH ALL OTHERS AND ALL PROJECT DRAWINGS TO DETERMINE PARTIAL AND ENTIRE OF WORK.
- ALL EXISTING CONDITIONS SHALL BE IN CONSTRUCTION OF THE DEMOLITION PLAN.
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- CONTRACTOR SHALL PATCH AND REPAIR ANY DAMAGE TO PERMEATIONS AT ALL EXISTING TO BE DEMOLISHED. BUT NOT LIMITED TO WALLS, CEILING, FLOORING, ETC. CAUSED BY DEMOLITION ACTIVITIES OR REMOVAL OF ELECTRICAL, MECHANICAL, AND PLUMBING. CONTRACTOR SHALL BE RESPONSIBLE TO ORIGINAL STATE, EXCEPT FOR MATERIALS INCLUDING GEL COAT, FIBER GLASS, OR PROTECTED AND RETAINED UNLESS OTHERWISE NOTED.
- COORDINATE DEMO SCHEDULE AND TYPES WITH OWNER.
- ALL DEMOLITION OF CONSTRUCTION WORK OCCURS ADJACENT TO OCCUPANCY. CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING AND NEW CONSTRUCTION. CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING AND NEW CONSTRUCTION.
- USE AS ENVIRONMENTAL PROTECTION MEASURE. NOT BE NOTIFIED BY AGENCY. CONTRACTOR SHALL MAINTAIN ACCESS TO ALL EXISTING AND NEW CONSTRUCTION.
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1 DEMOLITION PLAN

1/8" = 1'-0"



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2 PRELIMINARY FLOOR PLAN

SUP-18279
01/11/07 PC

NOV 22 2006

1/8" = 1'-0"

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REVISIONS

Rev.	Date	By

STEED CONSTRUCTION, INC.
1210 E. 10th Street
Suite 201
Las Vegas, NV 89101
Phone: 702/734-7300
Fax: 702/734-7332

KEYNOTES:

- DEMOLITION OF EXISTING WALLS AND PARTIAL WALLS AS REQUIRED, CAP PLUMBING AS REQUIRED.
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PROJECT:

TENANT IMPROVEMENT FOR:
BIOMAT USA
611 LAS VEGAS BLVD. NORTH
LAS VEGAS NEVADA

habiteq
ARCHITECTURE + PLANNING
INTERIOR DESIGN
1001 E. 10th Street, Suite 201
Las Vegas, NV 89101
702/734-7300

DEMO 1 FLOOR PLAN

Rev. 31 OCT 06
Rev. A3 NOTED
Rev. BC
Rev. 07/15-15/06

A2.1



SUP-18279 - APPLICANT:BIOMAT USA - OWNER: CIVIC CENTER PLAZA, LLC.
611-623 LAS VEGAS BOULEVARD NORTH
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



SUP-18279 - APPLICANT:BIOMAT USA - OWNER: CIVIC CENTER PLAZA, LLC.
611-623 LAS VEGAS BOULEVARD NORTH
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06

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CITY CLERK

2007 JAN 19 A 11:04



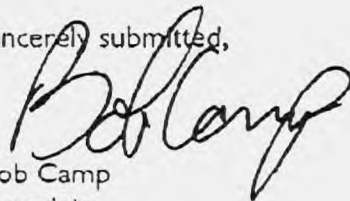
January 18, 2007

John Korkosz, Planning Supervisor
Planning & Development Department
731 South Forth Street
Las Vegas NV. 89101

RE: SUP-18279 - SPECIAL USE DENIAL APPEAL

I respectfully submit an appeal for the denial decision made by The Planning Commision on January 11, 2007 for the above mentioned special use permit.

Sincerely submitted,



Bob Camp
Associate



IMMUNE DEFICIENCY FOUNDATION

The National Organization Dedicated to Research, Education and Advocacy for Primary Immune Deficiency Diseases

January 22, 2007

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

Dear Mr. Korkosz,

The Immune Deficiency Foundation (IDF) is the national patient non-profit health organization dedicated to improving the diagnosis and treatment of individuals with primary immune deficiency diseases. These diseases are chronic illnesses caused by hereditary or genetic defects in the immune system in which part of the body's immune system is missing or does not function properly. These diseases are not contagious.

For many of the approximately 250,000 patients in the US, the only effective treatment for these potentially life threatening diseases is the regular administration of intravenous immune globulin (IVIG), a treatment that is produced from donations of human plasma. Without adequate plasma donation facilities, companies like Biomat cannot provide sufficient supplies of plasma to produce enough IVIG to meet the needs of patients who rely on this life-saving therapy. Please grant the request of Biomat to expand its facility and collect more plasma for the production of IVIG.

As the founder and president of the Immune Deficiency Foundation (IDF), and the mother of a child who has suffered with a primary immune deficiency disease, I am deeply concerned about assuring that patients have adequate treatment. Unfortunately, there is no cure for primary immune deficiency diseases. Individuals who are born with or are diagnosed later in life with these diseases have compromised immune systems and cannot fight-off infections that might go unnoticed in someone with a healthy immune system.

RECEIVED

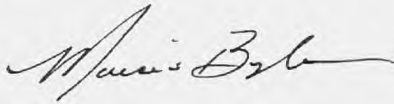
JAN 24 2007

Since the advent of IVIG in the 1980's many people with primary immune deficiencies have been able to lead relatively healthy, normal and productive lives. My son is a testament to the power of IVIG treatment. Although the first years of his life were frightening and uncertain, he is now in his 20's, married, and leading a healthy life. If communities around the country refused the efforts of companies like Biomat to build and grow their plasma collection facilities, my son might not have the life he leads today.

On behalf of the thousands of children born with primary immune deficiencies each year, and the countless others currently living with these conditions, I ask that you grant Biomat's request to expand its plasma collection center in Las Vegas.

Thank you for your consideration of the needs of the unique patient population that IDF serves. If you have any questions about our patients and the importance of IVIG, a plasma derived therapy, I would be delighted to talk with you further.

Sincerely,

A handwritten signature in cursive script, appearing to read "Marcia Boyle".

Marcia Boyle

President and Founder

Immune Deficiency Foundation

RECEIVED

JAN 24 2007

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

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

SITE DEVELOPMENT PLAN REVIEW

SDR-15747 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH - Request for a Site Development Plan Review FOR A PROPOSED 31,126 SQUARE-FOOT CHURCH/HOUSE OF WORSHIP AND A WAIVER OF THE PERIMETER LANDSCAPING REQUIREMENTS on 8.55 acres at the northwest corner of Rainbow Boulevard and Westcliff Drive (a portion of APN 138-27-802-004), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited 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

0

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:

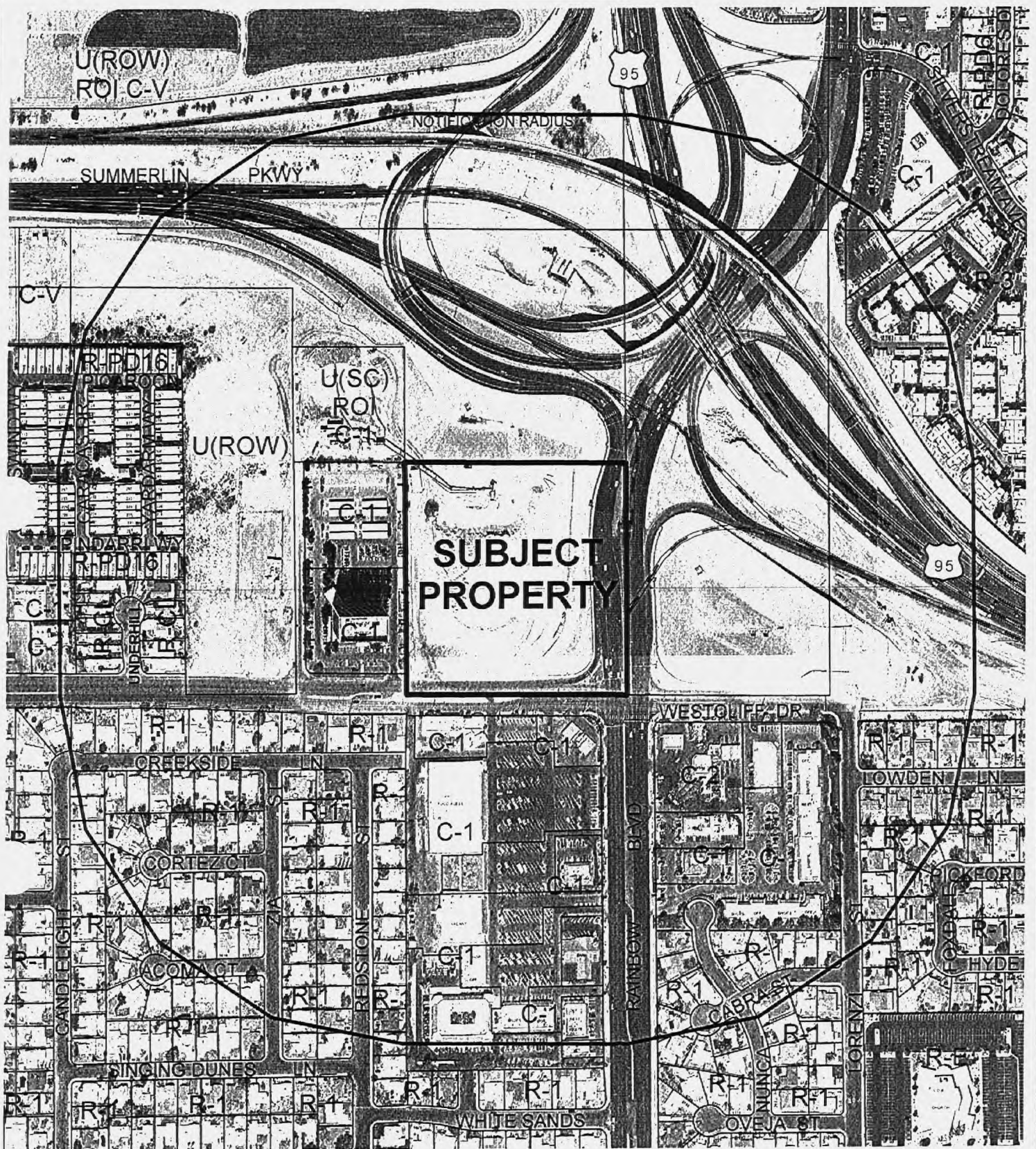
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda - Abeyance request by Applicant

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

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

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





CASE: **SDR-15747**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION]
 UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - SDR-15747 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH

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

**** CONDITIONS ****

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

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the revised site plan, landscape plan, and building elevations, submitted to the City Clerk on 9/21/06, except as amended by conditions herein.
3. A Waiver from Title 19.12 is hereby approved, to allow a minimum zero perimeter landscape buffer where a fifteen-foot buffer is required along the southern property line along Westcliff Drive, 53 inch wide landscape fingers where 60 inch wide landscape fingers are required and to allow no parking lot landscape fingers along the foundation parking area.
4. A revised site plan shall be submitted prior to the time an application is made for a building permit to reflect a 20-foot wide Multi-Use Transportation Trail (Bonanza Trail) in accordance with the Las Vegas 2020 Master Plan along the northern and eastern boundaries of the site.
5. A Site Development Plan Review application for Phase II of the project shall be submitted and scheduled for hearing by the Planning Commission prior to the issuance of any permits for that part of the project.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan.

7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. Dedicate appropriate right-of-way for Rainbow Boulevard adjacent to this site prior to the issuance of any permits unless otherwise allowed by the City Engineer.
15. 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.
16. Construct all incomplete half-street improvements on Rainbow Boulevard and Westcliff Drive adjacent to this site concurrent with development of this site.

17. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
18. Provide proof to the Land Development Section of the Department of Public Works that the Nevada Department of Transportation has approved the design of the offsite improvements and driveway cuts adjacent to this site on Rainbow Boulevard and Westcliff Drive prior to the submittal of any construction drawings.
19. Coordinate with the Right-of-Way Section of the Department of Public Works to determine the application submittal requirements for Bureau of Land Management (BLM) applications for a portion of the trail path across BLM Parcel #138-27-802-006 on the northern side of this site as shown on the submitted site plan. A copy of the plant survey (if applicable), approved right-of-way grant issued by BLM, receipt for tortoise mitigation fee payment and notice to proceed issued by BLM (if applicable) shall be submitted to the Right-of-Way Section prior to approval of construction drawings for this site or the issuance of any permits, whichever may occur first.
20. Coordinate with the City Engineer's Office regarding the Bonanza Trail project. The trail shall be designed to connect with the portions of the trail being constructed by the City west and east of this site and shall be constructed to a minimum width of 12 feet and match the cross section being constructed by the City concurrent with development of this site.
21. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of any construction drawings 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.
22. Site development to comply with all applicable conditions of approval of the previous approval and all other applicable site-related actions, except as amended herein.
23. Unless otherwise allowed by the City Engineer, remove the western most driveway accessing Westcliff Drive.

**** STAFF REPORT ****

APPLICATION REQUEST

The applicant requests a Site Development Plan Review for a proposed 31,126 square-foot church/house of worship and a Waiver of the perimeter landscaping requirements on 8.55 acres at the northwest corner of Rainbow Boulevard and Westcliff Drive.

EXECUTIVE SUMMARY

The proposed two story building will be located on the northeast portion of the site. The first floor will consist of 19,224 square feet, with a 490-seat sanctuary, office space, classrooms and work rooms. The second floor is 11,902 square feet in area, with a 208-seat balcony and additional classroom space. A multi-use trail is provided along the north and east boundaries of the site.

The applicant has requested a Waiver of the perimeter landscape buffer requirement along the Westcliff Drive and a Waiver of the parking area landscape fingers. The applicant does not provide any landscaping on the south side of the property along Westcliff Drive which staff cannot support. Therefore, denial of this project is recommended

BACKGROUND INFORMATION

A) *Related Actions*

- | | |
|----------|--|
| 11/27/90 | The Board of Zoning Adjustment approved a Special Use Permit (U-0168-90) to allow the construction of a church on this property. This was final action; staff recommended approval. |
| 05/05/04 | The City Council approved a Site Development Plan Review (SDR-3997) for a 40,649 square-foot church/house of worship and a 1,200 square-foot temporary modular building. A Rezoning (ZON-3995) from U (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on 12.50 acres adjacent to the northwest corner of Rainbow Boulevard and Westcliff Drive. The Planning Commission and staff recommended approval on 04/08/04. |
| 06/07/06 | The City Council approved an Extension of Time (EOT-13291) of an approved Rezoning (ZON-3995) from (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) on 12.50 acres adjacent to the northwest corner of Rainbow Boulevard and Westcliff. |
| 09/21/06 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #37/jm). |

B) *Pre-Application Meeting*

08/08/06 In the pre-application meeting, submittal requirements were discussed as were the determination of previous cases and their effect on this submittal. The applicant is submitting a new site plan; therefore, the applicant has allowed the approved Site Development Review (SDR-3997) to expire (5/5/06). However, the applicant has filed an Extension of Time on the Rezoning (ZON-3995) which the City Council approved on 06/07/06. In addition, the Bonanza Trail and its location were discussed.

C) *Neighborhood Meetings*

A neighborhood meeting is not required for this type of application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 8.55 acres

B) *Existing Land Use*

Subject Property: Undeveloped
North: Undeveloped
South: Commercial Establishment
East: Undeveloped
West: Financial Institution

C) *Planned Land Use*

Subject Property: SC (Service Commercial)
North: ROW (Right-of-Way)
South: SC (Service Commercial)
East: ROW (Right-of-Way)
West: SC (Service Commercial)

D) *Existing Zoning*

Subject Property: U (Undeveloped) under Resolution of Intent to
C-1 (Limited Commercial)
North: U (Undeveloped) [ROW (Right-of-Way)]
South: C-1 (Limited Commercial)
East: U (Undeveloped) [ROW (Right-of-Way)]
West: C-1 (Limited Commercial)

E) General Plan Compliance

The subject site is located in the Southwest Sector of the General Plan. The existing C-1 (Limited Commercial) zoning designation is in conformance with the SC (Service Commercial) category of the General Plan land use designation. This site is adjacent to a Multi-Use Transportation Trail (Bonanza Trail). The City is currently designing and constructing portions of this trail adjacent to this site to provide trail connectivity at the Rainbow interchange.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		X
Special Overlay District	X	
Airport Overlay District	X	
Trails (Bonanza Trail)	X	
Rural Preservation Overlay District		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

PROJECT DESCRIPTION

The proposed two story church will be located on the northeast portion of the site, with the remainder of the parcel, with the exception of the two pads adjacent to the south property line, proposed to be paved for parking. The first floor of the church will consist of 19,224 square feet, with a 490-seat sanctuary, office space, classrooms and work rooms. The second floor is 11,902 square feet in area, with a 208-seat balcony and additional classroom space.

Two driveways provide egress and ingress into the site. A 32-foot wide driveway provides ingress access to Westcliff Drive, while a 32-foot drive provides egress to the site. A 20-foot wide landscape planter is provided along the north, east and west property lines, while no landscaping is provided along Westcliff, the south property line.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Lot Width	100 Feet	492 Feet	Y
Min. Setbacks			
• Front	20 Feet	320 Feet	Y
• Side	10 Feet	70 Feet	Y
• Corner	N/A	---	N/A
• Rear	20 Feet	25 Feet	Y
Max. Lot Coverage	50 %	17	Y
Max. Building Height	None	Two Stories	Y
Trash Enclosure	Y	Y	Y

The request meets or exceeds Title 19 Development Standards.

A2) Residential Adjacency Standards

Residential Adjacency Standards to no apply to the subject development.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Church	698 seats	1 per 4 fixed seats	175			
	25,566	1/300 for office	85			
Total			260	15	263	15

The project meets the parking standards per Title 19.10

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 Landscape Fingers	1 Tree/6 Spaces	60 Trees	61 Trees
Min. Trees - Perimeter	1 Tree/30 Feet	62 Trees	57 Trees
Min. Zone Depth Adjacent to Right-of-Way	15 Feet		0 Feet
Min. Zone Depth – Interior Lot Lines	8 Feet		20 Feet

The applicant provides adequate perimeter landscaping along the north and east boundaries of the site. The applicant does not provide any landscaping on the south side of the property along Westcliff Drive and is requesting a Waiver of the perimeter landscape buffer requirements which staff cannot support.

Along the 31,126 square foot worship center, the applicant provides foundation landscaping but does not show the required one landscape island for every six parking spaces. In addition, the applicant is proposing 53 inch wide landscape fingers where 60 inch wide landscape fingers are required. A Waiver of parking lot landscape fingers has also been requested as part of this application. While the applicant does not meet the required landscape island requirements, the applicant does provide foundation landscaping and 61 trees in the parking area where 60 are required. If the applicant were to replace the parking spaces with landscape fingers to meet the required number per Title 19.12., they would be deficient in parking. Therefore, staff supports the waiver of parking lot landscape fingers.

B) General Analysis and Discussion

- Zoning

The property is zoned C-1 (Limited Commercial). The proposed house of worship is a permitted use in this zoning district.

- Site Plan

The site development plan meets Title 19 Development Standards in terms of setbacks and parking.

- Waivers

Title 19.12	Required	Provided	Staff Recommendation
Minimum Zone Depth Adjacent to Right-of-Way	15 Feet of perimeter landscaping	0 Feet of perimeter landscaping (Westcliff Drive)	Staff does not support
Parking area landscape fingers	1 per every 6 parking spaces	No fingers along the foundation parking spaces, however applicant does exceed the total of trees required and provides adequate foundation landscaping	Staff supports

- Landscape Plan

The applicant provides adequate perimeter landscaping along the north and east boundaries of the site. The applicant does not provide any landscaping on the south side of the property along Westcliff Drive and is requesting a Waiver of the perimeter landscape buffer requirements.

Along the church, the applicant provides foundation landscaping but does not show the required one landscape island for every six parking spaces. A Waiver of parking lot landscape fingers has also been requested as part of this application. While the applicant does not meet the required landscape island requirements, the applicant does provide foundation landscaping and 61 trees in the parking area where 60 are required. If the applicant were to replace the parking spaces with landscape fingers to meet the required number per Title 19.12., they would be deficient in parking.

- Elevation

The building elevations show the building to be 45 feet, five inches in height to the top of the roof line; the steeple projects to a height of 77 feet, eight inches. The façade consists of foam cornices with stucco and kite shaped decorative insets. A metal ribbed roof will be constructed; the steeple is pre-fabricated.

- Floor Plan

The floor plan provides detail on the number and square footage of each classroom and seating area.

FINDINGS

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

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

The proposed church is compatible with adjacent development, as it is in close proximity to the freeway and other commercial uses.

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 use is consistent with the goals, objectives and policies of the General Plan; however, the landscaping is consistent with Title 19.12 and cannot be supported.

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

The project will have access to Westcliff Drive, a 100-foot Primary Arterial, which should not negatively impact adjacent roadways or adjacent traffic.

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

The height and building elevations are appropriate for this area of 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 and design characteristics will contribute to an orderly and pleasing environment and are harmonious and compatible with other development in the area; however, the lack of landscaping along Westcliff is unsightly and not harmonious with the surrounding area.

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

Building inspections will take place to ensure conformance to the building code.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 234 by Planning Department

APPROVALS 0

PROTESTS 0



RECEIVED
AUG 08 2006

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-15747** APN: 13827802004
 Name of Property Owner: TWIN LAKES BAPTIST CHURCH
 Name of Applicant: CARL FLEMING

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 _____

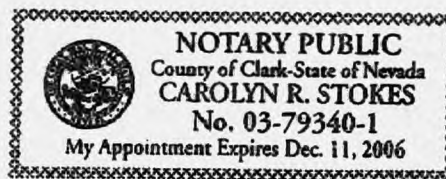
Signature of Property Owner: Carl Fleming

Print Name: Carl Fleming

Subscribed and sworn before me

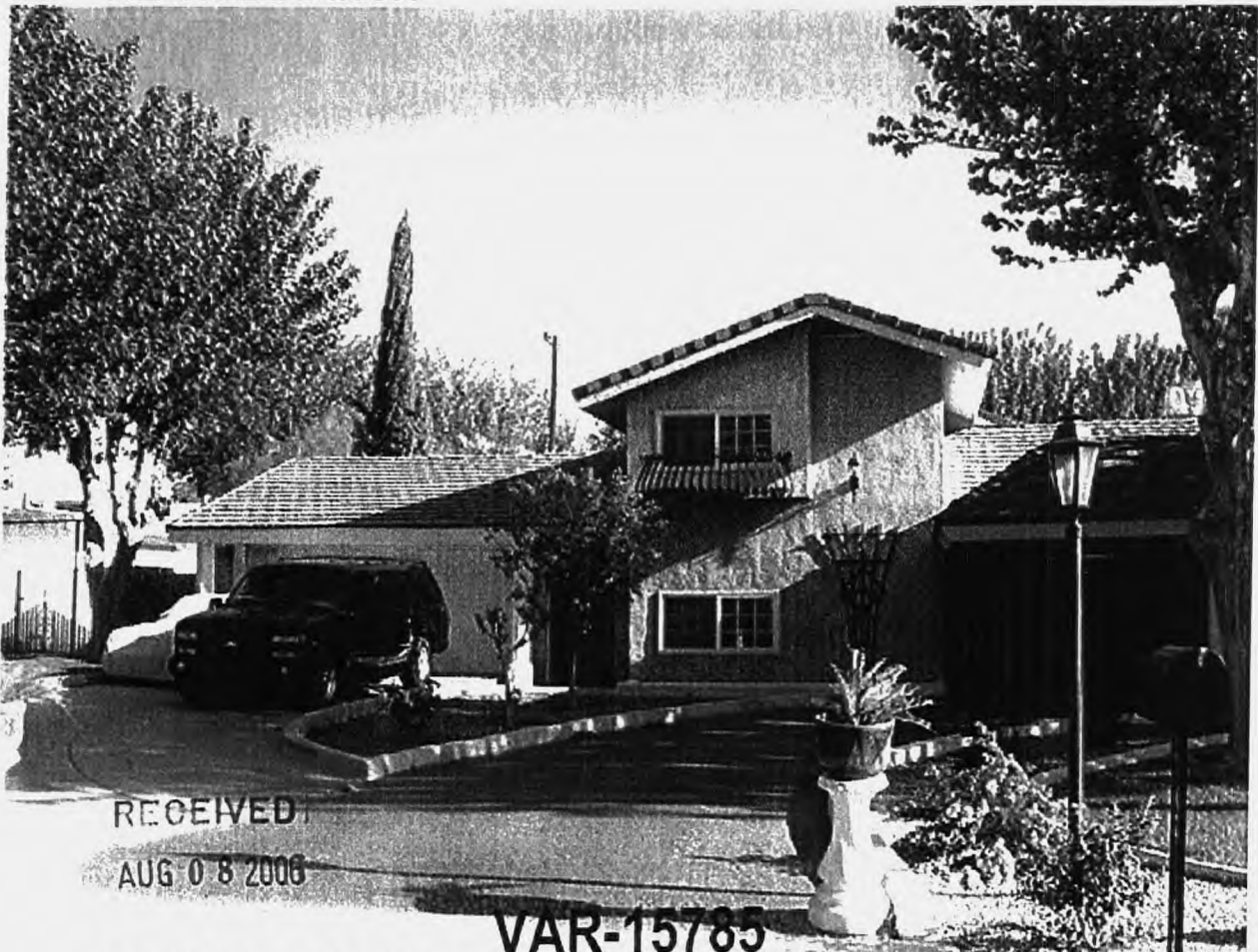
This 25th day of July, 2006
Carolyn R. Stokes

Notary Public in and for said County and State





REAR ELEVATION



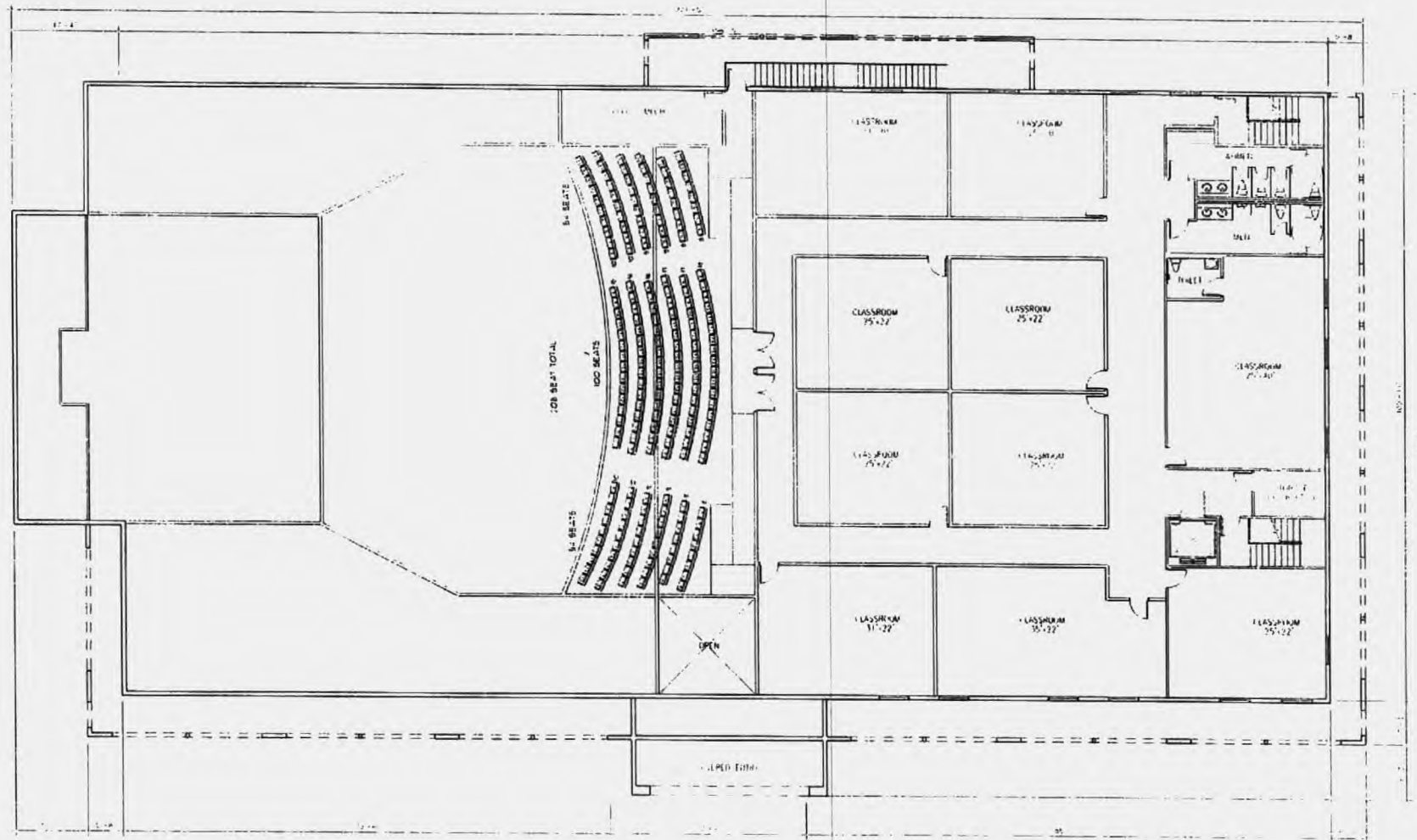
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AUG 08 2006

FRONT ELEVATION

VAR-15785

00/21/06 DC



2ND FLOOR PLAN - 11,902 SF
TWIN LAKES BAPTIST CHURCH

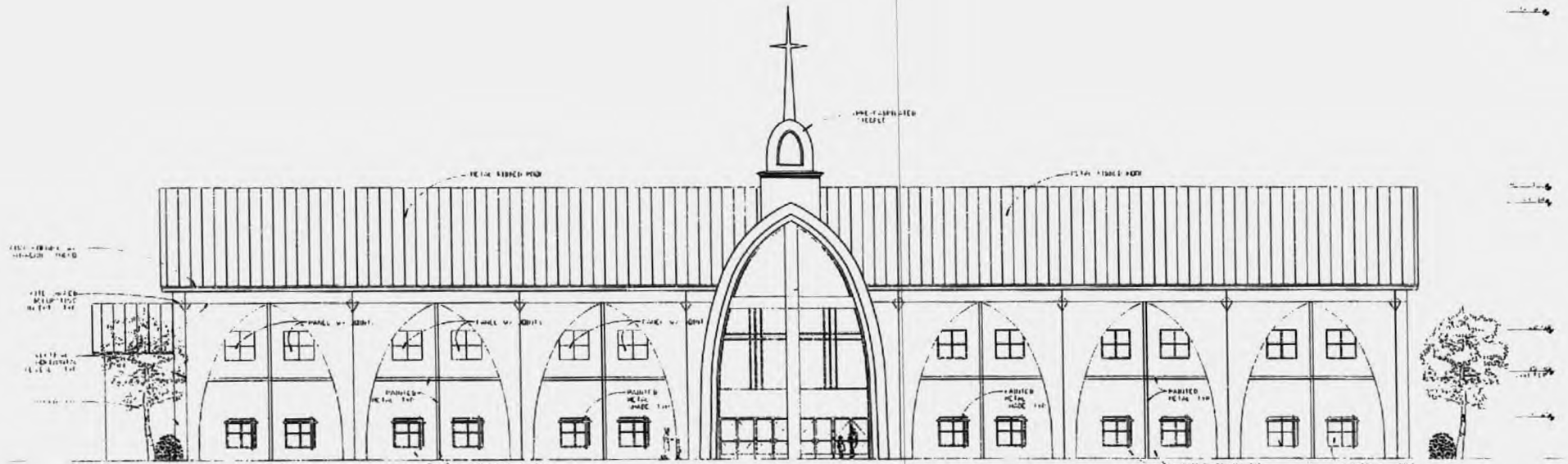
SDR-15747

09/21/06 PC

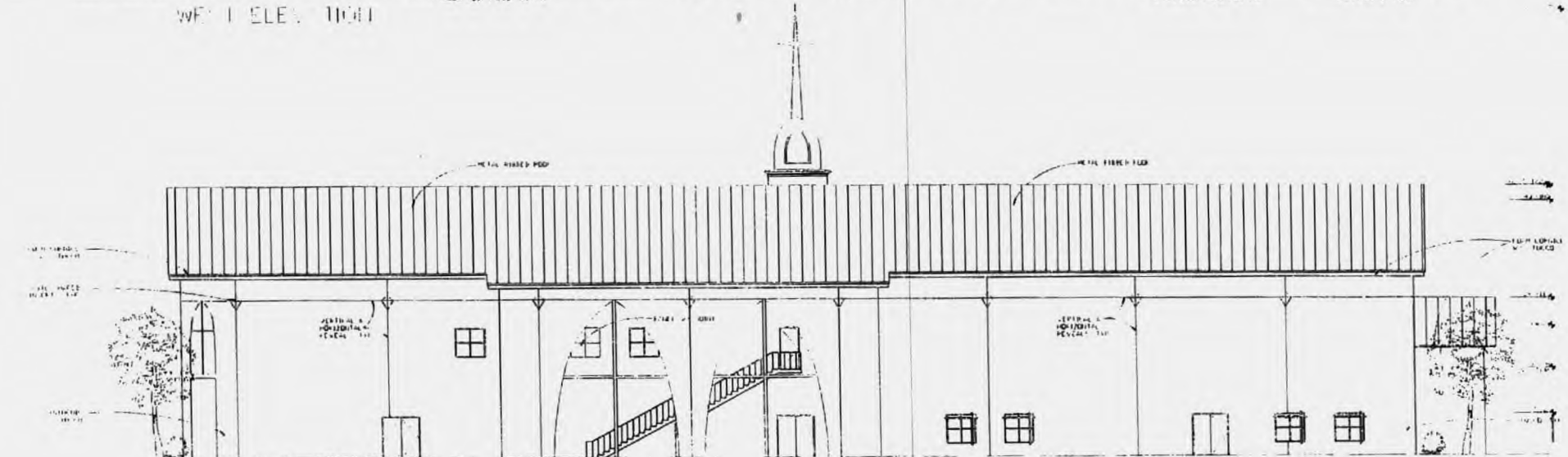
RECEIVED

AUG 8 2006

A-2



WEST ELEVATION



EAST ELEVATION

TWIN LAKES BAPTIST CHURCH

SDR-15747

09/21/06 PC

RECEIVED

AUG 8 2006

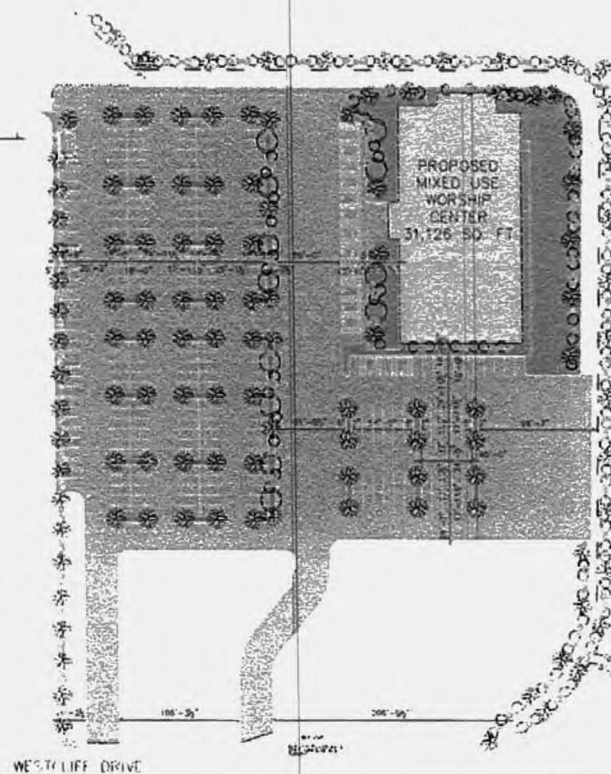
SHEET TWO

A-3

VACANT
UNDEVELOPED
RIGHT OF WAY
(11/ROW)

EXISTING BANK
BUILDING
LIMITED COMMERCIAL
DISTRICT (C-1)

EXISTING BANK
BUILDING
LIMITED COMMERCIAL
DISTRICT (C-1)



PLANT LEGEND

SIZE	SYMBOLICAL NAME	COMMON NAME
TREES		
24" DIA.		FRAXINUS
24" DIA.		QUERCUS
SHRUBS/BUSHES		
5' DIA.		HYDRANGEA
5' DIA.		ROSE
5' DIA.		SP. LAUREL

NOTE:
ALL PLANTS TO BE INSTALLED SHALL MEET THE REQUIREMENTS SPECIFIED IN THE SITE
SPECIFICATIONS & CONSTRUCTION STANDARDS. THE DESIGNER SHALL BE RESPONSIBLE FOR
THE SELECTION OF PLANTS THAT WILL GROW IN THE CLIMATE AND SOIL CONDITIONS OF THE
PROJECT. PLANTS SHALL BE INSTALLED BY AN APPROVED LANDSCAPE CONTRACTOR.
PLANTS TO BE INSTALLED SHALL BE PLANT MATERIAL RELATIVE TO THE CLIMATE OF THE
PROJECT AREA. PLANTS SHALL BE INSTALLED IN THE CLIMATE OF THE PROJECT AREA.
PLANTS SHALL BE INSTALLED IN THE CLIMATE OF THE PROJECT AREA.

RECEIVED

AUG 8 2006

PROPOSED LANDSCAPE

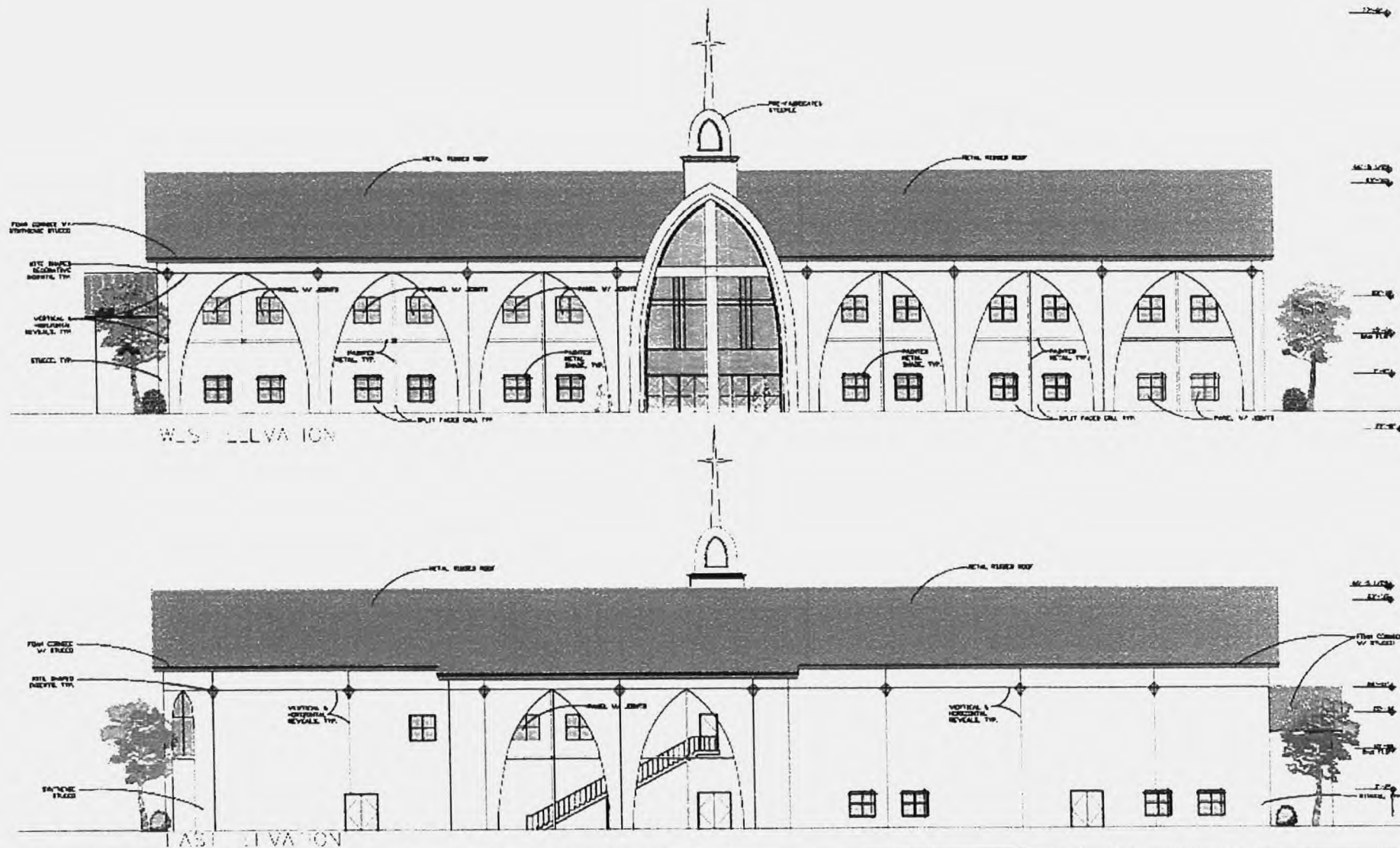
TWIN LAKES BAPTIST CHURCH

SDR-15747
09/21/06 PC

LENDALL MAINS
ARCHITECT
2501 East 10th Street
Suite 101
Tulsa, Oklahoma 74104
Phone: 918.437.5621
Fax: 918.437.5621

SHEET NO.

L-1



TWIN LAKES BAPTIST CHURCH

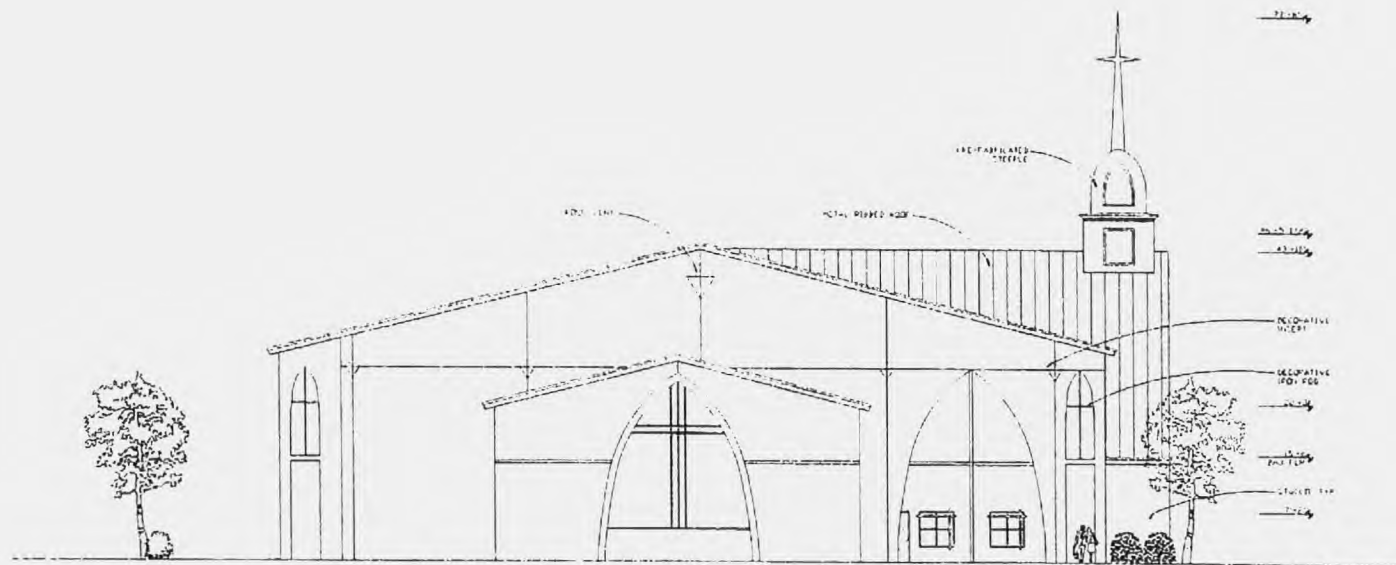
SDR-15747
09/21/06 PC

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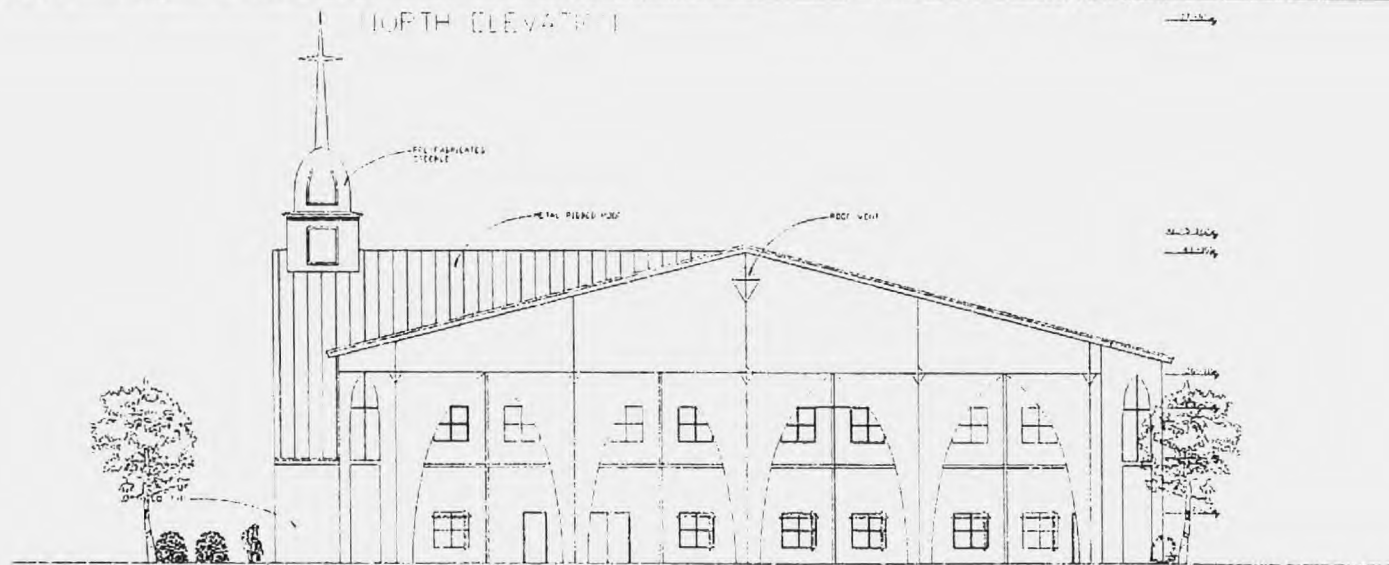
AUG 9 2006

LENOX & SONS
ARCHITECT
1000 S. 10th St.
S.W. 100
Tulsa, Oklahoma 74106
Phone: 765-412-1000
Fax: 765-412-1001

Sheet No.
A-3



NORTH ELEVATION



SOUTH ELEVATION

RECEIVED

AUG 8 2006

TWIN LAKES BAPTIST CHURCH

SDR-15747

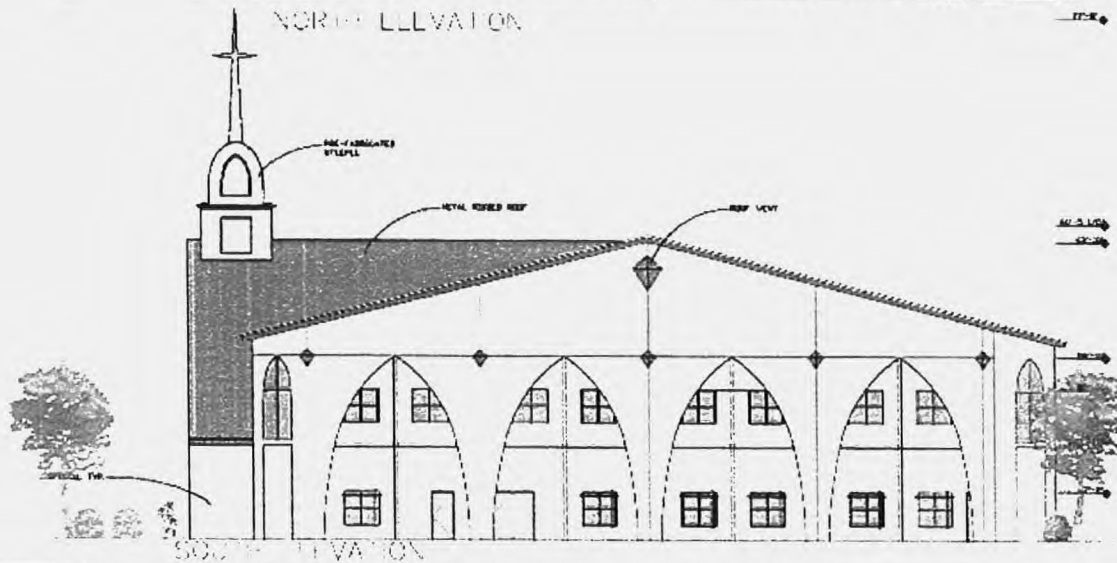
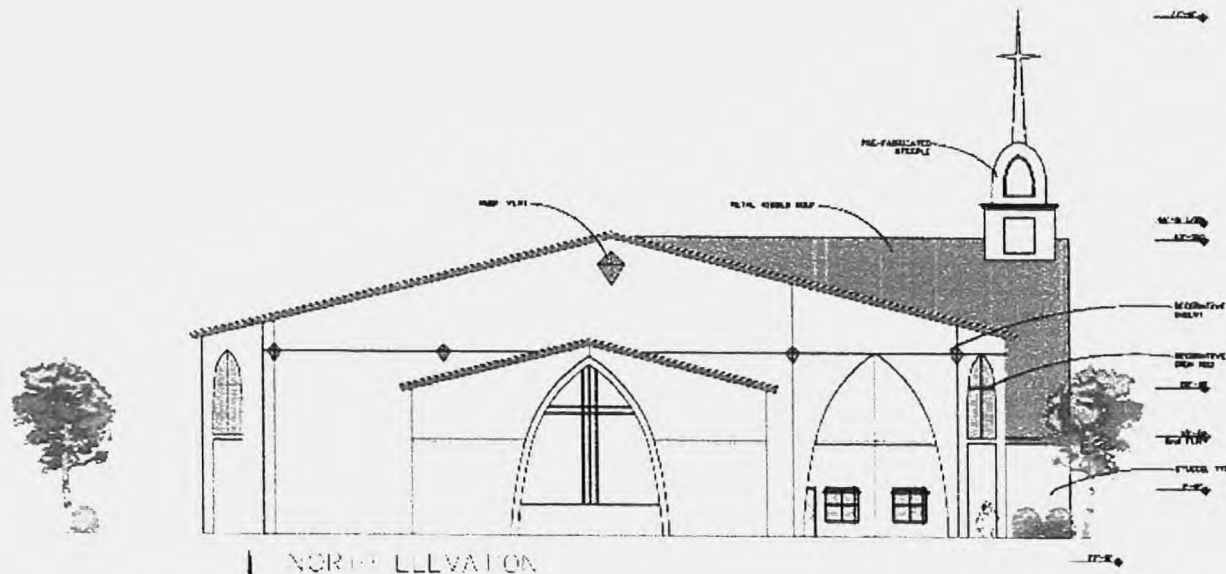
09/21/06 PC



ARCHITECT

SHEET NO.

