

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

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

NEW BILL:

Bill No. 2007-8 – Eliminates certain information-gathering and reporting requirements for the Department of Fire and Rescue regarding the transportation of hazardous materials within the City. Proposed by: David L. Washington, Chief, Department of Fire and Rescue

Fiscal Impact

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No Impact

☐

Augmentation Required

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Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Section 9.36.050 of the Municipal Code imposes certain information-gathering and reporting requirements on the Department of Fire and Rescue regarding the transportation of hazardous materials within the City. It has been determined that these requirements are out-of-date, and they are proposed to be eliminated by means of this bill.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

1. Bill No. 2007-8
2. Business Impact Statement

Minutes:

First Reading - Referred - COUNCILMEMBERS TARKANIAN and ROSS

3/6/2007 Recommending Committee

3/7/2007 Council Agenda

1 **BILL NO. 2007-8**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO ELIMINATE CERTAIN INFORMATION-GATHERING AND REPORTING
4 REQUIREMENTS FOR THE DEPARTMENT OF FIRE AND RESCUE REGARDING THE
5 TRANSPORTATION OF HAZARDOUS MATERIALS WITHIN THE CITY, AND TO PROVIDE
6 FOR OTHER RELATED MATTERS.

7 Proposed by: David L. Washington, Chief,
8 Department of Fire and Rescue

Summary: Eliminates certain information-
gathering and reporting requirements for the
Department of Fire and Rescue regarding the
transportation of hazardous materials within the
City.

9 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
10 AS FOLLOWS:

11 SECTION 1: Title 9, Chapter 36, Section 50, of the Municipal Code of the City of
12 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13 **9.36.050:** The Department of Fire [Services] and Rescue is authorized [and directed] to do the
14 following:

15 (A) To collect all available information with respect to the volumes, routes,
16 locations of storage incident to transportation, risks and conditions of transport and storage of
17 hazardous materials presenting the highest risk, by any mode of transportation; [, and to report
18 annually to the City Council on the transportation of hazardous materials and the adequacy of the
19 City's emergency response capabilities in cases of accidents;] and

20 (B) To collect information, as available, from the State on the routes and volumes
21 of hazardous waste shipments through the City and to request that the State conduct surveys to
22 determine the volumes, routes, compliance with Federal and State regulations, accident rates and other
23 information on truck cargos of hazardous materials.

24 SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or
25 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
26 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
27 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
28 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,

1 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
2 invalid or ineffective.

3 SECTION 3: All ordinances or parts of ordinances or sections, subsections, phrases,
4 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
5 1983 Edition, in conflict herewith are hereby repealed.

6 PASSED, ADOPTED and APPROVED this ____ day of _____, 2007.

7 APPROVED:

8
9 By _____
10 OSCAR B. GOODMAN, Mayor

11 ATTEST:

12 BEVERLY BRIDGES, Acting City Clerk

13 APPROVED AS TO FORM:

14
15 Val Steep 2-8-07
16 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2007, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2007, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

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APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

BEVERLY BRIDGES, Acting City Clerk

BUSINESS IMPACT STATEMENT

BILL NO. 2007-8

(Eliminates certain information-gathering and reporting requirements for the Department of Fire and Rescue regarding the transportation of hazardous materials within the City)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2007-8, that will eliminate certain information-gathering and reporting requirements for the Department of Fire and Rescue regarding the transportation of hazardous materials within the City.

1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

Not applicable

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

None

Beneficial effects:

None

Direct effects:

None

Indirect effects:

None

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

Not applicable

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

No additional cost

5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

Not applicable

6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

Not applicable

7. If the proposed rule includes provisions that duplicate or are more stringent than federal, state or local standards regulating the same activity, the following explains when such duplicative or more stringent provisions are necessary:

Not applicable

Date: February 8, 2007

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

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

NEW BILL:

Bill No. 2007-9 – Makes various corrections, clarifications and adjustments to the Land Use Tables, and clarifies certain use and development standards. Proposed by: M. Margo Wheeler, Director of Planning and Development

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

In accordance with recommendations made by the Planning and Development Department, this bill will 1) make various minor corrections, clarifications and adjustments to the Land Use Tables, and 2) clarify a number of use and development standards.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2007-9

Minutes:

First Reading - Referred - COUNCILMEMBERS TARKANIAN and ROSS

3/6/2007 Recommending Committee

3/7/2007 Council Agenda

THE MORNING SESSION RECESSED AT 11:55 A.M.

1 **BILL NO. 2007-9**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO MAKE VARIOUS CORRECTIONS, CLARIFICATIONS AND
4 ADJUSTMENTS TO THE LAND USE TABLES, TO CLARIFY CERTAIN USE AND
DEVELOPMENT STANDARDS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

5 Proposed by: M. Margo Wheeler, Director of
6 Planning and Development

Summary: Makes various corrections,
clarifications and adjustments to the Land Use
Tables, and clarifies certain use and
development standards.

7
8 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
9 AS FOLLOWS:

10 SECTION 1: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section
11 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by
12 amending the description of the use "Single Family, Detached," as found in the "Residential &
13 Lodging" element of Table 2, to read as follows:

14 **Description:**

15 A dwelling unit that is not attached to any other dwelling by any means, is located on a separate and
16 individually owned lot, is surrounded by open space or yards, and is for the exclusive use of a single
17 family maintaining a household. Except where specifically provided [for the purposes of occupancy
18 by domestic help, no single family dwelling] in this Title, no such unit may have more than 1 kitchen,
19 and [except as specifically provided for a habitable accessory structure,] all rooms used for human
20 habitation must have interior access to one another.

21 SECTION 2: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section
22 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by
23 deleting in their entirety the entries for the uses "Habitable Accessory Structure" and "Non-Habitable
24 Accessory Structure."

25 SECTION 3: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section
26 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by
27 adding to the "Residential & Lodging" element thereof, at the appropriate locations, two new uses,
28 "Accessory Structure (Class I)" and "Accessory Structure (Class II)," reading respectively as follows:

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
Accessory Structure (Class I)	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
	S	S	S	S	S																
	Description: An accessory structure which is located on the same residential parcel as a principal dwelling and which, as an ancillary use, provides living quarters, including full kitchen facilities, for the occupants of the principal dwelling or their tenants, domestic employees or temporary guests.																				
	Minimum Special Use Permit Requirements: *1. The size of the lot or parcel must exceed 6500 square feet. 2. Unless the principal dwelling is owner-occupied, a Class I accessory structure may not be offered or occupied as a rental unit.																				
	On-site Parking Requirement: One additional parking space must be provided beyond the number of spaces normally required.																				

USE	RESIDENTIAL												COMMERCIAL						INDUSTRIAL		
Accessory Structure (Class II)	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
	C	C	C	C	C	C	C	C	C	C	C	C									
	Description: An accessory structure which is located on the same lot as a principal structure, is detached therefrom, is incidental or subordinate thereto, and does not qualify as an "Accessory Structure (Class I)."																				
	Conditional Use Regulations: 1. The use shall comply with all provisions of Section 19.08.040 applicable to accessory structures. 2. Any use that does not so comply may be permitted only by means of a Variance.																				
	On-site Parking Requirement: No additional parking required beyond that which is required for the principal use on the site																				

SECTION 4: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to change the classification of the use "Travel Bureau" from a type of "General Personal Service" to a type of "Office Use, Other Than Listed." In order to reflect that change, the description of the use "General Personal Service," as found in the "Retail & Personal Services" element of Table 2, is amended to read as follows:

Description:

A facility for the sale of personal services. Typical personal services include barber/beauty shop, tanning salon, nail salon, shoe repair, tailor, instructional arts studio, photography studio, hand-crafted art studio, safe deposit boxes, [travel bureau,] house cleaning service, weight reduction center, day spa, florist (excluding greenhouses), and permanent makeup establishment.

SECTION 5: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section

10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the Conditional Use Regulations for the use "Open Air Vending/Transient Sales Lot," as found in the "Retail & Personal Services" element of Table 2, to read as follows:

Conditional Use Regulations:

1. No signage, including temporary signage, is allowed[.], except that, in the case of sales activity from a vehicle or cart, the vehicle or cart may include signage which is affixed thereto.
2. The site must be kept free of any litter or debris at all times.
3. No structures shall be allowed within the public right-of-way.

SECTION 6: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the Minimum Special Use Permit Requirements for the use "Beer/Wine/Cooler On-Sale Establishment," as found in the "Retail & Personal Services" element of Table 2, to read as follows:

Minimum Special Use Permit Requirements:

- [*]1. Except as otherwise provided, no beer/wine/cooler [off-sale] on-sale establishment (hereinafter "establishment") shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park.
- [*]2. Except as otherwise provided in Requirement 3 below, the distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:
 - a. Any leasehold parcel; or
 - b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Requirement 1.

- 1 [*]3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size,
2 the minimum distances referred to in Requirement 1 shall be measured in a straight line:
- 3 a. From the nearest property line of the existing use to the nearest portion of the structure
4 in which the establishment will be located, without regard to intervening obstacles; or
- 5 b. In the case of a proposed establishment which will be located within a shopping center
6 or other multiple-tenant structure, from the nearest property line of the existing use to
7 the nearest property line of a leasehold or occupancy parcel in which the establishment
8 will be located, without regard to intervening obstacles.
- 9 4. When considering a Special Use Permit application for an establishment which also requires
10 a waiver of the distance limitation in Requirement 1, the Planning Commission shall take into
11 consideration the distance policy and shall, as part of its recommendation to the City Council,
12 state whether the distance requirement should be waived and the reasons in support of the
13 decision.
- 14 5. The minimum distance requirements in Requirement 1 do not apply to:
- 15 a. An establishment which has a nonrestricted gaming license in connection with a hotel
16 having 200 or more guest rooms on or before July 1, 1992 or in connection with a
17 resort hotel having in excess of 200 guest rooms after July 1, 1992; or
- 18 b. A proposed establishment having more than 50,000 square feet of retail floor space.
- 19 *6. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC
20 Chapter 6.50.

21 SECTION 7: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section
22 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by
23 amending the On-site Parking Requirement for the use "Package Liquor Off-Sale Establishment," as
24 found in the "Retail & Personal Services" element of Table 2, to read as follows:

25 **On-site Parking Requirement:** [No additional parking required beyond that which is required for
26 the principal use on the site.]

- 27 1. If less than 25,000 square feet, one space per 175 square feet of gross floor area.
- 28 2. If 25,000 square feet or more, one space per 250 square feet of gross floor area.

SECTION 8: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to adjust the Conditional Use Regulations for the use "Motor Vehicle Sales (Used)" and to add Minimum Special Use Permit Requirements for that use. In order to reflect the amendments, the entry for the use "Motor Vehicle Sales (Used)," as found in the "Auto & Marine-Related" element of Table 2, is amended to read as follows:

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
Motor Vehicle Sales (Used)	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
																		S		C	C
Description: A facility or area used primarily for the display and sale or leasing of used automobiles, motorcycles and motor scooters. This use includes service bays and auto body shops which are incidental and accessory to the sales use.																					
Conditional Use Regulations: [1. The minimum site area designated for this use shall be 25,000 square feet.] [2.] 1. The installation and use of an outside public address or bell system is prohibited. [3.] 2. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building. [4.] 3. All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land. [5.] 4. Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties. [6.] 5. Accessory automobile rental is permitted.																					
Special Use Permit Requirements: 1. <u>The minimum site area designated for this use shall be 25,000 square feet.</u> 2. <u>The installation and use of an outside public address or bell system is prohibited.</u> 3. <u>No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.</u> 4. <u>All exterior lighting shall be screened or otherwise designed so as not to shine directly onto any adjacent parcel of land.</u> 5. <u>Openings in service bays shall not face public rights-of-way and shall be designed to minimize the visual intrusion into adjoining properties.</u> 6. <u>Accessory automobile rental is permitted.</u>																					
On-site Parking Requirement: One space for each 500 square feet of enclosed gross floor area designated for this use. Vehicles that are on display or for sale may not be parked or stored in parking spaces that are designated as off-street parking necessary to meet the minimum requirements of this Table 2. The parking and storage of such vehicles must occur only in spaces that are in excess of the required minimum parking.																					

SECTION 9: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to indicate that the use "Outdoor Storage, Accessory" is allowable as a conditional use in the C-1 Zoning District and to modify the Conditional Use Regulations applicable to the use. In order to reflect the

changes, the entry for the use "Outdoor Storage, Accessory," as found in the "Wholesale, Distribution & Storage" element of Table 2, is amended to read as follows:

USE	RESIDENTIAL												COMMERCIAL				INDUSTRIAL				
Outdoor Storage, Accessory	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
																	C	C	C	C	C
	Description: The use of a significant portion of a lot or area for the long term retention (more than 24 hours) of materials and machinery or equipment, regardless of whether the materials, machinery or equipment are to be bought, sold, repaired, stored, incinerated, or discarded. This use does not include new or used motor vehicle sales and rental display, nor does it include accessory and incidental parking of vehicles for residents, guests, customers or employees in connection with a principal use. Conditional Use Regulations: [1. Outside storage areas that are not screened by an intervening building shall be screened from view from any public street by a screening device at least 8 feet in height. In addition, outside storage areas shall be screened from view of any adjoining property by a screening device at least 8 feet in height, except along adjacent property lines of property zoned C-M or M. 2. Storage shall not be permitted within required setbacks or buffer yards. 3. Except as otherwise provided in this Title, in the C-2 and C-M Zoning Districts, storage shall be limited to no more than 5 percent of the lot area containing the principal use.] <u>1. Storage shall not be permitted within required setbacks or buffer yards.</u> <u>2. Except as otherwise provided in this Title or as specifically allowed in connection with the approval of a Special Use Permit:</u> <u>a. Outside storage areas that are not screened by an intervening building shall be screened from view from any public street by a screening device at least 8 feet in height.</u> <u>b. Outside storage areas shall be screened from view of any adjoining property by a screening device at least 8 feet in height, except along adjacent property lines of property zoned C-M or M.</u> <u>3. Except as otherwise provided in this Title, in the C-2 and C-M Zoning Districts, storage shall be limited to no more than 5 percent of the lot area containing the principal use.</u> <u>4. In the C-2 Zoning District, incidental items that are normally associated with operations allowed as a matter of right are not required to be screened from view.</u> <u>5. In the C-1 Zoning District, the only items allowable as accessory outdoor storage are live nursery products, which must be screened from view of adjacent properties and rights-of-way by means of screening that is architecturally consistent with the principal building in terms of materials, colors and details.</u> On-site Parking Requirement: No additional parking required beyond that which is required for the principal use(s) on the site.																				

SECTION 10: Table 2 of the Land Use Tables adopted in Title 19, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to allow the use "Sound Stage" by means of special use permit in the C-PB Zoning District. In order to reflect that amendment, the entry for the use "Sound Stage," as found in the "Utilities, Communication & Transportation" element of Table 2, is amended to read as follows:

...

...

USE	RESIDENTIAL												COMMERCIAL					INDUSTRIAL			
Sound Stage	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
																	S	S	<u>S</u>	S	S
	Description: A building or portion of a building used for the production of movies.																				
On-site Parking Requirement: One space per 300 square feet of gross floor area.																					

SECTION 11: Title 19, Chapter 4, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19.04.070: (A) P-R District. All uses in the P-R District shall conform to the following:

- (1) No products shall be stored, displayed or sold on the premises.
- (2) No trucks, vans or other commercial vehicles shall be stored or parked on the property overnight.
- (3) No service shall be performed upon a client except those related to the service of the medical profession including dentists, opticians, optometrists, chiropractors, etc.
- (4) Services shall not include the production or repair of any goods except as an incidental use to a permitted service.
- (5) Instructional services must be limited to a two to one pupil/instructor ratio provided, however, in connection with instructional services to be provided at a physician's office, the Director [of the Department of Planning and Development] may approve a higher pupil/instructor ratio upon a showing that sufficient off-street parking is available for the number of pupils anticipated. Equipment used for instructional purposes must be stored within the building.
- (6) There shall be no mixed residential and commercial use of any property and in the event there is an existing residential use on a property, no commercial use of the property shall be permitted until the residential use has permanently ceased.
- (7) No use or business activity shall remain open to the public for business between the hours of nine p.m. through seven a.m. All exterior lighting, except for security lighting, shall be turned off.

(B) N-S and O Districts. In the N-S and O Districts, all storage or display of merchandise and equipment shall be within a completely enclosed building. No trailers or other

1 portable structures may be used for storage purposes.

2 [(B)] (C) C-D District. All uses in the C-D District shall conform to the following:

3 (1) Retail shops shall sell new merchandise exclusively except for antique
4 shops. All products produced, whether primary or incidental, shall be sold at retail on the premises,
5 and not more than two persons shall be engaged in the production of such products.

6 (2) There shall be no mixed residential and commercial use of any property
7 and in the event there is an existing residential use on a property, no commercial use of the property
8 shall be permitted until the residential use has permanently ceased.

9 (3) No use or business activity shall remain open to the public for business
10 between the hours of nine p.m. and seven a.m.

11 (4) All uses and activity shall be contained within a completely enclosed
12 building and there shall be no outside storage, service or sales. No trailers or other portable structures
13 may be used for storage purposes.

14 (D) All Non-Residential Districts. No outdoor storage, sales, rent or display of
15 products or equipment is permitted except in accordance with the provisions of this Title, or a specific
16 Special Use Permit approval granted thereunder.

17 SECTION 12: Title 19, Chapter 8, Section 40, Subsection (B), Paragraph (1),
18 Subparagraph (g), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
19 amended to read as follows:

20 (g) Floor Plan. Accessory structures may contain any type of room use, but may not contain any
21 kitchen except as otherwise specifically provided in [Section 19.04.050(B)] this Title with respect to
22 a [habitable] Class I accessory structure.

23 SECTION 13: Title 19, Chapter 8, Section 40, Subsection (B), Paragraph (4),
24 Subparagraph (a), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby
25 amended to read as follows, with the preceding and subsequent provisions of Paragraph (4), including
26 Figure 4, remaining the same:

27 (a) Patio Covers. As illustrated in Figure 4 below, a patio cover may encroach to within five feet
28 from the rear and side property lines in the R-D, R-1, R-CL, R-2, R-3, R-4, R-5, R-MH, and R-MHP

zoning districts and may encroach to within fifteen feet from the rear and side property lines in the U, R-A and R-E zoning districts. In other residential districts, patio cover setbacks shall be compatible with the required setbacks for principal structures. In no event shall a patio cover be permitted to encroach into a required corner side yard setback.

SECTION 14: Title 19, Chapter 8, Section 50, Subsection (H), of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the titles of Figures 26 and 27 to read, respectively, as follows:

Figure 26 ~~[Discouraged]~~ Impermissible Enclosure Design

Figure 27 ~~[Encouraged]~~ Permissible Enclosure Design

SECTION 15: Title 19, Chapter 12, Section 75, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

19.12.075: Wall Standards

(A) Front Yard Screen Wall Prohibition. No [screening] screen wall shall be built in the front yard of a residential property.

(B) Perimeter and Screen Walls.

(1) General. For commercial and industrial properties, a perimeter wall shall be constructed adjacent to any residential zoning district or property used solely for residential purposes, shall be a minimum of six feet in height, and in no case shall exceed the height limitation applicable to the adjacent zoning district or property. In all other cases, there is no requirement to construct a wall or fence. However, all perimeter or screen walls and fences must comply with applicable building code requirements. Walls and fences adjacent to commercial or industrial zoning districts or property used for commercial or industrial uses shall be limited to a maximum of eight feet in height. The height of a wall or fence shall be measured from the side with the greatest vertical exposure above finished grade.

(2) Height. The minimum height of a [screening] perimeter wall shall be six feet and the maximum height shall be eight feet. The maximum height of a screen wall shall be eight feet.

(C) Additional Height Limitations (No Slope or Minimum Slope). Except as otherwise provided in Subsection (E), if the natural slope of a parcel that will contain a [screening] screen or perimeter

1 wall is two percent or less, and a retaining wall will be required:

2 (1) The maximum height of the retaining wall shall be four feet;

3 (2) The minimum height of [the screening] a perimeter wall shall be six feet, with the
4 maximum height for a screen or perimeter wall of eight feet; and

5 (3) The total vertical plane of both walls shall not exceed ten feet, measured from the
6 finished grade on the lower side of the wall to the top of the wall, with a maximum height of eight feet
7 measured from the finished grade on the higher side of the wall to the top of the wall. (See Figure 6)

8 (D) Additional Height Limitations (Greater Slope). Except as otherwise provided in Subsection
9 (E), if the natural slope of a parcel that will contain a [screening] screen or perimeter wall is greater
10 than two percent and a retaining wall will be required:

11 (1) The maximum height of the retaining wall shall be six feet;

12 (2) The minimum height of [the screening] a perimeter wall shall be six feet, with the
13 maximum height for a screen or perimeter wall of eight feet; and

14 (3) The total vertical plane of both walls shall not exceed twelve feet, measured from the
15 finished grade on the lower side of the wall to the top of the wall, with a maximum height of eight feet
16 measured from the finished grade on the higher side of the wall to the top of the wall. (See Figure 7)

17 (E) Increased Retaining Wall Heights. In cases where it is necessary to use retaining walls that
18 exceed the height limitations contained in Subsections (C) and (D), the following standards shall apply
19 in order to reduce the visual impact of [screening] screen walls, perimeter walls and retaining walls,
20 as illustrated in Figure 8:

21 (1) For each four feet of vertical height of retaining wall, a minimum five-foot setback,
22 or horizontal offset, shall be provided, as measured from the front of the wall plane to the front of the
23 next wall plane, with landscaping to be provided within the offset area.

24 (2) The height of the wall plane of the wall located at the highest grade shall be a minimum
25 of six feet and a maximum of eight feet.

26 (F) Front Yard Walls/Fences. Front yard walls/fences shall be a maximum of five feet with the
27 top three vertical feet open to permit visibility. (See Figure 9) Hedges planted along the front yard
28 property line shall not exceed three vertical feet. Retaining walls along the front property line may

not exceed two feet in height. Where the grade of the front yard slopes at a ratio greater than 2:1, multiple retaining walls may be constructed, provided there is a minimum distance of five feet between retaining walls for landscaping. (See Figure 10)

(G) Fences, Walls and Architectural Character

(1) Perimeter Walls. Perimeter walls, end walls, return walls and common area walls shall be decorative and shall be installed by the developer. Acceptable decorative wall materials[,] include, without limitation, stone, decorative block, slump, stone, and wrought iron, and shall have a minimum of twenty percent contrasting material. The contrasting material requirement may be fulfilled by contrasting color, or a combination of contrasting material and contrasting color, if approved by the Department in its discretion. All walls shall include such detail variations as may be required by the Department, including pilaster, decorative caps, decorative iron cutouts or fluted blocks. Any decorative materials or ironwork attached to the top of a perimeter wall shall not encroach into public rights-of-way or abutting properties. Pilasters, if used, shall have a maximum spacing of twenty-four feet on center (See Figures 9 and 11). [No voids or spaces shall be permitted between an existing perimeter wall and a new perimeter wall.] All perimeter walls shall:

a. Match the design of abutting perimeter walls. The established wall design shall be continued until the next street intersection. In cases where the existing wall is considered by the Director to be of unacceptable design, the design shall not be carried beyond the next street intersection unless a transitional wall area designed to soften the differences between the walls is constructed; and

b. [Be sealed by an approved method to prevent leaching or transmission of mineral deposits through the wall; and

c.] Be maintained by the property owner, the developer, a business association or other similar organization, or by such other means as may be approved by the City.

(2) Retaining Walls. Retaining walls which are visible from adjacent properties or rights-of-way shall be decorative and shall be installed by the developer. Acceptable materials for retaining wall construction include split-face block, decorative block, slump stone, stone, caliche rock, colored or exposed aggregate, and textured-finish concrete. All walls shall include detail variations such as

1 pilasters, decorative caps, or fluted blocks. [All walls shall be sealed by an approved method to
2 prevent the leaching or transmission of mineral deposits through the wall.] All walls shall be
3 maintained by the property owner, the developer, a business association or other similar organization,
4 or by such other means as may be approved by the City. In cases where the height of a retaining wall
5 exceeds four feet, a minimum of five shrubs of a five-gallon size, and five shrubs of a one-gallon size,
6 for each twenty feet of linear planting area shall be planted in the area at the base of the wall. In cases
7 where there are multiple-stepped retaining walls, a minimum of five shrubs of a five-gallon size, and
8 five shrubs of a one-gallon size, for each twenty feet of linear planting area shall be planted in the area
9 between the walls and at the base of the lowest wall. A minimum planting area of four feet is required
10 between the retaining walls.

11 (3) Wall Separation. Where a screen or perimeter walls abuts another screen or perimeter
12 wall, the separation shall either be:

13 a. A minimum of three feet from face of wall to face of wall, with access provided
14 to the area between the walls for maintenance; or

15 b. A maximum of eight inches, with the resulting gap between the walls to be
16 filled and capped with a cementitious material that:

17 1. Will not increase the load on the walls; and

18 2. Has been approved by the Planning and Development Department and
19 the Department of Building and Safety.

20 (H) Materials. Unless otherwise approved as part of an overall development plan, the following
21 materials shall not be acceptable for use as [screening] screen or perimeter walls:

22 (1) Chainlink or open wire fencing (except as temporary construction fencing);

23 (2) Razor wire or barbed wire (except as may be approved under the procedures set forth
24 in the City's Building Code);

25 (3) Corrugated metal;

26 (4) Bright colored plastic; and

27 (5) Untextured or unfinished concrete or block (CMU) walls.

28 (I) Variance. The standards set forth in this Section are minimum requirements for all

1 developments subject to this Section. Any request to deviate from these standards shall require the
2 submittal of a Variance application, which shall be subject to the procedures and standards set forth
3 in Section 19.18.070.

4 SECTION 16: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
5 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the following terms and their
6 corresponding definitions:

7 “Dwelling, Single-Family Detached” means a dwelling unit:

- 8 (1) That is not attached to any other dwelling by any means;
- 9 (2) That is located on a separate and individually owned lot;
- 10 (3) That is surrounded by open space or yards;
- 11 (4) That is for the exclusive use of a single family maintaining a household;
- 12 (5) That has no more than one kitchen[;] with full kitchen facilities; and
- 13 (6) In which all rooms used for human habitation must have interior access to one another.

14 ➡ Nothing in this definition, however, prohibits the construction or use of a [habitable] Class I
15 accessory structure in accordance with this Title or the construction or use of an auxiliary kitchen as
16 defined in this Chapter.

17 “General Personal Service” means a facility for the sale of personal services. Typical personal
18 services include barber/beauty shop, shoe repair, tailor, instructional arts studio, photography studio,
19 hand-crafted art studio, safe deposit boxes, [travel bureau,] house cleaning service, weight reduction
20 center and florist (excluding greenhouses) and permanent makeup establishment.

21 “Kitchen” means [any room in a dwelling which is used, designed, or intended to be used for the
22 cooking and preparation of food, including “kitchenette.”] that portion of a dwelling unit devoted to
23 the cooking or preparation of food for the purpose of consumption by residents of the dwelling unit.

24 The term includes a “kitchenette,” “wet bar” or any area equipped with items such as a counter-top
25 hot plate, counter-top grill, or microwave oven, together with an under-counter refrigerator and sink.

26 “Full kitchen facilities” indicates the presence of complete cooking facilities (i.e., stove, oven or
27 microwave oven, refrigerator, and sink). The presence within any food preparation area of a
28 ventilation hood, gas stub, two hundred-twenty volt electrical outlet or wiring, or any combination

1 thereof, shall be considered “full kitchen facilities.”

2 “Wall, Perimeter” means an opaque structure constructed in accordance with Section 19.12.075 with
3 the purpose of providing security or a visual buffer within, along or in proximity to the property line
4 of a subdivision or parcel and separating the subdivision or parcel from, right-of-way, another land
5 use or another property.

6 [“Wall, Screening”] “Wall, Screen” means an opaque structure constructed in accordance with Section
7 19.12.075 with the purpose of providing a buffer for privacy or to mitigate a potentially negative noise
8 or visual impact.

9 “Yard, Side” means the yard area extending [along the entire length of the side property line and the
10 depth] from the front yard to the rear yard and between the side property line and the primary structure.

11 SECTION 17: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
12 Las Vegas, Nevada, 1983 Edition, is hereby amended by deleting therefrom the terms “Habitable
13 Accessory Structure” and “Non-Habitable Accessory Structure,” together with their corresponding
14 definitions.

15 SECTION 18: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
16 Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto at the appropriate locations,
17 four new definitions, reading as follows:

18 “Accessory Structure (Class I)” means an accessory structure which is located on the same residential
19 parcel as a principal dwelling and which, as an ancillary use, provides living quarters, including full
20 kitchen facilities, for the occupants of the principal dwelling or their tenants, domestic employees or
21 temporary guests.

22 “Accessory Structure (Class II)” means an accessory structure which is located on the same lot as a
23 principal structure, is detached therefrom, is incidental or subordinate thereto, and does not qualify
24 as an “Accessory Structure (Class I).”

25 “Yard” means the areas on a lot that are unoccupied by structures, except for projections and the
26 specific accessory uses or structures allowed in those areas under the provisions of this Title.

27 “Yard, Corner Side” means the yard of a corner lot extending from the front yard to the rear yard and
28 between the street and the primary structure.

1 SECTION 19: For purposes of Section 2.100(3) of the City Charter, LVMC 19.04.010,
2 19.08.040, 19.08.050 and 19.20.020 are deemed to be subchapters rather than sections.

3 SECTION 20: The codifier is authorized and directed to change any reference in
4 Chapter 9.04 to the terms "habitable accessory structure" and "non-habitable accessory structure" so
5 that they read, respectively, "Class I accessory structure" and "Class II accessory structure."

6 SECTION 21: If any section, subsection, subdivision, paragraph, sentence, clause or
7 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
8 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
9 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
10 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
11 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
12 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
13 invalid or ineffective.

14 SECTION 22: All ordinances or parts of ordinances or sections, subsections, phrases,
15 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
16 1983 Edition, in conflict herewith are hereby repealed.

17 PASSED, ADOPTED and APPROVED this ____ day of _____, 2007.

18 APPROVED:

19 By _____
20 OSCAR B. GOODMAN, Mayor

21 ATTEST:

22 BEVERLY BRIDGES, Acting City Clerk

23 APPROVED AS TO FORM:

24 Val Steed 2-8-07
25 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 ____ day of _____, 2007, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2007, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11

12 APPROVED:

13

14 By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

16

17 BEVERLY BRIDGES, Acting City Clerk

18

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

DEPARTMENT: CITY CLERK

DIRECTOR: BEVERLY K. BRIDGES, ACTING

☐ Consent ☒ Discussion

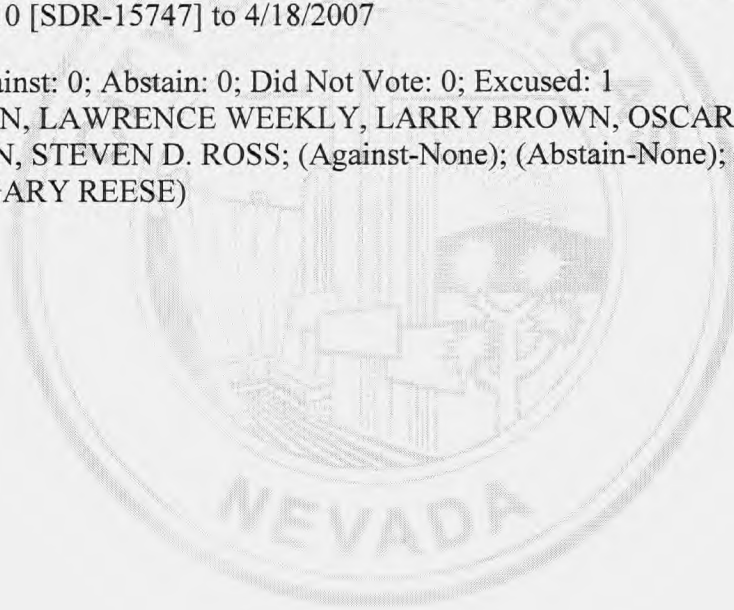
SUBJECT:

Any items from the afternoon session that the Council, staff and /or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

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)



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

DEPARTMENT: METROPOLITAN POLICE**DIRECTOR: AREA COMMAND**☐ Consent ☒ Discussion**SUBJECT:**

ABEYANCE ITEM - Hearing to consider the appeal regarding the Notice and Declaration of Chronic Nuisance located at 1919 Fremont Street. PROPERTY OWNER: JOSE E. & AZALEA PERAL - Ward 3 (Reese)

Fiscal Impact**No Impact****Augmentation Required****Budget Funds Available****Amount:****Funding Source:****Dept./Division:****PURPOSE/BACKGROUND:**

The subject property was determined to be a chronic nuisance as defined in Las Vegas Municipal Code, Title 9.04.010 and 9.040.020, dealing with nuisances. A Notice and Declaration of Chronic Nuisance was mailed to the property owners to correct the nuisance per Title 9.04.010 and 9.040.020. Today's hearing is to consider the Appeal to the Notice and Declaration of Chronic Nuisance filed by Azalea Peral, property owner and responsible party.

RECOMMENDATION:

That the City Council approve the Notice and Declaration of Chronic Nuisance.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Notice and Declaration of Chronic Nuisance
4. Appeal Letter from Appellant
5. Notice of Appeal and Rescheduled Hearing Letters

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)

AGENDA MEMO

CITY COUNCIL MEETING DATE: February 21, 2007

DEPARTMENT: Metropolitan Police

ITEM DESCRIPTION: ABEYANCE ITEM - Hearing to consider the appeal regarding the Notice and Declaration of Chronic Nuisance located at 1919 E. Fremont. PROPERTY OWNER: JOSE E. & AZALEA PERAL - Ward 3 (Reese)

The subject property was deemed to be a public nuisance as defined in Las Vegas Municipal Code, Title 9.04.010 and 9.040.020, dealing with nuisances.

A Notice and Declaration of Chronic Nuisance was sent to the property owners requesting they correct the nuisance per Title 9.

Your property continues to be infested with criminal activity and it will no longer be tolerated. We request the following:

1. Hire more security guards and have them work on a 24-hour basis.
2. Provide proof that back ground checks are being conducted.
3. Take a more proactive role in reducing the calls for service which is a result of the enormous amount of criminal activity and poor management skills.
4. Comply with the IDL program.
5. Take a more proactive role in screening tenants.
6. Evict all problem tenants that security or LVMPD informs you of immediately.
7. Call LVMPD's Crime Prevention Specialist for assistance on reducing your property of criminal activity. (Pam Terry 828-4306)

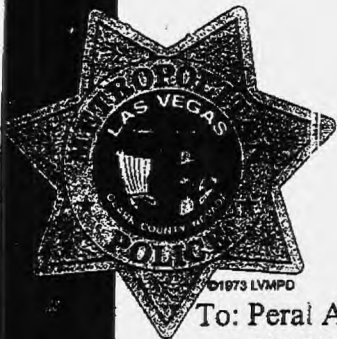
This conduct constitutes a Chronic Nuisance as defined by Las Vegas Municipal Code 9.04.010. Pursuant to Las Vegas Municipal Code 9.040.020, every person who causes or maintains a public nuisance or chronic nuisance, or who wilfully omits or refuses to perform any legal duty relating to the abatement of such a nuisance.

1) Shall be guilty of a misdemeanor; or
2) Shall be liable civilly to the City and, upon such finding based upon substantial evidence, shall be responsible to pay civil penalties of not more than five hundred dollars per day for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation.

(B) Each day that a violation of this Section continues, whether pursued criminally or civilly, constitutes a separate violation for purposes of criminal prosecution or civil proceedings.

City of Las Vegas

Today's hearing is to consider the appeal for the Notice and Declaration of Chronic Nuisance filed by Azalea Peral, property owner and responsible party.



BILL
YOUNG,
Sheriff

Las Vegas Metropolitan Police
Department
400 Stewart Avenue
Las Vegas, Nevada 89101-2984
(702) 795-3111

NOTICE AND DECLARATION OF CHRONIC NUISANCE
11-29-06

To: Peral Azalea
1919 E. Fremont

In Response
Please Reply To:
Officer Minoletti
Officer Humphrey
Phone#229-8360

PLEASE TAKE NOTICE that there has been an increase of criminal activity occurring on the premises commonly known as the Zari Motel located at 1919 E. Fremont. Crime Analysis shows that there have been at least 16 nuisance activities that have occurred on your property in the last thirty days. Per Municipal Code 9.04.010, three or more nuisance activities on a single property constitutes a Chronic Nuisance. Your property continues to be infested with criminal activity and it will no longer be tolerated. We request the following:

- 1. Hire more security guards and have them work on a 24 hour basis.
- 2. Provide proof that back ground checks are being conducted.
- 3. Take a more proactive role in reducing the calls for service which is a result of the enormous amount of criminal activity and poor management skills.
- 4. Comply with the IDL program.
- 5. Take a more proactive role in screening tenants.
- 6. Evict all problem tenants that security or LVMPD informs you of immediately.
- 7. Call LVMPD's Crime Prevention Specialist for assistance on reducing your property of criminal activity. (Pam Terry 828-4306)

This conduct constitutes a Chronic Nuisance as defined by Las Vegas Municipal Code 9.04.010. Pursuant to Las Vegas Municipal Code 9.040.020, every person who causes or maintains a public nuisance or chronic nuisance, or who wilfully omits or refuses to perform any legal duty relating to the abatement of such a nuisance.

(1) Shall be guilty of a misdemeanor; or

(2) Shall be liable civilly to the City and, upon such finding based upon substantial evidence, shall be responsible to pay civil penalties of not more than five hundred dollars per day for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation.

(B) Each day that a violation of this Section continues, whether pursued criminally or civilly, constitutes a separate violation for purposes of criminal prosecution or civil proceedings.

1-PM



BILL
YOUNG,
Sheriff

Las Vegas Metropolitan Police
Department
400 Stewart Avenue
Las Vegas, Nevada 89101-2964
(702) 795-3111

REQUEST FOR ABATEMENT

YOU ARE HEREBY requested to take any and all steps necessary to abate the above nuisance IMMEDIATELY. You have until 12-14-06 to correct and abate this nuisance. I can assist you with suggestions and alternatives that may help in abating this nuisance. Please contact me upon receipt of this notice so that the appropriate corrective actions can begin. Failure to abate this nuisance will result in the implementation of any and all remedial measures available to the City of Las Vegas under Title 9 of the Las Vegas Municipal Code, including civil fines and criminal prosecution. If you wish to appeal this notice, see Las Vegas Municipal Code 9.04.070, attached hereto.

Officer Giovanni Minoletti

cc Councilman Lawrence Weekly
City Attorney



RECEIVED
CITY CLERK

2006 DEC -6 P 3:31

December 5, 2006
Zari's Motel
1919 Fremont St.
Las Vegas NV. 89012

Re: Appeal

City Council:

In response to the notice of Chronic Nuisance posted on my door dated 11-29-06. After reading the requirements by Officer Minoletti I am appealing two items:

- 1- Hire more security guards and have them work on 24hr basis.
- 2- Take a more proactive role in reducing the calls for service which is a result of criminal activity and poor management skills. (Quoting from the letter)

I'm appealing these two items due to the fact that the criminal activity in the downtown area is not my fault or responsibility and I can provide you with my resume to prove that I am more than capable to manage a small 17 unit motel. We can't have more than one security guard because of the cost and need. I am at the property 10 - 12 hours a day, besides, I am paying someone to manage the property that lives there. He is covering the night shift. My husband is also at the property doing maintenance work and cleaning at least 8 hour a day. We can not reduce the calls to the police because they are made to implement the rules that will help us to reduce crime in the area, or because it's a real emergency. All the other items in the letter I'm already complying and even extra precautions had been taken like fencing the property, posting signs to avoid trespassers or visitors, security cameras in every angle of the property, etc...

I called Officer Minoletti to ask for help to prevent and abolish crime around my property, instead of assistance I got a letter of nuisance. I trust your judgment and consideration towards this matter, because I believe I am doing a lot more than expected from any property owner. In the past 15 years my job consisted in buying properties in distress and turned them around to a profitable clean properties and this is the first time I encounter someone blocking my efforts that supposed to be in my side.



Azalea Peral
Property Owner
(818) 268-8908 cell



December 20, 2006

CERTIFIED & REGULAR MAIL

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS

DOUGLAS A. SELBY
CITY MANAGER

Ms. Azalea Peral
1919 East Fremont Street
Las Vegas, Nevada 89012

Re: Notice of Appeal Hearing – Notice and Declaration of Chronic Nuisance on property located at 1919 East Fremont Street

Dear Ms. Peral:

You are hereby notified that a hearing has been scheduled before the Las Vegas City Council at 400 Stewart Avenue, Las Vegas, Nevada on the 3rd day of January, 2007, at the hour of 1:00 p.m. This hearing is in response to the letter from you dated December 5, 2006 requesting the same, concerning the Notice and Declaration of Chronic Nuisance on property located at 1919 East Fremont Street.

You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of book, documents or other things by filing an affidavit therefore with the City Clerk on behalf of the Las Vegas City Council.

If you have any questions or need further information please do not hesitate to contact our office at 229-6311.

Sincerely,

Barbara Jo Ronemus
City Clerk

BJR/vwd

cc: Stephen Harsin, Director, Neighborhood Services
Devin Smith, Manager, Neighborhood Response, Neighborhood Services
Tom Green, Deputy City Attorney
Paul Wilkins, Director, Department of Building & Safety
Ricki Barlow, Ward 5 Liaison

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-06-05
CLV 7009





December 21, 2006

CERTIFIED & REGULAR MAIL

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS

DOUGLAS A. SELBY
CITY MANAGER

Ms. Azalea Peral
1919 East Fremont Street
Las Vegas, Nevada 89012

Re: Notice of Appeal Hearing – Notice and Declaration of Chronic Nuisance on property located at 1919 East Fremont Street

Dear Ms. Peral:

You are hereby notified that a hearing has been rescheduled before the Las Vegas City Council at 400 Stewart Avenue, Las Vegas, Nevada from the 3rd day of January, 2007, to the 17th day of January, 2007, at the hour of 1:00 p.m. This hearing is in response to the letter from you dated December 5, 2006 requesting the same, concerning the Notice and Declaration of Chronic Nuisance on property located at 1919 East Fremont Street.

You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of book, documents or other things by filing an affidavit therefore with the City Clerk on behalf of the Las Vegas City Council.

If you have any questions or need further information please do not hesitate to contact our office at 229-6311.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barbara Jo Ronemus", is written over a horizontal line.

Barbara Jo Ronemus
City Clerk

BJR/vwd

cc: Stephen Harsin, Director, Neighborhood Services
Devin Smith, Manager, Neighborhood Response, Neighborhood Services
Tom Green, Deputy City Attorney
Paul Wilkins, Director, Department of Building & Safety
Ricki Barlow, Ward 5 Liaison
Darcy Hayes, Ward 3 Liaison

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-06-05
CLV 7009



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ms. Azalea Peral
1919 East Fremont Street
Las Vegas, Nevada 89012

2. Article Number
(Transfer from service label)

7005 3110 0001 3040 7510

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

Francisco Chaves

C. Date of Delivery

12-23-00

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

uisance/1919 E Fremont St

Ms. Azalea Peral
1919 East Fremont Street
Las Vegas, Nevada 89012

2. Article Number
(Transfer from service label)

7005 3110 0002 6462 7433

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

CITY CLERK

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes



LAS VEGAS CITY COUNCIL

MAYOR
OSCAR B. GOODMAN

GARY REESE, WARD 3
(MAYOR PRO-TEM)

MARY BROWN, WARD 4
LANCE WEEKLY, WARD 5
SUE WOLFSON, WARD 2
LOIS TARKANIAN, WARD 1
STEVEN D. ROSS, WARD 6

CITY MANAGER
DOUGLAS A. SELBY

NEIGHBORHOOD
SERVICES DEPARTMENT
DIRECTOR
STEPHEN K. HARSIN, AICP

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.2330
FAX 702.382.3045
TTY 702.386.9108
www.lasvegasnevada.gov

RECEIVED
CITY CLERK

2007 JAN 25 P 1:44

CERTIFIED & REGULAR MAIL

January 18, 2007

Jose E. and Azalea Peral
394 Gatlingburg Court
Henderson, NV 89012-4861

RE: 1919 Fremont Street

Dear Property Owner:

At the City Council meeting held on January 17, 2007, Agenda Item #82 was held in abeyance and rescheduled to be heard on February 21, 2007. The abeyance was at the request of the Metropolitan Police Department.

If you have any questions concerning this procedure, please contact the Neighborhood Response Division located in the Department of Neighborhood Services, by telephoning (702) 229-6615.

Sincerely,

A handwritten signature in black ink, appearing to read "Devin S. Smith".

Devin S. Smith, Manager
Neighborhood Response Division
Department of Neighborhood Services

DSS:ed



LAS VEGAS CITY COUNCIL

MAYOR

OSCAR B. GOODMAN

GARY REESE, WARD 3
(MAYOR PRO-TEM)

LARRY BROWN, WARD 4

LAWRENCE WEEKLY, WARD 5

JOHN WOLFSON, WARD 2

JOHN TARKANIAN, WARD 1

JOHN VEN D. ROSS, WARD 6

CITY MANAGER

DOUGLAS A. SELBY

February 9, 2007

Metro Appeal Item
Certified/Regular Mail
Return Receipt Requested

Ms. Azalea Peral
1919 East Fremont Street
Las Vegas, NV 89012

Re: Notice of Appeal Hearing – Notice and Declaration of Chronic Nuisance on
property located at 1919 East Fremont Street

Dear Ms. Peral:

At the City Council meeting held on January 17, 2007, Agenda Item #82 was held in
abeyance and is now scheduled to be heard on February 21, 2007. This will be a
hearing in response to the letter from you dated December 5, 2006 requesting the
same, concerning the Notice and Declaration of Chronic Nuisance on property
located at 1919 East Fremont Street.

You may be, but need not be, represented by counsel. You may present any relevant
evidence and will be given full opportunity to cross-examine all witnesses testifying
against you. You may request the issuance of subpoenas to compel the attendance of
witnesses and the production of books, documents or other things by filing an
affidavit therefore with the City Clerk on behalf of the Las Vegas City Council.

If you have any questions concerning this procedure, please contact the
Neighborhood Response Division located in the Department of Neighborhood
Services, by telephoning (702) 229-6615.

Sincerely,

A handwritten signature in black ink, appearing to read "Devin S. Smith".

Devin S. Smith, Manager
Neighborhood Response Division
Department of Neighborhood Services

DSS:jl

NEIGHBORHOOD
SERVICES DEPARTMENT
DIRECTOR
STEPHEN K. HARSIN, AICP

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.2330

FAX 702.382.3045

TTY 702.386.9108

www.lasvegasnevada.gov

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

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: STEPHEN K. HARSIN

☐ Consent ☒ Discussion

SUBJECT:

Hearing to consider the appeal regarding the Nuisance Notice and Order to Comply regarding 900 Stewart Avenue and 216 and 222 N. 9th Street PROPERTY OWNER: SHIRAZI, LLC - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

☐

Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

The subject properties were determined to be a public nuisance as defined in Las Vegas Municipal Code, Title 9, dealing with nuisances. Nuisance Notice and Orders to Comply were mailed to the property owners to correct the nuisances per Title 19.04.010 - Permissible Uses: Commercial Parking allows only temporary parking and not the storage of vehicles; 19.20 - Storage: A space or place where goods, materials or personal property is placed and kept for more than 24 consecutive hours; 19.20 - Commercial Parking: A facility for parking that is operated as a business enterprise by charging the public a fee and is not reserved or required to accommodate occupants, clients, customers or employees of a particular establishment or premises; and 19.20 - Stored: With reference to vehicles or vehicle parts, allowed to remain in one place for more than 72 consecutive hours. Copies of the notices were also posted on the properties. Today's hearing is to consider the appeal from Nuisance Notice and Orders to Comply filed by Lionel Sawyer and Collins on behalf of Shirazi, LLC.

RECOMMENDATION:

That the City Council approve the Nuisance Notice and Orders to Comply.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Nuisance Notice and Orders to Comply dated January 17, 2007
4. Nuisance Notice and Orders to Comply dated December 22, 2006
5. Appeal Letter from Appellant
6. Notice of Appeal

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],

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

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)



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: Neighborhood Services

ITEM DESCRIPTION: Hearing to consider the appeal regarding the Nuisance Notice and Order to Comply located at 900 Stewart Avenue, 216 and 222 N. 9th Street
PROPERTY OWNER: SHIRAZI LLC - Ward 5 (Weekly)

The subject properties were deemed to be a public nuisances as defined in Las Vegas Municipal Code, Title 19, dealing with nuisances.

Nuisance Notice and Orders to Comply were sent to the property owner by regular and certified mail requesting they correct the nuisances per Title 19.04.010 - Permissible Uses: Commercial Parking allows only temporary parking and not the storage of vehicles; 19.20 – Storage: A space or place where goods, materials or personal property is placed and kept for more than 24 consecutive hours; 19.20 - Commercial Parking: A facility for parking that is operated as a business enterprise by charging the public a fee and is not reserved or required to accommodate occupants, clients, customers or employees of a particular establishment or premises; and 19.20 – Stored: With reference to vehicles or vehicle parts, allowed to remain in one place for more than 72 consecutive hours. Copies of the notices were also posted on the property.

Today's hearing is to consider the appeal from Nuisance Notice and Orders to Comply filed by Lionel Sawyer and Collins on behalf of Shirazi LLC.





NEIGHBORHOOD SERVICES DEPARTMENT

DIRECTOR
STEPHEN HARSIN, AICP

NOTICE AND ORDER

Receipt/Conformed Copy

Requestor:

LAS VEGAS CITY

01/18/2007 12:40:55 T20070009421

Book/Instr 20070118-0002508

Notice Page Count 3

Fees \$16.00 N/C Fee \$0.00

APN: 139-34-612-067

January 17, 2007

Debbie Conway
Clark County Recorder

CASE #47045

Certified/Regular Mail

Return Receipt Requested

Shirazi, LLC

338 Wiseton Avenue

Las Vegas, NV 89183-3544

NUISANCE NOTICE AND ORDER TO COMPLY

You are hereby notified as owner(s) of the property located at 900 Stewart Avenue, Las Vegas, NV, Parcel #139-34-612-067, that you are in violation of Las Vegas Municipal Code, Chapter 9, dealing with nuisances.

LVMC Ordinance 5873 authorizes the City of Las Vegas to assess and collect a re-inspection fee of \$120.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of \$180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection. In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. On the 2nd re-inspection a \$180.00 re-inspection fee + a \$150.00 civil penalty will be assessed; on the 3rd re-inspection a \$180.00 re-inspection fee + a \$300.00 civil penalty will be assessed; on the 4th re-inspection and any future re-inspections will be assessed a \$180.00 re-inspection fee + a \$500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred (\$500.00) dollars per day, or for commercial properties; civil penalties of not more than one thousand (\$1000.00) per day, for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The \$500.00 or \$1000.00 daily civil penalty will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

LAS VEGAS CITY COUNCIL

MAYOR OSCAR B. GOODMAN

MAYOR PRO TEM GARY REESE • LARRY BROWN • LAWRENCE WEEKLY • STEVE WOLFSON

LOIS TARKANIAN • STEVEN D. ROSS

CITY MANAGER DOUGLAS A. SELBY

18201-031-06-C6

CITY OF LAS VEGAS • 400 STEWART AVENUE • LAS VEGAS, NEVADA 89101

VOICE 702.229.6615 • FAX 702.382.4341 • TTY 702.386.9108 • www.lasvegasnevada.gov



You are hereby ordered to correct the nuisance by the eleventh day after the day of mailing, servicing or posting of the Notice and Order by hand. If you do not correct the violation within that time, the City may issue a misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred (\$500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described below, or both. Be advised, the contractor will collect all debris at this location and will not separate those items, which you may consider useful or valuable. If you wish to salvage any items, please have them removed.

- Per CLVMC 19.04.010: Permissible Uses: Commercial Parking allows only temporary parking and not the storage of vehicles.
- STORAGE is defined in CLVMC 19.20 as: A space or place where goods, materials or personal property is placed and kept for more than 24 consecutive hours.
- COMMERCIAL PARKING is defined in CLVMC 19.20 as: A facility for parking that is operated as a business enterprise by charging the public a fee and is not reserved or required to accommodate occupants, clients, customers or employees of a particular establishment or premises.
- STORED is defined in CLVMC 19.20 as: with reference to vehicles or vehicle parts, allowed to remain in one place for more than 72 consecutive hours.
- Remove all vehicles and clear all parking and/or storage of fleet/commercial vehicles used in association with the business "Frozen Fruit Bars Inc." or any other commercial fleet of vehicles which Planning and Development has determined the use allowed only at m or e-m zoned locations.
- You have 30 days from the date of this notice to comply.

For further questions on allowable use of this property, contact the City of Las Vegas Planning Department located at 731 S. 4th Street, (702) 229-6301.

For further questions involving your business license at this location, contact the City of Las Vegas Business Licensing Office at 400 E. Stewart Avenue, (702) 229-6281.

Post "No Trespassing" (per NRS 207.2000), no dumping (per NRS 444.630), no vehicles (per CLVMC 10.78.020 & 11.24.020) signs on-site to deter illegal activity and prevent future violations. All trespassers, squatters, and anyone unable to prove occupancy must vacate premises within ten (10) days of posting of this notice.

Upon correction of this violation(s), the responsible party; being resident, tenant, owner, or manager, licensee or other person having control over a structure or parcel of land, must maintain the property in compliance or face possible fees, fines, and any such enforcement as permitted by this code.

Responsible party must provide contact information to this department. Contact the area Code Enforcement Officer #25, Eric McCov, by telephone at (702) 229-5184 to supply your current phone number, e-mail address, fax number, or additional mailing address.

CASE #47045
900 Stewart Ave.
January 17, 2007
Page 3

As the property owner(s), you will be responsible for all costs incurred to correct this condition. A 15% percent administrative fee shall be added to the costs of the contract price. You will be notified of a public hearing to be conducted by the City Council to review the costs, and their decision shall be final and conclusive. Upon approval of the costs by the City Council, a Lien of Assessment shall then be collected at the same time and in the same manner as ordinary taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to such assessment.

If you disagree with the assessment of Neighborhood Response, then within ten days after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. The appeal shall be heard by the City council or by the Council's designee, with a right of final appeal to the Council. The decision of the City

Council or the Council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. An owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance.

Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter. It is recommended that you contact the Department of Neighborhood Services, Neighborhood Response Division, by telephoning (702) 229-6615 concerning your intentions with regard to the referenced property at your earliest convenience.

Sincerely,



Devin Smith, Manager
Neighborhood Response Division
Department of Neighborhood Services

DS:lm

cc: John E. Dawson, Esq., 300 S. Fourth Street, Suite 1700, Las Vegas, NV 89101
Jonathan Baktari, 338 Wiseton, Las Vegas, NV 89183
Sassan Kaveh, M.D., 8129 Sunset Cove Drive, Las Vegas, NV 89128
Frozen Fruit Bars, Inc., 1935 Fremont Street, Las Vegas, NV 89101
Jose Palafox, 3960 Comb, Las Vegas, NV 89101
Hector Ramirez, 2305 Willoughby, Las Vegas, NV 89101



NEIGHBORHOOD SERVICES DEPARTMENT

DIRECTOR
STEPHEN HARSIN, AICP

NOTICE AND ORDER

Receipt/Conformed Copy

Requestor:

LAS VEGAS CITY

01/18/2007 12:40:55 T20070009421

Book/Instr 20070118-0002507

Notice Page Count 3

Fees \$16.00 N/C Fee \$0.00

APN: 139-34-612-065

January 17, 2007

Debbie Conway
Clark County Recorder

CASE #48704

Certified/Regular Mail

Return Receipt Requested

Shirazi, LLC

338 Wiseton Avenue

Las Vegas, NV 89183-3544

NUISANCE NOTICE AND ORDER TO COMPLY

You are hereby notified as owner(s) of the property located at 216 N. 9th Street, Las Vegas, NV, Parcel #139-34-612-065, that you are in violation of Las Vegas Municipal Code, Chapter 9, dealing with nuisances.

LVMC Ordinance 5873 authorizes the City of Las Vegas to assess and collect a re-inspection fee of \$120.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of \$180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection. In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. On the 2nd re-inspection a \$180.00 re-inspection fee + a \$150.00 civil penalty will be assessed; on the 3rd re-inspection a \$180.00 re-inspection fee + a \$300.00 civil penalty will be assessed; on the 4th re-inspection and any future re-inspections will be assessed a \$180.00 re-inspection fee + a \$500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred (\$500.00) dollars per day, or for commercial properties; civil penalties of not more than one thousand (\$1000.00) per day, for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The \$500.00 or \$1000.00 daily civil penalty will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

LAS VEGAS CITY COUNCIL

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MAYOR PRO TEM GARY REESE • LARRY BROWN • LAWRENCE WEEKLY • STEVE WOLFSON

LOIS TARKANIAN • STEVEN D. ROSS

CITY MANAGER DOUGLAS A. SELBY

CITY OF LAS VEGAS • 400 STEWART AVENUE • LAS VEGAS, NEVADA 89101

VOICE 702.229.6615 • FAX 702.382.4341 • TTY 702.386.9108 • www.lasvegasnevada.gov

18201-031-06-05



You are hereby ordered to correct the nuisance by the eleventh day after the day of mailing, servicing or posting of the Notice and Order by hand. If you do not correct the violation within that time, the City may issue a misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred (\$500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described below, or both. Be advised, the contractor will collect all debris at this location and will not separate those items, which you may consider useful or valuable. If you wish to salvage any items, please have them removed.

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- Remove all vehicles and clear all parking and/or storage of fleet/commercial vehicles used in association with the business "Frozen Fruit Bars Inc." or any other commercial fleet of vehicles which Planning and Development has determined the use allowed only at m or c-m zoned locations.
- You have 30 days from the date of this notice to comply.

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Upon correction of this violation(s), the responsible party; being resident, tenant, owner, or manager, licensee or other person having control over a structure or parcel of land, must maintain the property in compliance or face possible fees, fines, and any such enforcement as permitted by this code.

Responsible party must provide contact information to this department. Contact the area Code Enforcement Officer #25, Eric McCoy, by telephone at (702) 229-5184 to supply your current phone number, e-mail address, fax number, or additional mailing address.

CASE #48704
216 N. 9th Street
January 17, 2007
Page 3

As the property owner(s), you will be responsible for all costs incurred to correct this condition. A 15% percent administrative fee shall be added to the costs of the contract price. You will be notified of a public hearing to be conducted by the City Council to review the costs, and their decision shall be final and conclusive. Upon approval of the costs by the City Council, a Lien of Assessment shall then be collected at the same time and in the same manner as ordinary taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to such assessment.

If you disagree with the assessment of Neighborhood Response, then within ten days after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. The appeal shall be heard by the City council or by the Council's designee, with a right of final appeal to the Council. The decision of the City

Council or the Council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. An owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance.

Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter. It is recommended that you contact the Department of Neighborhood Services, Neighborhood Response Division, by telephoning (702) 229-6615 concerning your intentions with regard to the referenced property at your earliest convenience.

Sincerely,



Devin Smith, Manager
Neighborhood Response Division
Department of Neighborhood Services

DS:lm

cc: John E. Dawson, Esq., 300 S. Fourth Street, Suite 1700, Las Vegas, NV 89101
Jonathan Baktari, 338 Wiseton, Las Vegas, NV 89183
Sassan Kaveh, M.D., 8129 Sunset Cove Drive, Las Vegas, NV 89128
Frozen Fruit Bars, Inc., 1935 Fremont Street, Las Vegas, NV 89101
Jose Palafox, 3960 Comb, Las Vegas, NV 89101
Hector Ramirez, 2305 Willoughby, Las Vegas, NV 89101

#25


 20070104-0002957


NEIGHBORHOOD SERVICES DEPARTMENT

 DIRECTOR
 STEPHEN HARSIN, AICP

NOTICE AND ORDER

Fee \$15.00

NIC Fee \$0.00

01/04/2007

12:39:09

T20070001800

Requestor:

LAS VEGAS CITY

Debbie Conway

BGV

Clark County Recorder

Pgs 2

APN: 139-34-612-065

December 22, 2006

Case #48704

Certified/Regular Mail

Return Receipt Requested

Shirazi, LLC

338 Wiseton Ave.

Las Vegas, NV 89183-3544

NUISANCE NOTICE AND ORDER TO COMPLY

You are hereby notified as owner(s) of the property located at 216 N 9th Street, Las Vegas, NV, Parcel #139-34-612-065, that you are in violation of Las Vegas Municipal Code, Chapter 9, dealing with nuisances.

LVMC 9.04.045 authorizes the City of Las Vegas to assess and collect a reinspection fee of \$75.00 if the violation(s) are not brought into compliance by the reinspection date on this notice. An additional fee of \$45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial reinspection. In addition, LVMC 9.04.020 and 9.04.030 authorizes the city to assess a civil penalty concurrently with the reinspection fees assessed. On the 2nd re-inspection a \$45 re-inspection fee + a \$150.00 civil penalty will be assessed; on the 3rd re-inspection a \$45 re-inspection fee + a \$300.00 civil penalty will be assessed; on the 4th re-inspection and any future re-inspections will be assessed a \$45 re-inspection fee + a \$500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred (\$500.00) dollars per day for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The \$500.00 daily civil fee will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

You are hereby ordered to correct the nuisance by the eleventh day after the day of mailing, servicing or posting of the Notice and Order by hand. If you do not correct the violation within that time, the City may issue a misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred (\$500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described below, or both. Be advised, the contractor will collect all debris at this location and will not separate those items, which you may consider useful or valuable. If you wish to salvage any items, please have them removed.

LAS VEGAS CITY COUNCIL

MAYOR OSCAR B. GOODMAN

MAYOR PRO TEM GARY REESE • LARRY BROWN • LAWRENCE WEEKLY • STEVE WOLFSON

LOIS TARKANIAN • STEVEN D. ROSS

CITY MANAGER DOUGLAS A. SELBY

RETURN TO:

18201-031-06-06

CITY OF LAS VEGAS • 400 STEWART AVENUE • LAS VEGAS, NEVADA 89101

VOICE 702.229.6615 • FAX 702.382.4341 • TTY 702.386.9108 • www.lasvegasnevada.gov



Per Title 19 Zoning: Under Title 19.04.060; the storing of vehicles, commercial or private and in your case the storing of Ice Cream trucks, is not allowed at this location. You are required to obtain a SPECIAL USE PERMIT from the City of Las Vegas Planning Office located at 731 S 4th Street, Las Vegas, NV 89101 (702) 229-6301. You are required to remove all vehicles from this property by January 19, 2007.

Upon correction of this violation(s), the responsible party; being resident, tenant, owner, or manager, licensee or other person having control over a structure or parcel of land, must maintain the property in compliance or face possible fees, fines, and any such enforcement as permitted by this code.

Responsible party must provide contact information to this department. Contact area code enforcement officer #25 at 229-5184 to supply your current phone number, e-mail address, fax number, or additional mailing address.

As the property owner(s), you will be responsible for all costs incurred to correct this condition. A 15% percent administrative fee shall be added to the costs of the contract price. You will be notified of a public hearing to be conducted by the City Council to review the costs, and their decision shall be final and conclusive. Upon approval of the costs by the City Council, a Lien of Assessment shall then be collected at the same time and in the same manner as ordinary taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to such assessment.

If you disagree with the assessment of Neighborhood Response, then within ten days after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. The appeal shall be heard by the City council or by the Council's designee, with a right of final appeal to the Council. The decision of the City Council or the Council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. An owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance. Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter.

It is recommended that you contact the Department of Neighborhood Services, Neighborhood Response Division, by telephoning (702) 229-6615 concerning your intentions with regard to the referenced property at your earliest convenience.

Sincerely,



Devin Smith, Manager
Neighborhood Response Division
Department of Neighborhood Services

cc: Kaveh Sassan, 8129 Sunset Cove Dr, Las Vegas, NV 89128
John E. Dawson, Esq., 300 S 4th Street, Las Vegas, NV 89101
Jonathan Baktari, 338 Wiseton Ave, Las Vegas, NV 89123

Attachment: Map

#25

20070104-0002958



NEIGHBORHOOD SERVICES DEPARTMENT
DIRECTOR
STEPHEN HARSIN, AICP

NOTICE AND ORDER

Fee \$15.00
N/C Fee \$0.00
01/04/2007 12:39:09
T20070001800
Requestor:
LAS VEGAS CITY
Debbie Conway BGN
Clark County Recorder Pgs 2

APN: 139-34-612-066

December 22, 2006
Case #48705

Certified/Regular Mail
Return Receipt Requested

Shirazi, LLC
338 Wiseton Ave.
Las Vegas, NV 89183-3544

2

NUISANCE NOTICE AND ORDER TO COMPLY

You are hereby notified as owner(s) of the property located at 222 N 9th Street, Las Vegas, NV, Parcel #139-34-612-066, that you are in violation of Las Vegas Municipal Code, Chapter 9, dealing with nuisances.

LVMC 9.04.045 authorizes the City of Las Vegas to assess and collect a reinspection fee of \$75.00 if the violation(s) are not brought into compliance by the reinspection date on this notice. An additional fee of \$45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial reinspection. In addition, LVMC 9.04.020 and 9.040.030 authorizes the city to assess a civil penalty concurrently with the reinspection fees assessed. On the 2nd re-inspection a \$45 re-inspection fee + a \$150.00 civil penalty will be assessed; on the 3rd re-inspection a \$45 re-inspection fee + a \$300.00 civil penalty will be assessed; on the 4th re-inspection and any future re-inspections will be assessed a \$45 re-inspection fee + a \$500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred (\$500.00) dollars per day for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The \$500.00 daily civil fee will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

You are hereby ordered to correct the nuisance by the eleventh day after the day of mailing, servicing or posting of the Notice and Order by hand. If you do not correct the violation within that time, the City may issue a misdemeanor citation for violation for each and every day the violation exists, with a penalty of up to Five Hundred (\$500.00) Dollars or fine of up to six (6) months in jail or both for each violation, or the City may direct a licensed contractor to remove the nuisance described below, or both. Be advised, the contractor will collect all debris at this location and will not separate those items, which you may consider useful or valuable. If you wish to salvage any items, please have them removed.

LAS VEGAS CITY COUNCIL
MAYOR OSCAR B. GOODMAN
MAYOR PRO TEM GARY REESE • LARRY BROWN • LAWRENCE WEEKLY • STEVE WOLFSON
LOIS TARKANIAN • STEVEN D. ROSS
CITY MANAGER DOUGLAS A. SELBY



Per Title 19 Zoning: Under Title 19.04.060; the storing of vehicles, commercial or private and in your case the storing of Ice Cream trucks, is not allowed at this location. You are required to obtain a SPECIAL USE PERMIT from the City of Las Vegas Planning Office located at 731 S 4th Street, Las Vegas, NV 89101 (702) 229-6301. You are required to remove all vehicles from this property by January 19, 2007.

Upon correction of this violation(s), the responsible party; being resident, tenant, owner, or manager, licensee or other person having control over a structure or parcel of land, must maintain the property in compliance or face possible fees, fines, and any such enforcement as permitted by this code.

Responsible party must provide contact information to this department. Contact area code enforcement officer #25 at 229-5184 to supply your current phone number, e-mail address, fax number, or additional mailing address.

As the property owner(s), you will be responsible for all costs incurred to correct this condition. A 15% percent administrative fee shall be added to the costs of the contract price. You will be notified of a public hearing to be conducted by the City Council to review the costs, and their decision shall be final and conclusive. Upon approval of the costs by the City Council, a Lien of Assessment shall then be collected at the same time and in the same manner as ordinary taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to such assessment.

If you disagree with the assessment of Neighborhood Response, then within ten days after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal. The appeal shall be heard by the City council or by the Council's designee, with a right of final appeal to the Council. The decision of the City Council or the Council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. An owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance. Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter.

It is recommended that you contact the Department of Neighborhood Services, Neighborhood Response Division, by telephoning (702) 229-6615 concerning your intentions with regard to the referenced property at your earliest convenience.

Sincerely,



Devin Smith, Manager
Neighborhood Response Division
Department of Neighborhood Services

cc: Kaveh Sassan, 8129 Sunset Cove Dr, Las Vegas, NV 89128
John E. Dawson, Esq., 300 S 4th Street, Las Vegas, NV 89101
Jonathan Baktari, 338 Wiseton Ave, Las Vegas, NV 89123

Attachment: Map

#25



NEIGHBORHOOD SERVICES DEPARTMENT

DIRECTOR
STEPHEN HARSIN, AICP

NOTICE AND ORDER

APN: 139-34-612-067

December 22, 2006

Case #47045

*Certified/Regular Mail
Return Receipt Requested*

Shirazi, LLC
338 Wiseton Ave.
Las Vegas, NV 89183-3544

(2)

20070104-0002956

Fee \$15.00

NIC Fee \$0.00

01/04/2007

12 39 09

T20070001800

Requestor:

LAS VEGAS CITY

Debbie Conway

BGM

Clark County Recorder

Pos 2

NUISANCE NOTICE AND ORDER TO COMPLY

You are hereby notified as owner(s) of the property located at **900 Stewart Ave, Las Vegas, NV, Parcel #139-34-612-067**, that you are in violation of Las Vegas Municipal Code, Chapter 9, dealing with nuisances.

LVMC 9.04.045 authorizes the City of Las Vegas to assess and collect a reinspection fee of \$75.00 if the violation(s) are not brought into compliance by the reinspection date on this notice. An additional fee of \$45.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial reinspection. In addition, LVMC 9.04.020 and 9.04.030 authorizes the city to assess a civil penalty concurrently with the reinspection fees assessed. On the 2nd re-inspection a \$45 re-inspection fee + a \$150.00 civil penalty will be assessed; on the 3rd re-inspection a \$45 re-inspection fee + a \$300.00 civil penalty will be assessed; on the 4th re-inspection and any future re-inspections will be assessed a \$45 re-inspection fee + a \$500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred (\$500.00) dollars per day for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The \$500.00 daily civil fee will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

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LAS VEGAS CITY COUNCIL

MAYOR OSCAR B. GOODMAN

MAYOR PRO TEM GARY REESE • LARRY BROWN • LAWRENCE WEEKLY • STEVE WOLFSON

LOIS TARKANIAN • STEVEN D. ROSS

CITY MANAGER DOUGLAS A. SELBY

RETURN TO:

18201-031-06-06

CITY OF LAS VEGAS • 400 STEWART AVENUE • LAS VEGAS, NEVADA 89101

VOICE 702.229.6615 • FAX 702.382.4341 • TTY 702.386.9108 • www.lasvegasnevada.gov



Per Title 19 Zoning: Under Title 19.04.060; the storing of vehicles, commercial or private and in your case the storing of Ice Cream trucks, is not allowed at this location. You are required to obtain a SPECIAL USE PERMIT from the City of Las Vegas Planning Office located at 731 S 4th Street, Las Vegas, NV 89101 (702) 229-6301. You are required to remove all vehicles from this property by January 19, 2007.

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Responsible party must provide contact information to this department. Contact area code enforcement officer #25 at 229-5184 to supply your current phone number, e-mail address, fax number, or additional mailing address.

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It is recommended that you contact the Department of Neighborhood Services, Neighborhood Response Division, by telephoning (702) 229-6615 concerning your intentions with regard to the referenced property at your earliest convenience.

Sincerely,



Devin Smith, Manager
Neighborhood Response Division
Department of Neighborhood Services

cc: Kaveh Sassan, 8129 Sunset Cove Dr, Las Vegas, NV 89128
John E. Dawson, Esq., 300 S 4th Street, Las Vegas, NV 89101
Jonathan Baktari, 338 Wiseton Ave, Las Vegas, NV 89123

Attachment: Map

LIONEL SAWYER & COLLINS

ATTORNEYS AT LAW

1700 BANK OF AMERICA PLAZA

300 SOUTH FOURTH STREET

LAS VEGAS, NEVADA 89101

(702) 383-8888

FAX (702) 383-8845

lsc@lionelsawyer.com

www.lionelsawyer.com

SAMUEL S. LIONEL
GRANT SAWYER
(1918-1996)

JON R. COLLINS
(1923-1987)

RICHARD H. BRYAN
JEFFREY P. ZUCKER
PAUL R. HEJMANOWSKI
ROBERT D. FAISS
DAVID N. FREDERICK
RICHARD W. HORTON
DAN C. BOWEN
RODNEY M. JEAN
HARVEY WHITTEMORE
TODD TOUTON
CAM FERENBACH
LYNDA S. MABRY
MARK H. GOLDSTEIN
KIRBY J. SMITH
COLLEEN A. DOLAN
JENNIFER A. SMITH

GARY W. DUHON
LAUREL E. DAVIS
DAN R. REASER
MARK LEMMONS
HOWARD E. COLE
PAUL E. LARSEN
ALLEN J. WILT
LYNN S. FULSTONE
RORY J. REID
DAN C. MCGUIRE
JOHN E. DAWSON
FRED D. "PETE" GIBSON, III
CHARLES H. MCCREA JR.
LESLIE BRYAN HART
CRAIG E. ETEM
TODD E. KENNEDY
MATTHEW E. WATSON
SHAWN M. ELCEGUI
G. LANCE COBURN
JOHN M. NAYLOR
WILLIAM J. MCKEAN
ELIZABETH BRICKFIELD

JEFFREY D. MENICUCCI
JANET SUE BESSEMER
GREGORY R. GEMIGNANI
DOREEN SPEARS HARTWELL
LINDA M. BULLEN
LAURA K. GRANIER
MAXIMILIANO D. COUVILLIER III
MICHAEL D. KNOX
ERIN FLYNN
JENNIFER ROBERTS
SUZANNE L. MARTIN
BRENT HEBERLEE

CHRISTOPHER CHILDS
MEREDITH L. STOW
JOICE B. BASS
DOUGLAS A. CANNON
RICHARD CUNNINGHAM
MATTHEW R. POLICASTRO
JACOB D. BUNDICK
ADAM D. SMITH
GARRETT D. GORDON
TREVOR HAYES
JENNIFER J. DIMARZIO
PEARL GALLAGHER

January 26, 2007

OF COUNSEL
ELLEN WHITTEMORE
BRIAN HARRIS
LAURA J. THALACKER

WRITER'S DIRECT DIAL NUMBER:

(702) 383-8916
rbryan@lionelsawyer.com

Via Hand Delivery

Las Vegas City Clerk's Office
Beverly Bridges
400 Stewart Ave., First Floor
Las Vegas, NV 89101

Dear Ms. Bridges:

Pleased be advised that Lionel Sawyer & Collins represents Shirazi, LLC. Shirazi received a Notice and Order from the City of Las Vegas' Neighborhood Services Department issued January 17, 2007.

Pursuant to the notice, Shirazi hereby appeals the violations denoted by case numbers 48705, 47045, and 48704. These violations were served against Shirazi in relation to land it owns in Las Vegas, Nevada, specifically parcel numbers 139-34-612-065, 139-34-612-066, and 139-34-612-067.

Please contact me should you have any further questions.

Sincerely,

Richard H. Bryan

RHB:pg

cc: Devin Smith, Las Vegas Neighborhood Services Dept. (via hand delivery)

2007 JAN 26 P 3:07

RECEIVED
CITY CLERK



February 8, 2007

CERTIFIED & REGULAR MAIL

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
WRENCE WEEKLY
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS

DOUGLAS A. SELBY
CITY MANAGER

Richard H. Bryan
Lionel Sawyer and Collins
1700 Bank of America Plaza
300 South Fourth Street
Las Vegas, Nevada 89101

Re: Appeal of the Notice and Order to Comply for property located at 216 N. 9th Street, 222 N. 9th Street and 900 Stewart Avenue, Case #'s 48705, 47045, and 48704

Dear Mr. Bryan:

You are hereby notified on behalf of Shiraz, LLC. that a hearing has been scheduled before the Las Vegas City Council at 400 Stewart Avenue, Las Vegas, Nevada on the 21st day of February 2007, at the hour of 1:00 p.m. This hearing is in response to the Notice of Appeal received by the Las Vegas City Clerk on January 26, 2007, requesting the same, concerning the Notice and Order to Comply for properties located at 216 N. 9th Street, 222 N. 9th Street and 900 Stewart Avenue.

You may be present at the hearing. You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you.

If you have any questions or need further information please do not hesitate to contact Devin Smith, Manager, Neighborhood Response at 229-6615.

Sincerely,

A handwritten signature in cursive script that reads "Beverly K. Bridges".

Beverly K. Bridges, CMC
Acting City Clerk

cc: Stephen Harsin, Director, Neighborhood Services
Devin Smith, Manager, Neighborhood Response
Dan Still, Deputy City Attorney
Kelly Benavidez, Ward 5 Liaison

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-06-05
CLV 7009

Cert # 7005 3110 0001 3040 2836



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Appeal 9th/Stewart
RICHARD H. BRYAN
LIONEL SAWYER & COLLINS
300 S. FOURTH ST
LAS VEGAS NV 89101

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☐ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7005 3110 0001 3040 2836

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

DEPARTMENT: PUBLIC WORKS

DIRECTOR: CHARLIE KAJKOWSKI

☐ Consent ☒ Discussion

SUBJECT:

ABEYANCE ITEM - Public hearing on local improvement district for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) (\$481,988.99 - Capital Projects Fund/Special Assessments) - Ward 6 (Ross)

Fiscal Impact

☐

No Impact

☐

Augmentation Required

☒

Budget Funds Available

Dept./Division: Public Works/SID

Amount: \$481,988.99

Funding Source: Capital Projects Fund/Special Assessments

PURPOSE/BACKGROUND:

Public hearing on the Final Assessment Roll for the construction and installation of pavement, curb and gutter, sidewalk, driveway approaches, water laterals and mains, sewer laterals and mains and streetlights.

RECOMMENDATION:

Public Hearing only; no action required.

BACKUP DOCUMENTATION:

Public hearing notice

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

CHARLIE KAJKOWSKI, Director of Public Works Department, confirmed the project is complete, and the public hearing is an opportunity to hear public comments prior to the City moving forward in adopting the ordinance and levying the assessment.

Hearing no public comments, MAYOR GOODMAN thanked MR. KAJKOWSKI for the report.

MAYOR GOODMAN declared the Public Hearing closed.

NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1490 – TENAYA WAY (NORTHERN BELTWAY TO ELKHORN ROAD).

NOTICE IS HEREBY GIVEN, that the Final Assessment Roll No. 2007-1 for City of Las Vegas, Nevada, Special Improvement District No. 1490 – Tenaya Way (Northern Beltway to Elkhorn Road) (hereinafter the “District”) in and for the City of Las Vegas in the County of Clark, State of Nevada, which has been made out by the City Council of City of Las Vegas, together with the City Engineer, has been filed on January 3, 2007, in the office of the City Clerk and since such date, the final assessment roll has been, and now is available for examination by any interested person during regular office hours, Monday through Friday 8:00 a.m. until 5:00 p.m. The boundaries of the District are described in the Special Improvement District No. 1490 Creation Ordinance heretofore adopted (hereinafter the “Creation Ordinance”). The boundaries of the District, which include the location of the Project and the lots, tracts and parcels of land to be assessed, shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements (as described below) or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements. The streets to be improved by the improvements are:

Tenaya Way (BOTH SIDES) - from the northern right-of-way line of the Northern Beltway north along Tenaya Way to the centerline of Elkhorn Road (80 foot right-of-way).

The following assessment parcel numbers (APN's) identified in the record of the County Assessor of Clark County are included in the district 125-22-404-003 and 125-22-410-001 thru 020.

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases) provided, however, that an equitable adjustment will be made for assessments to be levied against wedge or “V” or other irregularly-shaped lots or tracts of lands, if any, and for any lot, tract or parcel not specially

benefited by the improvements so that assessments according to benefits are to be equal and uniform.

The assessments will be levied on a front foot basis, provided those tracts which front a cul-de-sac and which abut or front a street or streets being improved will be assessed on a "unit lot" basis, i.e., all lots abutting the cul-de-sac are to be assessed the same amount based upon the front footage of those lots abutting the streets or streets being improved which also abut the cul-de-sac. Each property owner will be assessed for the cost of an eight foot (8') wide street pavement section, curb, gutter, and the following parcels will be assessed for sidewalks (APN's 125-22-404-003, 125-22-410-001 thru 020, 125-22-801-011, and 125-22-804-001 on Tenaya Way only), driveway approaches, and the following parcels will be assessed for streetlights (APN's 125-22-404-003, 125-22-410-001 thru 020, 125-22-801-011, and 125-22-804-001 on Tenaya Way only), where not already existing. Property owners who have been conditioned, by initiation of development plans, by City Council to install half-street improvements have been assessed for a half-street pavement section. The owners of property who elected to have water or sewer laterals installed will be assessed per foot of lateral installed on a per service or unit lot basis. THE CITY HAS NO OBLIGATION TO PROVIDE WATER OR SEWER SERVICE TO ANY PROPERTY WITHIN THE DISTRICT REGARDLESS OF WHETHER THE CITY COUNCIL PROCEEDS WITH ALL OR ANY PART OF THE PROJECT.

Such basis of assessments has been designated by the City Council in the Creation Ordinance heretofore adopted. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon each lot, tract or parcel of land or property in the District is stated in the final assessment roll. The City Council has determined that each of these tracts will receive special benefits (and corresponding market value increases) from the improvements in the Project.

The City Council will meet to hear and consider all complaints, protests, and objections to said final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District. Any person interested and

any parties aggrieved by such assessments may be heard on Wednesday, February 7, 2007, at 1:00 p. m. at the City of Las Vegas Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada. Any complaint, protest, or objection to the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount thereof levied on each lot, tract or parcel of land, shall be deemed waived unless filed in writing with the City Clerk, on or before Friday, February 2, 2007, i.e., at least three days prior to the date set for the assessment hearing.

At the time and place so designated for the hearing, the City Council shall hear and determine all complaints, protests, and objections to the regularity of the proceedings in making such assessments, the correctness of such assessments, the amount levied on any particular lot, tract or parcel of land to be assessed, the amount of the benefits and corresponding market value increases, which have been so made in writing or verbally. The City Council shall further have the power to adjourn such hearing from time to time, and by resolution shall have power, in its discretion, to revise, correct, confirm, or set aside any assessment and to order that such assessment may be made de novo. The owners of the property to be assessed are advised that this is the final chance to present any evidence as to the amount of the assessments (or other matters to be considered at the hearing) to the City Council. If a person objects to the final assessment roll or to the proposed assessments:

- (1) He is entitled to be represented by counsel at the hearing;
- (2) Any evidence he desires to present on these issues must be presented at the hearing; and
- (3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.395.

Assessments shall be due and payable at the office of the City Treasurer without interest and without demand within 30 days after the ordinance levying the assessments becomes effective. All or any part of such assessments may also, at the election of the owner, be paid thereafter in twenty (20) substantially equal semi-annual installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the

effective date of the assessment ordinance. After the adoption of the assessment ordinance and before assessment bonds are issued (or if bonds are not issued) the City shall provide the maximum rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, such rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three percent (3%) the "Index of Twenty Bonds", which is most recently published before the time bids for such bonds are received, or at a time a negotiated offer for the sale of such bonds is accepted. Penalties (at a rate not exceeding two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Director of Finance and Business Services) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, shall be due for delinquencies. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any installment of the unpaid principal with interest accruing thereon to the next interest payment date and the payment of a penalty for such prepayment of up to three percent (3%) of the installment or installments of principal so prepaid. The City Council, in the ordinance levying the assessments, will establish a prepayment penalty or premium of up to three percent (3%) of the principal of deferred installments so prepaid.

Pursuant to NRS 271.357, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a hardship determination. A person whose application for a hardship determination has been approved by the City Council is entitled to have the principal amount of the assessment postponed, but is required to pay the interest on the unpaid balance of the assessment at the same rate and upon the same terms as established by the City Council for the assessments. A person desiring to apply for a hardship determination shall file an application no later than February 2, 2007, with the Clark County Department of Social Services (CCSS), 1600 Pinto Lane, Las Vegas, Nevada 89106. Please contact CCSS at (702) 455-8687 for a pre-qualification screening.

Pursuant to NRS 271.395, within 15 days immediately succeeding the effective date of the assessment ordinance to be adopted following the hearing, any person who has filed a complaint, protest, or objection in writing shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount of the assessment levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation, shall be perpetually barred.

Dated this January 3, 2007.

/s/ Barbara Jo Ronemus
BARBARA JO RONEMUS, City Clerk

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

DEPARTMENT: PUBLIC WORKS**DIRECTOR: CHARLIE KAJKOWSKI**☐ Consent ☒ Discussion**SUBJECT:**

Public hearing on local improvement district for Special Improvement District No. 1516 - Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) (\$245,052 - Capital Projects Fund/Special Assessments) - Ward 5 (Weekly)

Fiscal Impact☐**No Impact**☐**Augmentation Required**☒**Budget Funds Available****Dept./Division: Public Works/SID****Amount: \$245,052****Funding Source: Capital Projects Fund/Special Assessments****PURPOSE/BACKGROUND:**

Public hearing on the Final Assessment Roll for the general maintenance of the Fremont Street Pedestrian Improvements. Costs will be recovered through annual assessments, which shall be paid each year in four (4) substantially equal quarterly installments of principal without interest.

RECOMMENDATION:

Public Hearing only; no action required.

BACKUP DOCUMENTATION:

1. Public hearing notice
2. Submitted after final agenda – Protest letter by John Kitchen

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

CHARLIE KAJKOWSKI, Director of Public Works Department, noted that this application is the companion to Special Improvement District (SID) 1506 and construction is underway; the project deals with the maintenance resources.

MAYOR GOODMAN informed JOHN KITCHEN, 515 Fremont Street, that the purpose of the meeting is to hear any public comments relative to the application. MR. KITCHEN believed the majority should rule but there should be a common ground to resolve the issues. He has had discussions with COUNCILMAN WEEKLY and has explored his legal options; however, he did not think the project would come into fruition. He felt that issues have not been resolved to date. He would like any forward progress on the project to be held so he can discuss these issues with a responsible Councilmember and continue to explore his legal options. MAYOR GOODMAN offered his assistance.

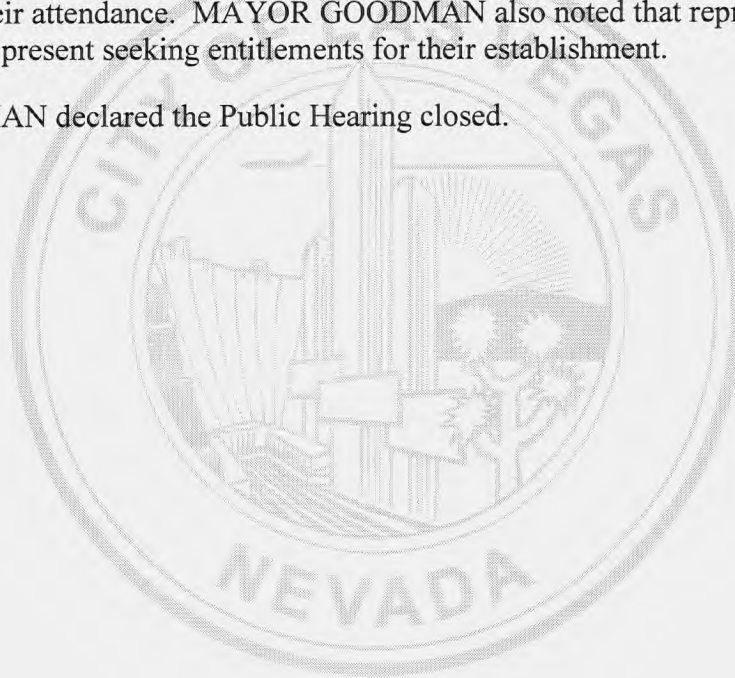
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

COUNCILMAN WEEKLY pointed out that MR. KITCHEN is the only individual in opposition. Even with the numerous meetings held, the Councilman did not believe that MR. KITCHEN has offered anything substantial that would negate the proposal. With that, COUNCILMAN WEEKLY could not support holding the item in abeyance, whether or not MR. KITCHEN continued to pursue his legal options.

MR. KITCHEN appreciated the previous comments; even though he was not in full agreement, ultimately he felt that he would have to join the 30 individuals who are in support of the project.

FRANK ELAM, President of the owner's association, 115 N. 7th, was glad to see MR. KITCHEN join the supporters. He noted that the downtown businesses are doing well, such as George's and some of the clubs. By way of hands, MAYOR GOODMAN confirmed that there were seven representatives in attendance who support the project; he expressed appreciation for their attendance. MAYOR GOODMAN also noted that representatives from the Canyon Club were present seeking entitlements for their establishment.

MAYOR GOODMAN declared the Public Hearing closed.



NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1516 – FREMONT STREET MAINTENANCE DISTRICT (LAS VEGAS BOULEVARD TO 8TH STREET).

NOTICE IS HEREBY GIVEN, that the final assessment roll for the City of Las Vegas, Nevada, Special Improvement District No. 1516 – Fremont Street Maintenance District (Las Vegas Boulevard to 8th Street) (the "District") in and for the City of Las Vegas in the County of Clark, State of Nevada, which has been made out by the City Council of City of Las Vegas, together with the City Engineer, has been filed on January 17, 2007, in the office of the City Clerk and since such date, the final assessment roll has been, and now is available for examination by any interested person during regular office hours, Monday through Friday 8:00 a.m. until 5:00 p.m. The boundaries of the District are described in the Special Improvement District No. 1516 Creation Ordinance heretofore adopted (the "Creation Ordinance"). The street to be improved by the improvements is:

Fremont Street (BOTH SIDES) from the center line of Las Vegas Boulevard to the center line of 8th Street.

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases). However, an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly shaped lots or lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform. The costs to be assessed against and the maximum amount of benefits estimated (and corresponding market value increases) to be conferred upon each piece or parcel of property in the District is stated in the assessment plat and addendum thereto designated "Tabulation of Parcels" or Final assessment roll. In cases of wedge or "V" or any other irregularly shaped tracts, the amount apportioned thereto shall be in proportion to the special benefits thereby derived.

The following methodology will determine the assessments against parcels in the District. The acreage of a parcel in the District will be multiplied by a weighting factor, depending upon the street or streets which the parcel fronts. The categories of streets shall be weighted as follows: a) Fremont Street frontage will be weighted at 1.5; and b) side street frontage (Las Vegas Boulevard, Sixth Street, Seventh Street, and Eighth Street) will be weighted at 1.0. The assessments will equal the weighting factor times the acreage of the parcel, divided by the total weighted acreage in the District, times the total amount assessed for the Project.

Such basis of assessments has been designated by the City Council in the Creation Ordinance heretofore adopted. The costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon each lot, tract or parcel of land or property in the District is stated in the final assessment roll. The City Council has determined that each of these tracts will receive special benefits (and corresponding market value increases) from the Project.

The City Council will meet to hear and consider all complaints, protests, and objections to said final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the Project. Any person interested and any parties aggrieved by such assessments may be heard on Wednesday, February 21, 2007, at 1:00 p. m. at the City of Las Vegas Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada. Any complaint, protest, or objection to the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount thereof levied on each lot, tract or parcel of land, shall be deemed waived unless filed in writing with the City

Clerk, on or before Friday, February 16, 2007, i.e., at least three days prior to the date set for the assessment hearing.

At the time and place so designated for the hearing, the City Council shall hear and determine all complaints, protests, and objections to the regularity of the proceedings in making such assessments, the correctness of such assessments, the amount levied on any particular lot, tract or parcel of land to be assessed, the amount of the benefits and corresponding market value increases, which have been so made in writing or verbally. The City Council shall further have the power to adjourn such hearing from time to time, and by resolution shall have power, in its discretion, to revise, correct, confirm, or set aside any assessment and to order that such assessment may be made de novo. The owners of the property to be assessed are advised that this is the final chance to present any evidence as to the amount of the assessments (or other matters to be considered at the hearing) to the City Council. If a person objects to the final assessment roll or to the proposed assessments:

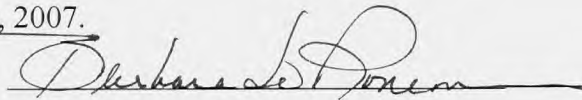
- (1) He is entitled to be represented by counsel at the hearing;
- (2) Any evidence he desires to present on these issues must be presented at the hearing; and
- (3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.395.

Assessments shall be due and payable at the office of the City Treasurer in four (4) substantially equal quarterly installments of principal without interest.

Pursuant to NRS 271.357, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a hardship determination. A person whose application for a hardship determination has been approved by the City Council is entitled to have the principal amount of the assessment postponed, but is required to pay the interest on the unpaid balance of the assessment at the same rate and upon the same terms as established by the City Council for the assessments. A person desiring to apply for a hardship determination shall file an application no later than February 16, 2007, with the Clark County Department of Social Services (CCSS), 1600 Pinto Lane, Las Vegas, Nevada 89106. Please contact CCSS at (702) 455-8687 for a pre-qualification screening.

Pursuant to NRS 271.395, within 15 days immediately succeeding the effective date of the assessment ordinance to be adopted following the hearing, any person who has filed a complaint, protest, or objection in writing shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount of the assessment levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation, shall be perpetually barred.

Dated this January 17, 2007.



BARBARA JO RONEMUS, City Clerk

16 FEBRUARY 2007

RD. ITEM SID NO. 1516

RECEIVED
CITY CLERK

2007 FEB 16 P 4: 25

TO WHOM IT MAY CONCERN

MY NAME IS JOHN KITCHEN AND I OWN THE

BUILDING AT 515 FAIRMONT ST.

ONCE AGAIN I AM REQUESTING TO FILE MY OBJECTIONS

TO THIS PROJECT,

Protest

THE CITY COUNCIL HAS DETERMINED THAT ALL TAXES IN

THIS AREA WILL RECEIVE SPECIAL BENEFITS AND A CORRESPONDING

VALUE INCREASE. I STRONGLY DISAGREE. THE ILLEGAL

REMOVAL OF THE PARKING METERS HAS CAUSED CONSIDERABLE

ECONOMIC LOSS TO EVERY VIABLE BUSINESS IN THE AREA.

A COMPLETE DESTRUCTION OF THE STREET WILL NOT ALLEVIATE THIS
THE NEGATIVE EFFECT OF FILING THE STREET WITH PARKED

SALOONS AND BARS, WILL BE OF BENEFIT TO NO ONE. THERE IS

HOWEVER ONE BUSINESS TYPE THAT WOULD BENEFIT FROM ALL OF

THE COMPLAINTS AND BANKRUPT BARS. IT DEFINITELY NOT BE MINE.

ASK ANY INVESTOR OR PROGRAM FROM THE CITY TO GET ST IN THE
LAST 20 YEARS. THERE ARE MANY RAILROADS AND RAIL SUGGESTS. THE

ONLY REASON WHY RAILROAD WOULD BE WELCOME AT THE AND RAILROADS
ALL INVESTORS IN THIS AREA WILL SUPPORT THE SAME RATE AS DOLOUS

OF THEIR PARDONERS.

I HEREBY OBJECT TO THE REGULARITY, VALIDITY, AND CORRECTNESS

OF THESE PROCEEDINGS. PLEASE REMOVE MY PROPERTY FROM THIS ROLL,

SINCERELY - JOHN KITCHEN

Date 2/16/07 Item # 66

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

EXTENSION OF TIME - SPECIAL USE PERMIT

EOT-18622 - ABEYANCE ITEM - APPLICANT/OWNER: CLUB RENAISSANCE PARTNERS, LLC - Request for an Extension of Time of an approved Special Use Permit (SUP-5663) THAT ALLOWED A MIXED-USE COMMERCIAL AND RESIDENTIAL DEVELOPMENT on 1.28 acres adjacent to the southeast corner of Casino Center Boulevard and Bonneville Avenue (APN 139-34-311-058 through 65), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese). Staff 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 APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for SUP-5663

Motion made by STEVEN D. ROSS to Approve Subject to Conditions and amending Condition 1 as read for the record:

1. The extension of time would expire on August 15, 2007 unless another Extension of Time is approved by the City Council.

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:

GILES PAGEAU, Managing Director, Club Renaissance Partners, appeared. MAYOR GOODMAN was displeased to hear that the property was in foreclosure and requested an

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

explanation from MR. PAGEAU. MR. PAGEAU explained that part of the property is in foreclosure by choice to allow for refinancing with joint partners. The mortgagee was unreasonable in asking for too much; they are very close to finalizing a joint venture with an international group. He also expressed that a detailed report of this process was provided to the Council's office, in which the Mayor confirmed and appreciated. MAYOR GOODMAN did not want to see this matter continue indefinitely. MR. PAGEAU emphasized that over 8.5 million dollars have already been invested into the project. With that, the agreement was to allow the applicant six months for financing, as MR. PAGEAU stressed that the partners are serious about financing the project. COUNCILMAN ROSS believed that six months would be acceptable (August 15th). MAYOR GOODMAN urged the applicant to keep the Council informed, as the goal is to work together and make these projects come to fruition.

MARGO WHEELER, Director of Planning and Development, read the amendment to Condition 1 for the record.



0 200 400 Feet

CASE: EOT-18622

ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL) AND R-4 (HIGH DENSITY RESIDENTIAL) UNDER RESOLUTION
OF INTENT TO C-2 (GENERAL COMMERCIAL)





0 200 400 Feet

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - EOT-18622 - APPLICANT/OWNER: CLUB
RENAISSANCE PARTNERS, LLC

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

**** CONDITIONS ****

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

Planning and Development

1. This Extension of Time will expire on February 16, 2009 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Special Use Permit (SUP-5663) and all other subsequent related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Special Use Permit (SUP-5663) that allowed a mixed-use commercial and residential development on 1.28 acres adjacent to the southeast corner of Casino Center Boulevard and Bonneville Avenue (APN 139-34-311-058 through 65).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/16/64	The City Council approved a Rezoning [Z-0100-64] to reclassify property, including the subject parcels, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).
02/24/83	The Board of Zoning Adjustment approved a Special Use Permit [U-0004-83] to allow a professional office on one of the parcels that comprise the proposed development site.
09/15/99	The City Council approved a Special Use Permit [U-0082-99] to allow a bail bonds service on a portion of the proposed development site. The Planning Commission recommended approval of the request on 08/12/99.
03/17/04	A Site Development Plan Review [SDR-3386] was Withdrawn Without Prejudice prior to consideration by the City Council. The Planning Commission recommended denial of the application on 02/17/04.
02/16/05	The City Council approved a Special Use Permit [SUP-5663] to allow a mixed-use commercial and residential development and a Site Development Plan Review [SDR-5662] to allow a 60-story mixed-use development to include 950 residential units and 91,000 square feet of commercial space and waivers of the Centennial Plan building step-back and build-to requirements on 1.28 acres adjacent to the southeast corner of Casino Center Boulevard and Bonneville Avenue (APN 139-34-311-058 through -065). The Planning Commission and staff recommended approval on 01/13/05.
06/23/05	The Planning Commission approved a Tentative Map [TMP-6612] for a 912 unit mixed-use subdivision on 1.28 acres adjacent to the southeast corner of Bonneville Avenue and Casino Center Boulevard (APN 139-34-311-058 through -065). Staff recommended approval.
02/07/07	The City Council will consider an Extension of Time [EOT-18623] of an approved Site Development Plan Review (SDR-5662) that allowed a 60-story mixed-use development to include 950 residential units and 91,000 square feet of commercial space and waivers of the Centennial Plan building step-back and build-to requirements on 1.28 acres adjacent to the southeast corner of Casino Center Boulevard and Bonneville Avenue (APN 139-34-311-058 through 65). Staff is recommending approval.

<i>Related Building Permits/Business Licenses</i>	
02/16/05	A traffic impact analysis [HANSEN #T5953] was completed for the southeast corner of Bonneville Avenue and Casino Center Boulevard.
11/03/05	Civil improvement plans were submitted and subsequently denied due to non-conformance with City Council approval. A second review has not been submitted for therefore, the proposed civil improvement plans are not at a mylar read state.
12/14/05	Permit #5008759 issued for the relocation of the railroad cottages.
03/31/06	HANSEN Permit #62666 was issued for the demolition of the existing buildings and footings located at 601 South Casino Center Boulevard.
04/07/06	An encroachment agreement was recorded to allow an approximate 5' wide area of landscaping on the north side of Garces Avenue extending eastward from Casino Center Boulevard. In addition, the agreement will allow tree grates along the east side of Casino Center Boulevard between Garces Avenue and Bonneville Avenue, as well as along the south side of Bonneville Avenue extending eastward from Casino Center Boulevard.
<i>Pre-Application Meeting</i>	
NONE	A pre-application conference is not required for this type of application.
<i>Neighborhood Meeting</i>	
NONE	A pre-application conference is not required for this type of application.

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

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped Bail Bond Service	C (Commercial)	C-2 (General Commercial) & R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
North	Commercial Parking Lot	PF (Public Facility)	C-V (Civic)
South	Multifamily Residential	C (Commercial)	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
East	Office Use Parking Lot	C (Commercial)	C-2 (General Commercial)
West	Multifamily Residential Office Use	C (Commercial)	C-2 (General Commercial)

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

ANALYSIS

This is the first Extension of Time for the subject Special Use Permit (SUP-5663), which was approved by the City Council on 02/16/05. A Special Use Permit is exercised upon approval of a business license to conduct the activity, if one is required, or, otherwise, upon issuance of a certificate of occupancy or approval of a final inspection. The applicant has not been issued a business license or a certificate of occupancy nor have they received a final inspection for the proposed mixed-use development. No building permits have been issued for the proposed development other than a demolition permit; however civil improvement plans have been submitted and are pending a second review prior to a mylar submittal. The applicant has indicated that the Extension of Time is necessary due to rising construction costs and increasing interest rates forcing them to look at other construction methods and alternatives for the project, which in turn has caused significant delays.

FINDINGS

Staff supports the subject Extension of Time for the approved Special Use Permit. The applicant has demonstrated that they are working towards development of the subject site. A condition of approval has been added, which recommends that the extension be allowed for two years or until such time as another Extension of Time application is approved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-18622** APN: 139-34-311-058 to 063 - 064

Name of Property Owner: Club Renaissance LLC.

Name of Applicant: Club Renaissance LLC.

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

☐ Yes

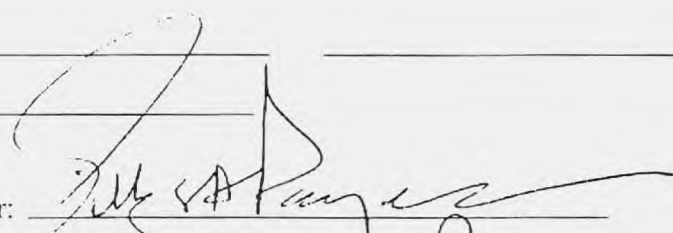
☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: 

Print Name: Melissa Ann Stertz

Subscribed and sworn before me

This 19th day of September, 2006

Melissa Stertz
Notary Public in and for said County and State
State of Nevada County of
Clark





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EDT-18672 APN: 139-34-311-065

Name of Property Owner: Dawson Joseph & Verla S Fam Trust

Name of Applicant: Club Renaissance LLC.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

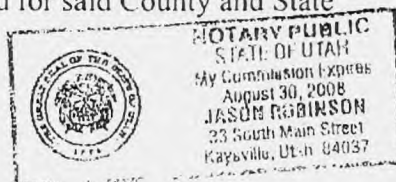
Signature of Property Owner: Verla S. Dawson Trustee
Joseph Dawson Trustee

Print Name: Joseph Dawson

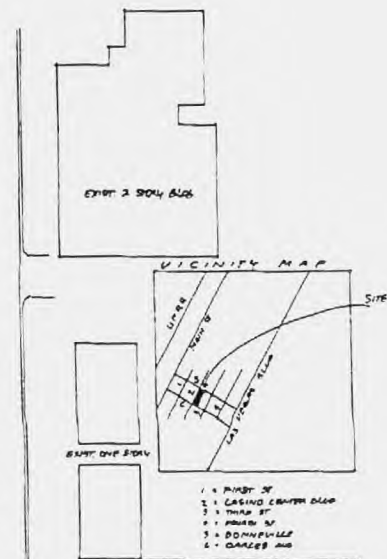
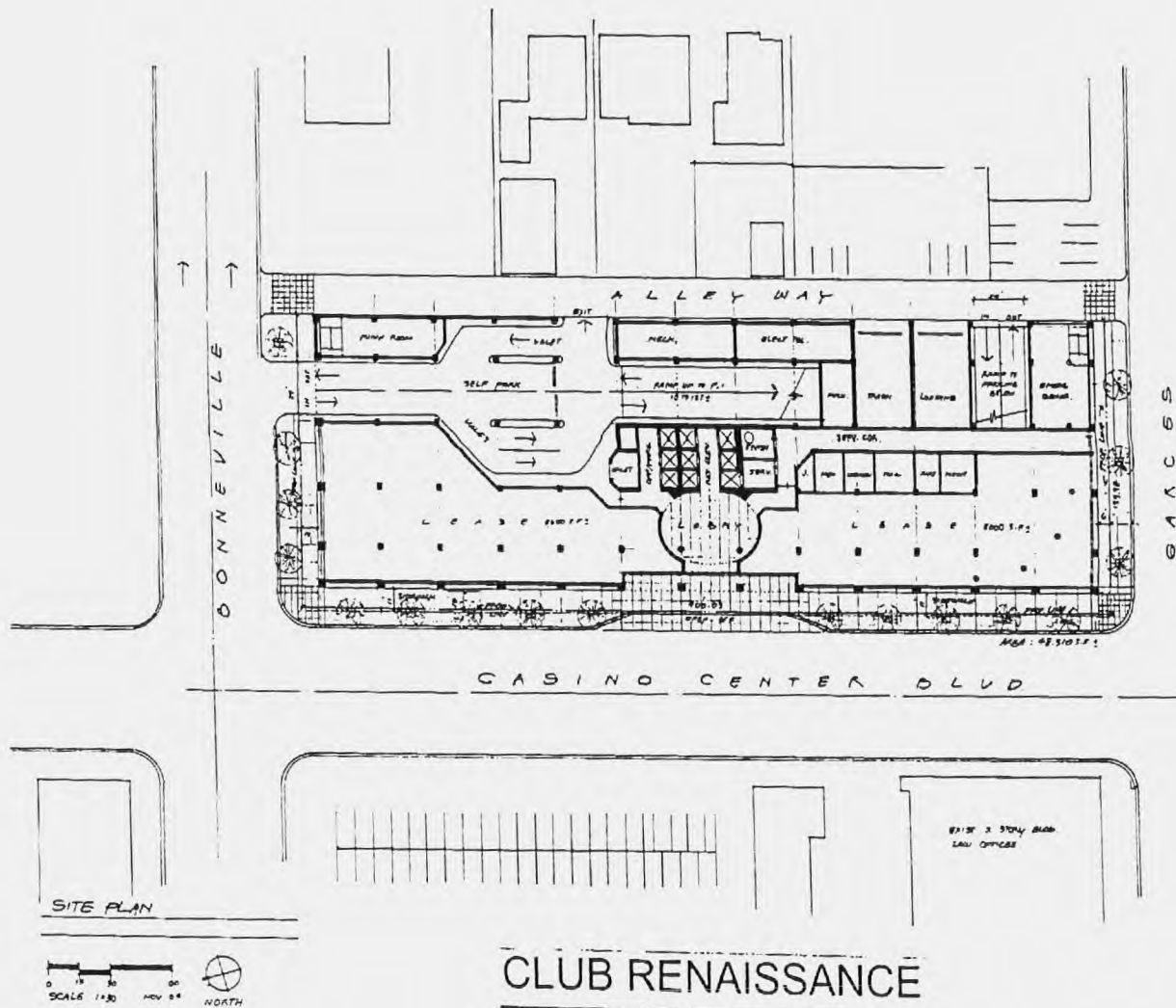
Subscribed and sworn before me

This 11th day of September, 2008

Jason H. [Signature] Notary Public in and for said County and State



02-07-07 CC



CLUB RENAISSANCE

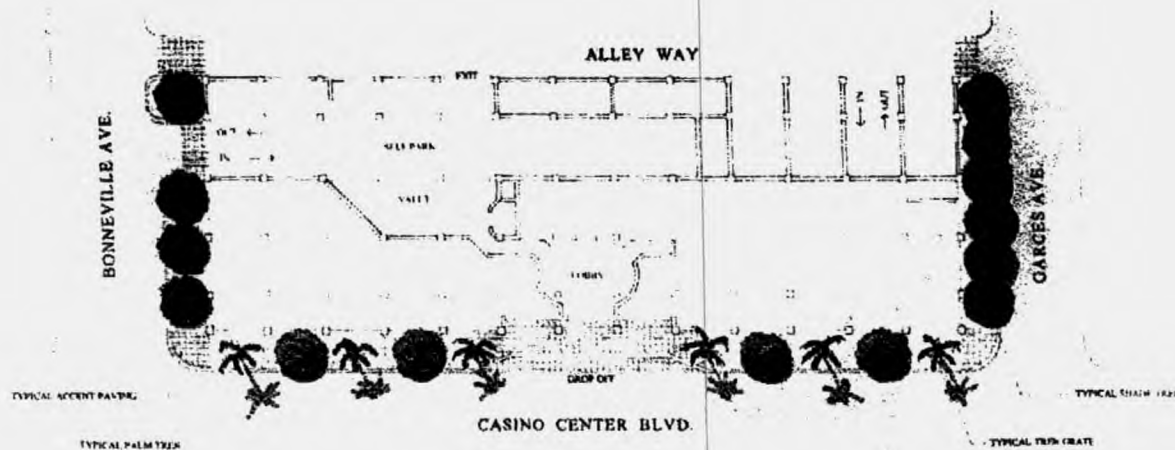
PROJECT SUMMARY/DATA

[illegible]

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DEC 7 2006

EOT-18622
02-07-07 CC



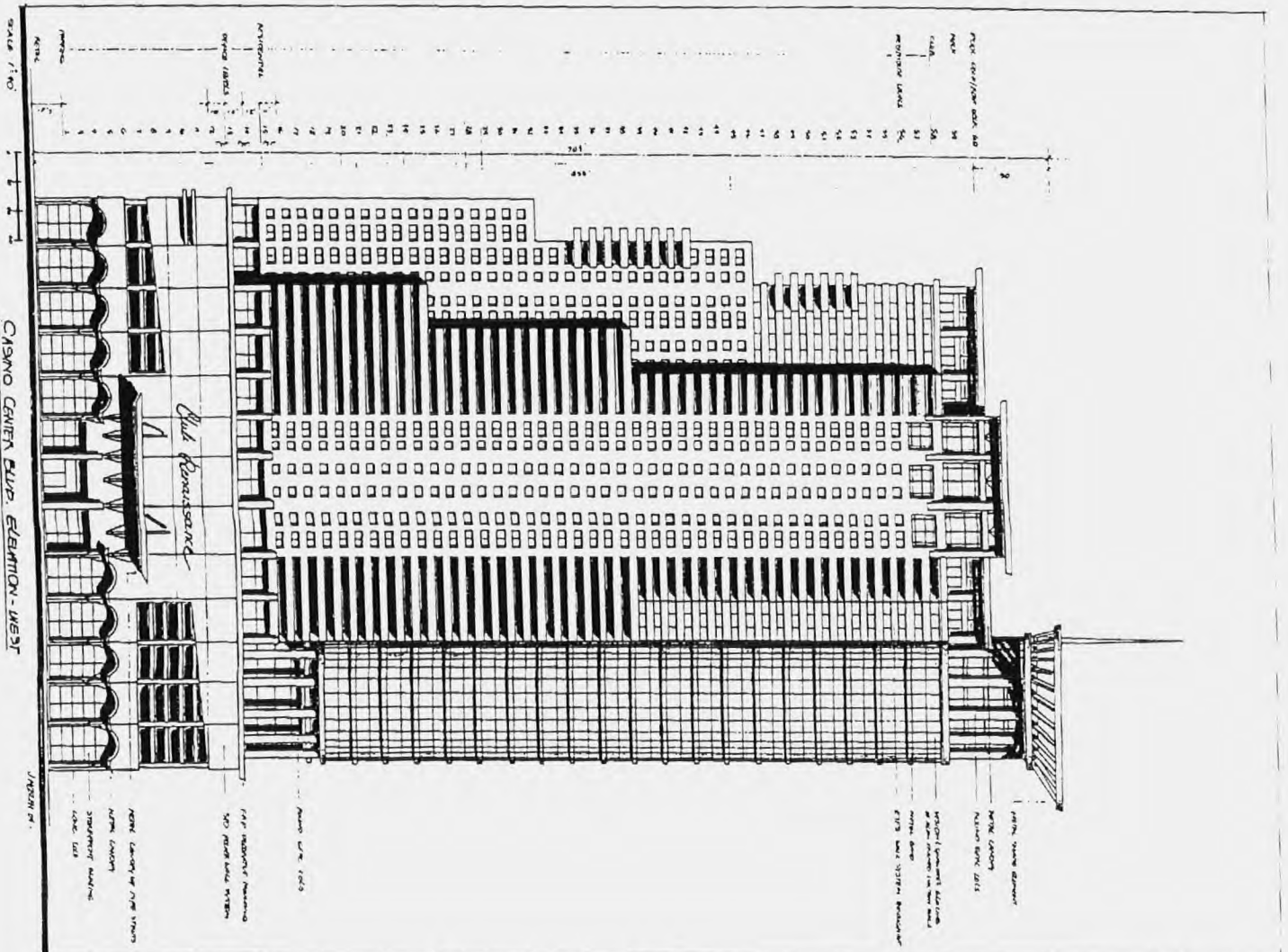
NOTE:
ALL INDOOR VEHICLE AND TRAILER PARKING ARE TO BE COMPLETED WITH
CONCRETE AND ASPHALT TO MEET THE CITY OF LAS VEGAS STANDARDS.