A-4



RECEIVED

AUG 8 2006

TWIN LAKES BAPTIST CHURCH



SDR-15747
09/21/06 PC

LENDALL MAINS
ARCHITECT
1001 S. 1st Street, Ste. 200
Tulsa, OK 74106
Phone: (918) 581-1100
Fax: (918) 581-1101

Sheet No.
A-4

SDR 15747

Twin Lakes Baptist
Church

NWC Westcliff & Rainbow

Proposed 31.126 thousand square foot church.

Traffic produced by proposed development:

New development	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	CHURCH [1000 SF]	31.126	9.11	284
AM Peak Hour			0.72	22
PM Peak Hour			0.66	21

(heaviest 60 minutes)

Existing traffic on all nearby streets:

Westcliff Drive

Average Daily Traffic (ADT)	13,204
PM Peak Hour (heaviest 60 minutes)	1056

Rainbow Boulevard

Average Daily Traffic (ADT)	62,699
PM Peak Hour (heaviest 60 minutes)	5016

Traffic Capacity of adjacent streets:

	Adjacent street ADT Capacity
Westcliff Drive	34300
Rainbow Boulevard	51700

This project will add approximately 284 trips per day on Westcliff and Rainbow.

This will increase expected volumes by about 2 percent on Westcliff and less than one percent on Rainbow. Westcliff is at about 39 percent of capacity and

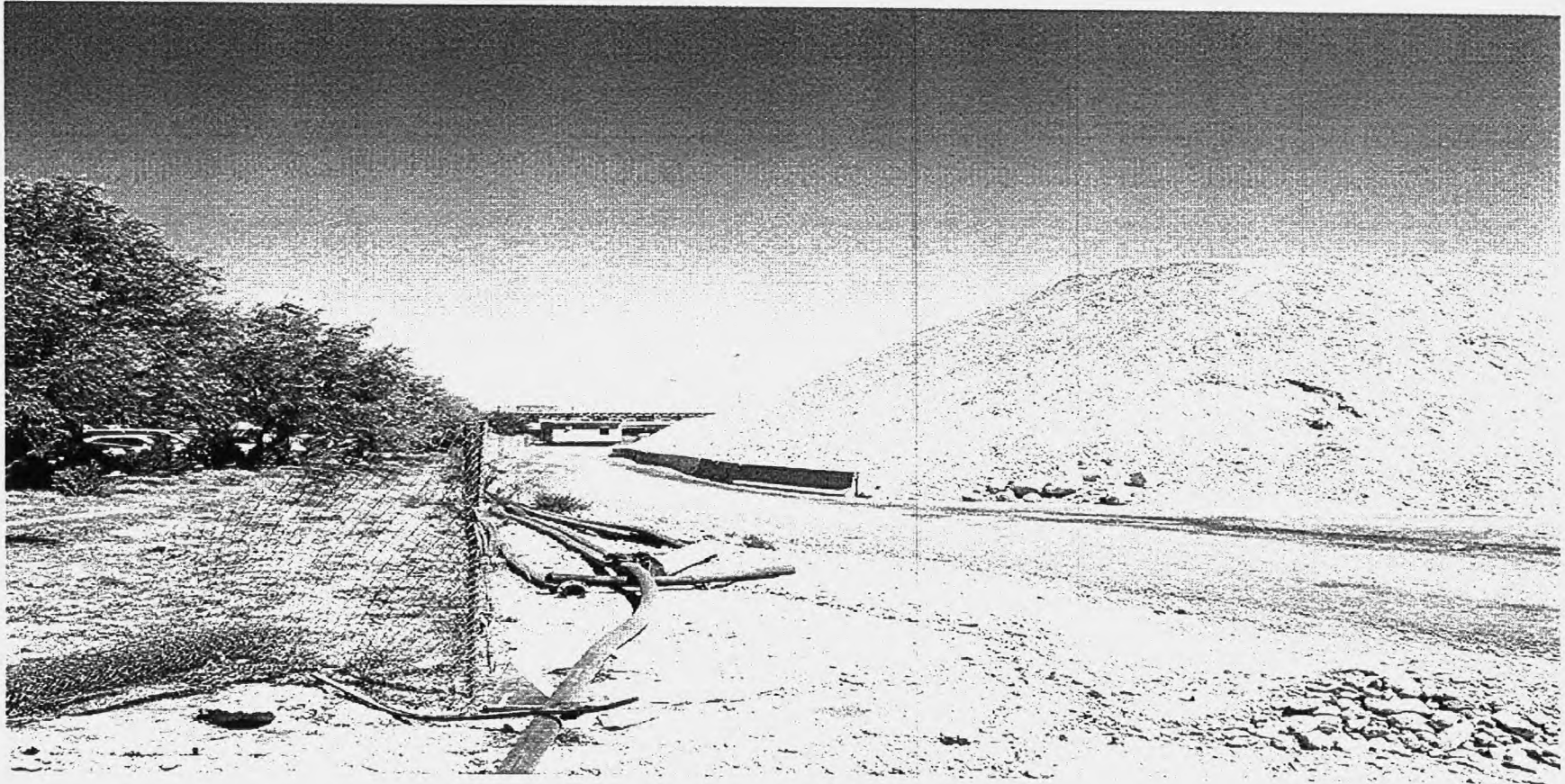
Rainbow is over capacity.

Based on Peak Hour use, this development will add roughly 21 additional cars into the area; which works out to about one every three minutes.

--	--

Note that this report assumes all traffic from this development uses all named streets.

--	--	--	--



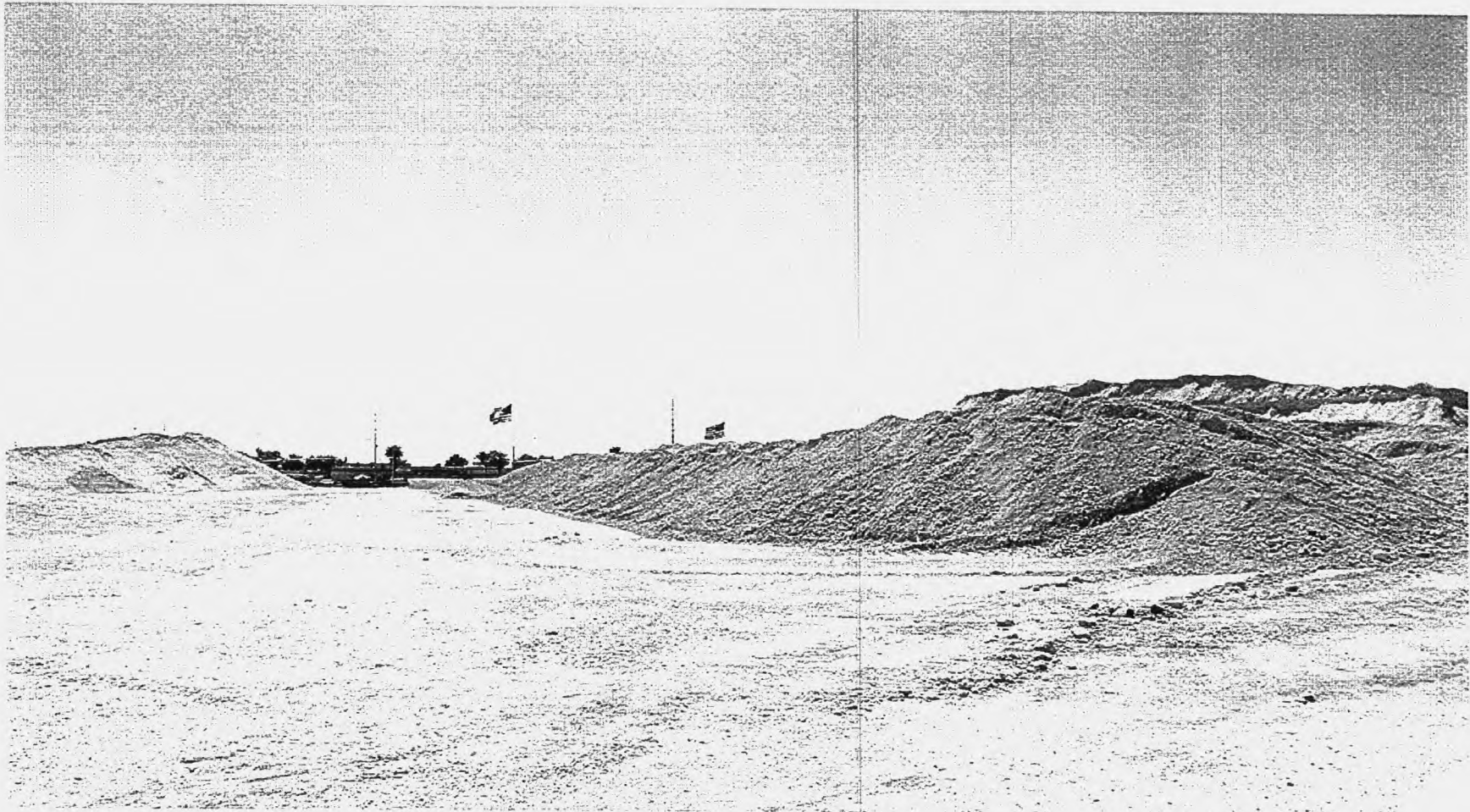
SDR-15747 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH
NORTHWEST CORNER OF RAINBOW BOULEVARD AND WESTCLIFF DRIVE
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/22/06



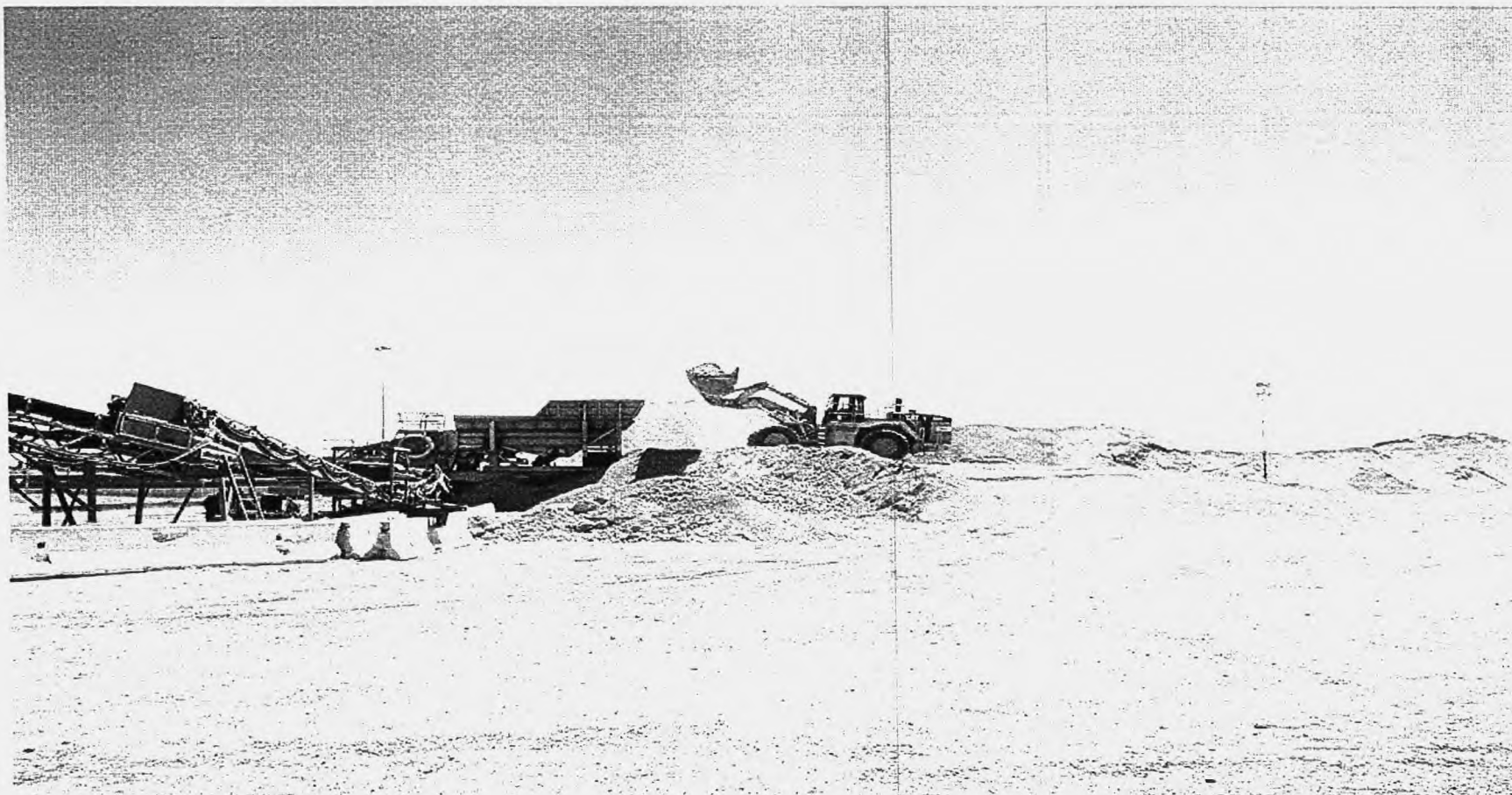
SDR-15747 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH
NORTHWEST CORNER OF RAINBOW BOULEVARD AND WESTCLIFF DRIVE
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/22/06



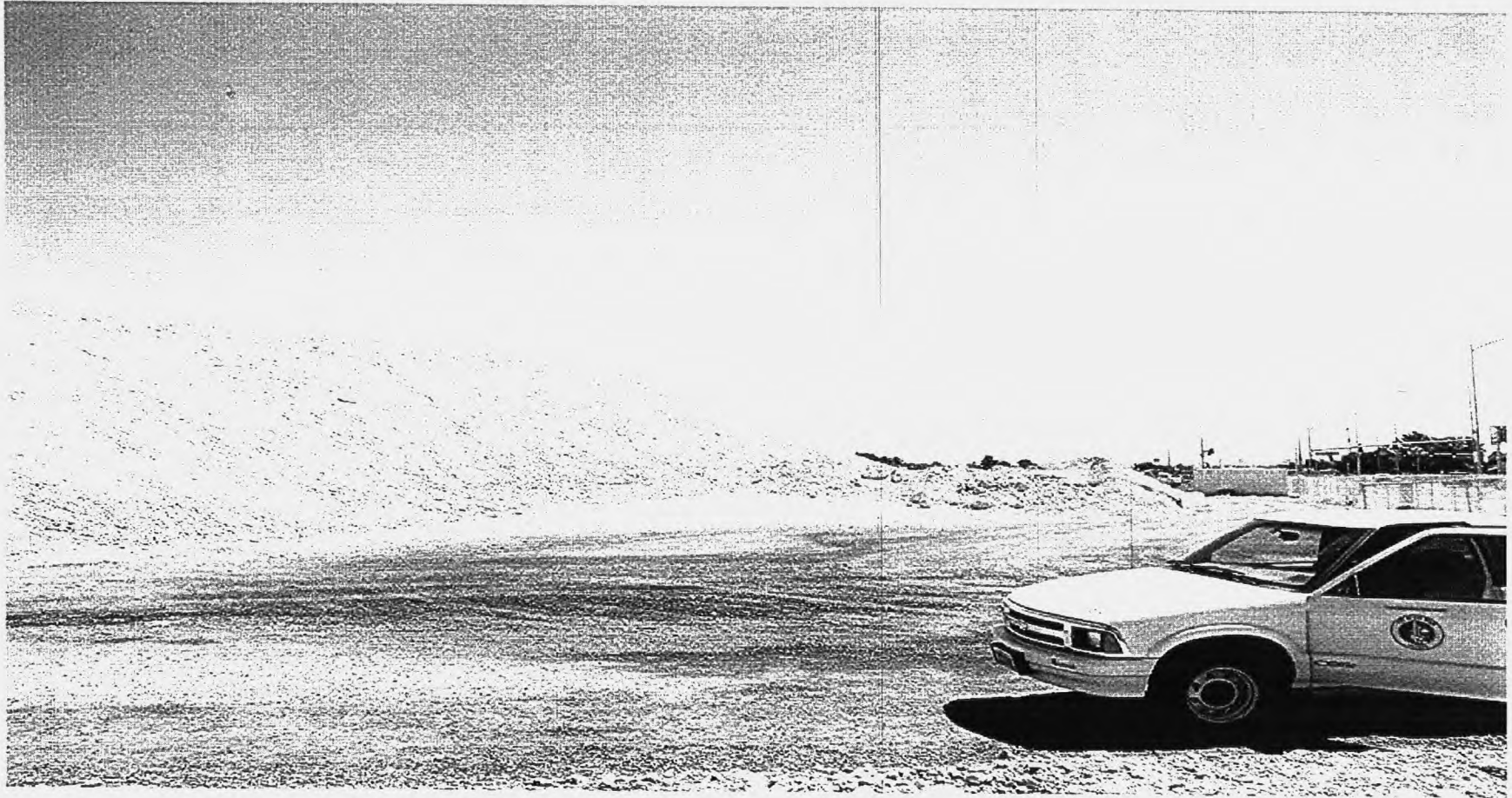
SDR-15747 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH
NORTHWEST CORNER OF RAINBOW BOULEVARD AND WESTCLIFF DRIVE
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/22/06



SDR-15747 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH
NORTHWEST CORNER OF RAINBOW BOULEVARD AND WESTCLIFF DRIVE
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/22/06



SDR-15747 - APPLICANT/OWNER: TWIN LAKES BAPTIST CHURCH
NORTHWEST CORNER OF RAINBOW BOULEVARD AND WESTCLIFF DRIVE
SEPTEMBER 21, 2006 PLANNING COMMISSION

08/22/06

LENDALL MAINS ARCHITECT

RECEIVED
AUG 08 2006

August 7, 2006

Planning & Development Department
City of Las Vegas
731 S. 4th St.
Las Vegas, NV 89101

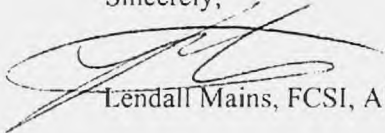
RE: Twin Lake Baptist Church
Request for Design and Site Review

Please accept this letter as justification for design and site review to A.P.No. 38-27-802-004.

We request that A.P. No. 38-27-802-004 for design and site review. Currently, parcel A.P. No. 138-27-802-004 is zoned C-1 Commercial with non-limited building height with our setbacks as follows: front yard- 20 feet; side yards- 10 feet; and rear yards- 10 feet. This project was previously reviewed by the City of Las Vegas in 2004 where the building was on the northwest parcel. The trail will remain as planned and we will comply with all C-1 requirements on the parcel. The parcel will be used for a proposed two-story mixed-used worship center of approximately 31,126 square feet. The previously approved building is being moved to the larger parcel for phase one of the development.

The church is also requesting to leave the previously approved modular building adjacent to the area that will be the west of the building of the project. The Phase I building will be open December 2007. The Church presently has facility on Vegas Drive and is requesting the use of the modular building be allowed to be placed on the site as shown on the attached drawings, for office and conference meeting space until their Phase I building is constructed.

Sincerely,



Lendall Mains, FCSI, AIA

SDR-15747
09/21/06 PC

3930 E. Patrick Lane, Ste. 1
Las Vegas NV 89120
(702) 437-5621 Phone
(702) 437-5623 Fax

RECEIVED
CITY CLERK**FAX COVER SHEET**

2007 FEB 20 P 3:45

Twin Lakes Baptist Church
5700 Vegas Drive
Las Vegas, Nevada 89108
(702) 648-5864
Fax: 648-3155

Send to: CITY COUNCIL	From: Twin Lakes Baptist Church
Attention: CITY CLERK	Date: 2/20/07
Office location:	Office location: 5700 Vegas Dr.
Fax number: 382-4803	Phone number: (702) 648-5864

☐ Urgent ☐ Reply ASAP ☐ Please comment ☐ Please review ☐ For your information

Total pages, including cover 1

Comments:

We would like to request that item # 110, application #SDR-15747 be held in Abeyance until April 18th.

Thank You,
Pastor Norman Lourenco

Date 2/20/07 Item #110

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

GENERAL PLAN AMENDMENT

GPA-18818 - PUBLIC HEARING - APPLICANT/OWNER: CRAIG TENAYA, LLC - Request to amend a portion of the Centennial Hills Sector Plan of the Master Plan FROM: O (OFFICE) TO: H (HIGH DENSITY RESIDENTIAL) on 7.49 acres adjacent to the east side of Tenaya Way, approximately 970 feet south of Craig Road (APN 138-03-701-021), Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

4

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL.

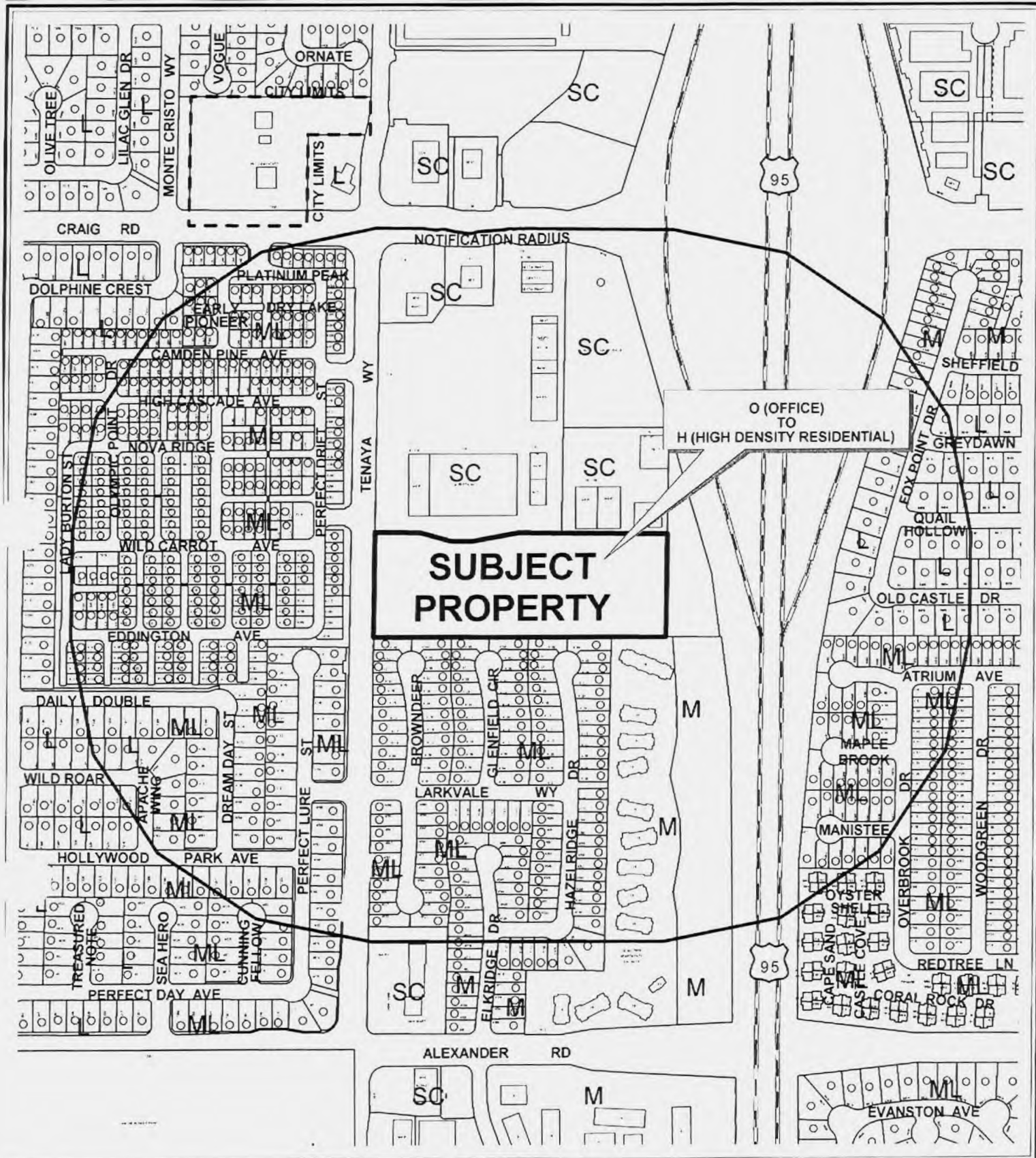
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 01-25-07 Planning Commission Meeting Item 39

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

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

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



CASE: **GPA-18818**

RADIUS: 1000 FT

GENERAL LAND USE OF SUBJECT PROPERTY:

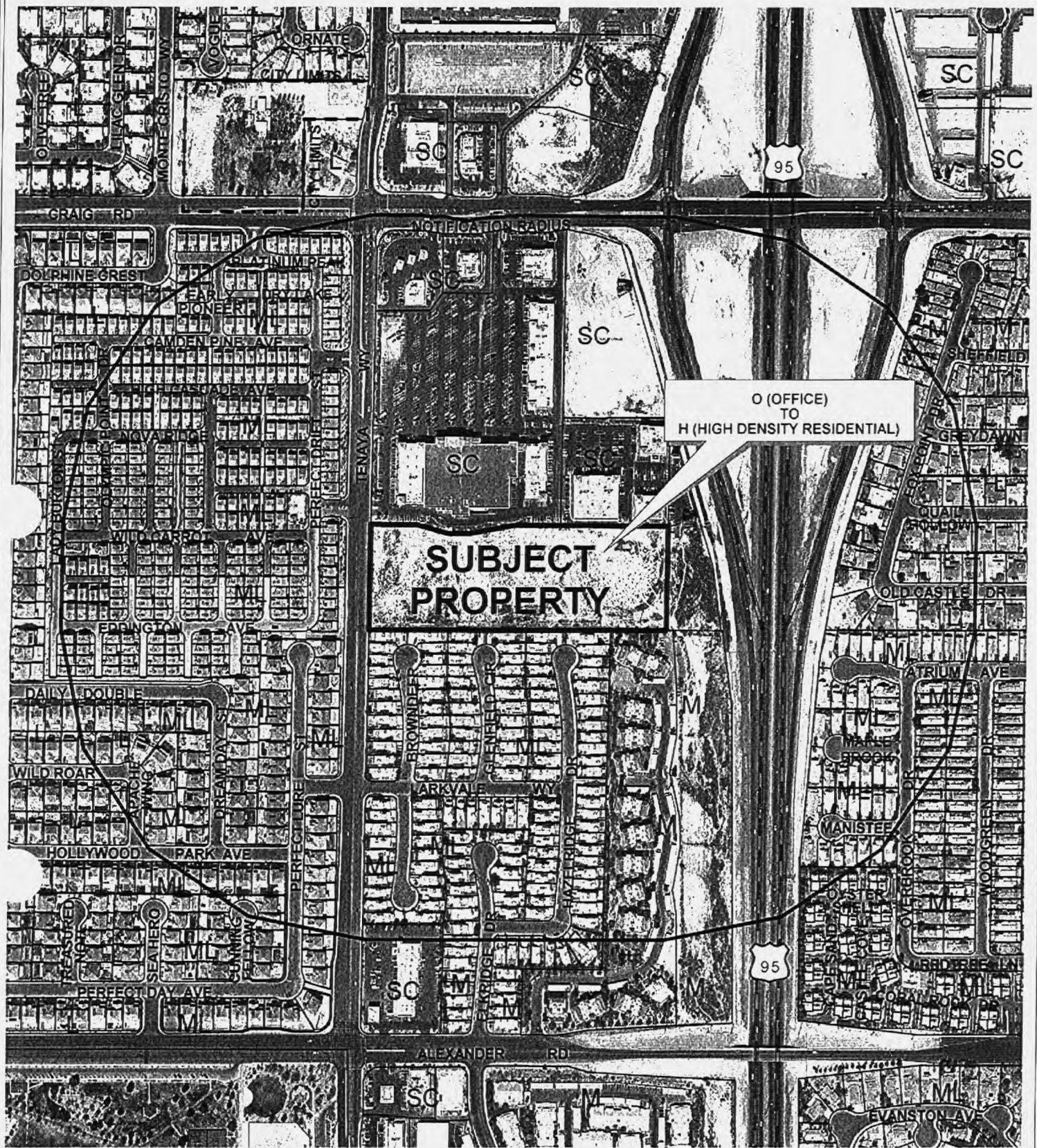
O (OFFICE)

PROPOSED GENERAL LAND USE OF SUBJECT PROPERTY:

H (HIGH DENSITY RESIDENTIAL)

0 200 400 600 Feet





CASE: **GPA-18818**

RADIUS: 1000 FT

GENERAL LAND USE OF SUBJECT PROPERTY:

O (OFFICE)

PROPOSED GENERAL LAND USE OF SUBJECT PROPERTY:

H (HIGH DENSITY RESIDENTIAL)

0 200 400 600 Feet



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-18818 - APPLICANT/OWNER: CRAIG TENAYA, LLC

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-2/se, sd vote) recommends APPROVAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to amend a portion of the Centennial Hills Sector Plan of the Master Plan from O (Office) to H (High Density Residential) on 7.49 acres adjacent to the east side of Tenaya Way approximately 970 feet south of Craig Road.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/05/90	The City Council denied a request for a reclassification of property (Z-0080-90) from N-U (Non-Urban) to C-1 (Limited Commercial) that included a shopping center, convenience store with gasoline sales, a four to six story office building, three off-premise billboard signs, an automobile service facility, restaurant with a beer/wine/cooler on-sale use, and retail stores with beer/wine/cooler off-sale uses. The Planning Commission recommended denial. Staff recommended approval.
11/06/96	The applicant withdrew without prejudice a request for a reclassification of property (Z-0094-96) from N-U (Non-Urban) to C-2 (General Commercial) for a 105,744 square-foot retail warehouse. The Planning Commission and staff recommended approval.
01/08/98	The applicant withdrew without prejudice a request for a Rezoning (Z-0081-97) from U (Undeveloped) [SC (Service Commercial) land use designation] to C-1 (Limited Commercial) for a 130,858 square-foot retail store. Staff recommended that the item be held in abeyance.
01/19/00	The City Council approved a Rezoning (Z-0071-99) of this site to O (Office), as part of a larger overall request which included the rezoning of the property to the north to C-1 (Limited Commercial). Staff recommended approval, and the Planning Commission believed the request to be premature and recommended denial.
01/25/07	The Planning Commission recommended approval of companion items ZON-18819, VAR-18820, SUP-18821 and SDR-18822 concurrently with this application. The Planning Commission voted 5-2/se, sd to recommend APPROVAL (PC Agenda Item #39/ar).
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this application.	
<i>Pre-Application Meeting</i>	
12/14/06	A pre-application meeting was held. The requirements of a General Plan Amendment were explained.

Neighborhood Meeting	
	A neighborhood meeting was held at Timbers Bar & Grill, 7081 West Craig Road at 6:15 P.M. Six members of the public attended and had the following concerns and comments:
	Five story condos too dense for area
	Concerns about impact to schools
	Support for two story office or commercial at site
	Concerns about fire
	Concerns about size and scope of project so close to single family homes
01/03/07	Concerns that the applicant did not properly notify the neighborhood meeting.

Details of Application Request	
Site Area	
Net Acres	7.49

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	O (Office)	O (Office)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Singe-Family Residential	ML (Medium-Low Density Residential)	R-CL (Single-Family Compact-Lot)
	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
West	Single Family Residential	ML (Medium-Low Density Residential)	R-PD8 (Residential Planned Development – 8 Units Per Acre)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175-Foot)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

The request is for a General Plan Amendment from O (Office) to H (High Density Residential). The proposed designation allows development such as multi-family plexes, townhouses, high-density apartments and high rise. The 7.49 acre site is currently undeveloped. The amendment was submitted in conjunction with a proposed Rezoning (ZON-18819) to R-4 (High Density Residential), a Variance (VAR-18820) to allow a 72-foot high building where 35 feet is the maximum height allowed, a Special Use Permit (SUP-18821) for a mixed-use development, and a Site Development Plan Review (SDR-18822) for a proposed five-story mixed-use development consisting of 213 condominium units and 29,717 square feet of commercial space.

Because the development plan associated with this request does not comply with the height requirements of Title 19, and because the density allowed by the proposed H (High Density Residential) designation is not compatible with the existing single family residential development to the south of this site, staff is unable to support this General Plan Amendment.

FINDINGS

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

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

In regard to "1":

The proposed H (High Density Residential) allows development such as multi-family plexes, townhouses, high-density apartments and high rise at densities exceeding 25.5 units per acres. This type of density is not compatible with the existing ML (Medium-Low Density Residential) development to the south.

In regard to “2”:

If approved, this amendment would allow development within the standards of the R-4 (High Density Residential) District. The R-4 (High Density Residential) District is intended to provide for the development of a variety of multi-family units such as duplexes, townhouses and high density apartments which are not compatible with the existing R-CL (Single Family Compact-Lot) development to the south.

In regard to “3”:

There are adequate facilities and infrastructure to accommodate a planned community on this site.

In regard to “4”:

This request does not comply with Program B1.4 of the Centennial Hills Sector Plan, which encourages the development of random vacant infill lots in substantially developed, single-family neighborhoods at densities similar to existing development.

This request also does not comply with Policy B3 of the Centennial Hills Sector Plan, which states that the appropriate location of multiple family residential uses in the Northwest area of the city should be in the Centennial Hills Town Center or Village Center areas.

The necessity of the associated height variance (VAR-18820) indicates that this General Plan Amendment is not in compliance with Program B3.1 of the Centennial Hills Sector Plan, which requires multi-family developments to be compatible with adjoining single-family uses through site planning and building design, setback and height requirements, landscape and wall buffers, and other buffers to adjoining uses.

PLANNING COMMISSION ACTION

There were speakers in protest at the Planning Commission meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 34

SENATE DISTRICT 4

NOTICES MAILED 655 by Planning Department

APPROVALS 1

PROTESTS 4



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-18818** APN: 138-03-701-021
Name of Property Owner: DOUGLAS E Simms
Name of Applicant: Christopher S Dyke

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: Douglas E Simms

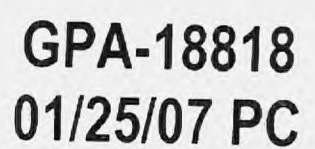
Subscribed and sworn before me

This 7th day of November, 2006

Barbara A Bros

Notary Public in and for said County and State







December 12, 2006

To: City of Las Vegas Planning and Development Department

Re: Craig Road & Tenaya Way-Justification Letter
Parcel Number # 138-03-701-021

Enclosed is the Submittal of the Craig & Tenaya Way Development of (Condominium Units & Office Space.

PROJECT LOCATION:

Craig & Tenaya Way Center ("The Project") is located south of Craig on east side Tenaya next to the I-95 within the City of Las Vegas, in the north-west portion of the Vegas Valley.

PROJECT CONCEPT:

Craig & Tenaya Way Center has been designed as a "mix use" project. The Project will consist of 213 condominiums, along with approximately 29,717 square feet of office space. The office will be located along Tenaya; with the condominium homes located above and behind. The architectural character of the Center is Tuscan Design, and residential in nature. This center is directly adjacent to the C-1 shopping center to the north. The center is a transitional use between the existing commercial shopping and two story single family and two story multi-family residential to the south. The project has been "loaded" to the north and east side of the site to minimize the impact to the single family residential neighbors. The project has been designed to emphasize the pedestrian nature of mixed use projects and allow access to the commercial site, surrounding the proposed development is a "Pedestrian Realm" that circulates around the whole project perimeter and access the neighboring public access points.

GPA-18818
01/25/07 PC

-pg 2-

The building height has been stair stepped to minimize the impact to the surrounding development from and buffer the development from the freeway. An intense buffer has been placed along the south property line to allow a modified 2:1 slope.

The rear portion of the site is currently in the FEMA Flood Plane, which prohibits on grade construction. The proposed design elevates the rear of the project to allow the construction of units and open space therefore, from an aerial view of the project complies with a lot coverage and open space requirements.

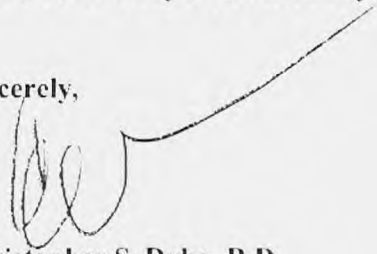
The proposed Project will feature:

The 213 condominium homes will range in size from 880 square feet to 1,517 square feet at the center drive is a 2 acre Sky Park, inclusive of pools, BBQ area, gazebos, walking paths, landscaping and putting area.

In summary, Tenaya Way Center consists of (i) 415,698 square feet of living space;(ii) approximately 29,717 square feet of office space;(iii) 155,390 square feet of garage space;(iv) a total of 594 parking spaces where 543 spaces are required; and (v) 211,558.57 square feet of open space; (vi) 2 acre Sky Park. The height of Tenaya Way Center will not exceed 71 feet from grade.

Please contact my office with any further questions regarding this project.

Sincerely,

A handwritten signature in dark ink, appearing to read 'CDyka', with a long, sweeping horizontal line extending to the right.

Christopher S. Dyka, R.D.
Project Manager

GPA-18818
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**

Robert L. Chiu
4033 Browndeer Cir
Las Vegas, NV 89129
January 20, 2007

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

Re: General Plan Amendment GPA-18818

Applicant: Craig Tenaya, LLC

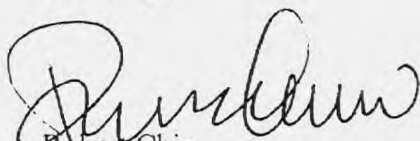
Dear Mr. Douglas J. Rankin:

I strongly object to the above application for the following reasons;

- This development would have a significant adverse effect on the current community. A new development of this size, being extremely high density is completely out of place in a community made up of single family homes and small condominiums. It will overpower the existing area and in no way in keeping with the locality. There is currently enough low density commercial area to cater to the needs of the residents in the area.
- A large number of condominiums and large commercial area will mean more cars and increased traffic.
- This development will also adversely affect the landscape character and visual amenity. By exceeding more than two times the 35 feet maximum height limit, it will protrude above all the surrounding buildings and block the view of the mountains.

I urge you once again to reject this application.

Sincerely,


Robert Chiu
Home Owner

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REZONING RELATED TO GPA-18818

ZON-18819 - PUBLIC HEARING - APPLICANT/OWNER: CRAIG TENAYA, LLC - Request for a Rezoning FROM: O (OFFICE) TO: R-4 (HIGH DENSITY RESIDENTIAL) on 7.49 acres adjacent to the east side of Tenaya Way, approximately 970 feet south of Craig Road (APN 138-03-701-021), Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

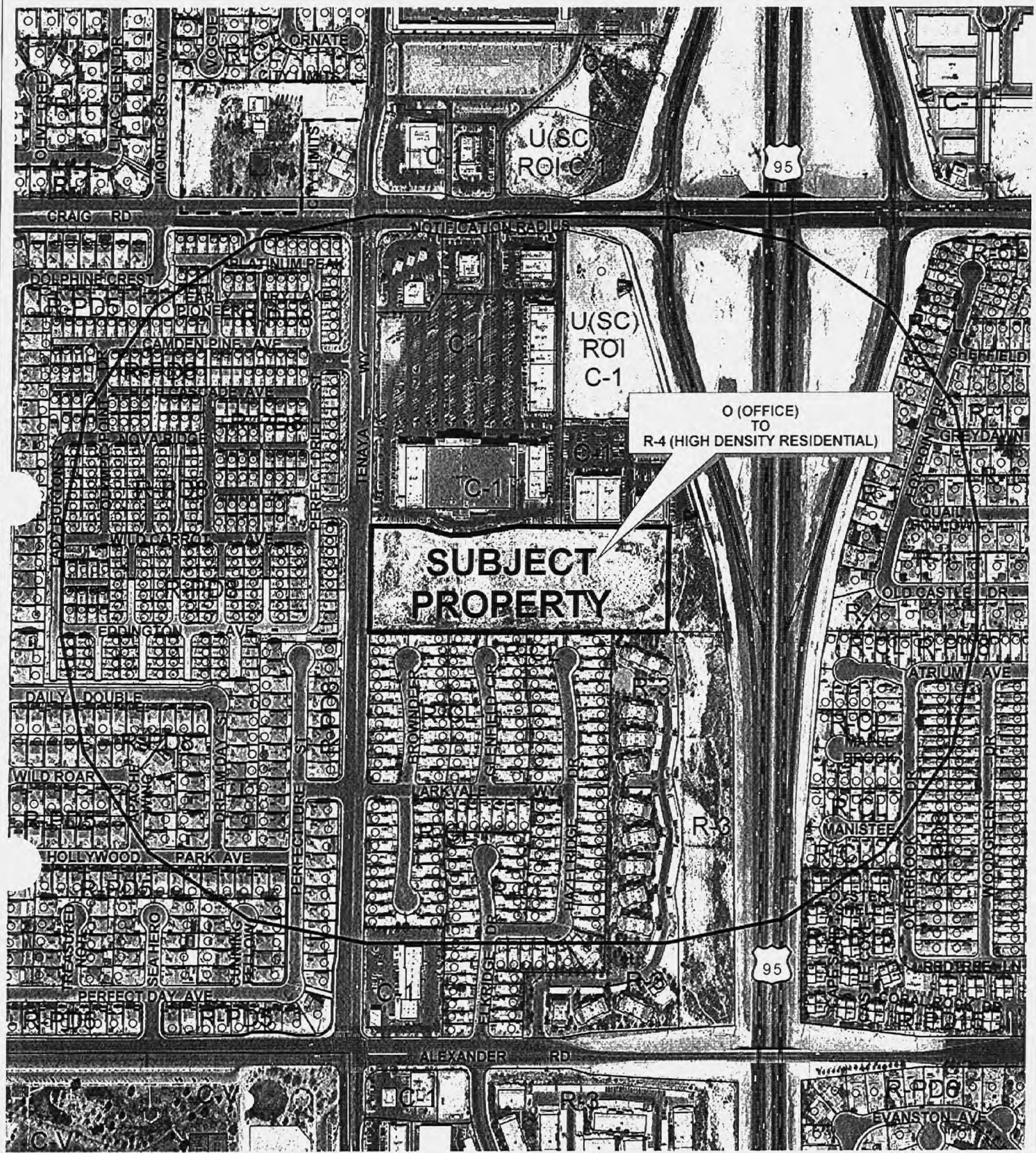
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Revised Site Plans for Items 112-115

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

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

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





CASE: **ZON-18819**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

O (OFFICE)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-4 (HIGH DENSITY RESIDENTIAL)

0 300 600 900 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-18819 - APPLICANT/OWNER: CRAIG TENAYA, LLC

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-2/se, sd vote) recommends APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-18822) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. 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.
4. 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.

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from O (Office) to R-4 (High Density Residential) on 7.49 acres adjacent to the east side of Tenaya Way approximately 970 feet south of Craig Road.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/05/90	The City Council denied a request for a reclassification of property (Z-0080-90) from N-U (Non-Urban) to C-1 (Limited Commercial) that included a shopping center, convenience store with gasoline sales, a four to six story office building, three off-premise billboard signs, an automobile service facility, restaurant with a beer/wine/cooler on-sale use, and retail stores with beer/wine/cooler off-sale uses. The Planning Commission recommended denial. Staff recommended approval.
11/06/96	The applicant withdrew without prejudice a request for a reclassification of property (Z-0094-96) from N-U (Non-Urban) to C-2 (General Commercial) for a 105,744 square-foot retail warehouse. The Planning Commission and staff recommended approval.
01/08/98	The applicant withdrew without prejudice a request for a Rezoning (Z-0081-97) from U (Undeveloped) [SC (Service Commercial) land use designation] to C-1 (Limited Commercial) for a 130,858 square-foot retail store. Staff recommended that the item be held in abeyance.
01/19/00	The City Council approved a Rezoning (Z-0071-99) of this site to O (Office), as part of a larger overall request which included the rezoning of the property to the north to C-1 (Limited Commercial). Staff recommended approval, and the Planning Commission believed the request to be premature and recommended denial.
01/25/07	The Planning Commission recommended approval of companion items GPA-18818, VAR-18820, SUP-18821 and SDR-18822 concurrently with this application. The Planning Commission voted 5-2/se, sd to recommend APPROVAL (PC Agenda Item #40/ar).
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this application.	
<i>Pre-Application Meeting</i>	
12/14/06	A pre-application meeting was held. The requirements of a Rezoning were explained.

Neighborhood Meeting	
01/03/07	A neighborhood meeting was held at Timbers Bar & Grill, 7081 West Craig Road at 6:15 P.M. Six members of the public attended and had the following concerns and comments: Five story condos too dense for area Concerns about impact to schools Support for two story office or commercial at site Concerns about fire Concerns about size and scope of project so close to single family homes Concerns that the applicant did not properly notify the neighborhood meeting.

Details of Application Request	
Site Area	
Net Acres	7.49

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	O (Office)	O (Office)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Singe-Family Residential	ML (Medium-Low Density Residential)	R-CL (Single-Family Compact-Lot)
	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
West	Single Family Residential	ML (Medium-Low Density Residential)	R-PD8 (Residential Planned Development – 8 Units Per Acre)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175-Foot)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
O (Office)	N/A	N/A
<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-4 (High Density Residential)	26-50 Units Per Acre	374 Units
<i>General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
H (High Density Residential)	> 25.49 Units Per Acre	374 Units (Unlimited with an R-5 District)

ANALYSIS

The proposed density of development of 28.5 dwelling units per acre is not compatible with adjacent properties to the south, which are developed at a density of 7.26 dwelling units per acre. Additionally, the proposed buildings do not comply with the height requirements of the R-4 (High Density Residential) zoning district, and therefore staff finds that the development plan and associated development standards prepared by the applicant are not appropriate for this location.

The site is currently zone O (Office). This zoning district is designed to provide for the development of office uses, supporting service uses and low intensity commercial uses performing administrative, professional and personal services. These may be small office buildings developed in a cluster with an internal traffic circulation system or one larger office building. This district may be used as a buffer between residential and more intense retail/commercial uses. The O District is consistent with the Office category of the General Plan. The following development standards apply to the O zoning district:

STANDARD	
Min. Lot Width (ft.)	100
Min. Front Yard Setback (ft.)	25
Min. Side Yard Setback (ft.)	10
Min. Rear Yard Setback (ft.)	15
Max. Lot Coverage	30%
Max. Building Height	Lesser of 2 stories or 35 feet

FINDINGS

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

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

This request does not comply with Program B1.4 of the Centennial Hills Sector Plan, which encourages the development of random vacant infill lots in substantially developed, single-family neighborhoods at densities similar to existing development.

This request also does not comply with Policy B3 of the Centennial Hills Sector Plan, which states that the appropriate location of multiple family residential uses in the Northwest area of the city should be in the Centennial Hills Town Center or Village Center areas.

The necessity of the associated height variance (VAR-18820) indicates that this rezoning is not in compliance with Program B3.1 of the Centennial Hills Sector Plan, which requires multi-family developments to be compatible with adjoining single-family uses through site planning and building design, setback and height requirements, landscape and wall buffers, and other buffers to adjoining uses.

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."

If approved, this rezoning would allow development within the standards of the R-4 (High Density Residential) District. The R-4 (High Density Residential) District is intended to provide for the development of a variety of multi-family units such as duplexes, townhouses and high density apartments which are not compatible with the existing R-CL (Single Family Compact-Lot) development to the south.

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

The project as designed is more intense than other existing or proposed developments in the area, and requires an associated height variance (VAR-18820) which would allow a 72-foot high building where 35 feet is the maximum height allowed. As such, the project is not appropriate to its context.

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."