PRELIMINARY
LANDSCAPE PLAN

CLUB RENAISSANCE
CASINO CENTER BLVD
LAS VEGAS, NEVADA

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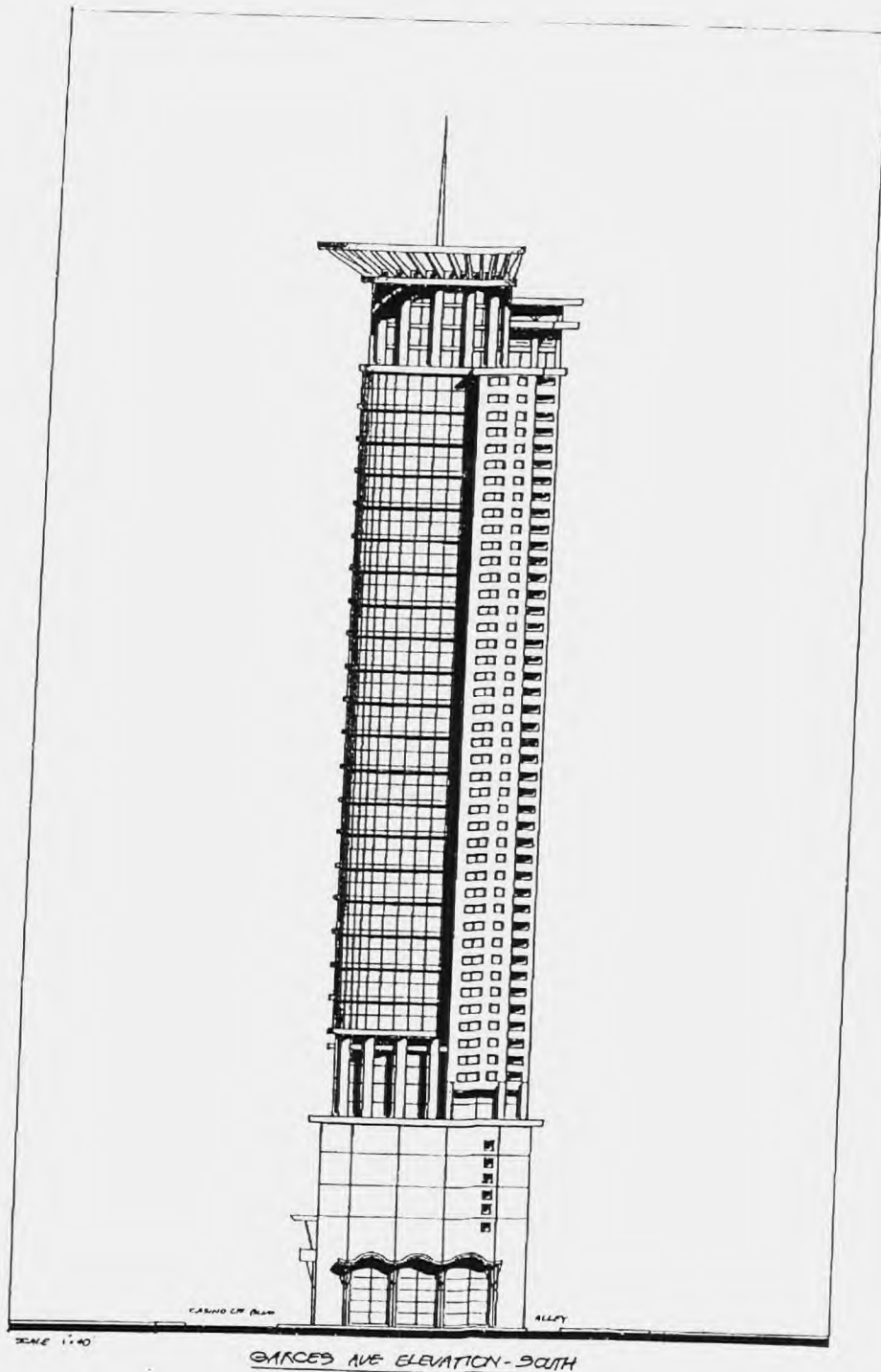
DEC 7 2006



CASINO CENTER CLUB, ELEVATION - WEST

FOT-18622
02-07-07 CC

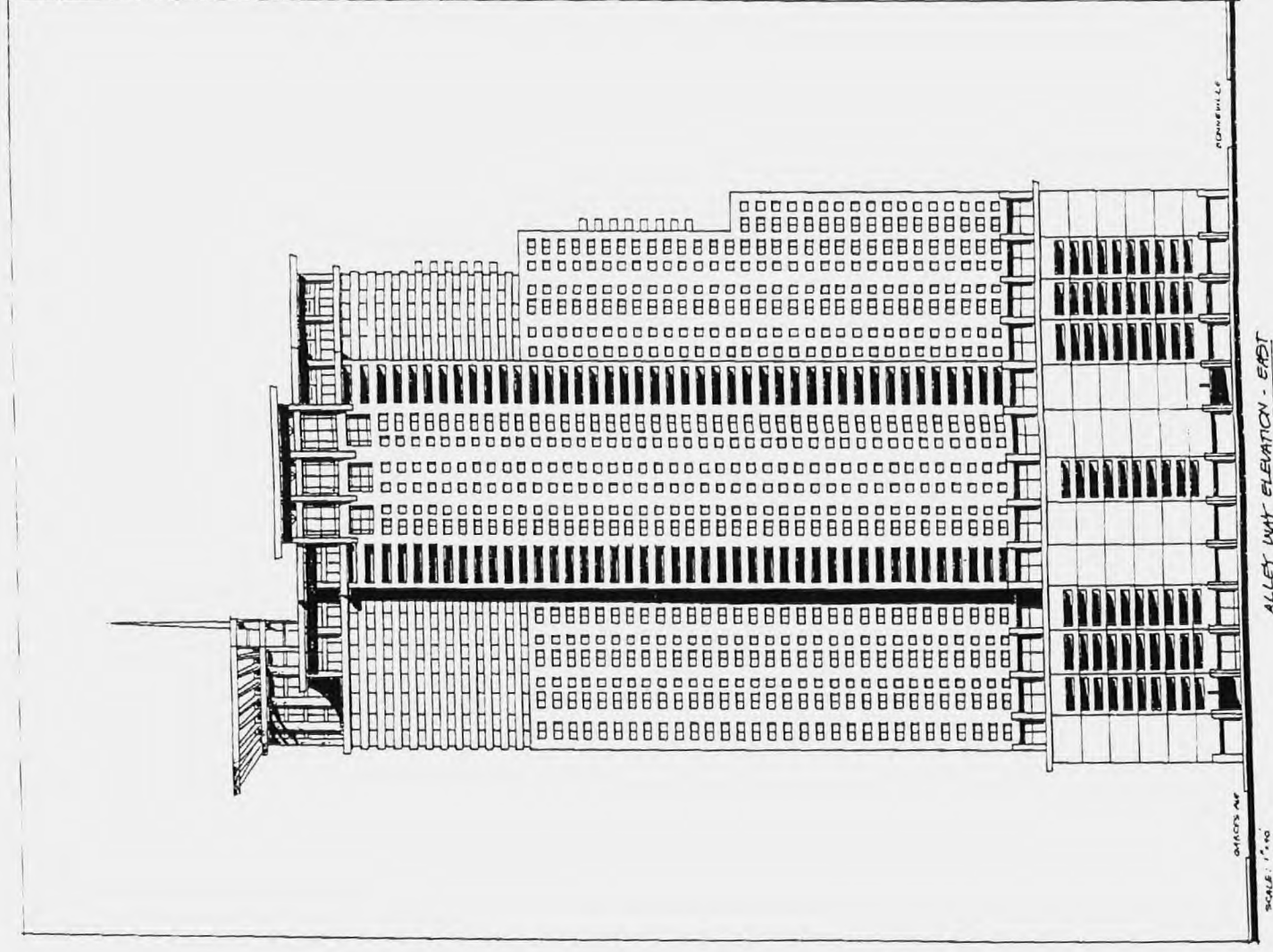
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RECEIVED

DEC 7 2006

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02-07-07 CC

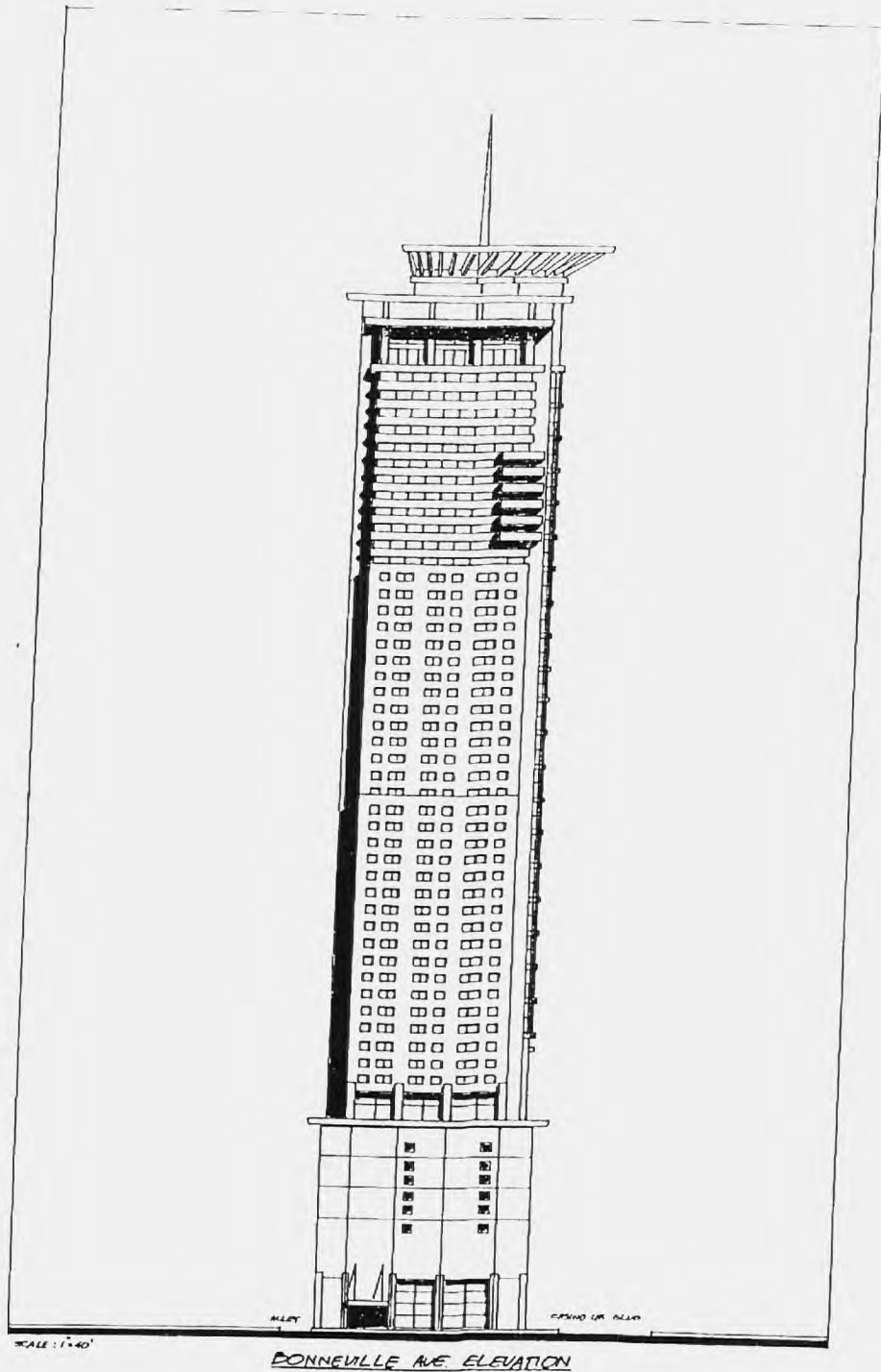


ALLEY WAY ELEVATION - EAST

RECEIVED

DEC 7 2006

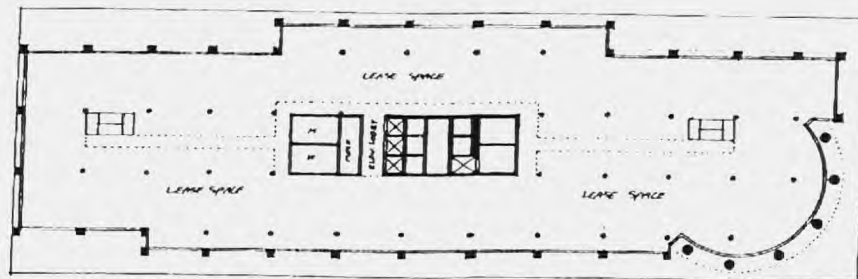
EOT-18622
02-07-07 CC



EOT-18622
02-07-07 CC

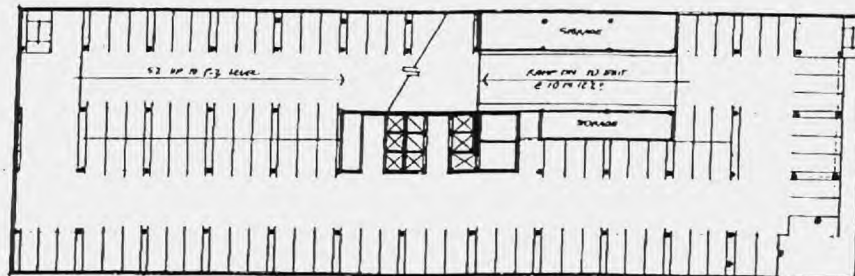
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DEC 7 2006



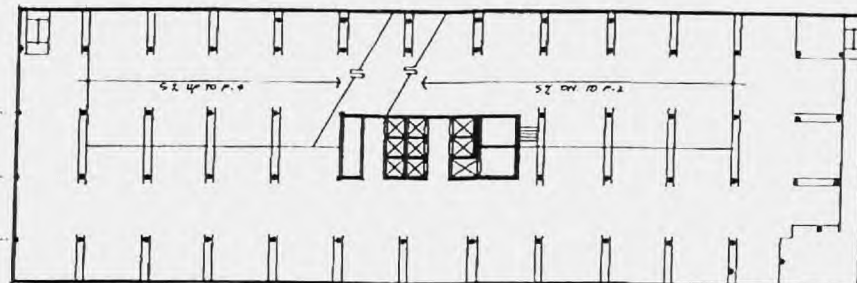
OFFICE LEVELS
LEVELS 15-16

AREA 77,000 S.F./LEVEL



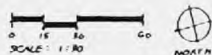
PARKING LEVEL
LEVEL P-2

AREA 47,000 S.F./LEVEL 109 SPACES



PARKING LEVEL
LEVELS 3-12

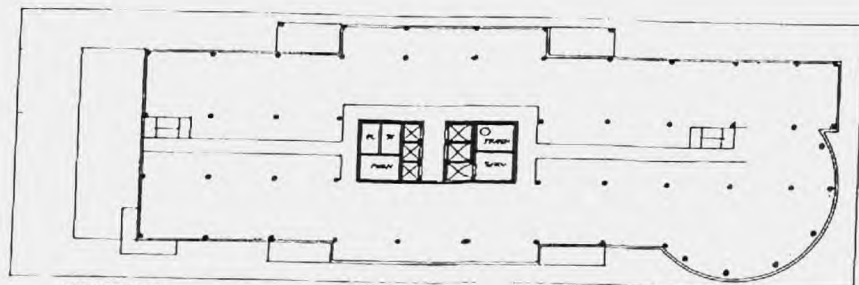
AREA 41,000 S.F./LEVEL 119 SPACES/LEVEL



EOT-18622
02-07-07 CC

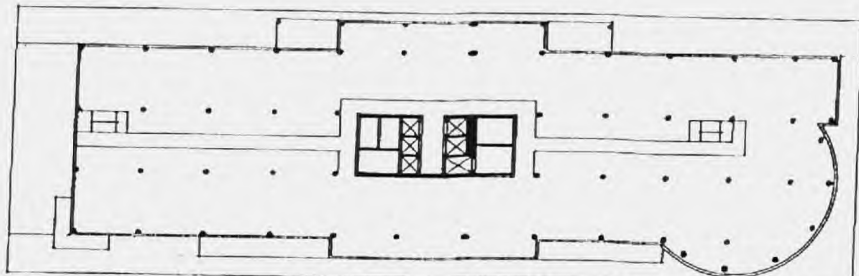
RECEIVED

DEC 7 2006



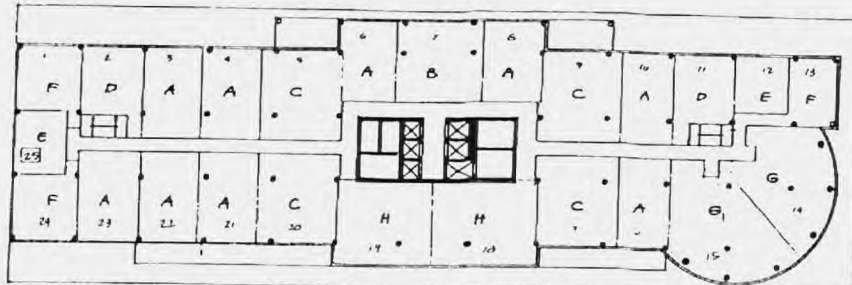
RESIDENTIAL
LEVELS 46-57

AREA : 51,020 S.F./unit



RESIDENTIAL
LEVELS 32-45

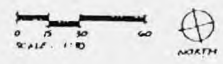
AREA : 33,720 S.F./unit



RESIDENTIAL
LEVELS 15-31

AREA 14,910 S.F./unit

TYPICAL UNIT PLAN LAYOUT

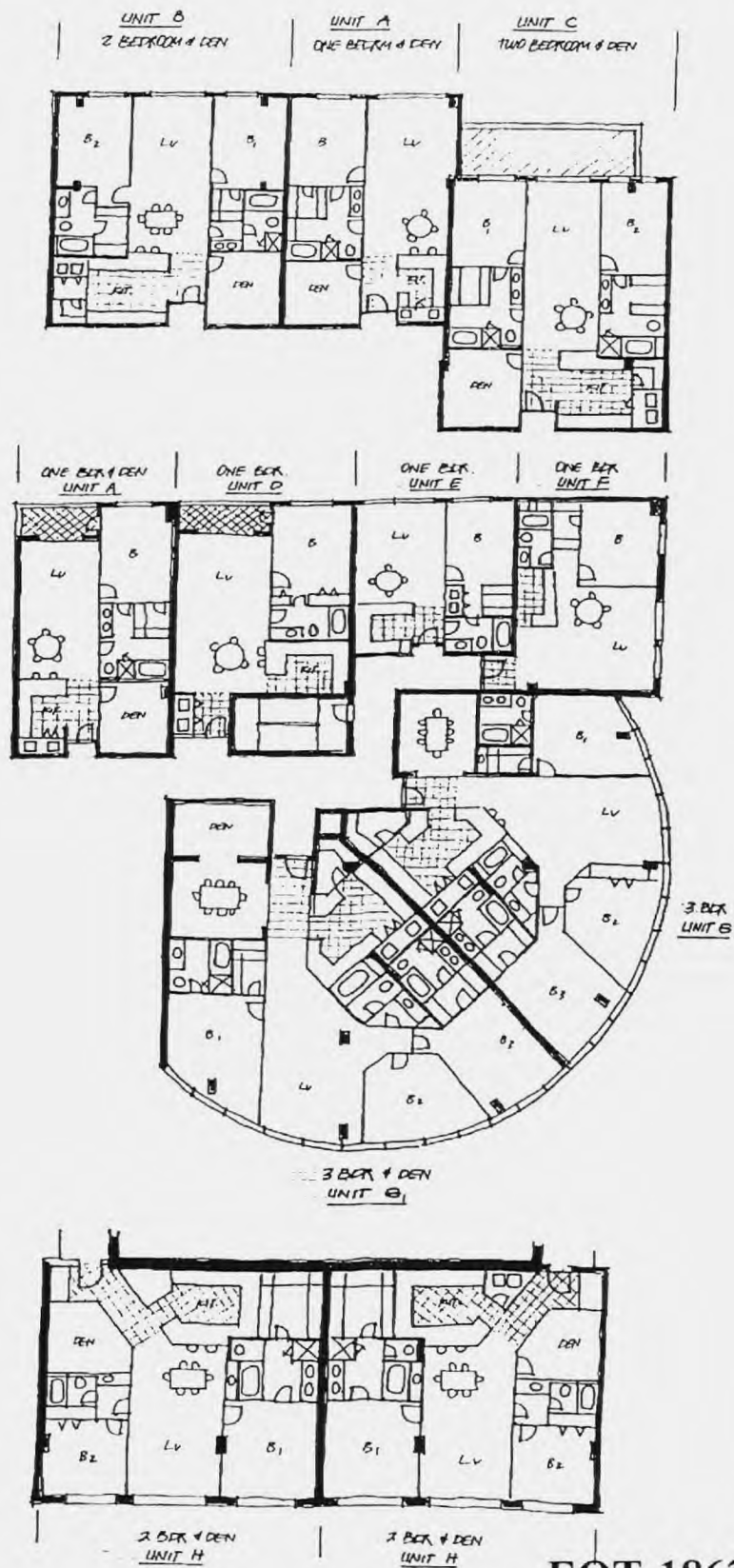


UNIT AREA

241	ONE BEDROOM -	20.5 UNITS	B	TWO BEDROOM + DEN
211	ONE BEDROOM + DEN	35.5 UNITS	C	TWO BEDROOM + DEN
302	TWO BEDROOM + DEN	28.5 UNITS	E	ONE BEDROOM
47	THREE BEDROOM	41 UNITS	A	ONE BEDROOM + DEN
41	THREE BEDROOM + DEN	41 UNITS	H	TWO BEDROOM + DEN
12	PENTHOUSE	17 UNITS	G	THREE BEDROOM
(100)	TOTAL UNITS	950		

RECEIVED
DEC 7 2006

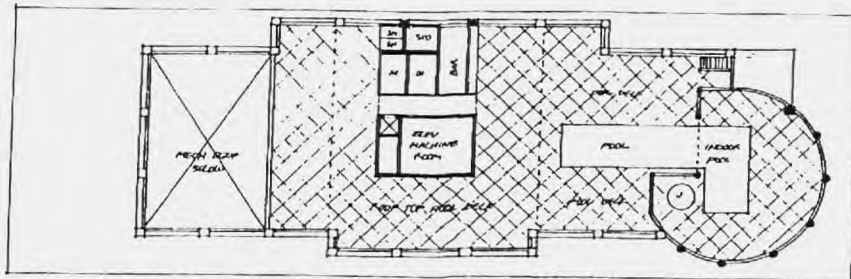
EOT-18622
02-07-07 CC



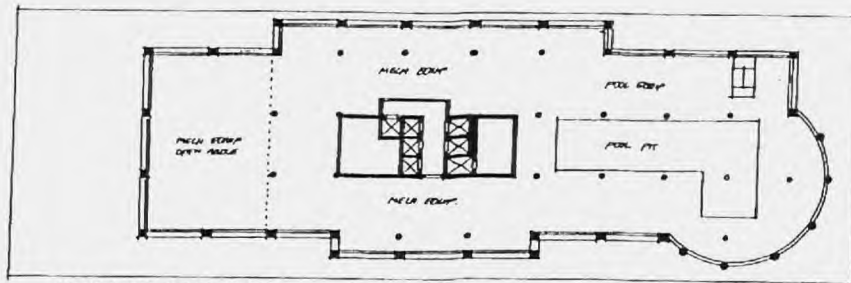
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DEC 7 2006

EOT-18622
02-07-07 CC

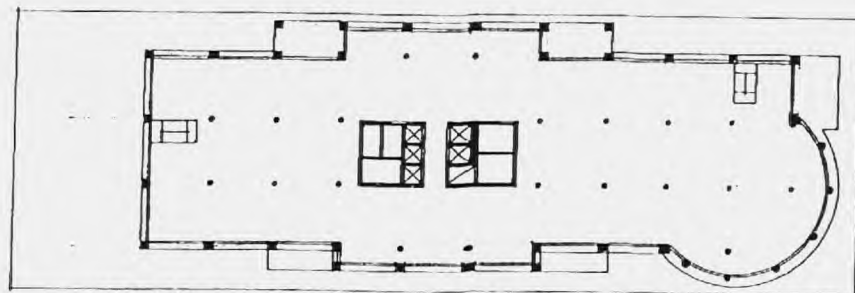


POOL DECK LEVEL
LEVEL 60



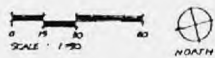
MECHANICAL ROOM LEVEL
LEVEL 59

AREA : 29,820 S.F.



CLUB LEVEL
LEVEL 58

AREA : 29,820 S.F.



EOT-18622
02-07-07 CC

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DEC 7 2006

January 10, 2007
City of Las Vegas
Planning & Development
731 S 4th Street, NV 89101

Reference: Club Renaissance- Extension of Time 18622 & 18623

Justification Letter

Club Renaissance Partners, LLC is proposing to develop a 1.28-acre parcel located on the southeast corner of Casino Center Blvd. and Bonneville Avenue in Downtown Centennial Plan area

Club Renaissance Partners, LLC is asking for the continued support from the City of Las Vegas and request the Extension of Time. Due to rising construction costs and increasing interest rates we have been forced to look at other construction methods and alternatives for the project this has caused significant delays.

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JAN 11 2007



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LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
STEVE WOLFSON
LOIS TARKANIAN

DOUGLAS A. SELBY
CITY MANAGER

February 17, 2005

Mr. Francis I. Lynch, et al
725 South 6th Street
Las Vegas, Nevada 89101

RE: SUP-5663 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF FEBRUARY 16, 2005
Related to SDR-5662

Dear Mr. Lynch:

The City Council at a regular meeting held February 16, 2005 APPROVED the request for a Special Use Permit TO ALLOW A PROPOSED MIXED-USE COMMERCIAL AND RESIDENTIAL DEVELOPMENT adjacent to the southeast corner of Casino Center Boulevard and Bonneville Avenue (APN 139-34-311-058 through 065), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial). The Notice of Final Action was filed with the Las Vegas City Clerk on February 17, 2005. This approval is subject to:

Planning and Development

1. Conformance to all minimum requirements listed in Title 19.04.050 for Mixed-Use development.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-5662).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

Sincerely,

Ydoleena Yturralde
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-1-05

CIV 7000

cc: See Attached List

Mr. Francis I. Lynch, et al
SUP-5663 – Page Two
February 17, 2005

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services

Mr. Bruce Matlaf
Club Renaissance Partners, LLC
112 Garces Avenue, Suite #130
Las Vegas, Nevada 89101

Ms. Jo Pinther
Stantec Consulting, Inc.
7251 West Charleston Boulevard
Las Vegas, Nevada 89117

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒ Consent ☐ Discussion

SUBJECT:

EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW

EOT-18623 – ABEYANCE ITEM - APPLICANT/OWNER: CLUB RENAISSANCE PARTNERS, LLC - Request for Extension of Time of an approved Site Development Plan Review (SDR-5662) THAT ALLOWED A 60-STORY MIXED-USE DEVELOPMENT TO INCLUDE 950 RESIDENTIAL UNITS AND 91,000 SQUARE FEET OF COMMERCIAL SPACE AND WAIVERS OF THE CENTENNIAL PLAN BUILDING STEP-BACK AND BUILD-TO REQUIREMENTS on 1.28 acres adjacent to the southeast corner of Casino Center Boulevard and Bonneville Avenue (APN 139-34-311-058 through 65), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 3 (Reese). Staff 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 APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for SDR-5662

Motion made by STEVEN D. ROSS to Approve Subject to Conditions and amending Condition 1 as read for the record:

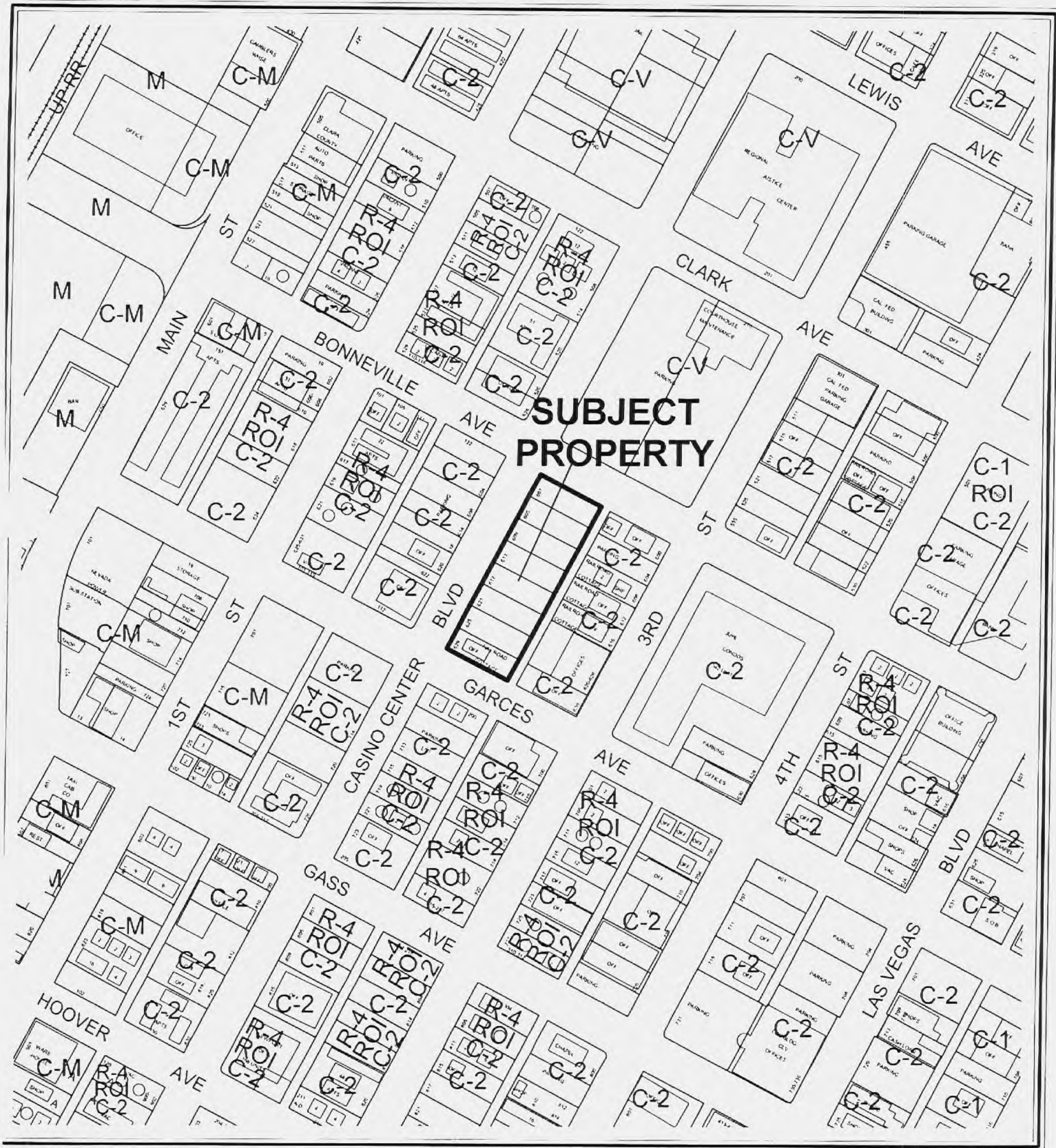
1. The extension of time would expire on August 15, 2007 unless another Extension of Time is approved by the City Council.

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 67 for related discussion.



CASE: EOT-18623

ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL) AND R-4 (HIGH DENSITY RESIDENTIAL) UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - EOT-18623 - APPLICANT/OWNER: CLUB
RENAISSANCE PARTNERS, LLC

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

**** CONDITIONS ****

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

Planning and Development

1. This Extension of Time will expire on February 16, 2009 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-5662) and all other subsequent related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for Extension of Time of an approved Site Development Plan Review (SDR-5662) that allowed a 60-story mixed-use development to include 950 residential units and 91,000 square feet of commercial space and waivers of the Centennial Plan building step-back and build-to requirements on 1.28 acres adjacent to the southeast corner of Casino Center Boulevard and Bonneville Avenue (APN 139-34-311-058 through 65).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/16/64	The City Council approved a Rezoning [Z-0100-64] to reclassify property, including the subject parcels, in the area generally bounded by Main Street, Bonanza Road, Las Vegas Boulevard and Charleston Boulevard from R-1 (Single Family Residential), R-4 (High Density Residential), C-1 (Limited Commercial) and C-V (Civic) to C-2 (General Commercial).
02/24/83	The Board of Zoning Adjustment approved a Special Use Permit [U-0004-83] to allow a professional office on one of the parcels that comprise the proposed development site.
09/15/99	The City Council approved a Special Use Permit [U-0082-99] to allow a bail bonds service on a portion of the proposed development site. The Planning Commission recommended approval of the request on 08/12/99.
03/17/04	A Site Development Plan Review [SDR-3386] was Withdrawn Without Prejudice prior to consideration by the City Council. The Planning Commission recommended denial of the application on 02/17/04.
02/16/05	The City Council approved a Special Use Permit [SUP-5663] to allow a mixed-use commercial and residential development and a Site Development Plan Review [SDR-5662] to allow a 60-story mixed-use development to include 950 residential units and 91,000 square feet of commercial space and waivers of the Centennial Plan building step-back and build-to requirements on 1.28 acres adjacent to the southeast corner of Casino Center Boulevard and Bonneville Avenue (APN 139-34-311-058 through -065). The Planning Commission and staff recommended approval on 01/13/05.
06/23/05	The Planning Commission approved a Tentative Map [TMP-6612] for a 912 unit mixed-use subdivision on 1.28 acres adjacent to the southeast corner of Bonneville Avenue and Casino Center Boulevard (APN 139-34-311-058 through -065). Staff recommended approval.
02/07/07	The City Council will consider an Extension of Time [EOT-18622] of an approved Special Use Permit (SUP-5663) that allowed a mixed-use commercial and residential development on 1.28 acres adjacent to the southeast corner of Casino Center Boulevard and Bonneville Avenue (APN 139-34-311-058 through 65). Staff is recommending approval.

<i>Related Building Permits/Business Licenses</i>	
02/16/05	A traffic impact analysis [HANSEN #T5953] was completed for the southeast corner of Bonneville Avenue and Casino Center Boulevard.
11/03/05	Civil improvement plans were submitted and subsequently denied due to non-conformance with City Council approval. A second review has not been submitted for therefore, the proposed civil improvement plans are not at a mylar read state.
12/14/05	Permit #5008759 issued for the relocation of the railroad cottages.
03/31/06	HANSEN Permit #62666 was issued for the demolition of the existing buildings and footings located at 601 South Casino Center Boulevard.
04/07/06	An encroachment agreement was recorded to allow an approximate 5' wide area of landscaping on the north side of Garces Avenue extending eastward from Casino Center Boulevard. In addition, the agreement will allow tree grates along the east side of Casino Center Boulevard between Garces Avenue and Bonneville Avenue, as well as along the south side of Bonneville Avenue extending eastward from Casino Center Boulevard.
<i>Pre-Application Meeting</i>	
NONE	A pre-application conference is not required for this type of application.
<i>Neighborhood Meeting</i>	
NONE	A pre-application conference is not required for this type of application.

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

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped Bail Bond Service	C (Commercial)	C-2 (General Commercial) & R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
North	Commercial Parking Lot	PF (Public Facility)	C-V (Civic)
South	Multifamily Residential	C (Commercial)	R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial)
East	Office Use Parking Lot	C (Commercial)	C-2 (General Commercial)
West	Multifamily Residential Office Use	C (Commercial)	C-2 (General Commercial)

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

ANALYSIS

This is the first Extension of Time for the subject Site Development Plan Review (SDR-5662), which was approved by the City Council on 02/16/05. A Site Development Plan Review is exercised upon approval issuance of a building permit for the principle structure on the site. No building permits have been issued for the proposed development other than a demolition permit; however civil improvement plans have been submitted and are pending a second review prior to a mylar submittal. The applicant has indicated that the Extension of Time is necessary due to rising construction costs and increasing interest rates forcing them to look at other construction methods and alternatives for the project, which in turn has caused significant delays.

FINDINGS

Staff supports the subject Extension of Time for the approved Site Development Plan Review. The applicant has demonstrated that they are working towards development of the subject site. A condition of approval has been added, which recommends that the extension be allowed for two years or until such time as another Extension of Time application is approved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-18623** APN: 139-34-311-065

Name of Property Owner: Dawson Joseph & Verla S Fam Trust

Name of Applicant: Club Renaissance LLC.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

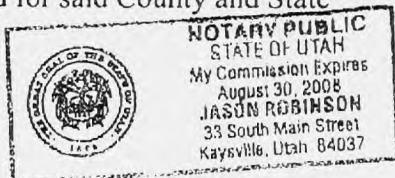
APN _____

Signature of Property Owner: Verla S. Dawson Trustee
Joseph Dawson Trustee
Print Name: Joseph Dawson

Subscribed and sworn before me

This 11th day of SEPTEMBER, 2006

Jason R. Robinson DEVELOPER, UT
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: OT-18623 APN: 139-34-311-058 to 063 - C C 4

Name of Property Owner: Club Renaissance LLC.

Name of Applicant: Club Renaissance LLC.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

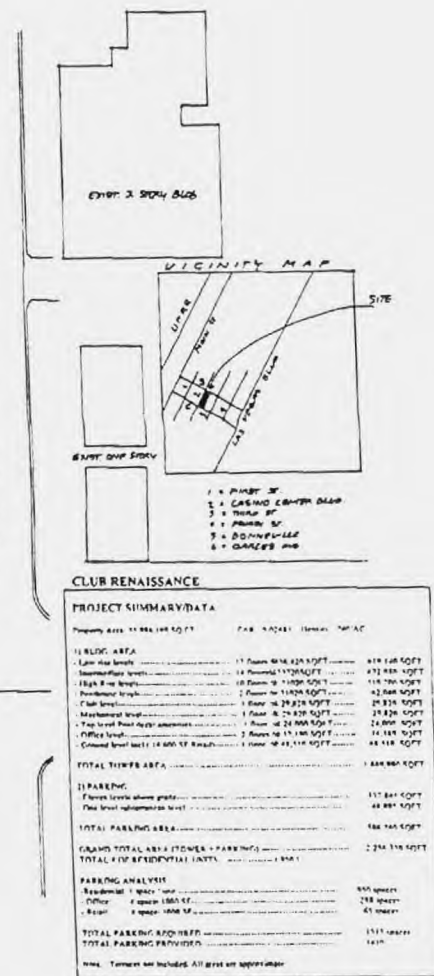
Print Name: Gilles A. Pageau

Subscribed and sworn before me

This 19th day of September, 2006

Melissa Stertz
Notary Public in and for said County and State
State of Nevada County of
Clark

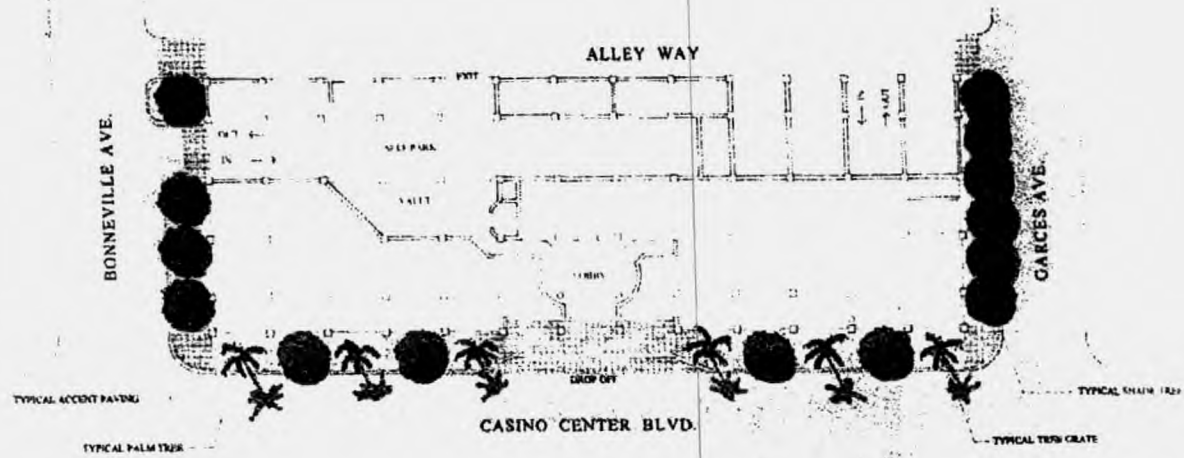




EOT-18623
02-07-07 CC

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DEC 2006



NOTE:
ALL LANDSCAPE ELEMENTS TO BE COORDINATED WITH
THE CITY OF LAS VEGAS AND THE CITY OF LAS VEGAS STANDARDS.

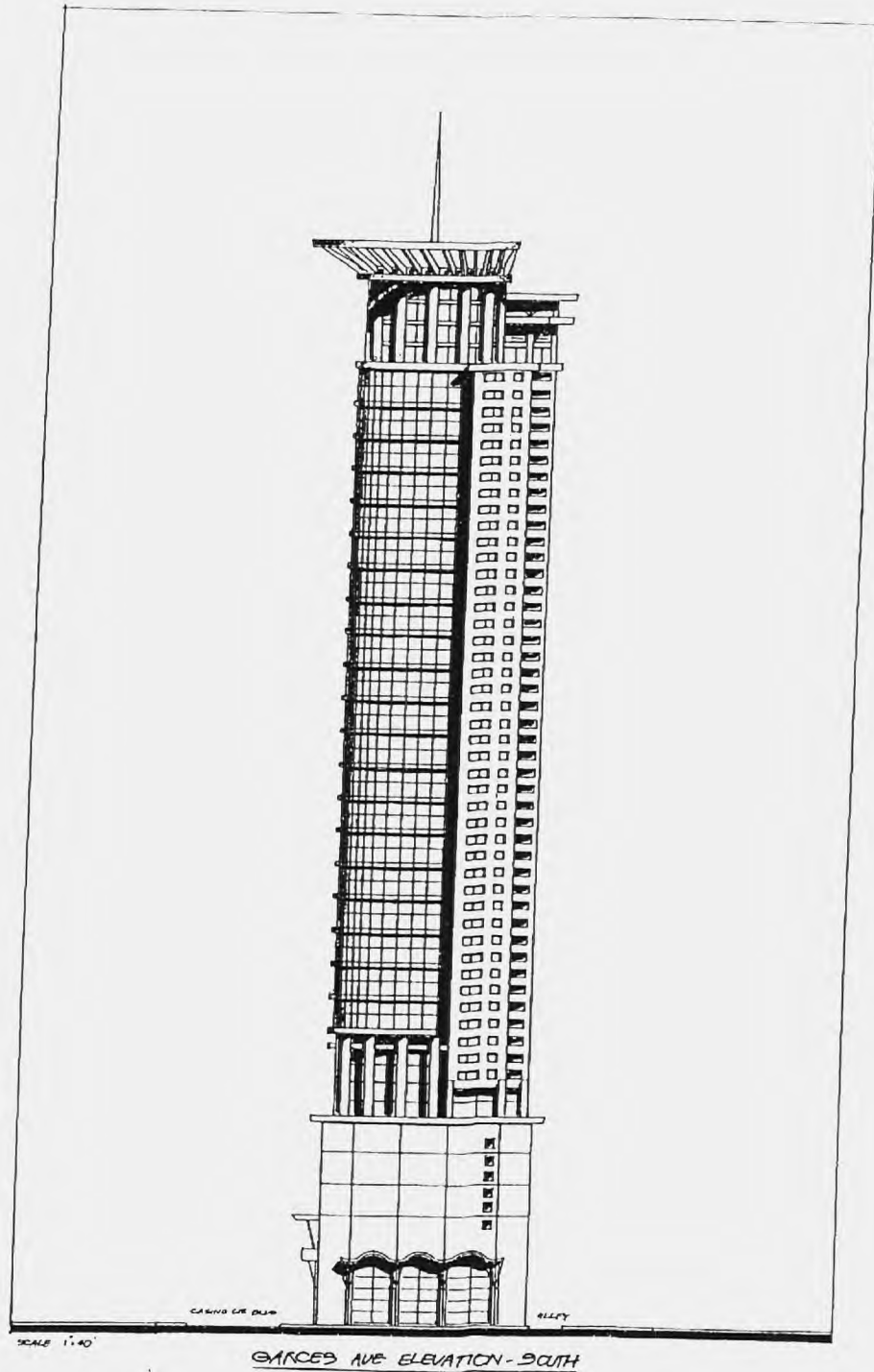
PRELIMINARY
LANDSCAPE PLAN

CLUB RENAISSANCE
CASINO CENTER BLVD
LAS VEGAS, NEVADA

EOT-18623
02-07-07 CC

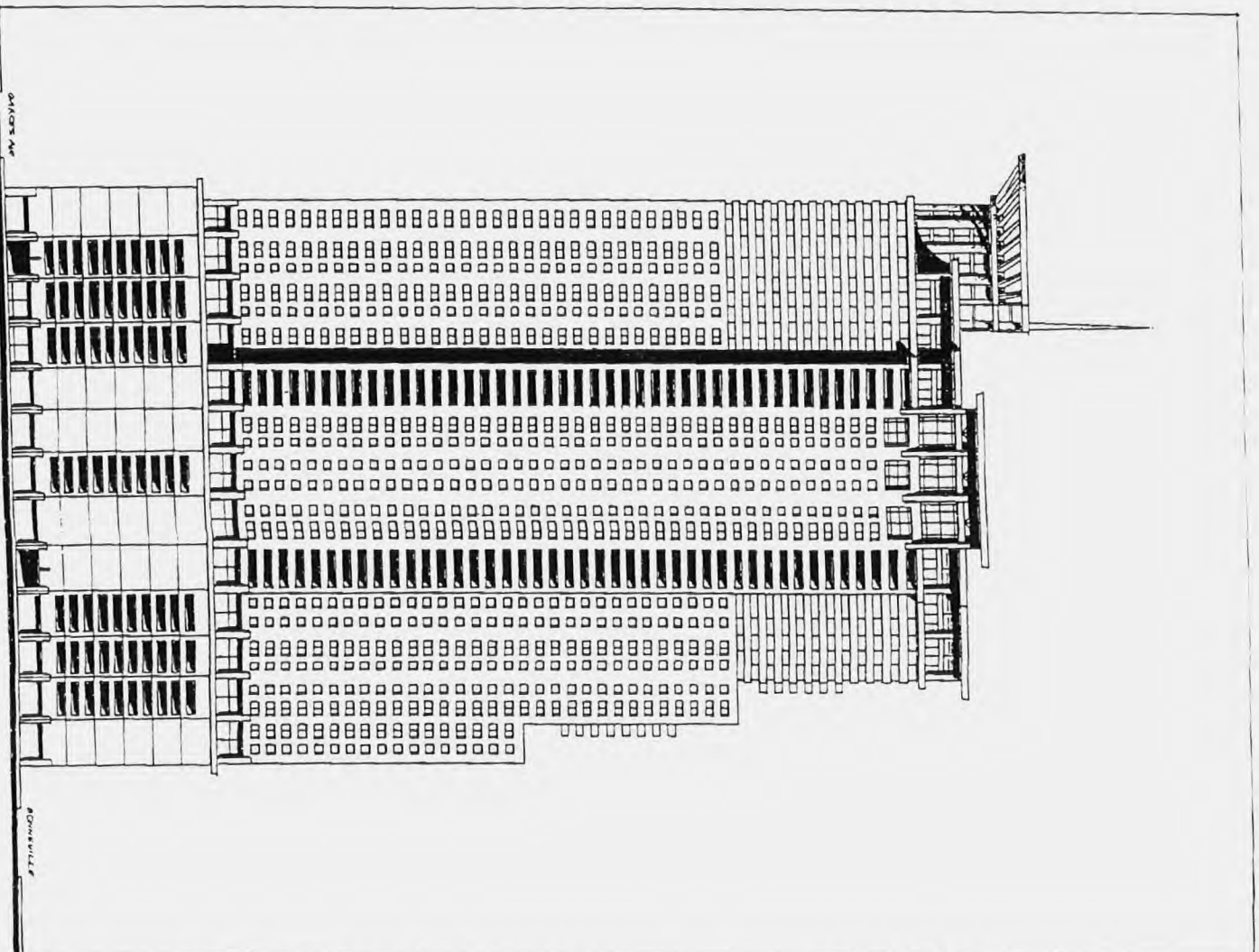
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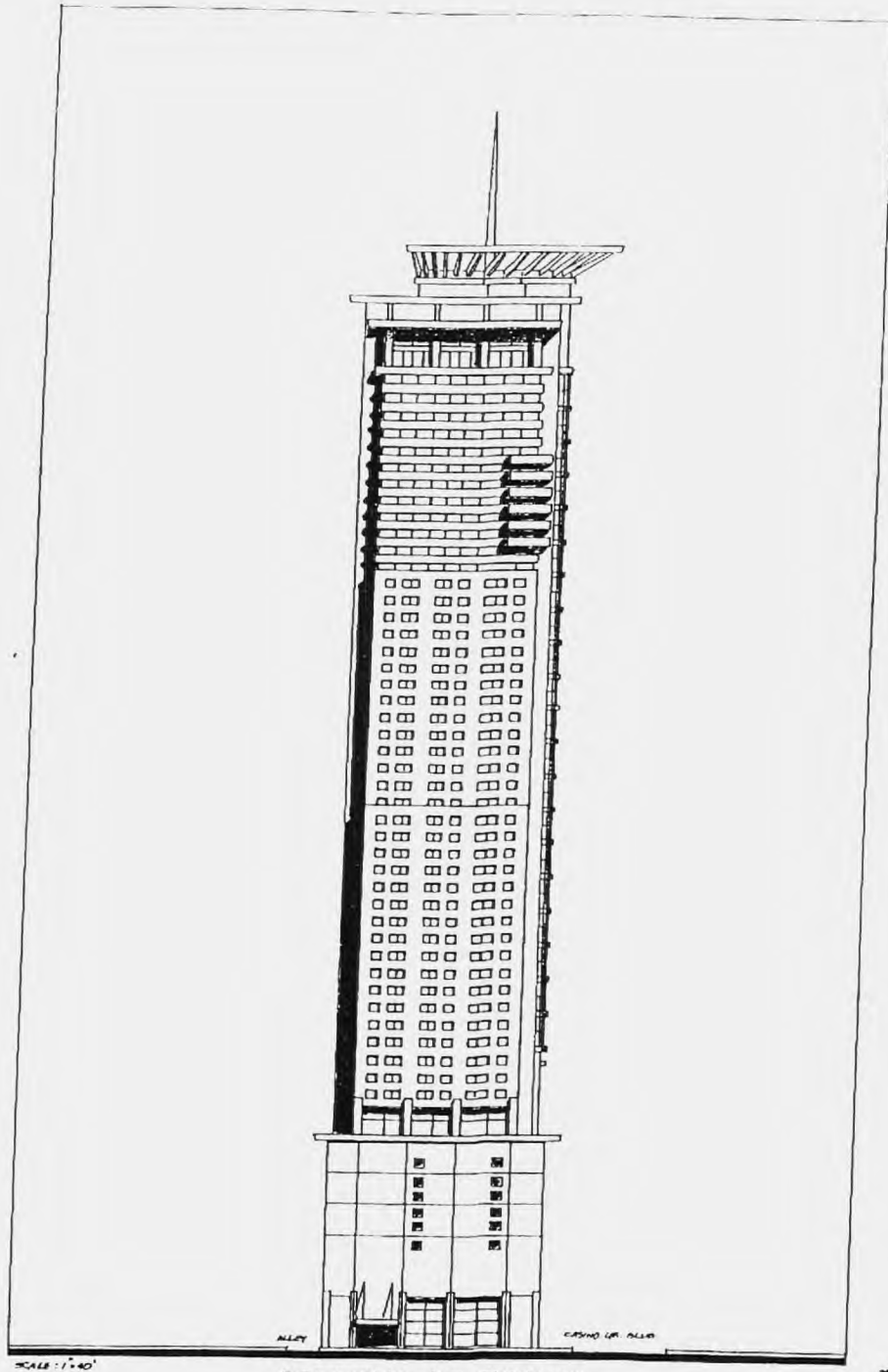
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02-07-07 CC