Adequate access to this site will be provided from Tenaya Way, a Secondary Street as designated by the Master Plan of Streets and Highways.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 7

ASSEMBLY DISTRICT 34

SENATE DISTRICT 4

NOTICES MAILED 655 by Planning Department

APPROVALS 1

PROTESTS 3



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-18819** APN: 138-03-701-021
Name of Property Owner: Douglas E Simms
Name of Applicant: Christopher S. Dyka

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: [Signature]
Print Name: Douglas E Simms

Subscribed and sworn before me

This 7th day of November, 2006
Barbara A. Bross

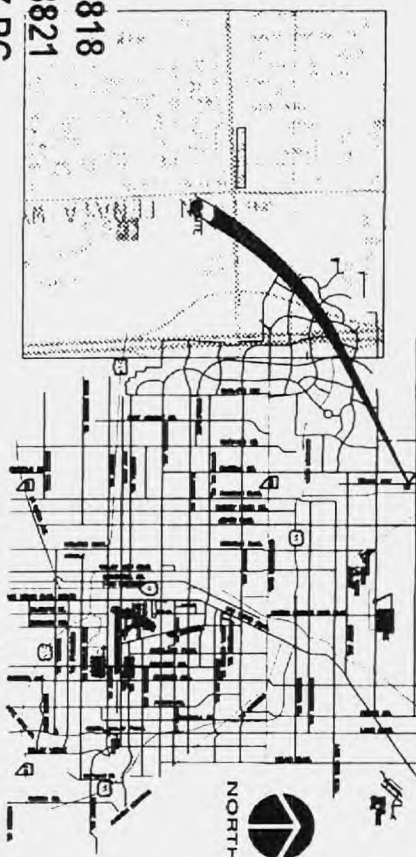
Notary Public in and for said County and State



ZON-18819 GPA-18818
VAR-18820 SUP-18821
SDR-18822 01/25/07 PC
REVISED

RECEIVED
JAN 04 2006

VICINITY MAP



ZONED R-1

LEVEL T - ARCHITECTURAL SITE PLAN

SITE DATA

APN: 136-03-701-021

CONDOMINIUM UNITS
TOTAL UNITS: 100
TOTAL GROSS AREA: 100,000 SQ. FT.
TOTAL NET AREA: 80,000 SQ. FT.
TOTAL COMMON AREA: 20,000 SQ. FT.
TOTAL PARKING SPACES: 100

COMMERCIAL AREA

CONDOMINIUM UNITS

CONDOMINIUM UNITS

CONDOMINIUM UNITS

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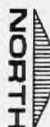
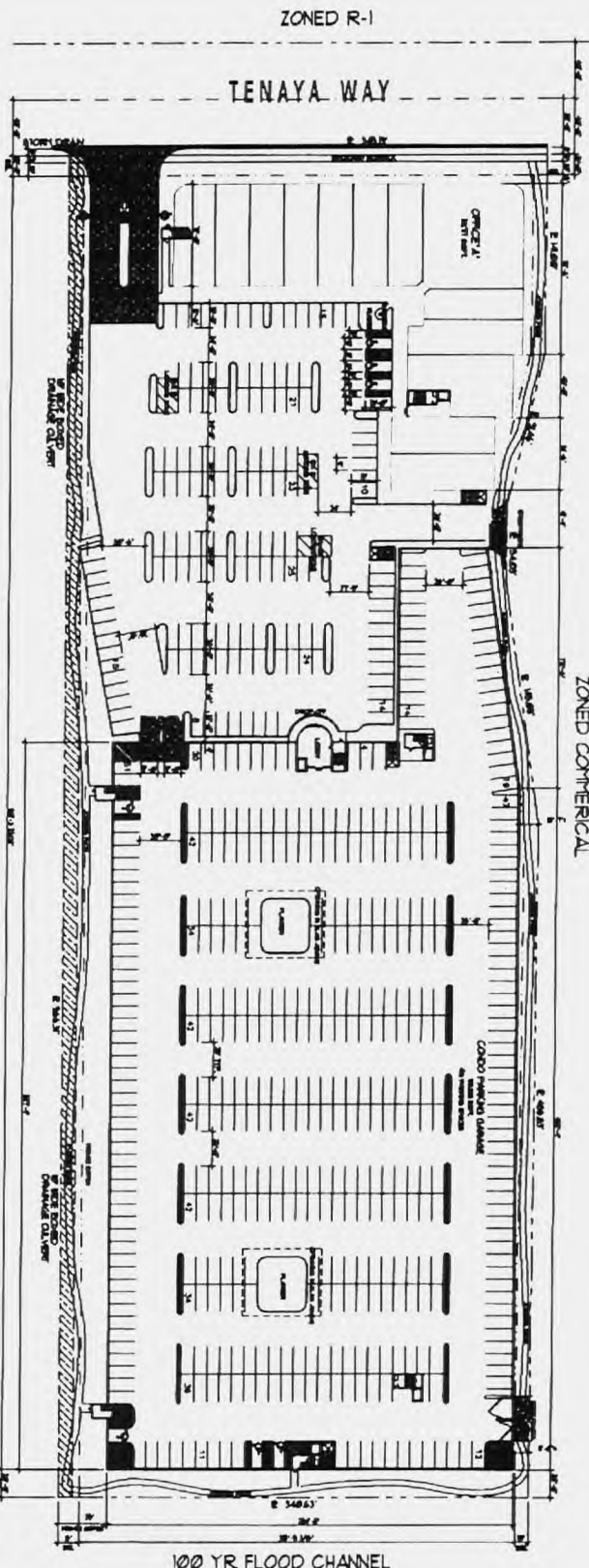
CONDOMINIUM UNITS

CONDOMINIUM UNITS

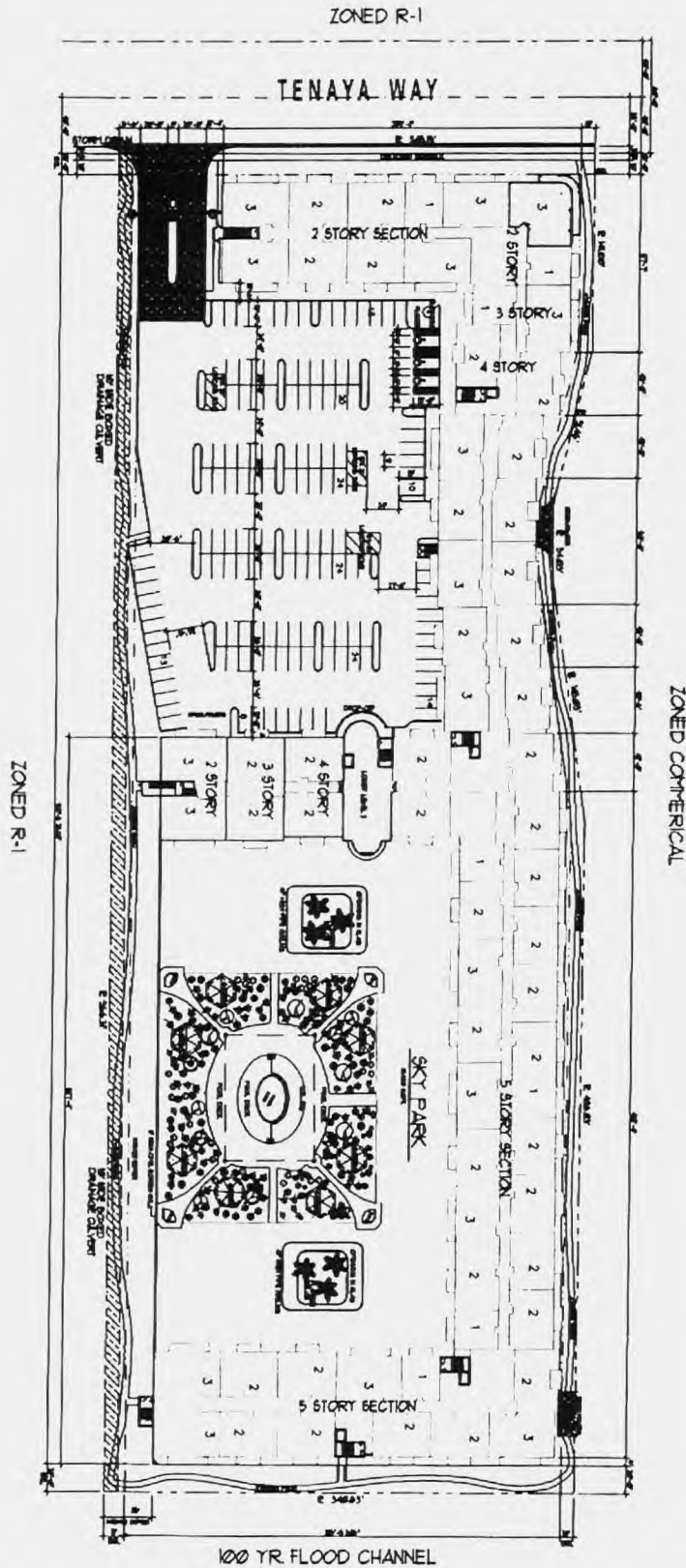
CONDOMINIUM UNITS

CONDOMINIUM UNITS

CONDOMINIUM UNITS



AS-1	TENAYA WAY CENTRE for DESERT CAPITAL GROUP TENAYA WAY and CRAIG ROAD LAS VEGAS, NEVADA	PROPOSED FIRST LEVEL ARCHITECTURAL SITE PLAN	GREENE TINDALL 200 EAST HENRIETTA ROAD, SUITE 2 LAS VEGAS, NEVADA 89119 PHONE 702-797-0000 FACSIMILE 702-797-0000 ARCHITECTURE ENVIRONMENTAL DESIGN SPECIAL CONSULTING	GREENE TINDALL
-------------	---	---	---	-----------------------



LEVEL 2 - ARCHITECTURAL SITE PLAN



ZON-18819
VAR-18820
SDR-18822

GPA-18818
SUP-18821

REVISED

01/25/07 PC

RECEIVED
JAN 04 2006

TENAYA WAY CENTRE
for DESERT CAPITAL GROUP
TENAYA WAY and CRAIG ROAD
CLARK COUNTY
LAS VEGAS, NEVADA

PROPOSED
SECOND LEVEL
ARCHITECTURAL
SITE PLAN

THIS DRAWING IS THE PROPERTY OF GREENE TINDALL. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF GREENE TINDALL. ANY UNAUTHORIZED USE OF THIS DRAWING IS PROHIBITED AND WILL BE CONSIDERED A VIOLATION OF THE PROFESSIONAL SEAL OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY DAMAGE, LOSS, OR INJURY, INCLUDING CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS DRAWING, WHETHER OR NOT SUCH DAMAGE, LOSS, OR INJURY IS CAUSED IN WHOLE OR IN PART BY NEGLIGENCE. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROFESSIONAL FEES RECEIVED FOR THE SERVICES RENDERED.

GREENE TINDALL
ONE EAST TENAYA BLVD, SUITE 100
LAS VEGAS, NEVADA 89101
PHONE 702-495-0000
FACSIMILE 702-495-0000
ARCHITECTS - COMMERCIAL DESIGN - GENERAL CONTRACTORS

AS-2

December 12, 2006

To: City of Las Vegas Planning and Development Department

Re: Craig Road & Tenaya Way-Justification Letter
Parcel Number # 138-03-701-021

Enclosed is the Submittal of the Craig & Tenaya Way Development of (Condominium Units & Office Space.

PROJECT LOCATION:

Craig & Tenaya Way Center ("The Project") is located south of Craig on east side Tenaya next to the I-95 within the City of Las Vegas, in the north-west portion of the Vegas Valley.

PROJECT CONCEPT:

Craig & Tenaya Way Center has been designed as a "mix use" project. The Project will consist of 213 condominiums, along with approximately 29,717 square feet of office space. The office will be located along Tenaya; with the condominium homes located above and behind. The architectural character of the Center is Tuscan Design, and residential in nature. This center is directly adjacent to the C-1 shopping center to the north. The center is a transitional use between the existing commercial shopping and two story single family and two story multi-family residential to the south. The project has been "loaded" to the north and east side of the site to minimize the impact to the single family residential neighbors. The project has been designed to emphasize the pedestrian nature of mixed use projects and allow access to the commercial site, surrounding the proposed development is a "Pedestrian Realm" that circulates around the whole project perimeter and access the neighboring public access points.

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DEC 18 2006

~~ZON-18819~~
01/25/07 PC

-pg 2-

The building height has been stair stepped to minimize the impact to the surrounding development from and buffer the development from the freeway. An intense buffer has been placed along the south property line to allow a modified 2:1 slope.

The rear portion of the site is currently in the FEMA Flood Plane, which prohibits on grade construction. The proposed design elevates the rear of the project to allow the construction of units and open space therefore, from an aerial view of the project complies with a lot coverage and open space requirements.

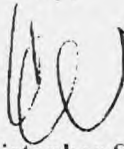
The proposed Project will feature:

The 213 condominium homes will range in size from 880 square feet to 1,517 square feet at the center drive is a 2 acre Sky Park, inclusive of pools, BBQ area, gazebos, walking paths, landscaping and putting area.

In summary, Tenaya Way Center consists of (i) 415,698 square feet of living space;(ii) approximately 29,717 square feet of office space;(iii) 155,390 square feet of garage space;(iv) a total of 594 parking spaces where 543 spaces are required; and (v) 211,558.57 square feet of open space; (vi) 2 acre Sky Park. The height of Tenaya Way Center will not exceed 71 feet from grade.

Please contact my office with any further questions regarding this project.

Sincerely,

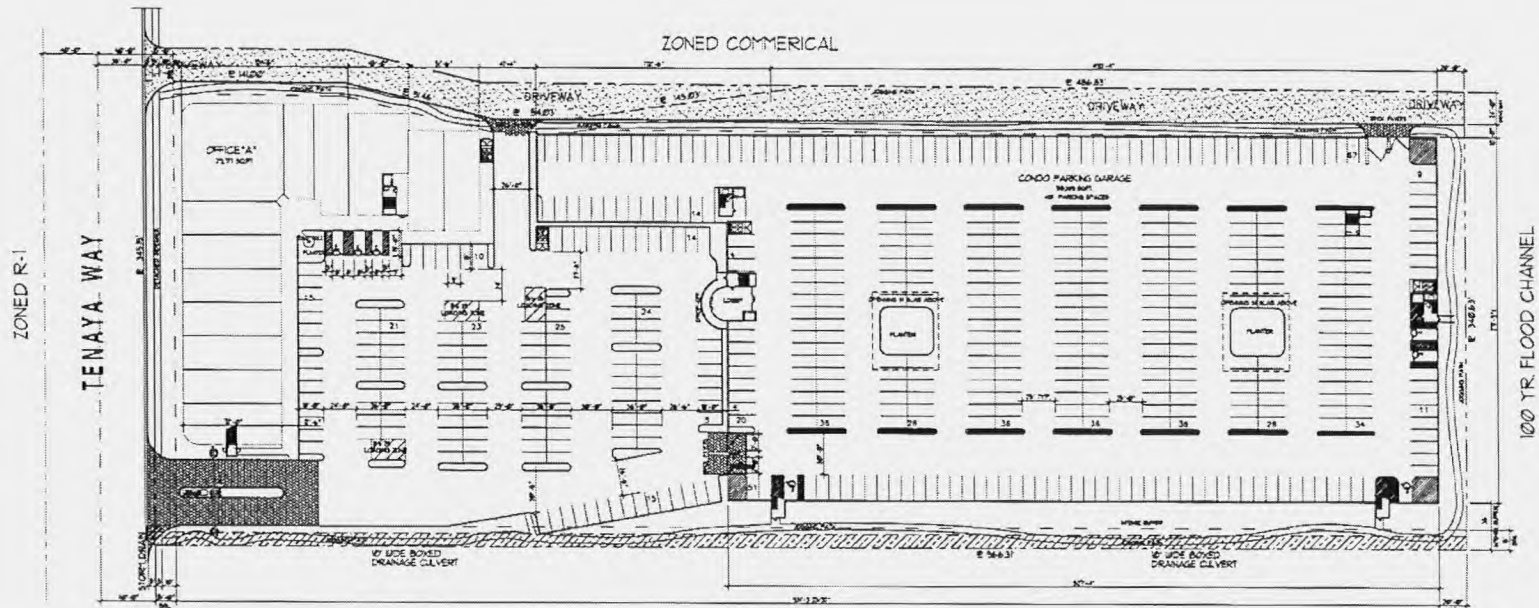


Christopher S. Dyka, R.D.
Project Manager

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DEC 18 2006

ZON-18819
01/25/07 PC

Notes 2/8/10 Item # 112-115

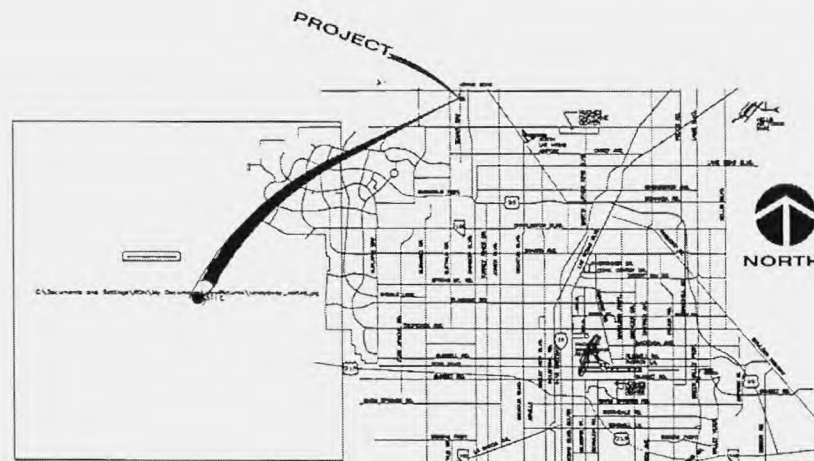


ZONED R-1

LEVEL 1 - ARCHITECTURAL SITE PLAN

NORTH

SCALE: 1" = 40'-0"



VICINITY MAP
ZON-18819
VAR-18820
SUP-18821
SDR-18822
02-21-07 CC

SITE DATA

APN: 138-03-701-021

SITE AREA: GROSS	326,264.4 SQ FT	7.43 ACRES
NET	326,264.51 SQ FT	7.43 ACRES
BLDG FOOTPRINT	796,896 SQ FT	18.2 ACRES
OPEN SPACE (LEVEL 1)	1,020,851 SQ FT	23.4 ACRES
TOTAL OPEN SPACE	2,027,747.51 SQ FT	46.6 ACRES
204 UNITS / 7.43 AC.	27 UNITS PER ACRE	

COMMERCIAL AREA

OFFICE	79,771 SQ FT
PARKING GARAGE	85,290 SQ FT
SUBTOTAL	165,061 SQ FT

CONDOMINIUM UNITS

	UNIT "A"	UNIT "B"	UNIT "C"
	1 BEDROOM 1066 SQ FT	2 BEDROOM 1244 SQ FT	3 BEDROOM 1511 SQ FT
1st FLR	8 - 1,040 SF	42 - 1,566 SF	5 - 2,756 SF
2nd FLR	6 - 5,280 SF	36 - 48,364 SF	10 - 18,710 SF
3rd FLR	5 - 4,400 SF	34 - 45,656 SF	9 - 13,653 SF
4th FLR	5 - 4,400 SF	30 - 40,310 SF	9 - 13,653 SF
SUB TOTALS	24 - 7,120 SF	112 - 152,840 SF	43 - 65,773 SF

TOTAL UNITS: 204 UNITS + 27,775 SQ FT

CONDOMINIUM AREA: 4 FLOORS = 35,541 SQ FT

GRAND TOTAL CONDOS: 362,566 SQ FT

TOTAL OFFICE: 79,771 SQ FT

TOTAL GARAGES: 85,290 SQ FT

GRAND TOTAL PROJECT: 347,627 SQ FT

PARKING REQUIREMENTS

OFFICE REQD:	33 SPACES PER 1,000 = 96 SPACES
RESIDENTIAL REQD:	1 BEDROOM UNIT = 125 PER UNIT = 24 - 3,000 SPACES 2 BEDROOM UNIT = 175 PER UNIT = 192 - 24,000 SPACES 3 BEDROOM UNIT = 225 PER UNIT = 95 - 11,875 SPACES
VISITOR REQD:	1 SPACE PER 6 UNITS = 204 UNITS / 6 = 34.0 SPACES
TOTAL REQD:	436 SPACES

PARKING PROVIDED

CONDOMINIUM PARKING	410 SPACES
OFFICE PARKING	85 SPACES
TOTAL PROVIDED	495 SPACES

RECEIVED
FEB 16 2007

GREENE TINDALL

DESIGN ARCHITECTS

100 EAST BUNNELL BLVD. SUITE 200
LAS VEGAS, NEVADA 89101
TEL: 702-735-1100
FAX: 702-735-1101
WWW.GREENTINDALL.COM

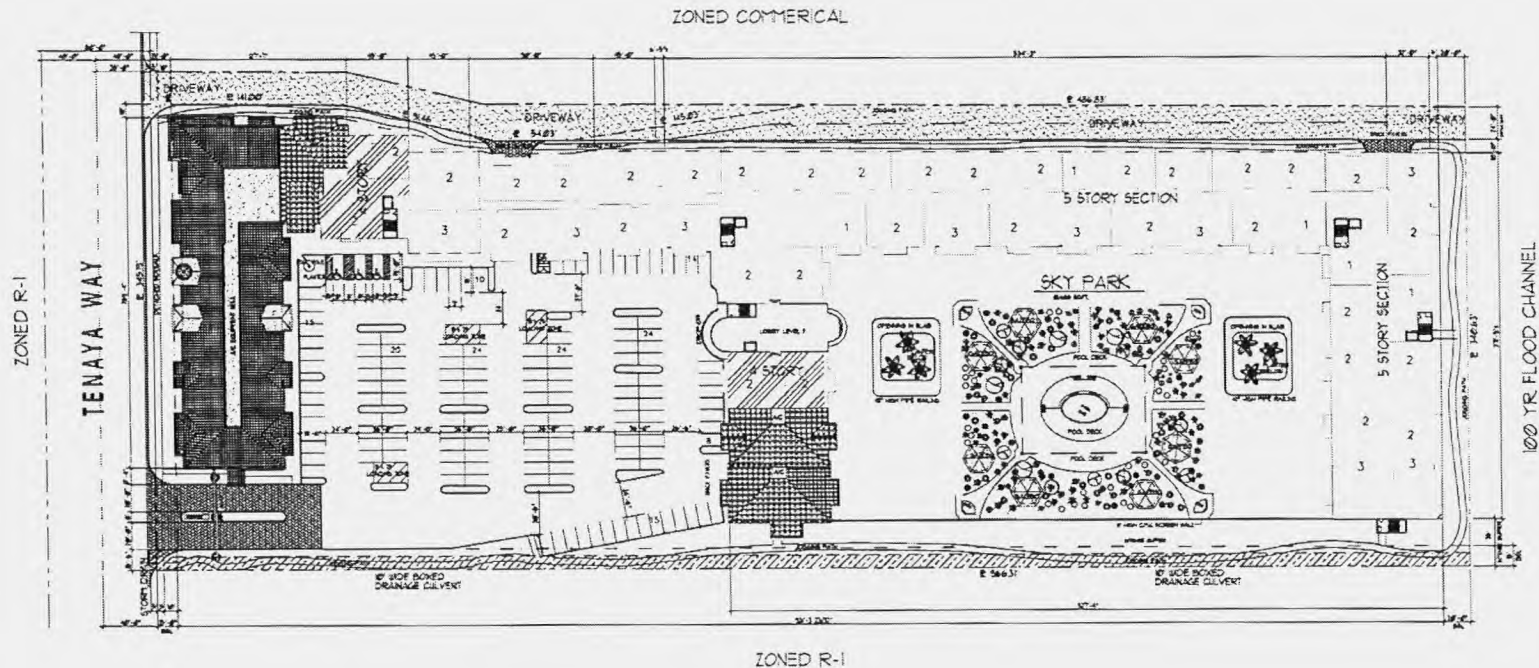
ARCHITECTURAL, ENVIRONMENTAL, INTERIOR, GENERAL CONTRACTING

**PROPOSED
FIRST LEVEL
ARCHITECTURAL
SITE PLAN**

**TENAYA WAY CENTRE
for DESERT CAPITAL GROUP**

TENAYA WAY AND GRAND ROAD
LAS VEGAS, NEVADA

DT-808
REV
2-18-2008
DATE
1-2-2007
SHEET NO.
AS-1
1 of 88 sheets



LEVEL "4" - ARCHITECTURAL PLAN



ZON-18819
VAR-18820
SUP-18821
SDR-18822
02-21-07 CC

RECEIVED
FEB 16 2007

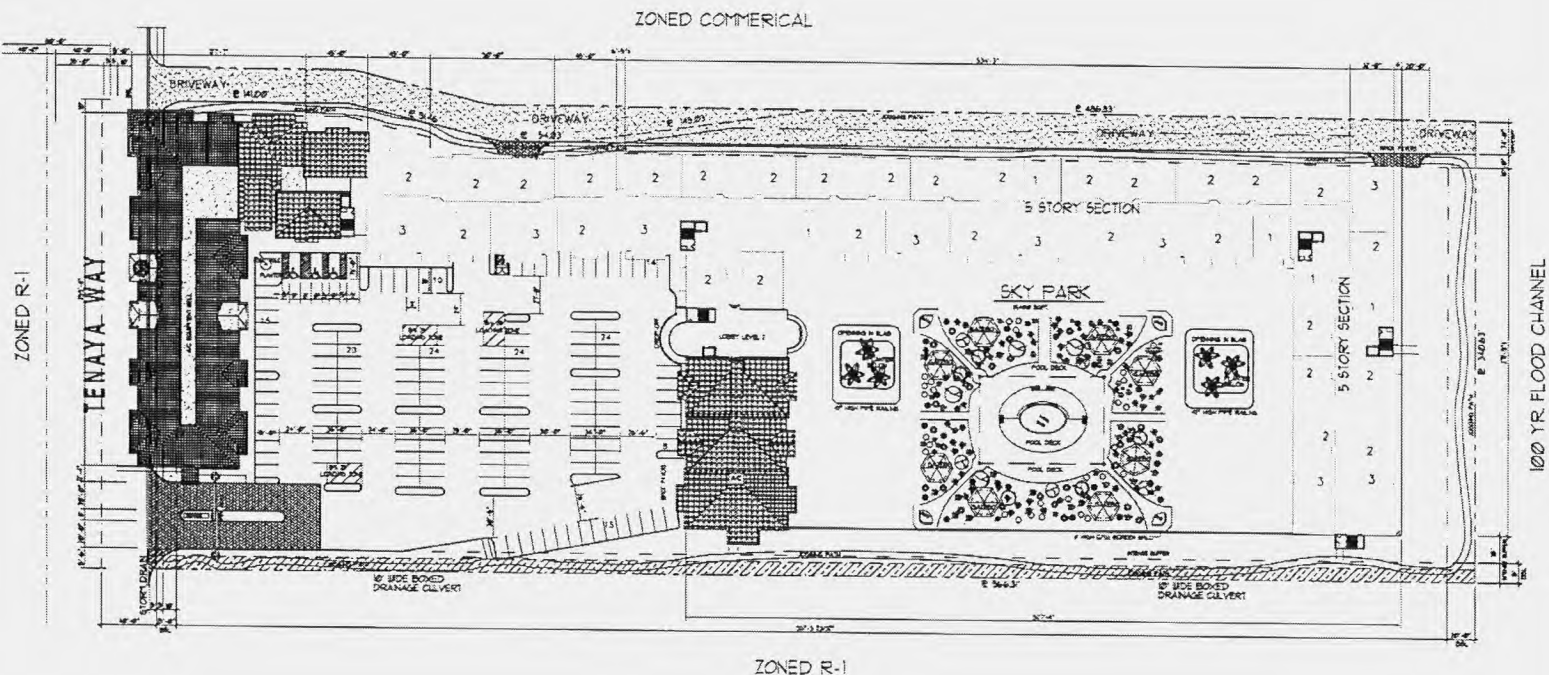
GREENE TINDALL
300 EAST SIMMONS BOULEVARD, SUITE 6
LAS VEGAS, NEVADA 89101
PHONE: 702-735-1000
FAX: 702-735-1001
ARCHITECTURE/INTERIOR DESIGN/GENERAL CONTRACTING

THIS PLAN IS A PRELIMINARY DESIGN. IT IS NOT TO BE USED FOR CONSTRUCTION. THE DESIGNER ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS. THE CLIENT ASSUMES ALL LIABILITY FOR ANY SUCH ERRORS OR OMISSIONS. THE DESIGNER'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE BUILDING. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR THE ACCURACY OF ALL INFORMATION PROVIDED TO THE DESIGNER.

PROPOSED
FOURTH LEVEL
ARCHITECTURAL
PLAN

TENAYA WAY CENTRE
for DESERT CAPITAL GROUP
TENAYA WAY AND CHAND ROAD
CLARK COUNTY
LAS VEGAS, NEVADA

DT-800
2-15-2008
1-2-2007
AS-4
1 of 11 sheets



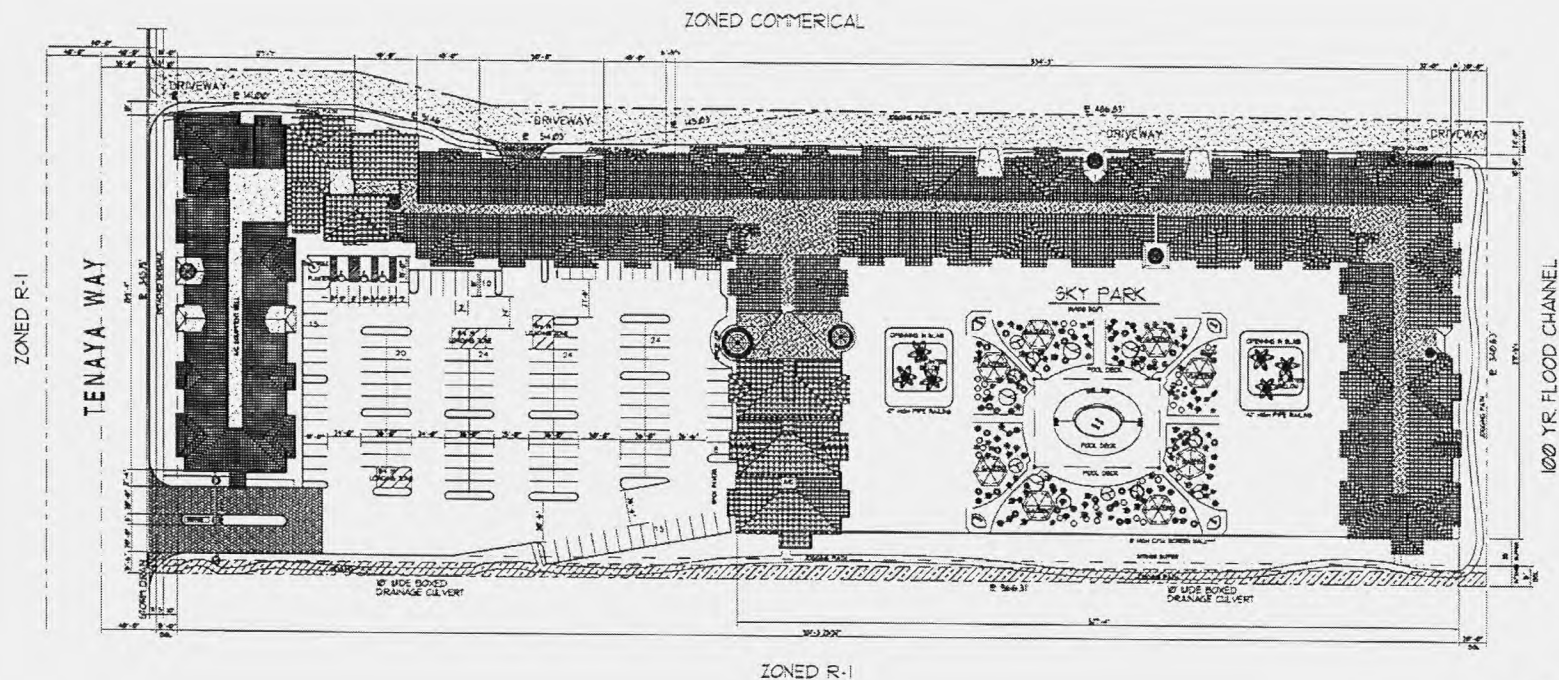
LEVEL "5" - ARCHITECTURAL PLAN



ZON-18819
VAR-18820
SUP-18821
SDR-18822
02-21-07 CC

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FEB 16 2007

GREENE TINDALL 100 EAST LINCOLN BLVD, SUITE C LAS VEGAS, NV 89101 PHONE: 702-877-0000 FAX: 702-877-0001 WWW.GREENTINDALL.COM	
PROPOSED FIFTH LEVEL ARCHITECTURAL plan	
TENAYA WAY CENTRE for DESERT CAPITAL GROUP TENAYA WAY and CHAD ROAD LAS VEGAS, NEVADA	
ST-606 2-16-2006 2-16-2007 AS-5 of 11 sheets	



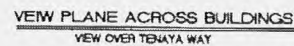
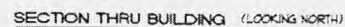
ARCHITECTURAL ROOF PLAN



ZON-18819
VAR-18820
SUP-18821
SDR-18822
02-21-07 CC

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GREENE TINDALL 800 EAST HUMBOLDT ROAD, SUITE 2 LAS VEGAS, NEVADA 89108 PHONE: 702-797-0000 FAX: 702-797-0000 ARCHITECTURE, INTERIOR DESIGN, GENERAL CONTRACTING	
PROPOSED ARCHITECTURAL ROOF PLAN	
TENAYA WAY CENTRE for DESERT CAPITAL GROUP TENAYA WAY AND GRAND ROAD CLARK COUNTY LAS VEGAS, NEVADA	
Project No. _____ Date _____ 07-009 2-15-2006 2-16-2007 AS-6 1/27/07	



ZON-18819
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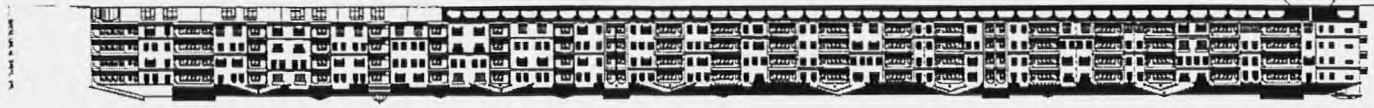
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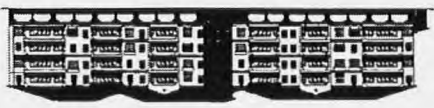
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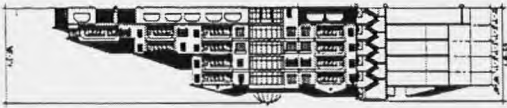
6 NORTH EXTERIOR ELEVATION



5 WEST EXTERIOR ELEVATION



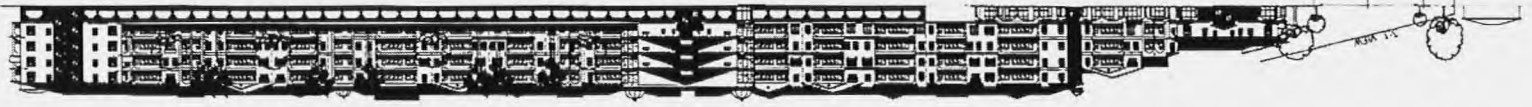
4 SOUTH COURT (FRONT) EXTERIOR ELEVATION



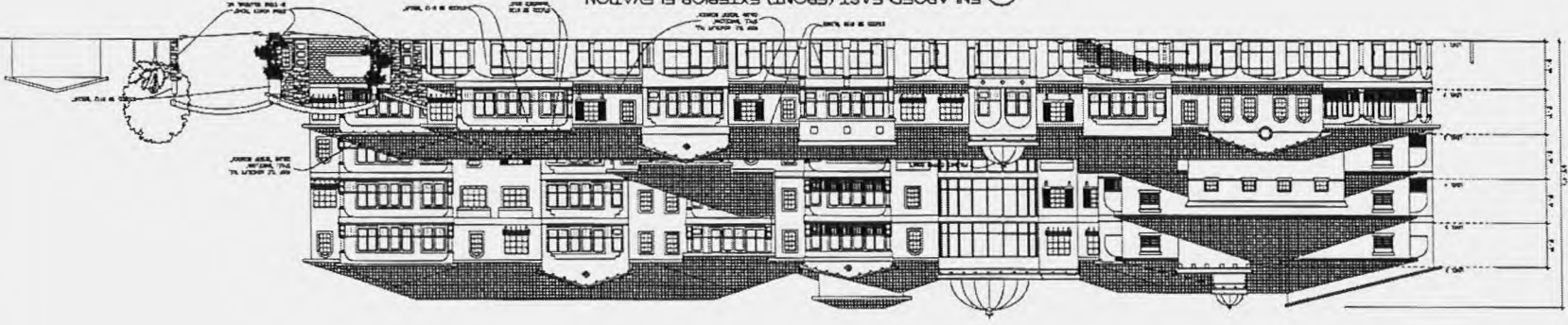
3 NORTH COURT (FRONT) EXTERIOR ELEVATION



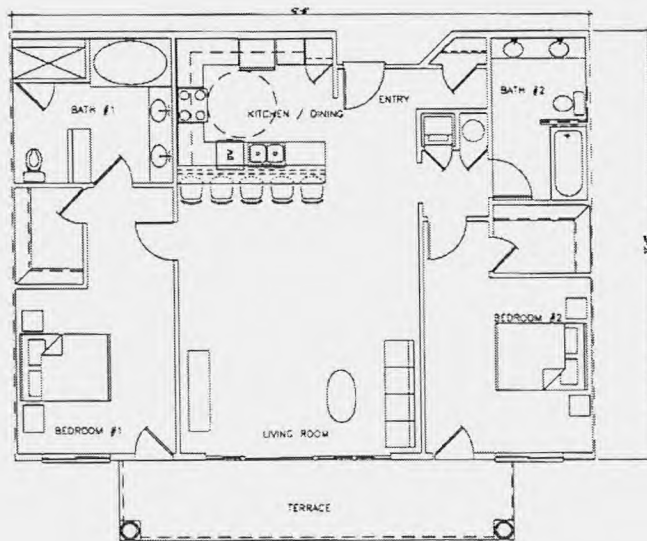
2 SOUTH EXTERIOR ELEVATION



1 ENLARGED EAST (FRONT) EXTERIOR ELEVATION
VIEW FROM TENAYA WAY



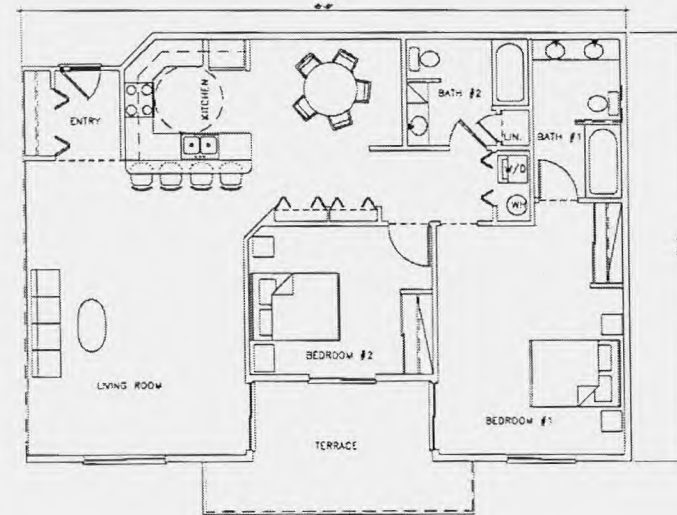
AS-8 10-90-0008 2-95-0008 07-008		TENAYA WAY CENTRE for DESERT CAPITAL GROUP TENAYA WAY AND CHAD ROAD CLARK COUNTY LAS VEGAS, NEVADA
EXTERIOR ELEVATIONS		
GREENE TINDALL 300 EAST TENAYA WAY, SUITE 200 LAS VEGAS, NEVADA 89101 (702) 735-7700 FAX (702) 735-7701 WWW.GREENTINDALL.COM		
ARCHITECTURAL ESSENTIALS DESIGN SERVICES CONTRACTING		



UNIT 'B' TWO BEDROOM FLOOR PLAN

SCALE: 1/8" = 1'-0" L.V. 3'-0" R.O.P. + 3'-0" R.O.P.

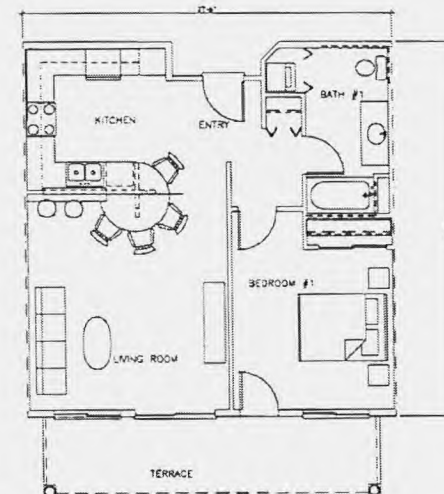
1/8" = 1'-0"



UNIT 'C' TWO BEDROOM FAMILY FLOOR PLAN

SCALE: 1/8" = 1'-0" L.V. 3'-0" R.O.P. + 3'-0" R.O.P.

1/8" = 1'-0"



UNIT 'A' ONE BEDROOM

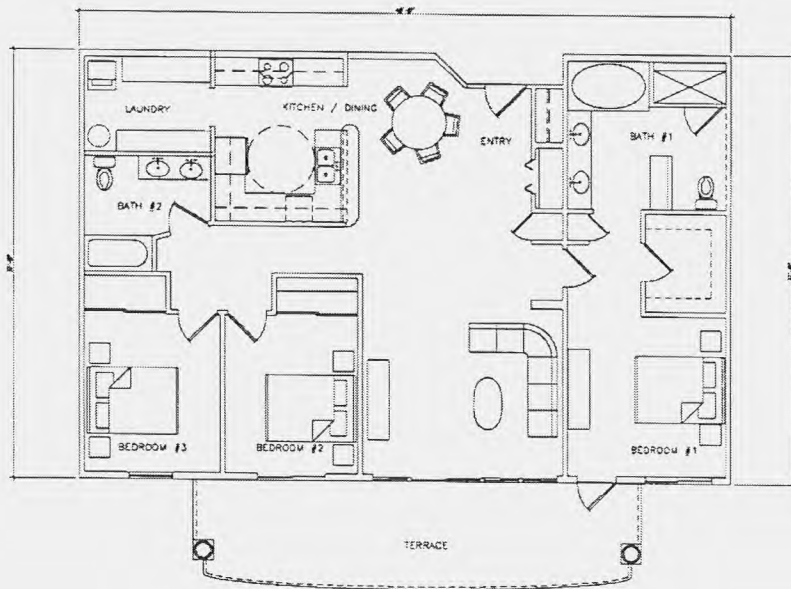
SCALE: 1/8" = 1'-0" L.V. 3'-0" R.O.P. + 3'-0" R.O.P.

1/8" = 1'-0"

ZON-18819
VAR-18820
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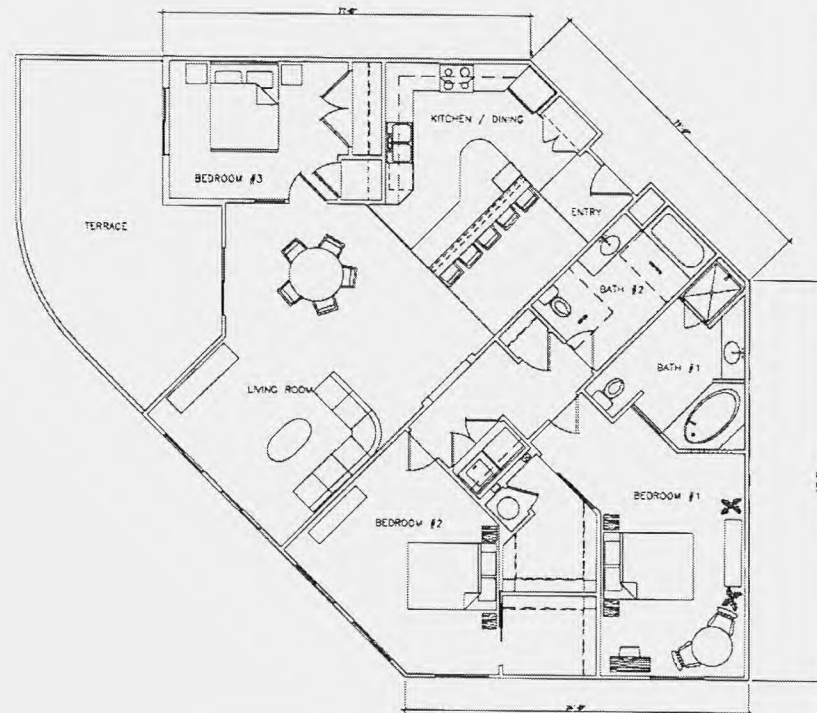
GREENE TINDALL 100 EAST SUMMIT BLVD. SUITE 4 LAS VEGAS, NV 89101 PHONE: 702-971-1201 FAX: 702-971-1201 ARCHITECTURE & INTERIOR DESIGN CONSULTING	
THIS PLAN IS A PART OF A SET OF PLANS FOR THE CONSTRUCTION OF THE PROJECT DESCRIBED HEREIN. IT IS TO BE USED IN CONJUNCTION WITH THE OTHER PLANS AND SPECIFICATIONS. NO PART OF THIS PLAN IS TO BE REPRODUCED OR COPIED WITHOUT THE WRITTEN PERMISSION OF GREENE TINDALL.	
UNITS A, B AND C TWO (2) BEDROOM FLOOR PLANS	
TENAYA WAY CENTRE for DESERT CAPITAL GROUP TENAYA WAY AND GRAND ROAD LAS VEGAS, NEVADA	
01-1000 2-15-2006 2-20-2007	AS-9 1 of 11 sheets



UNIT 'D' 3 BEDROOM UNIT FLOOR PLAN

SCALE: 1/8" = 1'-0" (SEE NOTE)

1/4" = 1'-0"



UNIT 'E' 3 BEDROOM FLOOR PLAN

SCALE: 1/8" = 1'-0" (SEE NOTE)

1/4" = 1'-0"

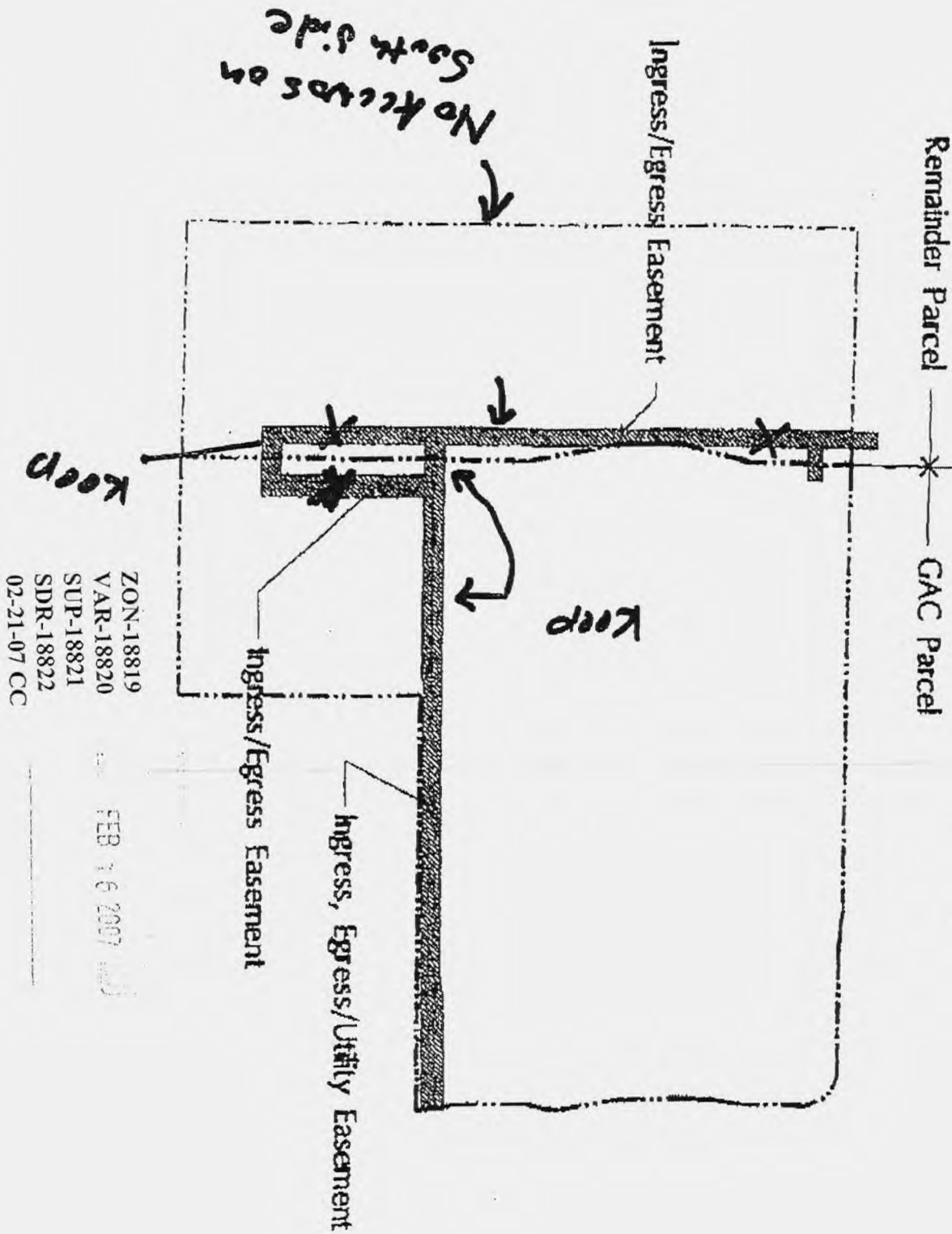
ZON-18819
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02-21-07 CC

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FEB 16 2007

GREENE TINDALL 3000 EAST LINCOLN BLVD. SUITE C LAS VEGAS, NV 89119 PHONE: 702-977-6391 FACSIMILE: 702-977-6391 ARCHITECTURE INTERIORS DESIGN GENERAL CONTRACTING	
THIS PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION. IT IS THE PROPERTY OF GREENE TINDALL AND SHALL REMAIN THE PROPERTY OF GREENE TINDALL. NO PART OF THIS PLAN IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF GREENE TINDALL.	31010
UNITS D and E THREE (3) BEDROOM FLOOR PLANS	
TENAYA WAY CENTRE for DESERT CAPITAL GROUP TENAYA WAY and CHAD ROAD CLARK COUNTY LAS VEGAS, NEVADA	01-800 2-16-2006 2-20-2007 AS-10 1 of 11 sheets

EXHIBIT "D"

SITE PLAN



ZON-18819
VAR-18820
SUP-18821
SDR-18822
02-21-07 CC

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

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

VARIANCE RELATED TO GPA-18818 AND ZON-18819

VAR-18820 - PUBLIC HEARING - APPLICANT/OWNER: CRAIG TENAYA, LLC - Request for a Variance TO ALLOW A 72-FOOT HIGH BUILDING WHERE 35 FEET IS THE MAXIMUM HEIGHT ALLOWED on 7.49 acres adjacent to the east side of Tenaya Way, approximately 970 feet south of Craig Road (APN 138-03-701-021), O (Office) Zone [PROPOSED: R-4 (High Density Residential) Zone], Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

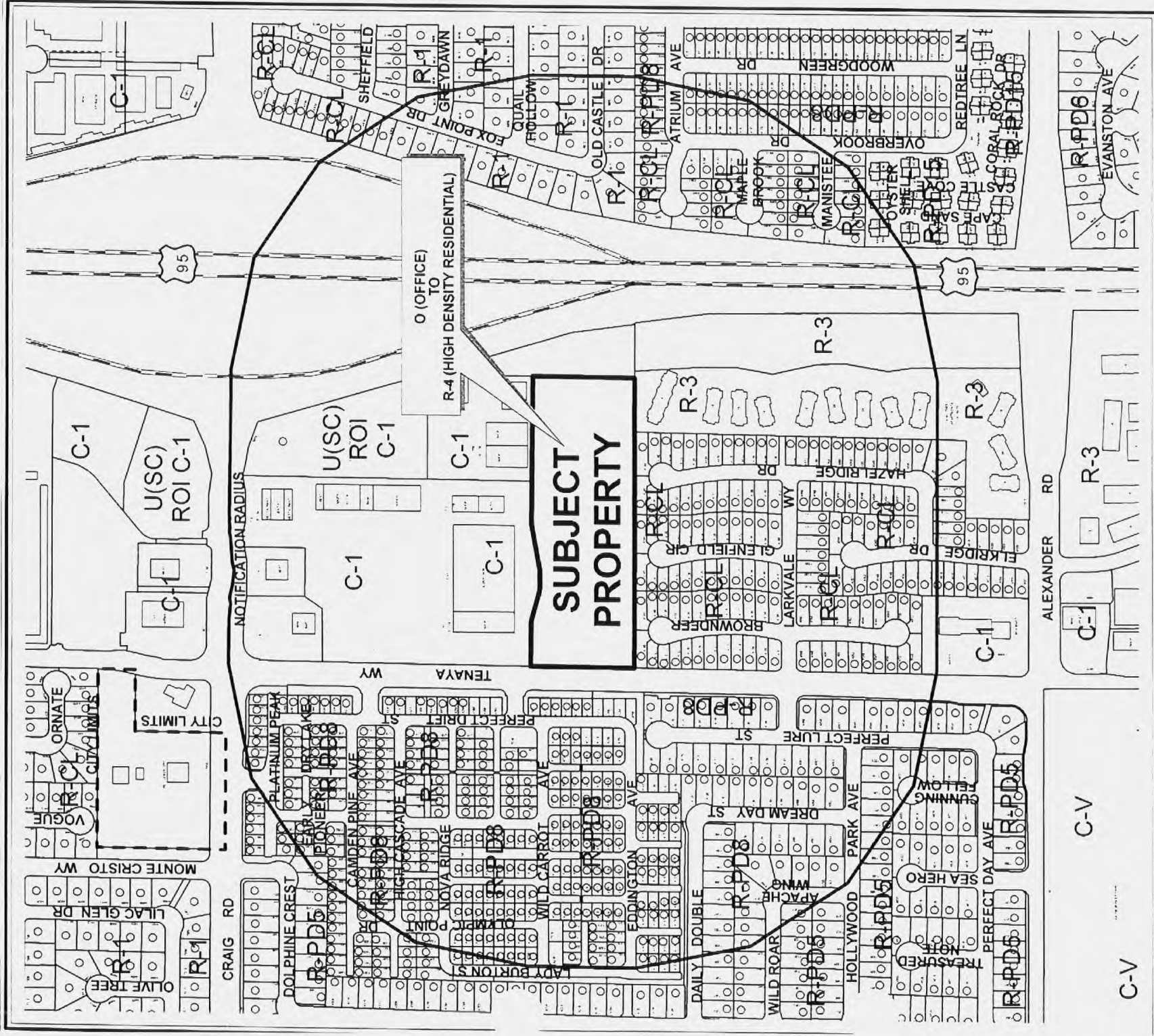
Motion made by LARRY BROWN to Hold in Abeyance Item 63 [1919 Fremont Street], Item 64 [900 Stewart Avenue, 216 and 222 N. 9th Street], Item 89 [SUP-18655], Item 94 [GPA-16511], Item 95 [ZON-16519], Item 96 [VAR-16525], Item 97 [SDR-16522], Item 105 [VAR-17871], Item 106 [SDR-17312], Item 111 [GPA-18818],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

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

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

Minutes:

See Item 112 for related backup.



CASE: **VAR-18820**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

O (OFFICE)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-4 (HIGH DENSITY RESIDENTIAL)

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-18820 - APPLICANT/OWNER: CRAIG TENAYA, LLC

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-2/se, sd vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-18819), Special Use Permit (SUP-18821) and Site Development Plan Review (SDR-18822) 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 is a request for a Variance to allow a 72-foot high building where 35 feet is the maximum height allowed on 7.49 acres adjacent to the east side of Tenaya Way approximately 970 feet south of Craig Road.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/05/90	The City Council denied a request for a reclassification of property (Z-0080-90) from N-U (Non-Urban) to C-1 (Limited Commercial) that included a shopping center, convenience store with gasoline sales, a four to six story office building, three off-premise billboard signs, an automobile service facility, restaurant with a beer/wine/cooler on-sale use, and retail stores with beer/wine/cooler off-sale uses. The Planning Commission recommended denial. Staff recommended approval.
11/06/96	The applicant withdrew without prejudice a request for a reclassification of property (Z-0094-96) from N-U (Non-Urban) to C-2 (General Commercial) for a 105,744 square-foot retail warehouse. The Planning Commission and staff recommended approval.
01/08/98	The applicant withdrew without prejudice a request for a Rezoning (Z-0081-97) from U (Undeveloped) [SC (Service Commercial) land use designation] to C-1 (Limited Commercial) for a 130,858 square-foot retail store. Staff recommended that the item be held in abeyance.
01/19/00	The City Council approved a Rezoning (Z-0071-99) of this site to O (Office), as part of a larger overall request which included the rezoning of the property to the north to C-1 (Limited Commercial). Staff recommended approval, and the Planning Commission believed the request to be premature and recommended denial.
01/25/07	The Planning Commission recommended approval of companion items GPA-18818, ZON-18819, SUP-18821 and SDR-18822 concurrently with this application. The Planning Commission voted 5-2/se, sd to recommend APPROVAL (PC Agenda Item #41/ar).
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this application.	
<i>Pre-Application Meeting</i>	
12/14/06	A pre-application meeting was held and the requirements of a variance were explained.

<i>Neighborhood Meeting</i>	
01/03/07	A neighborhood meeting was held at Timbers Bar & Grill, 7081 West Craig Road at 6:15 P.M. Six members of the public attended and had the following concerns and comments:
	Five story condos too dense for area Concerns about impact to schools Support for two story office or commercial at site Concerns about fire Concerns about size and scope of project so close to single family homes Concerns that the applicant did not properly notify the neighborhood meeting.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	7.49

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	O (Office)	O (Office)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Singe-Family Residential	ML (Medium-Low Density Residential)	R-CL (Single-Family Compact-Lot)
	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
West	Single Family Residential	ML (Medium-Low Density Residential)	R-PD8 (Residential Planned Development – 8 Units Per Acre)

<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			
A-O (Airport Overlay) District (175-Foot)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Per Title 19.08, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6,500 SF	326,054 SF	Y
Min. Setbacks	10 Feet	15 Feet	Y
• Front	5 Feet	15 Feet	Y
• Side	5 Feet	10 Feet	Y
• Rear	20 Feet	26 Feet	Y
Max. Building Height	2 Stories/35 Feet	5 Stories/72 Feet	N
Trash Enclosure	Yes	Yes	Y
Mech. Equipment	Screened	Screened	Y

The height issue will be addressed within the subject Variance.

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	216 Feet	216 Feet	Y
Adjacent development matching setback	10 Feet	216 Feet	Y
Trash Enclosure	50 Feet	220 Feet	Y

ANALYSIS

This site is currently undeveloped and is located within a FEMA “AE” Flood Zone. The FEMA website www.floodsmart.gov defines an “AE” Flood Zone as areas with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30-year mortgage. The applicant proposes to develop a mixed use project consisting of 213 condominium units and 29,717 square feet of office space. The offices and condominiums will be located in buildings with stucco exteriors with concrete tile roofs and decorative copper domes along the roof lines. The building heights vary from two to five stories (with a maximum height of 72 feet). The Zoning Code limits heights in the R-4 (High Density Residential) zoning district to two stories (not exceeding 35 feet in height), which has caused the applicant to file the subject variance

Because this variance request does not meet the criteria for approval, as the hardship is self-created and the applicant could revise the development to comply with the setback standards, staff’s recommendation is for denial of the 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 designing a project that does not comply with the height 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 34

SENATE DISTRICT 4

NOTICES MAILED 662 by City Clerk

APPROVALS 1

PROTESTS 3



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-18820** APN: 138-03-701-021
Name of Property Owner: Douglas E. Simms
Name of Applicant: Christopher S. Dyka

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: _____

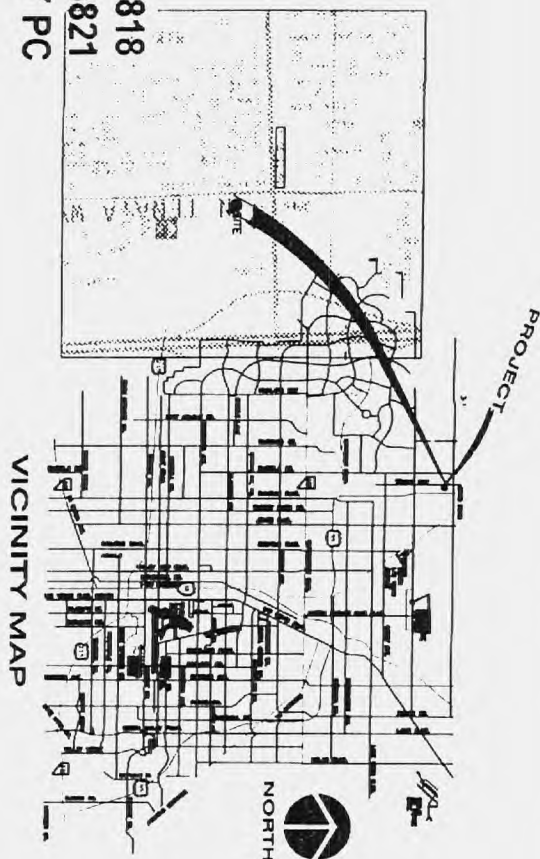
Print Name: Douglas E. Simms

Subscribed and sworn before me

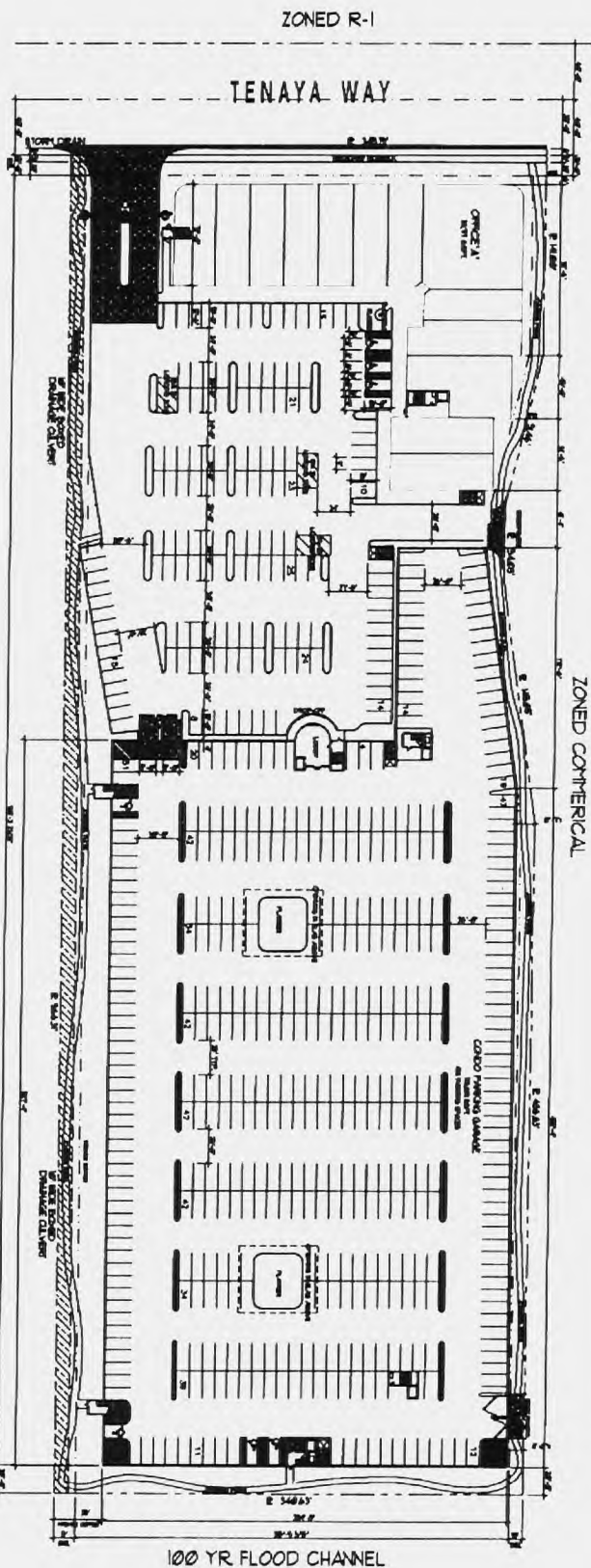
This 14th day of December, 2006

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

ZON-18819 GPA-18818
VAR-18820 SUP-18821
SDR-18822 01/25/07 PC
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LEVEL 1 - ARCHITECTURAL SITE PLAN



SITE DATA

APN: 138-03-701-021

COMMERCIAL AREA
OFFICE

CONDOMINIUM UNITS

PARKING REQUIREMENTS

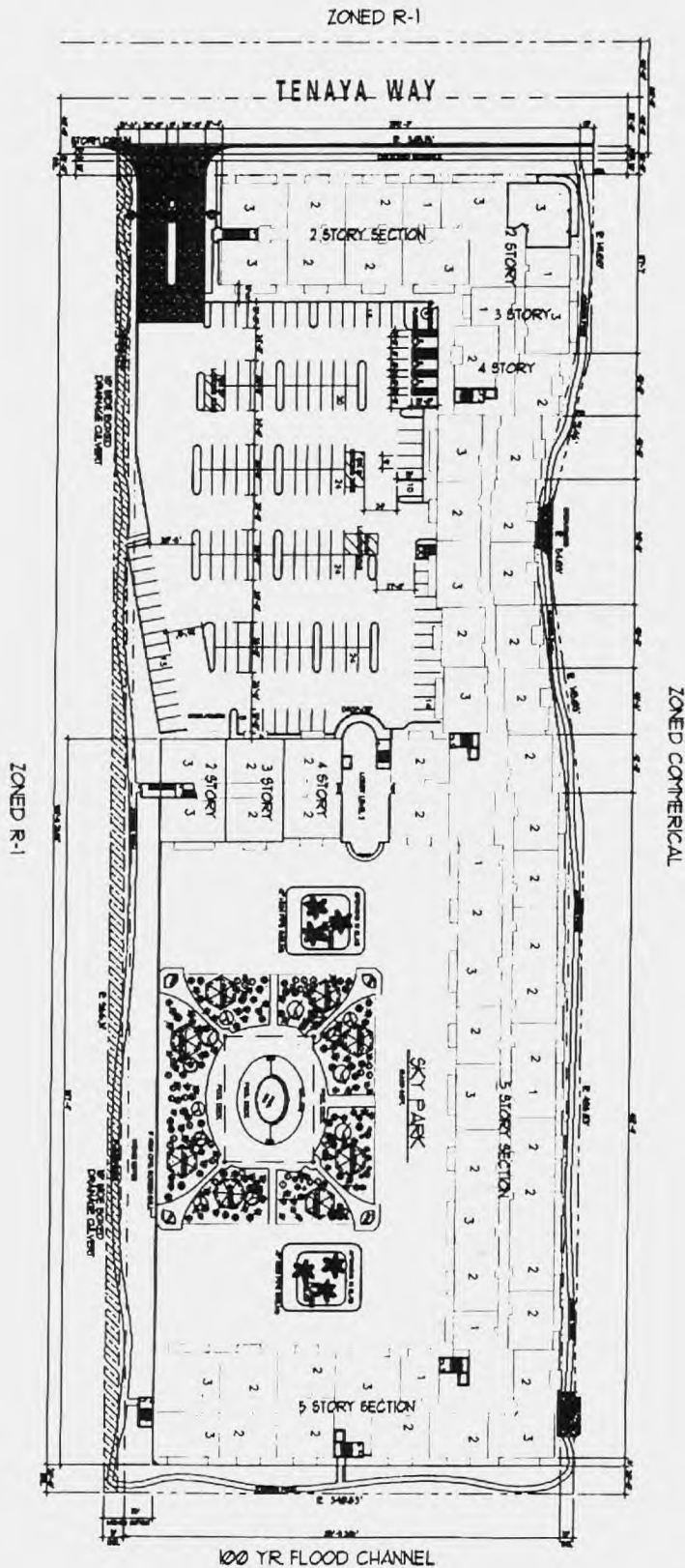
PARKING PROVIDED

TENAYA WAY CENTRE
for DESERT CAPITAL GROUP
TENAYA WAY and CRANE ROAD
CLARK COUNTY
LAS VEGAS, NEVADA

**PROPOSED
FIRST LEVEL
ARCHITECTURAL
SITE PLAN**

GREENE TINDALL

NEW EAST HUNTERS ROAD, SUITE 9
LAS VEGAS, NEVADA 89000
PHONE 702-877-0000
FACSIMILE 702-877-0000



LEVEL '2' - ARCHITECTURAL SITE PLAN

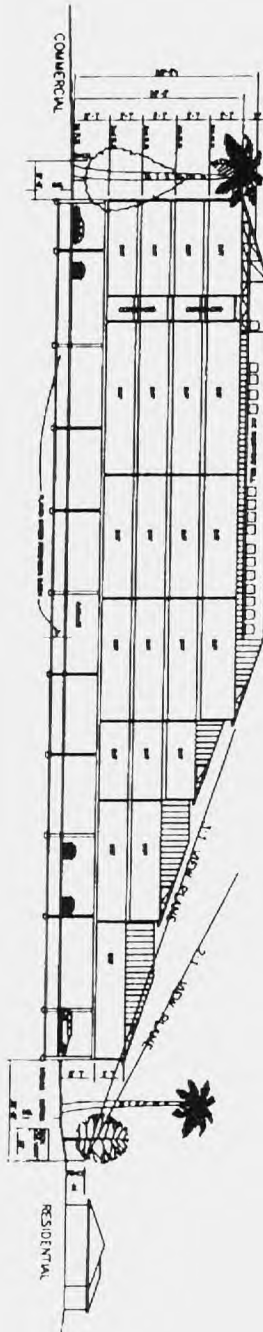
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JAN 04 2006



ZON-18819 GPA-18818
VAR-18820 SUP-18821
SDR-18822 01/25/07 PC
REVISED

AS-2	TENAYA WAY CENTRE for DESERT CAPITAL GROUP TENAYA WAY and CRAIG ROAD CLARK COUNTY LAS VEGAS, NEVADA	PROPOSED SECOND LEVEL ARCHITECTURAL SITE PLAN	GREENE TINDALL 200 EAST WASHINGTON AVENUE, SUITE 100 LAS VEGAS, NEVADA 89101 PHONE: 702-455-0000 FACSIMILE: 702-455-0000 ARCHITECTS/ENGINEERS/DESIGNERS/GENERAL CONTRACTORS	GREENE TINDALL 200 EAST WASHINGTON AVENUE, SUITE 100 LAS VEGAS, NEVADA 89101 PHONE: 702-455-0000 FACSIMILE: 702-455-0000 ARCHITECTS/ENGINEERS/DESIGNERS/GENERAL CONTRACTORS
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SECTION THRU BUILDING (LOOKING NORTH)



TENAYA WAY

ZON-18819 GPA-18818
VAR-18820 SUP-18821
SDR-18822 01/25/07 PC

REVISED

VIEW PLANE ACROSS BUILDINGS
VIEW OVER TENAYA WAY

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JAN 04 2005

AS-7	10-25-06	TEMAYA WAY CENTRE for DESERT CAPITAL GROUP TEMAYA WAY and CRAIG ROAD CLARK COUNTY LAS VEGAS, NEVADA	ARCHITECTURAL SECTION & VISION SLOPES	10-25-06	GREENE TINDALL 100 EAST WENDALL BOULEVARD, SUITE 100 LAS VEGAS, NEVADA 89106 PHONE: 702-797-0000 FACSIMILE: 702-797-0000 ARCHITECTS: COMMERCIAL, RESIDENTIAL, INTERIORS
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1 ENLARGED EAST (FRONT) EXTERIOR ELEVATION
VIEW FROM TENAYA WAY



2 SOUTH EXTERIOR ELEVATION



5 WEST EXTERIOR ELEVATION



4 SOUTH COURT (FRONT) EXTERIOR ELEVATION



3 NORTH COURT (FRONT) EXTERIOR ELEVATION



6 NORTH EXTERIOR ELEVATION

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JAN 04 2006

ZON-18819 GPA-18818
VAR-18820 SUP-18821
SDR-18822 01/25/07 PC
REVISED

GREENE TINDALL	
ONE EAST BLUMHILL BLVD. SUITE 5 LAS VEGAS, NEVADA 89101 TEL: 702.735.1100 FAX: 702.735.1101 WWW.GREENTINDALL.COM	
THIS SET OF ARCHITECTURAL DRAWINGS IS THE PROPERTY OF GREENE TINDALL. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF GREENE TINDALL.	
EXTERIOR ELEVATIONS	TENAYA WAY CENTRE
for DESERT CAPITAL GROUP	
TENAYA WAY AND CRAIG ROAD CLARK COUNTY LAS VEGAS, NEVADA	
BY: [Signature] DATE: 1/10/07 PROJECT: 01-0007 SHEET: AS-8	

TENAYA WAY CENTRE

BY
DESERT CAPITAL GROUP



VIEW FROM TENAYA WAY

12.11

RECEIVED SDR-18822
DEC 18 2006 01/25/07 PC

December 12, 2006

To: City of Las Vegas Planning and Development Department

Re: Craig Road & Tenaya Way-Justification Letter
Parcel Number # 138-03-701-021

Enclosed is the Submittal of the Craig & Tenaya Way Development of (Condominium Units & Office Space.

PROJECT LOCATION:

Craig & Tenaya Way Center ("The Project") is located south of Craig on east side Tenaya next to the I-95 within the City of Las Vegas, in the north-west portion of the Vegas Valley.

PROJECT CONCEPT:

Craig & Tenaya Way Center has been designed as a "mix use" project. The Project will consist of 213 condominiums, along with approximately 29,717 square feet of office space. The office will be located along Tenaya; with the condominium homes located above and behind. The architectural character of the Center is Tuscan Design, and residential in nature. This center is directly adjacent to the C-1 shopping center to the north. The center is a transitional use between the existing commercial shopping and two story single family and two story multi-family residential to the south. The project has been "loaded" to the north and east side of the site to minimize the impact to the single family residential neighbors. The project has been designed to emphasize the pedestrian nature of mixed use projects and allow access to the commercial site, surrounding the proposed development is a "Pedestrian Realm" that circulates around the whole project perimeter and access the neighboring public access points.

RECEIVED
DEC 18 2006

VAR-18820
01/25/07 PC

-pg 2-

The building height has been stair stepped to minimize the impact to the surrounding development from and buffer the development from the freeway. An intense buffer has been placed along the south property line to allow a modified 2:1 slope.

The rear portion of the site is currently in the FEMA Flood Plane, which prohibits on grade construction. The proposed design elevates the rear of the project to allow the construction of units and open space therefore, from an aerial view of the project complies with a lot coverage and open space requirements.

The proposed Project will feature:

The 213 condominium homes will range in size from 880 square feet to 1,517 square feet at the center drive is a 2 acre Sky Park, inclusive of pools, BBQ area, gazebos, walking paths, landscaping and putting area.

In summary, Tenaya Way Center consists of (i) 415,698 square feet of living space;(ii) approximately 29,717 square feet of office space;(iii) 155,390 square feet of garage space;(iv) a total of 594 parking spaces where 543 spaces are required; and (v) 211,558.57 square feet of open space; (vi) 2 acre Sky Park. The height of Tenaya Way Center will not exceed 71 feet from grade.

Please contact my office with any further questions regarding this project.

Sincerely,



Christopher S. Dyka, R.D.
Project Manager

RECEIVED
DEC 18 2006

VAR-18820
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 RELATED TO GPA-18818, ZON-18819, AND VAR-18820

SUP-18821 - PUBLIC HEARING - APPLICANT/OWNER: CRAIG TENAYA, LLC - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT adjacent to the east side of Tenaya Way, approximately 970 feet south of Craig Road (APN 138-03-701-021), O (Office) Zone [PROPOSED: R-4 (High Density Residential) Zone], Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

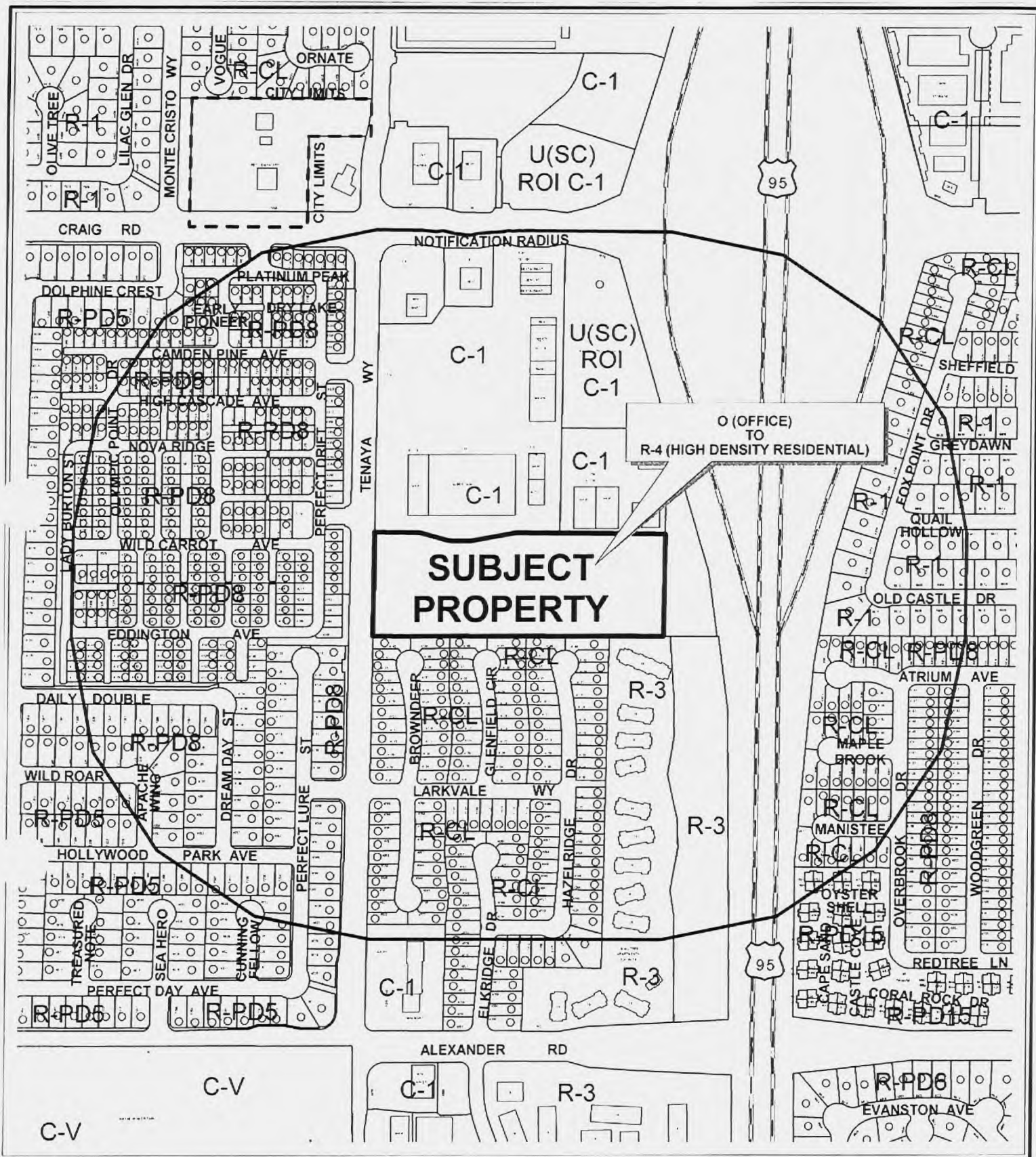
Motion made by LARRY BROWN to Hold in Abeyance Item 63 [1919 Fremont Street], Item 64 [900 Stewart Avenue, 216 and 222 N. 9th Street], Item 89 [SUP-18655], Item 94 [GPA-16511], Item 95 [ZON-16519], Item 96 [VAR-16525], Item 97 [SDR-16522], Item 105 [VAR-17871], Item 106 [SDR-17312], Item 111 [GPA-18818],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

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

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

Minutes:

See Item 112 for related backup.



CASE: SUP-18821

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

O (OFFICE)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-4 (HIGH DENSITY RESIDENTIAL)

0 300 600 900 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-18821 - APPLICANT/OWNER: CRAIG TENAYA, LLC

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-2/se, sd vote) recommends APPROVAL, subject to conditions.

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-18819) and Site Development Plan Review (SDR-18822) shall be required if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow a proposed mixed-use development adjacent to the east side of Tenaya Way, approximately 970 feet south of Craig Road.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/05/90	The City Council denied a request for a reclassification of property (Z-0080-90) from N-U (Non-Urban) to C-1 (Limited Commercial) that included a shopping center, convenience store with gasoline sales, a four to six story office building, three off-premise billboard signs, an automobile service facility, restaurant with a beer/wine/cooler on-sale use, and retail stores with beer/wine/cooler off-sale uses. The Planning Commission recommended denial. Staff recommended approval.
11/06/96	The applicant withdrew without prejudice a request for a reclassification of property (Z-0094-96) from N-U (Non-Urban) to C-2 (General Commercial) for a 105,744 square-foot retail warehouse. The Planning Commission and staff recommended approval.
01/08/98	The applicant withdrew without prejudice a request for a Rezoning (Z-0081-97) from U (Undeveloped) [SC (Service Commercial) land use designation] to C-1 (Limited Commercial) for a 130,858 square-foot retail store. Staff recommended that the item be held in abeyance.
01/19/00	The City Council approved a Rezoning (Z-0071-99) of this site to O (Office), as part of a larger overall request which included the rezoning of the property to the north to C-1 (Limited Commercial). Staff recommended approval, and the Planning Commission believed the request to be premature and recommended denial.
01/25/07	The Planning Commission recommended approval of companion items GPA-18818, ZON-18819, VAR-18820 and SDR-18822 concurrently with this application. The Planning Commission voted 5-2/se, sd to recommend APPROVAL (PC Agenda Item #42/ar).
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this application.	
<i>Pre-Application Meeting</i>	
12/14/06	A pre-application meeting was held and the requirements for a Special Use Permit were explained.

<i>Neighborhood Meeting</i>	
01/03/07	A neighborhood meeting was held at Timbers Bar & Grill, 7081 West Craig Road at 6:15 P.M. Six members of the public attended and had the following concerns and comments: Five story condos too dense for area Concerns about impact to schools Support for two story office or commercial at site Concerns about fire Concerns about size and scope of project so close to single family homes Concerns that the applicant did not properly notify the neighborhood meeting.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	7.49

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	O (Office)	O (Office)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Singe-Family Residential	ML (Medium-Low Density Residential)	R-CL (Single-Family Compact-Lot)
	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
West	Single Family Residential	ML (Medium-Low Density Residential)	R-PD8 (Residential Planned Development – 8 Units Per Acre)

<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			
A-O (Airport Overlay) District (175-Foot)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Per Title 19.08, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	6,500 SF	326,054 SF	Y
Min. Setbacks	10 Feet	15 Feet	Y
• Front	5 Feet	15 Feet	Y
• Side	5 Feet	10 Feet	Y
• Rear	20 Feet	26 Feet	Y
Max. Building Height	2 Stories/35 Feet	5 Stories/72 Feet	N
Trash Enclosure	Yes	Yes	Y
Mech. Equipment	Screened	Screened	Y

The height issue will be addressed within the related Variance (VAR-18820).

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	216 Feet	216 Feet	Y
Adjacent development matching setback	10 Feet	216 Feet	Y
Trash Enclosure	50 Feet	220 Feet	Y

Existing Zoning	Permitted Density	Units Allowed
O (Office)	N/A	N/A
Proposed Zoning	Permitted Density	Units Allowed
R-4 (High Density Residential)	26-50 Units Per Acre	374 Units
General Plan	Permitted Density	Units Allowed
H (High Density Residential)	> 25.49 Units Per Acre	374 Units (Unlimited with an R-5 District)

Per Title 19.12:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces	28 Trees	36 Trees	Y
Buffer:				
Min. Trees	1 Tree/20 Linear Feet	122 Trees	114 Trees	N
Min. Zone Width	15 Feet (R.O.W.) 6 Feet (Interior)		15 Feet (R.O.W.) 6 Feet (Interior)	Y

Staff notes that eight additional 24 inch box trees could be added to the buffer zone along the north property line and has addressed this issue within the related Site Development Plan Review (SDR-18822).

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office	29,717 SF	1:300 SF	99				
One-Bedroom	24 Units	1.25/Unit	30				
Two-Bedroom	148 Units	1.75/Unit	259				
Three-Bedroom	41 Units	2/Unit	82				
Guest Spaces	213 Units	1 Space/6 Units	36				
TOTAL			506	11	594	7	N
Loading Spaces			2		3		

The site plan is deficient four handicap parking spaces. Staff has addressed this issue this issue within the related Site Development Plan Review (SDR-18822).

ANALYSIS

This site is currently undeveloped and is located within a FEMA “AE” Flood Zone. The FEMA website www.floodsmart.gov defines an “AE” Flood Zone as areas with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30-year mortgage. The applicant proposes to develop a mixed use project consisting of 213 condominium units and 29,717 square feet of office space. The offices and condominiums will be located in buildings that range in height from two to five stories, with the higher parts of the buildings (72 feet in height) located in the north and east portions of the site in order to comply with the residential adjacency standards. The site is located in a portion of the A-O (Airport Overlay) District where building height is limited to 175 feet. The proposed buildings comply with this limitation.

Parking is provided on a surface lot in the west portion of the site and on the lower level of a two level structure in the east portion of the site. City standards require 11 handicap parking spaces for a development of this size. Because the site plan depicts only seven handicap parking spaces, staff has included a condition of approval (number 4) which requires the provision of four additional handicap spaces. A common area which includes gazebos, potted plants and a pool will be located on the second level of the structure.

Access to the site will be provided by a driveway to Tenaya Way and two driveways to the existing commercial center immediately to the north. The applicant proposes to place landscape buffers with sufficient width to comply with city standards along all property lines. The buffers along the south, east and west property lines contain 24 inch box trees in quantities that comply with city standards. The amount of trees within the north buffer is not sufficient, and staff has included a condition of approval (number 5) which requires eight additional 24 inch box trees to be placed in the buffer zone along the north property line.

The elevations depict stucco exteriors with concrete tile roofs and decorative copper domes along the roof lines. The building heights vary from two to five stories (with a maximum height of 72 feet). The Zoning Code limits heights in the R-4 (High Density Residential) zoning district to two stories (not exceeding 35 feet in height). The applicant has requested a Variance (VAR-18820) from this standard which will be considered currently with this application. Because this variance request does not meet the criteria for approval, as the hardship is self-created and the applicant could revise the development to comply with the setback standards, staff's recommendation is for denial of the variance.

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 exceed the scale and massing of any existing development in this area. Staff finds the height and intensity of the project is greater than adjacent development and is not compatible with residential development immediately to the south of this site.

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

The project as designed is more intense than other existing or proposed developments in the area, and requires an associated height variance (VAR-18820) which would allow a 72-foot high building where 35 feet is the maximum height allowed. As such, the project is not appropriate to its context, and staff recommends denial.

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 access to this site will be provided from Tenaya Way, a Secondary Street as designated by the Master Plan of Streets and Highways. This project will not adversely impact adjacent streets.

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 will be subject to regular inspections for permitting and licensing and will; therefore, not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 34

SENATE DISTRICT 4

NOTICES MAILED 662 by City Clerk

APPROVALS 1

PROTESTS 3



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SUP-18821

Case Number: SUP-18821 APN: 138-03-701-021

Name of Property Owner: DOUGLAS E. SIMMS

Name of Applicant: CHRISTOPHER S. DYKA

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: DOUGLAS E. SIMMS

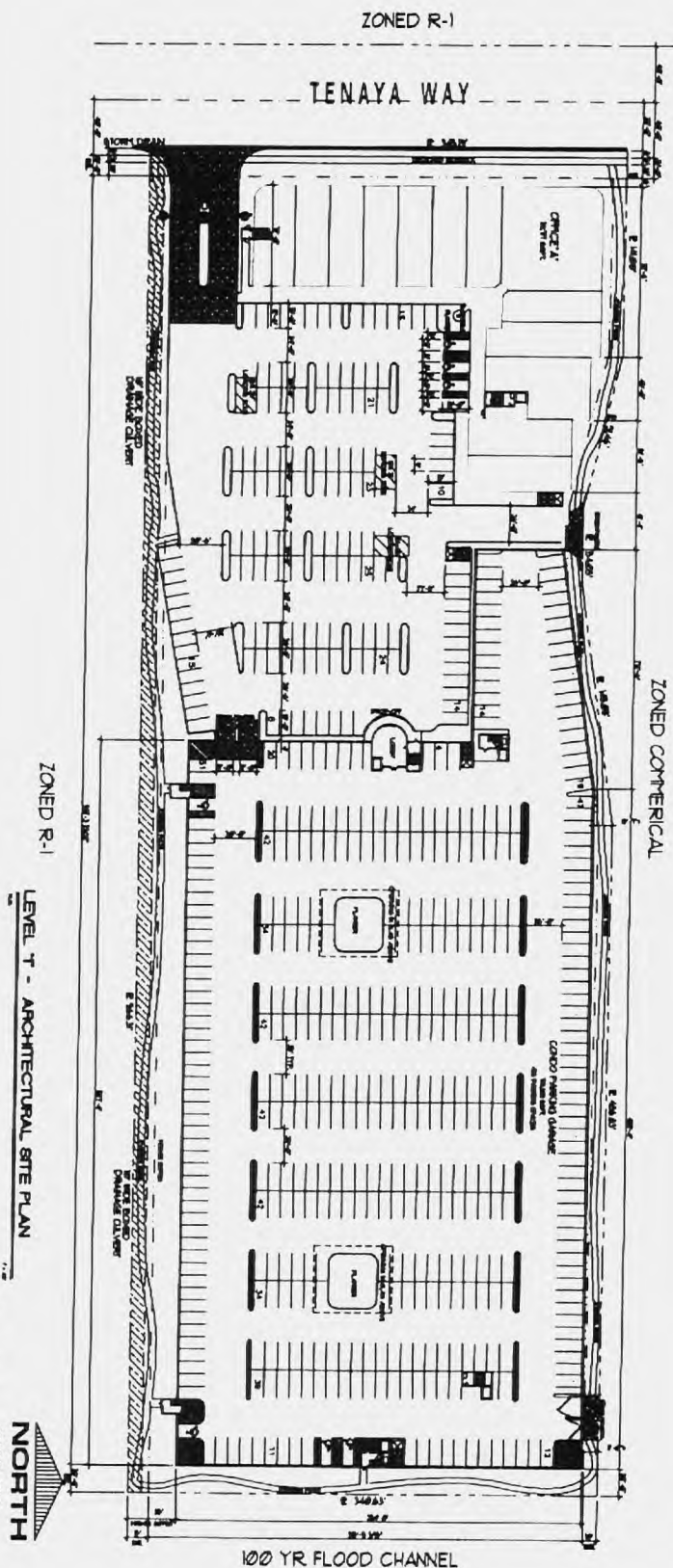
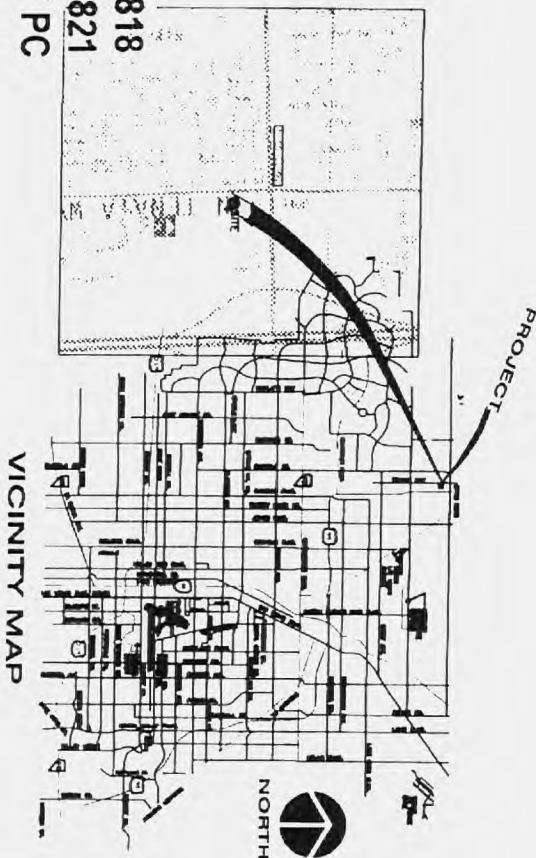
Subscribed and sworn before me

This 7th day of November, 2006

Barbara A. Bross
Notary Public in and for said County and State



RECEIVED
JAN 04 2006



SITE DATA

APN: 138-03-701-021

COMMERCIAL AREA

ORDER
PAYOR'S CARRIER

CONDOMINIUM UNITS

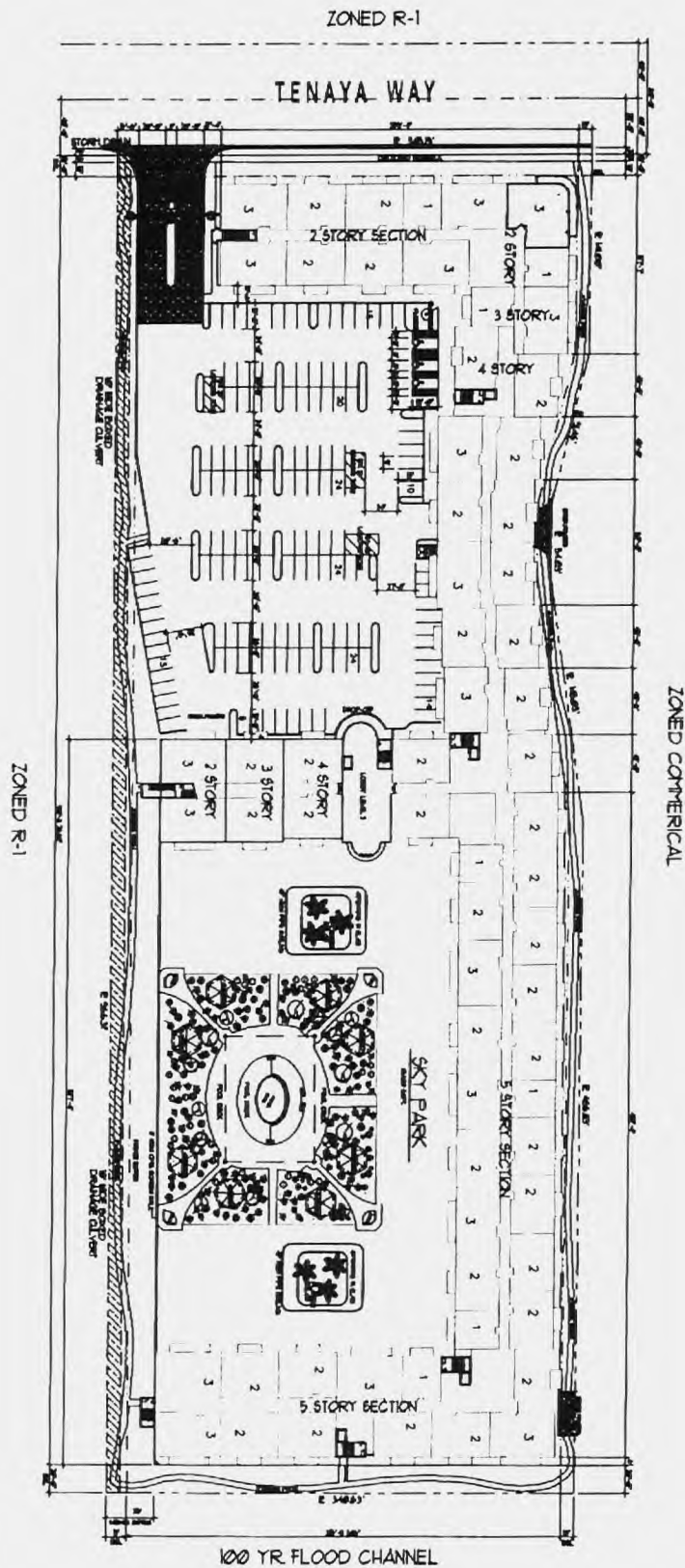
[illegible]

PARKING REQUIREMENTS

OFFICE REQD.
 REASONABLE REQD.
 VENDOR REQD.
 23 OFFICES PER 1000 = 25 OFFICES
 1 BEDROOM UNIT = US PER UNIT = \$4. = 45 OFFICES
 2 BEDROOM UNIT = US PER UNIT = \$4 = 246 OFFICES
 3 BEDROOM UNIT = US PER UNIT = \$4 = 188 OFFICES
 1 OFFICE PER 6 UNITS = 20 UNITS / 6 = 33 OFFICES

PARKING PROVIDED

405 BRACE
64 BRACE
405 BRACE



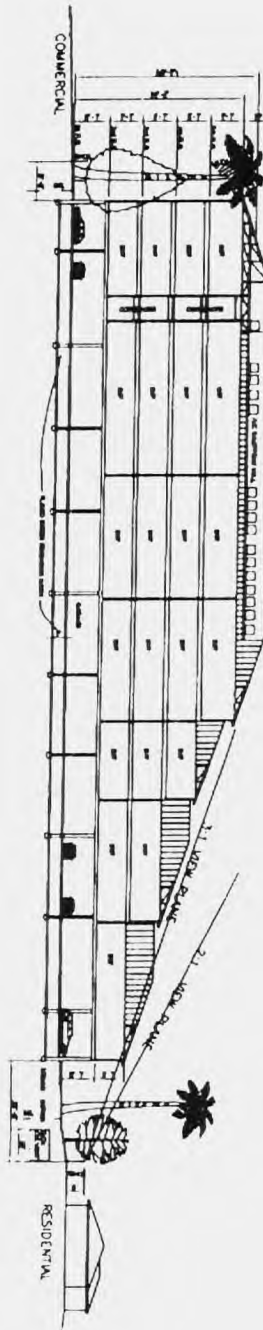
LEVEL 2 - ARCHITECTURAL SITE PLAN

RECEIVED
JAN 04 2006

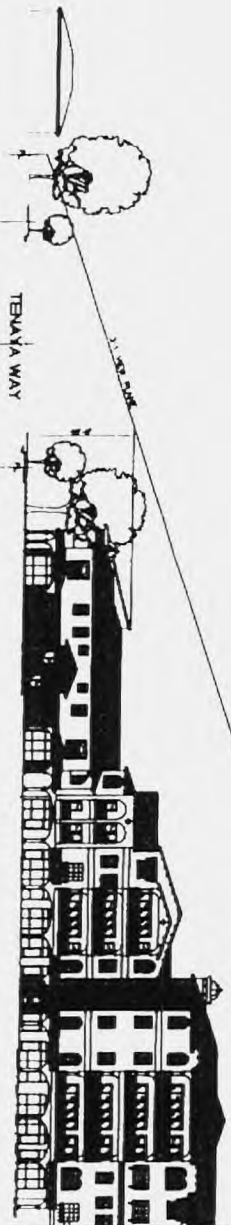


ZON-18819 GPA-18818
VAR-18820 SUP-18821
SDR-18822 01/25/07 PC
REVISED

AS-2	TENAYA WAY CENTRE for DESERT CAPITAL GROUP TENAYA WAY and CRAIG ROAD CLARK COUNTY LAS VEGAS, NEVADA	PROPOSED SECOND LEVEL ARCHITECTURAL SITE PLAN	GREENE TINDALL 200 EAST HERRING HALL, SUITE 2 LAS VEGAS, NEVADA 89101 PHONE 702-497-0200 FACSIMILE 702-497-0200 ARCHITECTURE, INTERIOR DESIGN, GENERAL CONTRACTORS
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SECTION THRU BUILDING (LOOKING NORTH)



SECTION THRU BUILDING (LOOKING NORTH)

ZON-18819 GPA-18818
VAR-18820 SUP-18821
SDR-18822 01/25/07 PC

REVISED

VIEW PLANE ACROSS BUILDINGS
VIEW OVER TENAYA WAY

DESIGNED BY
JAN 04 2005

AS-7	TENAYA WAY CENTRE for DESERT CAPITAL GROUP	TENAYA WAY and CRAIG ROAD CLARK COUNTY LAS VEGAS, NEVADA	ARCHITECTURAL SECTION & VISION SLOPES	GREENE TINDALL	100 EAST BENDALL BLVD., SUITE 2 LAS VEGAS, NEVADA 89101 PHONE 702-474-0000 FACSIMILE 702-474-0000 ARCHITECTURE INTERIOR DESIGN GENERAL CONSTRUCTION	100 EAST BENDALL BLVD., SUITE 2 LAS VEGAS, NEVADA 89101 PHONE 702-474-0000 FACSIMILE 702-474-0000 ARCHITECTURE INTERIOR DESIGN GENERAL CONSTRUCTION	100 EAST BENDALL BLVD., SUITE 2 LAS VEGAS, NEVADA 89101 PHONE 702-474-0000 FACSIMILE 702-474-0000 ARCHITECTURE INTERIOR DESIGN GENERAL CONSTRUCTION	100 EAST BENDALL BLVD., SUITE 2 LAS VEGAS, NEVADA 89101 PHONE 702-474-0000 FACSIMILE 702-474-0000 ARCHITECTURE INTERIOR DESIGN GENERAL CONSTRUCTION
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① ENLARGED EAST (FRONT) EXTERIOR ELEVATION
VIEW FROM TENAYA WAY



② SOUTH EXTERIOR ELEVATION



⑤ WEST EXTERIOR ELEVATION



④ SOUTH COURT (FRONT) EXTERIOR ELEVATION



NORTH COURT (FRONT) EXTERIOR ELEVATION



⑥ NORTH EXTERIOR ELEVATION

RECEIVED
JAN 04 2006

ZON-18819 GPA-18818
VAR-18820 SUP-18821
SDR-18822 01/25/07 PC

REVISED

GREENE TINDALL 300 EAST HARBOR BLVD. SUITE 100 LOS ANGELES, CALIF. 90012 TEL: 213-475-1111 FAX: 213-475-1112 WWW.GREENTINDALL.COM	
EXTERIOR ELEVATIONS	
TENAYA WAY CENTRE for DESERT CAPITAL GROUP TENAYA WAY and CHAND ROAD CLARK COUNTY LAS VEGAS, NEVADA	AS-8

TENAYA WAY CENTRE
BY
DESERT CAPITAL GROUP



VIEW FROM TENAYA WAY

12.1

RECEIVED SDR-18822
DEC 18 2006 01/25/07 PC

December 12, 2006

To: City of Las Vegas Planning and Development Department

Re: Craig Road & Tenaya Way-Justification Letter
Parcel Number # 138-03-701-021

Enclosed is the Submittal of the Craig & Tenaya Way Development of (Condominium Units & Office Space.

PROJECT LOCATION:

Craig & Tenaya Way Center ("The Project") is located south of Craig on east side Tenaya next to the I-95 within the City of Las Vegas, in the north-west portion of the Vegas Valley.

PROJECT CONCEPT:

Craig & Tenaya Way Center has been designed as a "mix use" project. The Project will consist of 213 condominiums, along with approximately 29,717 square feet of office space. The office will be located along Tenaya; with the condominium homes located above and behind. The architectural character of the Center is Tuscan Design, and residential in nature. This center is directly adjacent to the C-1 shopping center to the north. The center is a transitional use between the existing commercial shopping and two story single family and two story multi-family residential to the south. The project has been "loaded" to the north and east side of the site to minimize the impact to the single family residential neighbors. The project has been designed to emphasize the pedestrian nature of mixed use projects and allow access to the commercial site, surrounding the proposed development is a "Pedestrian Realm" that circulates around the whole project perimeter and access the neighboring public access points.

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DEC 18 2006

SUP-18821
01/25/07 PC

-pg 2-

The building height has been stair stepped to minimize the impact to the surrounding development from and buffer the development from the freeway. An intense buffer has been placed along the south property line to allow a modified 2:1 slope.

The rear portion of the site is currently in the FEMA Flood Plane, which prohibits on grade construction. The proposed design elevates the rear of the project to allow the construction of units and open space therefore, from an aerial view of the project complies with a lot coverage and open space requirements.

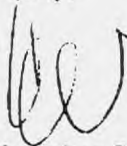
The proposed Project will feature:

The 213 condominium homes will range in size from 880 square feet to 1,517 square feet at the center drive is a 2 acre Sky Park, inclusive of pools, BBQ area, gazebos, walking paths, landscaping and putting area.

In summary, Tenaya Way Center consists of (i) 415,698 square feet of living space;(ii) approximately 29,717 square feet of office space;(iii) 155,390 square feet of garage space;(iv) a total of 594 parking spaces where 543 spaces are required; and (v) 211,558.57 square feet of open space; (vi) 2 acre Sky Park. The height of Tenaya Way Center will not exceed 71 feet from grade.

Please contact my office with any further questions regarding this project.