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DEC 9 2006



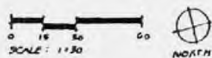
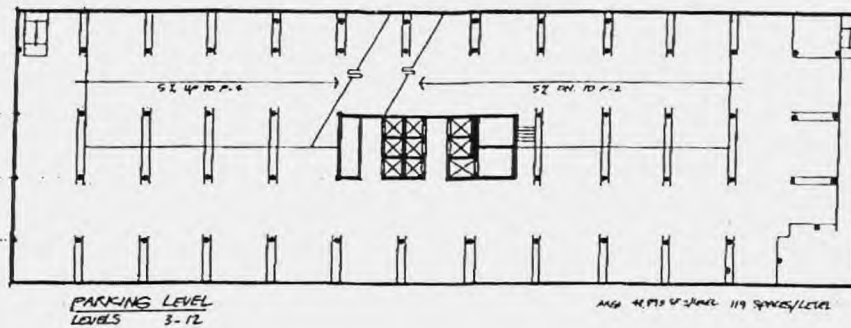
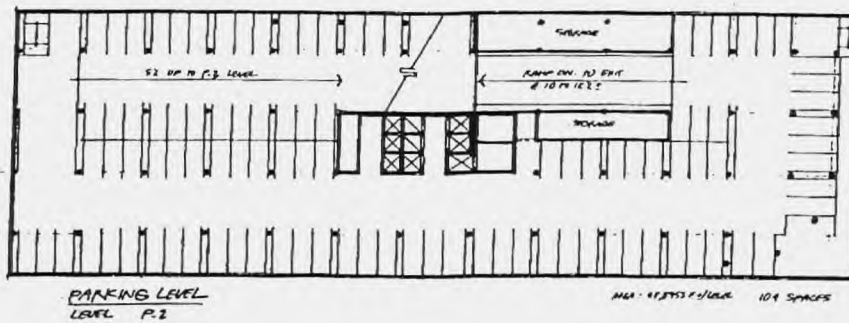
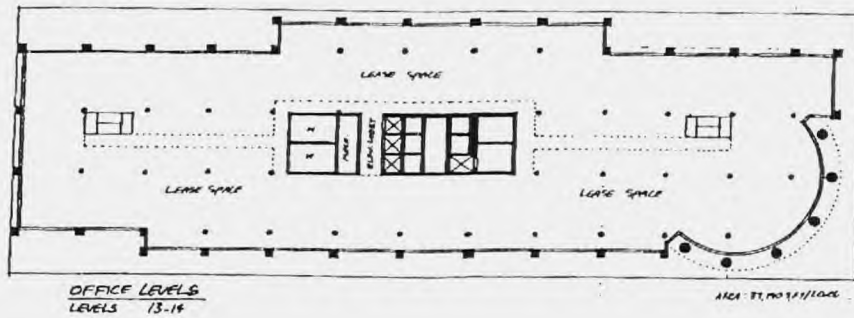
SCALE: 1/4" = 1'-0"

DONNEVILLE AVE. ELEVATION

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DEC 7 2006

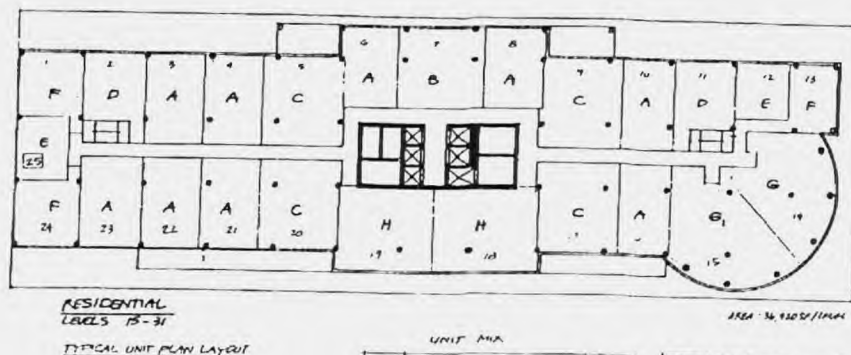
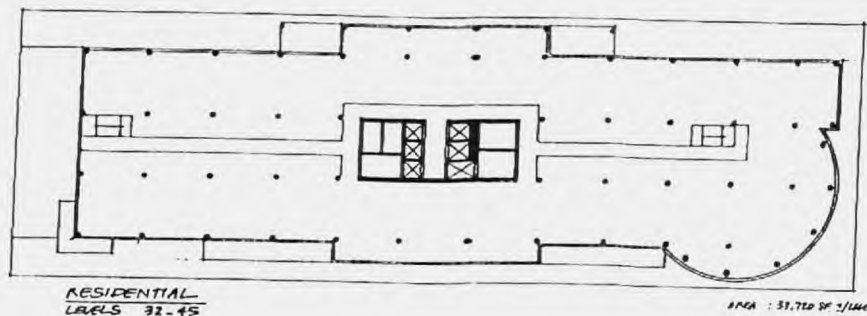
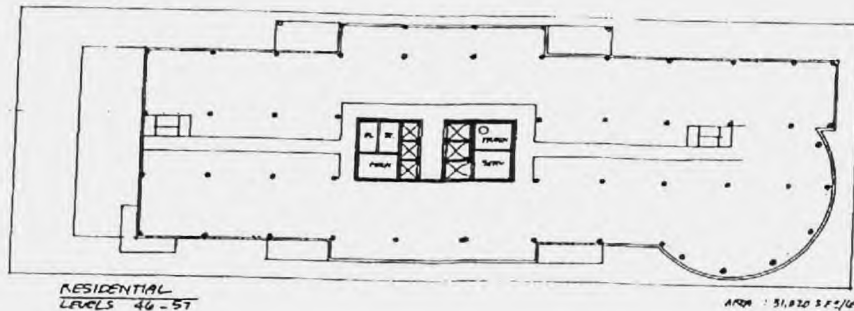
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02-07-07 CC



EOT-18623
02-07-07 CC

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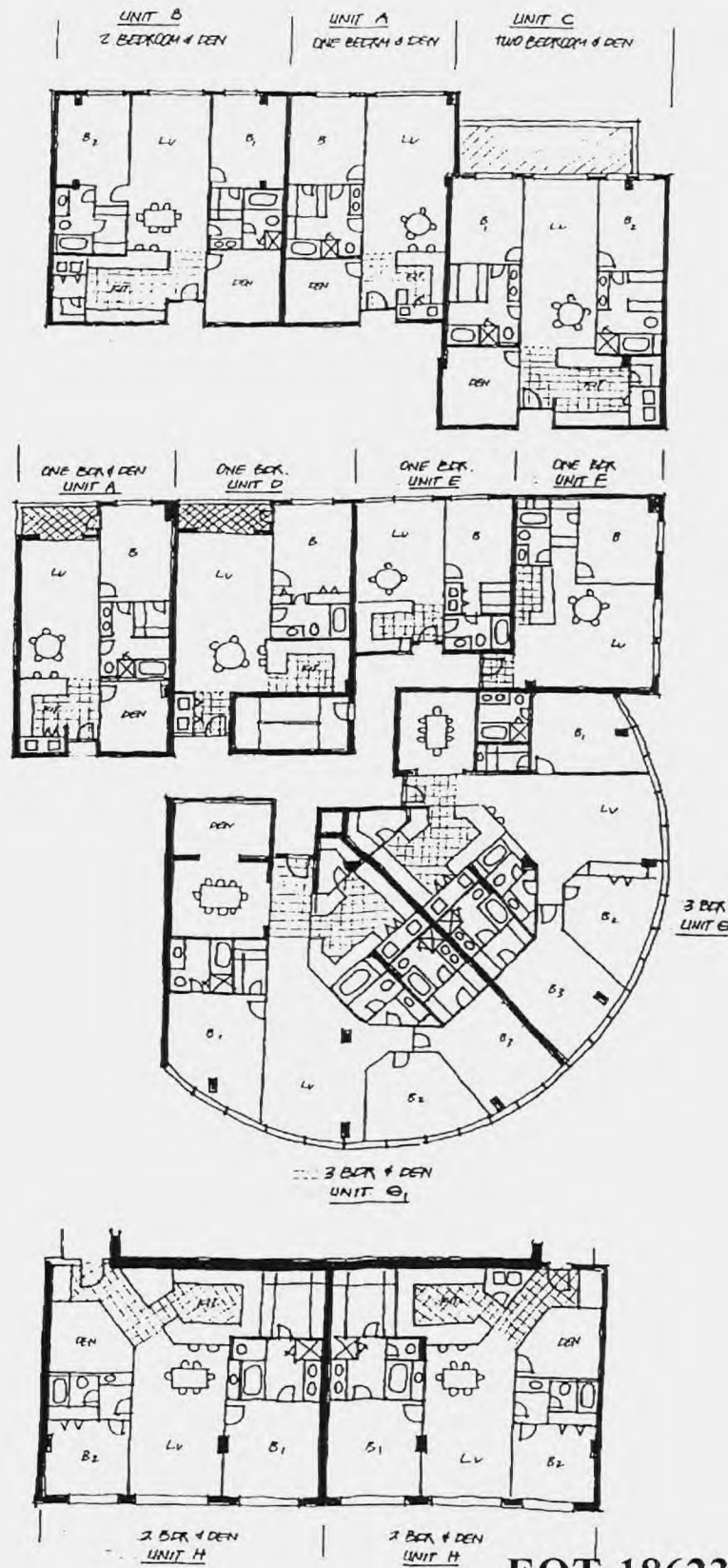
UNIT AREA		
876	ONE BEDROOM	205 UNITS
227	ONE BEDROOM + DEN	359 UNITS
902	TWO BEDROOM + DEN	281 UNITS
42	THREE BEDROOM	41 UNITS
42	THREE BEDROOM + DEN	41 UNITS
12	PENTHOUSE	17 UNITS
1002	TOTAL UNITS	950

876	TWO BEDROOM + DEN
227	TWO BEDROOM + DEN
902	ONE BEDROOM
42	ONE BEDROOM
42	ONE BEDROOM + DEN
12	TWO BEDROOM + DEN
12	THREE BEDROOM
12	THREE BEDROOM + DEN

RECEIVED

DEC 7 2006

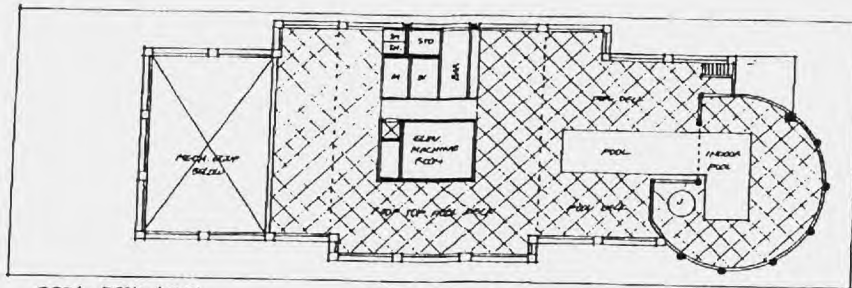
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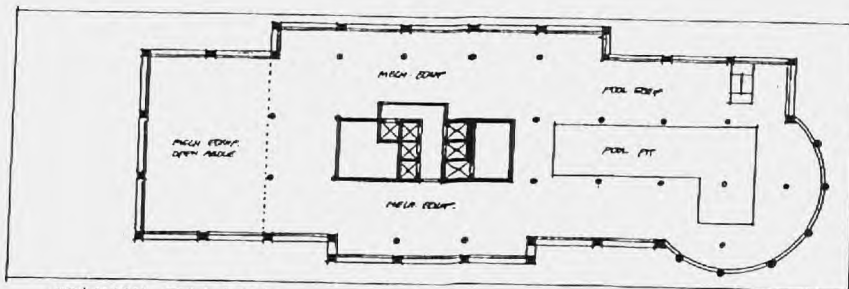
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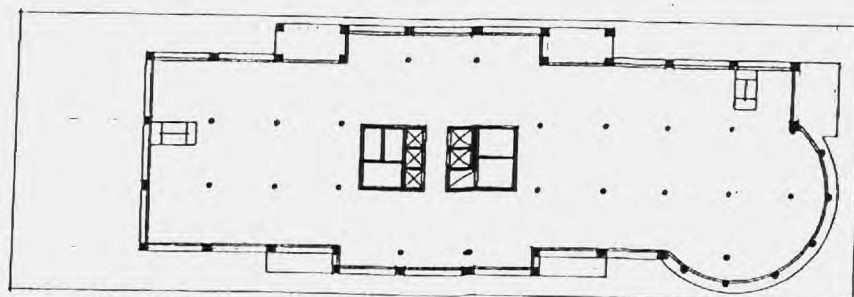


POOL DECK LEVEL
LEVEL 60



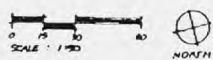
MECHANICAL EQUIP. LEVEL
LEVEL 59

AREA : 29,820 S.F.



CLUB LEVEL
LEVEL 58

AREA : 29,820 S.F.



RECEIVED

DEC 7 2006

EOT-18623
02-07-07 CC

January 10, 2007
City of Las Vegas
Planning & Development
731 S 4th Street, NV 89101

Reference: Club Renaissance- Extension of Time 18622 & 18623

Justification Letter

Club Renaissance Partners, LLC is proposing to develop a 1.28-acre parcel located on the southeast corner of Casino Center Blvd. and Bonneville Avenue in Downtown Centennial Plan area

Club Renaissance Partners, LLC is asking for the continued support from the City of Las Vegas and request the Extension of Time. Due to rising construction costs and increasing interest rates we have been forced to look at other construction methods and alternatives for the project this has caused significant delays.

RECEIVED

JAN 10 2007



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
STEVE WOLFSON
LOIS TARKANIAN

DOUGLAS A. SELBY
CITY MANAGER

February 17, 2005

Mr. Francis I. Lynch, et al
725 South 6th Street
Las Vegas, Nevada 89101

RE: SDR-5662 - SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF FEBRUARY 16, 2005
Related to SUP-5663

Dear Mr. Lynch:

The City Council at a regular meeting held February 16, 2005 APPROVED the request for a Site Development Plan Review TO ALLOW A 60-STORY MIXED-USE DEVELOPMENT TO INCLUDE 950 RESIDENTIAL UNITS AND 91,000 SQUARE FEET OF COMMERCIAL SPACE AND WAIVERS OF THE CENTENNIAL PLAN BUILDING STEP-BACK AND BUILD-TO REQUIREMENTS on 1.28 acres adjacent to the southeast corner of Casino Center Boulevard and Bonneville Avenue (APN 139-34-311-058 through 065) C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on February 17, 2005. This approval is subject to:

Planning and Development

1. A Special Use Permit (SUP-5663) to allow Mixed-Use development approved by the City Council.
2. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, date stamped 11/24/04, except as amended by conditions herein.
4. The Waiver from the Downtown Centennial Plan building setback requirement is hereby approved, based on the proposed facade articulation and massing of the structure.
5. The Waiver from the Downtown Centennial Plan build-to requirement is hereby approved, in order to allow sufficient area for the public sidewalks.

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov
15112-001-1-05
CLV 7000

EOT-18623
02-07-07 CC

Mr. Francis I. Lynch, et al
SDR-5662 - Page Two
February 17, 2005

6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to include an additional street tree on Garces Avenue in conformance to the Downtown Centennial Plan. All other streetscape treatments shall conform to the requirements of the Downtown Centennial Plan.
7. The landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
8. The applicant shall provide and install standard Fourth Street style fixtures in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.
9. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.
- * 10. Utilities and power service lines in alleys shall be located underground in accordance with Subsection DS2.1.f. of the Downtown Centennial Plan. In addition, the surfacing of the alley shall conform to the Alleyway Treatment, as described in Subsection DS2.1.g, and as depicted in Graphic 4 of the Downtown Centennial Plan.
11. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j of the Downtown Centennial Plan. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.
12. Prior to the submittal of a building permit, 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.

EOT-18623
02-07-07 CC

Mr. Francis I. Lynch, et al
SDR-5662 – Page Three
February 17, 2005

13. As per the Memorandum of Understanding between Casino Center Development, LLC (or *Leonard Messina*) and the LV Springs Preserve, the following cottages will need to be moved as a condition of approval:

- a. 601 S. Casino Center
- b. 609 S. Casino Center
- c. 621 S. Casino Center

Also as a condition of approval, the following cottages shall be dismantled for usable parts in the restoration of 601, 609, and 621 S. Casino Center, and 604 S. Fourth Street:

- a. 605 S. Casino Center
- b. 617 S. Casino Center

All work is to be supervised by Gregory Seymour, archeologist from the LV Springs Preserve.

14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Dedicate a 10 foot radius on the southeast corner of Bonneville Avenue and Casino Center Boulevard and a 10 foot radius on the northeast corner of Garces Avenue and Casino Center Boulevard prior to the issuance of any permits.
16. Coordinate with Design Section of the City Engineer's Office to ensure the proposed plan does not conflict with the proposed Bonneville/Clark Couplet.
17. Coordinate with the City Surveyor to determine whether a Reversionary Map or other Map is necessary; if such a Map is required, it should record prior to the issuance of any permits for this site.
18. Grant a Traffic Signal Chord Easement at the southeast corner of Bonneville Avenue and Casino Center Boulevard.
19. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new Improvements meeting current Las Vegas Downtown Centennial Plan Standards concurrent with development of this site. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

EOT-18623
02-07-07 CC

Mr. Francis I. Lynch, et al
SDR-5662 – Page Four
February 17, 2005

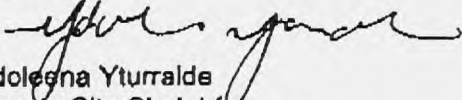
20. If not already constructed, the developer of this site must enter into a sewer refunding agreement that provides the full reimbursement cost for construction of the Clark Avenue sewer between Las Vegas Boulevard and Fourteenth Street. Connection to the existing 24 inch sewer in Clark Avenue and the improvements of the Clark Avenue sewer between Las Vegas Boulevard and Fourteenth Street is required prior to occupancy of this site, unless otherwise allowed by the City Engineer.
21. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.
22. Landscape and maintain all unimproved rights-of-way adjacent to this site.
23. Submit an Encroachment Agreement for all landscaping and private improvements, located within or over the public rights-of-way adjacent to this site prior to occupancy of this site.
24. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
25. 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.

EOT-18623
02-07-07 CC

Mr. Francis I. Lynch, et al
SDR-5662 -- Page Five
February 17, 2005

26. 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.

Sincerely,


Ydoleena Yturralde
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services

Mr. Bruce Matlaf
Club Renaissance Partners, LLC
112 Garces Avenue, Suite #130
Las Vegas, Nevada 89101

Ms. Jo Pinther
Stantec Consulting, Inc.
7251 West Charleston Boulevard
Las Vegas, Nevada 89117

EOT-18623
02-07-07 CC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒ **Consent** ☐ **Discussion**

SUBJECT:

EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW

EOT-18770 – ABEYANCE ITEM - APPLICANT: SANDHURST DEVELOPMENT - OWNER: TAURUS SANDHURST, LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP - Request for an Extension of Time of an approved Site Development Plan Review (SDR-5179) THAT ALLOWED A 35 STORY MIXED-USE DEVELOPMENT IN PARKWAY CENTER TO INCLUDE 413 RESIDENTIAL UNITS AND 35,435 SQUARE FEET OF COMMERCIAL SPACE on 3.23 acres on the north side of Iron Horse Court, approximately 300 feet east of Grand Central Parkway (APN 139-33-810-006), Ward 5 (Weekly). Staff 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 APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for SDR-5179

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

1. This Extension of Time will expire on August 15, 2007 unless another Extension of Time is approved by the City Council.

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)

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

Minutes:

MICHAEL MIROLLA appeared with JOSEPH MANZELLA, both representing Sandhurst Development, LLC. MR. MIROLLA stated that the land was purchased in July 2004 for approximately three million dollars; the land is now valued at 24 million dollars. It is not their intention to flip the property, as they have invested 13 million dollars into the project. MR. MIROLLA gave the Council a brief history of the progress and emphasized that building permits should be obtained within six weeks. Although the land was lost on October 12th, Taurus Sandhurst Development has provided a written document allowing them the opportunity to purchase the land back for substantially under market price. They intend to continue working on the project to bring it into fruition. MAYOR GOODMAN was pleased and impressed with the report. COUNCILMAN WEEKLY requested that this type of report be provided to Council on a regular basis as the project continues to move forward; MR. MIROLLA willingly concurred with the Councilman's request.





CASE: **EOT-18770**

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

0 200 400 Feet





CASE: EOT-18770

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE - EOT-18770 - APPLICANT: SANDHURST
DEVELOPMENT - OWNER: TAURUS SANDHURST, LIMITED PARTNERSHIP, A
DELAWARE LIMITED PARTNERSHIP**

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

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on December 15, 2008 unless another Extension of Time is approved by the City Council.
2. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-5179) and all other subsequent related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Site Development Plan Review (SDR-5179) that allowed a 35 story mixed-use development in Parkway Center to include 413 residential units and 35,435 square feet of commercial space on 3.23 acres on the north side of Iron Horse Court, approximately 300 feet east of Grand Central Parkway (APN 139-33-810-006).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/23/98	The City Council approved a Rezoning (Z-0100-97) to reclassify 223 acres of property, including the subject parcel, from M (Industrial) to P-D (Planned Development) for mixed use projects. This rezoning created what would later be known as Parkway Center.
10/05/04	The Parkway Center Architecture Review Committee (PC-ARC) recommended approval of the proposed project and the requested Waivers.
12/15/04	The City Council approved a Site Development Plan Review [SDR-5179] for a proposed 35 story mixed-use development in Parkway Center to include 413 residential units and 35,435 square feet of commercial space on 3.23 acres on the north side of Iron Horse Court, approximately 300 feet east of Grand Central Parkway, (APN 139-33-810-006). The Planning Commission and staff recommended approval on 12/02/04.
01/27/05	The Planning Commission approved a Tentative Map [TMP-5806] for a proposed 414-unit mixed-use subdivision on 3.23 acres adjacent to the north side of Iron Horse Court, approximately 300 feet east of Grand Central Parkway (APN 139-33-810-006). Staff recommended approval.
11/16/05	The City Council approved a Vacation [VAC-9074] of a portion of an existing drainage easement generally located at the northeast corner of Grand Central Parkway and Iron Horse Court. The Planning Commission and staff recommended approval on 10/20/05.
<i>Related Building Permits/Business Licenses</i>	
06/03/05	Building plans were submitted for a permit review [C-122-05], but were voided on 08/07/06, due to inactivity.
06/06/05	A permit for on site improvements [Permit #05003766] and temporary sales trailer [Permit #05003765] were issued to 1023 Iron Horse Court.
06/22/05	A sign permit [Permit #05004350] was issued to 1003 Iron Horse Court.
10/24/05	Civil improvement plans [HANSEN Project #10021] were submitted for a express review process. Mylars have not been submitted for final signature as of yet.

11/07/05	The Department of Planning and Development accepted a Final Map [FMP-10090] application for the project. The Final Map Technical Review Action Letter was sent on 12/12/05. Mylars have not been submitted as of yet.
Pre-Application Meeting	
NONE	A pre-application conference is not required for this type of application.
Neighborhood Meeting	
NONE	A pre-application conference is not required for this type of application.

Details of Application Request	
Site Area	
Gross Acres	3.2

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	MXU (Mixed Use)	PD (Planned Development)
North	County and Regional Offices Parking	PF (Public Facility)	C-V (Civic)
South	Warehouses	MXU (Mixed Use)	PD (Planned Development)
East	Railroad Warehouses	LI/R (Light Industry/Research)	M (Industrial)
West	Highway Access Circle Shopping Mall Parking	MXU (Mixed Use)	PD (Planned Development)

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

ANALYSIS

This is the first Extension of Time for the subject Site Development Plan Review (SDR-5179), which was approved by the City Council on 12/15/04. A Site Development Plan Review is exercised upon approval issuance of a building permit for the principle structure on the site. No building permits have been issued for the proposed development other than a temporary sales

office on the adjacent parcel and a sign permit; however civil improvement plans have been submitted and are pending a mylar submittal for final signatures. The applicant has indicated that the requested Extension of Time does not in any way request for alterations to the original approval and the applicant intends to abide by all qualifications as documented by the Planning and Development Department and City Council. No further justification as to why the Extension of Time is being requested has been supplied.

FINDINGS

Staff supports the subject Extension of Time for the approved Site Development Plan Review. The applicant has demonstrated that they are working towards development of the subject site. A condition of approval has been added, which recommends that the extension be allowed for two years or until such time as another Extension of Time application is approved.

<u>NEIGHBORHOOD ASSOCIATIONS NOTIFIED</u>	N/A
--	-----

<u>ASSEMBLY DISTRICT</u>	N/A
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<u>SENATE DISTRICT</u>	N/A
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<u>NOTICES MAILED</u>	N/A
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<u>APPROVALS</u>	0
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<u>PROTESTS</u>	0
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PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-18770** APN: 139-33-816-000

Name of Property Owner: Taurus Sandhurst, Limited Partnership

Name of Applicant: SANZHUST DEVELOPMENT LLC

Name of Representative: JOSEPH MANZELLA

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: Peter A. Merrigan

Subscribed and sworn before me

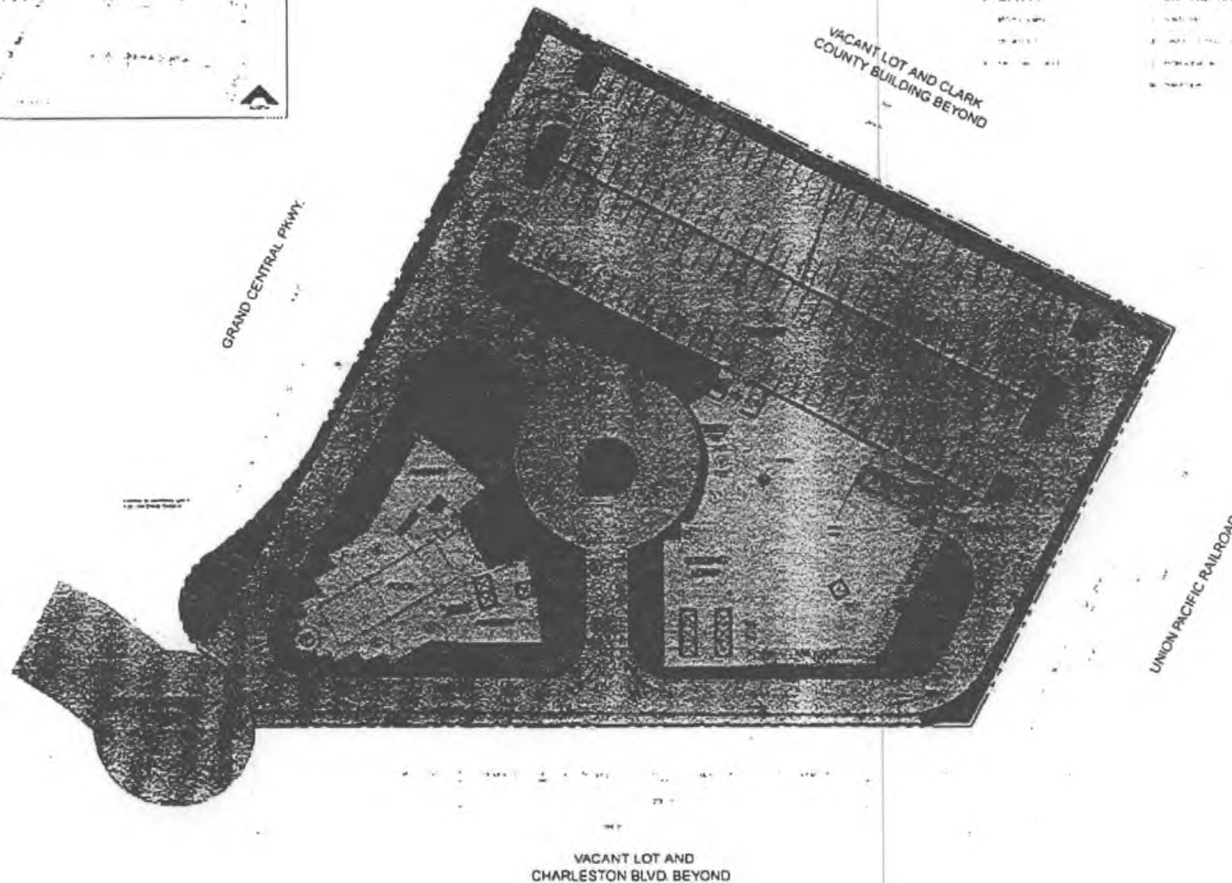
This 13th day of December, 20 06

Mark D. Donohoe
Notary Public in and for said County and State

Suffolk County
Commonwealth of Massachusetts



JMA ARCHITECTURE STUDIOS



SITE PLAN

SANDHURST RESIDENCES

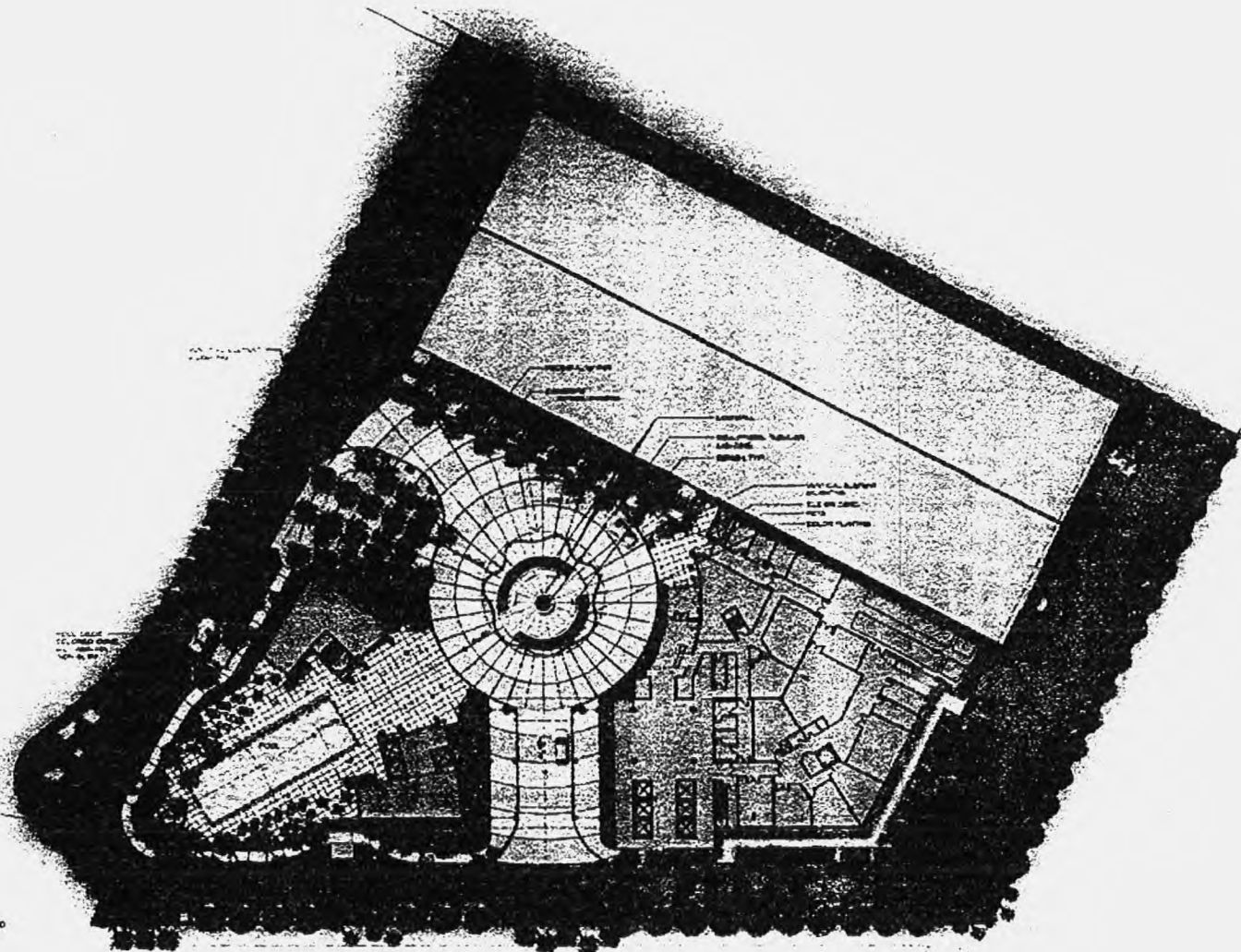
EOT-18770
02-07-07 CC

THIS LUMP SUM CONTRACT IS FOR THE DESIGN AND CONSTRUCTION OF THE SANDHURST RESIDENCES PROJECT. IT IS THE INTENT OF THE PARTIES THAT THE DESIGN SHALL BE IN ACCORDANCE WITH THE CITY OF CLARK COUNTY SPECIFICATIONS AND STANDARDS.

PROJECT NO. 220401172
DATE MAY 4 2004

RECEIVED

DEC 14 2006



ITEM	DESCRIPTION	QUANTITY	UNIT
1	LANDSCAPE ARCHITECTURE	1.00	MONTH
2	LANDSCAPE ARCHITECTURE	1.00	MONTH
3	LANDSCAPE ARCHITECTURE	1.00	MONTH
4	LANDSCAPE ARCHITECTURE	1.00	MONTH
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EOT-18770
02-07-07 CC



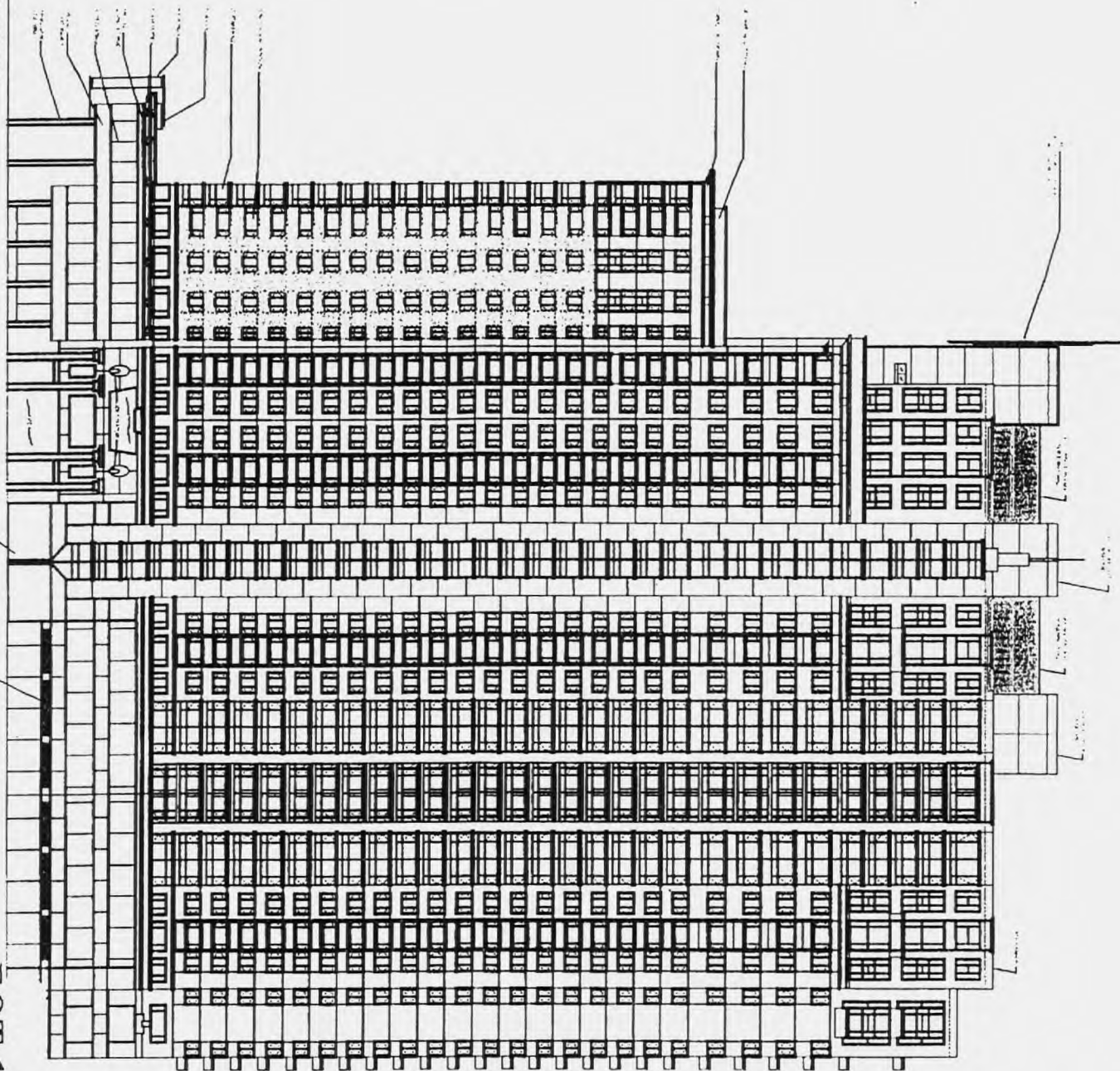
PRELIMINARY LANDSCAPE PLAN
RENAISSANCE TOWERS
LAS VEGAS, NEVADA

RPA LANDSCAPE ARCHITECTURE
1000 S. LAS VEGAS BLVD., SUITE 100
LAS VEGAS, NV 89101
TEL: 702.735.1111
FAX: 702.735.1112
WWW.RPA-ARCH.COM

DATE: 02-07-07
DRAWN BY: [Signature]
CHECKED BY: [Signature]
DATE: 02-07-07

DEC 14 2006

SOUTH ELEVATION



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EOT-18770

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SANDHURST LAS VEGAS
NORTH TOWER
IRON HORSE COURT
LAS VEGAS, NEVADA

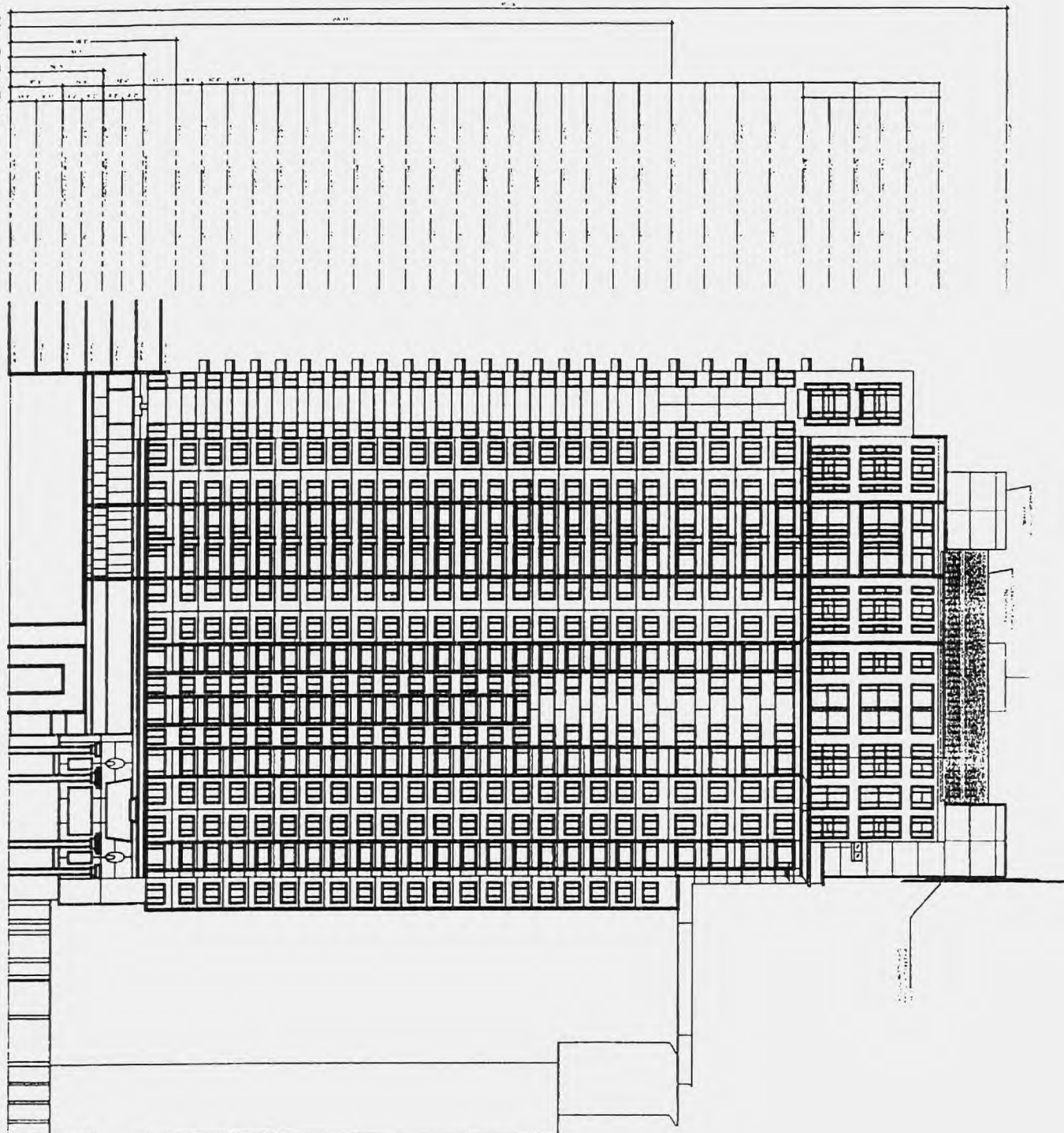
JMA ARCHITECTURE

PS

3000 APPEARED NAME HERE

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NORTH ELEVATION



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02-07-07 CC

SECTION

A5.02

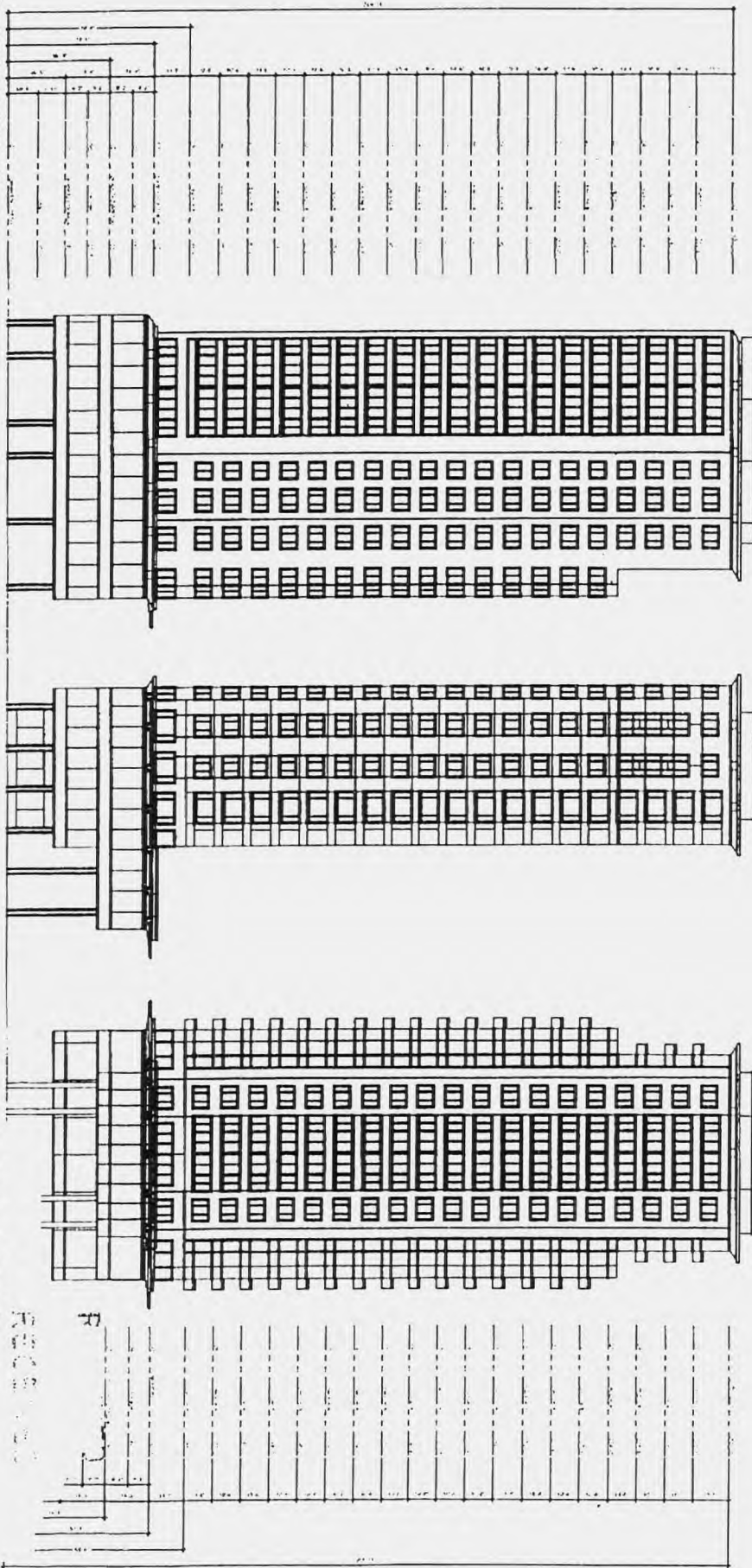
SANDHURST LAS VEGAS
NORTH TOWER
IRON HORSE COURT
LAS VEGAS, NEVADA



JMA ARCHITECTURE

10100 WILLOW PARK DRIVE, SUITE 100, LAS VEGAS, NV 89135
702.735.1234

WEDGE ELEVATIONS



EOT-18770
02-07-07 CC

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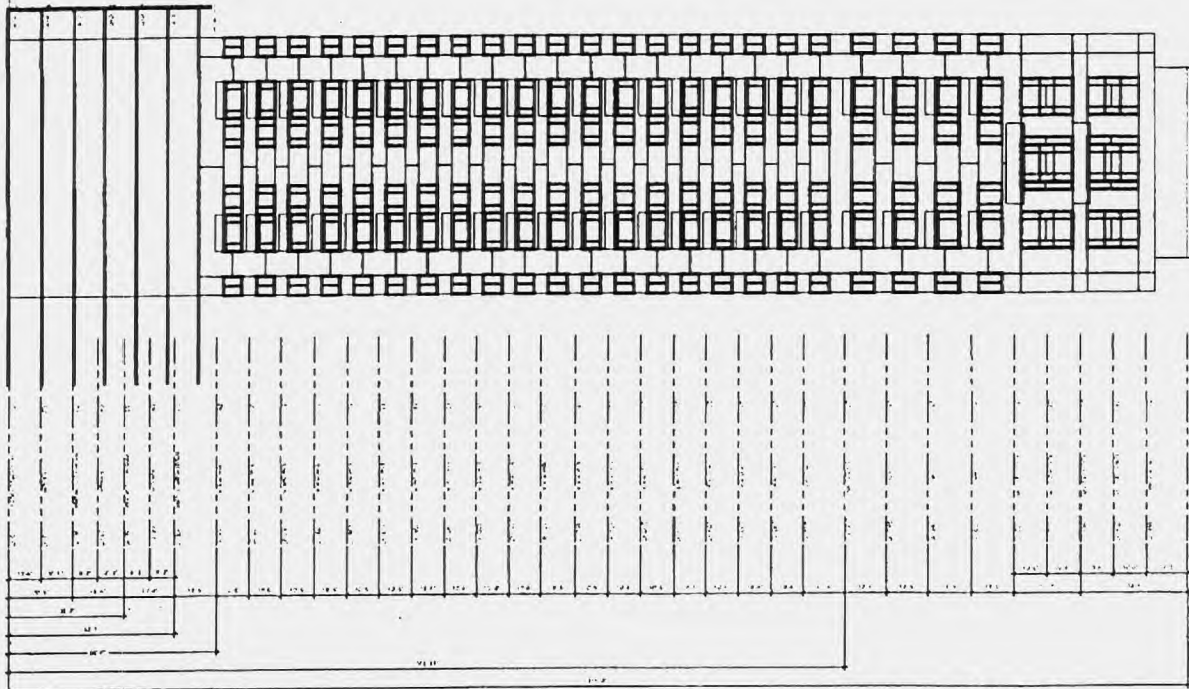
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PROJECT: SANDHURST LAS VEGAS	DESCRIPTION: NORTH TOWER	LOCATION: LAS VEGAS, NEVADA
ARCHITECT: JMA ARCHITECTURE	SCALE: 1/8" = 1'-0"	SHEET: 1 OF 1

SANDHURST LAS VEGAS
NORTH TOWER
IRON HORSE COURT
LAS VEGAS, NEVADA

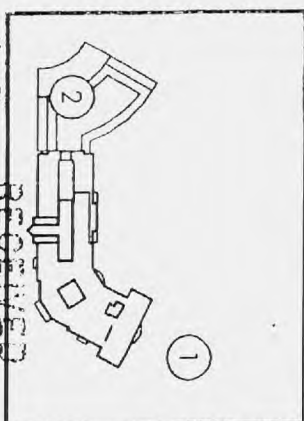


JMA ARCHITECTURE
10100 WASHINGTON AVENUE, SUITE 100
LAS VEGAS, NEVADA 89135
TEL: 702.735.1111 FAX: 702.735.1112

MISC. ELEVATIONS
ELEVATION 1



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02-07-07 CC



Key Plan

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A5.04

SANDHURST LAS VEGAS
NORTH TOWER
IRON HORSE COURT
LAS VEGAS, NEVADA



JMA ARCHITECTURE

20104 ETT-18770-02-07-07 CC



SANDHURST LAS VEGAS
NORTH TOWER
IRON HORSE COURT
LAS VEGAS, NEVADA

A1.00

A1.00

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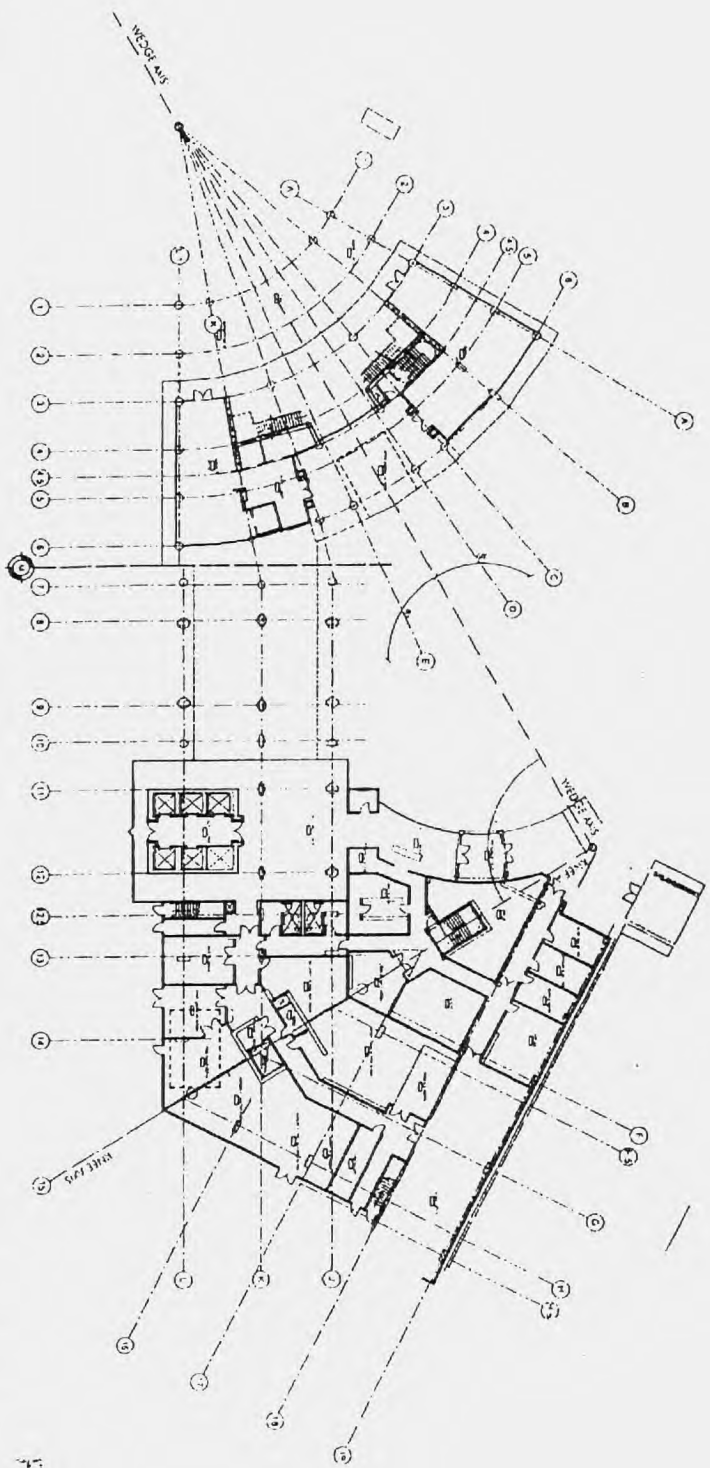
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02-07-07 CC

OVERALL ARCHITECTURAL SITE

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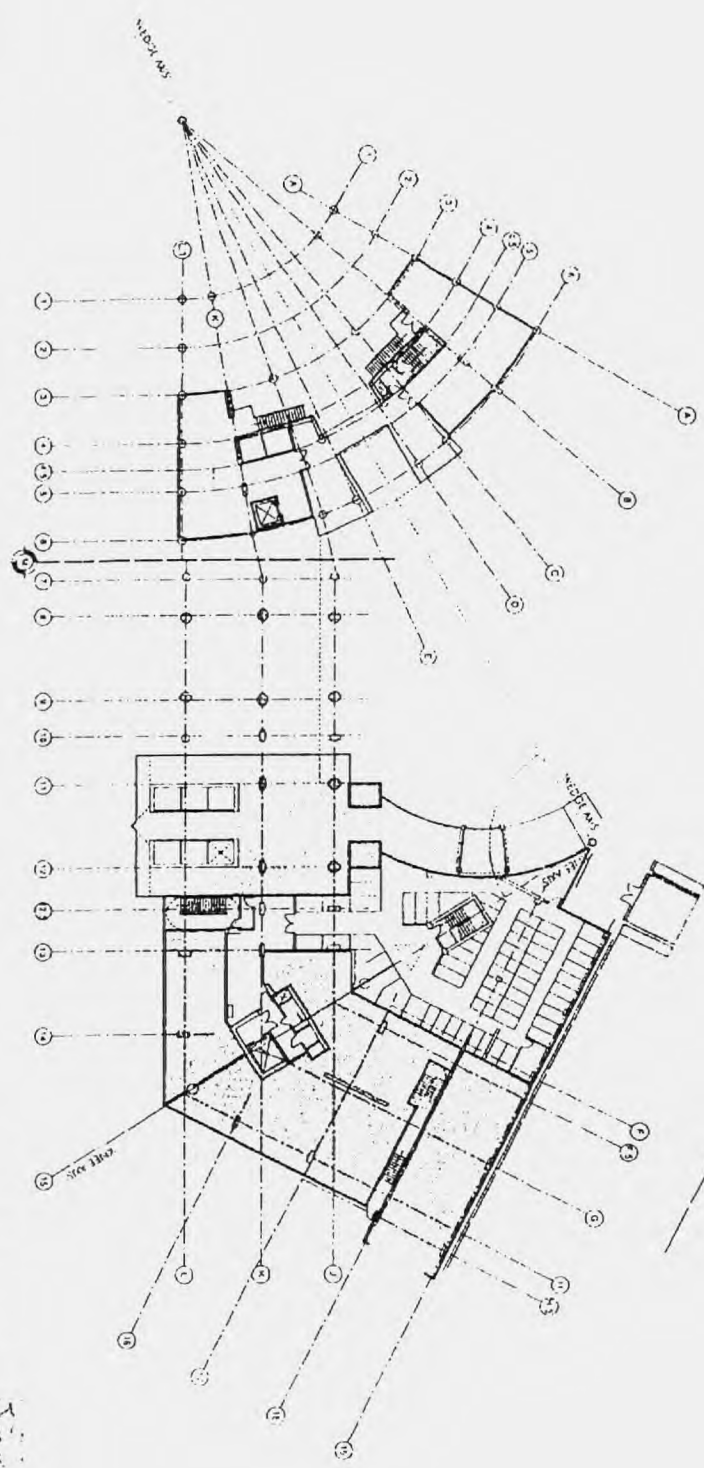
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EOT-18770 DEC 24 2005