Sincerely,



Christopher S. Dyka, R.D.
Project Manager

RECEIVED
DEC 18 2006

SUP-18821
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 GPA-18818, ZON-18819, VAR-18820, AND SUP-18821

SDR-18822 - PUBLIC HEARING - APPLICANT/OWNER: CRAIG TENAYA, LLC - Request for a Site Development Plan Review FOR A PROPOSED FIVE-STORY MIXED-USE DEVELOPMENT CONSISTING OF 213 CONDOMINIUM UNITS AND 29,717 SQUARE FEET OF COMMERCIAL SPACE on 7.49 acres adjacent to the east side of Tenaya Way, approximately 970 feet south of Craig Road (APN 138-03-701-021), O (Office) Zone [PROPOSED: R-4 (High Density Residential) Zone], Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 01-25-07 Planning Commission Meeting Item 43

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

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

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

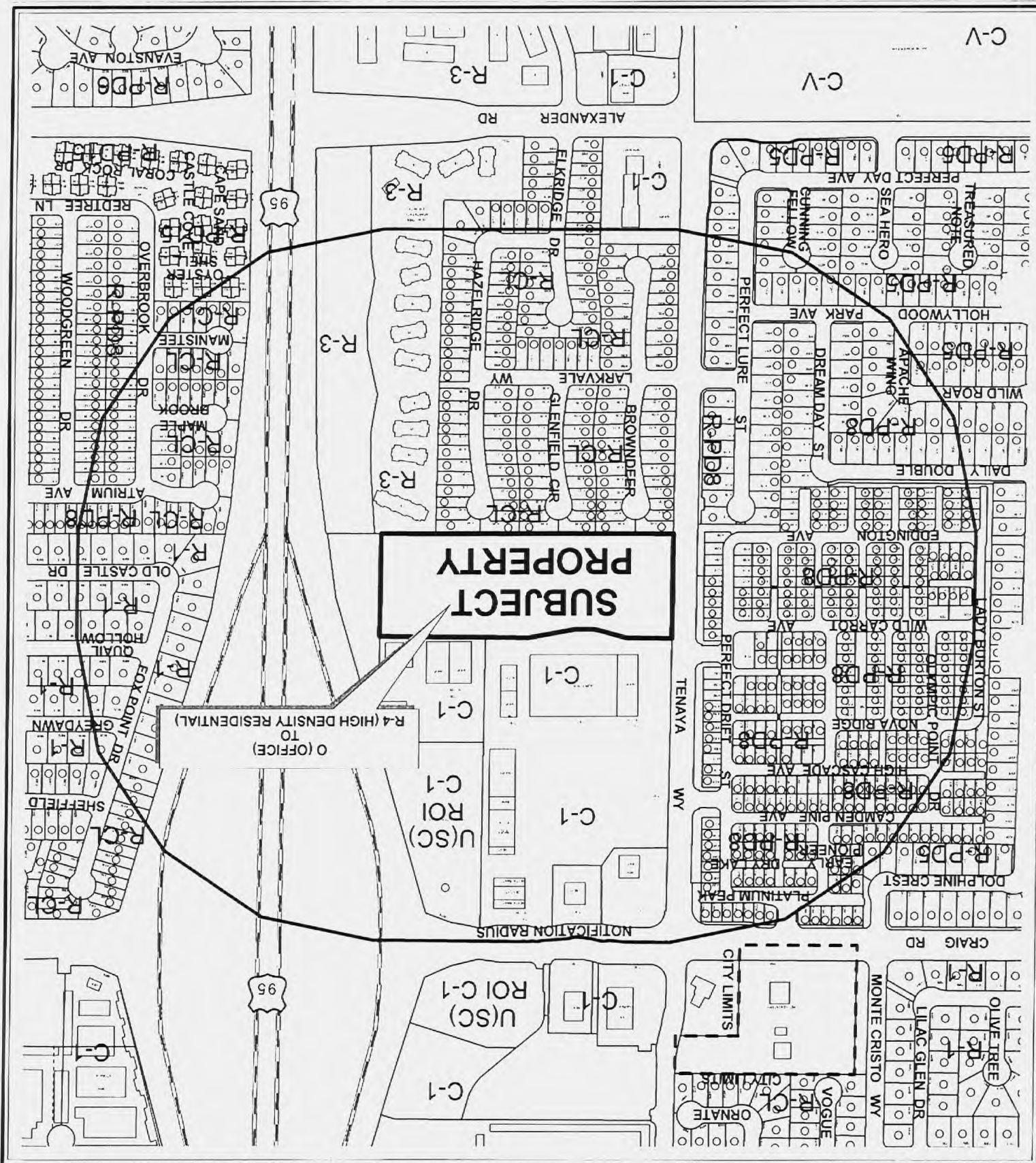
Minutes:

See Item 112 for related backup.

PROPOSED ZONING OF SUBJECT PROPERTY:
 R-4 (HIGH DENSITY RESIDENTIAL)
 O (OFFICE)
 ZONING OF SUBJECT PROPERTY:

RADIUS: 1000 FT

CASE: SDR-18822



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-18822 - APPLICANT/OWNER: CRAIG TENAYA, LLC

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-2/se, sd vote) recommends APPROVAL, subject to conditions.

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-18819) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 01/04/07, except as amended by conditions herein.
4. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit, to reflect the provision of four handicap parking spaces, for a total of 11.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: Provide eight additional 24 inch box trees to the buffer zone along the north property line
6. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. 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.
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. If necessary, submit a Petition of Vacation for any existing easements in conflict with this site plan.
17. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the "Corridor 2-Tenaya Way" project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

18. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a and shall be designed to comply with all City Site Visibility Restriction Zone Standards
19. A Homeowner's Association or Landscape Maintenance Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All landscaping and private improvements 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.
20. Landscape and maintain all unimproved right-of-way, if any, on Tenaya Way adjacent to this site.
21. Submit an Encroachment Agreement for all landscaping, if any, located in the Tenaya Way public right-of-way adjacent to this site prior to occupancy of this site.
22. Grant an appropriate pedestrian access easement for all public sidewalks located outside of the Tenaya Way public right-of-way on the Final Map for this site if approved by the City Engineer.
23. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-18819 and all other subsequent site-related actions.
24. 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. We note that an offset sidewalk is proposed along Tenaya Way.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed five-story mixed-use development consisting of 213 condominium units and 29,717 square feet of commercial space on 7.49 acres adjacent to the east side of Tenaya Way, approximately 970 feet south of Craig Road.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/05/90	The City Council denied a request for a reclassification of property (Z-0080-90) from N-U (Non-Urban) to C-1 (Limited Commercial) that included a shopping center, convenience store with gasoline sales, a four to six story office building, three off-premise billboard signs, an automobile service facility, restaurant with a beer/wine/cooler on-sale use, and retail stores with beer/wine/cooler off-sale uses. The Planning Commission recommended denial. Staff recommended approval.
11/06/96	The applicant withdrew without prejudice a request for a reclassification of property (Z-0094-96) from N-U (Non-Urban) to C-2 (General Commercial) for a 105,744 square-foot retail warehouse. The Planning Commission and staff recommended approval.
01/08/98	The applicant withdrew without prejudice a request for a Rezoning (Z-0081-97) from U (Undeveloped) [SC (Service Commercial) land use designation] to C-1 (Limited Commercial) for a 130,858 square-foot retail store. Staff recommended that the item be held in abeyance.
01/19/00	The City Council approved a Rezoning (Z-0071-99) of this site to O (Office), as part of a larger overall request which included the rezoning of the property to the north to C-1 (Limited Commercial). Staff recommended approval, and the Planning Commission believed the request to be premature and recommended denial.
01/25/07	The Planning Commission recommended approval of companion items GPA-18818, ZON-18819, VAR-18820 and SUP-18821 concurrently with this application. The Planning Commission voted 5-2/se, sd to recommend APPROVAL (PC Agenda Item #43/ar).
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this application.	
<i>Pre-Application Meeting</i>	
12/14/06	A pre-application meeting was held and the requirements of a Site Development Plan Review were explained..

Neighborhood Meeting	
01/03/07	A neighborhood meeting was held at Timbers Bar & Grill, 7081 West Craig Road at 6:15 P.M. Six members of the public attended and had the following concerns and comments: Five story condos too dense for area Concerns about impact to schools Support for two story office or commercial at site Concerns about fire Concerns about size and scope of project so close to single family homes Concerns that the applicant did not properly notify the neighborhood meeting.

Details of Application Request	
Site Area	
Net Acres	7.49

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	O (Office)	O (Office)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Singe-Family Residential	ML (Medium-Low Density Residential)	R-CL (Single-Family Compact-Lot)
	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Undeveloped	SC (Service Commercial)	C-1 (Limited Commercial)
West	Single Family Residential	ML (Medium-Low Density Residential)	R-PD8 (Residential Planned Development – 8 Units Per Acre)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175-Foot)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Per Title 19.08, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	6,500 SF	326,054 SF	Y
Min. Setbacks	10 Feet	15 Feet	Y
• Front	5 Feet	15 Feet	Y
• Side	5 Feet	10 Feet	Y
• Rear	20 Feet	26 Feet	Y
Max. Building Height	2 Stories/35 Feet	5 Stories/72 Feet	N
Trash Enclosure	Yes	Yes	Y
Mech. Equipment	Screened	Screened	Y

The height issue will be addressed within related Variance (VAR-18820).

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	216 Feet	216 Feet	Y
Adjacent development matching setback	10 Feet	216 Feet	Y
Trash Enclosure	50 Feet	220 Feet	Y

Existing Zoning	Permitted Density	Units Allowed
O (Office)	N/A	N/A
Proposed Zoning	Permitted Density	Units Allowed
R-4 (High Density Residential)	26-50 Units Per Acre	374 Units
General Plan	Permitted Density	Units Allowed
H (High Density Residential)	> 25.49 Units Per Acre	374 Units (Unlimited with an R-5 District)

Per Title 19.12:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces	28 Trees	36 Trees	Y
Buffer: Min. Trees	1 Tree/20 Linear Feet	122 Trees	114 Trees	N
Min. Zone Width	15 Feet (R.O.W.) 6 Feet (Interior)		15 Feet (R.O.W.) 6 Feet (Interior)	Y

Staff notes that eight additional 24 inch box trees could be added to the buffer zone along the north property line and has added a condition of approval (number 5) that addresses this issue.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office	29,717 SF	1:300 SF	99				
One-Bedroom	24 Units	1.25/Unit	30				
Two-Bedroom	148 Units	1.75/Unit	259				
Three-Bedroom	41 Units	2/Unit	82				
Guest Spaces	213 Units	1 Space/6 Units	36				
TOTAL			506	11	594	7	N
Loading Spaces			2		3		

The site plan is deficient four handicap parking spaces. Staff has added a condition of approval (number 4) that addresses this issue.

ANALYSIS

This site is currently undeveloped and is located within a FEMA "AE" Flood Zone. The FEMA website www.floodsmart.gov defines an "AE" Flood Zone as areas with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30-year mortgage. The applicant proposes to develop a mixed use project consisting of 213 condominium units and 29,717 square feet of office space. The offices and condominiums will be located in buildings that range in height from two to five stories, with the higher parts of the buildings (72 feet in height) located in the north and east portions of the site in order to comply with the residential adjacency standards. The site is located in a portion of the A-O (Airport Overlay) District where building height is limited to 175 feet. The proposed buildings comply with this limitation.

Parking is provided on a surface lot in the west portion of the site and on the lower level of a two level structure in the east portion of the site. City standards require 11 handicap parking spaces for a development of this size. Because the site plan depicts only seven handicap parking spaces, staff has included a condition of approval (number 4) which requires the provision of four additional handicap spaces. A common area which includes gazebos, potted plants and a pool will be located on the second level of the structure.

Access to the site will be provided by a driveway to Tenaya Way and two driveways to the existing commercial center immediately to the north. The applicant proposes to place landscape buffers with sufficient width to comply with city standards along all property lines. The buffers along the south, east and west property lines contain 24 inch box trees in quantities that comply with city standards. The amount of trees within the north buffer is not sufficient, and staff has included a condition of approval (number 5) which requires eight additional 24 inch box trees to be placed in the buffer zone along the north property line.

The elevations depict stucco exteriors with concrete tile roofs and decorative copper domes along the roof lines. The building heights vary from two to five stories (with a maximum height of 72 feet). The Zoning Code limits heights in the R-4 (High Density Residential) zoning district to two stories (not exceeding 35 feet in height). The applicant has requested a Variance (VAR-18820) from this standard which will be considered currently with this application. Because this variance request does not meet the criteria for approval, as the hardship is self-created and the applicant could revise the development to comply with the setback standards, staff's recommendation is for denial of the variance.

FINDINGS

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

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

In regard to “1”: The proposed development will exceed the scale and massing of any existing development in this area. Staff finds the height and intensity of the project is greater than adjacent development and is not compatible with residential development immediately to the south of this site.

In regard to “2”: The project as designed is more intense than other existing or proposed developments in the area, and requires an associated height variance (VAR-18820) which would allow a 72-foot high building where 35 feet is the maximum height allowed. As such, the project is not appropriate to its context, and staff recommends denial.

In regard to “3”: Adequate access to this site will be provided from Tenaya Way, a Secondary Street as designated by the Master Plan of Streets and Highways. This project will not adversely impact adjacent streets.

In regard to “4”: The proposed building materials and landscape materials are appropriate for the immediate area and for the City, and are generally in compliance with the city standards.

In regard to “5”: The inability of the applicant to devise a site plan that complies with the setback, standards indicate that the design characteristics of this proposal are too intense for this site.

In regard to “6”: The proposed development will be subject to regular inspections for permitting and licensing and will; therefore, not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 34

SENATE DISTRICT 4

NOTICES MAILED 655 by Planning Department

APPROVALS 1

PROTESTS 4



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-18822** APN: 156-03 701-021
Name of Property Owner: Mr. Douglas E. Simms
Name of Applicant: Christopher S. Dyka

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: Douglas E. Simms

Subscribed and sworn before me

This 14th day of December, 2006

Notary Public in and for said County and State

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JAN 04 2006

ZON-18819	GPA-18818
VAR-18820	SUP-18821
SDR-18822	01/25/07 PC

GPA-18818
SUP-18821
01/25/07 PC

VICINITY MAP

ZONED R-1

TENAYA WAY

ZONED COMMERCIAL

100 YR FLOOD CHANNEL

ZONED R-1

LEVEL 7 - ARCHITECTURAL SITE PLAN

NORTH

SITE DATA

APN: 138-03-701-02

COMMERCIAL AREA

CONDOMINIUM UNITS

PARKING REQUIREMENTS

PARKING PROVIDED

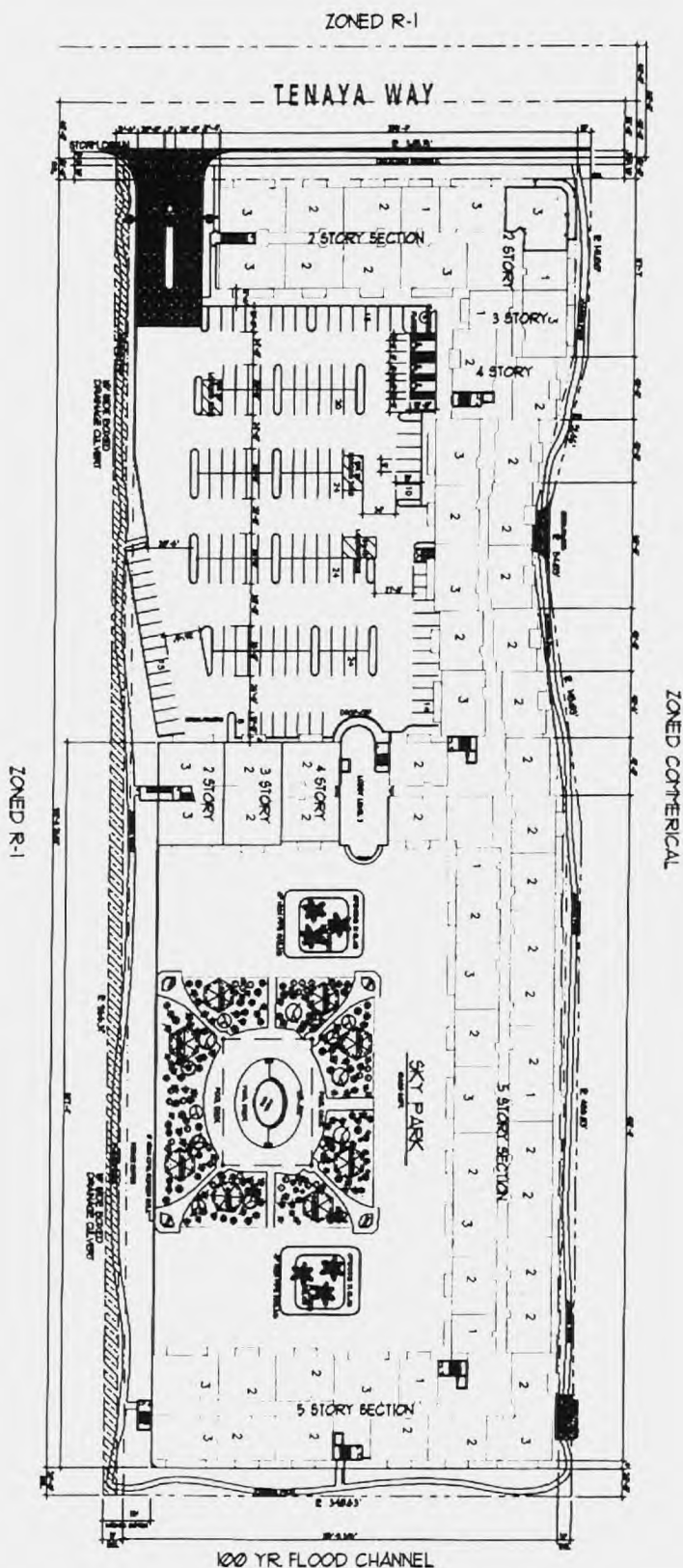
100% **RECYCLED**
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 100% **RECYCLED**

TENAYA WAY CENTRE
for DESERT CAPITAL GROUP
TENAYA WAY and CROSS ROAD
CLARK COUNTY
LAS VEGAS, NEVADA

**PROPOSED
FIRST LEVEL
ARCHITECTURAL
SITE PLAN**

GREENE TINDALL

NEW EAST HENRIETTA ROAD, SUITE 6
LAS VEGAS, NEVADA 89102
PHONE 762-877-0288
FACSIMILE 762-877-0288



LEVEL 2 - ARCHITECTURAL SITE PLAN

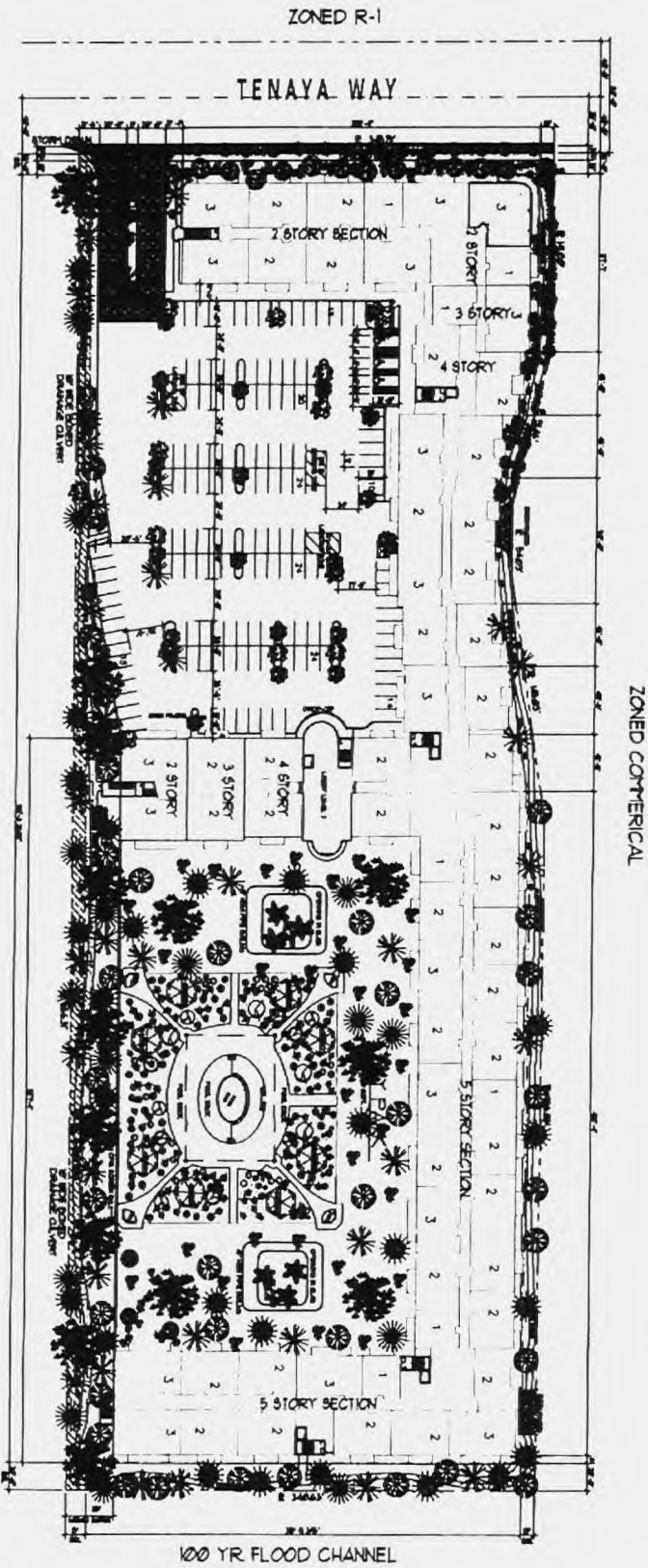


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ZON-18819 GPA-18818
VAR-18820 SUP-18821
SDR-18822 01/25/07 PC

REVISED

AS-2	TENAYA WAY CENTRE for DESERT CAPITAL GROUP TENAYA WAY and CRAIG ROAD CLARK COUNTY LAS VEGAS, NEVADA	PROPOSED SECOND LEVEL ARCHITECTURAL SITE PLAN	GREENE TINDALL	GREENE TINDALL 1000 EAST FLORISSA BLVD, SUITE 100 LAS VEGAS, NEVADA 89119 PHONE 702-498-0000 FACSIMILE 702-498-0000 ARCHITECTURAL/ENGINEERING/DESIGN/CONSTRUCTION
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ZONED R-1
LEVEL 2' - ARCHITECTURAL LANDSCAPE PLAN



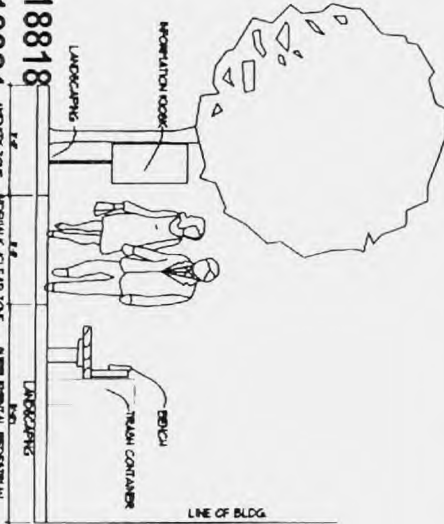
TREE and PLANT LEGEND

SYMBOL	Common Name	Botanical Name	QUANTITY	SIZE
	Mature Tree	Quercus agrifolia	1	12" DBH
	Medium Tree	Quercus agrifolia	1	8" DBH
	Small Tree	Quercus agrifolia	1	4" DBH
	Shrub	Quercus agrifolia	1	12" DBH
	Ground Cover	Quercus agrifolia	1	12" DBH
	Lawn	Quercus agrifolia	1	12" DBH
	Mulch	Quercus agrifolia	1	12" DBH
	Rock	Quercus agrifolia	1	12" DBH
	Water Feature	Quercus agrifolia	1	12" DBH
	Bench	Quercus agrifolia	1	12" DBH
	Trash Can	Quercus agrifolia	1	12" DBH
	Bike Rack	Quercus agrifolia	1	12" DBH
	Sign	Quercus agrifolia	1	12" DBH
	Light Fixture	Quercus agrifolia	1	12" DBH
	Fire Hydrant	Quercus agrifolia	1	12" DBH
	Fire Alarm Box	Quercus agrifolia	1	12" DBH
	Fire Extinguisher	Quercus agrifolia	1	12" DBH
	Fire Hose	Quercus agrifolia	1	12" DBH
	Fire Alarm Pull Station	Quercus agrifolia	1	12" DBH
	Fire Alarm Control Unit	Quercus agrifolia	1	12" DBH
	Fire Alarm Notification Appliance	Quercus agrifolia	1	12" DBH
	Fire Alarm Control Panel	Quercus agrifolia	1	12" DBH
	Fire Alarm Control Unit with Remote Signaling	Quercus agrifolia	1	12" DBH
	Fire Alarm Control Unit with Remote Signaling and Remote Signaling Device	Quercus agrifolia	1	12" DBH

ZON-18819 GPA-18818
VAR-18820 SUP-18821
SDR-18822 01/25/07 PC

REVISED

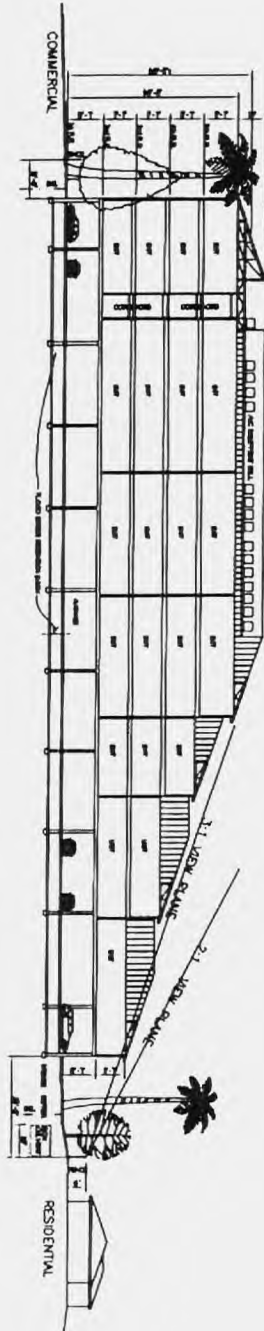
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TENAYA WAY CENTRE
for DESERT CAPITAL GROUP
TENAYA WAY and CRAIG ROAD
CLARK COUNTY
LAS VEGAS, NEVADA

PROPOSED LANDSCAPE SITE PLAN

GREENE TINDALL
200 EAST GERRARD BLVD, SUITE 100
LAS VEGAS, NEVADA 89101
PHONE: 702-691-0000
FACSIMILE: 702-691-0001
ARCHITECTS/ENGINEERS/DESIGNERS/GENERAL CONTRACTORS



SECTION THRU BUILDING (LOOKING NORTH)



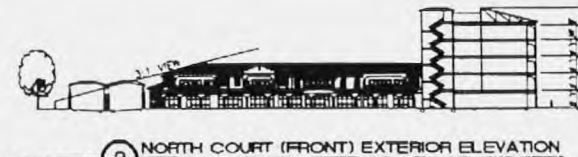
TENAYA WAY

ZON-18819 GPA-18818
VAR-18820 SUP-18821
SDR-18822 01/25/07 PC
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VIEW PLANE ACROSS BUILDINGS
VIEW OVER TENAYA WAY

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AS-7	TENAYA WAY CENTRE for DESERT CAPITAL GROUP TENAYA WAY and CRAIG ROAD CLARK COUNTY LAS VEGAS, NEVADA	ARCHITECTURAL SECTION & VISION SLOPES	THE DESIGN OF THIS PROJECT IS THE PROPERTY OF GREENE TINDALL ARCHITECTS, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF GREENE TINDALL ARCHITECTS, INC.	GREENE TINDALL ONE EAST BUREAU DRIVE SUITE 2 LAS VEGAS, NEVADA 89101 PHONE 702-494-0000 FACSIMILE 702-494-0000 ARCHITECTURE COMMERCIAL RESIDENTIAL CONSTRUCTION
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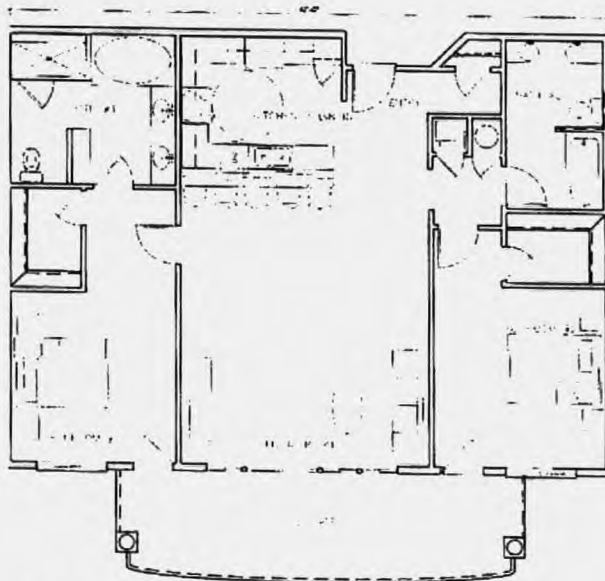
ZON-18819 GPA-18819
VAR-18820 SUP-18820
SDR-18822 01/25/07 PC

REVISED

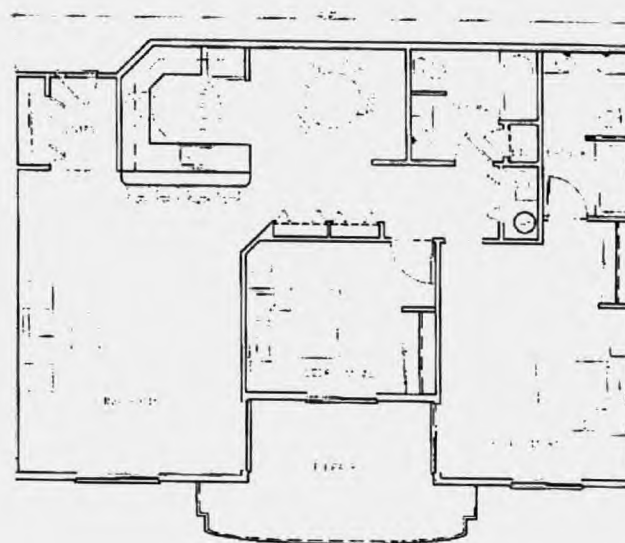
GREENE TINDALL
ARCHITECTS
100 EAST SHERMAN BLVD. SUITE 100
SHERMAN, CA 94604
TEL: 415.774.1100
FAX: 415.774.1101
WWW.GREENTINDALL.COM

TENAYA WAY CENTRE
for DESERT CAPITAL GROUP
TENAYA WAY and CRAIG ROAD
LAS VEGAS, NEVADA

ST-609
9-18-2009
9-2-2007
AS-8



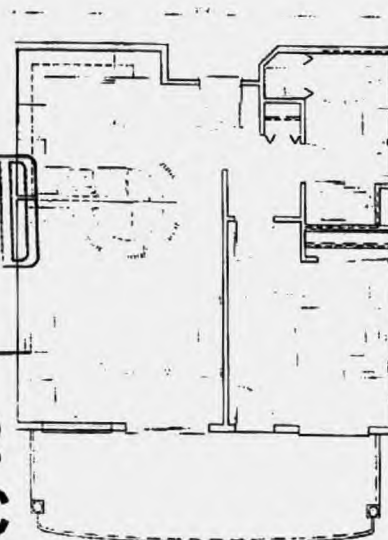
UNIT 'B' TWO BEDROOM FLOOR PLAN



UNIT 'C' TWO BEDROOM FAMILY FLOOR PLAN

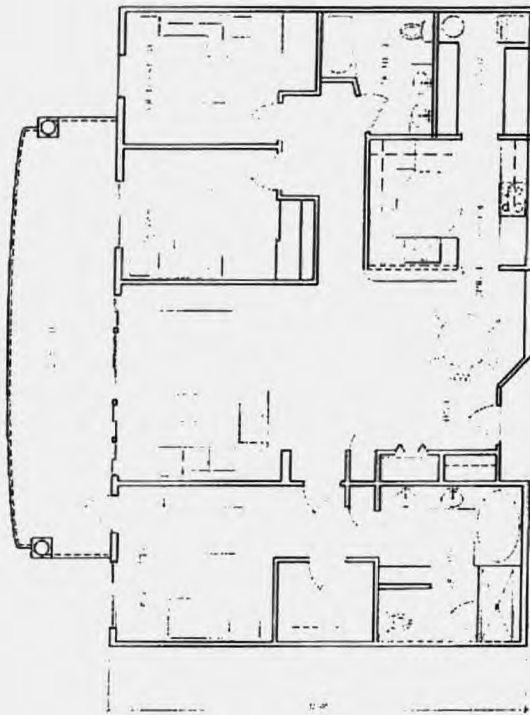
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DEC 18 2006

SDR-18822
01/25/07 PC

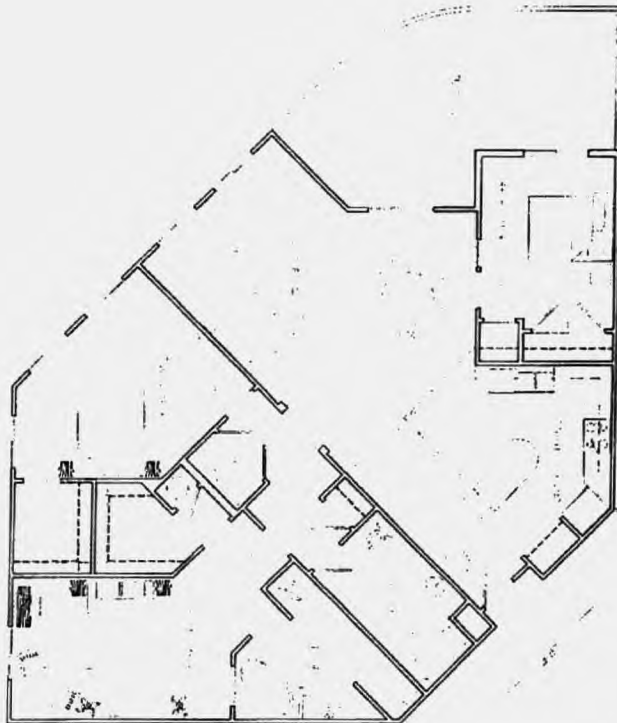


UNIT 'A' ONE BEDROOM

GREENE TINDALL 100 EAST BUNNELL BOULEVARD, SUITE G LAS VEGAS, NEVADA 89101 PHONE: 702.735.7777 FAX: 702.735.7778 WWW.GREENTINDALL.COM	
UNITS A, B and C TWO (2) BEDROOM FLOOR PLANS	
TENAYA WAY CENTRE for DESERT CAPITAL GROUP TENAYA WAY and FRANK ROAD LAS VEGAS, NEVADA	07-609 2-15-2006 10-25-2006
AS-7	



UNIT 'D' 3 BEDROOM UNIT FLOOR PLAN



UNIT 'E' 3 BEDROOM FLOOR PLAN

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DEC 18 2006

SDR-18822
01/25/07 PC

07-000 1-0-2006 10-25-2006 AS-8	TENAYA WAY CENTRE for DESERT CAPITAL GROUP TENAYA WAY and CRAIG ROAD CLARK COUNTY LAS VEGAS, NEVADA	UNITS D and E THREE (3) BEDROOM FLOOR PLANS			GREENE TINDALL 301 EAST TENAYA ROAD SUITE C LAS VEGAS, NEVADA 89102 PHONE: 702-251-5000 FACSIMILE: 702-251-5000 WWW.GREENTINDALL.COM
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TENAYA WAY CENTRE

BY
DESERT CAPITAL GROUP



VIEW FROM TENAYA WAY

12.11.

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DEC 18 2006 01/25/07 PC

SDR 18822				
Craig Tenaya, LLC				
ES Tenaya, S of Craig				
Proposed 213 unit condominium development.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	RES. CONDO/TOWNHOUSE [DWELL]	213	5.86	1,248
AM Peak Hour			0.44	94
PM Peak Hour			0.52	111
(heaviest 60 minutes)				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	29.717	11.01	327
AM Peak Hour			1.55	46
PM Peak Hour			1.49	44
(heaviest 60 minutes)				
Total	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	213		1,575
AM Peak Hour				140
PM Peak Hour				155
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Craig Road				
Average Daily Traffic (ADT)	13,638			
PM Peak Hour	1091			
(heaviest 60 minutes)				
Tenaya Way				
Average Daily Traffic (ADT)	7,038			
PM Peak Hour	563			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				

	Adjacent street ADT			
	Capacity			
Craig Road	51700			
Tenaya Way	30970			
This project will add approximately 1,575 trips per day on Craig and Tenaya.				
This will increase expected volumes by about 12 percent on Craig and 22 percent on Tenaya. Craig is at about 26 percent of capacity and Tenaya is at about 23 percent of capacity.				
Based on Peak Hour use, this development will add roughly 155 additional cars into the area; which works out to about five every two minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



GPA-18818, ZON-18819, VAR-18820, SUP-18821 & SDR-18822 - APPLICANT/OWNER: CRAIG TENAYA, LLC
EAST SIDE OF TENAYA WAY, APPROXIMATELY 970 FEET SOUTH OF CRAIG ROAD
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06



GPA-18818, ZON-18819, VAR-18820, SUP-18821 & SDR-18822 - APPLICANT/OWNER: CRAIG TENAYA, LLC
EAST SIDE OF TENAYA WAY, APPROXIMATELY 970 FEET SOUTH OF CRAIG ROAD
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06



GPA-18818, ZON-18819, VAR-18820, SUP-18821 & SDR-18822 - APPLICANT/OWNER: CRAIG TENAYA, LLC
EAST SIDE OF TENAYA WAY, APPROXIMATELY 970 FEET SOUTH OF CRAIG ROAD
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06



GPA-18818, ZON-18819, VAR-18820, SUP-18821 & SDR-18822 - APPLICANT/OWNER: CRAIG TENAYA, LLC
EAST SIDE OF TENAYA WAY, APPROXIMATELY 970 FEET SOUTH OF CRAIG ROAD
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06

December 12, 2006

To: City of Las Vegas Planning and Development Department

Re: Craig Road & Tenaya Way-Justification Letter
Parcel Number # 138-03-701-021

Enclosed is the Submittal of the Craig & Tenaya Way Development of (Condominium Units & Office Space.

PROJECT LOCATION:

Craig & Tenaya Way Center ("The Project") is located south of Craig on east side Tenaya next to the I-95 within the City of Las Vegas, in the north-west portion of the Vegas Valley.

PROJECT CONCEPT:

Craig & Tenaya Way Center has been designed as a "mix use" project. The Project will consist of 213 condominiums, along with approximately 29,717 square feet of office space. The office will be located along Tenaya; with the condominium homes located above and behind. The architectural character of the Center is Tuscan Design, and residential in nature. This center is directly adjacent to the C-1 shopping center to the north. The center is a transitional use between the existing commercial shopping and two story single family and two story multi-family residential to the south. The project has been "loaded" to the north and east side of the site to minimize the impact to the single family residential neighbors. The project has been designed to emphasize the pedestrian nature of mixed use projects and allow access to the commercial site, surrounding the proposed development is a "Pedestrian Realm" that circulates around the whole project perimeter and access the neighboring public access points.

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DEC 18 2006

SDR-18822
01/25/07 PC

-pg 2-

The building height has been stair stepped to minimize the impact to the surrounding development from and buffer the development from the freeway. An intense buffer has been placed along the south property line to allow a modified 2:1 slope.

The rear portion of the site is currently in the FEMA Flood Plane, which prohibits on grade construction. The proposed design elevates the rear of the project to allow the construction of units and open space therefore, from an aerial view of the project complies with a lot coverage and open space requirements.

The proposed Project will feature:

The 213 condominium homes will range in size from 880 square feet to 1,517 square feet at the center drive is a 2 acre Sky Park, inclusive of pools, BBQ area, gazebos, walking paths, landscaping and putting area.

In summary, Tenaya Way Center consists of (i) 415,698 square feet of living space;(ii) approximately 29,717 square feet of office space;(iii) 155,390 square feet of garage space;(iv) a total of 594 parking spaces where 543 spaces are required; and (v) 211,558.57 square feet of open space; (vi) 2 acre Sky Park. The height of Tenaya Way Center will not exceed 71 feet from grade.

Please contact my office with any further questions regarding this project.

Sincerely,



Christopher S. Dyka, R.D.
Project Manager

RECEIVED
DEC 18 2006

SDR-18822
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: SDR - 18822

Date: 1/22/07
Name: Joseph
Address: 4016 Sea Hero St.
Phone: 597-4828
☒ PROTEST ☐ APPROVE

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

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

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

Date: _____
Name: _____
Address: _____
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☐ 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:
REZONING

ZON-17250 - PUBLIC HEARING - APPLICANT/OWNER: TOUSA HOMES, INC. - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 3.58 acres at the northwest corner of Jones Boulevard and Jo Marcy Drive (APNs 125-14-504-006 through 008), Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (7-0 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 (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

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

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open on Item 116 [ZON-17250], Item 117 [VAR-17253] and Item 118 [SDR-17254].

DAVE CLAPSADDLE, GC Garcia, 1711 Whitney Mesa Drive, Henderson, detailed the subject site. The proposal is for six lots, each over 18,000 square feet. Resulting from the Planning Commission meeting, the applicant has agreed to placing 24-inch box trees around the perimeter of the property; half the lots will be one story and the other half will be two story. Nothing in the

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

homeowners association will preclude future residences from having horses in accordance with City standards. MR. CLAPSADDLE respectfully requested approval of all applications.

COUNCILMAN ROSS was not surprised to see no opposition with a project such as this. The area is a wonderful place to live, especially when horses are allowed on the properties.

MARGO WHEELER, Director of Planning and Development, clarified that conditions as discussed by MR. CLAPSADDLE were already included from the Planning Commission meeting.

MAYOR GOODMAN declared the Public Hearing closed on Item 116 [ZON-17250], Item 117 [VAR-17253] and Item 118 [SDR-17254].





AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-17250 - APPLICANT/OWNER: TOUSA HOMES, INC.

**** CONDITIONS ****

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

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-17254) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate the additional right-of-way necessary to complete the taper required by Standard Drawing #201.1 for the intersection of Jones Boulevard and Grand Teton Drive that extends along Jones Boulevard at the northeast corner of this site.
4. Construct half-street improvements including appropriate transition paving on Jo Marcy Drive and Jones Boulevard adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). Alternatively, if allowed by the City Engineer, offsite improvements on Jones Boulevard may be satisfied through participation in the Jones Boulevard – Elkhorn Road to Horse Drive public improvement project.
5. A working sanitary sewer connection shall be in place prior to final inspection of any units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed within 24 months of approval of construction drawings. No partial bond releases will be allowed until all perimeter roadway improvements are in place.

6. Extend public sewer in Jo Marcy Drive to the western edge of this site at a size, depth and location acceptable to the Collection System Planning section of the Department of Public Works. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The proposed rezoning to and R-PD2 (Residential Planned Development – 2 Units Per Acre) is not considered appropriate for this location. The parcel does not meet the minimum lot size for Residential Planned Development and a Variance (VAR-17253) is required. The lot sizes that result from this rezoning are approximately 1,500 square feet smaller than what is currently permitted on this property; however, the lot sizes are only half the size of the existing adjacent lots. The setbacks that would result are more closely related to those of higher density development rather than the current R-E (Residence Estates) District. Due to these factors denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/06	This item and companion items for a Site Development Plan Review (SDR-17254) and a Variance (VAR-17253) were held in abeyance at the request of the applicant.
01/25/07	The Planning Commission recommended approval of companion items VAR-17253 and SDR-17254 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #28/ng).
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this development.	
<i>Pre-Application Meeting</i>	
09/15/06	A pre-application meeting was held. It was noted that the parcel ending in 006 is located in the Rural Preservation Overlay District Buffer. 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>	
Gross Acres	3.58
Net Acres	2.84

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Single-family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Single-family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Single-family Residential	R (Rural Density Residential)	R-PD3 (Residential Planned Development – 3 Units Per Acre)
West	Single-family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
R-PD (Residential Planned Development) District	X		N
Trails		X	Y
Rural Preservation Overlay District	X		Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

DEVELOPMENT STANDARDS

Per Title 19.06 the following Development Standards apply:

<i>Standard</i>	<i>Provided</i>
Min. Lot Size	18,004 SF
Min. Lot Width	73.43 Feet
Min. Setbacks (standard-lot) • Front • Side • Corner • Rear	25 Feet 5 Feet 10 Feet 30 Feet
Min. Setbacks (cul-de-sac) • Front • Side • Corner • Rear	20 Feet 5 Feet 10 Feet 30 Feet
Min. Distance Between Buildings	10 Feet
Max. Building Height	29.5 Feet

<i>Residential Adjacency Standards</i>						
Residential Adjacency requirements do not apply to the proposed development.						
<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-E (Residence Estates)	2 Units Per Acre	Eight (Six units are proposed)	R-PD2 (Residential Planned Development – 2 Units Per Acre)	2.49 Units Per Acre	DR (Desert Rural Density Residential)	2.49 Units Per Acre

<i>Open Space</i>
Residential Planned Developments with less than 12 lots are not required to provide open space. The proposed development will have a total of six lots and is not required to provide open space.

Pursuant to Title 19.10, the following parking standards apply:

<i>Parking Requirement</i>
The project is required to provide a minimum of two parking spaces pre dwelling unit. Each unit is proposed to have a minimum of a two car garage, while most units include a three car garage. This meets Title 19.10 parking requirements.

ANALYSIS

The proposed rezoning is not considered appropriate. The parcel does not meet the requirements of Title 19.06.040 for Residential Planned Development as it is less than five acres in area. The subject property is 28 percent deficient in area. This deviation requires a Variance (VAR-17253) and denial of that variance is recommended. It is further noted that this rezoning would permit the applicant to develop an additional three lots on the property than what adjacent development typically would have. The smaller lots create shorter setbacks which resemble a higher density development. Together these changes would make the site incompatible with the surrounding neighborhood. Denial of this request is recommended.

FINDINGS

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

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

While the proposed development conforms to the General Plan, the proposal is considered to be incompatible with the surrounding area due to smaller lot sizes and the required Variance.

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

The single-family residential use is compatible with the area; however, the proposed design includes lot sizes that are smaller than adjacent lots and additional deviations from standards that make the proposed project incompatible with the area.

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

Growth and development factors do not indicate the need for this rezoning. The applicant is simply gaining additional lots over what would otherwise be permissible under the current zoning designation.

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

The site gains access via a cul-de-sac from Jo Marcy Drive. The addition of six lots will cause an increase in traffic on this portion of Jo Marcy Drive.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 155 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

ZON-17250

Case Number: _____ APN: 125-14-506-006, 007, and 008

Name of Property Owner: Tousa Homes

Name of Applicant: Wright Engineers

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN _____

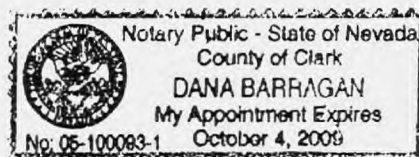
Signature of Property Owner: Cheryl R. Kypreos

Print Name: Cheryl Kypreos

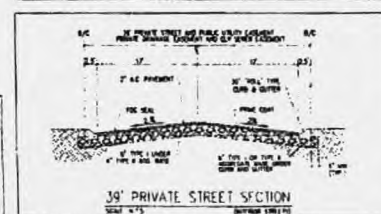
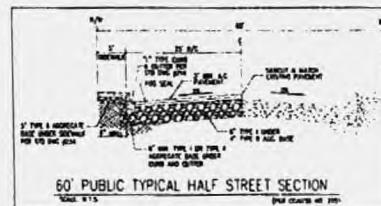
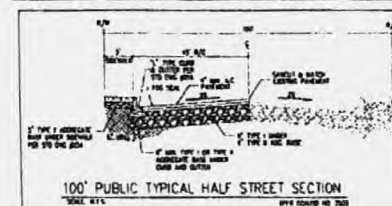
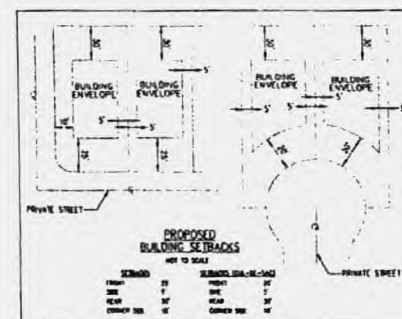
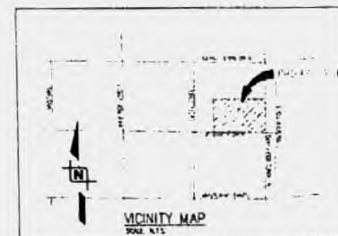
Subscribed and sworn before me

This 21st day of September, 2006

Dana Barragan
Notary Public in and for said County and State



**R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT -2 UNITS PER ACRE)
APN #125-14-504-006, 007 & 008**



WRIGHT
client driven

7025 MEAR DRIVE LAS VEGAS NEVADA 89139
a 702 933 4000 f 702 933 7501 800 933 7411
WEB: WWW.WRIGHT-CLERKS.COM

[illegible]

ENGLE HOMES	DATE
7029 W. SUMMIT AVE	
LOS ANGELES, CA 90045	
TEL (800) 441-1210	DATE

ENGLE HOMES
FALCON CREST UNIT 3
LOTTE PLAN -JO MARCY DRIVE

DATE	9/27/06
DRAWN BY	
PROJECT NO.	0024894
SCALE	1"=40'



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—————
7890123

01/25/07 PC
7ON-17250

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PC 2007 02 2006

SITE DATA	
ASSESSORS PARCEL NUMBER	125-14-504-006. 007 & 008
CURRENT ZONING	R-1
PROPOSED ZONING	R-PD7
SQFTS ACRES	1.58
NUMBER OF LOTS	8
COMMON LOTS	2
BU/AC	16.7

OWNER INFORMATION
 VIN #7C-10-20-000 207 & 208
 TRUCK MODEL:
 1972 IN GARAGE AND

RECEIVED
OFFICE OF THE ATTORNEY GENERAL
JAN 10 1964

1425 PEAR DRIVE
LOS ANGELES, CALIFORNIA 90019
TEL (213) 818-7000 FAX (213) 756-00



September 28, 2006

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

Dear Ladies/Gentlemen:

Please accept this letter from Wright Engineers on behalf of our client, Tousa Homes, Inc., as the justification for related requests for a Rezoning, a Variance and a Site Development Plan Review for development of property located at the northwest corner of Jones Boulevard and Jo Marcy Drive, also known as Falcon Crest Unit 3 (APNs 125-14-504-006, 007 and 008).

Our client intends to develop six single-family homes on the site. The site is currently designated DR (Desert Rural Density Residential) in the City's Master Plan, which allows for densities up to 2.49 u.p.a. The site is currently zoned R-E (Residence Estates).

The applicant is requesting a conforming Rezoning from the R-E district to the R-PD2 (Residential Planned Development - 2 Units per Acre) on the subject site. Although the density of the proposed project, at 1.67 u.p.a., is far below the Desert Rural Density threshold of 2.49 u.p.a., the intent is to match the scale and density of the surrounding properties in the area. All of the proposed lots exceed 18,000 s.f. in area, which is in scale with nearby development. A Site Development Plan Review for the project is also being submitted. This site plan fully conforms to Title 19 regulations, other than the minimum site size requirement of 5 acres for R-PD developments; a request for a Variance to this requirement is also being filed.

The proposed rural density residential development will be compatible with surrounding residential uses, and will be a logical and attractive use of an infill parcel that will be designed to compliment the area.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Leobold".

Gary Leobold, AICP
Director of Planning

01/25/07 PC
ZON-17250

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-17250

VAR-17253 - PUBLIC HEARING - APPLICANT/OWNER: TOUSA HOMES, INC. - Request for a Variance TO ALLOW A RESIDENTIAL PLANNED DEVELOPMENT ON 3.58 ACRES WHERE 5.00 ACRES IS THE MINIMUM SITE AREA REQUIRED at the northwest corner of Jones Boulevard and Jo Marcy Drive (APNs 125-14-504-006 through 008), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (7-0 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 (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

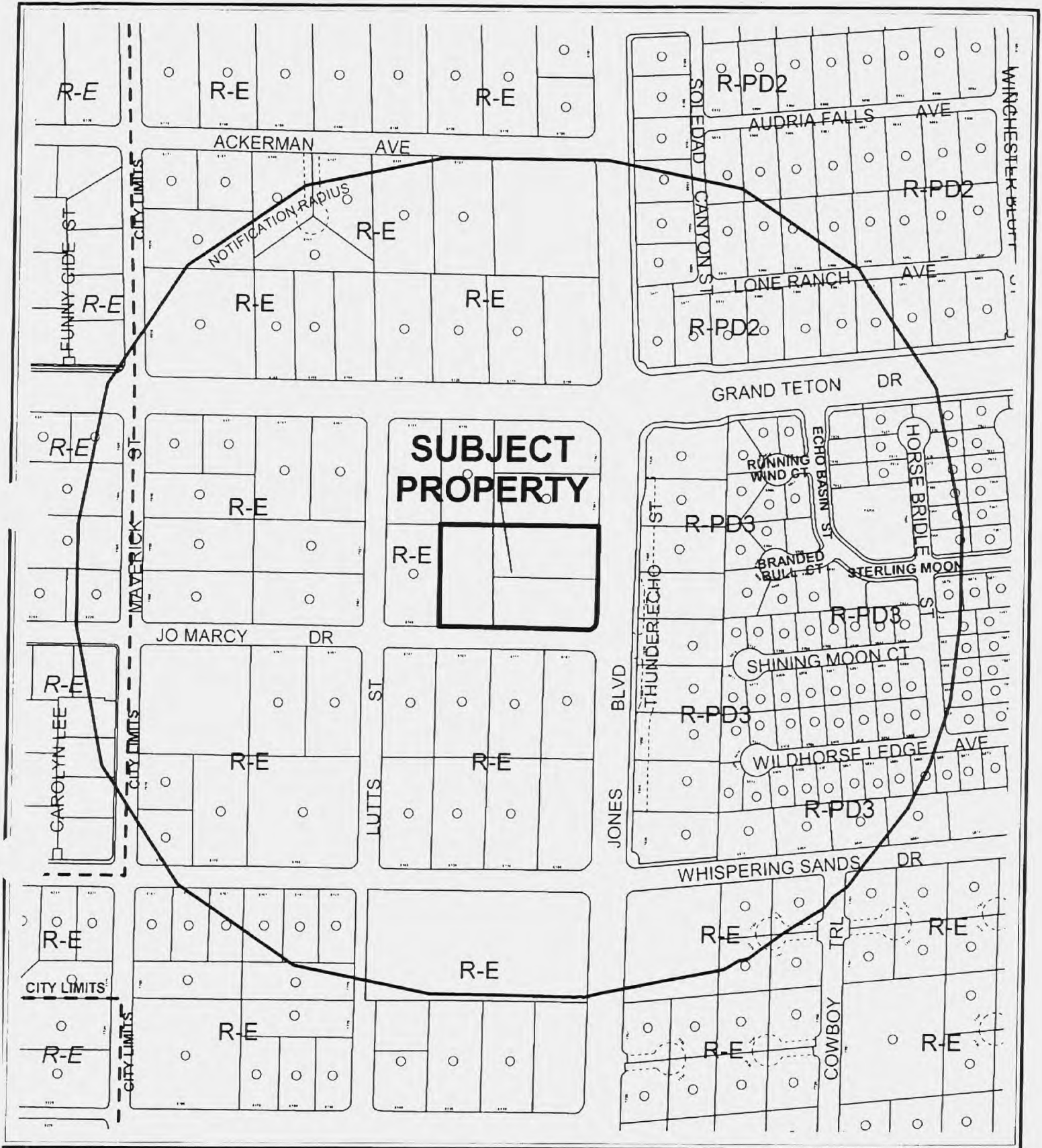
Motion made by STEVEN D. ROSS to Approve Subject to Conditions

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

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

Minutes:

See Item 116 for related discussion.



CASE: **VAR-17253**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-17253 - APPLICANT/OWNER: TOUSA HOMES, INC.

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (ZON-17253) and Site Development Plan Review (SDR-17254), 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

The proposed development is located on 3.58 gross acres. Per Title 19.06.040 a Residential Planned Development shall be located on a minimum of five acres. The proposed location is only 72 percent of the required area. This is a 28 percent deviation from Title 19.06.040 standards. The proposed deviation is considered a self-imposed hardship as it is the applicant's choice to rezone the property; therefore, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/06	This item and companion items for a Rezoning (ZON-17250) and a Site Development Plan Review (SDR-17254) were held in abeyance at the request of the applicant.
01/25/07	The Planning Commission recommended approval of companion items ZON-17250 and SDR-17254 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #28/ng).
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this development.	
<i>Pre-Application Meeting</i>	
09/15/06	A pre-application meeting was held. It was noted that the parcel ending in 006 is located in the Rural Preservation Overlay District Buffer. 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>	
Gross Acres	3.58
Net Acres	2.84

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Single-family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Single-family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Single-family Residential	R (Rural Density Residential)	R-PD3 (Residential Planned Development – 3 Units Per Acre)
West	Single-family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
R-PD (Residential Planned Development) District	X		N
Trails		X	Y
Rural Preservation Overlay District	X		Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

DEVELOPMENT STANDARDS

Per Title 19.06 the following Development Standards apply:

<i>Standard</i>	<i>Provided</i>
Min. Lot Size	18,004 SF
Min. Lot Width	73.43 Feet
Min. Setbacks (standard-lot) • Front • Side • Corner • Rear	25 Feet 5 Feet 10 Feet 30 Feet
Min. Setbacks (cul-de-sac) • Front • Side • Corner • Rear	20 Feet 5 Feet 10 Feet 30 Feet
Min. Distance Between Buildings	10 Feet
Max. Building Height	29.5 Feet

Residential Adjacency Standards

Residential Adjacency requirements do not apply to the proposed development.

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-E (Residence Estates)	2 Units Per Acre	Eight (Six units are proposed)	R-PD2 (Residential Planned Development – 2 Units Per Acre)	2.49 Units Per Acre	DR (Desert Rural Density Residential)	2.49 Units Per Acre

<i>Open Space</i>

Residential Planned Developments with less than 12 lots are not required to provide open space. The proposed development will have a total of six lots and is not required to provide open space.

Pursuant to Title 19.10, the following parking standards apply:

<i>Parking Requirement</i>

The project is required to provide a minimum of two parking spaces per unit. Each unit is proposed to have a minimum of a two car garage, while most units include a three car garage. This meets Title 19.10 parking requirements.

ANALYSIS

The proposed development is located on 3.58 gross acres. Per Title 19.06.040 a Residential Planned Development shall be located on a minimum of five acres. The proposed location is only 72 percent of the required area. This is a 28 percent deviation from Title 19.06.040 standards.

Per Title 19.06.040 for the R-PD (Residential Planned Development) District the minimum site area that is eligible for rezoning to the R-PD (Residential Planned Development) zoning district is five acres. Any additional tract which contains less than the minimum site area, but which is contiguous to property previously zoned R-PD (Residential Planned Development), may also be zoned R-PD (Residential Planned Development) by the City Council if it otherwise qualifies for the R-PD (Residential Planned Development) zoning designation. Both such properties must be owned by or be under the control of the same property owner. This particular development is an infill parcel. The adjacent parcels are zoned R-E (Residence Estates). The site does not meet the intent of the R-PD (Residential Planned Development) District as defined in Title 19.06.040. The proposed deviation is considered a self-imposed hardship as it is the applicant's choice to rezone the property; therefore, denial of this request is recommended.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship through requesting a zoning district that does not meet Code requirements. Alternative zoning would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 168 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-17253** APN: 125-14-506-006, 007, and 008
Name of Property Owner: Tousa Homes
Name of Applicant: Wright Engineers

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

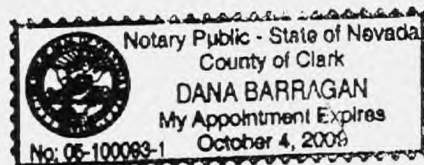
APN: _____

Signature of Property Owner: _____

Print Name: Cheryl Kypreos

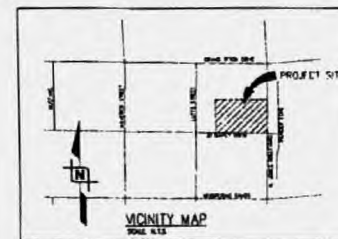
Subscribed and sworn before me

This 21st day of September, 2006
Dana Barragan
Notary Public in and for said County and State



SITE PLAN FOR FALCON CREST UNIT 3 BY ENGLE HOMES

R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT -2 UNITS PER ACRE)
APN #125-14-504-006, 007 & 008



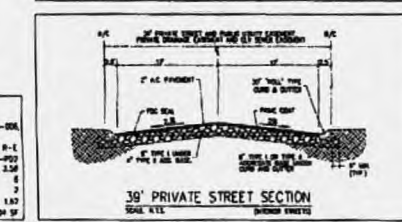
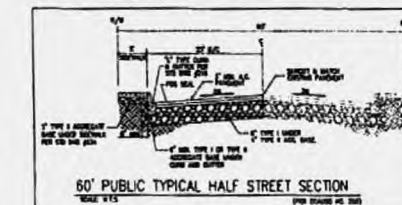
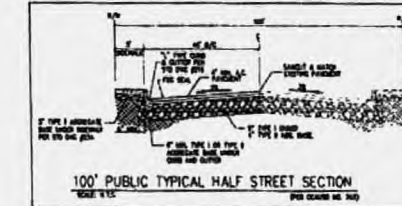
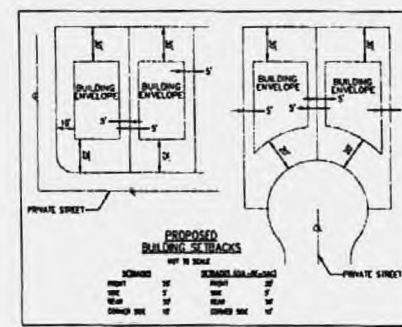
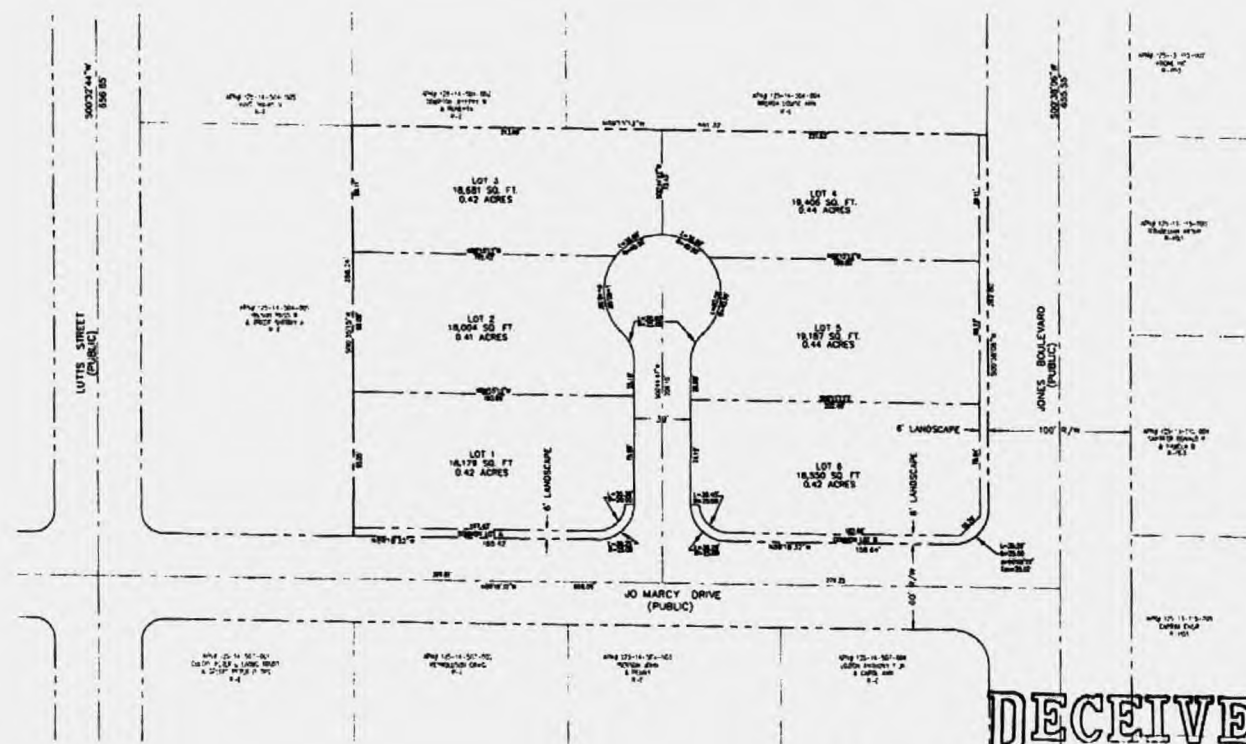
WRIGHT
client driven
1425 PLATE DRIVE LAS VEGAS, NEVADA 89102
P: 702.735.1100
WWW.WRIGHTARCHITECTS.COM
LAS VEGAS, NEVADA, LOS ANGELES, CALIFORNIA

REVISION	DATE	BY	REV

ENGLE HOMES LAS VEGAS, NV 89102 TEL: 702.735.1100	DATE: 8/27/06
DRAWN BY: J. HARRIS	CHECKED BY: J. HARRIS
PROJECT NO: 06-008	DATE: 8/27/06
SCALE: 1" = 40'	

ENGLE HOMES FALCON CREST UNIT 3 SITE PLAN - JO MARCY DRIVE	DATE: 8/27/06
DRAWN BY: J. HARRIS	CHECKED BY: J. HARRIS
PROJECT NO: 06-008	DATE: 8/27/06
SCALE: 1" = 40'	

1 OF 1 SHEETS
06-008-001



RECEIVED
VAR-17253 OCT 02 2006
01/25/07 PC

SITE DATA	
APPLICANT: ENGLE HOMES	PROJECT NO: 06-008
PROPOSED ZONING: R-PD2	DATE: 8/27/06
PROPOSED TYPING: 2.56	
NUMBER OF LOTS: 6	
COMMON LOTS: 3	
OWNER: ENGLE HOMES	
DESIGNER: J. HARRIS	
DATE: 8/27/06	
SCALE: 1" = 40'	

OWNER INFORMATION	DEVELOPER	ENGINEER
ENGLE HOMES 1425 PLATE DRIVE LAS VEGAS, NV 89102	ENGLE HOMES 1425 PLATE DRIVE LAS VEGAS, NV 89102	J. HARRIS 1425 PLATE DRIVE LAS VEGAS, NV 89102





September 28, 2006

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

Dear Ladies/Gentlemen:

Please accept this letter from Wright Engineers on behalf of our client, Tousa Homes, Inc., as the justification for related requests for a Rezoning, a Variance and a Site Development Plan Review for development of property located at the northwest corner of Jones Boulevard and Jo Marcy Drive, also known as Falcon Crest Unit 3 (APNs 125-14-504-006, 007 and 008).

Our client intends to develop six single-family homes on the site. The site is currently designated DR (Desert Rural Density Residential) in the City's Master Plan, which allows for densities up to 2.49 u.p.a. The site is currently zoned R-E (Residence Estates).

The applicant is requesting a conforming Rezoning from the R-E district to the R-PD2 (Residential Planned Development - 2 Units per Acre) on the subject site. Although the density of the proposed project, at 1.67 u.p.a., is far below the Desert Rural Density threshold of 2.49 u.p.a., the intent is to match the scale and density of the surrounding properties in the area. All of the proposed lots exceed 18,000 s.f. in area, which is in scale with nearby development. A Site Development Plan Review for the project is also being submitted. This site plan fully conforms to Title 19 regulations, other than the minimum site size requirement of 5 acres for R-PD developments; a request for a Variance to this requirement is also being filed.

The proposed rural density residential development will be compatible with surrounding residential uses, and will be a logical and attractive use of an infill parcel that will be designed to compliment the area.

Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "Gary Leobold".

Gary Leobold, AICP
Director of Planning

VAR-17253
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 ZON-17250 AND VAR-17253

SDR-17254 - PUBLIC HEARING - APPLICANT/OWNER: TOUSA HOMES, INC. - Request for a Site Development Plan Review FOR A PROPOSED SIX-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 3.58 acres at the northwest corner of Jones Boulevard and Jo Marcy Drive (APNs 125-14-504-006 through 008), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (7-0 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 (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

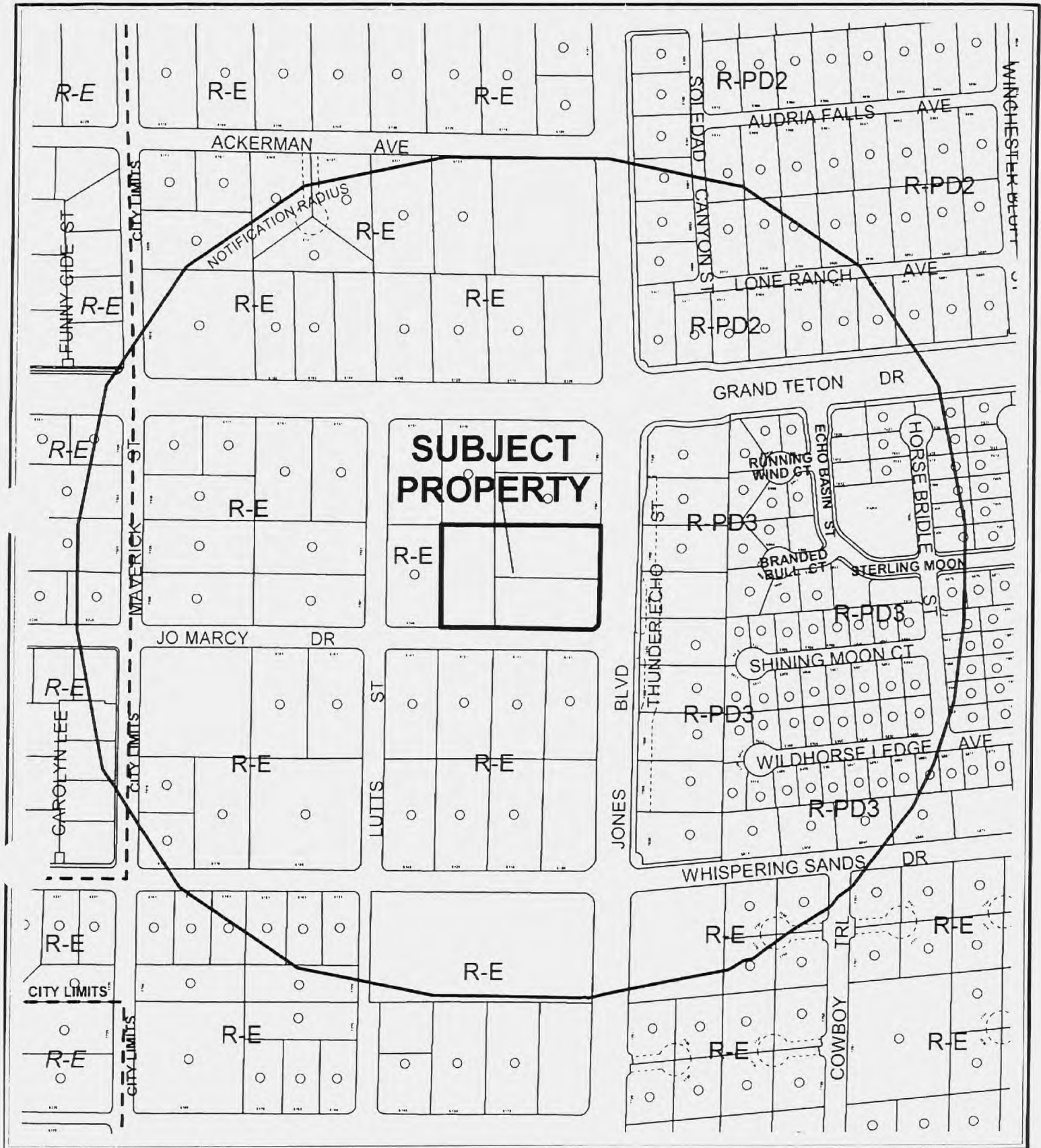
Motion made by STEVEN D. ROSS to Approve Subject to Conditions

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

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

Minutes:

See Item 116 for related discussion.



CASE: **SDR-17254**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

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

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-17254 - APPLICANT/OWNER: TOUSA HOMES, INC.

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (ZON-17250) and Variance (VAR-17253, if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 10/02/06, except as amended by conditions herein.
4. The standards for this development shall include a Minimum lot size of 18,004 square feet and Building height shall not exceed two stories or 29.5 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 25 feet to the front of the house, 20 feet if on a cul-de-sac, as measured from back of sidewalk or from back of curb if no sidewalk is provided, five feet on the side, ten feet on the corner side, and 30 feet in the rear.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
8. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.
13. Fifty percent of the homes shall be one story and fifty percent shall be two story.
14. Minimum 24 inch box trees spaced at 20 feet on center shall be placed within a five foot wide landscape easement provided along the north and west property line.

Public Works

15. The Final Map for this site shall be labeled as a "Merger and Re-subdivision".
16. The private entry street shall not be gated.
17. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All private improvements and landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
18. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-17250 and all other applicable site-related actions.
19. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
20. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The proposed development is for a six-lot single-family residential subdivision. The site would be accessed by a cul-de-sac off Jo Marcy Drive. The project requires a variance to allow a Residential Planned Development on less than five acres. This Variance (VAR-17253) is not supported as this is considered a self-imposed hardship. The proposed development standards more closely match that of higher density development rather than the R-E (Residence Estates) District that is currently in place on the site. The rezoning would permit six lots where three lots would be typical of adjacent development. Due to the deviations from standards and smaller lot sizes than the adjacent property, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/06	This item and companion items for a Rezoning (ZON-17250) and a Variance (VAR-17253) were held in abeyance at the request of the applicant.
01/25/07	The Planning Commission recommended approval of companion items ZON-17250 and VAR-17253 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #30/ng).
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this development.	
<i>Pre-Application Meeting</i>	
09/15/06	A pre-application meeting was held. It was noted that the parcel ending in 006 is located in the Rural Preservation Overlay District Buffer. 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>	
Gross Acres	3.58
Net Acres	2.84

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Single-family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Single-family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Single-family Residential	R (Rural Density Residential)	R-PD3 (Residential Planned Development – 3 Units Per Acre)
West	Single-family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
R-PD (Residential Planned Development) District	X		N
Trails		X	Y
Rural Preservation Overlay District	X		Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

DEVELOPMENT STANDARDS

Per Title 19.06 the following Development Standards apply:

<i>Standard</i>	<i>Provided</i>
Min. Lot Size	18,004 SF
Min. Lot Width	73.43 Feet
Min. Setbacks (standard-lot) • Front • Side • Corner • Rear	25 Feet 5 Feet 10 Feet 30 Feet
Min. Setbacks (cul-de-sac) • Front • Side • Corner • Rear	20 Feet 5 Feet 10 Feet 30 Feet
Min. Distance Between Buildings	10 Feet
Max. Building Height	29.5 Feet

Residential Adjacency Standards

Residential Adjacency requirements do not apply to the proposed development.

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-E (Residence Estates)	2 units per Acre	Eight (Six units are proposed)	R-PD2 (Residential Planned Development – Two Units per Acre)	2.49 Units per Acre	DR (Desert Rural Density Residential)	2.49 Units per Acre

Open Space

Residential Planned Developments with less than 12 lots are not required to provide open space. The proposed development will have a total of six lots and is not required to provide open space.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement

The project is required to provide a minimum of two parking spaces per dwelling unit. Each unit is proposed to have a minimum of a two car garage, while most units include a three car garage. This meets Title 19.10 parking requirements.

ANALYSIS

The proposed development would consist of six lots. The smallest lot is 18,004 square feet. The largest lot is 19,406 square feet. The current R-E (Residence Estates) zone permits a minimum lot size of 20,000 square feet; however, lot sizes in the area are over 40,000 square feet. Three lots would fit onto this property rather than the six that the applicant is proposing. The front and rear yard setbacks that are proposed are similar to the setbacks for the R-D (Single-family Residential-Restricted) District. The side yard setback is only five feet. This setback is typically reserved for the R-1 (Single-family Residential) and higher density districts.

Per Title 19.06.040 for the R-PD (Residential Planned Development) District the minimum site area that is eligible for rezoning to the R-PD (Residential Planned Development) zoning district is five acres. Any additional tract which contains less than the minimum site area, but which is contiguous to property previously zoned R-PD (Residential Planned Development), may also be zoned R-PD (Residential Planned Development) by the City Council if it otherwise qualifies for the R-PD (Residential Planned Development) zoning designation. Both such properties must be

owned by or be under the control of the same property owner. The adjacent parcels are zoned R-E (Residence Estates). The site does not meet the intent of the R-PD (Residential Planned Development) District as defined in Title 19.06.

The proposed development would have six lots and would not require open space. The applicant is providing the required six-foot wide streetscape along both Jones Boulevard and Jo Marcy Drive. The site is located in a Rural Preservation Overlay District (RPOD), this allows a maximum of two dwelling units per acre. This proposed development as a density of 1.68 units per acre and is in compliance with the requirements of the RPOD.

The homes are single and two-story homes. These homes range in size from 3,300 to 4,800 square feet and typically feature three-car garages. Design and color schemes are typical of development in this area.

FINDINGS

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

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

The proposed development is not compatible with the surrounding area. The development proposes six lots where adjacent lot sizes would indicate three lots would be typical of this area. The site gains access from a cul-de-sac from Jo Marcy Drive. Adjacent development takes access directly from the main street rather than a cul-de-sac. The setbacks that are proposed in the side yards reflect what is typical of higher density development. Due to the incompatibility with the surrounding area, denial of this request is recommended.

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

The proposed development is not consistent with Title 19. The project requires a Variance (VAR-17253) to allow a Residential Planned Development on less than five acres. Additionally, the project does not meet the intent of the Residential Planned Development District as defined in Title 19.06.040. Due to these deviations from Title 19, denial of this request is recommended.

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

The site gains access via a cul-de-sac from Jo Marcy Drive. The addition of six lots will cause an increase in traffic on this portion of Jo Marcy Drive.

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

Building and landscape materials are appropriate for the area and the City of Las Vegas.

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

Elevations and design characteristics are not unsightly or obnoxious and will be harmonious and compatible with development in the area.

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

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

PLANNING COMMISSION ACTION

Two conditions regarding height and landscaping were added by the Planning Commission.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 155 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-17254** APN: 125-14-506-006, 007, and 008
Name of Property Owner: Tousa Homes
Name of Applicant: Wright Engineers

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN _____

Signature of Property Owner: _____

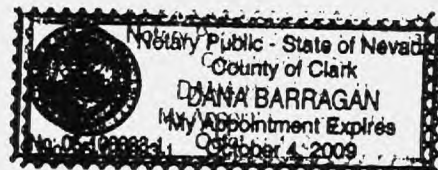
Print Name: _____

Cheryl Kypreos

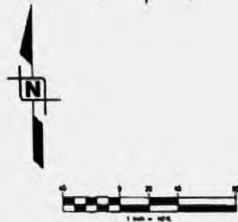
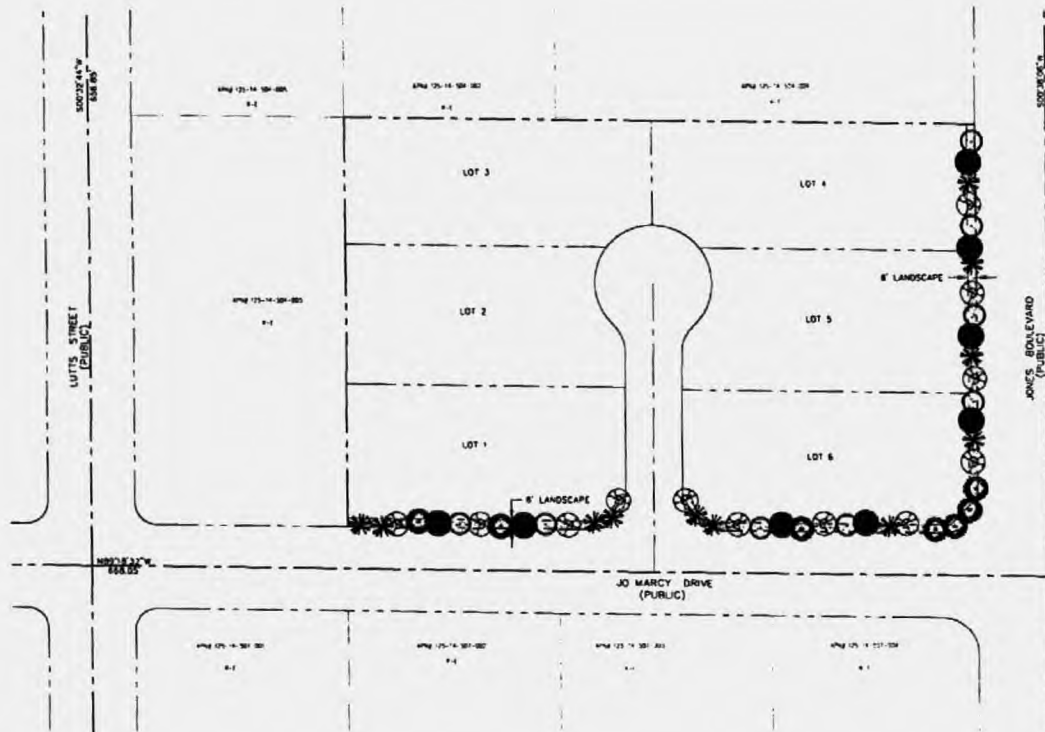
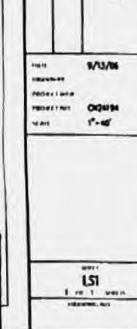
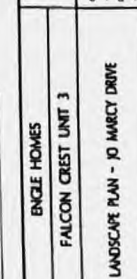
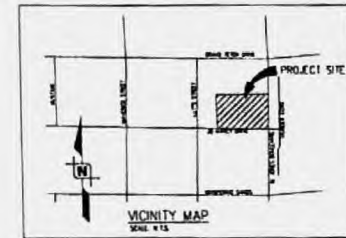
Subscribed and sworn before me

This 21st day of September 2006

Dana Barragan
Notary Public in and for said County and State



R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT -2 UNITS PER ACRE)
APN #125-14-504-006, 007 & 008



Call before you OVERHEAD
1-702-277-2929

BASS OF BEARING

SOUTH 89°23'11" EAST
BEING THE BEARING OF THE CENTERLINE OF WHISPERING
SANDS DRIVE AS SHOWN ON THAT CERTAIN PLAT MAP
RECORDED AS BOOK 118, PAGE 68 OF PLAT, CLARK COUNTY
OFFICIAL RECORDS

LEGAL DESCRIPTION

SITUATED IN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 14, TOWNSHIP 19 SOUTH, RANGE 80 EAST, W.D.M., CLARK COUNTY, NEVADA, MORE PARTICULARLY DESCRIBED AS LOT 3, AND 4 OF PARCEL MAPS FILE 36, PAGE 18.

SDR-17254
01/25/07 PC

PLANTING LEGEND

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY
	ACACIA THORNS SWEET WOOD	24" BOX	12
	CERCOCARPUS THORNS DESERT WOOD	24" BOX	8
	FICUS THORNS FICUS	5 GAL	8
	HESPERALOE THORNS HESPERALOE	5 GAL	2
	LANTANA THORNS LANTANA	5 GAL	11
	SANTA FE ROSE DECOMPOSED GRAFT	2 1/2"	4000 SF

NOTES

- 1) DECOMPOSED GRANITE (DG) - INSTALL A 2" LAYER OF 3/4" SCREENED ROCK MEDIUM CONTINUOUS IN ALL PLACES WITHIN THE PERIMETER OF THE PLANTING BEDS, TREES AND SHRUBS. COLOR - (SEE PHOTO) BEFORE PLACING PLANTING, COMPACT SUB-GRADE TO 85% AND APPLY A 1" - 2" EMERGENT HERBICIDE TO SOIL AFTER PLANTING.
- 2) RAKE SHOULDER TO BE TO INSTALL DRAIN. ALLOW TO DRY THEN LIGHTLY SCARIFY SURFACE WITH A LEAF RAKE.
- 3) APPLY A SECONDARY APPLICATION OF 1" - 2" EMERGENT HERBICIDE TO TOP OF GRANITE.
- 4) 1" - 2" GRANITE TO BE COVERED TO TOP OF GRANITE.
- 5) DG'S DO NOT ALLOW GRANITE TO TOUCH THE TRUNK.
- 6) ANY PLANT - INSTALL AFTER INSTALLATION OF PLANT CONTRACTOR TO BE RESPONSIBLE FOR THE PROTECTION OF APPROVAL BY OWNER PRIOR TO INSTALLATION.

ALL LANDSCAPE AND IRRIGATION SHALL COMPLY
WITH CLARK COUNTY RULE NO

OCT 02 2006

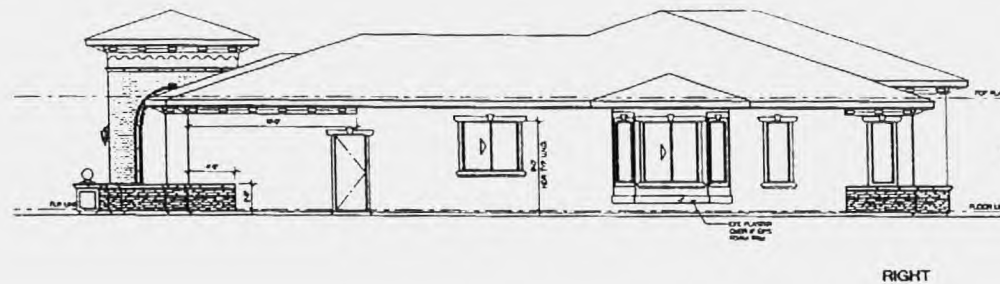
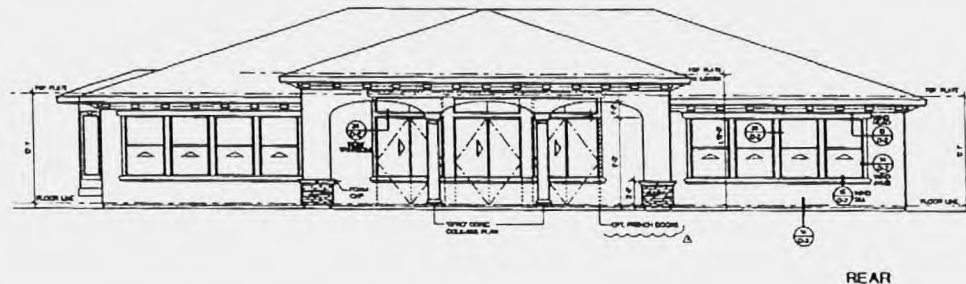


FLOOR PLAN	EAST W. 10'	
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A1.1

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

No.	Date	Revised / Description
1		3/28/05: RLOG DEPT. SUBMITTAL
2		8/28/05: RLOG DEPT. REVISIONS
3		8/28/05: RLOG DEPT. REVISIONS
4		8/28/05: RLOG DEPT. REVISIONS
5		8/28/05: RLOG DEPT. REVISIONS
6		8/28/05: RLOG DEPT. REVISIONS
7		8/28/05: RLOG DEPT. REVISIONS
8		8/28/05: RLOG DEPT. REVISIONS
9		8/28/05: RLOG DEPT. REVISIONS
10		8/28/05: RLOG DEPT. REVISIONS
11		8/28/05: RLOG DEPT. REVISIONS
12		8/28/05: RLOG DEPT. REVISIONS
13		8/28/05: RLOG DEPT. REVISIONS
14		8/28/05: RLOG DEPT. REVISIONS
15		8/28/05: RLOG DEPT. REVISIONS
16		8/28/05: RLOG DEPT. REVISIONS
17		8/28/05: RLOG DEPT. REVISIONS
18		8/28/05: RLOG DEPT. REVISIONS
19		8/28/05: RLOG DEPT. REVISIONS
20		8/28/05: RLOG DEPT. REVISIONS

Product: **BENNINGTON PARK**
 TOUSA HOMES Inc., d.b.a.
 ENGLE HOMES
 7872 WEST SARARA
 LAS VEGAS, NV 89117
 2004-0777



Prepared by: J. TALLY
 Project Director: M. FOWLER
 Project Manager: M. SCHURRA
 Project Designer: J. TAN
 Checked By:
 Drawn Title:
PLAN 1
'R' EXTERIOR ELEVATIONS

Sheet No.: **A1.6A**

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01/25/07 PC



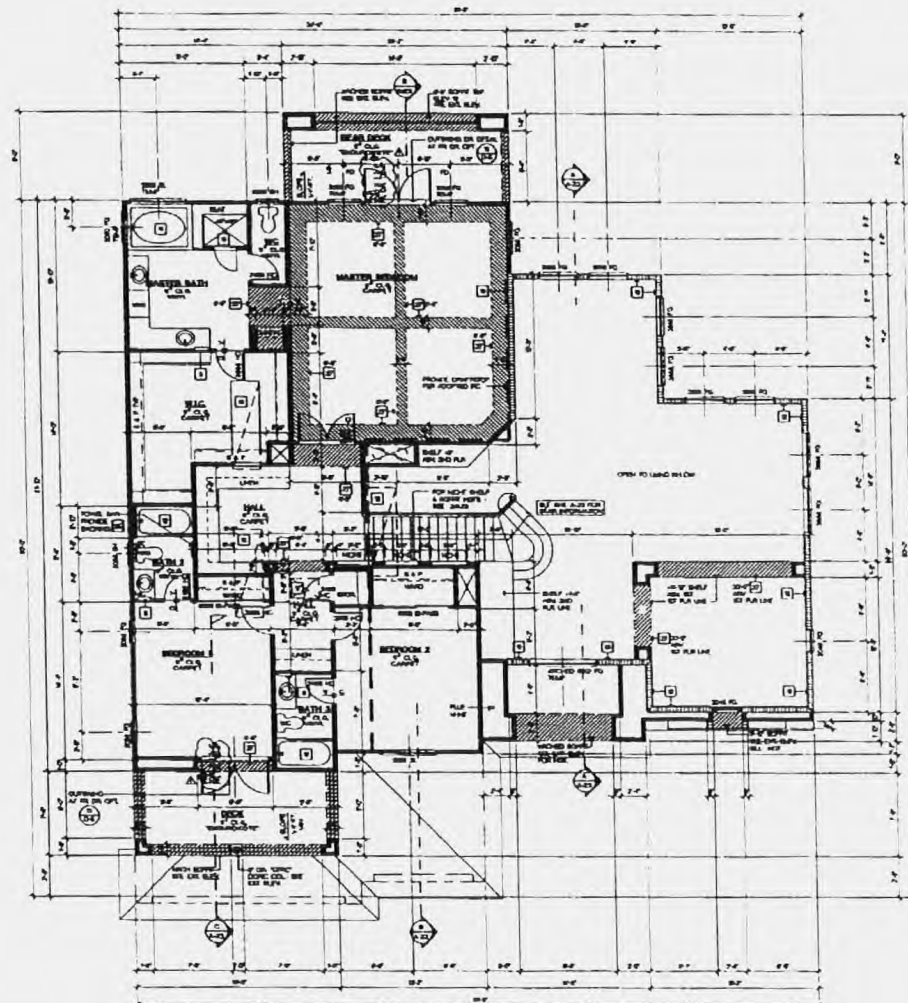
WAL 10 - 10

DECEMBER 1997

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01/25/07 PC



SECOND FLOOR PLAN



KEYNOTES

1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
2. ALL WALLS ARE 1/2" THICK UNLESS NOTED OTHERWISE.
3. ALL FLOORS ARE 4" CONCRETE ON 8" GRAVEL UNLESS NOTED OTHERWISE.
4. ALL ROOFS ARE 4" CONCRETE ON 8" GRAVEL UNLESS NOTED OTHERWISE.
5. ALL CEILING ARE 1/2" GYP. BOARD UNLESS NOTED OTHERWISE.
6. ALL DOORS ARE 2' X 6' UNLESS NOTED OTHERWISE.
7. ALL WINDOWS ARE 4' X 6' UNLESS NOTED OTHERWISE.
8. ALL STAIRS ARE 10' X 10' UNLESS NOTED OTHERWISE.
9. ALL ELEVATIONS ARE TO FACE UNLESS NOTED OTHERWISE.
10. ALL FINISHES ARE TO FACE UNLESS NOTED OTHERWISE.
11. ALL MATERIALS ARE TO BE USED UNLESS NOTED OTHERWISE.
12. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
13. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MECHANICAL, ELECTRICAL AND PLUMBING CODES AND SPECIFICATIONS.
14. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FIRE PROTECTION CODES AND SPECIFICATIONS.
15. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE SAFETY CODES AND SPECIFICATIONS.
16. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE ENVIRONMENTAL CODES AND SPECIFICATIONS.
17. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE ACCESSIBILITY CODES AND SPECIFICATIONS.
18. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE ENERGY CODES AND SPECIFICATIONS.
19. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE SUSTAINABILITY CODES AND SPECIFICATIONS.
20. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE QUALITY MANAGEMENT CODES AND SPECIFICATIONS.

NOTES

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20. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE QUALITY MANAGEMENT CODES AND SPECIFICATIONS.

SQUARE FOOTAGE

FLOOR AREA	1222 S.F.
FRONT PORCH	100 S.F.
TOTAL	1322 S.F.
SHED	770 S.F.
BACK PORCH	50 S.F.
PATIO	50 S.F.
ENTRY F.F. ELEVATION	75 S.F.
ENTRY R.F. ELEVATION	17 S.F.
FRONT PORCH F.F. ELEVATION	14 S.F.
FRONT PORCH R.F. ELEVATION	11 S.F.

Rev.	Date	Notes / Description
1	10/02/07	1.0000 BLDG. DEPT. 10/02/07
2	10/02/07	2.0000 BLDG. DEPT. 10/02/07
3	10/02/07	3.0000 BLDG. DEPT. 10/02/07
4	10/02/07	4.0000 BLDG. DEPT. 10/02/07
5	10/02/07	5.0000 BLDG. DEPT. 10/02/07
6	10/02/07	6.0000 BLDG. DEPT. 10/02/07
7	10/02/07	7.0000 BLDG. DEPT. 10/02/07
8	10/02/07	8.0000 BLDG. DEPT. 10/02/07
9	10/02/07	9.0000 BLDG. DEPT. 10/02/07
10	10/02/07	10.0000 BLDG. DEPT. 10/02/07

Bennington Park
TOUSA HOMES Inc. d.b.a.
ENGLE HOMES
772 WEST SAHARA
LAS VEGAS, NV 89117
2004-0777



KTGY GROUP, INC.
10000 SOUTHERN AVENUE
SUITE 100
DALLAS, TEXAS 75243
214.343.1000
www.ktgy.com

Prepared by: J. PULLY
Project Designer: M. FOWLER
Project Manager: R. BOWMAN
Project Designer: J. TAN
Checked by:

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

PLAN 2

SECOND FLOOR PLAN

Sheet No.:

A-2.1A

SDR-17254
01/25/07 PC

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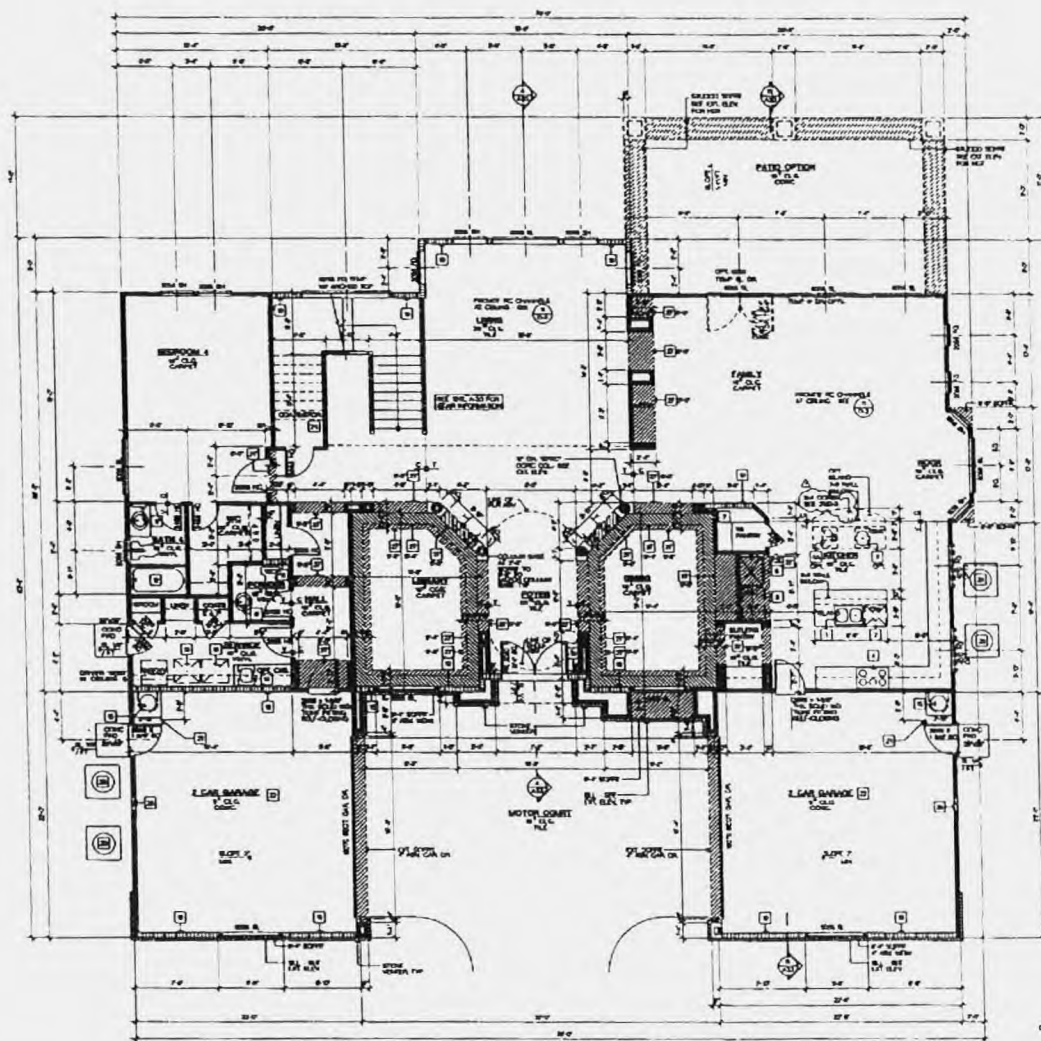


"B" ROOF PLAN	EAL W. 14	2
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EXTERIOR ELEVATIONS	SCALE 1/4" = 1'-0"	
---------------------	--------------------	--

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SPR-17254
01/25/07 PC

[illegible][illegible]

SQUARE FOOTAGE	
FLOOR AREA	
FIRST FLOOR	2708 S.F.
SECOND FLOOR	2708 S.F.
TOTAL	4416 S.F.
REAR PATIO	442 S.F.
REAR DECK	442 S.F.
GARAGE 16' X 24' ELEVATIONS	430 S.F.
GARAGE 24' X 24' ELEVATIONS	582 S.F.
GARAGE 16' X 16' & 12' ELEVATIONS	440 S.F.
GARAGE 24' X 16' & 12' ELEVATIONS	482 S.F.
GARAGE 16' X 12' ELEVATIONS	192 S.F.
GARAGE 16' X 12' ELEVATIONS	408 S.F.
GARAGE 16' X 12' & 12' ELEVATIONS	444 S.F.

[illegible]

KTGY GROUP, INC.
COMMERCIAL PRINTING

2000 UNIVERSITY AVENUE
BOSTON, MA 02118

617-552-2200
FAX 617-552-2201

Internet: www.ktgy.com

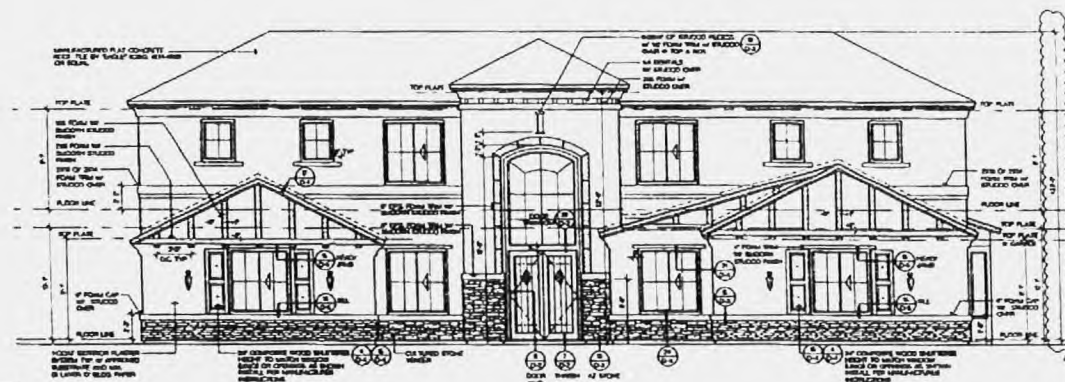
Principal in Charge - J. H.
Project Director - M. F.
Project Manager - W. S.
Project Designer - J.
Checked By -

Sheet Title -
PLAN 3
'A' FIRST FLOOR PLAN
AND OPTIONS

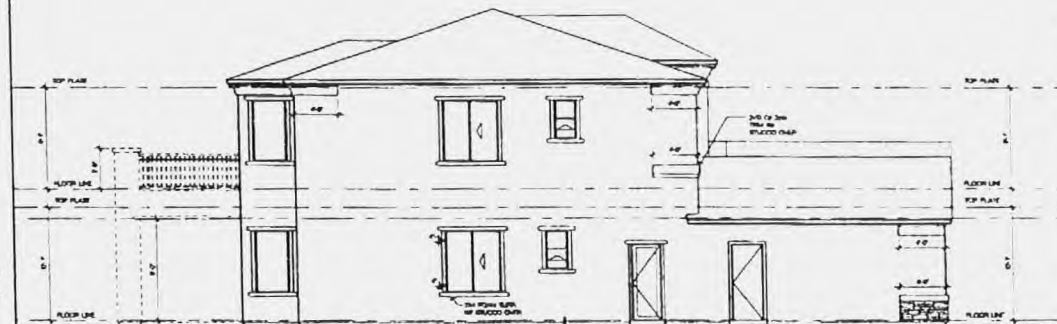
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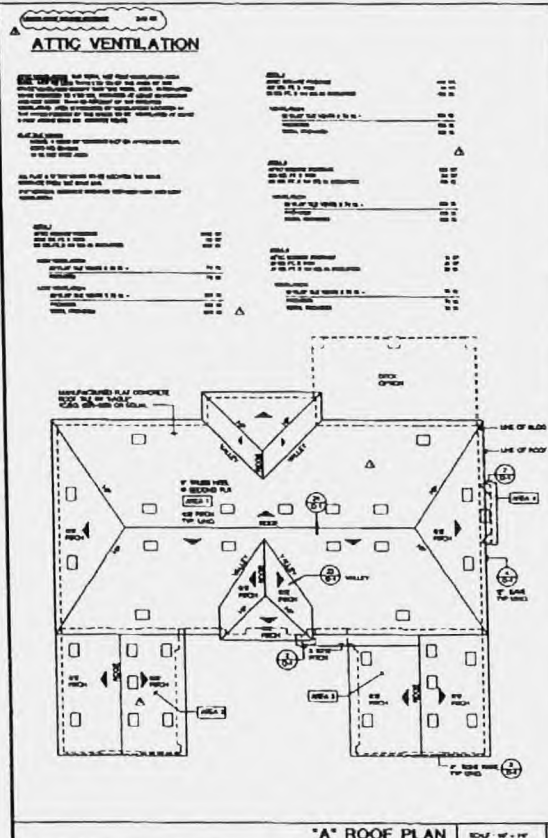
SDR-17254
01/25/07 PC



FRONT



LEFT



"A" ROOF PLAN	30.5' x 14'	2
---------------	-------------	---

EXTERIOR ELEVATIONS	WALL WP - 10'	1
---------------------	---------------	---

[illegible]

**BENNINGTON
PARK**

**TOUSA HOMES Inc. d.b.a.
ENGLE HOMES
7872 WEST SAHARA
LAS VEGAS, NV 89117
2004-0777**



KTGY GROUP, INC.