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SANDHURST LAS VEGAS
NORTH TOWER
IRON HORSE COURT
LAS VEGAS, NEVADA



Project Name	Sandhurst Las Vegas North Tower
Project Number	EOT-18770
Revision	02-07-07 CC
Drawn By	A2.01
Checked By	
Approved By	
Date	DEC 24 2005

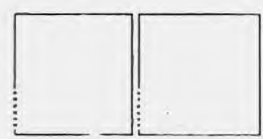


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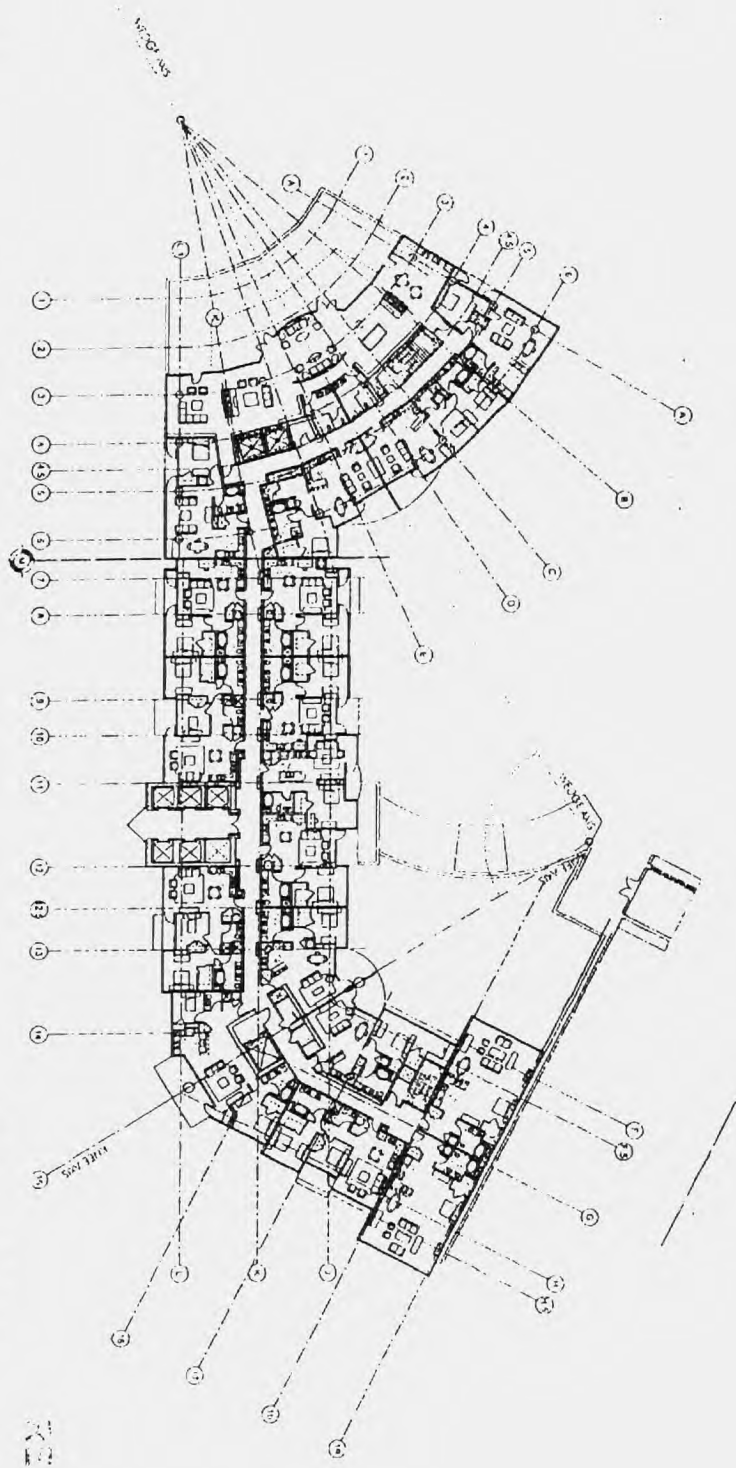
DEC 14 2006

A2.02

SANDHURST LAS VEGAS
NORTH TOWER
IRON HORSE COURT
LAS VEGAS, NEVADA



JMA ARCHITECTURE STUDIOS
ARCHITECTS
1000 DEER CREEK DRIVE, SUITE 100
LAS VEGAS, NV 89168
702.735.1000
WWW.JMA-ARCHITECTS.COM



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02-07-07 CC

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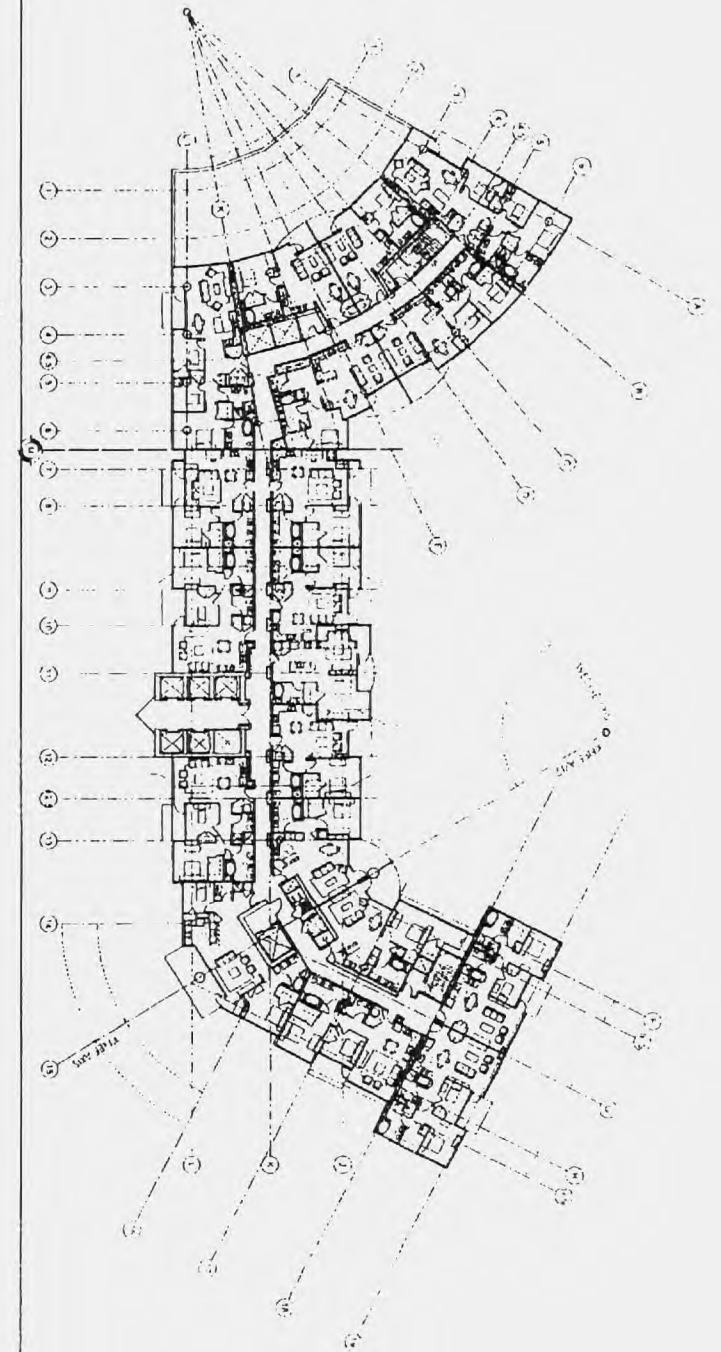
DEC 14 2006

A2.07	
1 of 1 (Level 7)	
Project: Sandhurst Las Vegas	
Drawing: Floor Plan Level 7	
Date: 02-07-07	
Scale: 1/8" = 1'-0"	
Author: JMA Architecture Studios	
Checker: JMA Architecture Studios	
Printer: JMA Architecture Studios	

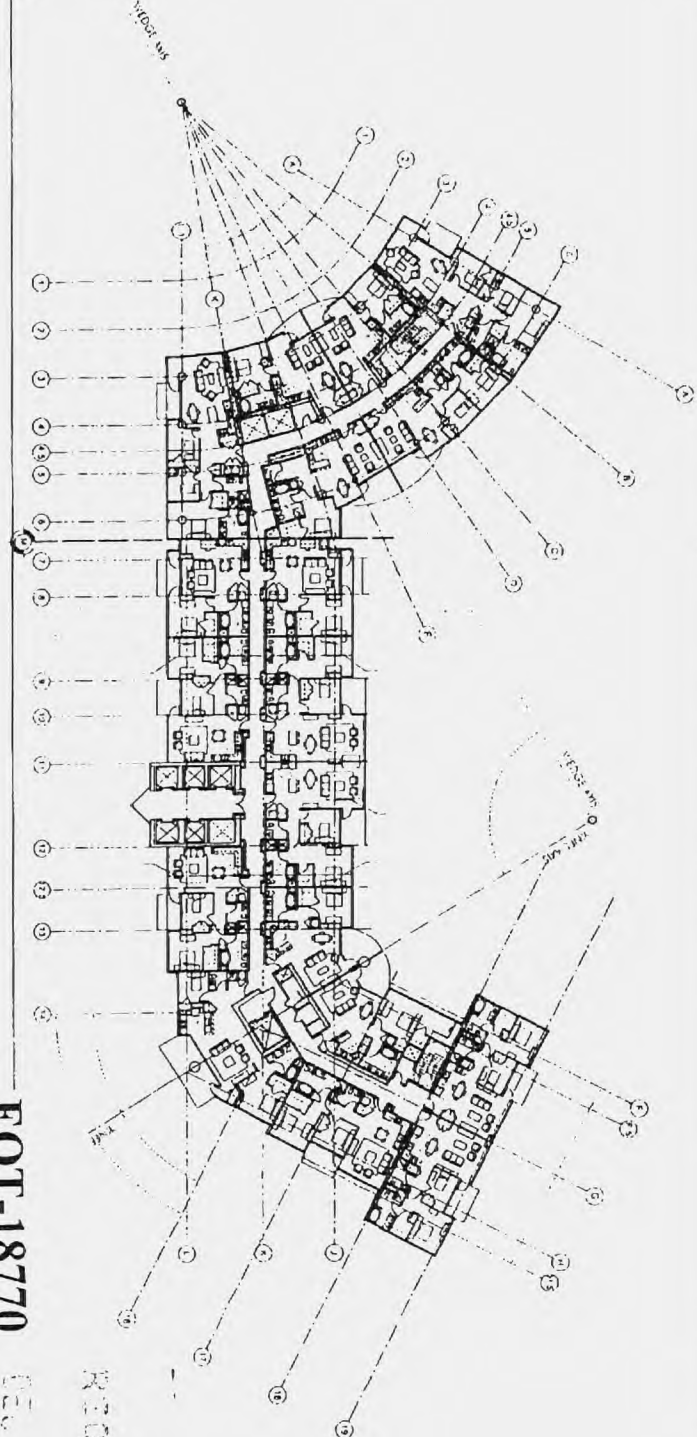
SANDHURST LAS VEGAS
NORTH TOWER
IRON HORSE COURT
LAS VEGAS, NEVADA



1 FLOOR PLAN LEVELS R-22



2 FLOOR PLAN LEVEL 23



SANDHURST LAS VEGAS
NORTH TOWER
IRON HORSE COURT
LAS VEGAS, NEVADA

JMA ARCHITECTURE STUDIOS
1000 E. FLORISSANT AVE. SUITE 100 LAS VEGAS, NV 89101
TEL: 702.735.1111 FAX: 702.735.1112

EOT-18770
02-07-07 CC

RECORDED

A2.08

Project Name	SANDHURST LAS VEGAS
Project Number	EOT-18770
Client	IRON HORSE COURT
Architect	JMA ARCHITECTURE STUDIOS
Scale	1/8" = 1'-0"
Date	02-07-07
Drawn By	CC
Checked By	
Approved By	



December 14, 2006

Planning and Development Department
Extension of time – Site Development

Re: SDR-5179
Assessor's parcel#: 139-33810-006

To whom it may concern:

This letter is a justification of the existing approval for site development in regards to SDR-5179 & assessor's parcel # 139-33810-006. We are requesting for an extension of time for the original approved site development approval for a proposed 35 story mixed-use development in Parkway Center, which includes 398 residential units, and 35,435 SF of commercial space on 3.23 acres on the north side of Iron Horse Court, approximately 300 feet east of Grand Central Parkway. The zoning is PD (planned development) and there will be no changes to the original approval letter and final submissions.

Please note that this requested extension does not in any way request for alterations to the original approval and the applicant intends to abide by all subject to qualifications as documented by the Planning and Development Department and City Counsel.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph Manzella", written over a circular stamp or seal.

Joseph Manzella
Managing Member
Sandhurst Development

cc: Michael Miolla
Robert DeMartino

EOT-18770
02-07-07 CC



January 14, 2005

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

Mr. Robert S. DeMartino
Sandhurst Development, LLC
1871 Morganton Drive
Henderson, Nevada 89052

RE: SDR-5179 - SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF DECEMBER 15, 2004

Dear Mr. DeMartino:

The City Council at a regular meeting held December 15, 2004 APPROVED the request for a Site Development Plan Review FOR A PROPOSED 35 STORY MIXED-USE DEVELOPMENT IN PARKWAY CENTER TO INCLUDE 413 RESIDENTIAL UNITS AND 35,435 SQUARE FEET OF COMMERCIAL SPACE on 3.23 acres on the north side of Iron Horse Court, approximately 300 feet east of Grand Central Parkway, (APN 139-33-810-006), PD (Planned Development) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on December 16, 2004. This approval is subject to:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped November 8, 2004, except as amended by conditions herein.
3. The Waiver from the Parkway Center build-to requirement is hereby approved, due to the lack of frontage along the public right-of-way.
4. The Waiver from the Downtown Centennial Plan streetscape requirements is hereby approved, provided that the site plan is revised to show the future public sidewalk connections on the abutting properties; the Waiver from the Parkway Center landscape standards for reduced buffer width is also approved. The revised site plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of building permits.

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov
18112-001-6/04

EOT-18770
02-07-07 CC

5. A direct pedestrian connection shall be provided from the residential and commercial lobbies to the future public sidewalk on Iron Horse Court in order to clearly indicate the location of the building entries from the public right-of-way. A revised plan depicting this change shall be submitted to the Planning and Development Department for review and approval prior to the time application is made for a building permit.
6. The elevations of the lower three stories of the building shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to continue the level of architectural expression on the upper stories and to enhance façade articulation.
7. The elevations of the parking structure shall be revised and approved by the Planning and Development Department staff, prior to the time application is made for a building permit, to be compatible with the color, texture, architectural features, and articulation of the main building.
8. The Waiver from the requirement for the use of stone veneer on the lower floors of the building is hereby approved; decorative pre-cast concrete panels may be used in place of the required stone, subject to approval of the Planning and Development Department.
9. All landscaping and a permanent underground sprinkler system for the landscape materials shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
10. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.
11. The applicant shall be required to provide and install standard Fourth Street style fixtures in place of existing fixtures. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.
12. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with the Parkway Center Development Standards. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

EOT-18770

02-07-07 CC

14. Prior to the submittal of a building permit, 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. Signage for the development shall be permitted in conformance with the requirements of Parkway Center Development Standards.
16. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
17. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

18. Construct any incomplete half street improvements, including the entire cul-de-sac bulb, adjacent to this site and remove any 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 new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
19. 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. 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.

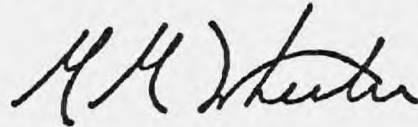
Mr. Robert S. DeMartino
SDR-5179 – Page Four
January 14, 2005

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

Sincerely,



Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk



M. Margo Wheeler, AICP
Deputy Director
Planning and Development Department

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services

Mr. Kenneth Levesque
JMA Architecture
2285 Corporate Circle, Suite #250
Henderson, Nevada 89074

EOT-18770
02-07-07 CC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☒ Consent ☐ Discussion

SUBJECT:

EXTENSION OF TIME - SPECIAL USE PERMIT

EOT-19195 - APPLICANT: MONTECITO GROUP - OWNER: TVC 707, LLC - Request for an Extension of Time of an approved Special Use Permit (SUP-10996) FOR A TAVERN on 6.3 acres at 7240 W. Azure Drive, Suite 170 (APN 125-27-113-007), T-C (Town Center) Zone [GC-TC (General Commercial- Town Center Special) Special Land Use Designation], Ward 6 (Ross). Staff 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 APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

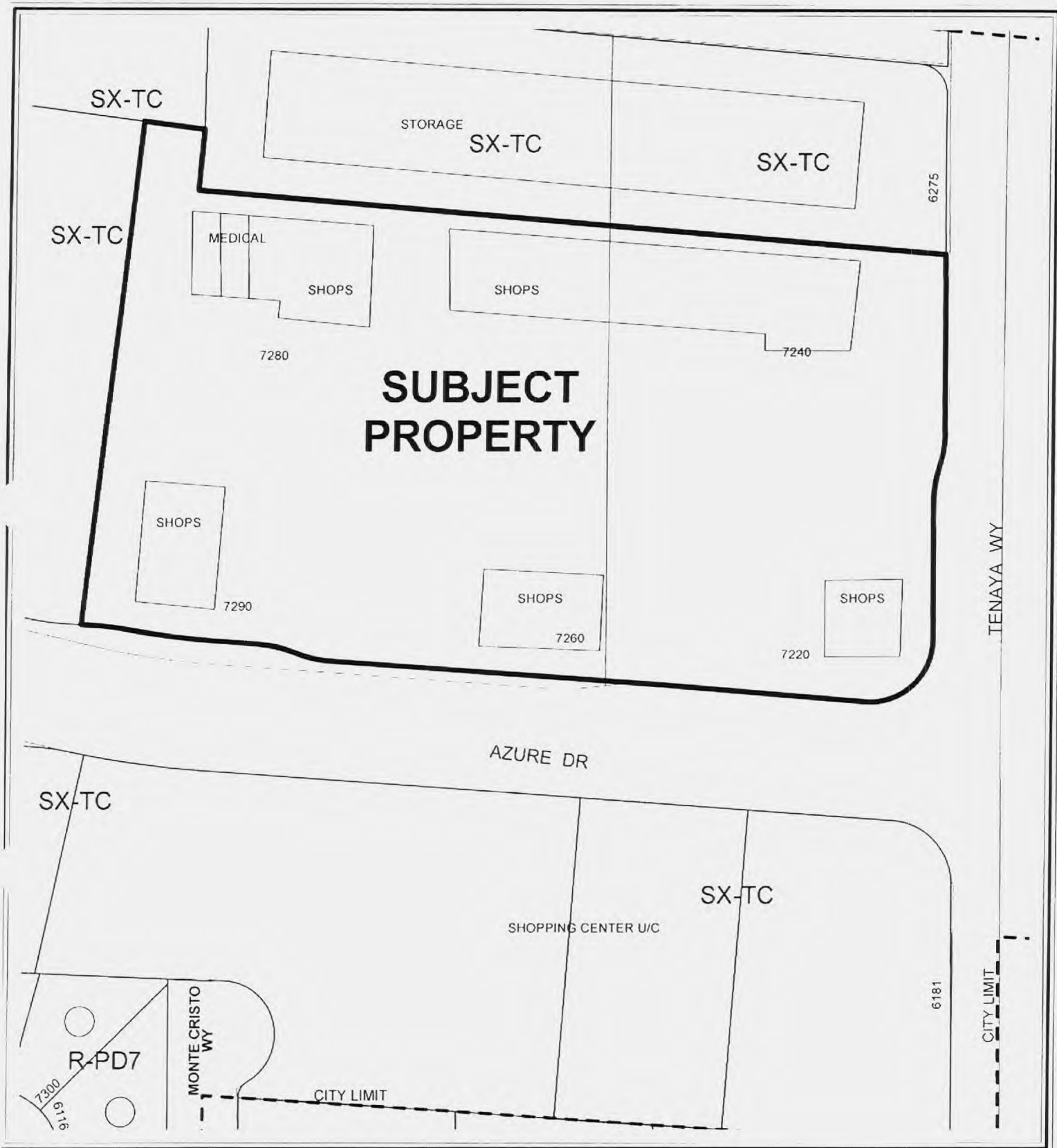
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for SUP-10996

Motion made by LARRY BROWN to Approve Subject to Conditions Item 70 [EOT-19195] and Item 71 [EOT-19197]

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

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

NOTE: MAYOR GOODMAN abstained on Item 70 and Item 71, as he has a business interest with MR. SCHULMAN, Montecito, which would create a conflict if he voted.



CASE: **EOT-19195**

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) [SX-TC (SUBURBAN MIXED USE-TOWN CENTER) SPECIAL LAND USE DESIGNATION]



CASE: EOT-19195

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) [SX-TC (SUBURBAN MIXED USE-TOWN CENTER) SPECIAL LAND USE DESIGNATION]

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: EOT-19195 - APPLICANT: MONTECITO GROUP – OWNER:
TVC 707, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit (SUP-10996) shall expire on February 21st, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Special Use Permits (SUP-10996 and SUP-10997), Major Modification (MOD-10994) and all other applicable site related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Special Use Permit (SUP-10996) for a tavern on 6.3 acres at 7240 W. Azure Drive, Suite 170.

The applicant has shown progress with the proposed project. Interior tenant improvements are nearly complete. As a precaution the applicant is seeking an extension of time for their Special Use Permit. As per condition number three of SUP-10996 that Special Use Permit would expire on 03/15/07. Per Title 19.18.060 a Special Use Permit is exercised upon the issuance of a business license to conduct the activity. To ensure that all matters including but not limited to licensing can be properly addressed, approval of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/07/98	The City Council approved a Rezoning (Z-0076-98) from: U, R-E, R-PD7, R-PD11, R-PD13, R-PD18, R-CL, C-1, C-2, C-V, and P-D to: T-C (Town Center). The Planning Commission and Staff recommended approval.
04/04/01	The City Council approved a Site Development Plan Review [Z-0076-98(20)] for a proposed 138,000 square foot commercial development on 14.16 acres at the northwest corner of the intersection of Tenaya Way and Azure Drive, a Special Use Permit (U-0019-01) for a Liquor Establishment (Off-Premise Consumption) in conjunction with a proposed grocery store, a Special Use Permit (U-0020-01) for a Supper Club, a Special Use Permit (U-0022-01) for a Restaurant Service Bar, a Special Use Permit (U-0023-01) for a Liquor Establishment (Off-Premise Consumption) in conjunction with a proposed drug store. The Planning Commission and Staff recommended approval of all items.
08/06/03	The City Council approved a Site Development Plan Review (SDR-2399) for a proposed 51,000 square foot retail center and a 90,900 square foot mini-storage facility; and to allow for a reduction in the amount of perimeter and parking lot landscaping. The Planning Commission and Staff recommended approval.
03/15/06	The City Council approved a related Major Modification (MOD-10994), a Special Use Permit (SUP-10997) for Gaming (Restricted) and a Special Use Permit (SUP-10996) for a Tavern. Staff is recommending denial of the Major Modification and Tavern and approval of the Gaming (Restricted). The Planning Commission recommended approval of all items.
11/01/06	The City Council approved Special Use Permit (SUP-15282) for alcoholic beverage-sales liquor store at 7220 Azure Drive, Suite 110. The Planning Commission and staff recommended approval.

02/21/07	The City Council will consider a request for an Extension of Time (EOT-19197) for a related Special Use Permit (SUP-10997).
Related Building Permits/Business Licenses	
10/24/06	A Tenant Improvement for this address was approved. Permit number is 6006609 with C-385-06.
12/14/06	A permit was issued for the fire sprinkler system at 7240 W. Azure Drive, Ste. 170.
Pre-Application Meeting	
A pre-application meeting is not required for an Extension of Time request, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting is not required for an Extension of Time request, nor was one held.	

Details of Application Request	
Site Area	
Net Acres	6.3

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	GC-TC (General Commercial – Town Center)	T-C (Town Center)
North	Mini Storage	SX-TC (Suburban Mixed-Use – Town Center)	T-C (Town Center)
South	Undeveloped	SX-TC (Suburban Mixed-Use – Town Center)	T-C (Town Center)
East	Single Family Residential	O (Office) R (Rural Density Residential)	R-E (Residence Estates) R-E (Residence Estates) under Resolution of Intent to P-R (Professional Office and Parking)
West	Undeveloped	SX-TC (Suburban Mixed-Use – Town Center)	T-C (Town Center)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
T-C Town Center District	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
T-C Town Center District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	Y

Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

ANALYSIS

This is the first request for an extension of time regarding the proposed project. The applicant has made progress on the project as the interior tenant improvements are now nearing completion. This extension of time request is due to caution on the part of the applicant in order to ensure that all matters are addressed prior to expiration of the Special Use Permit (SUP-10996). As the applicant has shown progress on the proposed project, this request is deemed reasonable and approval of this request is recommended.

Conditions of approval from SUP-10996:

1. Conformance to all Minimum Requirements under the Town Center Development Standards Manual for a Tavern use.
2. Approval of and conformance to the Conditions of Approval for a Major Modification (MOD-10994).
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
6. All City Code requirements and design standards of all City departments must be satisfied.
7. Full meal service shall be required at all times that the facility is open for business.

FINDINGS

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

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

The proposed land use was deemed appropriate through the approval of the parent application, SUP-10996. This extension of time request will not alter the relationship of this use to adjacent properties. The proposed land use will remain harmonious and compatible with surrounding land uses and approval of this request is recommended.

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

The tavern is located within a shopping center that is designed to handle this type and intensity of land use. The subject site is physically suitable for the type and intensity of land use.

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

The site gains access from Azure Drive, a 70-foot frontage street and Tenaya Way, an 80-foot secondary collector. These streets 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."

The Extension of Time of an approved Special Use Permit (SUP-10996) will not compromise the public health or the general welfare.

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

The use is in compliance with Title 19.04 and all other applicable plans and policies. This application is meant to ensure that Condition #3 of SUP-10996 remains satisfied.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT

N/A

SENATE DISTRICT

N/A

NOTICES MAILED

N/A

APPROVALS

0

PROTESTS

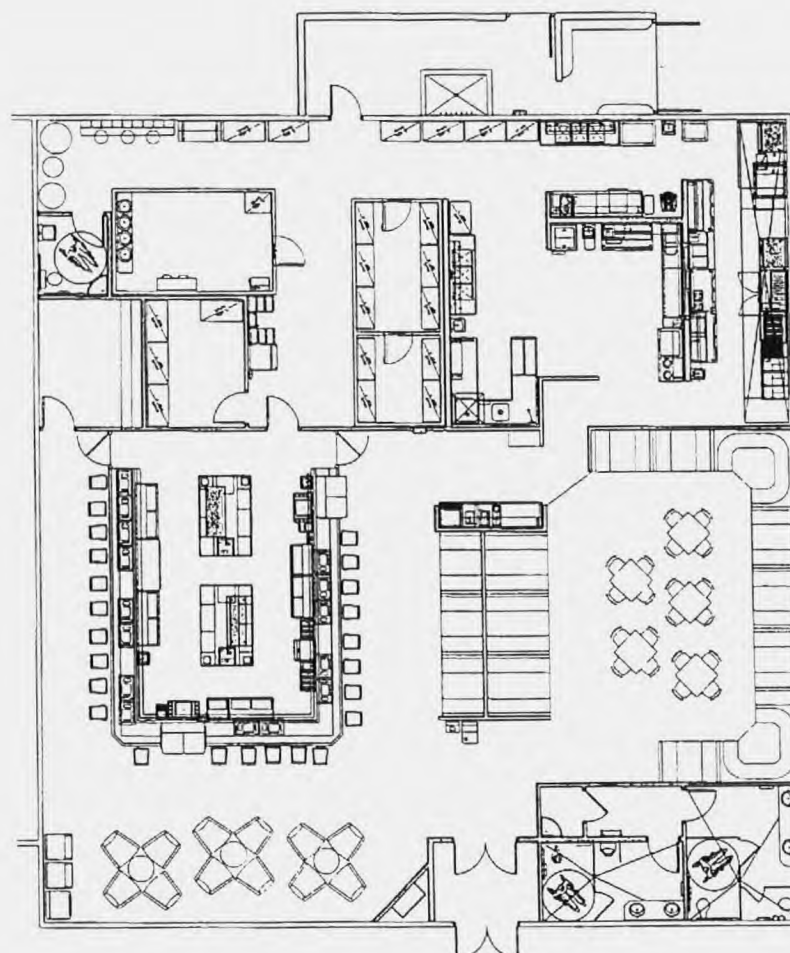
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Attachment

Oscar Goodman is an investor in a company called Tucson 738, LLC. This company was formed to acquire and develop a specific parcel of real property in Tucson, Arizona.

Tucson 738, LLC is managed by SFI-NIC, LLC, and SFI-NIC, LLC is managed by Frank Nielsen and Robert Schulman, and is owned by entities owned and controlled by Frank Nielsen and Robert Schulman.

EOT-19195
02-21-07 CC



EOT-19195
02-21-07 CC

Floor Plan

Scale 3/16" = 1'-0"
BBOG Project No. XXXXA
Version 1

Schematic Design Package
December 16, 2005

Tavern at Tenaya Village Center

Tenaya and Azure, Las Vegas, Nevada



KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO

ATTORNEYS AT LAW

LAS VEGAS OFFICE

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702 693 4215

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Fax 702 939 8457

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel 775 882 1311
Fax 775 882 0257

January 12, 2007

VIA HAND DELIVERY

City of Las Vegas
PLANNING & DEVELOPMENT
731 S. Fourth Street
Las Vegas, NV 89101

**Re: Justification Letter – First Extension of Time for SUP-10990 & SUP-10007
APN: 125-27-113-007**

To Whom It May Concern:

Please be advised that our office represents the owner and applicant of the above referenced property (the "Property"). The applicant is seeking an extension of time for its Special Use Permit for restricted gaming (SUP-10007) and Special Use Permit for a tavern (SUP-10990).

Construction has commenced, however, out of an abundance of caution, the applicant seeks this first extension of time for both SUP-10990 and SUP-10007.

Thank you for your kind consideration of this matter. Please contact this office should you have questions or concerns.

Sincerely,

KUMMER KAEMPFER BONNER RENSCHAW & FERRARIO

Anthony J. Celeste

AJC/dmf

RECEIVED

JAN 12 2007

**EOT-19195
02-21-07 CC**





March 17, 2006

Mr. Joe Gwerder
Tenaya Village Center, LLC
6600 West Charleston Boulevard, Suite #120
Las Vegas, Nevada 89146

RE: SUP-10996 – SPECIAL USE PERMIT
CITY COUNCIL MEETING OF MARCH 15, 2006
RELATED TO MOD-10994 AND SUP-10997

Dear Mr. Gwerder:

The City Council at a regular meeting held March 15, 2006 APPROVED the request for a Special Use Permit FOR A TAVERN on 6.3 acres at 7220 West Azure Drive (APN 125-27-113-007), T-C (Town Center [SX-TC (Suburban Mixed Use - Town Center Special Land Use Designation)] Zone [PROPOSED: T-C (Town Center [GC-TC (General Commercial - Town Center Special Land Use Designation) Zone]. The Notice of Final Action was filed with the Las Vegas City Clerk on March 16, 2006. This approval is subject to:

Planning and Development

1. Conformance to all Minimum Requirements under the Town Center Development Standards Manual for a Tavern use.
2. Approval of and conformance to the Conditions of Approval for a Major Modification (MOD-10994).
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
6. All City Code requirements and design standards of all City departments must be satisfied.

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

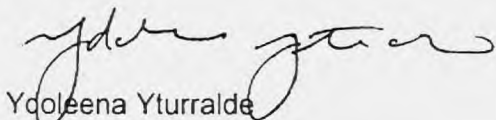
18112-001-06-05
CLV 7009

EOT-19195
02-21-07 CC

Mr. Joe Gwerder
SUP-10996 – Page Two
March 17, 2006

7. Full meal service shall be required at all times that the facility is open for business.

Sincerely,



Ydoleena Yturralde
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. of Fire Services

Mr. Joe Gwerder
Montecito Group
6600 West Charleston Boulevard, Suite #120
Las Vegas, Nevada 89146

Ms. Jennifer Lazovich
KKBR&F
3800 Howard Hughes Parkway, 7th Floor
Las Vegas, Nevada 89109

EOT-19195
02-21-07 CC

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

EXTENSION OF TIME - SPECIAL USE PERMIT

EOT-19197 - APPLICANT: MONTECITO GROUP - OWNER: TVC 707, LLC - Request for an Extension of Time of an approved Special Use Permit (SUP-10997) FOR GAMING (RESTRICTED) AND A WAIVER OF THE 330 FOOT DISTANCE SEPARATION REQUIREMENT FROM ANY SINGLE FAMILY DETACHED DWELLING on 6.3 acres at 7240 W. Azure Drive, Suite 170 (APN 125-27-113-007), T-C (Town Center) Zone [GC-TC (General Commercial- Town Center Special) Special Land Use Designation], Ward 6 (Ross). Staff 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 APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

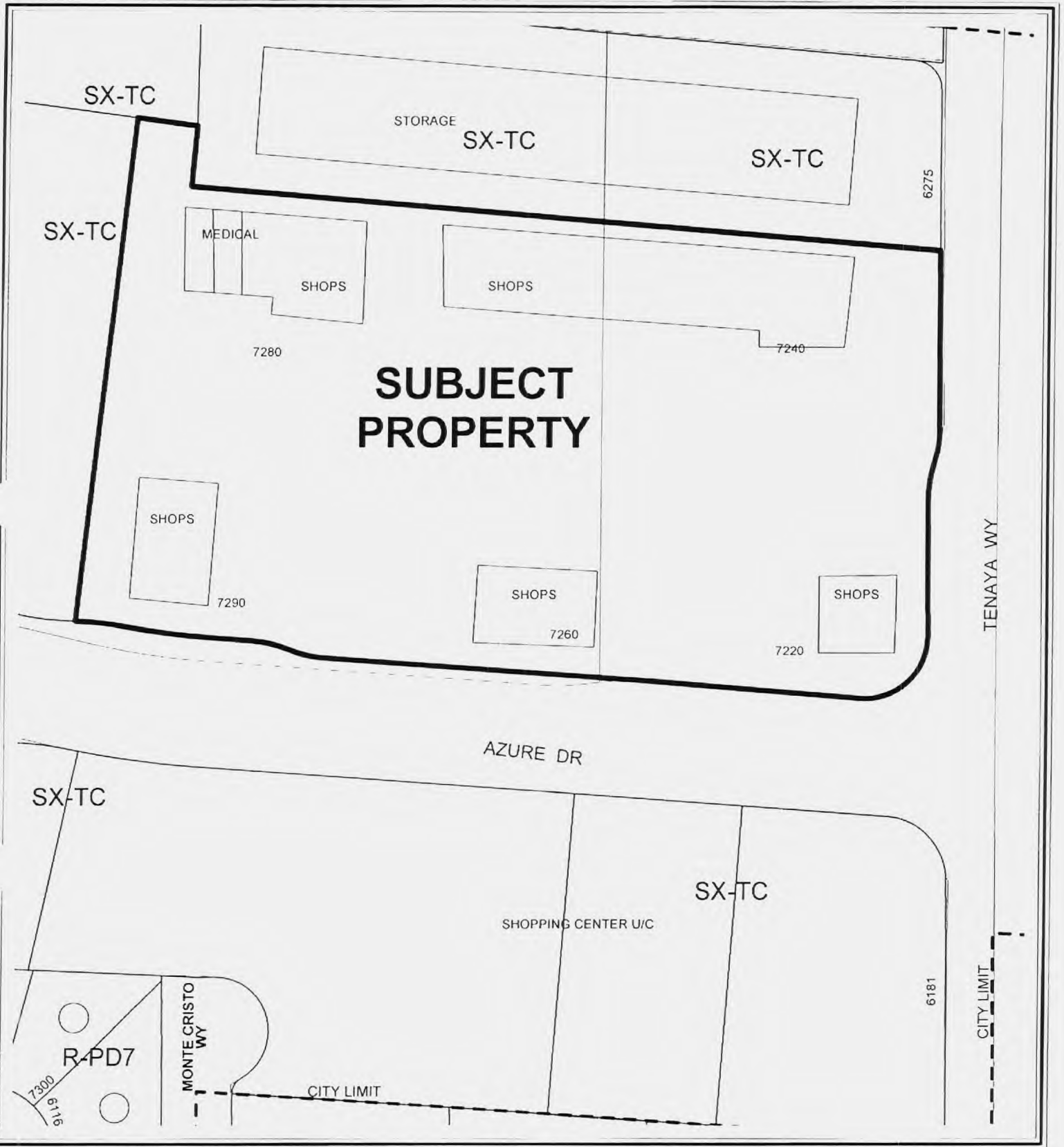
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for SUP-10997

Motion made by LARRY BROWN to Approve Subject to Conditions Item 70 [EOT-19195] and Item 71 [EOT-19197]

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

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

NOTE: MAYOR GOODMAN abstained on Item 70 and Item 71, as he has a business interest with MR. SCHULMAN, Montecito, which would create a conflict if he voted.



CASE: EOT-19197

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) [SX-TC (SUBURBAN MIXED USE-TOWN CENTER) SPECIAL LAND USE DESIGNATION]





CASE: EOT-19197

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) [SX-TC (SUBURBAN MIXED USE-TOWN CENTER) SPECIAL LAND USE DESIGNATION]



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: EOT-19197 - APPLICANT: MONTECITO GROUP - OWNER:
TVC 707, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Special Use Permit (SUP-10997) shall expire on February 21st, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Special Use Permits (SUP-10997 and SUP-10996), Major Modification (MOD-10994) and all other applicable site related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Special Use Permit (SUP-10997) for gaming (restricted) and a waiver of the 330-foot distance separation requirement from any single family detached dwelling on 6.3 acres at 7240 W. Azure Drive, Suite 170.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/07/98	The City Council approved a Rezoning (Z-0076-98) from: U, R-E, R-PD7, R-PD11, R-PD13, R-PD18, R-CL, C-1, C-2, C-V, and P-D to: T-C (Town Center). The Planning Commission and Staff recommended approval.
04/04/01	The City Council approved a Site Development Plan Review [Z-0076-98(20)] for a proposed 138,000 square foot commercial development on 14.16 acres at the northwest corner of the intersection of Tenaya Way and Azure Drive, a Special Use Permit (U-0019-01) for a Liquor Establishment (Off-Premise Consumption) in conjunction with a proposed grocery store, a Special Use Permit (U-0020-01) for a Supper Club, a Special Use Permit (U-0022-01) for a Restaurant Service Bar, a Special Use Permit (U-0023-01) for a Liquor Establishment (Off-Premise Consumption) in conjunction with a proposed drug store. The Planning Commission and Staff recommended approval of all items.
08/06/03	The City Council approved a Site Development Plan Review (SDR-2399) for a proposed 51,000 square foot retail center and a 90,900 square foot mini-storage facility; and to allow for a reduction in the amount of perimeter and parking lot landscaping. The Planning Commission and Staff recommended approval.
03/15/06	The City Council approved a related Major Modification (MOD-10994), a Special Use Permit (SUP-10997) for Gaming (Restricted) and a Special Use Permit (SUP-10996) for a Tavern. Staff is recommending denial of the Major Modification and Tavern and approval of the Gaming (Restricted). The Planning Commission recommended approval of all items.
11/01/06	The City Council approved Special Use Permit (SUP-15282) for alcoholic beverage-sales liquor store at 7220 Azure Drive, Suite 110. The Planning Commission and staff recommended approval.
02/21/07	The City Council will consider a request for an Extension of Time (EOT-19197) for a related Special Use Permit (SUP-10996).

<i>Related Building Permits/Business Licenses</i>	
10/24/06	A Tenant Improvement for this address was approved. Permit number is 6006609 with C-385-06.
12/14/06	A permit was issued for the fire sprinkler system at 7240 W. Azure Drive, Ste. 170.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for an Extension of Time request, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for an Extension of Time request, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	6.3

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	GC-TC (General Commercial – Town Center)	T-C (Town Center)
North	Mini Storage	SX-TC (Suburban Mixed-Use – Town Center)	T-C (Town Center)
South	Undeveloped	SX-TC (Suburban Mixed-Use – Town Center)	T-C (Town Center)
East	Single Family Residential	O (Office) R (Rural Density Residential)	R-E (Residence Estates) R-E (Residence Estates) under Resolution of Intent to P-R (Professional Office and Parking)
West	Undeveloped	SX-TC (Suburban Mixed-Use – Town Center)	T-C (Town Center)

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

ANALYSIS

This is the first request for an extension of time regarding the proposed project. The applicant has made progress on the project as the interior tenant improvements are now nearing completion. This extension of time request is due to caution on the part of the applicant in order to ensure that all matters are addressed prior to expiration of the Special Use Permit (SUP-10997). As the applicant has shown progress on the proposed project, this request is deemed reasonable and approval of this request is recommended.

Conditions of approval from SUP-10997:

1. Conformance to all Minimum Requirements under the Town Center Development Standards Manual for Gaming (Restricted) use.
2. Approval of and conformance to the Conditions of Approval for a Major Modification (MOD-10994).
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
4. A Waiver from the 330-foot distance separation requirement from any single family detached dwelling is hereby approved.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
7. All City Code requirements and design standards of all City departments must be satisfied.

FINDINGS

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

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

The proposed land use was deemed appropriate through the approval of the parent application, SUP-10997. This extension of time request will not alter the relationship of this use to adjacent properties. The proposed land use will remain harmonious and compatible with surrounding land uses and approval of this request is recommended.

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

The tavern is located within a shopping center that is designed to handle this type and intensity of land use. The subject site is physically suitable for the type and intensity of land use.

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

The site gains access from Azure Drive, a 70-foot frontage street and Tenaya Way, an 80-foot secondary collector. These streets 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.”**

The Extension of Time of an approved Special Use Permit (SUP-10997) will not compromise the public health or the general welfare.

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

The use is in compliance with Title 19.04 and all other applicable plans and policies. This application is meant to ensure that Condition #3 of SUP-10997 remains satisfied.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-19197 APN: 125-27-113-007

Name of Property Owner: TVC, 707

Name of Applicant: Montecito Group

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?

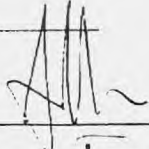
☒ Yes ☐ No

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: Oscar Goodman

Partner(s): Frank Nielsen Robert Schulman

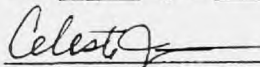
APN: See Attached

Signature of Property Owner: 

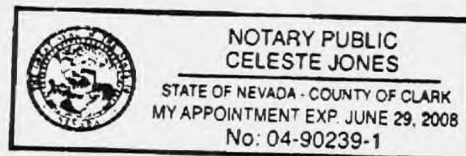
Print Name: Frank Nielsen

Subscribed and sworn before me

This 19th day of December, 2006



Notary Public in and for said County and State

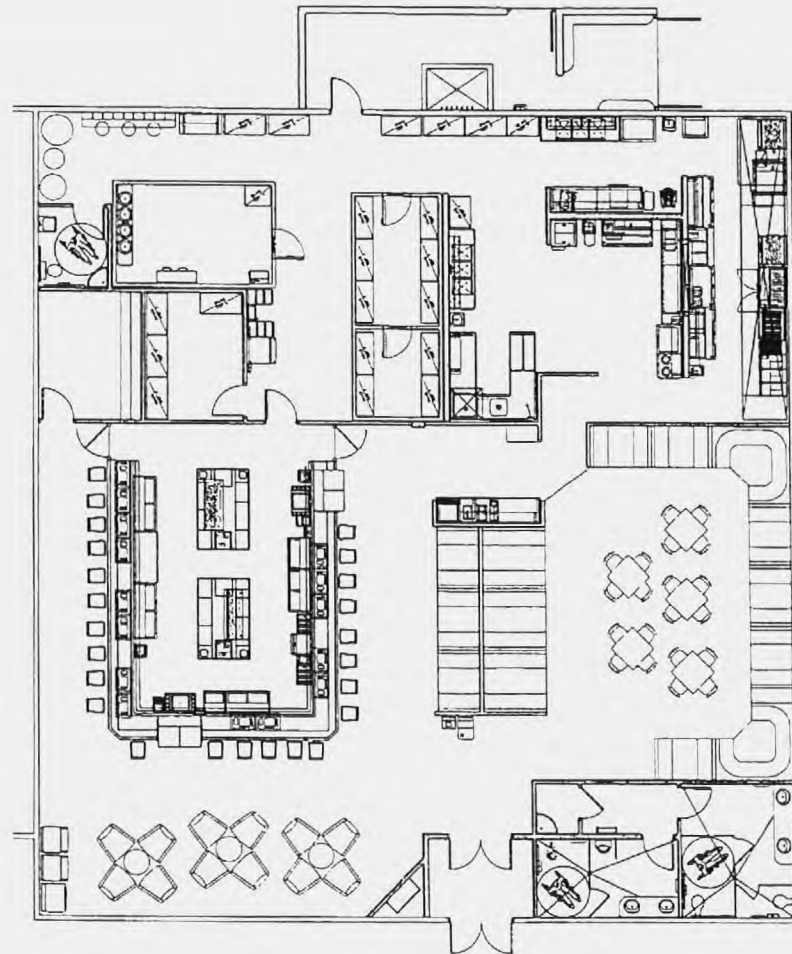


Attachment

Oscar Goodman is an investor in a company called Tucson 738, LLC. This company was formed to acquire and develop a specific parcel of real property in Tucson, Arizona.

Tucson 738, LLC is managed by SFI-NIC, LLC, and SFI-NIC, LLC is managed by Frank Nielsen and Robert Schulman, and is owned by entities owned and controlled by Frank Nielsen and Robert Schulman.

**EOT-19197
02-21-07 CC**



RECEIVED

Floor Plan

Scale: 3/16" = 1'-0"
BIDDG Project No.: XXXXA
Version: 1

EOT-19197

02-21-07 CC

Schematic Design Package
December 16, 2005

Tavern at Tenaya Village Center
Tenaya and Azure, Las Vegas, Nevada

**KUMMER
KAEMPFER**

**KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO**

ATTORNEYS AT LAW

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Fax 775 852 3982

SUMMERLIN OFFICE
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Suite 150
Las Vegas, NV 89129
Tel 702 693 4260
Fax 702 939 8457

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel 775 882 1311
Fax 775 882 0257

January 12, 2007

VIA HAND DELIVERY

City of Las Vegas
PLANNING & DEVELOPMENT
731 S. Fourth Street
Las Vegas, NV 89101

***Re: Justification Letter – First Extension of Time for SUP-10990 & SUP-10007
APN: 125-27-113-007***

To Whom It May Concern:

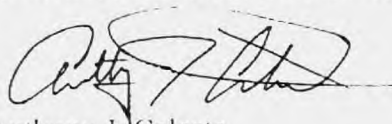
Please be advised that our office represents the owner and applicant of the above referenced property (the "Property"). The applicant is seeking an extension of time for its Special Use Permit for restricted gaming (SUP-10007) and Special Use Permit for a tavern (SUP-10990).

Construction has commenced, however, out of an abundance of caution, the applicant seeks this first extension of time for both SUP-10990 and SUP-10007.

Thank you for your kind consideration of this matter. Please contact this office should you have questions or concerns.

Sincerely,

KUMMER KAEMPFER BONNER RENSCHAW & FERRARIO



Anthony J. Celeste

AJC/dmf

**EOT-19197
02-21-07 CC**





March 17, 2006

Mr. Joe Gwerder
Tenaya Village Center, LLC
6600 West Charleston Boulevard, Suite #120
Las Vegas, Nevada 89146

AS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
WRENCE WEEKLY
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS

DOUGLAS A. SELBY
CITY MANAGER

RE: SUP-10997 – SPECIAL USE PERMIT
CITY COUNCIL MEETING OF MARCH 15, 2006
RELATED TO MOD-10994 AND SUP-10996

Dear Mr. Gwerder:

The City Council at a regular meeting held March 15, 2006 APPROVED the request for a Special Use Permit FOR GAMING (RESTRICTED) AND A WAIVER OF THE 330 FOOT DISTANCE SEPARATION REQUIREMENT FROM ANY SINGLE FAMILY DETACHED DWELLING on 6.3 acres at 7220 West Azure Drive (APN 125-27-113-007), T-C (Town Center [SX-TC (Suburban Mixed Use - Town Center Special Land Use Designation)] Zone [PROPOSED: T-C (Town Center [GC-TC (General Commercial - Town Center Special Land Use Designation) Zone]. The Notice of Final Action was filed with the Las Vegas City Clerk on March 16, 2006. This approval is subject to:

Planning and Development

1. Conformance to all Minimum Requirements under the Town Center Development Standards Manual for Gaming (Restricted) use.
2. Approval of and conformance to the Conditions of Approval for a Major Modification (MOD-10994).
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
4. A Waiver from the 330-foot distance separation requirement from any single family detached dwelling is hereby approved.
5. Approval of this Special Use Permit does not constitute approval of a liquor license.
6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

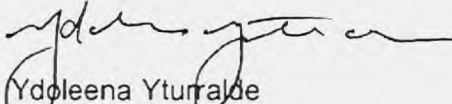
18112-001-06-05
CLV 7009

EOT-19197
02-21-07 CC

Mr. Joe Gwerder
SUP-10997 – Page Two
March 17, 2006

7. All City Code requirements and design standards of all City departments must be satisfied.

Sincerely,



Ydoleena Yturralde
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. of Fire Services

Mr. Joe Gwerder
Montecito Group
6600 West Charleston Boulevard, Suite #120
Las Vegas, Nevada 89146

Ms. Jennifer Lazovich
KKBR&F
3800 Howard Hughes Parkway, 7th Floor
Las Vegas, Nevada 89109

EOT-19197
02-21-07 CC

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
REZONING

ZON-18203 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: BRUCE R. NOBLE - Request for a Rezoning FROM R-3 (MEDIUM DENSITY RESIDENTIAL) TO C-1 (LIMITED COMMERCIAL) on 0.44 acres on the north side of Owens Avenue, approximately 333 feet east of Martin L. King Boulevard (APN-139-21-804-008), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

Motion made by LAWRENCE WEEKLY to Approve Subject to Conditions

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 72 [ZON-18203], Item 73 [VAR-18204] and Item 74 [SDR-18202].

BRUCE NOBLE, 3712 Valley Drive, stated the original site plan has been revised so that the structure remains on the east property line where there is an existing landscaping buffer. He confirmed for MAYOR GOODMAN that financing is in place.

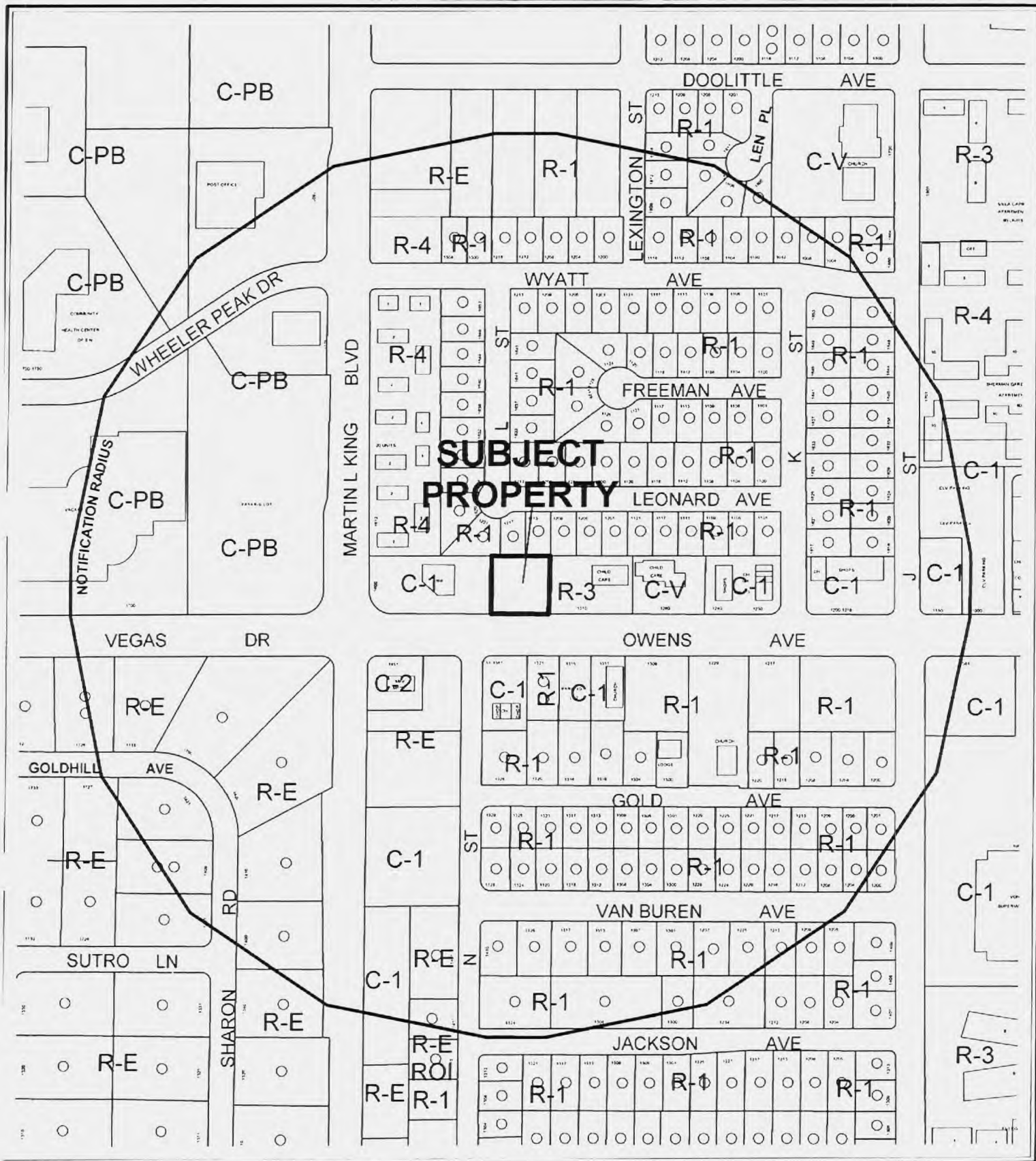
COUNCILMAN WEEKLY viewed the subject site and the two adjacent sites. The subject site will be a 3,900 square foot retail shopping center, which will exist between a convenience store

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

and a child care facility. MR. NOBLE has support from both of the adjacent owners. COUNCILMAN WEEKLY agreed that the existing landscape can provide a buffer, so he could support MR. NOBLE'S request.

MAYOR GOODMAN declared the Public Hearing closed on Item 72 [ZON-18203], Item 73 [VAR-18204] and Item 74 [SDR-18202].





CASE: **ZON-18203**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

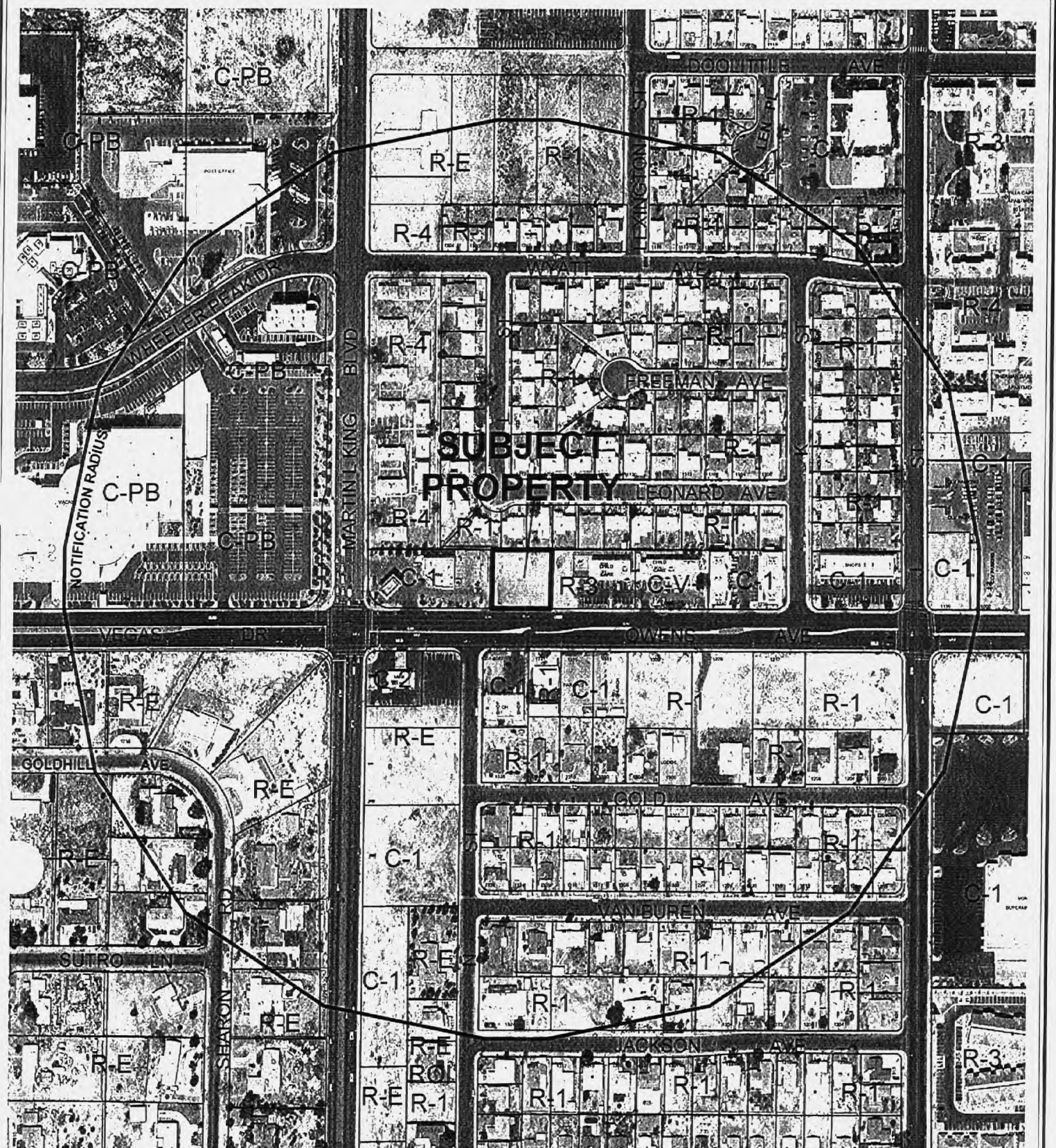
R-3 (MEDIUM DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

0 100 200 Feet





CASE: ZON-18203

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-3 (MEDIUM DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

0 100 200 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-18203 - APPLICANT/OWNER: BRUCE R. NOBLE

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

**** 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-18202) 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, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
4. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, 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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a rezoning from R-3 (Medium Density Residential) to C-1 (Limited Commercial) on 0.44 acres on the north side of Owens Avenue, approximately 333 feet east of Martin L. King Boulevard.

Staff finds the rezoning to be appropriate as it would bring the zoning into conformance with the General Plan designation, and the uses allowed with the proposed C-1 (Limited Commercial) zoning district are compatible with the commercial uses to the east and west of this site.

A related Variance VAR-18204 and related Site Development Plan Review SDR-18202 will be considered concurrently.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
11/15/95	The City Council approved a rezoning of this site to C-1 (Limited Commercial) and a 12,000 square foot office building with one-story at a height of 19 feet (Z-79-95).
01/11/07	The Planning Commission recommended denial of companion items VAR-18204 and SDR-18202 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #23/ng).
<i>Pre-Application Meeting</i>	
10/02/06	Staff explained the requirements for a rezoning, site development plan review, and a variance.
<i>Neighborhood Meeting</i>	
12/14/06	Staff contacted the applicant and suggested a neighborhood meeting. The applicant stated that he had met with adjacent property owners, anticipated no opposition, and declined staff's suggestion.
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.44

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	C (Commercial)	R-3
North	Single family dwellings	L (Low Density Residential)	R-1
South	Retail shops/ single family dwellings	C (Commercial)	C-1 and R-1
East	Child care facility	C (Commercial)	R-3
West	Convenience store	C (Commercial)	C-1

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

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	19166 sf	Y
Min. Lot Width	N/A	137 feet	Y
Min. Setbacks • Front • East Side • West Side • Rear	• 20 feet • 5 feet • 5 feet • 20 feet	• 76 feet • 62 feet • 0 feet • 8 feet	• Y • Y • *N • *N
Max. Lot Coverage	N/A	21 %	Y
Max. Building Height	2 stories/35 feet	14 feet 6 inches along north property line; 18 feet in height along the south side of the building, adjacent to Owens Avenue	Y

The proposed building does not comply with the setback standards of the C-1 zoning district. This issue is addressed within the related Variance VAR-18204.

Per Title 19.08.060 the following standards apply:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	N/A	8 Feet	
Adjacent development matching setback	N/A	8 Feet	
Trash Enclosure	50 Feet	52 Feet	Y

The proximity slope and adjacent development matching setback standards do not apply to this application as the proposed building is less than 15 feet in height in the north portion of the site, and the portion of the building with a height of 18 feet is located 55 feet from residentially developed property.

Per Title 19.12 the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 tree/6 spaces	6 trees	3 trees	N
Buffer: Min. Trees				
South prop line	1 tree /30 linear feet	5 trees	4 trees	
North prop line	1 tree/20 linear feet	7 trees	5 trees	N
Min. Zone Width				
North prop line	8 feet		3 feet	N
South prop line	15 feet		11 feet	N
East prop line	8 feet		0 feet	N
West prop line	8 feet		0 feet	N

The applicant has requested a waiver within the related Site Development Plan Review (SDR-18202) to allow three parking lot trees where six are required. Since most of the parking spaces are adjacent to property line buffers, staff recommends approval of this waiver.

The applicant has requested a waiver within the related Site Development Plan Review (SDR-18202) to allow a reduction in the amount of trees to be provided along the north and south property lines. Staff finds that compliance with this portion of the landscape standards would only require the placement of one additional tree along the south property line and two additional trees along the north property line and does not support this waiver.

The applicant has also requested a waiver within the related Site Development Plan Review (SDR-18202) to allow reductions in the widths of the buffers along all property lines. Staff finds that these reductions would encourage circulation between this site and the properties to the east and west and recommends approval of this waiver.

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	
General retail	1,750 sf	1/175 sf	10				
Barber shop	3 chairs	2 spaces per chair	6				
Office	1,200 sf	1/300 sf	4				
Restaurant seating area	500 sf	1/50 sf	10				
Restaurant non-customer areas	500 sf	1/250 sf	3				
TOTAL			33	2	34	2	Y

Waivers		
Request	Requirement	Staff Recommendation
Three parking lot trees	Six parking lot trees	Approval
Five trees along north property line	Seven trees along north property line	Denial – the buffer can accommodate two additional trees
Four trees along south property line	Five trees along south property line	Denial – the buffer can accommodate one additional tree
11 foot wide buffer along Owens Avenue	15 foot wide buffer along Owens Avenue	Approval
Three foot wide buffer along north property line	Eight foot wide buffer along north property line	Approval
No buffer along east property line	Eight foot wide buffer along east property line	Approval
No buffer along west property line	Eight foot wide buffer along west property line	Approval

These waivers will be considered in conjunction with the related Site Development Plan Review (SDR-18202).

ANALYSIS

The proposed C-1 (Limited Commercial) zone conforms with the C (Commercial) General Plan designation of the subject site. The retail and office uses typically found within the C-1 (Limited Commercial) zoning district are compatible with the commercial uses to the east and west of this site. The adjacent public right-of-ways will not be negatively affected by the by the C-1 (Limited Commercial) zoning district.

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

In regard to “1”: The proposed C-1 (Limited Commercial) zone would be in conformance with C (Commercial) General Plan designation.

In regard to “2”: The uses allowed with the proposed C-1 (Limited Commercial) zoning district are compatible with the commercial uses to the east and west of this site.

In regard to “3”: The Rezoning is considered appropriate as it would bring the zoning into conformance with the General Plan designation.

In regard to “4”: Owens Avenue is a 100 foot wide Primary Arterial which will not be adversely impacted by the proposed C-1 (Limited Commercial) zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 196 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-18203** APN: 139-21-804-008

Name of Property Owner: WILLIAM R. NOBLE

Name of Applicant: Bruce R. Noble

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: Bruce R. Noble

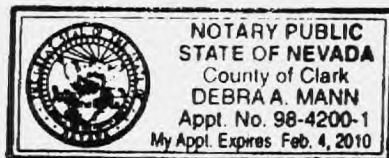
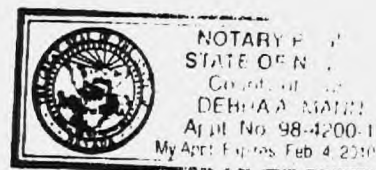
Print Name: Bruce R Noble

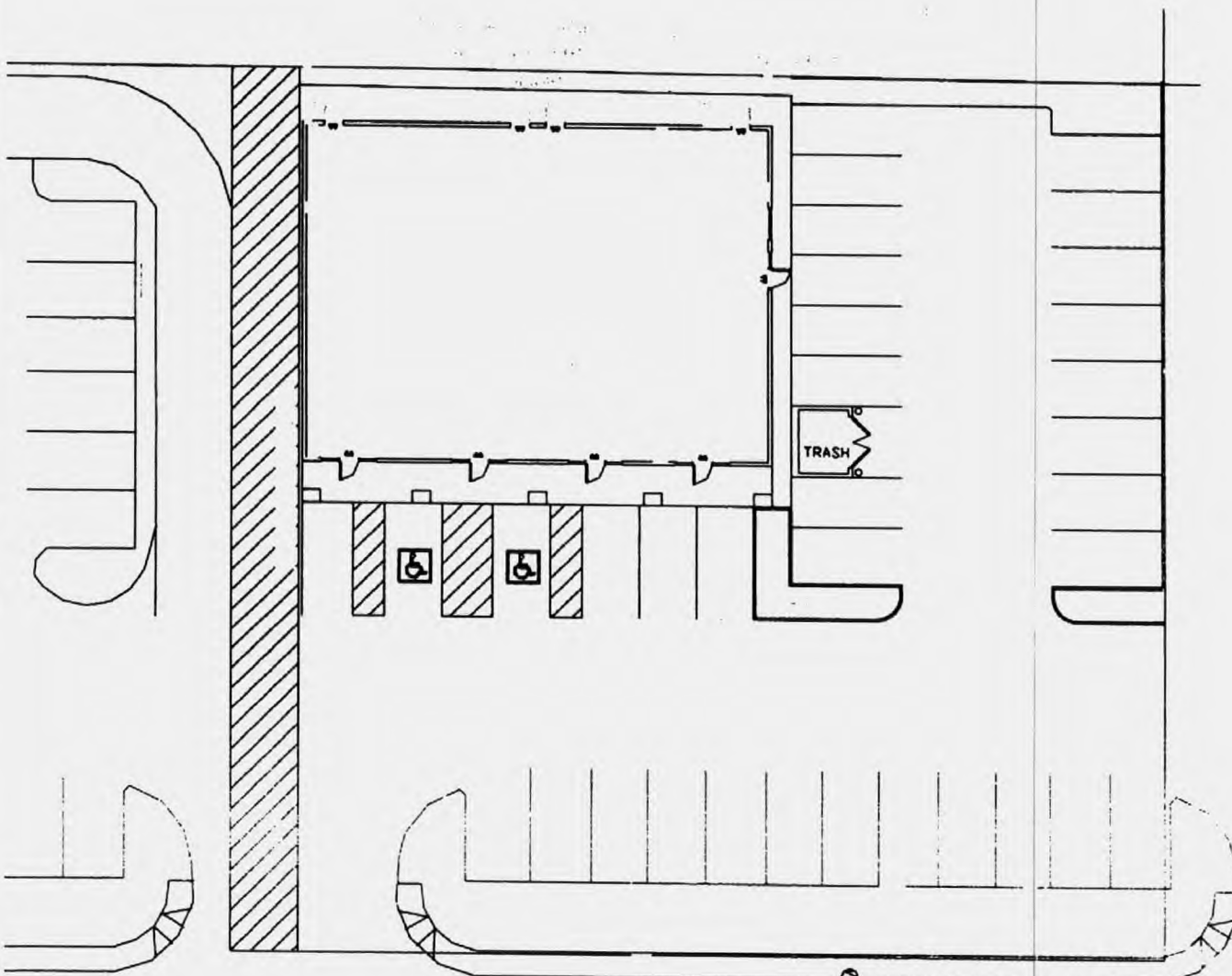
Subscribed and sworn before me

This 24th day of October, 2006

Reina A. Mann

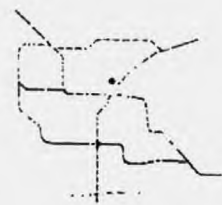
Notary Public in and for said County and State





OWENS AVENUE

ZON-18203 VAR-18204
SDR-18202 01/11/07 PC
EXT. STREET LIGHT



NOV 16 2006



Bruce R. Noble
3712 Valley Dr.
N. Las Vegas, NV. 89032
702-648-6765 (H)
702-266-5318 (C)

November 14, 2006

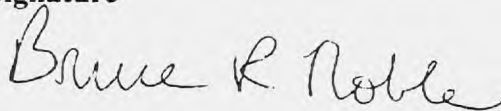
To Whom It May Concern,

I Bruce Noble, as owner of the property, would like to have it rezone to C-1 for light retail and office space use which co-inside with existing properties in the area. I would like to request a waiver regarding parking lot and perimeter landscaping because, on the eastside of property line there is a possibility for further pavement.

I would also like to request a variance on set back requirements to remain consistent with existing buildings, and to maintain adequate parking in the front and have a sufficient building design, the building height is of single story requirements and should not negatively impact the existing buildings in anyway.

Sincerely,

Signature

A handwritten signature in cursive script that reads "Bruce R. Noble".

ZON-18203 VAR-18204
SDR-18202 01/11/07 PC

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE RELATED TO ZON-18203

VAR-18204 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: BRUCE R. NOBLE - Request for a Variance TO ALLOW A PROPOSED BUILDING ZERO FEET FROM THE SIDE PROPERTY LINE WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED AND EIGHT FEET FROM THE REAR PROPERTY LINE WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED on 0.44 acres on the north side of Owens Avenue, approximately 333 feet east of Martin L. King Boulevard (APN-139-21-804-008), R-3 (Medium Density Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly). The Planning Commission (6-1 vote) recommends DENIAL. Staff 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:

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

BACKUP DOCUMENTATION:

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

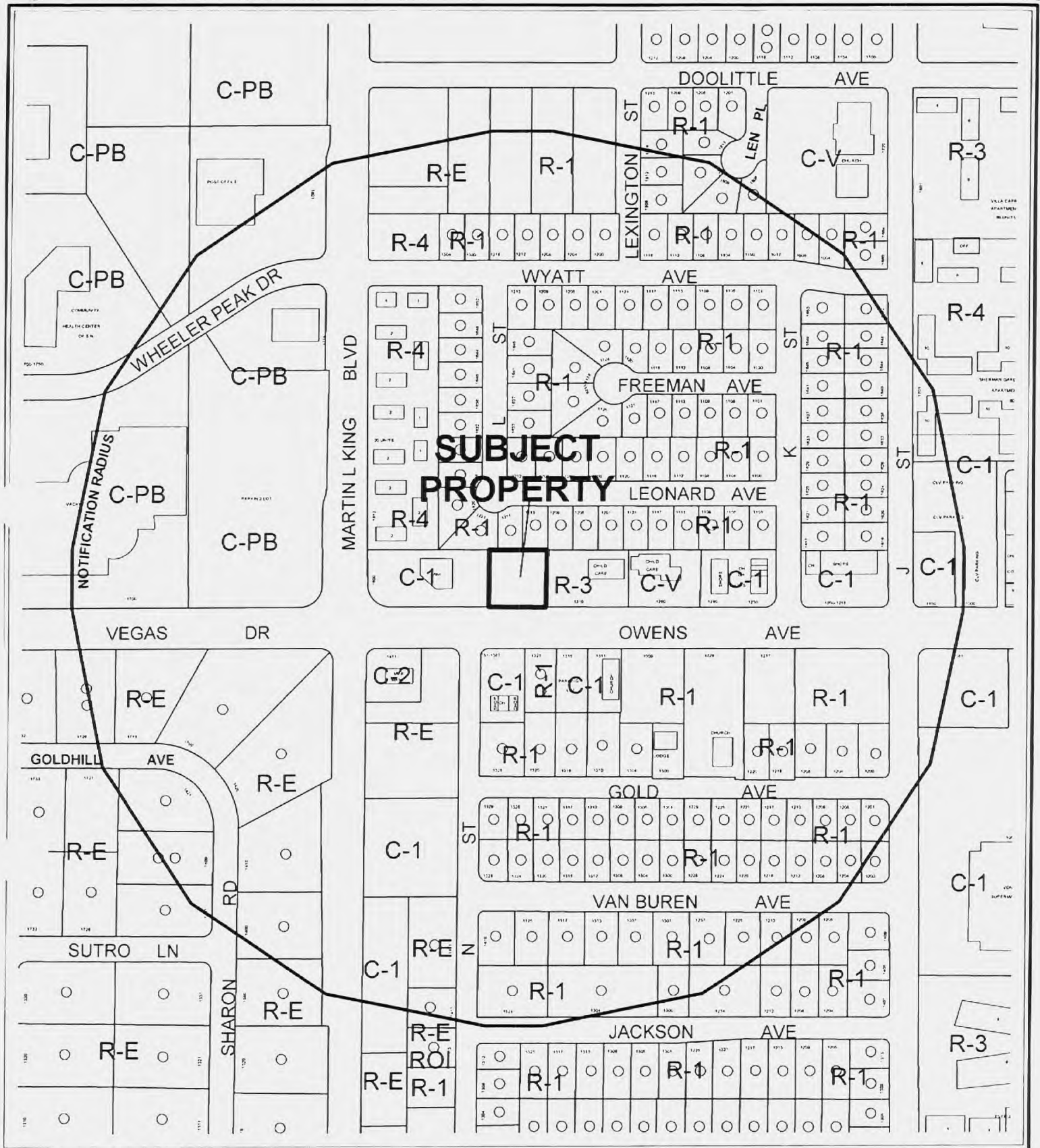
Motion made by LAWRENCE WEEKLY to Approve Subject to Conditions

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

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

Minutes:

See Item 72 for related discussion.



CASE: VAR-18204

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

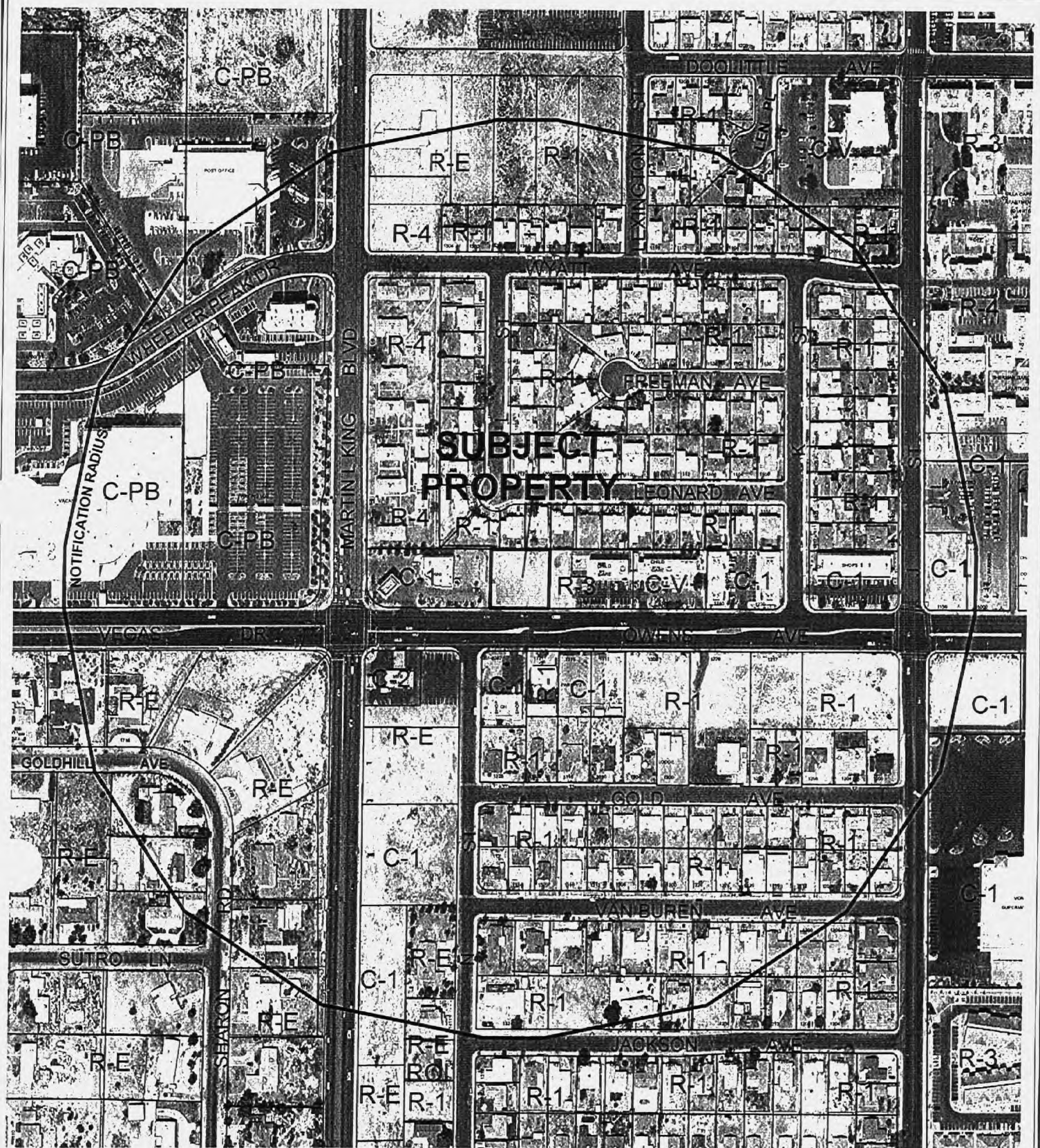
R-3 (MEDIUM DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

0 100 200 Feet





CASE: **VAR-18204**

RADIUS: 1000 FT

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

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

0 100 200 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-18204 - APPLICANT/OWNER: BRUCE R. NOBLE

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

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-18203) and Site Development Plan Review (SDR-18202) 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 request for a Variance to allow a proposed building zero feet from the side property line where 10 feet is the minimum setback required and eight feet from the rear property line where 20 feet is the minimum setback required on 0.44 acres on the north side of Owens Avenue, approximately 333 feet east of Martin L. King Boulevard.

A related Rezoning ZON-18203 and related Site Development Plan Review SDR-18202 will be considered concurrently.

Staff finds that the narrowness of this site and the applicant's intent to allow vehicular circulation between this site and the existing commercial developments to the east and west has resulted in the necessity of this Variance and recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
11/15/95	The City Council approved a rezoning of this site to C-1 (Limited Commercial) and a 12,000 square foot office building with one story at a height of 19 feet (Z-79-95).
01/11/07	The Planning Commission recommended approval of companion item ZON-18203 and denial of SDR-18202 concurrently with this application. The Planning Commission voted 6-1/se to recommend DENIAL (PC Agenda Item #24/ar).
<i>Pre-Application Meeting</i>	
10/02/06	Staff explained the requirements for a rezoning, site development plan review, and a variance.
<i>Neighborhood Meeting</i>	
12/14/06	Staff contacted the applicant and suggested a neighborhood meeting. The applicant stated that he had met with adjacent property owners, anticipated no opposition, and declined staff's suggestion.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.44

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	C (Commercial)	R-3
North	Single family dwellings	L (Low Density Residential)	R-1
South	Retail shops/ single family dwellings	C (Commercial)	C-1 and R-1
East	Child care facility	C (Commercial)	R-3
West	Convenience store	C (Commercial)	C-1

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

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	19,166 sf	Y
Min. Lot Width	N/A	137 feet	Y
Min. Setbacks • Front • East Side • West Side • Rear	• 20 feet • 5 feet • 5 feet • 20 feet	• 76 feet • 62 feet • 0 feet • 8 feet	• Y • Y • *N • *N
Max. Lot Coverage	N/A	21 %	Y
Max. Building Height	2 stories/35 feet	14 feet 6 inches along north property line; 18 feet in height along the south side of the building, adjacent to Owens Avenue	Y

The proposed building does not comply with the setback standards of the C-1 zoning district. This issue is addressed within the subject Variance VAR-18204.

Per Title 19.08.060 the following standards apply:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	N/A	8 Feet	N/A
Adjacent development matching setback	N/A	8 Feet	N/A
Trash Enclosure	50 Feet	52 Feet	Y

The proximity slope and adjacent development matching setback standards do not apply to this application as the proposed building is less than 15 feet in height in the north portion of the site, and the portion of the building with a height of 18 feet is located 55 feet from residentially developed property.

Per Title 19.12 the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 tree/6 spaces	6 trees	3 trees	N
Buffer: Min. Trees				
South prop line	1 tree /30 linear feet	5 trees	4 trees	N
North prop line	1 tree/20 linear feet	7 trees	5 trees	
Min. Zone Width				
North prop line	8 feet		3 feet	N
South prop line	15 feet		11 feet	N
East prop line	8 feet		0 feet	N
West prop line	8 feet		0 feet	N

The applicant has requested a waiver with the related Site Development Plan Review (SDR-18202) to allow three parking lot trees where six are required. Since most of the parking spaces are adjacent to property line buffers, staff recommends approval of this waiver.

The applicant has requested a waiver to allow a reduction in the amount of trees to be provided along the north and south property lines. Staff finds that compliance with this portion of the landscape standards would only require the placement of one additional tree along the south property line and two additional trees along the north property line and does not support this waiver.

The applicant has also requested a waiver to allow reductions in the widths of the buffers along all property lines. Staff finds that these reductions would encourage circulation between this site and the properties to the east and west and recommends approval of this waiver.

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	
General retail	1,750 sf	1/175 sf	10				
Barber shop	3 chairs	2 spaces per chair	6				
Office	1,200 sf	1/300 sf	4				
Restaurant seating area	500 sf	1/50 sf	10				
Restaurant non-customer areas	500 sf	1/250 sf	3				
TOTAL			33	2	34	2	Y

Waivers		
Request	Requirement	Staff Recommendation
Three parking lot trees	Six parking lot trees	Approval
Five trees along north property line	Seven trees along north property line	Denial – the buffer can accommodate two additional trees
Four trees along south property line	Five trees along south property line	Denial – the buffer can accommodate one additional tree
11 foot wide buffer along Owens Avenue	15 foot wide buffer along Owens Avenue	Approval
Three foot wide buffer along north property line	Eight foot wide buffer along north property line	Approval
No buffer along east property line	Eight foot wide buffer along east property line	Approval
No buffer along west property line	Eight foot wide buffer along west property line	Approval

These waivers will be considered in conjunction with the related Site Development Plan Review (SDR-18202).

ANALYSIS

The applicant proposes to construct a 3,997 square foot commercial building on this undeveloped site. The narrowness of this site and the applicant's intent to allow vehicular circulation between this site and the existing commercial developments to the east and west has resulted in the following instances of non-compliance with city standards:

- 1) The placement of the building eight feet from the rear property line, where the C-1 zoning standards require 20 feet. This issue has been addressed in the subject variance;
- 2) An 11 foot wide buffer along Owens Avenue where a 15 foot wide buffer is required. This issue has been addressed as a Waiver within the related Site Development Plan Review;
- 3) A three foot wide buffer along the north property line where an eight foot wide buffer is required. This issue has also been addressed as a Waiver within the related Site Development Plan Review; and
- 4) No landscape buffers along the east and west property lines where an eight foot wide buffer is required. This issue has also been addressed as a Waiver within the related Site Development Plan Review (SDR-18202).

Staff finds that the submitted site plan is a reasonable attempt to address the issues associated with this parcel and has no objection to the subject variance and the related waivers.

Staff notes that the amount of trees proposed for the north buffer zone is deficient by two, and the amount proposed for the south buffer is deficient by one. Both of the buffers can accommodate the required amount of trees and staff has included a condition of approval within the related Site Development Plan Review which addresses this issue.

The elevations depict a stucco exterior with signification articulation along the sides and roof of the building.

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.”

Staff finds that the narrowness of this site and the applicant’s intent to allow vehicular circulation between this site and the existing commercial developments to the east and west has resulted in the necessity of this Variance and recommends approval.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 196 by City Clerk

APPROVALS 0

PROTESTS 0



Case Number: **VAR-18204** APN: 139-21-804-008

Name of Property Owner: Bruce Noble

Name of Applicant: Bruce Noble

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: _____

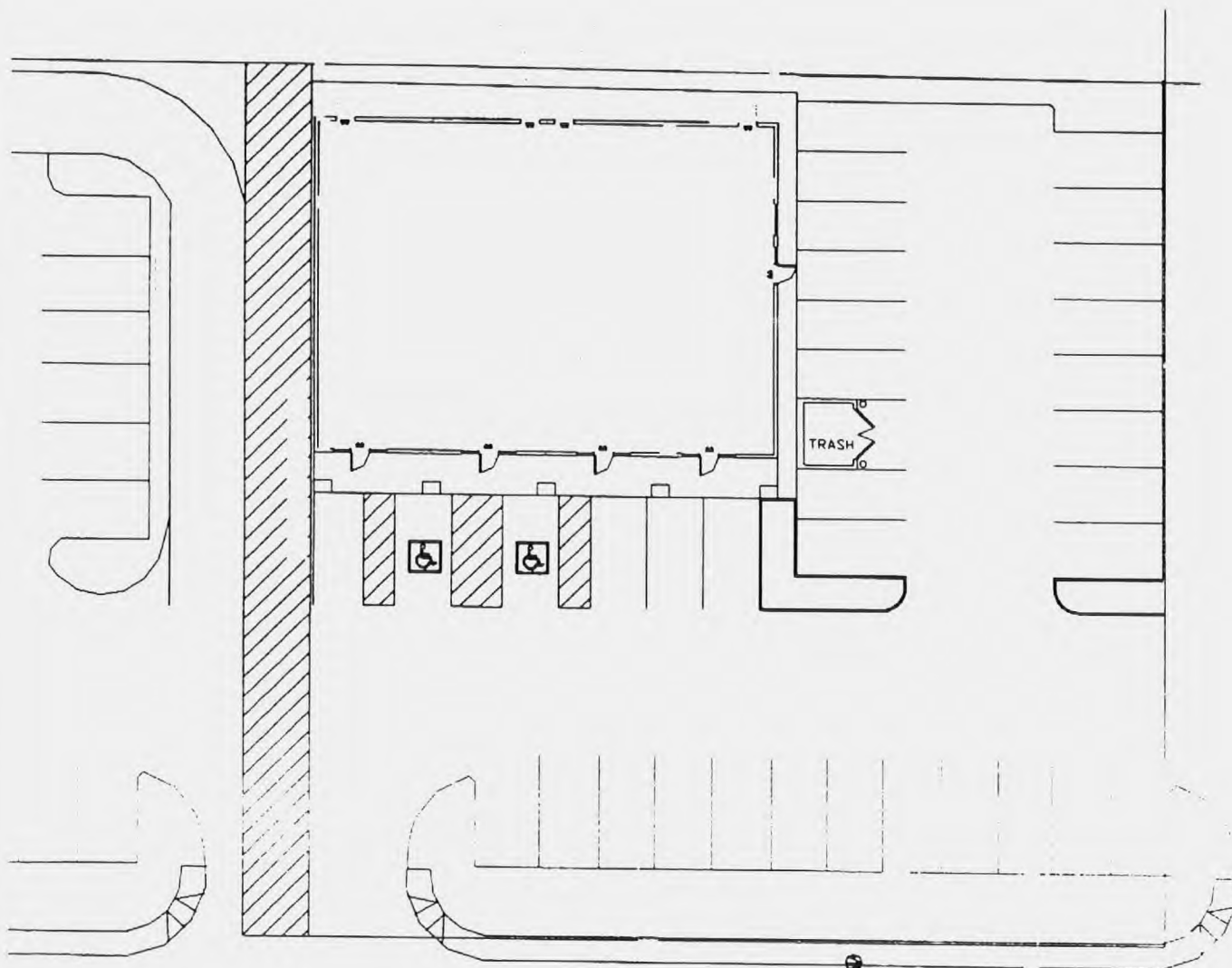
Signature of Property Owner: William K Noble

Print Name: Bruce R. Noble.

Subscribed and sworn before me

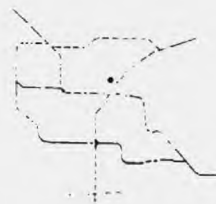
This 3 day of November, 2006

Deborah Trentini
Notary Public in and for said County and State



OWENS AVENUE

ZON-18203 VAR-18204
SDR-18202 01/11/07 PC
EXT. STREET LIGHT



NOV 16 2006



Bruce R. Noble
3712 Valley Dr.
N. Las Vegas, NV. 89032
702-648-6765 (H)
702-266-5318 (C)

November 14, 2006

To Whom It May Concern,

I Bruce Noble, as owner of the property, would like to have it rezone to C-1 for light retail and office space use which co-inside with existing properties in the area. I would like to request a waiver regarding parking lot and perimeter landscaping because, on the eastside of property line there is a possibility for further pavement.

I would also like to request a variance on set back requirements to remain consistent with existing buildings, and to maintain adequate parking in the front and have a sufficient building design , the building height is of single story requirements and should not negatively impact the existing buildings in anyway.

Sincerely,

Signature

Bruce R Noble

ZON-18203 VAR-18204
SDR-18202 01/11/07 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-18203 AND VAR-18204

SDR-18202 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: BRUCE R. NOBLE - Request for a Site Development Plan Review for a PROPOSED 3,997 SQUARE FOOT SHOPPING CENTER WITH A WAIVER OF THE PERIMETER LANDSCAPE BUFFER TO ALLOW NO PERIMETER LANDSCAPING ALONG THE EAST AND WEST PROPERTY LINES WHERE AN EIGHT FOOT WIDE BUFFER IS REQUIRED; TO ALLOW A THREE FOOT WIDE BUFFER ALONG THE NORTH PROPERTY LINE WHERE AN EIGHT FOOT WIDE BUFFER IS REQUIRED; AND TO ALLOW AN 11 FOOT WIDE BUFFER ALONG THE SOUTH PROPERTY LINE, WHERE A 15 FOOT WIDE BUFFER ADJACENT TO A PUBLIC RIGHT-OF-WAY IS REQUIRED on 0.44 acres on the north side of Owens Avenue, approximately 333 feet east of Martin L. King Boulevard (APN-139-21-804-008), R-3 (Medium Density Residential) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly). The Planning Commission (4-3 vote) recommends DENIAL. Staff 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:

The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

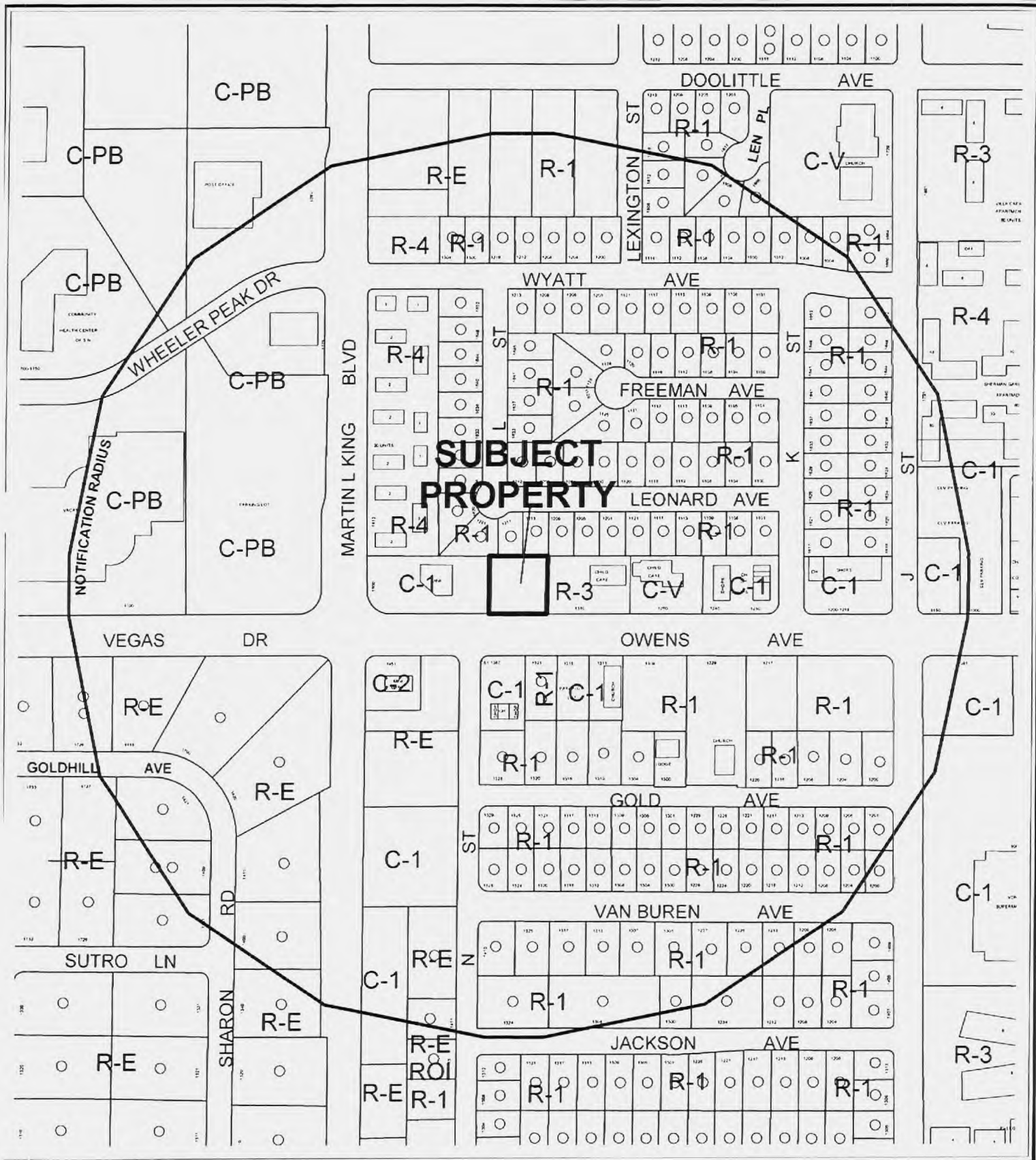
Motion made by LAWRENCE WEEKLY to Approve Subject to Conditions

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

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

Minutes:

See Item 72 for related discussion.



CASE: SDR-18202

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-3 (MEDIUM DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

0 100 200 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-18202 - APPLICANT/OWNER: BRUCE R. NOBLE

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

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-18203) and Variance (VAR-18204) 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 11/16/06, except as amended by conditions herein.
4. A Waiver from Title 19.12 is hereby approved, to allow an 11 foot wide buffer along Owens Avenue, a three foot wide buffer along the north property line, and no landscape buffers along the east and west property lines.
5. An Exception from Title 19.10J is hereby approved, to allow three parking lot trees where six are required.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: The provision of seven 24-inch box trees within the buffer zone along the north property line and the provision of five 24-inch box trees within the buffer zone along the south property line
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. 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.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. Complete any remaining construction of the two offsite driveways which service this site and provide sufficient asphalt concrete (AC) paving to allow two way traffic between this site and the two driveways.
16. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the west of this site prior to the issuance of any permits.
17. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

18. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
19. Site development to comply with all applicable conditions of approval for ZON-18203 and all other site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 3,997 square-foot shopping center with a waiver of the perimeter landscape buffer to allow no perimeter landscaping along the east and west property lines where an eight-foot wide buffer is required; to allow a three-foot wide buffer along the north property line where an eight foot wide buffer is required; and to allow an 11-foot wide buffer along the south property line, where a 15-foot wide buffer adjacent to a public right-of-way is required on 0.44 acres on the north side of Owens Avenue, approximately 333 feet east of Martin L. King Boulevard

The waivers and variance requested by the applicant will allow this property to have vehicular circulation with the commercial development to the east and west of this site, thereby creating a more orderly pattern of development. Staff recommends approval.

A related Rezoning ZON-18203 and a related Variance VAR-18204 will be considered concurrently.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
11/15/95	The City Council approved a rezoning of this site to C-1 (Limited Commercial) and a 12,000 square foot office building with one story at a height of 19 feet (Z-79-95).
01/11/07	The Planning Commission recommended denial of companion item VAR-18024 and approval of ZON-18203 concurrently with this application. The Planning Commission voted 6-1/se to recommend DENIAL (PC Agenda Item #25/ar).
<i>Pre-Application Meeting</i>	
10/02/06	Staff explained the requirements for a rezoning, site development plan review, and a variance.
<i>Neighborhood Meeting</i>	
12/14/06	Staff contacted the applicant and suggested a neighborhood meeting. The applicant stated that he had met with adjacent property owners, anticipated no opposition, and declined staff's suggestion.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.44

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	C (Commercial)	R-3
North	Single family dwellings	L (Low Density Residential)	R-1
South	Retail shops/ single family dwellings	C (Commercial)	C-1 and R-1
East	Child care facility	C (Commercial)	R-3
West	Convenience store	C (Commercial)	C-1

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

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	19,166 sf	Y
Min. Lot Width	N/A	137 feet	Y
Min. Setbacks • Front • East Side • West Side • Rear	• 20 feet • 5 feet • 5 feet • 20 feet	• 76 feet • 62 feet • 0 feet • 8 feet	• Y • Y • *N • *N
Max. Lot Coverage	N/A	21 %	Y
Max. Building Height	2 stories/35 feet	14 feet 6 inches along north property line; 18 feet in height along the south side of the building, adjacent to Owens Avenue	Y

*The proposed building does not comply with the setback standards of the C-1 zoning district. This issue is addressed within the related Variance VAR-18204.

Per Title 19.08.060 the following standards apply:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	N/A	8 Feet	N/A
Adjacent development matching setback	N/A	8 Feet	N/A
Trash Enclosure	50 Feet	52 Feet	Y

The proximity slope and adjacent development matching setback standards do not apply to this application as the proposed building is less than 15 feet in height in the north portion of the site, and the portion of the building with a height of 18 feet is located 55 feet from residentially developed property.

Per Title 19.12 the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 tree/6 spaces	6 trees	3 trees	N
Buffer: Min. Trees				
South prop line	1 tree /30 linear feet	5 trees	4 trees	
North prop line	1 tree/20 linear feet	7 trees	5 trees	N
Min. Zone Width				
North prop line	8 feet		3 feet	N
South prop line	15 feet		11 feet	N
East prop line	8 feet		0 feet	N
West prop line	8 feet		0 feet	N

The applicant has requested an exception with the subject Site Development Plan Review (SDR-18202) to allow three parking lot trees where six are required. Since most of the parking spaces are adjacent to property line buffers, staff recommends approval of this waiver.

The applicant has requested a waiver to allow a reduction in the amount of trees to be provided along the north and south property lines. Staff finds that compliance with this portion of the landscape standards would only require the placement of one additional tree along the south property line and two additional trees along the north property line and does not support this waiver.

The applicant has also requested a waiver to allow reductions in the widths of the buffers along all property lines. Staff finds that these reductions would encourage circulation between this site and the properties to the east and west and recommends approval of this waiver.

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	
General retail	1,750 sf	1/175 sf	10				
Barber shop	3 chairs	2 spaces per chair	6				
Office	1,200 sf	1/300 sf	4				
Restaurant seating area	500 sf	1/50 sf	10				
Restaurant non-customer areas	500 sf	1/250 sf	3				
TOTAL			33	2	34	2	Y

Waivers		
Request	Requirement	Staff Recommendation
Three parking lot trees	Six parking lot trees	Approval
Five trees along north property line	Seven trees along north property line	Denial – the buffer can accommodate two additional trees
Four trees along south property line	Five trees along south property line	Denial – the buffer can accommodate one additional tree
11 foot wide buffer along Owens Avenue	15 foot wide buffer along Owens Avenue	Approval
Three foot wide buffer along north property line	Eight foot wide buffer along north property line	Approval
No buffer along east property line	Eight foot wide buffer along east property line	Approval
No buffer along west property line	Eight foot wide buffer along west property line	Approval

These waivers will be considered in conjunction with the subject Site Development Plan Review (SDR-18202).

ANALYSIS

The applicant proposes to construct a 3,997 square foot commercial building on this undeveloped site. The narrowness of this site and the applicant's intent to allow vehicular circulation between this site and the existing commercial developments to the east and west has resulted in the following instances of non-compliance with city standards:

- 1) The placement of the building eight feet from the rear property line, where the C-1 zoning standards require 20 feet. This issue has been addressed in the related variance;
- 2) An 11 foot wide buffer along Owens Avenue where a 15 foot wide buffer is required. This issue has been addressed as a Waiver within the subject Site Development Plan Review;
- 3) A three foot wide buffer along the north property line where an eight foot wide buffer is required. This issue has also been addressed as a Waiver within the subject Site Development Plan Review; and
- 4) No landscape buffers along the east and west property lines where an eight foot wide buffer is required. This issue has also been addressed as a Waiver within the related Site Development Plan Review.

Staff finds that the submitted site plan is a reasonable attempt to address the issues associated with this parcel and has no objection to the related variance and the waivers.

Staff notes that the amount of trees proposed for the north buffer zone is deficient by two, and the amount proposed for the south buffer is deficient by one. Both of the buffers can accommodate the required amount of trees and staff has included a condition of approval which addresses this issue.

The elevations depict a stucco exterior with signification articulation along the sides and roof of the building.

FINDINGS

The following findings must be made for an SDR:

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

3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;
4. Building and landscape materials are appropriate for the area and for the City;
5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;
6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

In regard to "1": The uses allowed with the proposed C-1 (Limited Commercial) zoning district are compatible with the commercial uses to the east and west of this site.

In regard to "2": The proposed C-1 (Limited Commercial) zone would be in conformance with C (Commercial) General Plan designation.

The applicant has requested a waiver of Title 19 standards to allow three parking lot trees where six are required. Since most of the parking spaces are adjacent to property line buffers, staff recommends approval of this waiver.

The applicant has requested a waiver of Title 19 standards to allow a reduction in the amount of trees to be provided along the north and south property lines. Staff finds that compliance with this portion of the landscape standards would only require the placement of one additional tree along the south property line and two additional trees along the north property line and does not support this waiver.

The applicant has also requested a waiver of Title 19 standards to allow reductions in the widths of the buffers along all property lines. Staff finds that these reductions would encourage circulation between this site and the properties to the east and west and recommends approval of this waiver.

The applicant has also requested a related Variance (VAR-18204) to allow a proposed building zero feet from the side property line where 10 feet is the minimum setback required and eight feet from the rear property line where 20 feet is the minimum setback required.

Staff finds that the narrowness of this site and the applicant's intent to allow vehicular circulation between this site and the existing commercial developments to the east and west has resulted in the necessity of this Variance and recommends approval.

In regard to “3”: Owens Avenue is a 100 foot wide Primary Arterial which will not be adversely impacted by the proposed C-1 (Limited Commercial) zoning district.

In regard to “4”: The building and landscape materials are appropriate for commercial development in this area of the city.

In regard to “5”: The waivers and variance requested by the applicant will allow this property to have vehicular circulation with the commercial development to the east and west of this site, thereby creating a more orderly pattern of development.

In regard to “6”: The proposed use will not compromise the public health, safety, and welfare because the use will be constructed in compliance with applicable city standards.