8000 SUTTERDALE AVENUE
SUTTERDALE, CA 95676

0495 100-070

References

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

Lecture 20

Principal in Charge - J. TULLY
Principal Director - M. FOMELIN
Principal Manager - H. BEZAKURA
Principal Designer - J. TULLY
Checked By -

PLAN 3
"A" EXTERIOR ELEVATIONS
"A" ROOF PLAN

A3.4

SDR-17254

01/25/07 PC

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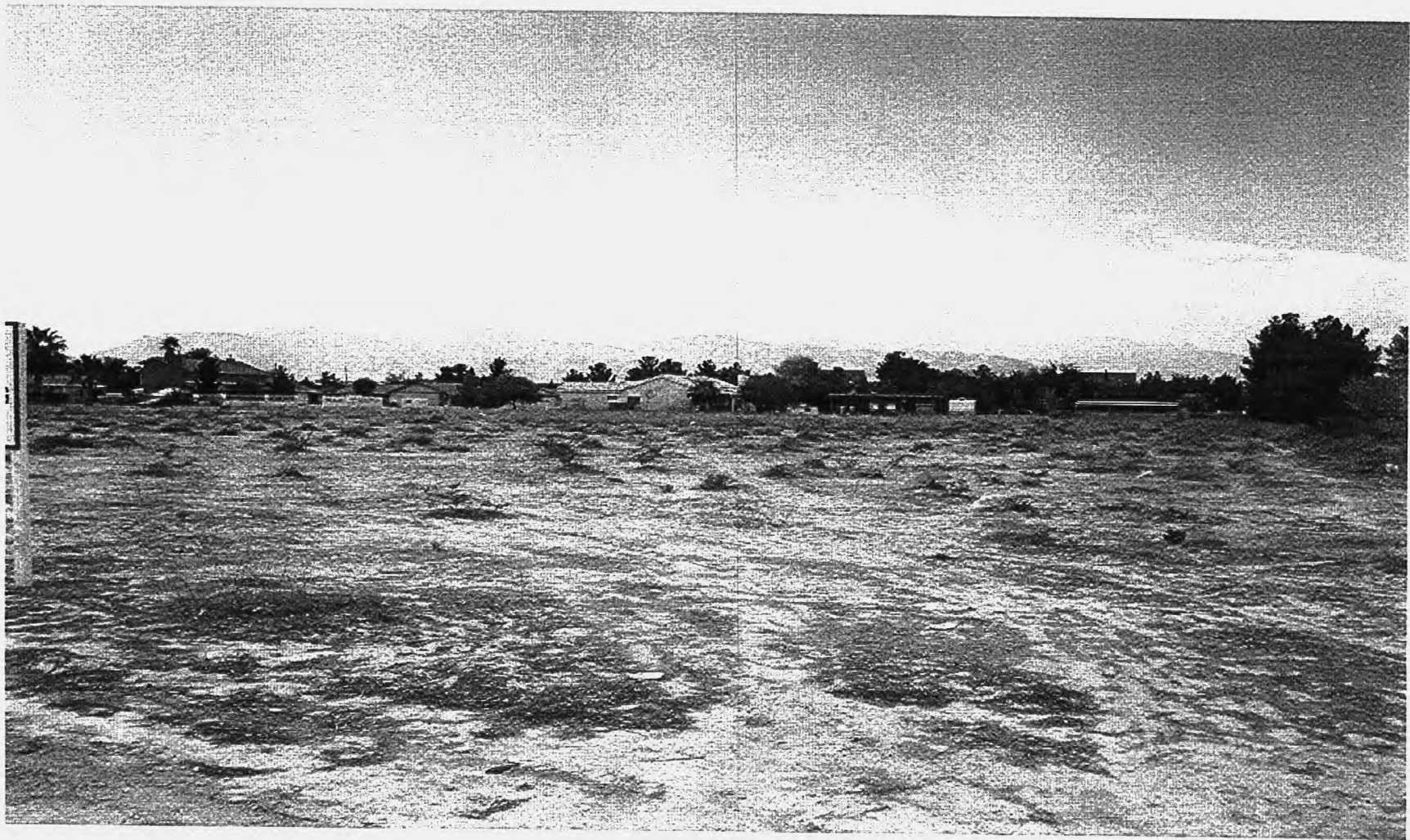
SDR 17254				
Wright Engineers				
NWC Jo Marcy & Jones				
Proposed 6 lot single family development.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DWELL]	6	9.57	57
AM Peak Hour			0.75	5
PM Peak Hour			1.01	6
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Jo Marcy Drive				
Average Daily Traffic (ADT)	541			
PM Peak Hour	43			
(heaviest 60 minutes)				
Jones Boulevard				
Average Daily Traffic (ADT)	8,188			
PM Peak Hour	655			
(heaviest 60 minutes)				
Grand Teton Drive				
Average Daily Traffic (ADT)	5,437			
PM Peak Hour	435			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Jo Marcy Drive	3000			
Jones Boulevard	16200			
Average Daily Traffic (ADT)	16200			
This project will add approximately 57 trips per day on Jo Marcy, Jones and Grand Teton. This will increase expected volumes by about eleven percent on Jo Marcy, land about one percent on Jones and Grand Teton. Jo Marcy is at about 18 percent of capacity, Jones is at about 51 percent of capacity and Grand Teton is at about 34 percent of capacity.				

	Based on Peak Hour use, this development will add roughly 6 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-17250, VAR-17253 & SDR-17254 - APPLICANT/OWNER: TOUSA HOMES, INC.
NORTHWEST CORNER OF JONES BOULEVARD AND JO MARCY DRIVE
JANUARY 25, 2007 PLANNING COMMISSION

10/10/06



ZON-17250, VAR-17253 & SDR-17254 - APPLICANT/OWNER: TOUSA HOMES, INC.
NORTHWEST CORNER OF JONES BOULEVARD AND JO MARCY DRIVE
JANUARY 25, 2007 PLANNING COMMISSION

10/10/06



September 28, 2006

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

Dear Ladies/Gentlemen:

Please accept this letter from Wright Engineers on behalf of our client, Touse Homes, Inc., as the justification for related requests for a Rezoning, a Variance and a Site Development Plan Review for development of property located at the northwest corner of Jones Boulevard and Jo Marcy Drive, also known as Falcon Crest Unit 3 (APNs 125-14-504-006, 007 and 008).

Our client intends to develop six single-family homes on the site. The site is currently designated DR (Desert Rural Density Residential) in the City's Master Plan, which allows for densities up to 2.49 u.p.a. The site is currently zoned R-E (Residence Estates).

The applicant is requesting a conforming Rezoning from the R-E district to the R-PD2 (Residential Planned Development - 2 Units per Acre) on the subject site. Although the density of the proposed project, at 1.67 u.p.a., is far below the Desert Rural Density threshold of 2.49 u.p.a., the intent is to match the scale and density of the surrounding properties in the area. All of the proposed lots exceed 18,000 s.f. in area, which is in scale with nearby development. A Site Development Plan Review for the project is also being submitted. This site plan fully conforms to Title 19 regulations, other than the minimum site size requirement of 5 acres for R-PD developments; a request for a Variance to this requirement is also being filed.

The proposed rural density residential development will be compatible with surrounding residential uses, and will be a logical and attractive use of an infill parcel that will be designed to compliment the area.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Leobold".

Gary Leobold, AICP
Director of Planning

SDR-17254

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:**
REZONING

ZON-18643 - PUBLIC HEARING - APPLICANT: NEVADA HAND - OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on a portion of 9.39 acres at the southwest corner of Decatur Boulevard and Deer Springs Way (APN 125-24-701-040), Ward 6 (Ross). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

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

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

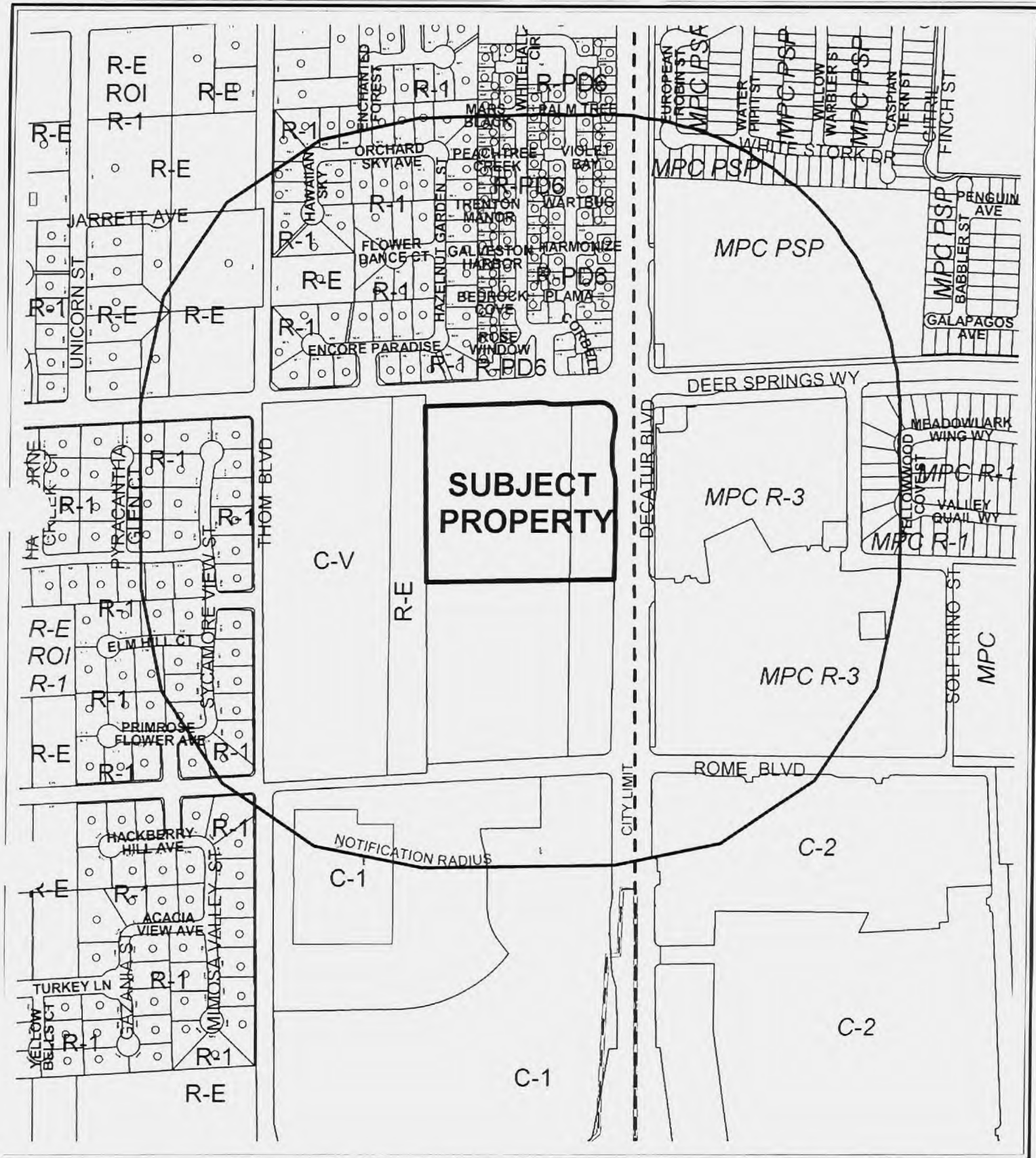
LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-LAWRENCE WEEKLY); (Excused-GARY REESE)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

MARK BINGHAM, Ballard and Nielsen, appeared on behalf of the applicant, concurred with all conditions and respectfully requested approval.

MAYOR GOODMAN declared the Public Hearing closed.



CASE: **ZON-18643**

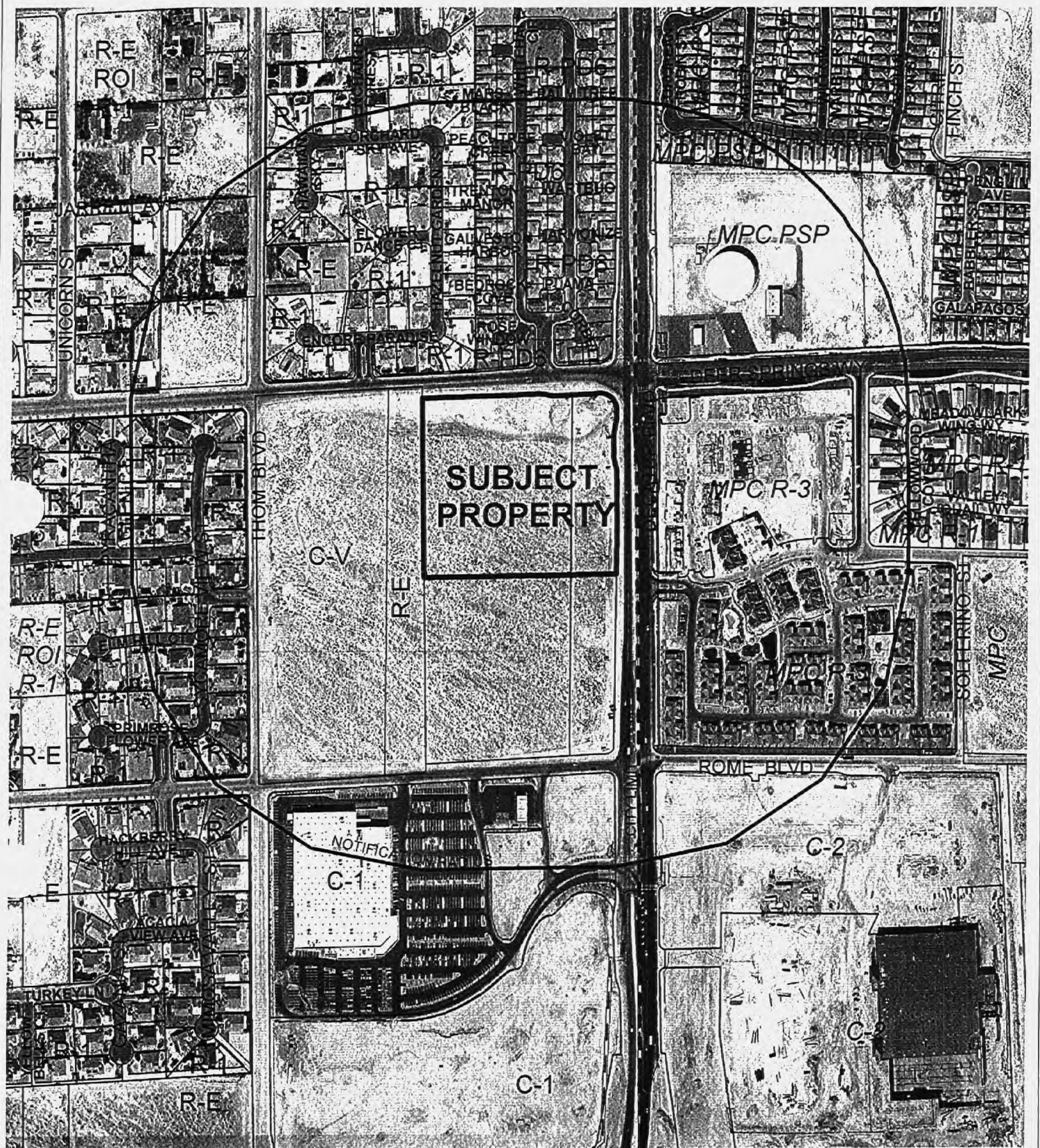
RADIUS: 1000 FT

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

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

0 400 Feet





CASE: **ZON-18643**

RADIUS: 1000 FT

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

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

0 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-18643 - APPLICANT: NEVADA HAND, INC. - OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

The Planning Commission (6-0-1/rt 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-18642) and a Special Use Permit (SUP-19004) 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. Construct all incomplete half-street improvements including appropriate transitional paving on Deer Springs Way and Decatur Boulevard adjacent to the overall parcel of which this site is a part concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
4. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the Las Vegas Wash – Decatur Boulevard (Centennial Parkway to Farm Road) project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings, or the submittal of a map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the

City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from R-E (Residence Estates) to R-3 (Medium Density Residential) on 9.39 acres at the southwest corner of North Decatur Boulevard and Deer Springs Way.

The proposed rezoning is considered appropriate for this location. The subject property was previously designated M (Medium Density Residential) through GPA-12847). This rezoning would bring the site into compliance with that land use designation. The proposed project associated with the rezoning is an assisted living apartment complex. The property is located on at a major intersection and development of this density and intensity is suitable for this location. Approval of this project is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/07/06	The City Council approved a General Plan Amendment (GPA-12847) to amend a portion of the Centennial Hills Sector Plan from ML (Medium-Low Density Residential) to M (Medium Density Residential) at this location. The Planning Commission and staff recommended approval.
01/25/07	The Planning Commission recommended approval of companion items SUP-19004 and SDR-18642 concurrently with this application. The Planning Commission voted 6-0-1/rt to recommend APPROVAL (PC Agenda Item #45/ng).
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this site.	
<i>Pre-Application Meeting</i>	
12/05/06	A pre-application meeting was held. Parking, landscaping, and residential adjacency requirements were noted. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this portion of the proposed project. It is noted that a neighborhood meeting was held on 04/18/06 at Lied Community School, 5340 Tropical Parkway. Details from this meeting are included in the staff report for General Plan Amendment (GPA-12847).	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	9.45
Net Acres	9.39

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

<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		Y

DEVELOPMENT STANDARDS

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

ANALYSIS

The applicant is requesting a change from an R-E (Residence Estates) District to an R-3 (Medium Density Residential) District. The proposed change would bring the site into conformance with the current General Plan Designation of M (Medium Density Residential) that was established through General Plan Amendment (GPA-12847).

The zoning change would permit overall density of 25.49 units per acre or in this case 239 units. The applicant is proposing to develop this project in phases. The first phase includes 90 units. Once fully developed the project shall not exceed 239 units or new Rezoning and General Plan Amendment requests would be required. The property is located on at a major intersection and development of this density and intensity is suitable for this location. The adjacent parcel to the west has also been designated by the Department of Public Works for future civic development. The proposed change in zoning is deemed appropriate and approval of this request is recommended.

FINDINGS

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

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

The proposed rezoning is in conformance to the General Plan. The current General Plan Designation is M (Medium Density Residential) and was established through General Plan Amendment (GPA-12847).

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 use as an Assisted Living Apartment Complex is considered appropriate for this location. Development in the immediate vicinity is both residential and commercial. The adjacent residential development carries a ML (Medium Low Density Residential) land use designation.

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

Growth and development factors in the community do indicate the appropriateness of this rezoning. The General Plan was previously changed to a more intensive land use designation. The proposed rezoning brings the site into compliance with that land use designation.

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

The site will gain access from Decatur Boulevard a 120-foot Parkway Arterial and Deer Springs Way an 80-foot Secondary Collector. These streets will provide adequate access to and from the subject property.

PLANNING COMMISSION ACTION

There were three speakers in opposition and one in favor at Planning Commission.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 490 by Planning Department

APPROVALS 1

PROTESTS 3



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-18643** APN: 125-24-701-031 + 038

Name of Property Owner: City of Las Vegas

Name of Applicant: Nevada HAND

Name of Representative: Nevada HAND

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: _____

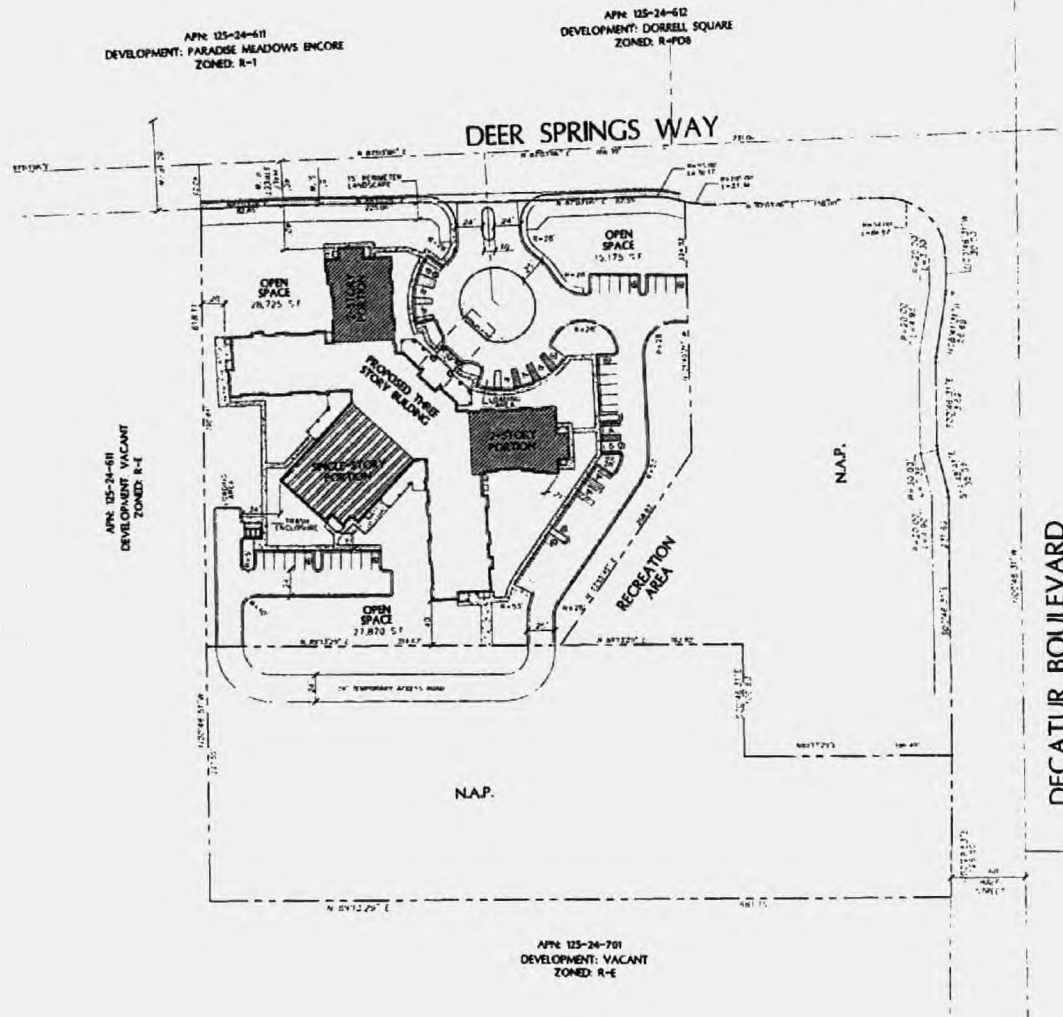
Print Name: Stephen Harsin

Subscribed and sworn before me

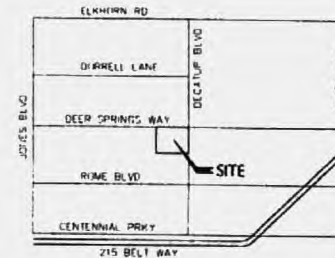
This 7th day of DECEMBER, 2006

Gloria Daniels
Notary Public in and for said County and State

DEER SPRINGS ASSISTED LIVING FOR NEVADA HAND



GRAPHIC SCALE



VICINITY MAP

TABULATION:

ASSISTED LIVING:

CURRENT ZONING:	R-1
PROPOSED ZONING:	R-3
ACREAGE	4.10 AC ±
# OF BUILDINGS	1
# OF UNITS	90
DUA	22.0

OPEN SPACE CALC:	
REQUIRED OPEN SPACE	64,830 SF
22.0 X 1.65 = 36.3	
PROVIDED OPEN SPACE	71,770 SF

PARKING CALC:	
REQUIRED PARKING (1 PER EVERY 3 RESIDENT)	30 PS
HANDICAP PARKING REQUIRED	8 PS
PROVIDED PARKING	17 PS
HANDICAP PARKING PROVIDED	10 PS
	47 PS

RECEIVED
DEC 29 2006

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

DATE	12-29-06
BY	12-29-06

PROJECT	DEER SPRINGS ASSISTED LIVING
CLIENT	NEVADA HAND
DESIGNER	L. R. NELSON CONSULTING ENGINEERS, INC.
DATE	12-29-06

L. R. NELSON CONSULTING ENGINEERS, INC.
675 West Green Road Suite 200
Las Vegas, NV 89106
Phone: (702) 799-7878
Fax: (702) 431-2268

SITE PLAN TO ACCOMPANY DEVELOPMENT PLAN REVIEW OF
DEER SPRINGS ASSISTED LIVING FOR NEVADA HAND
JAN 10 2007

SHEET NUMBER
1
OF 1 SHEETS
813-002-062

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

December 8, 2006

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

RE: Justification Letter
Site Plan Review
Deer Springs Assisted Living
Deer Springs and Decatur
APN: 125-24-701-038 and 031

To Whom It May Concern:

We are pleased to announce a new Senior Assisted Living development known as Deer Springs Assisted Living, located on the southwest corner of Deer Springs Way and Decatur Boulevard. This community encompasses 4.10 acres and provides 90 one-bedroom and two-bedroom units that are affordable assisted living. The building has incorporated differing roof heights and types along with façade changes that deemphasize the size of the structure. This community will greatly benefit the City of Las Vegas and its growing low-income Senior population along with being a great fit for the area.

We feel this community will be a shining example for senior housing communities in the City of Las Vegas and will not detrimentally impact the health safety or welfare of the surrounding area.

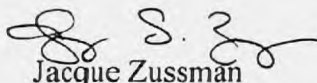
Enclosed in this package is:

Site Development Review Application
Patent that will serve as the Deed to the subject property
Fee of \$800
Statement of Financial Interest
Site Plan
Landscape Plan
Building Elevations
Floor Plans

RECEIVED
DEC 08 2006

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

Sincerely,


Jacquie Zussman

Real Estate Development Manager

ZON-18643
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 RELATED TO ZON-18643

SUP-19004 - PUBLIC HEARING - APPLICANT: NEVADA HAND - OWNER: CITY OF LAS VEGAS - Request for a Special Use Permit FOR A PROPOSED 90-UNIT, THREE-STORY AND 39 FOOT HIGH ASSISTED LIVING APARTMENT COMPLEX at the southwest corner of North Decatur Boulevard and Deer Springs Way (APN 125-24-701-040), R-E (Residence Estates) Zone [PROPOSED: R-3 (Medium Density Residential) Zone, Ward 6 (Ross). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

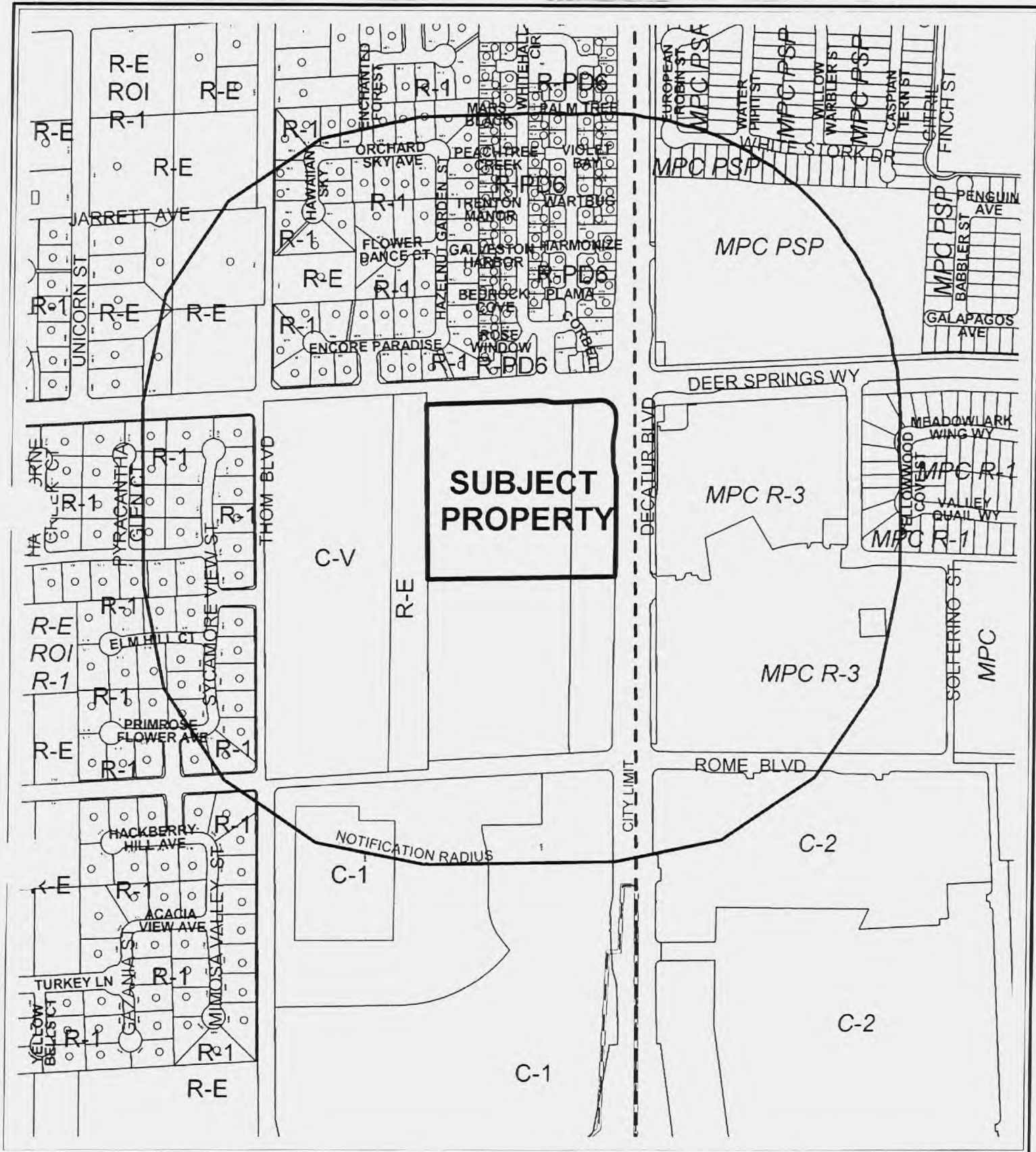
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Protest letter by James and Kamolphon Birkan

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

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 2; Excused: 1
LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN, STEVEN D. ROSS;
(Against-None); (Abstain-None); (Did Not Vote-LAWRENCE WEEKLY, STEVE WOLFSON); (Excused-GARY REESE)

Minutes:

See Item 119 for related discussion.



CASE: **SUP-19004**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-3 (MEDIUM DENSITY RESIDENTIAL)

0 300 600 Feet



CASE: SUP-19004

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: SUP-19004 - APPLICANT: NEVADA HAND, INC. - OWNER:
CITY OF LAS VEGAS**

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-18643) and Site Development Plan Review (SDR-18642) 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 City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 90-unit, three-story and 39 foot high assisted living apartment complex at the southwest corner of North Decatur Boulevard and Deer Springs Way.

In the R-3 (Medium Density Residential) District Senior Citizen apartment developments are permitted to exceed the standard height limit to a total of three stories or 40 feet, whichever is less, with approval of a Special Use Permit. The overall increase from the standard height allowed is approximately nine percent. Due to the minor increase in overall height and limited effect on surrounding properties, approval of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/07/06	The City Council approved a General Plan Amendment to amend a portion of the Centennial Hills Sector Plan from ML (Medium-Low Density Residential) to M (Medium Density Residential) at this location. The Planning Commission and staff recommended approval.
01/25/07	The Planning Commission recommended approval of companion items ZON-18643 and SDR-18642 concurrently with this application. The Planning Commission voted 6-0-1/rt to recommend APPROVAL (PC Agenda Item #46/ng).
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this site.	
<i>Pre-Application Meeting</i>	
12/05/06	A pre-application meeting was held. Parking, landscaping, and residential adjacency requirements were noted. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this portion of the proposed project. It is noted that a neighborhood meeting was held on 04/18/06 at Lied Community School, 5340 Tropical Parkway. Details from this meeting are included in the staff report for General Plan Amendment (GPA-12847).	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	9.45
Net Acres	9.39

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

<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		Y

DEVELOPMENT STANDARDS

Per Title 19.08:

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

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

ANALYSIS

The standard permissible building height in the proposed R-3 (Medium Density Residential) is two stories or 35 feet, whichever is less. However; per Title 19.08.040 in the R-3 District the height limit for senior citizen apartment developments shall be three stories or forty feet, whichever is less, upon approval of a Site Development Plan in accordance with Section 19.18.050. Senior citizen apartment developments that exceed the permitted height limit may be permitted upon approval of a Special Use Permit in accordance with Sections 19.04.050 and 19.18.060. This Special Use Permit is intended to satisfy this requirement.

The proposed building height is three stories and 38.5 feet. This is approximately a nine percent (9%) increase from the typical standard height in the R-3 (Medium Density Residential) District. The nearest single-family residential property is to the north across Deer Springs Way over 100 feet from the proposed structure. Due to the minor increase in overall height and limited effect on surrounding properties, approval of this request is recommended

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 as an Assisted Living Apartment Complex is considered appropriate for this location. Development in the immediate vicinity is both residential and commercial. The adjacent residential development carries a ML (Medium Low Density Residential) land use designation. The adjacent parcel to the west has also been designated by the Department of Public Works for future civic development.

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

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

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

The site will gain access from Decatur Boulevard a 120-foot Parkway Arterial and Deer Springs Way an 80-foot Secondary Collector. These streets will provide adequate access to and from the subject property.

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

Approval of this Special Use Permit is consistent with the objectives of the General Plan and will not compromise the public health or the general welfare.

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

There are no special conditions related to this Special Use Permit.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

8

ASSEMBLY DISTRICT

9

SENATE DISTRICT

3

NOTICES MAILED

515 by City Clerk

APPROVALS

1

PROTESTS

3



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-19004** APN: 125-24-701-040
Name of Property Owner: City of Las Vegas
Name of Applicant: Nevada H.A.N.O., Inc.
Name of Representative: Nevada H.A.N.O., Inc.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: [Signature]

Print Name: LISA M. MURPHY

Subscribed and sworn before me

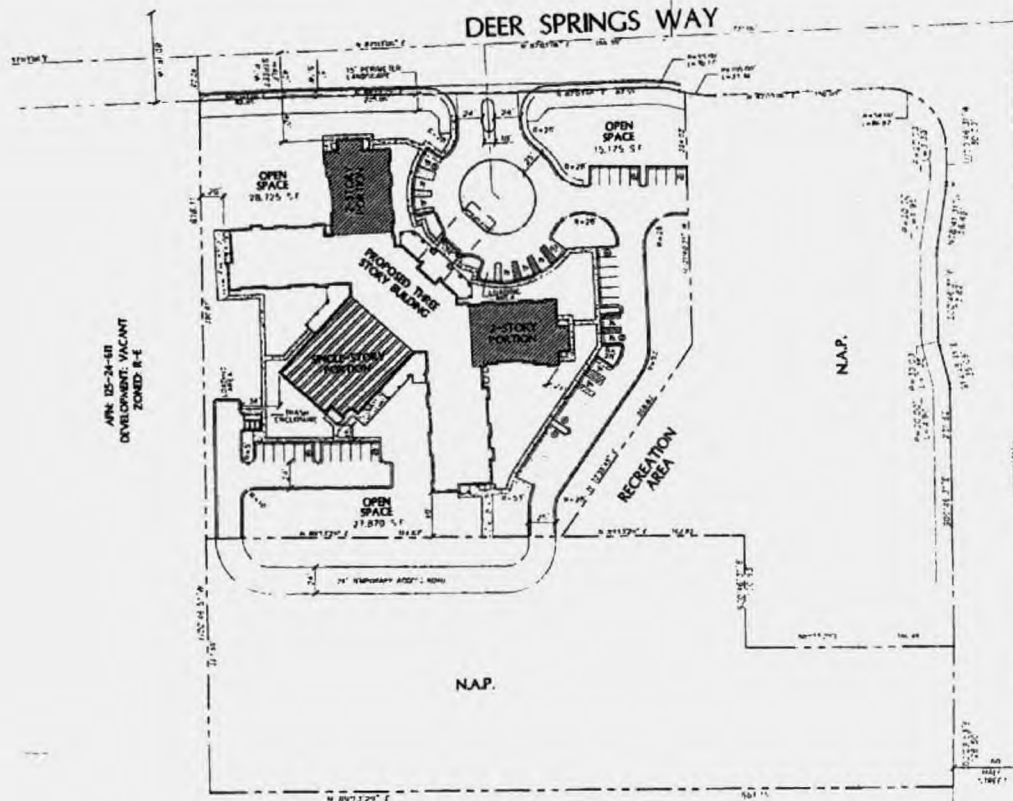
This 28 day of December, 2016

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

DEER SPRINGS ASSISTED LIVING FOR NEVADA HAND

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

APN: 125-24-612
DEVELOPMENT: DOBBELL SQUARE
ZONED: R-PDR

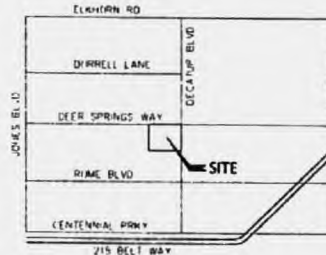


APN: 125-24-610
DEVELOPMENT: VACANT
ZONED: R-1

APN: 125-24-701
DEVELOPMENT: VACANT
ZONED: R-1



GRAPHIC SCALE



VICINITY MAP

TABULATION:

ASSISTED LIVING:

CURRENT ZONING:	R-1
PROPOSED ZONING:	R-3
ACREAGE:	4.10 AC ±
# OF BUILDINGS:	1
# OF UNITS:	80
TOTAL:	22.0

OPEN SPACE TOTAL:	
REQUIRED OPEN SPACE	64,830 S.F.
22.0 X 1.65 = 36.3	
PROVIDED OPEN SPACE:	71,770 S.F.

PARKING TOTAL:	
REQUIRED PARKING (1 PER EVERY 3 RESIDENT)	13 P.S.
MINIMUM PARKING REQUIRED:	4 P.S.
PROVIDED PARKING:	17 P.S.
TOTAL P.S.:	10 P.S.
TOTAL P.S.:	47 P.S.

RECEIVED
DEC 29 2006

SUP-19004
01/25/07 PC



REVISION NO.	DATE	BY	APP'D	DESCRIPTION
1	12-29-06	DAVE JONES		ISSUED FOR PERMIT

L. R. NELSON CONSULTING ENGINEERS, INC.
605 West Pecos Road, Suite 200
Las Vegas, NV 89102
TEL: 702.451.7244
FAX: 702.451.7244

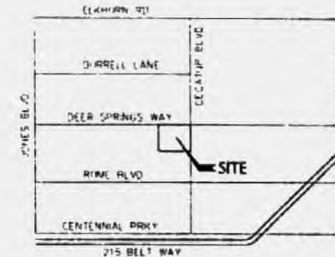
SITE PLAN TO ACCOMPANY SPECIAL USE PERMIT OF
DEER SPRINGS ASSISTED LIVING
FOR
NEVADA HAND

SHEET NUMBER
1
OF 1 SHEET
118-D-13-067

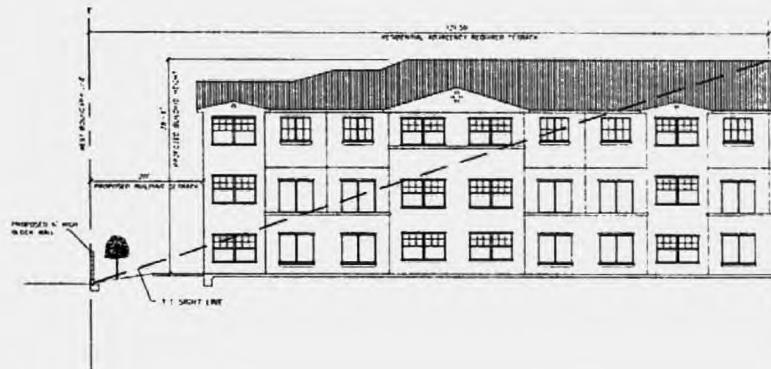
DEER SPRINGS ASSISTED LIVING FOR NEVADA HAND



GRAPHIC SCALE



VICINITY MAP



RESIDENTIAL ADJACENCY SIGHT EXHIBIT

TABULATION:

ASSISTED LIVING	
CURRENT ZONING	R-1
PROPOSED ZONING	R-1
ACREAGE	4.10 AC.
# OF BUILDINGS	90
# OF UNITS	227

RECEIVED
DEC 29 2006



REVISION	DATE	BY	CHKD BY
1	12/29/06	TE	TE

L. R. NELSON CONSULTING ENGINEERS, INC.
STRUCTURAL
585 West Packer Road, Suite 200
Las Vegas, Nevada 89115
TEL: 702-732-7772
FAX: 702-732-2266

BUILDING SIGHT EXHIBIT TO ACCOMPANY SUBMITTAL OF
DEER SPRINGS ASSISTED LIVING FOR NEVADA HAND
SHEET NUMBER
1
OF 1 SHEET
11-113-06

SUP-19004
01/25/07 PC

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

December 27, 2006

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

RE: Justification Letter / Special Use Permit
Deer Springs Assisted Living
APN: 125-24-701-040

To Whom It May Concern:

Please allow this correspondence to accompany our justification letter previously submitted where we requested a Site Development Review.

At a City Council meeting of June 7, 2006, a General Plan Amendment (GPA- 12847) was approved for the above mentioned parcel to change the master plan from ML (Medium Low Density Residential) to M (Medium Density Residential) on 18.62 acres at the northwest corner of Rome Boulevard and Decatur Boulevard for a Senior Living use.

We are requesting a Special Use Permit to accompany our SDR and Re-Zone (previously submitted). The Special Use Permit would allow us to build 90 units of assisted living in a three story building, which would conform to the standards in Section 19.08, Table 2, Note 5, which states that *the height limit for senior citizen apartment developments shall be three stories or forty feet, which ever is less, upon approval of a Site Development Plan.*

As an affordable housing development, we would also like to request a waiver of Residential Adjacency per Section 19.08.060, B. Building Height and Setback Requirements, 5. Waiver, a), which states that the City Council may waive residential adjacency standards on *any multi-family residential project that is intended to meet the affordable housing objectives of the General Plan if the City County determines that the waiver is critical to the viability of the project.*

Attached please find:

- Application
- Patent
- Fee in the amount of \$800
- Assessors Parcel Map
- Statement of Financial Interest

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

Sincerely,


Jacque Zussman

Real Estate Development Manager

SUP-19004
01/25/07 PC

RECEIVED
CITY CLERK**JAMES BIRKAN**6655 FLAMINIAN LANE #102-17, NORTH LAS VEGAS, NEVADA 89084
(702) 461-1650

E-Mail: jamesbirkan@yahoo.com

2007 FEB 13 P 1:40

February 13, 2007

To: CITY CLERK (Beverly Bridges)
Re: SUP-19004

We object the proposal SUP-19004. We live in one of the exclusive area in North Las Vegas and we pay the price as extra HOA and extra SID and higher fees. We do not want apartment complex around our neighborhood. Our property values will go down. People do not want to buy properties around apartment complex because of possible crime increase. The reason we bought this unit because there were no apartment complex around. Again we do not want this proposal.

Sincerely,
James Birkan and Kamolphon Birkan

Protest

Date

2/13/07

Com

#120

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-18643 AND SUP-19004

SDR-18642 - PUBLIC HEARING - APPLICANT NEVADA HAND - OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED 90-UNIT ASSISTED LIVING APARTMENT COMPLEX AND A WAIVER TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 20 FEET WHERE 121.5 FEET IS THE MINIMUM SETBACK REQUIRED on a portion of 9.39 acres at the southwest corner of Decatur Boulevard and Deer Springs Way (APN 125-24-701-040) R-E (Residence Estates) Zone [PROPOSED: R-3 (Medium Density Residential) Zone], Ward 6 (Ross). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

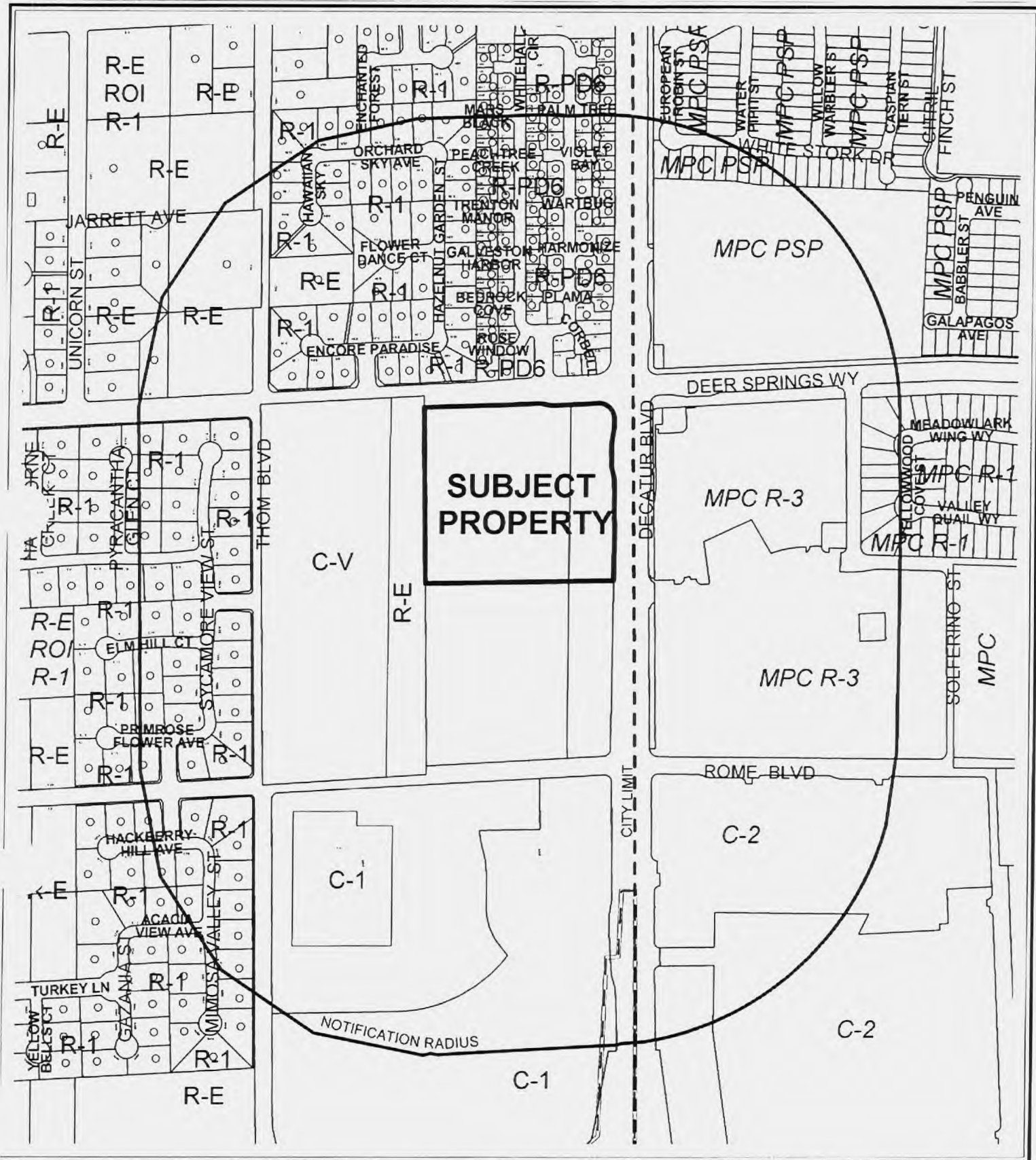
Motion made by STEVEN D. ROSS to Approve Subject to Conditions

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

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

Minutes:

See Item 119 for related discussion.



CASE: **SDR-18642**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-3 (MEDIUM DENSITY RESIDENTIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-18642 - APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

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

Planning and Development

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

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
14. Construct appropriate on-site paving (minimum 24 feet wide) to allow for two-way vehicular traffic through the not a part portion of this site.
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. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-18643 and all other applicable site-related actions.
17. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of construction drawings. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of construction drawings.

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/07/06	The City Council approved a General Plan Amendment to amend a portion of the Centennial Hills Sector Plan from ML (Medium-Low Density Residential) to M (Medium Density Residential) at this location. The Planning Commission and staff recommended approval.
01/25/07	The Planning Commission recommended approval of companion items ZON-18643 and SUP-19004 concurrently with this application. The Planning Commission voted 6-0-1/rt to recommend APPROVAL (PC Agenda Item #47/ng).
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this site.	
<i>Pre-Application Meeting</i>	
12/05/06	A pre-application meeting was held. Parking, landscaping, and residential adjacency requirements were noted. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this portion of the proposed project. It is noted that a neighborhood meeting was held on 04/18/06 at Lied Community School, 5340 Tropical Parkway. Details from this meeting are included in the staff report for General Plan Amendment (GPA-12847).	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	9.45
Net Acres	9.39

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

<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		Y

DEVELOPMENT STANDARDS

Per Title 19.08:

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

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

Per Title 19.08.060:

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

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

Per Title 19.12:

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

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Assisted Living	90	1 space for every 3 residents	30	2			
Sub-Total			30	2	48	10	Y
TOTAL			30		48		Y
Loading Spaces			1		1		Y

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

ANALYSIS

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

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

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

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

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

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

FINDINGS

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

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

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

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

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

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

The site will gain access from Decatur Boulevard a 120-foot Parkway Arterial and Deer Springs Way an 80-foot Secondary Collector. These streets will provide adequate access to and from the subject property.