PLANNING COMMISSION ACTION

The Planning Commission considered recommending a change to condition #16 to add access from the east. New elevations were shown at the Planning Commission meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

ASSEMBLY DISTRICT 6

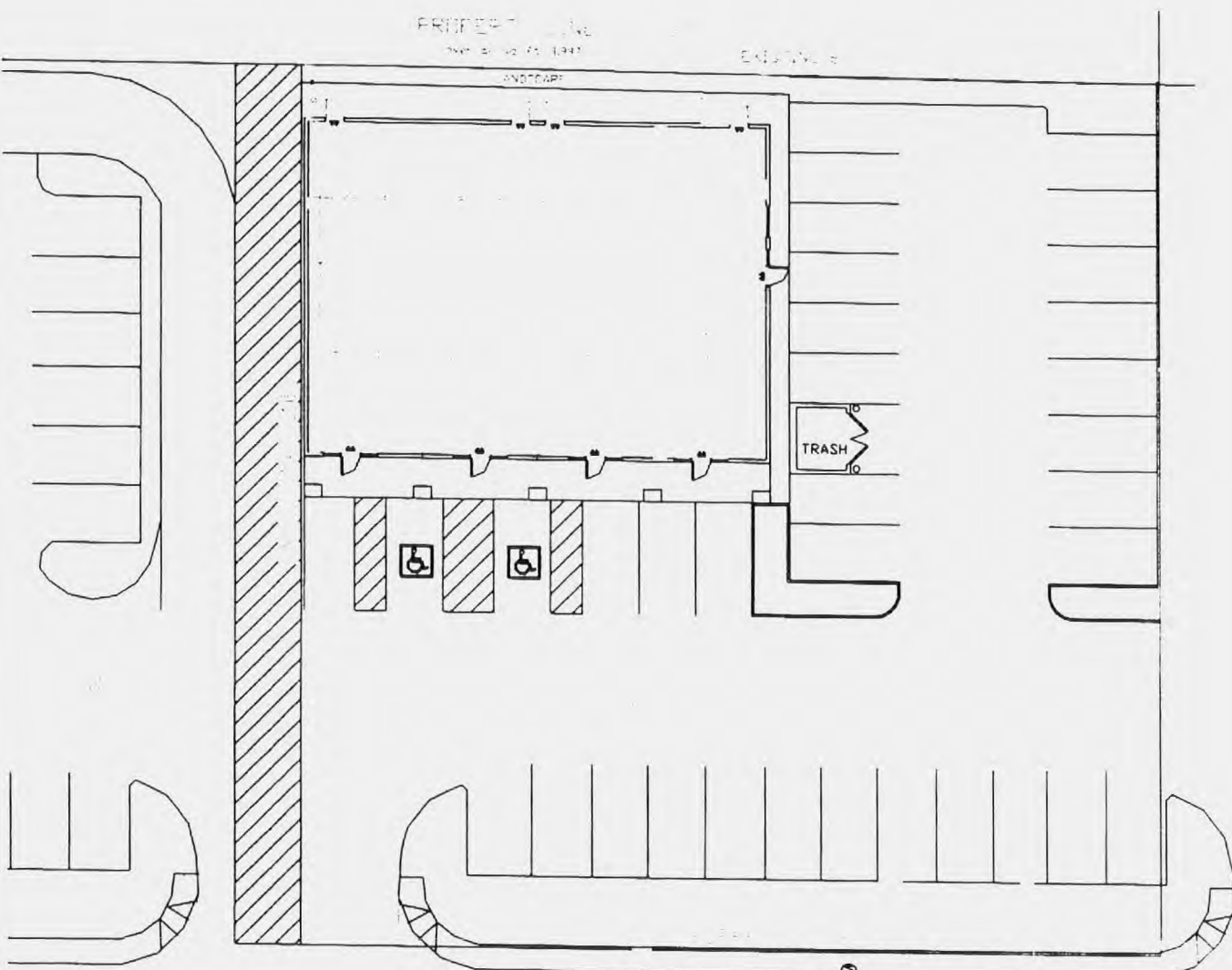
SENATE DISTRICT 4

NOTICES MAILED 196 by Planning Department

APPROVALS 0

PROTESTS 0





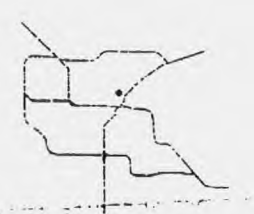
PROPERTY LINE
1/11/07 11:11

EXISTING

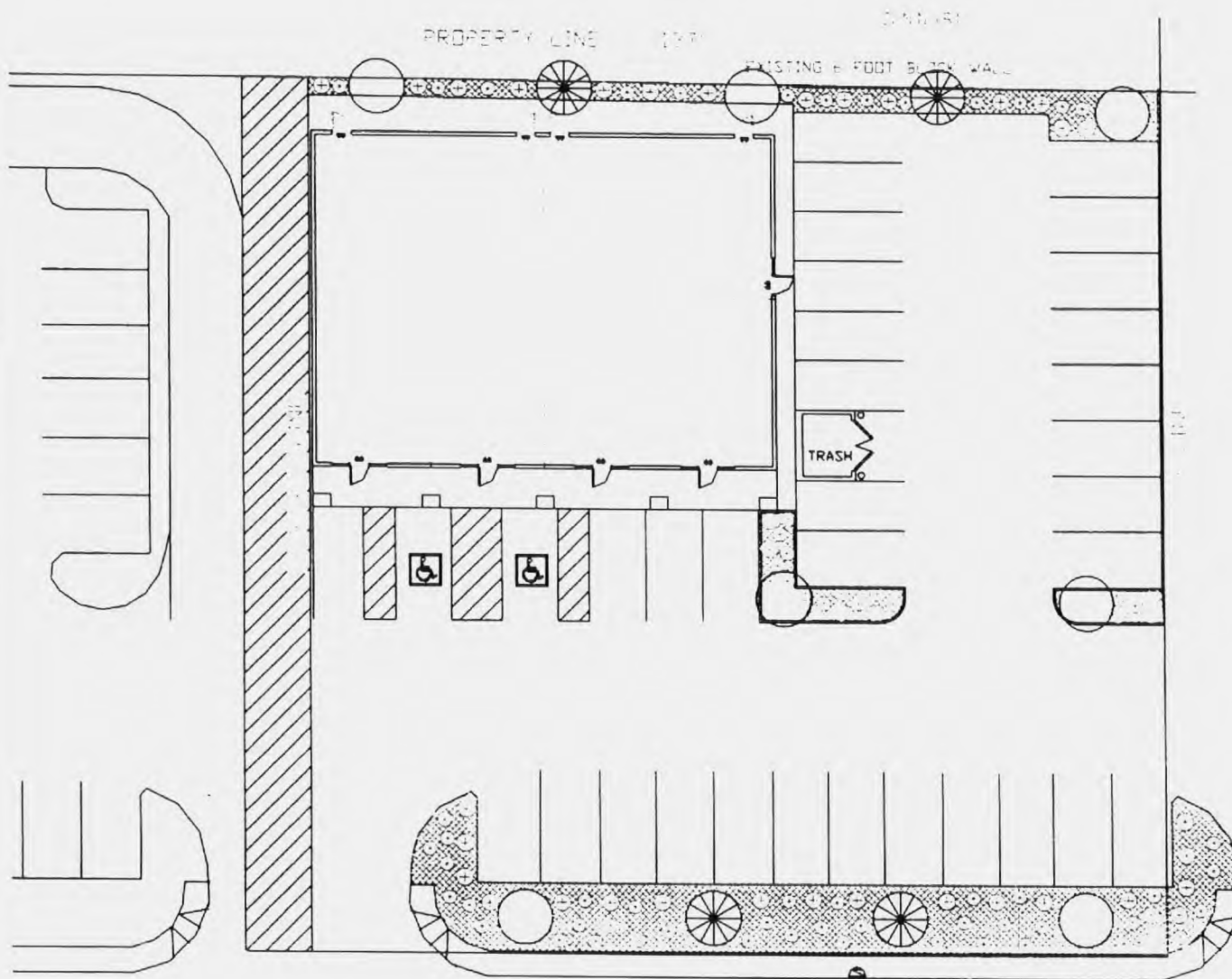
TRASH

OWENS AVENUE

ZON-18203 VAR-18204
SDR-18202 01/11/07 PC
EXT STREET LIGHT



NOV 16 2006
↑



OWENS AVENUE

ZON-18203 VAR-18204
SDR-18202 01/11/07 PC

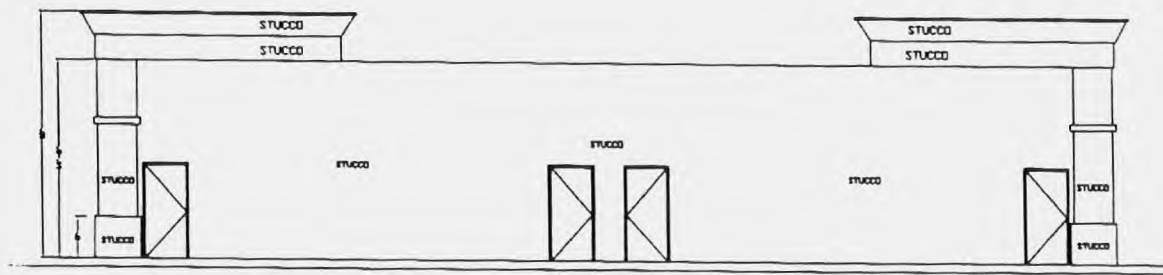
EXT. STREET LIGHT



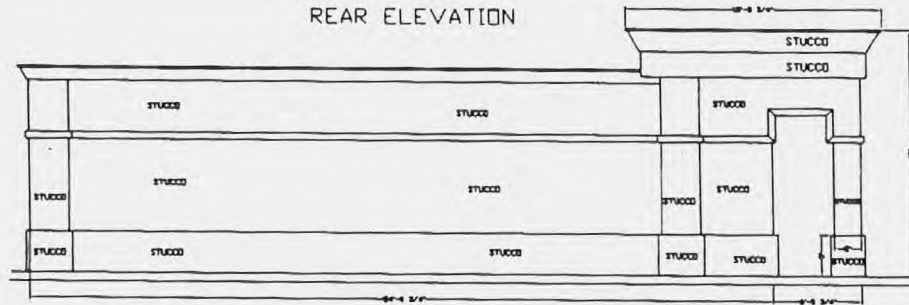
PROPERTY
LOCALITY

NOT TO SCALE

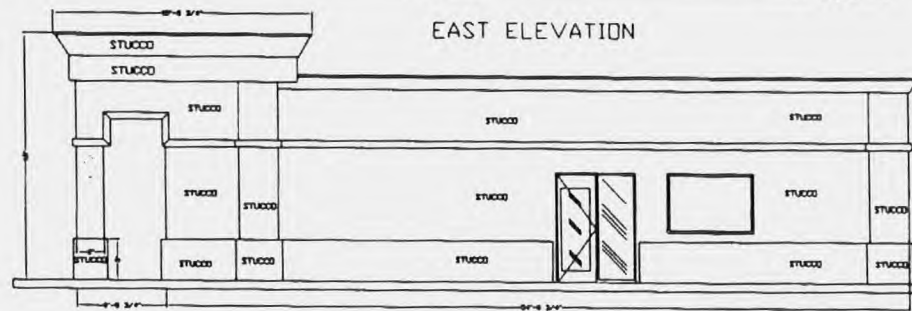




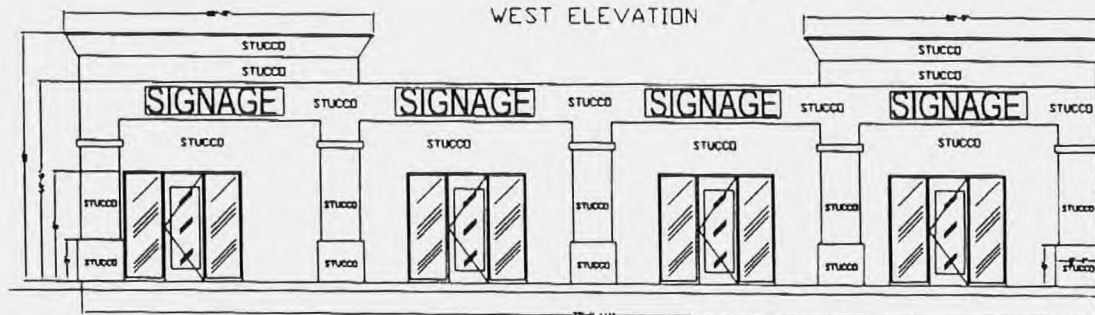
REAR ELEVATION



EAST ELEVATION

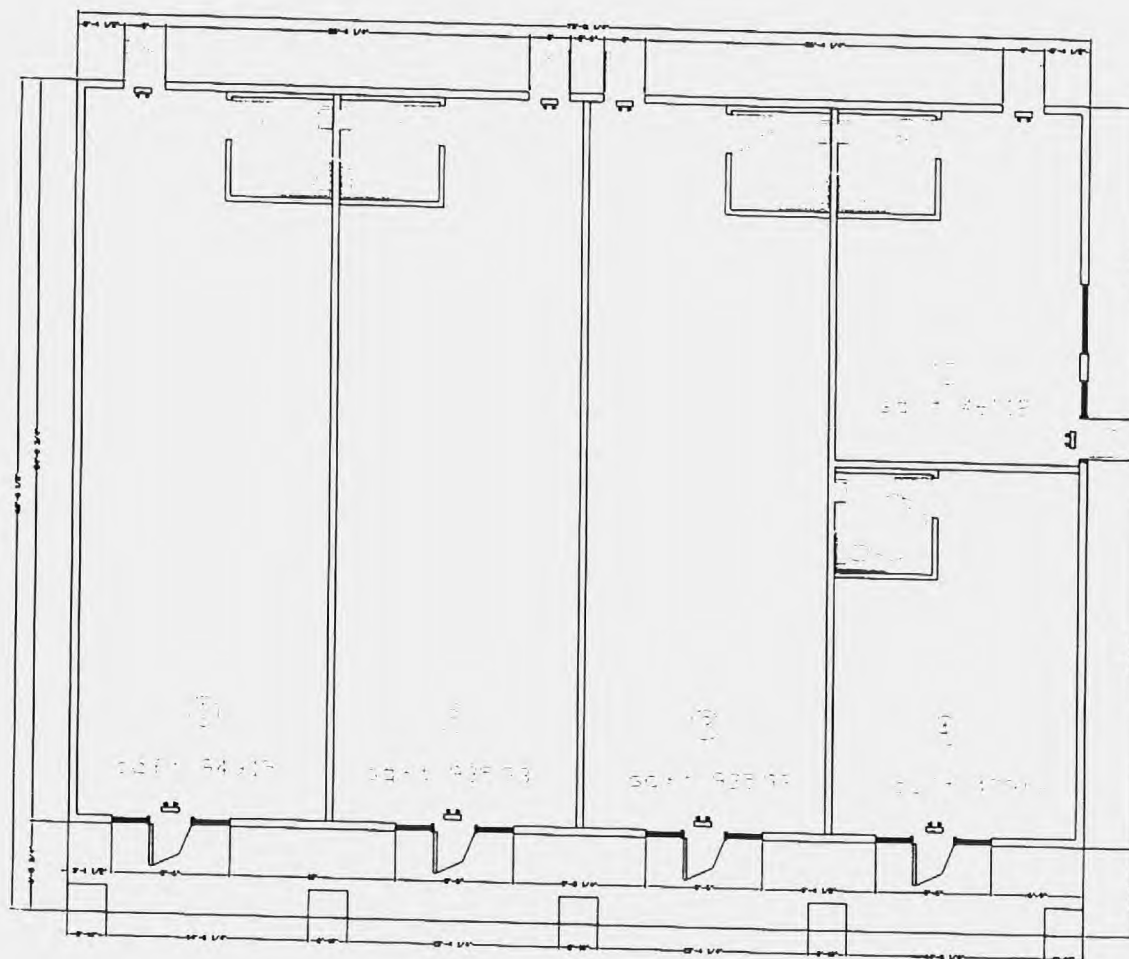


WEST ELEVATION



NOV 15 2006

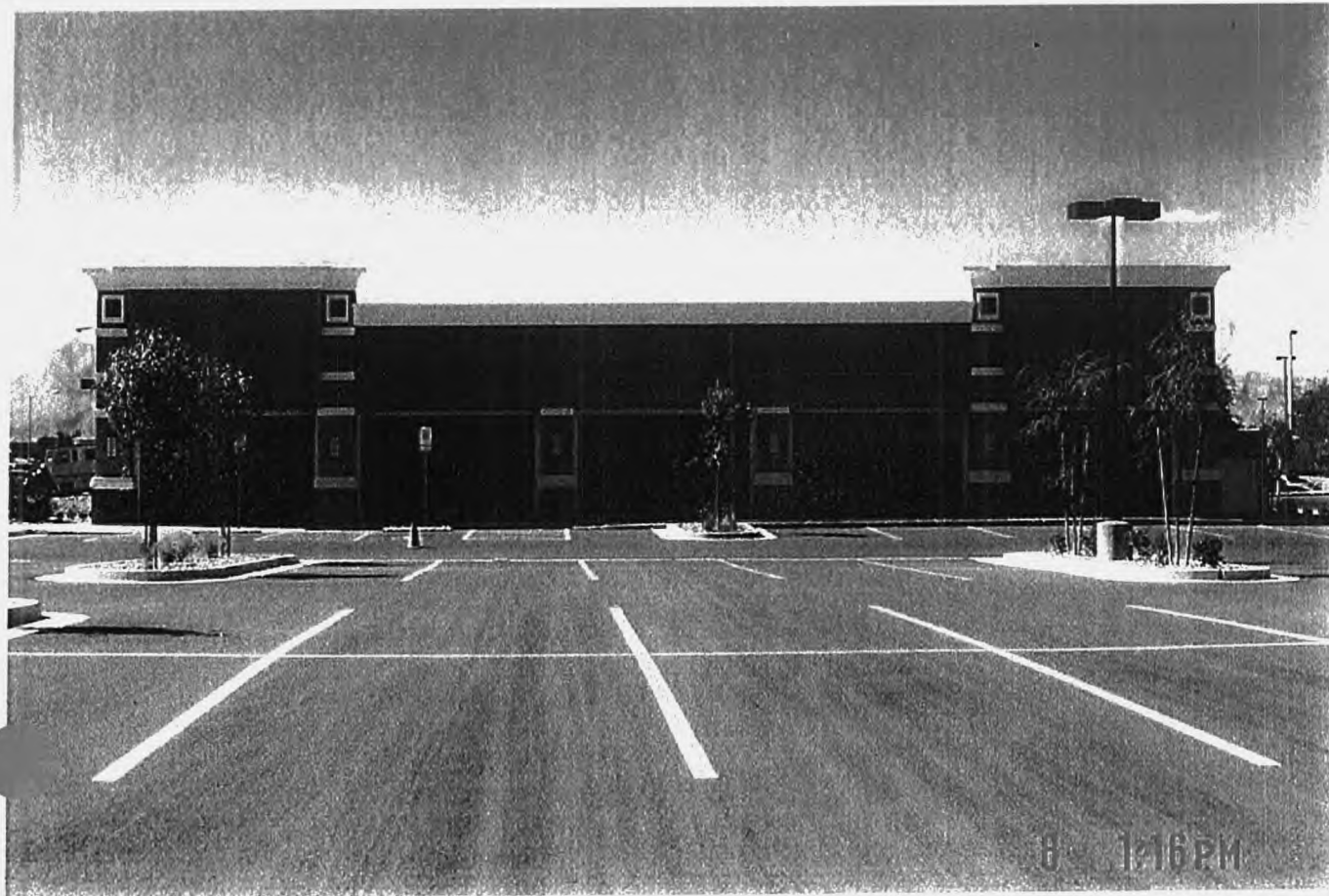
ZON-18203 VAR-18204
SDR-18202 01/11/07 PC



NOV 16 2006



ZON-18203 VAR-18204
SDR-18202 01/11/07 PC



RECEIVED
NOV 16 2006

ZON-18203 VAR-18204
SDR-18202 01/11/07 PC



SDR 18202				
Bruce R. Noble				
NS Owens, E of Martin L. King				
Proposed 3.997 thousand square foot retail development.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	3.997	42.94	172
AM Peak Hour			1.03	4
PM Peak Hour			3.75	15
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Owens Avenue				
Average Daily Traffic (ADT)	25,302			
PM Peak Hour	2024			
(heaviest 60 minutes)				
Martin L. King Boulevard				
Average Daily Traffic (ADT)	43,649			
PM Peak Hour	3492			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Owens Avenue	32585			
Martin L. King Boulevard	32585			
This project will add approximately 172 trips per day on Owens and Martin L. King. This will increase expected volumes by less than one percent on Owens and Martin L. King. Owens is at about 78 percent of capacity and Martin L. King is over capacity.				
Based on Peak Hour use, this development will add roughly 15 additional cars into the area; which works out to about one every four minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



ZON-18203, VAR-18204 AND SDR 18202 - APPLICANT/OWNER: BRUCE R. NOBLE
NORTH SIDE OF OWENS AVENUE, APPROXIMATELY 333 FEET EAST OF MARTIN L. KING BOULEVARD
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



ZON-18203, VAR-18204 AND SDR 18202 - APPLICANT/OWNER: BRUCE R. NOBLE
NORTH SIDE OF OWENS AVENUE, APPROXIMATELY 333 FEET EAST OF MARTIN L. KING BOULEVARD
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



ZON-18203, VAR-18204 AND SDR 18202 - APPLICANT/OWNER: BRUCE R. NOBLE
NORTH SIDE OF OWENS AVENUE, APPROXIMATELY 333 FEET EAST OF MARTIN L. KING BOULEVARD
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



ZON-18203, VAR-18204 AND SDR 18202 - APPLICANT/OWNER: BRUCE R. NOBLE
NORTH SIDE OF OWENS AVENUE, APPROXIMATELY 333 FEET EAST OF MARTIN L. KING BOULEVARD
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06

Bruce R. Noble
3712 Valley Dr.
N. Las Vegas, NV. 89032
702-648-6765 (H)
702-266-5318 (C)

November 14, 2006

To Whom It May Concern,

I Bruce Noble, as owner of the property, would like to have it rezone to C-1 for light retail and office space use which co-inside with existing properties in the area. I would like to request a waiver regarding parking lot and perimeter landscaping because, on the eastside of property line there is a possibility for further pavement.

I would also like to request a variance on set back requirements to remain consistent with existing buildings, and to maintain adequate parking in the front and have a sufficient building design , the building height is of single story requirements and should not negatively impact the existing buildings in anyway.

Sincerely,

Signature

Bruce R Noble

ZON-18203 VAR-18204
SDR-18202 01/11/07 PC

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

EXTENSION OF TIME - REZONING

EOT-19030 - APPLICANT/OWNER: J & S DIESEL SERVICE, INC. - Request for a Reinstatement and Extension of Time of an approved Rezoning (ZON-4215) FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 2.10 acres adjacent to the southeast corner of Dorrell Lane and Unicorn Street (APN 125-24-602-001), Ward 6 (Ross). Staff 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 APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for ZON-4215

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

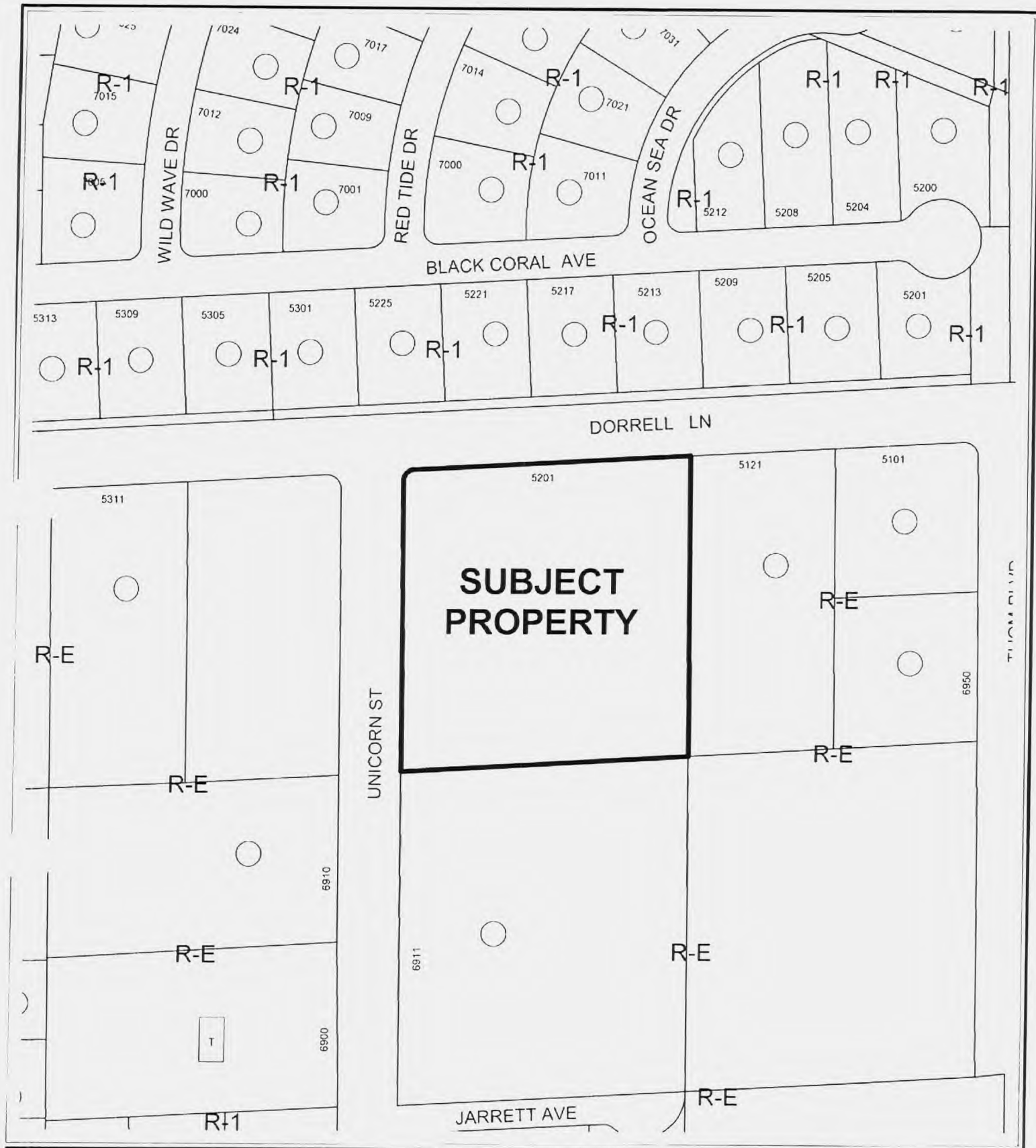
Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-GARY REESE)

Minutes:

MAYOR GOODMAN declared the Public Hearing open on Item 75 [EOT-19030] and Item 76 [ROC-19029].

MIKE SZYMANSKI, EMS Engineering, 5160 South Eastern Avenue, appeared on behalf of the owner. MR. SZYMANSKI gave a brief overview of the application process. He noted that the original conditions were somewhat confusing, so the purpose of this agendaed item was to clarify those conditions prior to moving forward.

MAYOR GOODMAN declared the Public Hearing closed on Item 75 [EOT-19030] and Item 76 [ROC-19029].



CASE: **EOT-19030**

RADIUS: 1000 FT

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

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: EOT-19030 - APPLICANT/OWNER: J & S DIESEL SERVICE, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Rezoning (ZON-4215) shall expire on February 21st, 2009 unless another Extension of Time is granted.
2. Conformance to the Conditions of Approval for Rezoning (ZON-4215) and all other site related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Reinstatement and Extension of Time of an approved Rezoning (ZON-4215) from R-E (Residence Estates) to R-1 (Single Family Residential) on 2.10 acres adjacent to the southeast corner of Dorrell Lane and Unicorn Street.

The proposed extension of time is requested as the applicant has experienced problems related to the requirements for off-street improvements on the subject property that are taking longer than expected to resolve. The applicant has been working with the Department of Public Works to resolve these issues. A request for a Review of Condition (ROC-19029) related to the same project shall also be considered; however, this extension of time request is independent of the review of condition. Approval of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
07/08/04	The City Council approved a Rezoning [ZON-4215] application for the reclassification from R-E (Residence Estates) to R-1 (Medium-Low Density Residential) and a Waiver [WVR-4217] to Title 18.12.160 to allow approximately 186 feet between street intersections where 220 feet is the minimum distance separation required in conjunction with a proposed single-family residential development on 2.10 acres adjacent to the southeast corner of Dorrell Lane and Unicorn Street. Both the Planning Commission and Staff recommended denial.
07/17/06	The City Council approved a Special Use Permit [SUP-13209] to allow a 40-foot wide private street for a proposed eight (8) lot single-family residential development on 2.10 acres on the southeast corner of Dorrell Lane and Unicorn Street. The Planning Commission recommended approval on 06/08/06. Staff recommended denial.
07/27/06	The Planning Commission approved a request for a Tentative Map (TMP-13210) for an eight (8) lot single-family residential subdivision on 2.5 acres located adjacent to the southeast corner of Dorrell Lane and Unicorn Street. Staff recommended approval.
02/21/07	The City Council will consider an Review of Condition number 8 of Rezoning (ZON-4215) that is related to this request.
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this request.	
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.5
Net Acres	2.1

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	ML (Medium Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single Family Residential)
North	Single Family Residential	ML (Medium Low Density Residential)	R-1 (Single Family Residential)
South	Single Family Residential	ML (Medium Low Density Residential)	R-E (Residence Estates)
East	Single Family Residential	ML (Medium Low Density Residential)	R-E (Residence Estates)
West	Undeveloped	ML (Medium Low Density Residential)	R-E (Residence Estates)

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

ANALYSIS

This is the first request for an extension of time for the proposed project. This extension of time is requested as the applicant has experienced problems regarding the requirements for off street improvements on the property that are taking longer than expected to resolve. The applicant has been working with the Department of Public Works to clear up these issues and; therefore, is progress is being made on the proposed project. There is a related Review of Condition (ROC-19029) related to this project that is also assisting in resolving the current delays on this project. As this extension of time will allow the applicant to continue to work toward completion of this project, 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 proposal does not conform to the General Plan. The original request of R-2 (Medium-Low Density Residential) was in conformance with the General Plan. However; this request was modified, through a condition of approval, to R-1 (Single Family Residential). The R-1 District is consistent with the L (Low Density Residential) land use designation, while the subject property carries an ML (Medium-Low Density Residential) land use designation.

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

The permissible use as a single family residential development is consistent with the surrounding land uses and districts.

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

The proposed extension of time is not related a growth factor in the community, rather it would permit the applicant to continue an already approved project.

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 abutting streets, Unicorn Street and Dorrell Lane, are adequate in size to meet the requirements of the R-1 (Single Family Residential) zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT

N/A

SENATE DISTRICT

N/A

NOTICES MAILED

N/A

APPROVALS

0

PROTESTS

0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-19030 APN: 125-21-602-001

Name of Property Owner: J & S DIESEL SERVICES INC.

Name of Applicant: JAMES MARTINEZ

Name of Representative: EMS ENGINEERING

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

☐ Yes

☒ No

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

City Official: N/A

Partner(s): N/A N/A

APN: N/A

Signature of Property Owner: [Signature]

Print Name: JAMES MARTINEZ

Subscribed and sworn before me

This 28th day of December, 2016
[Signature]
Notary Public in and for said County and State

EMS ENGINEERING

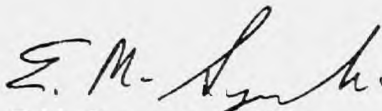
5160 S. Eastern Ave. #F
Las Vegas, Nevada 89119
(702) 739-7211

December 30, 2006

Subject: Justification Letter for Review of Conditions and Extension of Time for
ZON-4215.

Proposed Draft Condition Change:

Construct half-street improvements on Unicorn Street and Dorrell Lane adjacent to this site concurrent with development of this site, including appropriate transition paving. Installation of streetlights on Unicorn Street and Dorrell Lane may be deferred provided that the developer provide to the City such streetlights for the future installation. Alternatively, monies in lieu of such deferred streetlights, including bases, may be contributed to the City if allowed by the Department of Public Works. 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). 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. Extension of Time also needed because of confusion on offsite requirements.



E.M. Szymanski, PE

EOT-19030
02-21-07 CC



048447

July 12, 2004

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY

MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

Ms. Paige Gross
PDR Investments, Limited Liability Company
8908 Surf View
Las Vegas, Nevada 89117

RE: ZON-4215 - REZONING
CITY COUNCIL MEETING OF JULY 7, 2004
Related to WVR-4217

Dear Ms. Gross:

The City Council at a regular meeting held July 7, 2004 APPROVED the request for a Rezoning FROM: R-E (Residence Estates) TO: R-2 (Medium-Low Density Residential) on 2.10 acres adjacent to the southeast corner of Dorrell Lane and Unicorn Street (APN: 125-24-602-001). The Notice of Final Action was filed with the Las Vegas City Clerk on July 8, 2004. This approval is subject to:

Planning and Development

1. The request shall be amended to R-1.
2. All lots shall meet Title 19 standards.
3. No casitas shall be permitted.
4. The Tentative Map shall be scheduled as a Public Hearing before the Planning Commission when it is submitted.
5. All homes shall be limited to one-story dwellings.
6. Resolution of Intent with a two-year time limit.

Public Works

7. Dedicate an additional 5 feet of right-of-way for a total radius of 15 feet on the southeast corner of Dorrell Lane and Unicorn Street prior to the issuance of any permits.
8. Construct half-street improvements including appropriate transitional paving on Dorrell Lane and Unicorn Street adjacent to this site concurrent with

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov
18112-001-6/04

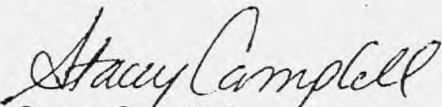
EOT-19030
02-21-07 CC

Ms. Paige Gross
ZON-4215 – Page Two
July 12, 2004

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 eastern and southern boundaries of this site prior to construction of hard surfacing (asphalt or concrete). 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.

9. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. 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.
10. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

Sincerely,



Stacey Campbell
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services

Ms. Paige Gross
10994 Willow Valley Court
Las Vegas, Nevada 89135

EOT-19030
02-21-07 CC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REVIEW OF CONDITION

ROC-19029 - PUBLIC HEARING - APPLICANT/OWNER: J & S DIESEL SERVICE, INC. - Request for a Review of Condition Number 8 from an approved Rezoning (ZON-4215) TO ALLOW THE DEFERRAL OF STREET LIGHT INSTALLATION ON UNICORN STREET AND DORRELL LANE WHERE IT WAS PREVIOUSLY REQUIRED for a proposed residential development on 2.10 acres adjacent to the southeast corner of Dorrell Lane and Unicorn Street (APN 125-24-602-001), R-E (Residence Estates) Zone under Resolution of Intent to R-1 (Single Family Residential) Zone, Ward 6 (Ross). Staff 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 APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council approval letter for ZON-4215

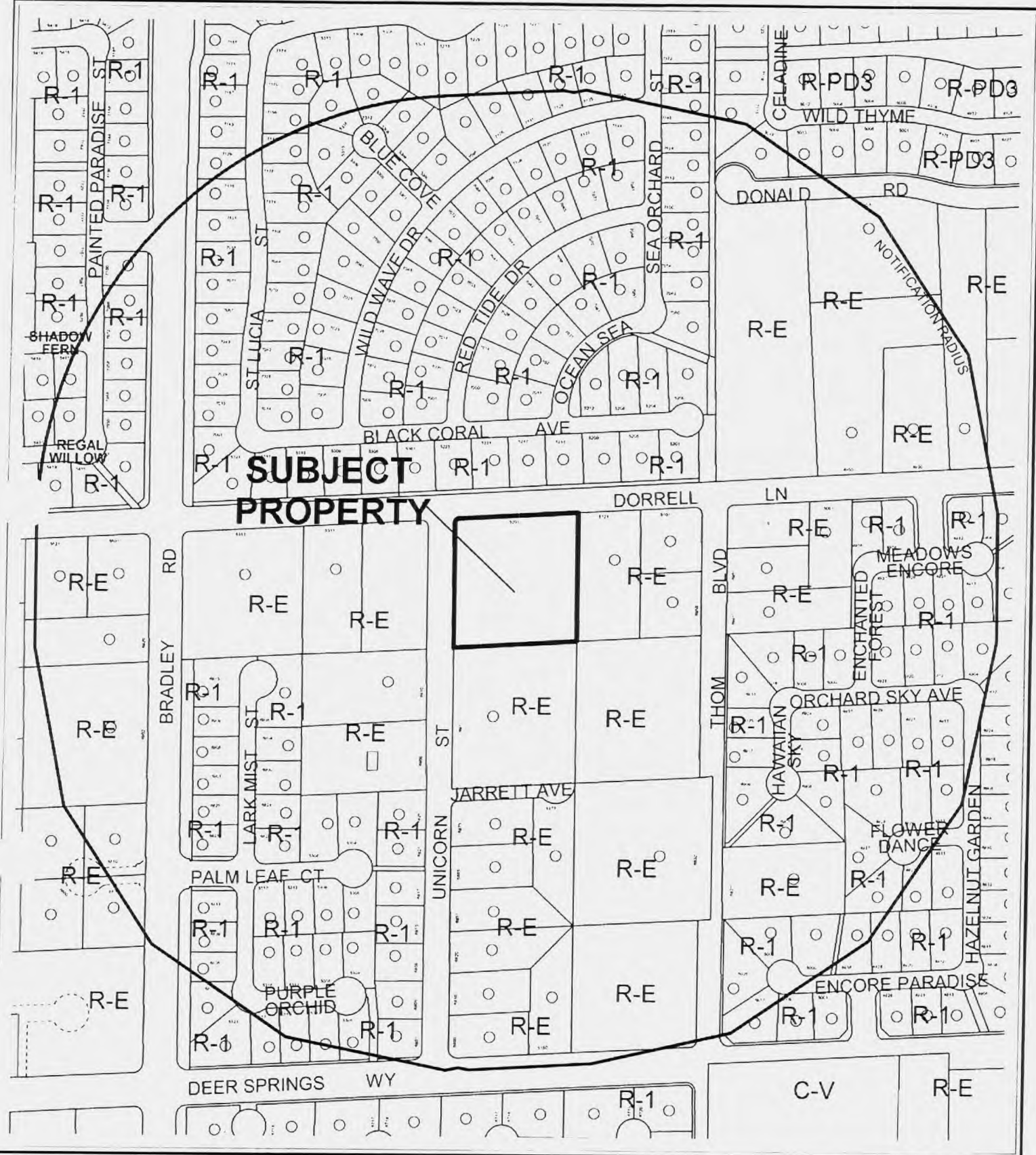
Motion made by STEVEN D. ROSS to Approve Subject to Conditions

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 75 for related discussion.



CASE: **ROC-19029**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-1 (SINGLE FAMILY RESIDENTIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ROC-19029 - APPLICANT/OWNER: J & S DIESEL SERVICE, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to all conditions of approval for ZON-4215, except as amended herein.

Public Works

2. Condition number 8 of ZON-4215 shall be amended to read as follows: "Construct half-street improvements including appropriate transitional paving on Dorrell Lane and Unicorn Street adjacent to this site concurrent with development of this site. Installation of streetlights on Unicorn Street and Dorrell Lane may be deferred provided that the developer provide to the City such streetlights for the future installation. Alternatively, monies in lieu of such deferred streetlights, including bases may be contributed to the City, if allowed by the Department of Public Works. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the eastern and southern boundaries of this site prior to construction of hard surfacing (asphalt or concrete). 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."

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Review of Condition Number 8 from an approved Rezoning (ZON-4215) to allow the deferral of street light installation on Unicorn Street and Dorrell Lane where it was previously required for a proposed residential development on 2.10 acres adjacent to the southeast corner of Dorrell Lane and Unicorn Street.

The proposed review of condition will not have a negative effect on the surrounding neighborhood. A revised condition has been added by the Department of Public Works. Approval of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
07/08/04	The City Council approved a Rezoning [ZON-4215] application for the reclassification from R-E (Residence Estates) to R-2 (Medium-Low Density Residential) and a Waiver [WVR-4217] to Title 18.12.160 to allow approximately 186 feet between street intersections where 220 feet is the minimum distance separation required in conjunction with a proposed single-family residential development on 2.10 acres adjacent to the southeast corner of Dorrell Lane and Unicorn Street. Both the Planning Commission and Staff recommended denial. [The request was amended to R-1 (Single Family Residential)].
07/17/06	The City Council approved a Special Use Permit [SUP-13209] to allow a 40-foot wide private street for a proposed eight (8) lot single-family residential development on 2.10 acres on the southeast corner of Dorrell Lane and Unicorn Street. The Planning Commission recommended approval on 06/08/06. Staff recommended denial.
07/27/06	The Planning Commission approved a request for a Tentative Map (TMP-13210) for an eight (8) lot single-family residential subdivision on 2.5 acres located adjacent to the southeast corner of Dorrell Lane and Unicorn Street. Staff recommended approval.
02/21/07	The City Council will consider an Extension of Time of Rezoning (ZON-4215) that is related to this request.
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this request.	
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.5
Net Acres	2.1

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	ML (Medium Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single Family Residential)
North	Single Family Residential	ML (Medium Low Density Residential)	R-1 (Single Family Residential)
South	Single Family Residential	ML (Medium Low Density Residential)	R-E (Residence Estates)
East	Single Family Residential	ML (Medium Low Density Residential)	R-E (Residence Estates)
West	Undeveloped	ML (Medium Low Density Residential)	R-E (Residence Estates)

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

ANALYSIS

The Department of Public Works has no objection to the Request for a Review of Condition application related to Zoning Reclassification ZON-4215, Condition No. 8 to allow deferral of street light installation on Unicorn Street and Dorrell Lane where it was previously required. It is noted that the adjacent properties do not have street lights installed.

For that reason, the Department of Public Works agrees to revise Condition No. 8.

If approved, we recommend that Condition No. 8 be modified as follows:

8. Construct half-street improvements including appropriate transitional paving on Dorrell Lane and Unicorn Street adjacent to this site concurrent with development of this site. Installation of streetlights on Unicorn Street and Dorrell Lane may be deferred provided that the developer provide to the City such streetlights for the future installation. Alternatively, monies in lieu of such deferred streetlights, including bases may be

contributed to the City, if allowed by the Department of Public Works. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the eastern and southern boundaries of this site prior to construction of hard surfacing (asphalt or concrete). 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.

The Planning Department supports the Department of Public Works request for approval of this review of condition. The proposed change to Condition #8 of ZON-4215 will not have a negative effect on the surrounding neighborhood and is considered appropriate. It is noted that the confusion related to the offsite improvements has resulted in the necessity of an extension of time request for this rezoning case. This Extension of Time, (EOT-19030), shall be heard by the City Council on 02/21/07.

FINDINGS

The proposed review of condition and subsequent condition change will not have a negative effect on the surrounding neighborhood. It is noted that the surrounding properties do not have street lights installed at this time. Both the Department of Public Works and the Planning Department support this request.

<u>NEIGHBORHOOD ASSOCIATIONS NOTIFIED</u>	N/A
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<u>ASSEMBLY DISTRICT</u>	N/A
---------------------------------	-----

<u>SENATE DISTRICT</u>	N/A
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<u>NOTICES MAILED</u>	238 by Planning Department
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<u>APPROVALS</u>	0
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<u>PROTESTS</u>	0
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PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ROC-19029** APN: 125-24-602-001
Name of Property Owner: J & S DIESEL SERVICES INC.
Name of Applicant: JAMES MARTINEZ
Name of Representative: EMS ENGINEERING

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

☐ Yes

☒ No

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

City Official: N/A

Partner(s): N/A N/A

APN: N/A

Signature of Property Owner: [Signature]

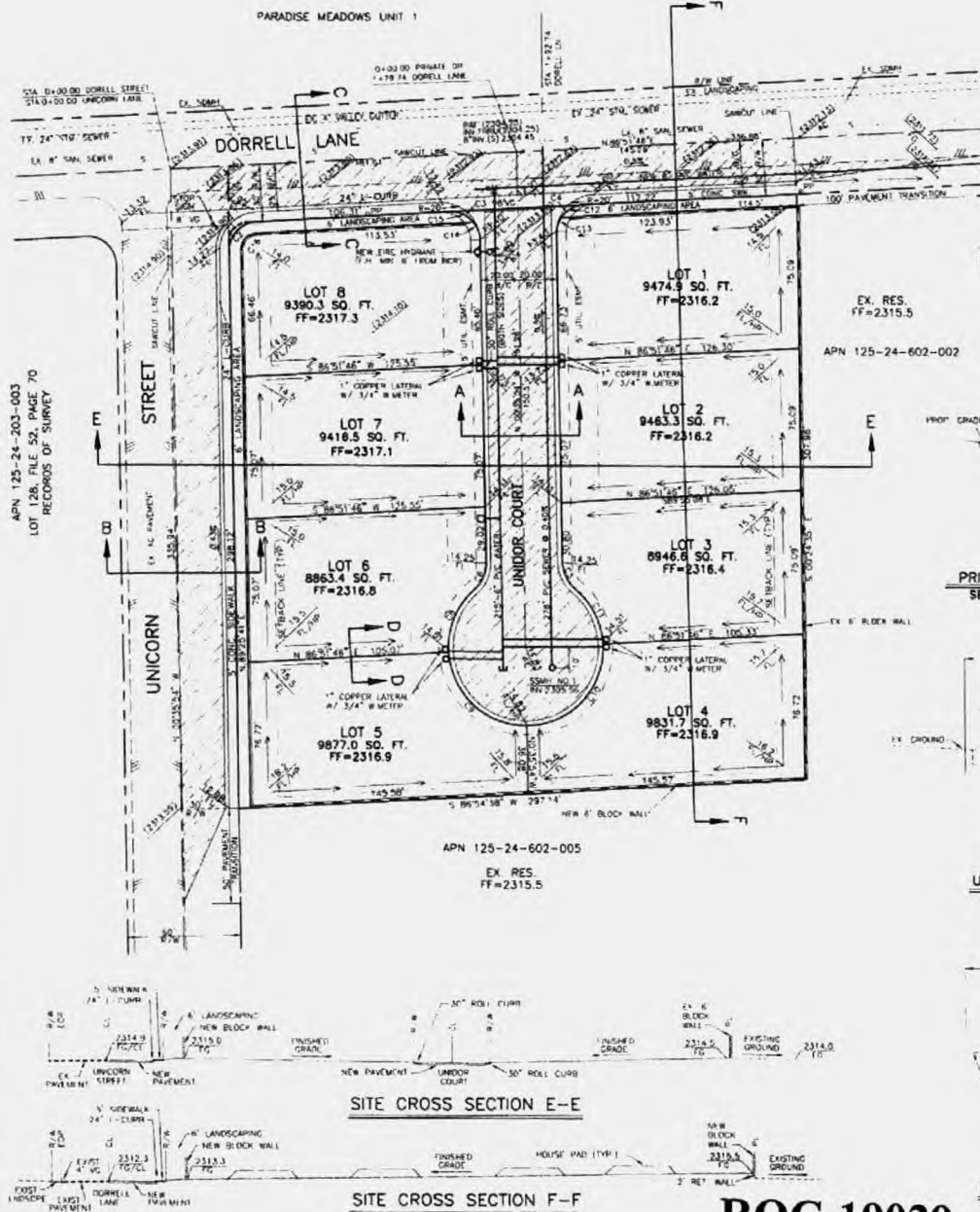
Print Name: JAMES MARTINEZ

Subscribed and sworn before me

This 28th day of December, 2006

[Signature]

Notary Public in and for said County and State

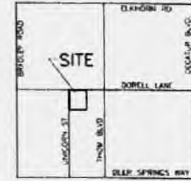


APN 125-24-602-003
LOT 128, FILE 52, PAGE 70
RECORDS OF SURVEY



CALL
before you
DIG
1-800-227-2600

CALL
before you
Overhead
1-702-227-2929



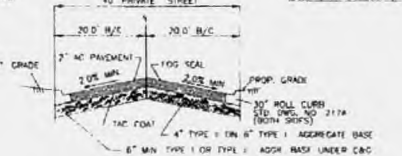
VICINITY MAP

CURVE TABLE

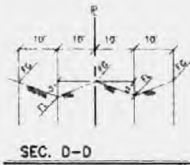
CURVE	STATION	ARC LENGTH	DELTA ANGLE	TANGENT	CHORD
C1	18.00	15.20	87.77°	9.57	15.20
C2	15.00	22.80	87.77°	14.30	22.80
C3	15.00	24.20	87.77°	15.00	24.20
C4	15.00	22.80	87.77°	14.30	22.80
C5	15.00	18.80	87.77°	11.30	18.80
C6	15.00	18.80	87.77°	11.30	18.80
C7	40.00	18.80	87.77°	11.30	18.80
C8	40.00	18.80	87.77°	11.30	18.80
C9	40.00	18.80	87.77°	11.30	18.80
C10	40.00	18.80	87.77°	11.30	18.80
C11	40.00	18.80	87.77°	11.30	18.80
C12	40.00	18.80	87.77°	11.30	18.80
C13	40.00	18.80	87.77°	11.30	18.80
C14	40.00	18.80	87.77°	11.30	18.80
C15	40.00	18.80	87.77°	11.30	18.80
C16	40.00	18.80	87.77°	11.30	18.80

LINE TABLE

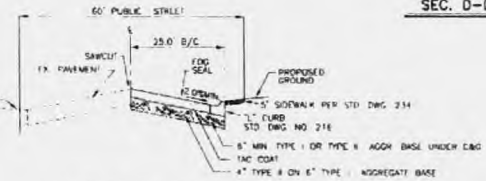
LINE	BEARING	DISTANCE
1	N 89°35'34" W	34.00
2	S 89°35'34" E	4.00



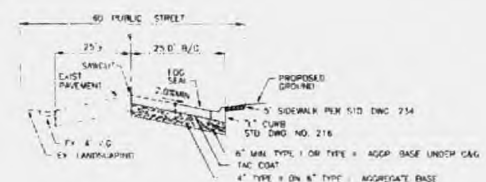
PRIVATE DRIVE (40.00 FT. WIDE)
SECTION A-A



SEC. D-D



UNICORN LANE
SEC. B-B



DORRELL LANE
SEC. C-C

BENCHMARK
LV 298 1195. PAGE 88 V90 24C4 RIVET & PLATE IN CONCRETE CULVERT @ NW CORNER OF CLEAR SPRINGS & BRADLEY
ELEVATION: 704.9054 (M2312.77 FEET) NAVD 88

BASIS OF BEARING
NORTH 89°35'34" EAST, BEING THE CENTERLINE OF DORRELL LANE PER RECORDS OF SURVEY, FILE 52, PAGE 70, OFFICIAL RECORDS CLARK COUNTY, NEVADA

- LEGEND**
- RIGHT-OF-WAY LINE
 - LOT LINE
 - CENTERLINE OF ROADWAY
 - EDGE OF AC
 - SEWER LINE
 - WATER LINE
 - EXIST. CONTOUR LINE
 - DIRECTION OF FLOW
 - EXIST. ELEVATION
 - DESIGN ELEVATION
 - CATV
 - TEL
 - TELEPHONE BOX
 - EL
 - ELECTRICAL BOX
 - WM
 - WATER METER
 - FM
 - FIRE HYDRANT
 - FG
 - FINISH GRADE
 - FL
 - FLOW LINE
 - FF
 - FINISH FLOOR ELEV. (HIGHEST)
 - HP
 - HIGH POINT
 - SANICUT LINE
 - NEW AC PAVEMENT

UTILITIES

WATER: LAS VEGAS VALLEY WATER DISTRICT
SEWER: CITY OF LAS VEGAS
TELEPHONE: SPRINT
CABLE TV: COX CABLE
GAS: SOUTHWEST GAS
ELECTRIC: NEVADA POWER

EX. WATER & SEWER IS AVAILABLE TO THE PROPERTY

SEWER USAGE

AVG. FLOW: 0.001 MG/D
PEAK DAILY: 0.002 MG/D

SITE DATA

CROSS ACRES: 2.5 ACRES
APN 125-24-602-001
ZONING: P1, 6500 S.F. MIN. LOT SIZE

OWNER/DEVELOPER

J & S DESIGN SERVICES, INC.
3150 INDUSTRIAL RD.
LAS VEGAS, NV 89114
TEL: (702) 736-8026

SITE PLAN
UNICORN CORNERS
A PORTION OF THE NE 1/4, SECTION 03, T.21S., R.60E., M.D.M.
APN 125-24-602-001

EMS ENGINEERING
5160 S. EASTERN AVE., SUITE F
LAS VEGAS, NEVADA 89119
(702) 736-2171

SCALE: 1" = 20'
PROJECT NO.: 0001
DRAWING NO.: 0001

SHT. 1 OF 1

ROC-19029
02-21-07 CC

RECEIVED
JAN 03 2006

EMS ENGINEERING

5160 S. Eastern Ave. #F
Las Vegas, Nevada 89119
(702) 739-7211

December 30, 2006

Subject: Justification Letter for Review of Conditions and Extension of Time for
ZON-4215.

Proposed Draft Condition Change:

Construct half-street improvements on Unicorn Street and Dorrell Lane adjacent to this site concurrent with development of this site, including appropriate transition paving. Installation of streetlights on Unicorn Street and Dorrell Lane may be deferred provided that the developer provide to the City such streetlights for the future installation. Alternatively, monies in lieu of such deferred streetlights, including bases, may be contributed to the City if allowed by the Department of Public Works. 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). 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. Extension of Time also needed because of confusion on offsite requirements.



E.M. Szymanski, PE

ROC-19029
02-21-07 CC

JAN 03 2007



048447

July 12, 2004

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

Ms. Paige Gross
PDR Investments, Limited Liability Company
8908 Surf View
Las Vegas, Nevada 89117

RE: ZON-4215 - REZONING
CITY COUNCIL MEETING OF JULY 7, 2004
Related to WVR-4217

Dear Ms. Gross:

The City Council at a regular meeting held July 7, 2004 APPROVED the request for a Rezoning FROM: R-E (Residence Estates) TO: R-2 (Medium-Low Density Residential) on 2.10 acres adjacent to the southeast corner of Dorrell Lane and Unicorn Street (APN: 125-24-602-001). The Notice of Final Action was filed with the Las Vegas City Clerk on July 8, 2004. This approval is subject to:

Planning and Development

1. The request shall be amended to R-1.
2. All lots shall meet Title 19 standards.
3. No casitas shall be permitted.
4. The Tentative Map shall be scheduled as a Public Hearing before the Planning Commission when it is submitted.
5. All homes shall be limited to one-story dwellings.
6. Resolution of Intent with a two-year time limit.

Public Works

7. Dedicate an additional 5 feet of right-of-way for a total radius of 15 feet on the southeast corner of Dorrell Lane and Unicorn Street prior to the issuance of any permits.
8. Construct half-street improvements including appropriate transitional paving on Dorrell Lane and Unicorn Street adjacent to this site concurrent with

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011

TDD 702.386.9108

www.lasvegasnevada.gov
18112-001-604

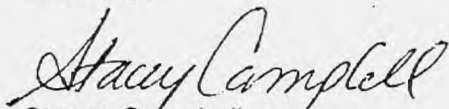
ROC-19029
02-21-07 CC

Ms. Paige Gross
ZON-4215 – Page Two
July 12, 2004

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 eastern and southern boundaries of this site prior to construction of hard surfacing (asphalt or concrete). 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.

9. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. 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.
10. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

Sincerely,



Stacey Campbell
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services

Ms. Paige Gross
10994 Willow Valley Court
Las Vegas, Nevada 89135

ROC-19029
02-21-07 CC

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

VACATION

RESCIND PREVIOUS ACTION - VAC-14766 - PUBLIC HEARING - APPLICANT/OWNER: CENTENNIAL RILEY DEVELOPMENT, LLC - Petition to Vacate a portion of the public right-of-way at the intersection of Centennial Parkway and Riley Street, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting documentation
4. Justification Letter
5. Backup referenced from the 08-10-06 Planning Commission meeting Item 12

Motion made by STEVEN D. ROSS to Approve the rescission

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.

There being no comments, MAYOR GOODMAN declared the Public Hearing closed.



**RIGHT-OF-WAY
TO BE
VACATED**

SC-TC

SC-TC

SC-TC

CENTENNIAL PKWY

SX-TC

SX-TC

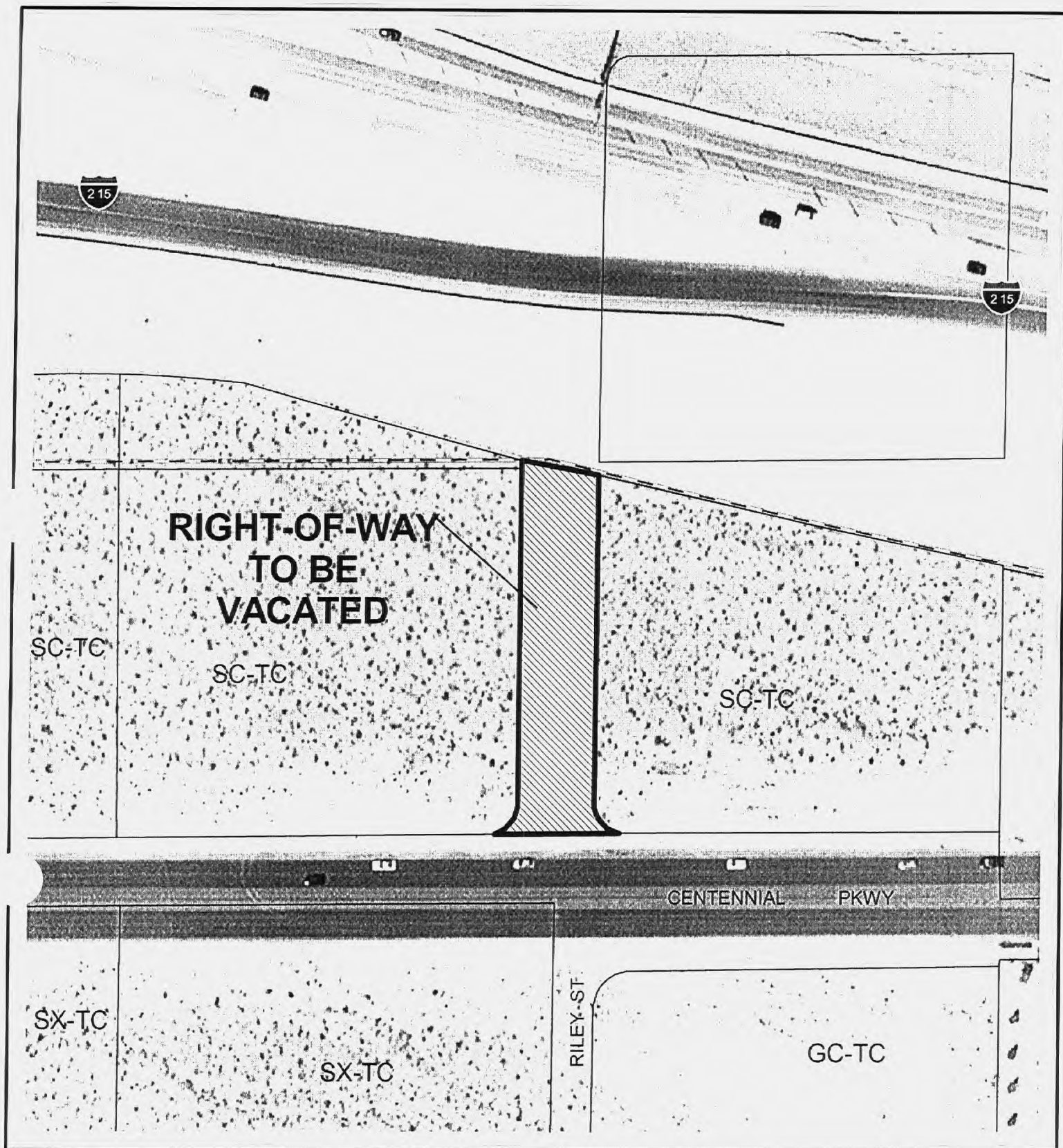
RILEY ST

GC-TC

0 70 140 Feet

CASE: VAC-14766





CASE: VAC-14766

0 70 140 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 6, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-14766 - APPLICANT/OWNER: CENTENNIAL RILEY DEVELOPMENT, LLC

**** CONDITIONS ****

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

1. The limits of this Vacation shall be all portions of Riley Street (including spandrels) located between Centennial Parkway and the I-215 Beltway.
2. This Petition of Vacation shall be revised to retain a 20-foot Public Sewer Easement at a location acceptable to the Collection System Planning Section of the Department of Public Works.
3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
5. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.
7. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
8. All development shall be in conformance with code requirements and design standards of all City Departments.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a petition to vacate a portion of the public right-of-way at the intersection of Centennial Parkway and Riley Street.