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

Building and landscape materials are appropriate for the area and the City of Las Vegas.

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

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

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

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

PLANNING COMMISSION ACTION

The Planning Commission amended conditions as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

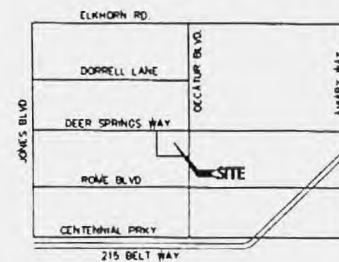
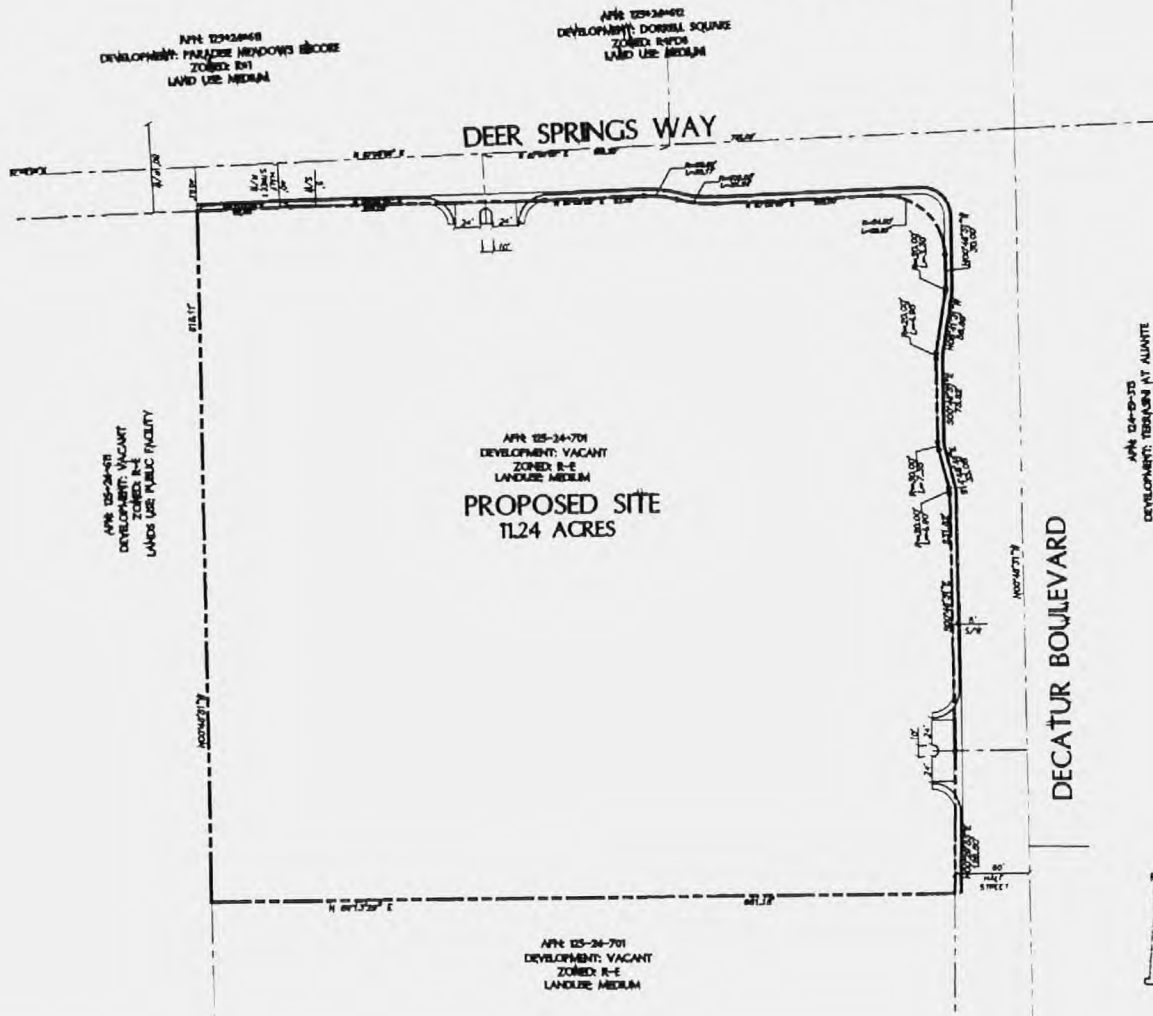
NOTICES MAILED 490 by Planning Department

APPROVALS 1

PROTESTS 3



DEER SPRINGS ASSISTED LIVING FOR NEVADA HAND



VICINITY MAP

TABULATION:

ASSISTED LIVING	R-1
CURRENT ZONING	R-1
PROPOSED ZONING	R-2
ACREAGE	11.24 AC. ±

APR 12-24-701
DEVELOPMENT: VACANT
ZONED: R-1
LAND USE: MEDIUM

RECEIVED
DEC 29 2006

REVISION	DATE	BY	CHKD BY	DATE
1	12/29/06	PC	PC	12/29/06

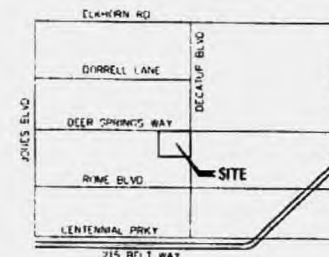
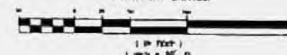
L. L. NELSON CONSULTING ENGINEERS, INC.
8155 West Russell Road, Suite 200
Las Vegas, Nevada 89118
(702) 795-7978
(702) 451-2295 FAX

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

SHEET NUMBER
1
OF 9 SHEETS
813-002-022

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

GRAPHIC SCALE



VICINITY MAP

TABULATION:

ASSISTED LIVING

CURRENT ZONING:	R-E
PROPOSED ZONING:	R-3
ACREAGE	4.10 AC ±
# OF BUILDINGS:	
# OF UNITS	90
DIA	22

OPEN SPACE CALC.	
REQUIRED OPEN SPACE	
22.0 X 165 = 363	64,830 SF
PROVIDED OPEN SPACE	71,770 SF

PARKING CALC.	
REQUIRED PARKING (1 PER EVERY 3 RESIDENT)	30 P.S.
HANDICAP PARKING REQUIRED	8 P.S.
PROVIDED PARKING	37 P.S.
HANDICAP PARKING PROVIDED	10 P.S.
	47 P.S.

RECEIVED
DEC 29 2006

ZON-18643

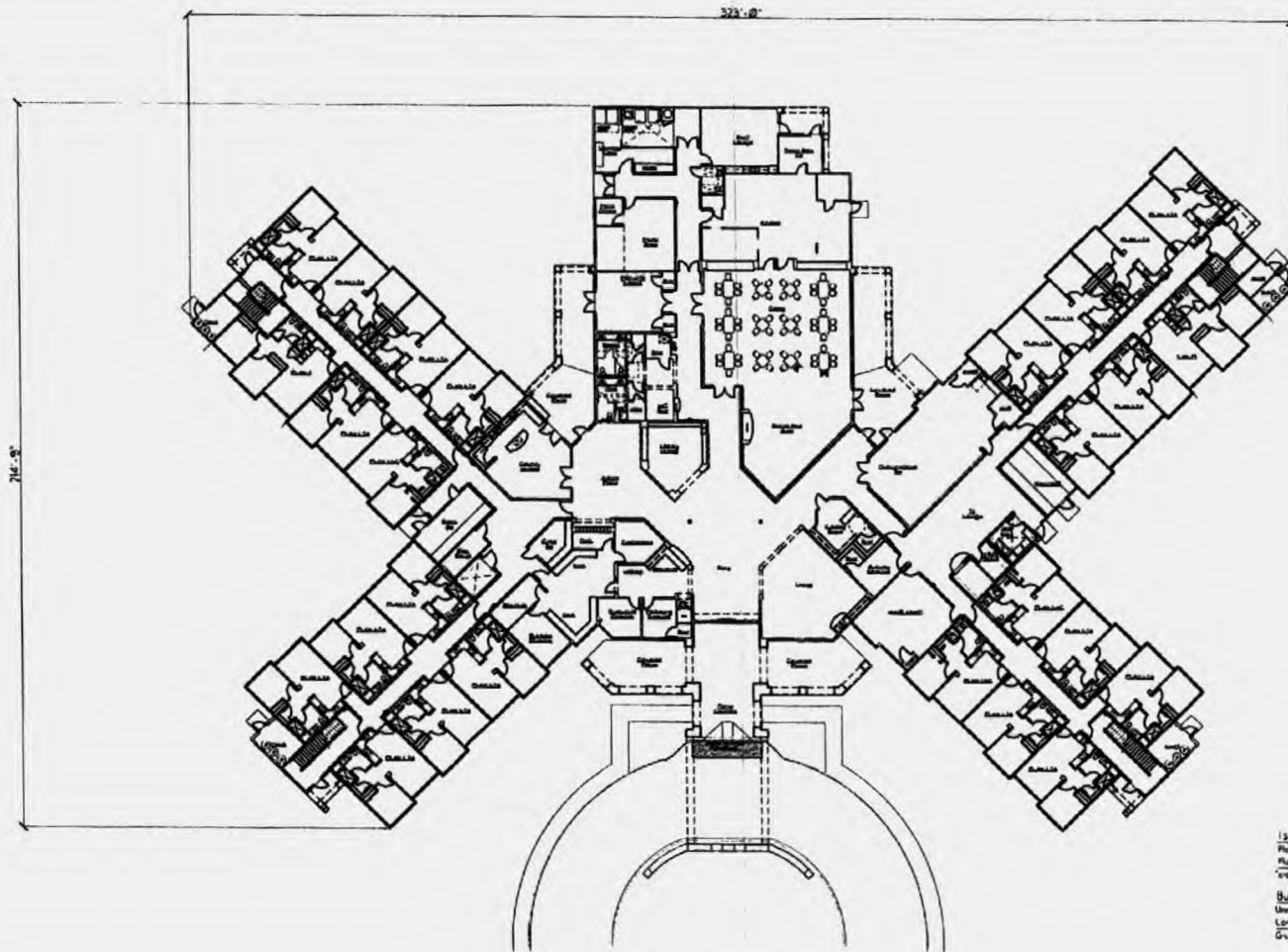
SDR-18642

REVISÉ 01/25/07 PC

L. R. NELSON CONSULTING ENGINEERS, INC.
685 West Putney Road, Suite 200
Las Vegas, Nevada 89116

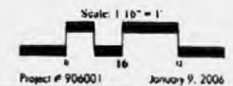
**DEER SPRINGS
ASSISTED LIVING
FOR
NEVADA LAND**

SHEET NUMBER
1
OF 1 SHEETS
HIS-002-052



1st Floor	
Plan 1A	24 units
Plan 2	2 units
Total units	26 units
Building Area 1st Floor	
Units (sq ft)	13,264 sq ft
Common Areas & Hall	25,914 sq ft
Gross Area	39,258 sq ft

1st Floor	39,258 sq ft
2nd Floor	27,145 sq ft
3rd Floor	19,880 sq ft
Total Building Area	86,283 sq ft



Conceptual 1st Floor Building Plan

Deer Springs Way & Decatur Boulevard

Deer Springs Assisted Senior Living Facility

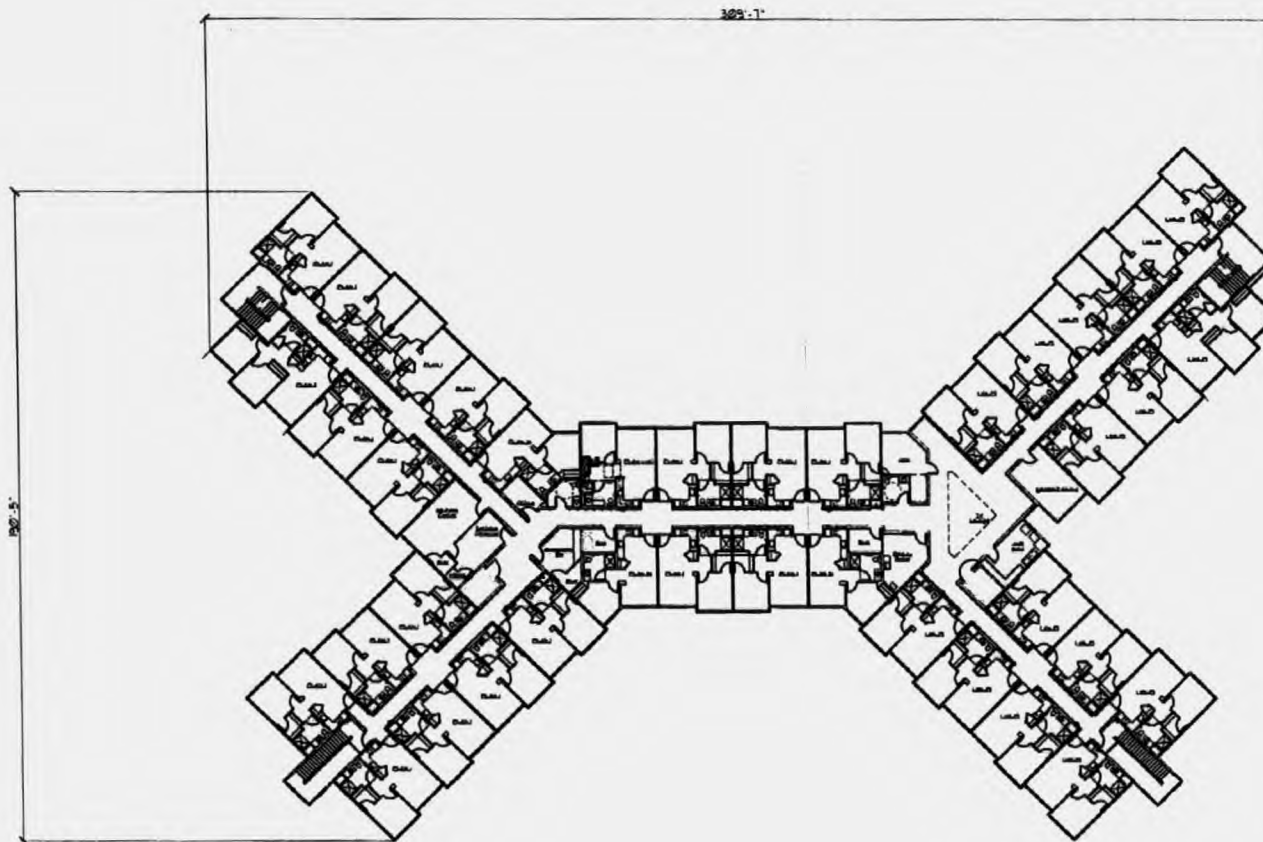
Las Vegas, Nevada

SDR-18642

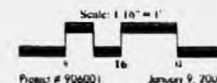
01/25/07 PC

DEC 08 2006

Perkins



2nd Floor	
Flr 1A	33 units
Flr 1B	3 units
Flr 2	2 units
Total units	38 units
Building Area 2nd Floor	
Units (sq ft)	19,937 sq ft
Common Areas & Halls	2,213 sq ft
Gross Area	22,150 sq ft



Conceptual 2nd Floor Building Plan

Deer Springs Way & Decatur Boulevard

Deer Springs Assisted Senior Living Facility

Las Vegas, Nevada

SDR-18642

01/25/07 PC

DEC 08 2006

Perlmutter



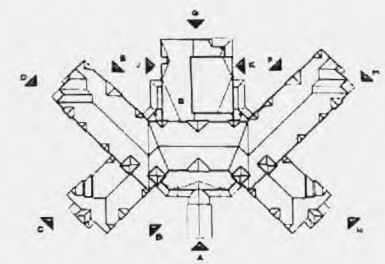
ELEVATIONS A
SCALE 1/8" = 1'-0"



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



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



Conceptual Elevations

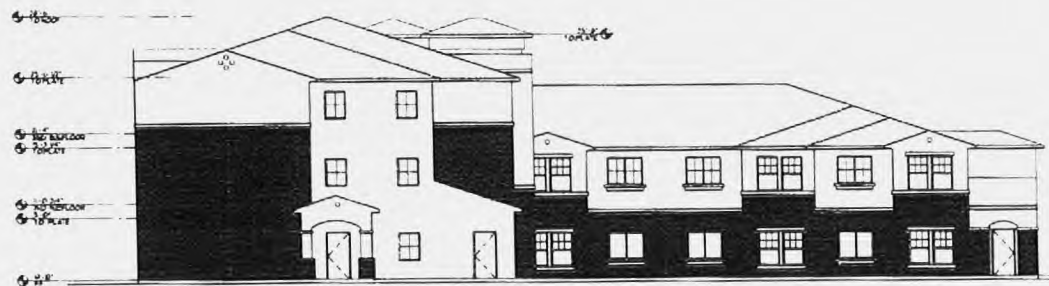
Deer Springs Way & Decatur Boulevard

Deer Springs Assisted Senior Living Facility

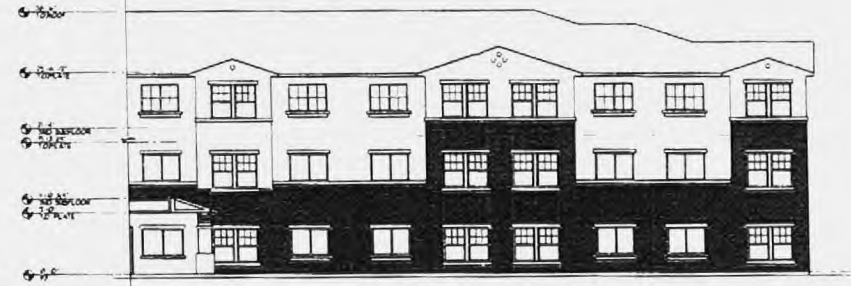
Las Vegas, Nevada

SDR-18642
01/25/07 PC

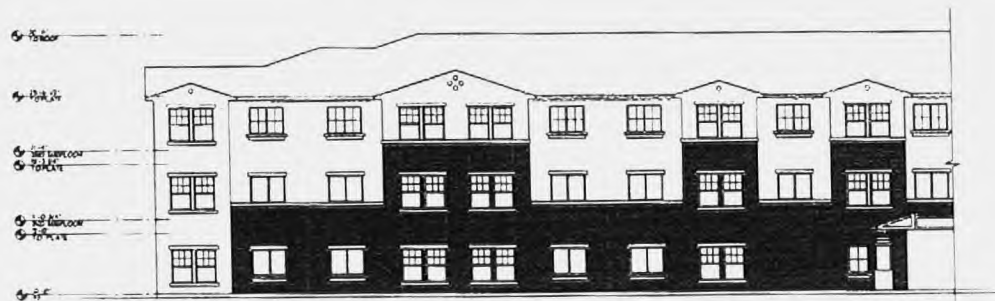




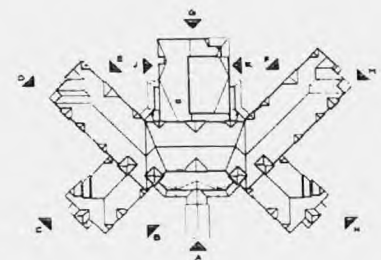
ELEVATIONS D
SCALE 1/8" = 1'-0"



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



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



Conceptual Elevations

Deer Springs Way & Decatur Boulevard

Deer Springs Assisted Senior Living Facility

Las Vegas, Nevada

SDR-18642
01/25/07 PC

Scale: 1/8" = 1'-0"
Project # V06001 January 9, 2006

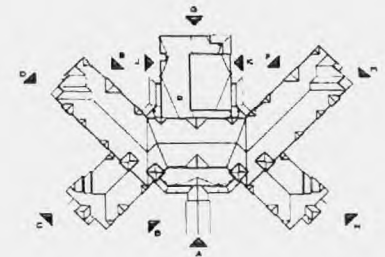
Periman



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



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



Conceptual Elevations

Deer Springs Way & Decatur Boulevard

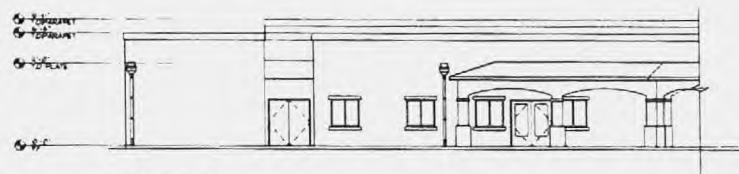
Deer Springs Assisted Senior Living Facility

Las Vegas, Nevada

SDR-18642

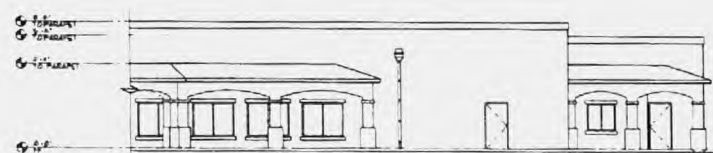
01/25/07 PC





ELEVATIONS J

SCALE 1/8" = 1'-0"



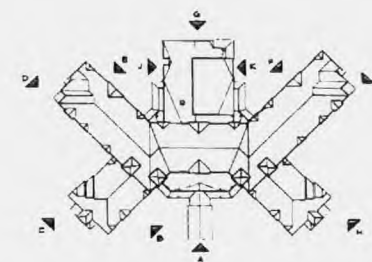
ELEVATIONS K

SCALE 1/8" = 1'-0"



ELEVATIONS M

SCALE 1/8" = 1'-0"



Project # 90600 January 7, 2006

Conceptual Elevations

Deer Springs Way & Decatur Boulevard

Deer Springs Assisted Senior Living Facility

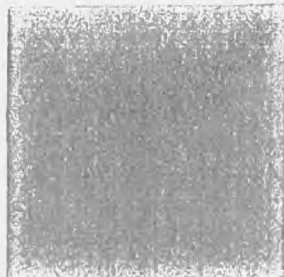
Las Vegas, Nevada

SDR-18642

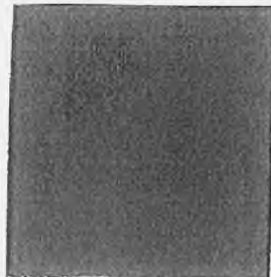
01/25/07 PC



Deer Springs Assisted Living Residence



1. Primary
Frazee # 7755D
Tannery



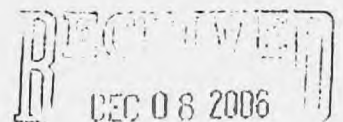
2. Secondary
Frazee # 8185D
Ardmore Green

3. Fascia/Trim
Frazee # 8183M
Sailbush



4. Roof Tile
Monier 3957
Cobblestone

Perlman



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



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

12/22/06



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

12/22/06



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

12/22/06



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

12/22/06

Nevada H.A.N.D., Inc.

HOUSING AND NEIGHBORHOOD DEVELOPMENT

295 E. Warm Springs Road, Suite 101 • Las Vegas, NV 89119
Office (702) 739-3345 Fax (702) 739-3305

December 8, 2006

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

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

To Whom It May Concern:

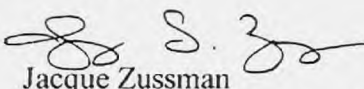
At the City Council meeting of June 7, 2006 a General Plan Amendment (GPA-12847) was approved for the above mentioned parcels to change the master plan from ML (Medium Low Density Residential) to M (Medium Density Residential) on 18.62 acres at the northwest corner of Rome Boulevard and Decatur Boulevard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

Enclosed in the package, please find:

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

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

Sincerely,



Jacquie Zussman
Real Estate Development Manager

RECEIVED
DEC 08 2006

SDR-18642
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:**
REZONING

ZON-18672 - PUBLIC HEARING - APPLICANT/OWNER: ANA BELTRAN - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 0.5 acres at the northwest corner of Poppy Lane and Paniflow Street (APN 139-25-410-022), Ward 3 (Reese). The Planning Commission (6-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Revised Site Plans for Items 122-125
6. Backup referenced from the 01-25-07 Planning Commission Meeting Item 48

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

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open on Item 122 [ZON-18672], Item 123 [VAR-18673], Item 124 [VAR-18674] and Item 125 [SDR-18670].

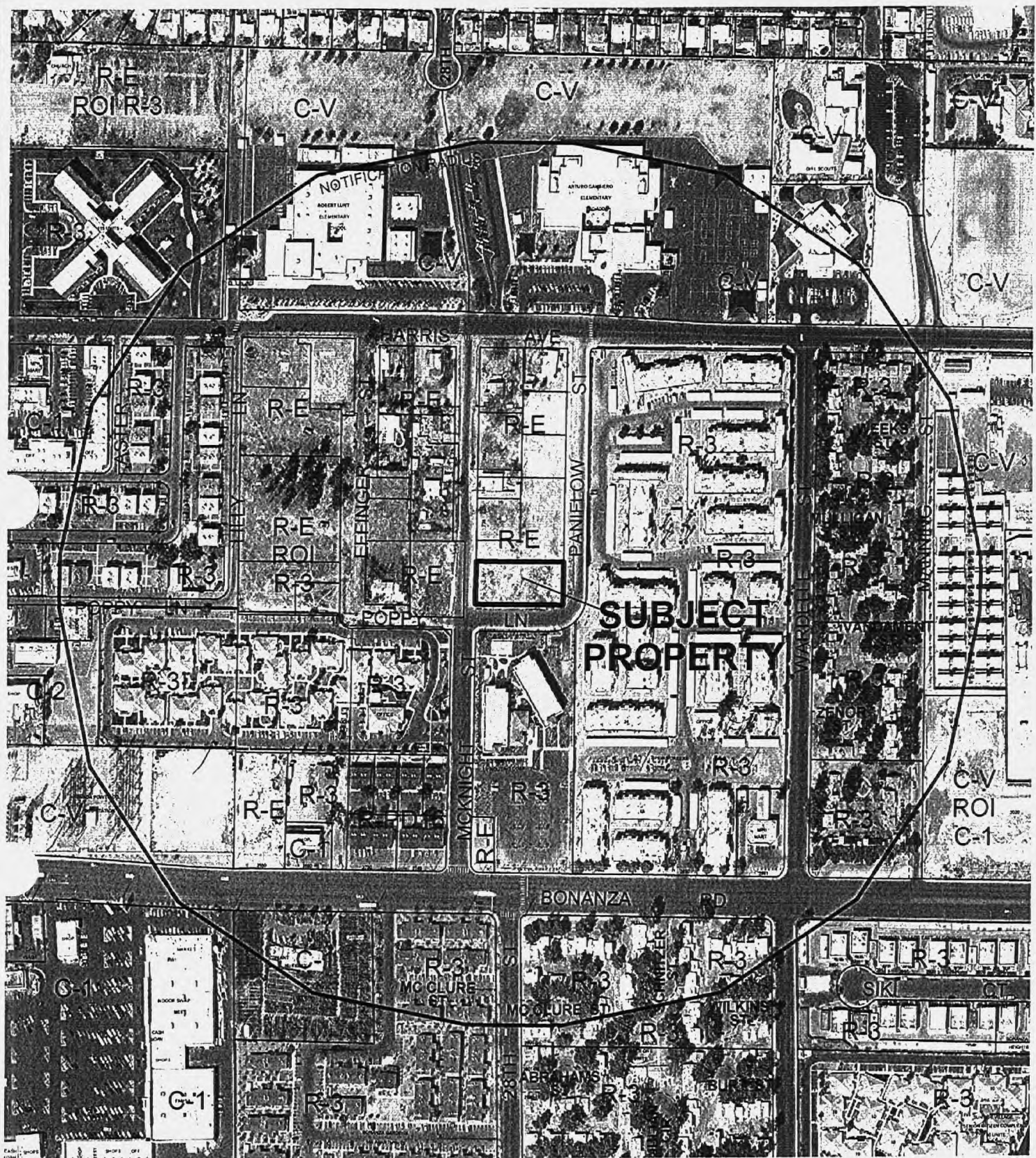
ERIC CASTILLO, 1202 Fall Breeze Drive, appeared on behalf of ANA BELTRAN and stated the site has been redesigned from 12 units to 10 units, and they are making efforts in adhering with the Code regarding the setbacks.

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

MARGO WHEELER, Director of Planning and Development, read into the record the amendments to Conditions 3, 5 and 7 on Item 125, as well as the added conditions on Item 123 and Item 124.

MAYOR GOODMAN declared the Public Hearing closed on Item 122 [ZON-18672], Item 123 [VAR-18673], Item 124 [VAR-18674] and Item 125 [SDR-18670].





CASE: ZON-18672

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-3 (MEDIUM DENSITY RESIDENTIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-18672 - APPLICANT/OWNER: ANA BELTRAN

**** 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-18670) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site, if approved.

Public Works

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

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

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

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/25/07	The Planning Commission recommended denial of companion items VAR-18673, VAR-18674 and SDR-18670 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #48/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 dwelling units per acre and that 23 parking spaces would be the requirement. Additionally, it was noted that two variances would be needed to deal with setback and parking deficiencies. Public Works talked about half-street improvements; need to meet with flood control; traffic signal impact fees; and dedicating radius corners. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

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

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

ANALYSIS

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

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

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 97 by Planning Department

APPROVALS 1

PROTESTS 0





Beltran's
Apartments

Architectural Consultant

Structural

Mechanical Consultant

Electrical

Plumbing Consultant

Interior

Exterior Consultant

Landscaping

Site Planning Consultant

Construction

General Requirements

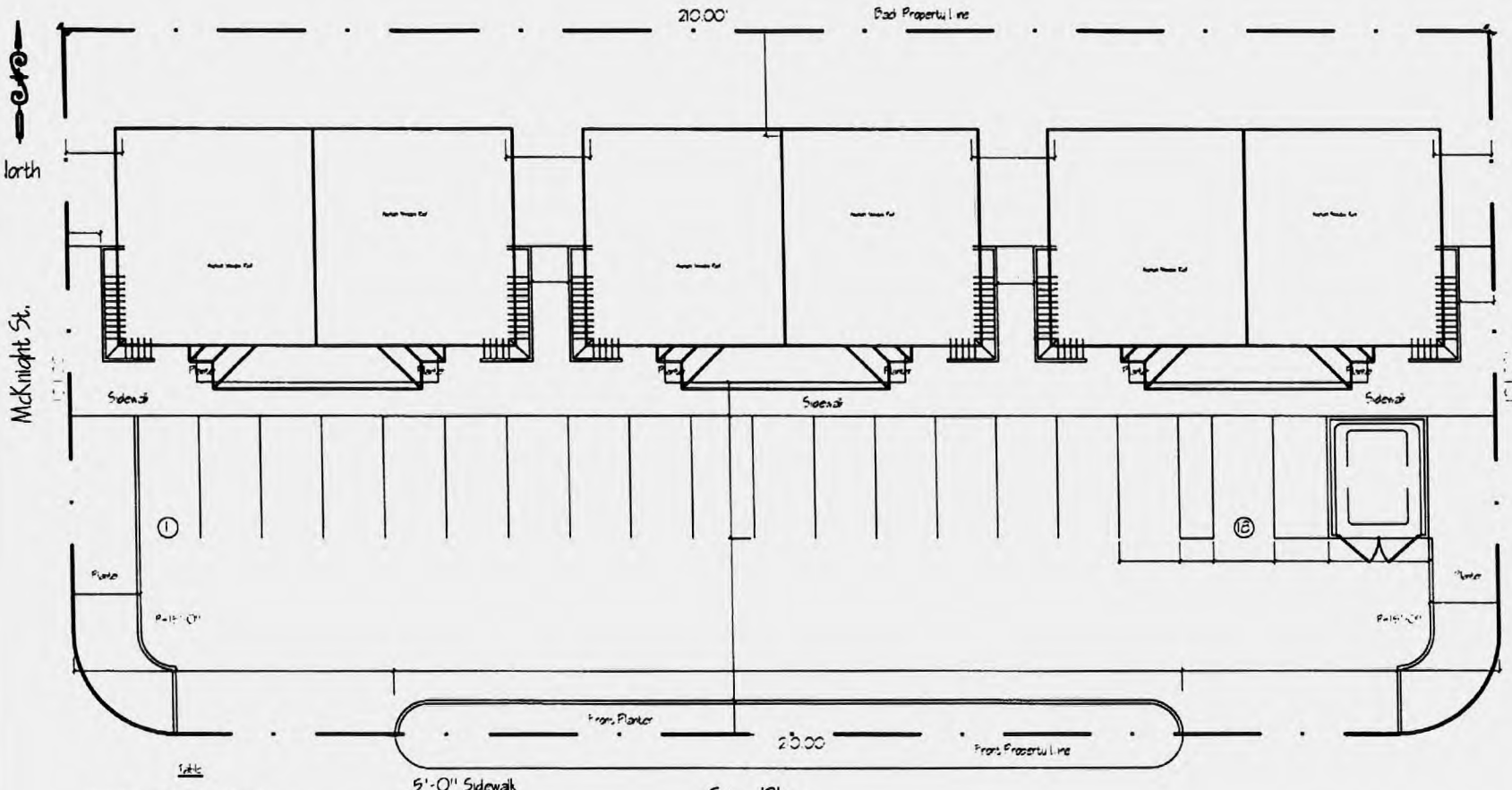
Beltran, Ana
5051 Chandler St.
Las Vegas, NV 89110

Project Name	Beltran's Apartments
Project Number	1000000000
Project Date	10/25/07
Project Location	Las Vegas, NV

ArchWork Designs, Inc.

1000000000
1000000000
1000000000
1000000000

1000000000
1000000000



Site Plan

Poppy St.

- Three (3) Building Units (4) Units
- First Floor Units Two (2) Bedroom & One (1) Bathroom
- Second Floor Units Two (2) Bedroom & One (1) Bathroom
- Twelve (12) Total Units
- Each Unit's minimum space = 852 sqft
- Each Building's total minimum space = 10,224 sqft
- Total Project's minimum space = 10,224 sqft

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DEC 12 2006

ZON-18672

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.

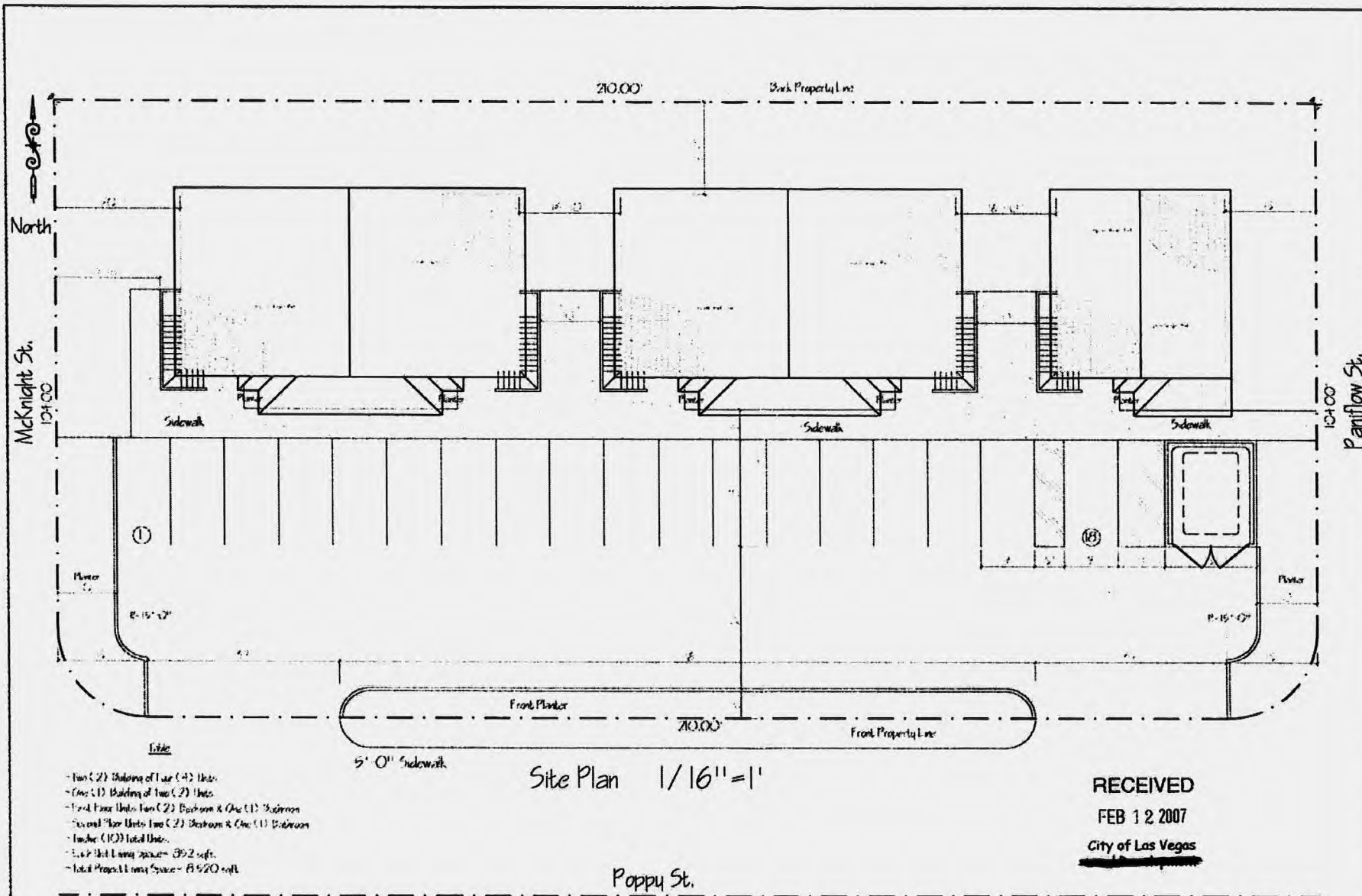
This construction will be an improvement to the community, as well as provide affordable housing in a spacious and comfortable environment, by stucco, two (2) exterior color combination (Eggwhite and Viva Gold), stick built construction, asphalt shingles roof, two story, twenty five (25') feet tall, 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.

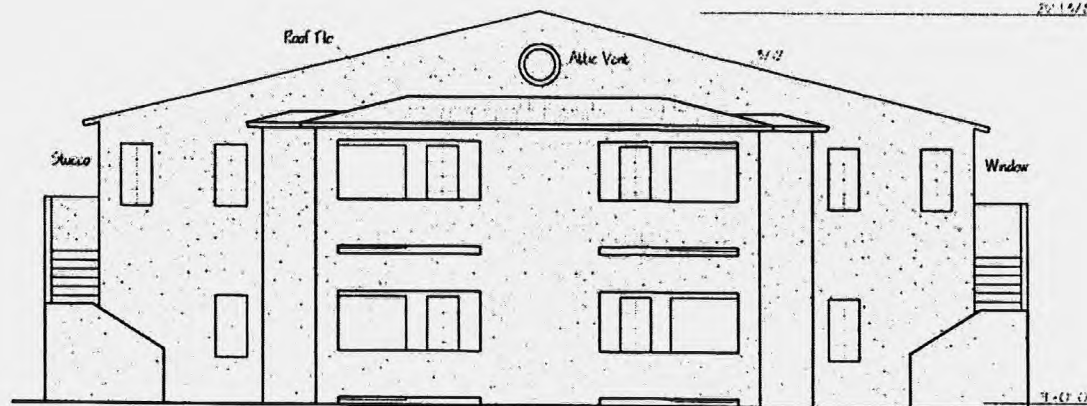
ZON-18672
01/25/07 PC



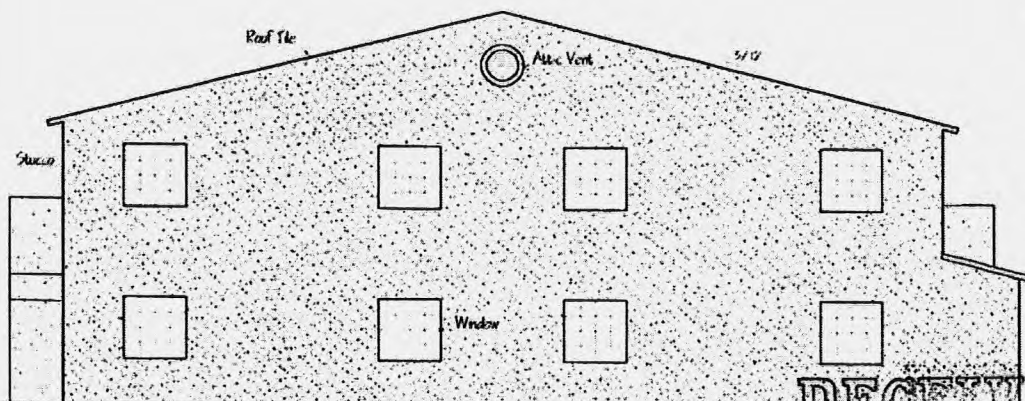
Beltran's
Apartments

Project Name	
Address	
City/State/Zip	
Owner	
Developer	
Architect	
Engineer	
Planner	
Other	
Notes	
Beltran, Ana 6088 Clearview Ct. Las Vegas, NV 89120	
Project Number	
Project Name	
Address	
City/State/Zip	
Owner	
Developer	
Architect	
Engineer	
Planner	
Other	
Notes	
Beltran, Ana 6088 Clearview Ct. Las Vegas, NV 89120	
Project Number	
Project Name	
Address	
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Owner	
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Architect	
Engineer	
Planner	
Other	
Notes	

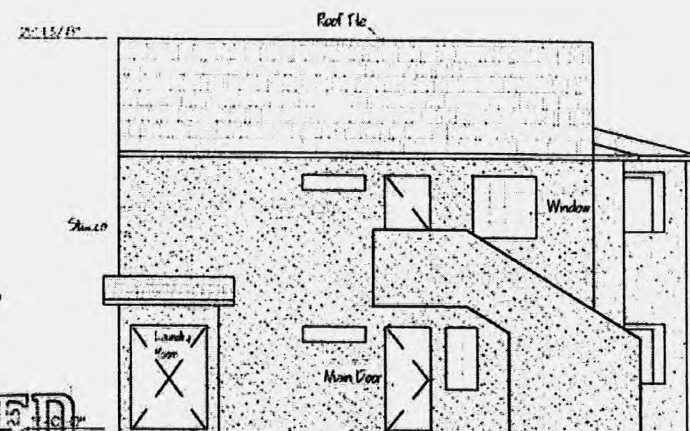
ZON-18672
VAR-18674
VAR-18673
SDR-18670
02-21-07 CC



South Elevation 1/8" = 1'-0"



North Elevation 1/8" = 1'-0"



East and West Elevation 1/4" = 1'-0"

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FEB 20 2007

ZON-18672
VAR-18674
VAR-18673
SDR-18670
02-21-07 CC



Beltran's
Apartments

Architect's Seal

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

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Printed Name

A line drawing of a building facade. The building has a large, irregularly shaped window that is divided into several panes. Some of the panes are labeled "Main St". The building is shown from a side-on perspective, with a roofline and a base. The drawing is simple and schematic, using black lines on a white background.

~~FEB 20 2007~~

A diagram showing a horizontal beam fixed to a vertical wall on the left. A reaction force is shown at the fixed end, consisting of a vertical arrow pointing upwards and a horizontal arrow pointing to the right, representing the forces exerted by the wall on the beam.

100-100000
100-100000

2000

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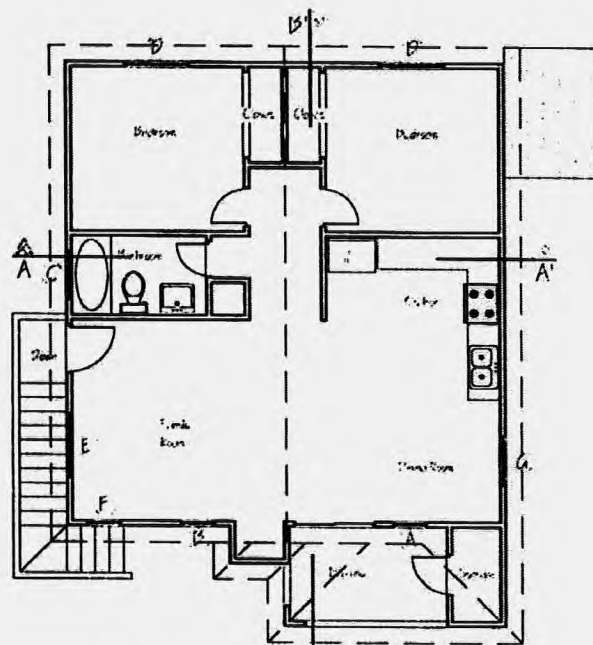
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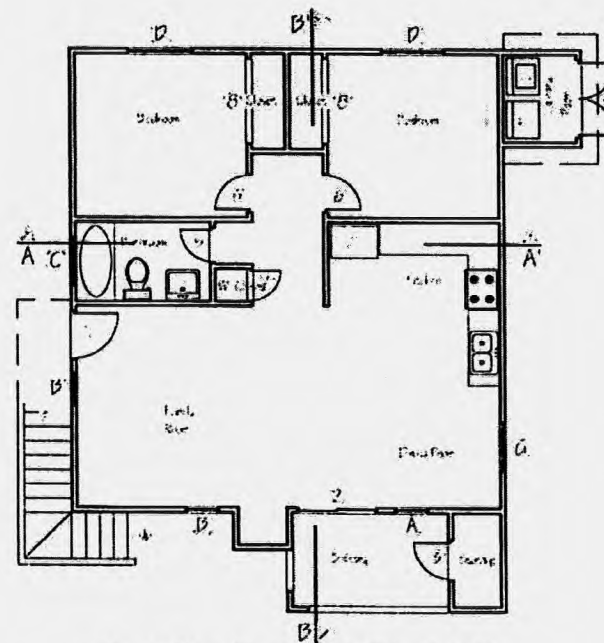
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4. 10. 1941



Second Floor Plan 1/8" = 1'-0"



First Floor Plan 1/8" = 1'-0"

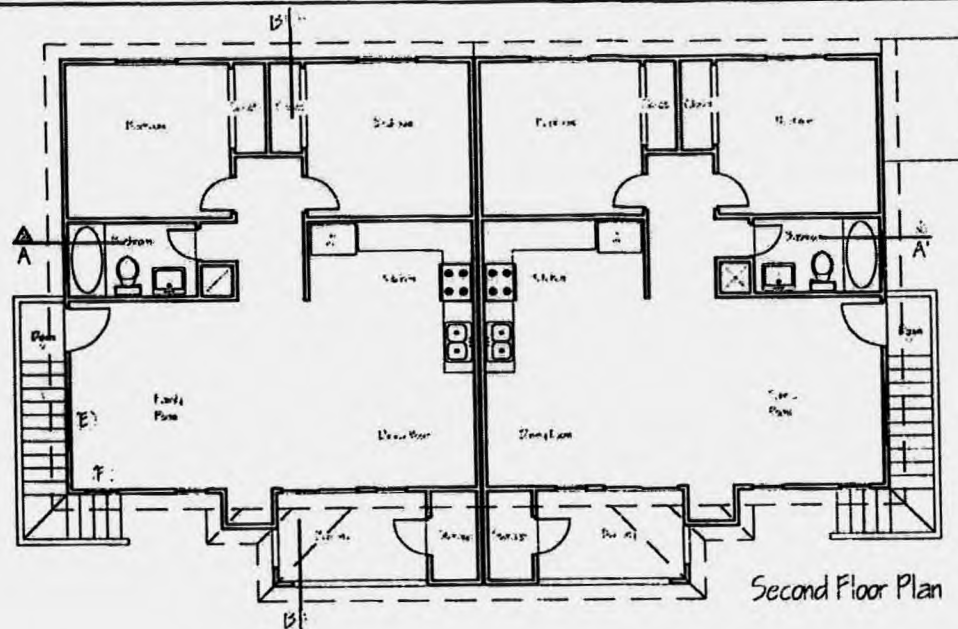
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FEB 20 2007

ZON-18672
VAR-18674
VAR-18673
SDR-18670
02-21-07 CC

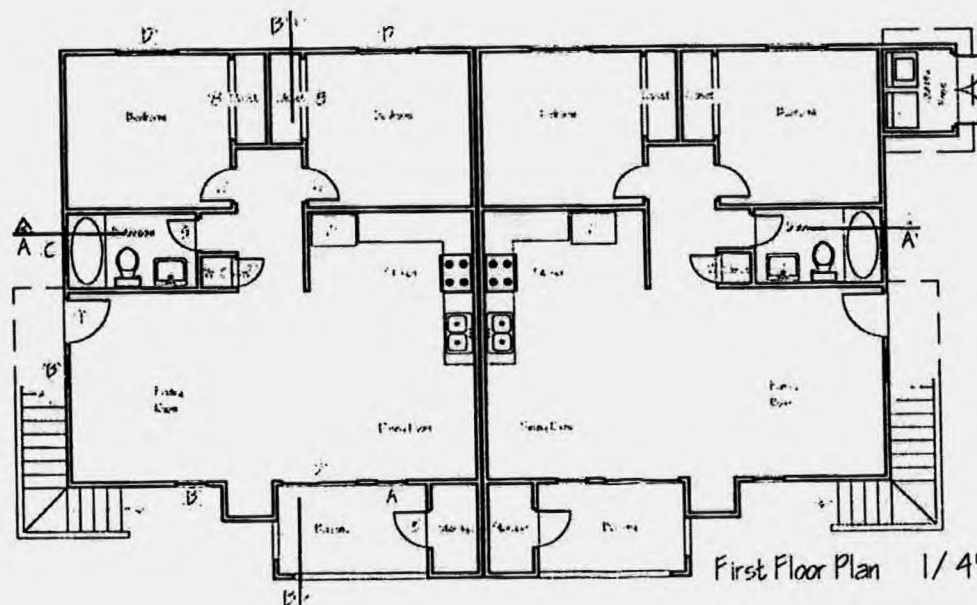


Seltran's
Associates

Project Name	
Project Address	
Project City	
Project State	
Project Zip	
Project Phone	
Project Fax	
Project Email	
Project Date	
Project Status	
Project Notes	
Project Comments	
Project Signature	
Project Stamp	



Second Floor Plan 1/4" = 1'-0"



First Floor Plan 1/4" = 1'-0"

RECEIVED
FEB 20 2007

ZON-18672
VAR-18674
VAR-18673
SDR-18670
02-21-07 CC



Boltran's
Apartments

Address and Section

Section
Detailed Drawing

Section
Detailed Drawing

Section
Detailed Drawing

Section
Detailed Drawing

Section
Detailed Drawing

Boltran, Inc.
5681 Glenview Dr.
Las Vegas, NV 89120

Rev.	Description
1	Initial
2	Revised
3	Revised
4	Revised

Architect's Remarks:
2002-11-14: Revised
2002-11-14: Revised
2002-11-14: Revised
2002-11-14: Revised

**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-18672

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