EXECUTIVE SUMMARY

Staff notes that the proposed right-of-way is not currently in use. As such, its vacation will not negatively affect the subject area. Staff supports this vacation application.

BACKGROUND INFORMATION

A) Related Actions

There are no actions that are related to this request.

08/10/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #12/ng).

B) Pre-Application Meeting

A pre-application meeting was not required with this application.

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application request, nor was one held.

DETAILS OF APPLICATION REQUEST

The above property is legally described as Riley Street beginning at the northern boundary of Centennial Parkway and extending north approximately two hundred and forty four feet (244') on the east side and two hundred and sixty feet (260') on the west side and including the spandrel area.

ANALYSIS

A) *Planning discussion*

Planning staff supports this request as the portion of Riley Street to be vacated terminates at the Clark County 215 right-of-way. As long as access is accommodated via other rights-of-way or reversionary mapping, Riley Street is not necessary.

B) *Public Works discussion*

The following information is presented concerning this request to vacate certain public street right of ways:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths?
N/A as it is to eliminate Riley Street between Centennial Parkway and the I-215 Beltway.
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, as it is an unused street.*
- C. Does it appear that the vacation request involves only excess right-of-way? *It is to eliminate an unused street for possible inclusion into an adjacent project.*
- D. Does this vacation request coincide with development plans of the adjacent parcels?
There is currently nothing proposed on either of the adjacent parcels.
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements?
No.
- G. Does the Department of Public Works have an objection to this vacation request?
No.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 2

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 4 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

VAC-14766

Case Number: _____ APN: 125-20-803-006

Name of Property Owner: Centennial Riley Development LLC

Name of Applicant: Centennial Riley Development LLC

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

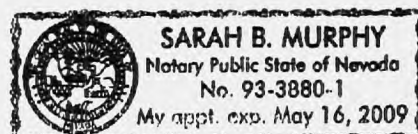
Signature of Property Owner: 

Print Name: THOMAS DUNN

Subscribed and sworn before me

This 15TH day of JUNE, 2006


Notary Public in and for said County and State





VAC-14766 - APPLICANT/OWNER: CENTENNIAL RILEY DEVELOPMENT, LLC
VACATE A PORTION OF THE PUBLIC RIGHT-OF-WAY AT THE INTERSECTION OF CENTENNIAL
PARKWAY AND RILEY STREET, WARD 6 (ROSS).
AUGUST 10, 2006 PLANNING COMMISSION

07/24/06

KGA 0604

June 27, 2006

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

**RE: Vacation Justification Letter
Desert Orthopedics North West Office
APN 125-20-803-006**

Slater Hanifan Group, on behalf of our client, KGA Architects, respectfully submits this justification letter with an application for Vacation in order to accommodate development for the Desert Orthopedics North West Office.

The project site is located in the South ½ of the Southeast ¼ of Section 20, Township 19 South, Range 60 East, M.D.M., Clark County, Nevada. The Desert Orthopedics North West Office, comprised of 1.94± acres, is located northeast corner of the intersection of Centennial Parkway and Riley Street.

This development includes the following Assessor's Parcel Numbers:

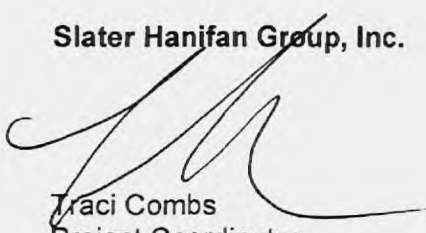
125-20-804-006

The applicant is specifically requesting vacation of patent easements and public right of-way that are no longer needed for development of these properties.

Please contact me at (702) 284-5300 if you have any questions regarding this application.

Sincerely,

Slater Hanifan Group, Inc.


Traci Combs
Project Coordinator

Cc: Dave Brom, KGA
John Austin, SHG

**VAC-14766
08/10/06 PC**

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

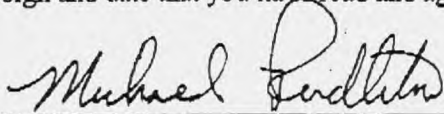
CITY OF LAS VEGAS	
ONE MOTION / ONE VOTE	
	Planning and Development Department
	Current Planning Division
	731 South Fourth Street
	Las Vegas, Nevada 89101
	(702) 229-6301 Phone (702) 385-7268 Fax

SUBJECT: VAC-14766 - APPLICANT/OWNER: CENTENNIAL RILEY DEVELOPMENT, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the *August 10, 2006* Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

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

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



Signature

August 9, 2006

Date

Michael Pendleton

Please print name

Centennial Riley Development, LLC

Company Name

Sincerely,

Doug Rankin
Planning Supervisor
Current Planning Division

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

VACATION

VAC-14766 - PUBLIC HEARING - APPLICANT/OWNER: CENTENNIAL RILEY DEVELOPMENT, LLC - Petition to Vacate a portion of the public right-of-way at the intersection of Centennial Parkway and Riley Street, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting documentation
4. Justification Letter
5. Backup referenced from the 08-10-06 Planning Commission meeting Item 12

Motion made by STEVEN D. ROSS to Approve Subject to Conditions and amending Condition 2 as read for the record:

2. This Petition of Vacation shall be revised to retain a 20-foot Public Sewer Easement at a location acceptable to the Collection Systems Planning Section of the Department of Public Works, and a 32-foot wide joint access easement, in favor of adjacent parcels APN #125-20-803-006 and APN #125-20-804-004, at a location and to a depth acceptable to the Traffic Engineering Division.

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.

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

NATHAN GOODMAN, 449 South Polaris, appeared on behalf of the applicant and concurred with the conditions, including the amendment to Condition 2.

MAYOR GOODMAN declared the Public Hearing closed.



**RIGHT-OF-WAY
TO BE
VACATED**

SC-TC

SC-TC

SC-TC

CENTENNIAL PKWY

SX-TC

SX-TC

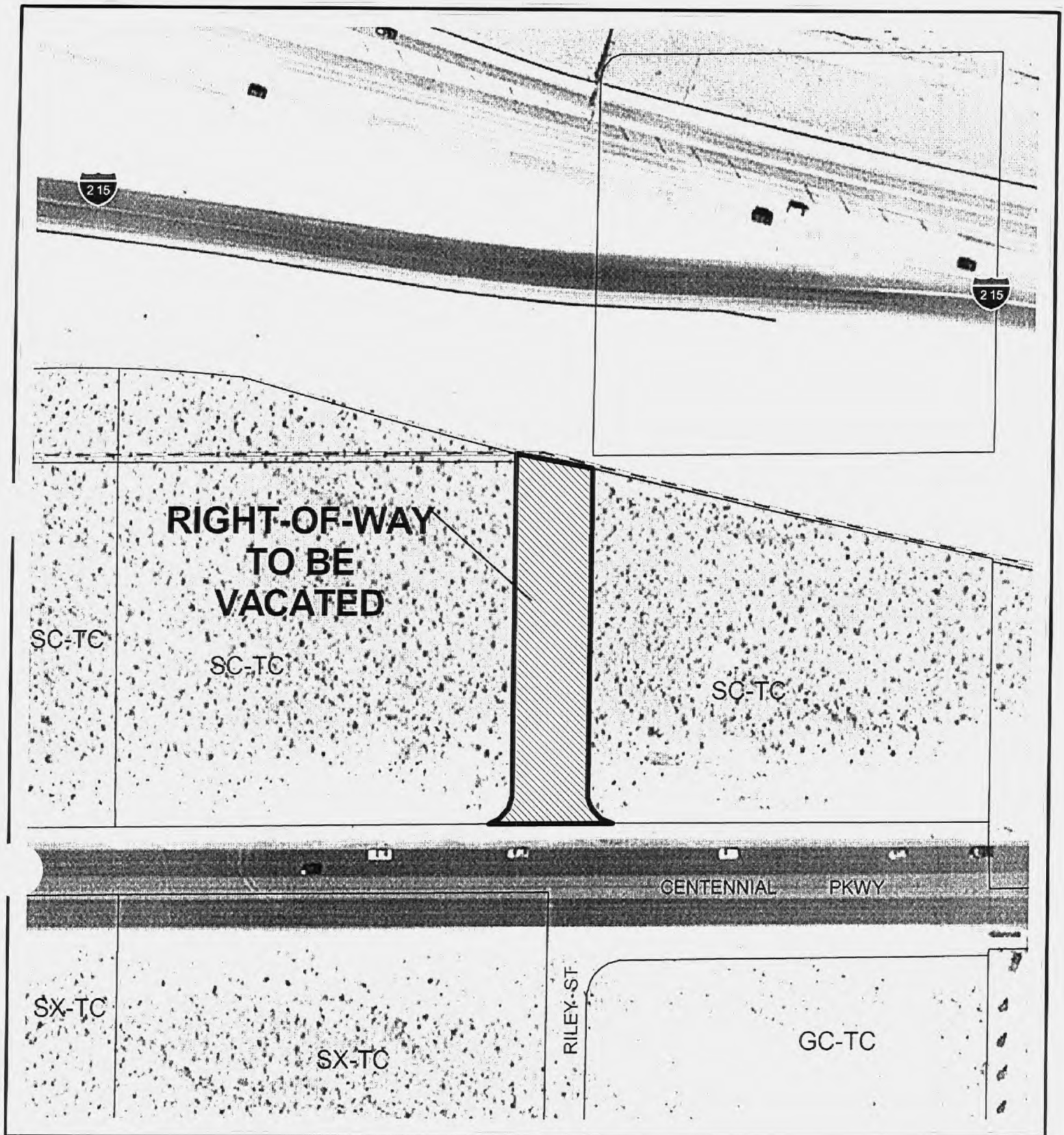
RILEY ST

GC-TC

0 70 140 Feet

CASE: VAC-14766





CASE: VAC-14766

0 70 140 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAC-14766 - APPLICANT/OWNER: CENTENNIAL RILEY DEVELOPMENT, LLC

**** CONDITIONS ****

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

1. The limits of this Vacation shall be all portions of Riley Street (including spandrels) located between Centennial Parkway and the I-215 Beltway.
2. This Petition of Vacation shall be revised to retain a 20-foot Public Sewer Easement at a location acceptable to the Collection System Planning Section of the Department of Public Works.
3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
5. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.
7. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
8. All development shall be in conformance with code requirements and design standards of all City Departments.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a petition to vacate a portion of the public right-of-way at the intersection of Centennial Parkway and Riley Street.

EXECUTIVE SUMMARY

Staff notes that the proposed right-of-way is not currently in use. As such, its vacation will not negatively affect the subject area. Staff supports this vacation application.

BACKGROUND INFORMATION

A) *Related Actions*

There are no actions that are related to this request.

08/10/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #12/ng).

B) *Pre-Application Meeting*

A pre-application meeting was not required with this application.

C) *Neighborhood Meetings*

A neighborhood meeting is not required as part of this application request, nor was one held.

DETAILS OF APPLICATION REQUEST

The above property is legally described as Riley Street beginning at the northern boundary of Centennial Parkway and extending north approximately two hundred and forty four feet (244') on the east side and two hundred and sixty feet (260') on the west side and including the spandrel area.

ANALYSIS

A) *Planning discussion*

Planning staff supports this request as the portion of Riley Street to be vacated terminates at the Clark County 215 right-of-way. As long as access is accommodated via other rights-of-way or reversionary mapping, Riley Street is not necessary.

B) *Public Works discussion*

The following information is presented concerning this request to vacate certain public street right of ways:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths?
N/A as it is to eliminate Riley Street between Centennial Parkway and the I-215 Beltway.
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, as it is an unused street.*
- C. Does it appear that the vacation request involves only excess right-of-way? *It is to eliminate an unused street for possible inclusion into an adjacent project.*
- D. Does this vacation request coincide with development plans of the adjacent parcels?
There is currently nothing proposed on either of the adjacent parcels.
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements?
No.
- G. Does the Department of Public Works have an objection to this vacation request?
No.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 2

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 4 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

VAC-14766

Case Number: _____ APN: 125-20-803-006

Name of Property Owner: Centennial Riley Development LLC

Name of Applicant: Centennial Riley Development LLC

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

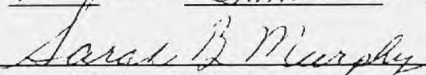
APN: _____

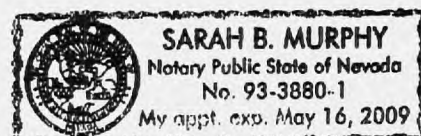
Signature of Property Owner: 

Print Name: Thomas Duenn

Subscribed and sworn before me

This 15TH day of JUNE, 2006


Notary Public in and for said County and State





VAC-14766 - APPLICANT/OWNER: CENTENNIAL RILEY DEVELOPMENT, LLC
VACATE A PORTION OF THE PUBLIC RIGHT-OF-WAY AT THE INTERSECTION OF CENTENNIAL
PARKWAY AND RILEY STREET, WARD 6 (ROSS).
AUGUST 10, 2006 PLANNING COMMISSION

07/24/06

KGA 0604

June 27, 2006

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

**RE: Vacation Justification Letter
Desert Orthopedics North West Office
APN 125-20-803-006**

Slater Hanifan Group, on behalf of our client, KGA Architects, respectfully submits this justification letter with an application for Vacation in order to accommodate development for the Desert Orthopedics North West Office.

The project site is located in the South ½ of the Southeast ¼ of Section 20, Township 19 South, Range 60 East, M.D.M., Clark County, Nevada. The Desert Orthopedics North West Office, comprised of 1.94± acres, is located northeast corner of the intersection of Centennial Parkway and Riley Street.

This development includes the following Assessor's Parcel Numbers:

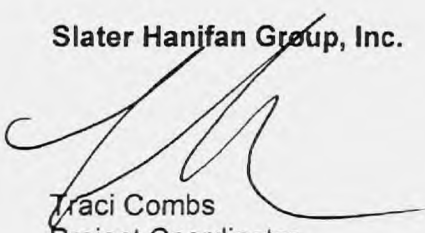
125-20-804-006

The applicant is specifically requesting vacation of patent easements and public right of-way that are no longer needed for development of these properties.

Please contact me at (702) 284-5300 if you have any questions regarding this application.

Sincerely,

Slater Hanifan Group, Inc.



Traci Combs
Project Coordinator

Cc: Dave Brom, KGA
John Austin, SHG

**VAC-14766
08/10/06 PC**

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

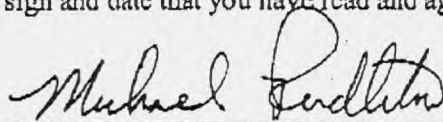
CITY OF LAS VEGAS	
ONE MOTION / ONE VOTE	
	Planning and Development Department
	Current Planning Division
	731 South Fourth Street
	Las Vegas, Nevada 89101
	(702) 229-6301 Phone (702) 385-7268 Fax

SUBJECT: VAC-14766 - APPLICANT/OWNER: CBNTENNIAL RILEY DEVELOPMENT, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the *August 10, 2006* Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

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

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



Signature

August 9, 2006

Date

Michael Pendleton

Please print name

Centennial Riley Development, LLC

Company Name

Sincerely,

Doug Rankin
Planning Supervisor
Current Planning Division

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-18374 - PUBLIC HEARING - APPLICANT/OWNER: ALLEN AND RAFID HAMIKA - Request to amend a portion of the Southeast Sector Plan of the Master Plan FROM: ML (MEDIUM-LOW DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 0.79 acres adjacent to the south side of Lake Mead Boulevard, approximately 420 feet east of Decatur Boulevard (APN 139-19-301-002), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 01-25-07 Planning Commission Meeting Item 4

Motion made by LAWRENCE WEEKLY to Approve

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

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

Minutes:

COUNCILMAN BROWN declared the Public Hearing open on Item 79 [GPA-18374], Item 80 [ZON-18375] and Item 81 [SDR-18376].

Under Item 77, MAYOR GOODMAN abstained from voting on Items 79-81, as he and ATTORNEY JAY BROWN own property on West Charleston Boulevard.

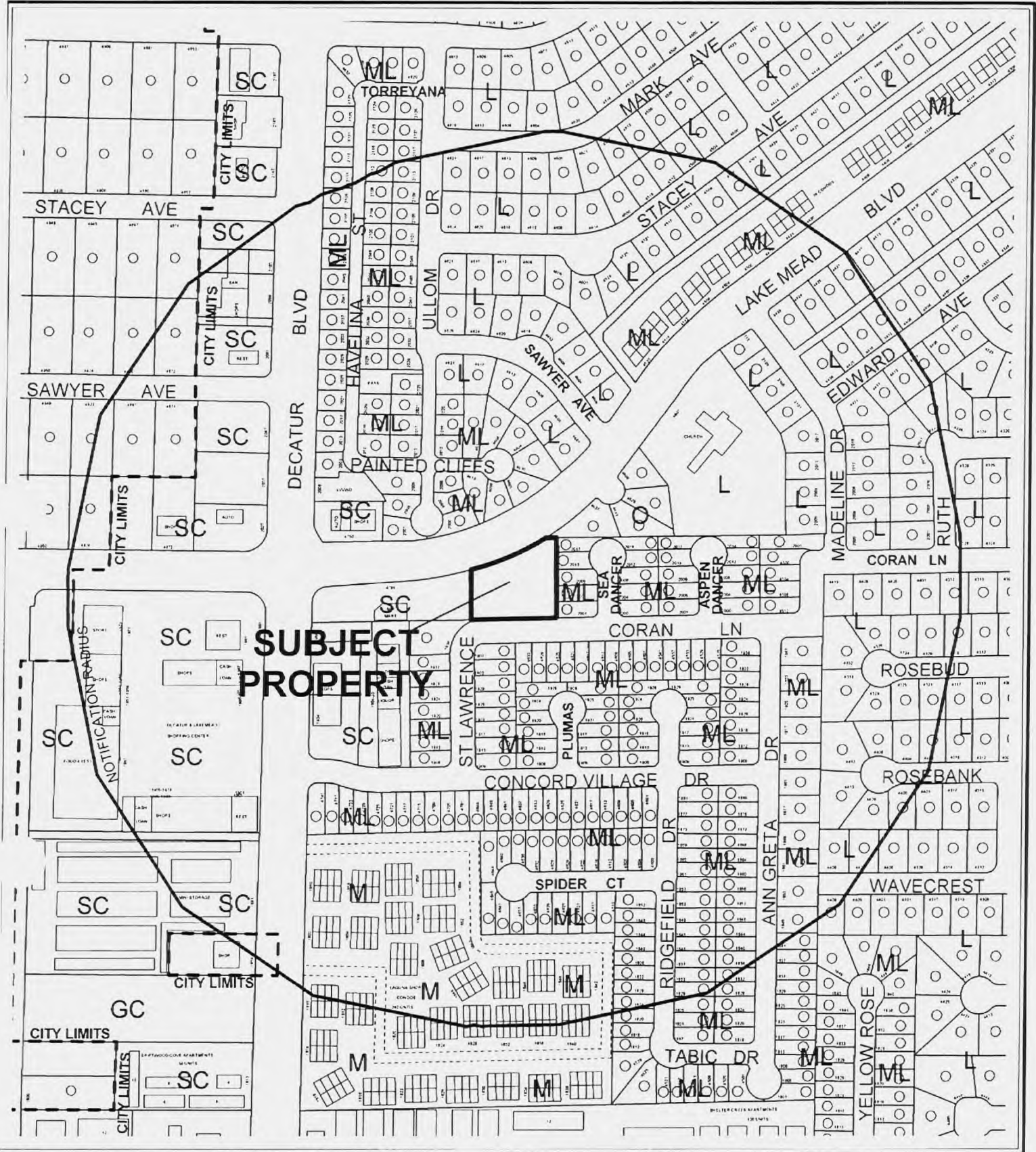
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

After trailing Items 79-81, ATTORNEY JAY BROWN, 520 South 4th Street, appeared with the applicant, ALLEN HAMIKA, and requested approval of all applications.

Responding to COUNCILMAN WEEKLY'S query regarding tenants, MR. HAMIKA answered that there will be retail, such as a deli shop, nail and hair salon, but there will not be liquor or gaming.

COUNCILMAN BROWN declared the Public Hearing closed on Item 79 [GPA-18374], Item 80 [ZON-18375] and Item 81 [SDR-18376].





CASE: **GPA-18374**

RADIUS: 1000 FT

GENERAL LAND USE OF SUBJECT PROPERTY:
ML (MEDIUM-LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL LAND USE OF SUBJECT PROPERTY:
SC (SERVICE COMMERCIAL)

0 300 600 Feet





CASE: **GPA-18374**

RADIUS: 1000 FT

GENERAL LAND USE OF SUBJECT PROPERTY:
ML (MEDIUM-LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL LAND USE OF SUBJECT PROPERTY:
SC (SERVICE COMMERCIAL)

0 300 600 Feet





AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: GPA-18374 - APPLICANT/OWNER: ALLEN AND RAFID
HAMIKA**

**** CONDITIONS ****

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to amend a portion of the Southeast Sector Plan of the Master Plan from ML (Medium-Low Density Residential) to SC (Service Commercial) on 0.79 acres adjacent to the south side of Lake Mead Boulevard, approximately 420 feet east of Decatur Boulevard. There are two companion items that are associated with this applicant, a Rezoning (ZON-18375) from R-E (Residence Estates) to C-1 (Limited Commercial) and Site Development Plan Review (SDR-18376) for a proposed 6,650 square-foot retail building.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/25/07	The Planning Commission recommended approval of companion items ZON-18375 and SDR-SDR-18376 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #4/jm).
<i>Pre-Application Meeting</i>	
10/09/06	A pre-application meeting was held. The applicant was informed their retail establishment proposal would require a General Plan Amendment, a Rezoning and a Site Development Plan Review. In addition, the applicant was informed that this application would require a neighborhood meeting. Submittal requirements were noted.
<i>Neighborhood Meeting</i>	
12/19/06	A neighborhood meeting was held at 5:30 PM at the Texas Casino Boardroom, 2101 Texas Star Lane. No members of the public attended.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.79

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	ML (Medium Low Density Residential)	R-E (Residence Estates)
North	Single Family Residential	ML (Medium Low Density Residential)	R-PD8 (Residential Planned Development – 8 Units per Acre)
South	Single Family Residential	ML (Medium Low Density Residential)	R-CL (Single-Family Compact-Lot)
East	Single Family Residential	ML (Medium Low Density Residential)	R-CL (Single-Family Compact-Lot)
West	C-1 (Limited Commercial)	SC (Service Commercial)	R-CL (Single-Family Compact-Lot)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		Y
Airport Overlay (70 Feet)	X		Y
Trails	X		Y
Pedestrian Path	X		Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

ANALYSIS

The request is for a General Plan Amendment from ML (Medium-Low Density Residential) to SC (Service Commercial). The subject site is currently vacant. The proposed SC (Service Commercial) Land Use designation allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either individually or grouped as office centers with professional and business services.

Although there are single family residential uses adjacent to the site, they are buffered by the development's proposed landscaping and Lake Mead, a 100-foot Primary Arterial to the north of the site, which the site gains access. In addition, to the west is the intersection of Decatur Boulevard and Lake Mead Boulevard which contain developments that are predominantly the same or higher in intensity than the proposed use.

FINDINGS

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

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

4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

In regard to “1”:

The proposed General Plan Amendment is compatible with the surrounding land uses. This site meets the intent of the SC (Service Commercial) Land Use category which allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. In addition, this will be an infill development of an undeveloped parcel.

In regard to “2”:

The proposed rezoning to C-1 (Limited Commercial) would be consistent with the proposed retail establishment and SC (Service Commercial) General Plan designation.

In regard to “3”:

The transportation and utility facilities to this site are adequate enough to accommodate the use proposed by this general plan amendment.

In regard to “4”:

This request conforms to the applicable, adopted plans and policies for this area.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 683 by Planning Department

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-18374** APN: 139-19-301-002

Name of Property Owner: Allen Hamika and Rafid Hamika

Name of Applicant: Allen Hamika

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

Yes x No

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

City Official: _____

Partner(s): _____

APN: _____

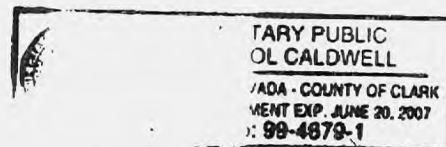
Signature of Property Owner:

Print Name: Allen Hamika Rafid Hamika

Subscribed and sworn before me

This 28th day of November, 2006

Notary Public in and for said County and State



FAIRHAVEN ST

GC

SC

DECATUR BLVD

DECATUR BLVD

M

**SUBJECT
PROPERTY**

LAKE MEAD BLVD

HAVELINA ST

ML

ULLOM DR

ULLOM DR

ST LAWRENCE DR

CONCORD VILLAGE DR

PLUMAS CT

RIDGEFIELD AVE

CORAN LN

RIDGEFIELD DR

SPIDER CT

TABIC DR

ANN Greta DR

MADLINE DR

RUTH DR

LAKE MEAD BLVD

EDWARD AVE

WADE DR

ROSEBANK CIR

ROSEBUD CIR

GPA-18374
01/25/07 PC

WAVECREST DR

PARKCHESTER CIR

PARKCHESTER DR

LAW OFFICE
Jay H. Brown, Ltd.
A PROFESSIONAL CORPORATION
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jay@jhbrownltd.com

November 28, 2006

City of Las Vegas
Planning & Development
741 S. Fourth St.
Las Vegas, NV 89101

SUBJECT: JUSTIFICATION LETTER – General Plan Amendment, Zone Change,
Site Design Review and Waiver for
Parking Lot Fingers

The name of this proposal is: **Allen Hamika Lake Mead and Decatur**

1. This land use application will produce an environment of stable and desirable character consistent with the objections of Title 19 and the General Plan due to the area in which it will service.
2. The purpose is to make the necessary applications to allow for a zone change from R-E to C-1. To properly affect this we hereby apply for a general plan amendment from ML to SC.
3. We will develop this property as a retail center consisting of six (6) units, all of which are one-story.
4. The total gross acreage for this site is .79 acres. The APN is 139-19-301-002.
5. The General Plan adjacent to this project is SC to the west and ML to the east.
6. We are requesting a waiver of the required 1 parking finger per 6 parking spaces to accommodate the required 38 parking spaces.

Thank you for your assistance in this matter. If you need any additional information, please contact me or my assistant, Carol Caldwell.

Very truly yours,


Jay H. Brown

JHB:cc

**GPA-18374
01/25/07 PC**

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

CITY OF LAS VEGAS**ONE MOTION / ONE VOTE****Planning and Development Department****Current Planning Division****731 South Fourth Street****Las Vegas, Nevada 89101****(702) 229-6301 Phone (702) 385-7268 Fax****SUBJECT: GPA-18374 - APPLICANT/OWNER: ALLEN AND RAFID HAMIKA**

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

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

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

A handwritten signature in black ink, appearing to read "Allen Hamika", is written over a horizontal line.

Signature

A handwritten date "1/23/07" is written over a horizontal line.

Date

A handwritten name "Allen Hamika" is written over a horizontal line.

Please Print Name

Company Name

Sincerely,

Douglas J. Rankin, AICP
Current Planning Manager

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REZONING RELATED TO GPA-18374

ZON-18375 - PUBLIC HEARING - APPLICANT/OWNER: ALLEN AND RAFID HAMIKA - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-1 (LIMITED COMMERCIAL) on 0.79 acres adjacent to the south side of Lake Mead Boulevard, approximately 420 feet east of Decatur Boulevard (APN 139-19-301-002), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

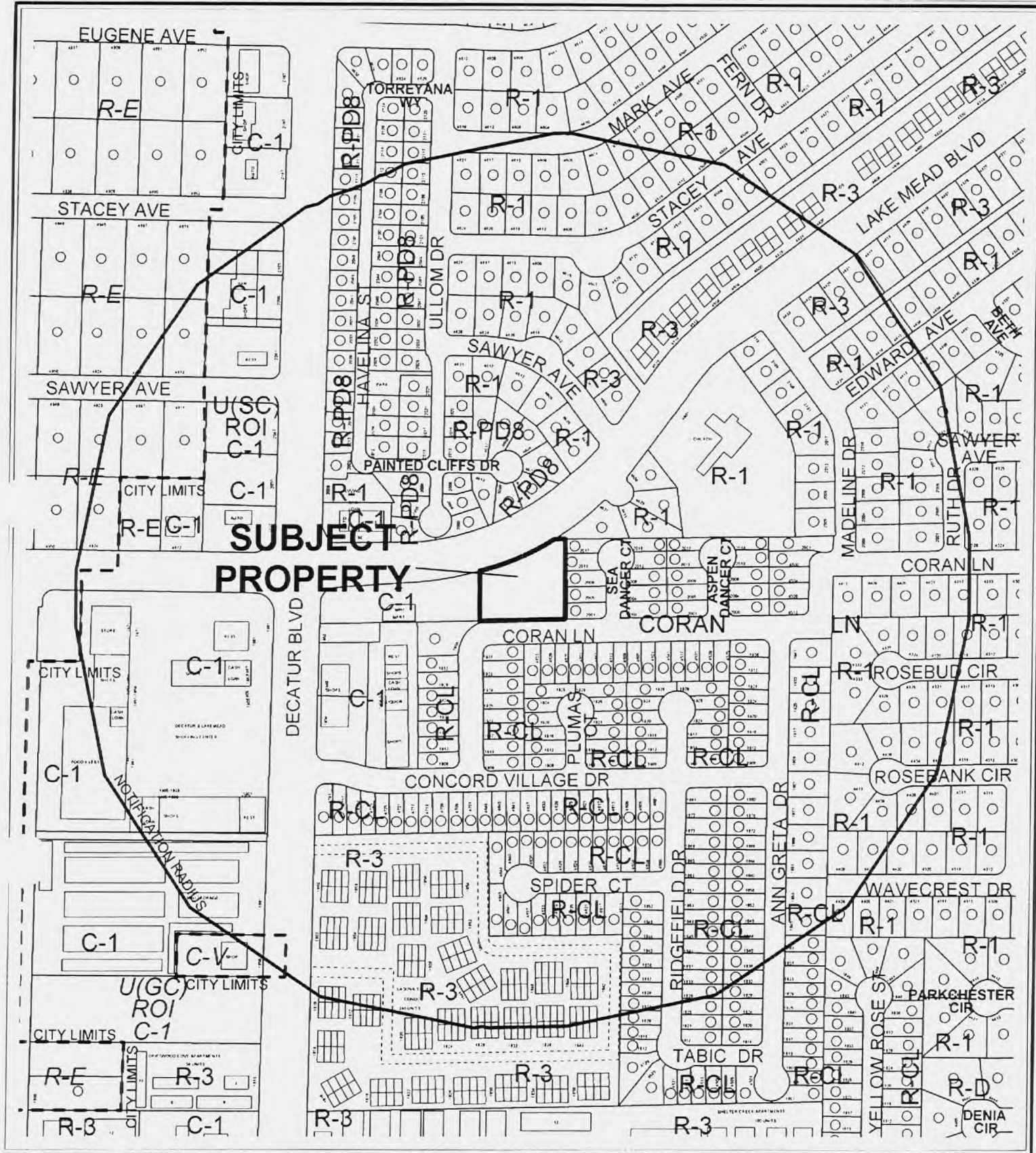
Motion made by LAWRENCE WEEKLY to Approve Subject to Conditions

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

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

Minutes:

See Item 79 for related discussion.



CASE: ZON-18375

RADIUS: 1000 FT

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

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

0 300 600 Feet





CASE: **ZON-18375**

RADIUS: 1000 FT

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

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-18375 - APPLICANT/OWNER: ALLEN AND RAFID HAMIKA

**** CONDITIONS ****

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

Planning and Development

1. A General Plan Amendment (GPA-18374) to a SC (Service Commercial) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit is hereby granted.
3. A Site Development Plan Review (SDR-18376) 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

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 to coordinate the development of this project with the "Coran Rancho Vegas Sewer Rehabilitation" project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from: R-E (Residence Estates) to C-1 (Limited Commercial) on 0.79 acres adjacent to the south side of Lake Mead Boulevard, approximately 420 feet east of Decatur Boulevard. The subject site will be contiguous among similar development. In addition, to the west is the intersection of Decatur Boulevard and Lake Mead Boulevard which contain developments that are predominantly the same or higher in intensity than the proposed use. Therefore, staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/25/07	The Planning Commission recommended approval of companion items GPA-18374 and SDR-SDR-18376 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #5/jm).
<i>Pre-Application Meeting</i>	
10/09/06	A pre-application meeting was held. The applicant was informed their retail establishment proposal would require a General Plan Amendment, a Rezoning and a Site Development Plan Review. In addition, the applicant was informed that this application would require a neighborhood meeting. Submittal requirements were noted.
<i>Neighborhood Meeting</i>	
12/19/06	A neighborhood meeting was held at 5:30 PM at the Texas Casino Boardroom, 2101 Texas Star Lane. No members of the public attended.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.79

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	ML (Medium Low Density Residential)	R-E (Residence Estates)
North	Single Family Residential	ML (Medium Low Density Residential)	R-PD8 (Residential Planned Development – 8 Units Per Acre)
South	Single Family Residential	ML (Medium Low Density Residential)	R-CL (Single-Family Compact-Lot)
East	Single Family Residential	ML (Medium Low Density Residential)	R-CL (Single-Family Compact-Lot)
West	C-1 (Limited Commercial)	SC (Service Commercial)	R-CL (Single-Family Compact-Lot)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		Y
Airport Overlay (70 Feet)	X		Y
Trails	X		Y
Pedestrian Path	X		Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

ANALYSIS

The request is for a Rezoning from General Plan Amendment from R-E (Residence Estates) to C-1 (Limited Commercial) The subject site is currently vacant. The proposed C-1 (Limited Commercial) zone would be in conformance to the General Plan with approval of the related General Plan Amendment (GPA-18374).

Although there are single family residential uses adjacent to the site, to the west is the intersection of Decatur Boulevard and Lake Mead Boulevard which contain developments that are predominantly the same or higher in intensity than the proposed use. They are also buffered by the development's proposed landscaping and Lake Mead, a 100-foot Primary Arterial to the north of the site, which the site gains access.

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 proposal requires a General Plan Amendment (GPA-18374) for the property. The proposed C-1 (Limited Commercial) zone would be in compliance with the proposed SC (Service Commercial) Land Use designation. The General Plan Amendment is supported by staff as a commercial development is considered appropriate for this location.

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 C-1 (Limited Commercial) zone is intended to provide most retail shopping and personal services. As the property is proposed to front Lake Mead Boulevard, a 100-Foot Arterial Right of Way, the subject site will be contiguous among similar development. In addition, to the west is the intersection of Decatur Boulevard and Lake Mead Boulevard which contain developments that are predominantly the same or higher in intensity than the proposed use.

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

The growth and development factors indicate a need for commercial development. This project would be a benefit to the areas as it would infill an undeveloped parcel in a mature area of the city.

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.”**

Lake Mead Boulevard, a 100-Foot Primary Arterial is sufficient to meet the access needs of the proposed zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 6

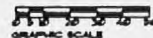
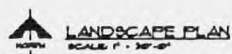
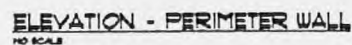
SENATE DISTRICT 4

NOTICES MAILED 683 by Planning Department

APPROVALS 0

PROTESTS 0





-
BLUE PAINT MARKED THIS CORNERSTONE PLUMBING
THIS SPACED AS 30'-0" OF GAL PAVEMENT ALONG STREET FROM AGE
DOB 34' 0" IN. - NORTH TOWARD OF WEST PROPERTY LINE SHALL BE
SPACED AS 30'-0" OF CONC. CURBING
-
NORTH ELEVATION THIS PRINCIPLE BLOCKING TOWER/AGE
THIS SPACED AS 30'-0" OF CONC. CURBING ALONG STREET FRONTAGE
DOB 34' 0" IN.
-
RED TUCKA (HERRINGBONE) PATTERNS
DOB 3' 0" INCH
-
SPRING BASED BONES (PAVING) SPACED
DOB 3' 0" INCH
-
SILVER CLOD TUBES BANNER (BARS) ALLOCATIONS CLOTHED SILVER CLOD
DOB 3' 0" INCH
-
LOW PLUMBING GROUPO COVER
SMALL POK OF TUBING (SHEATH) 1' FROM AGE
DOB 3' 0" INCH

RECEIVED
DEC 28 2006

REVISED
01/25/07 PC

Address	City	State	Zip	Phone	Fax	Web	Notes
CHIL INVESTMENT LLC RETAIL BUILDING PROJECT DECATUR & LAKE MEAD BLVD. Las Vegas, Nevada 702.735.1111 702.735.1111							
Estadial J. Jorda, Artificial Ltd, NCAR 201 N. Atlantic Blvd. #1 Las Vegas, Nevada 89101-1000 702.735.1111							

LAW OFFICE

Jay H. Brown, Ltd.

A PROFESSIONAL CORPORATION

520 SOUTH FOURTH STREET

LAS VEGAS, NEVADA 89101

TELEPHONE (702) 384-5563

FACSIMILE (702) 385-1023

EMAIL: jay@jhbrownltd.com

November 28, 2006

City of Las Vegas
Planning & Development
741 S. Fourth St.
Las Vegas, NV 89101

SUBJECT: JUSTIFICATION LETTER – **General Plan Amendment, Zone Change,
Site Design Review and Waiver for
Parking Lot Fingers**

The name of this proposal is: **Allen Hamika Lake Mead and Decatur**

1. This land use application will produce an environment of stable and desirable character consistent with the objections of Title 19 and the General Plan due to the area in which it will service.
2. The purpose is to make the necessary applications to allow for a zone change from R-E to C-1. To properly affect this we hereby apply for a general plan amendment from ML to SC.
3. We will develop this property as a retail center consisting of six (6) units, all of which are one-story.
4. The total gross acreage for this site is .79 acres. The APN is 139-19-301-002.
5. The General Plan adjacent to this project is SC to the west and ML to the east.
6. We are requesting a waiver of the required 1 parking finger per 6 parking spaces to accommodate the required 38 parking spaces.

Thank you for your assistance in this matter. If you need any additional information, please contact me or my assistant, Carol Caldwell.

Very truly yours,


Jay H. Brown

JHB:cc

**ZON-18375
01/25/07 PC**

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

CITY OF LAS VEGAS**ONE MOTION / ONE VOTE****Planning and Development Department****Current Planning Division****731 South Fourth Street****Las Vegas, Nevada 89101****(702) 229-6301 Phone (702) 385-7268 Fax****SUBJECT: ZON-18375 - APPLICANT/OWNER: ALLEN AND RAFID HAMIKA**

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

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

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

A handwritten signature in black ink, appearing to read "Allen Hamika", written over a horizontal line.

Signature

A handwritten date "1/23/07" in black ink, written over a horizontal line.

Date

A handwritten name "Allen Hamika" in black ink, written over a horizontal line.

Please Print Name

Company Name

Sincerely,

Douglas J. Rankin, AICP
Current Planning Manager

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-18374 AND ZON-18375

SDR-18376 - PUBLIC HEARING - APPLICANT/OWNER: ALLEN AND RAFID HAMIKA - Request for a Site Development Plan Review FOR A PROPOSED 6,650 SQUARE-FOOT RETAIL BUILDING on 0.79 acres adjacent to the south side of Lake Mead Boulevard, approximately 420 feet east of Decatur Boulevard (APN 139-19-301-002), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 01-25-07 Planning Commission Meeting Item 6

Motion made by LAWRENCE WEEKLY to Approve Subject to Conditions

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

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

Minutes:

See Item 79 for related discussion.



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-18376 - APPLICANT/OWNER: ALLEN AND RAFID HAMIKA

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the Conditions of Approval for General Plan Amendment (GPA-18374) and Rezoning (ZON-18375), 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 and landscape plan date stamped 12/28/06 and building elevations date stamped 12/19/06, except as amended by conditions herein.
4. A Waiver from 19.10.J.11.c is hereby approved, to allow no parking lot landscape fingers where six parking lot landscape fingers would be required.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

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. Driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222a. Submit an application to the Land Development Section of the Department of Public Works for a deviation from standard drawing #222a.
14. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
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. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
17. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-18375 and all other subsequent site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 6,650 square-foot retail building on 0.79 acres adjacent to the south side of Lake Mead Boulevard approximately 420 feet east of Decatur Boulevard. There are two companion items that are associated with this applicant, a Rezoning (ZON-18375) from R-E (Residence Estates) to C-1 (Limited Commercial) and General Plan Amendment to amend a portion of the Southeast Sector Plan of the Master Plan from ML (Medium-Low Density Residential) to SC (Service Commercial).

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
01/25/07	The Planning Commission recommended approval of companion items GPA-18374 and ZON-18375 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #6/jm).
<i>Pre-Application Meeting</i>	
10/09/06	A pre-application meeting was held. The applicant was informed their retail establishment proposal would require a General Plan Amendment, a Rezoning and a Site Development Plan Review. In addition, the applicant was informed that this application would require a neighborhood meeting. Submittal requirements were noted.
<i>Neighborhood Meeting</i>	
12/19/06	A neighborhood meeting was held at 5:30 PM at the Texas Casino Boardroom, 2101 Texas Star Lane. No members of the public attended.

Details of Application Request

Site Area

Net Acres	0.79
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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	ML (Medium-Low Density Residential)	R-E (Residence Estates)
North	Single Family Residential	ML (Medium-Low Density Residential)	R-PD8 (Residential Planned Development – 8 Units Per Acre)
South	Single Family Residential	ML (Medium-Low Density Residential)	R-CL (Single-Family Compact-Lot)
East	Single Family Residential	ML (Medium-Low Density Residential)	R-CL (Single-Family Compact-Lot)
West	C-1 (Limited Commercial)	SC (Service Commercial)	R-CL (Single-Family Compact-Lot)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		Y
Airport Overlay (70 Feet)	X		Y
Trails	X		Y
Pedestrian Path	X		Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 Development Standards (C-1)

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	NA	NA
Min. Lot Width	100 Feet	202 Feet	NA
Min. Setbacks • Front • Side • Corner • Rear	20 Feet 10 Feet 15 Feet 20 Feet	39 Feet 10 Feet NA 20 Feet	Y
Max. Lot Coverage	50%	19.3%	Y
Max. Building Height	NA	20 Feet	Y
Trash Enclosure*	Yes	Yes	Y
Mech. Equipment	Yes	N/A	Y

*Trash Enclosure is 51 feet from protected property.

Pursuant to Title 19.12 the following standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/ 6 Spaces	7 Trees	0 Trees	N*
Buffer:				
Min. Trees	1 Tree/ 20 Linear Feet	26 Trees	26 Trees	Y
	1 Tree/ 30 Linear Feet	5 Trees	5 Trees	Y
TOTAL		40 Trees	22 Trees	Y
Min. Zone Width (Lake Mead Blvd)	15 Feet		15 Feet	Y
Min. Zone Width (Coran Lane)	15 Feet		15 Feet	Y
Min. Zone Interior	8 Feet		8 Feet	Y
Wall Height	8 Feet		6 Feet	Y

*Waiver of Landscape Fingers

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	
General Retail	6,650 SF	1 per 175 SF	38	2	38	2	Y
TOTAL					38	2	Y
Loading Zone	6,650 SF		1		1		Y

Waivers		
Request	Requirement	Staff Recommendation
Parking Lot Landscape Fingers	1/6 spaces	This waiver is supported as the applicant would have to decrease the number of parking spaces to accommodate the landscape fingers, which would require a Variance.

ANALYSIS

- Zoning

The applicant is requesting a Rezoning from General Plan Amendment from R-E (Residence Estates) to C-1 (Limited Commercial) The subject site is currently vacant. The proposed C-1 (Limited Commercial) zone would be in conformance to the General Plan with approval of the related General Plan Amendment (GPA-18374).

- Site Plan

The applicant proposes a 6,650 square-foot retail building on a 0.79 acre site. The retail building is located on the southwest portion of the site. The site gains access from Lake Mead Boulevard, a 100-Foot Primary Arterial.

The retail development is consistent with development in the area and provides sufficient protection for adjacent properties. The parcel borders Coran Lane, a local residential street. The applicant has proposed a six-foot perimeter wall and provided adequate trees and landscaping to buffer the retail development from the single family residential to the south and east.

- Landscape Plan

On the perimeters of the development along Lake Mead Boulevard and Coran Lane, the applicant provides 15 feet of landscape buffer with 24-inch Blue Palo Verde and 24-inch native Mesquite Trees spaced appropriately. In the interior, the applicant provides eight feet of landscape buffer with 24-inch Blue Palo Verde and 24-inch native Mesquite Trees spaced appropriately.

- Waiver

The applicant has requested a Waiver of the parking landscape finger requirement. Title 19.10 Parking, Loading and Traffic standards requires a landscape island for every six uncovered parking spaces. The applicant is providing no landscape islands on the site and is requesting a Waiver of the parking landscape finger requirement. This waiver is supported as the applicant would have to decrease the number of parking spaces to accommodate the landscape fingers, which would require a variance.

- Elevation

The elevation plans depict a 22.5 foot, one-story retail building. The elevations show a beige and medium brown stucco exterior and pillars dressed with cultured stone veneer with stone cap chardonnay dry stack ledgerstone.

- Floor Plan

The Floor plan depicts a 6,650 square foot building divided into approximately six 1,100 square-foot rental spaces, each supplied with a bathroom.

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 retail development is compatible with the surrounding land uses. This site meets the intent of the SC (Service Commercial) Land Use category which allows low to medium intensity retail, office, or other commercial uses that serve primarily the local area patrons and do not include more intense general commercial characteristics. In addition, this will be an infill development of an undeveloped parcel.

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 development proposal is consistent with the above standards and provides sufficient protection for adjacent properties. The development also meets the Title 19.12 Landscape Wall and Buffer Requirements, which adequately buffer the single family residential in the surrounding area.

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

Lake Mead Boulevard, a 100-Foot Primary Arterial is sufficient to meet the access needs of the proposed zoning district.

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

Building and landscape materials are compatible with the surrounding area.

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

The proposed elevations are not undesirable and will be compatible with the surrounding area and consistent with developments of this type.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 683 by Planning Department

APPROVALS 0

PROTESTS 0

STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Allen Hamika

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

Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

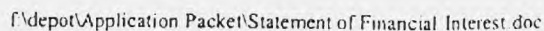
Signature of Property Owner: [Signature]

Print Name: Allen Hamika Rafid Hamika

Subscribed and sworn before me

This 28th day of November, 2006

Notary Public in and for said County and State





**RESIDENTIAL
DEVELOPMENT**

RETAIL BUILDING

LOS VEGAS ZONED TITLE 18 - 1 STALL PER TR. SP
LOS VEGAS ZONED TITLE 18, TABLE 2 - 2 MC STALLS
0.950 / TR. = 30 PARKING STALLS ALLOWED
PROPERTY SIZE: 24,700 SQUARE FEET (APPROX.
FLOOR AREA RATIO (FAR) = .100

DEC 26 2006

SDR-18376

REVISED

01/25/07 PC

[illegible]

I Bradford J. Janota,
Architect Ltd, NCARB
387 N. Redwood Blvd., 7th
Las Vegas, Nev. 89101-4719
Ph. (702) 334-6444
Fax. (702) 334-6444

CHL INVESTMENT LLC

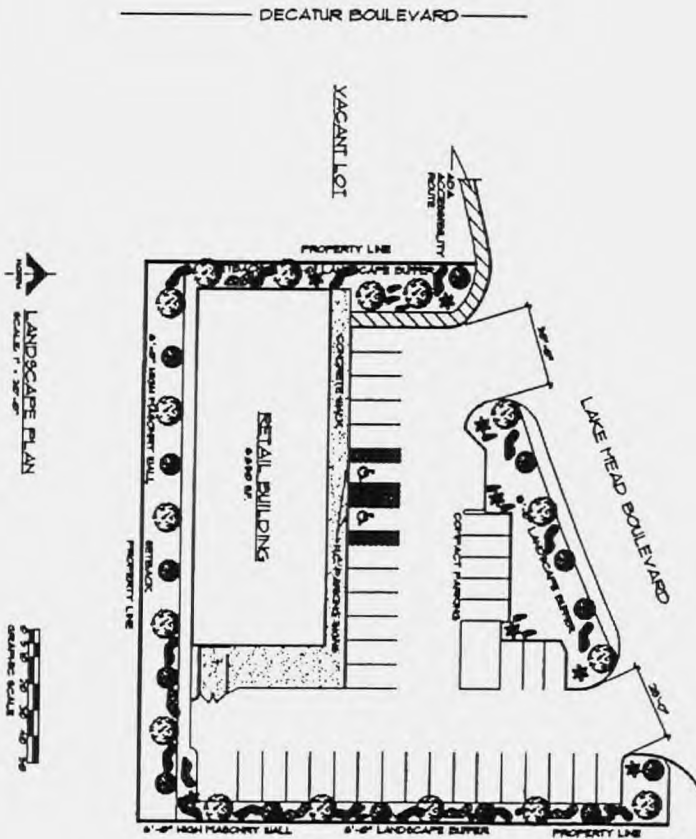
RETAIL BUILDING PROJECT
DECATUR & LAKE MEAD BLVD.
Las Vegas, Nevada
SITE PLAN

[illegible]

DATE	APR 24, 1964
NAME OF	W. J. JONES
ADDRESS	1000 1st St. N.E.
CITY	WASH. D.C.

45-1

ELEVATION - PERIMETER WALL.
NO SCALE



LANDSCAPE PLAN
SCALE: 1" = 20'-0"

GRAPHIC SCALE

**RESIDENTIAL
DEVELOPMENT**

LANDSCAPE LEGEND

- [illegible]

RECEIVED
DEC 28 2006

SDR-18376

REVISED

01/25/07 PC

No.	Date	Description	Amount

IBradford J. Janola,
Architect Ltd., NCARB
207 N. Rainbow Blvd., #2
Las Vegas, Nevada 89106-0120
Ph. (702) 254-4444
Fax. (702) 254-4444

CHL INVESTMENT LLC

RETAIL BUILDING PROJECT
DECATUR & LAKE MEAD BLVD.
Las Vegas, Nevada
SITE PLAN

5.1

DATE: 06/17/2009



FLOOR PLAN



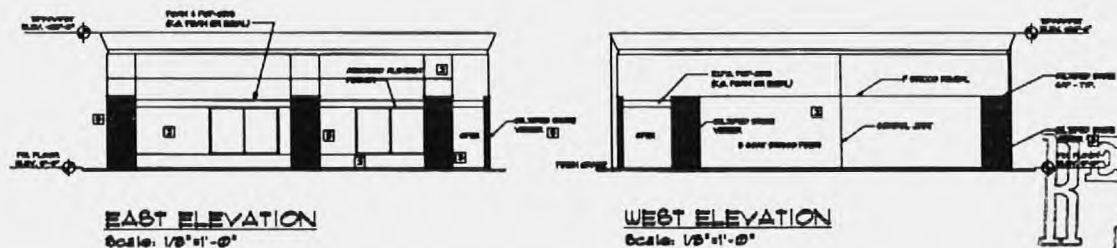
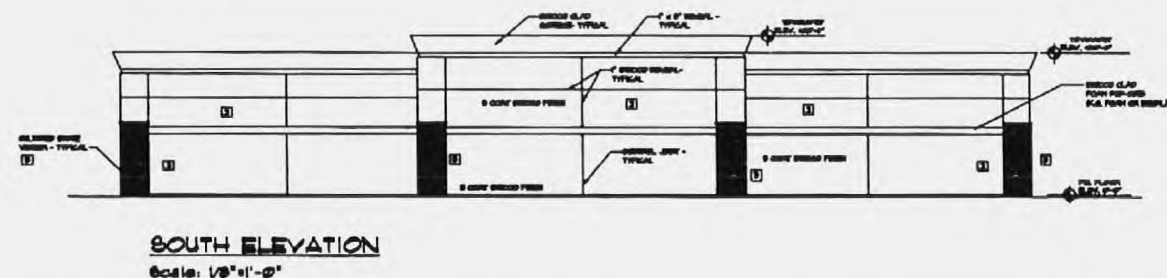
GRAPHIC SCALE

RECEIVED
DEC 19 2006

GPA-18374 ZON-18375
SDR-18376 01/25/07 PC

[illegible]

1. 2 only: BRUSH LATE LATE FROM COLOR TO BE MOVED FROM SIDE OF CHINA PROPOSING IMPROVEMENT.
2. 2 only: BRUSH LATE LATE FROM COLOR TO BE MOVED FROM SIDE OF CHINA PROPOSING IMPROVEMENT.
3. 2 only: BRUSH LATE LATE FROM COLOR TO BE MOVED FROM SIDE OF CHINA PROPOSING IMPROVEMENT.



GPA-18374 ZON-18375
SDR-18376 01/25/07 PC

DEC 19 2006

Donald J. Jenette,
Architect Ltd., MC-4493

201 N. Graham Blvd., 22
Las Vegas, Nevada 89101-570
PH (702) 361-4100
FAX (702) 361-0101

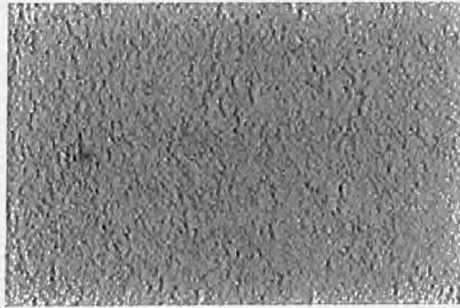
CHL INVESTMENT LLC

RETAIL BUILDING PROJECT
DECATUR & LAKE MEAD BLVD.
Las Vegas, Nevada

[illegible]

A-3

NEW RETAIL BUILDING
W. LAKE MEAD BLVD. and N. DECATUR BLVD.
LAS VEGAS, NEVADA



Omega – Medium Brown #9051

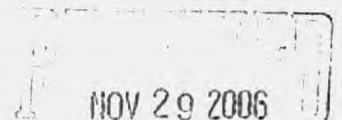


Omega – Beige #9043



Owens-Corning Cultured Stone
Drystack Ledgerstone
Chardonnay CSV-2012

ZON-18375
SDR-18376
01/25/07 PC



SDR 18375				
Allen & Rafid Hamika				
SS Lake Mead, E of Decatur				
Proposed 6.65 thousand square foot retail building.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	6.65	42.94	286
AM Peak Hour			1.03	7
PM Peak Hour			3.75	25
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Lake Mead Boulevard				
Average Daily Traffic (ADT)	29,134			
PM Peak Hour	2331			
(heaviest 60 minutes)				
Decatur Boulevard				
Average Daily Traffic (ADT)	36,342			
PM Peak Hour	2907			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Lake Mead Boulevard	32585			
Decatur Boulevard	51700			
This project will add approximately 286 trips per day on Lake Mead and Decatur. This will increase expected volumes by less than one percent on Lake Mead and Decatur. Lake Mead is at about 88 percent of capacity and Decatur is at about 70 percent of capacity.				
Based on Peak Hour use, this development will add roughly 25 additional cars into the area; which works out to about one every two minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



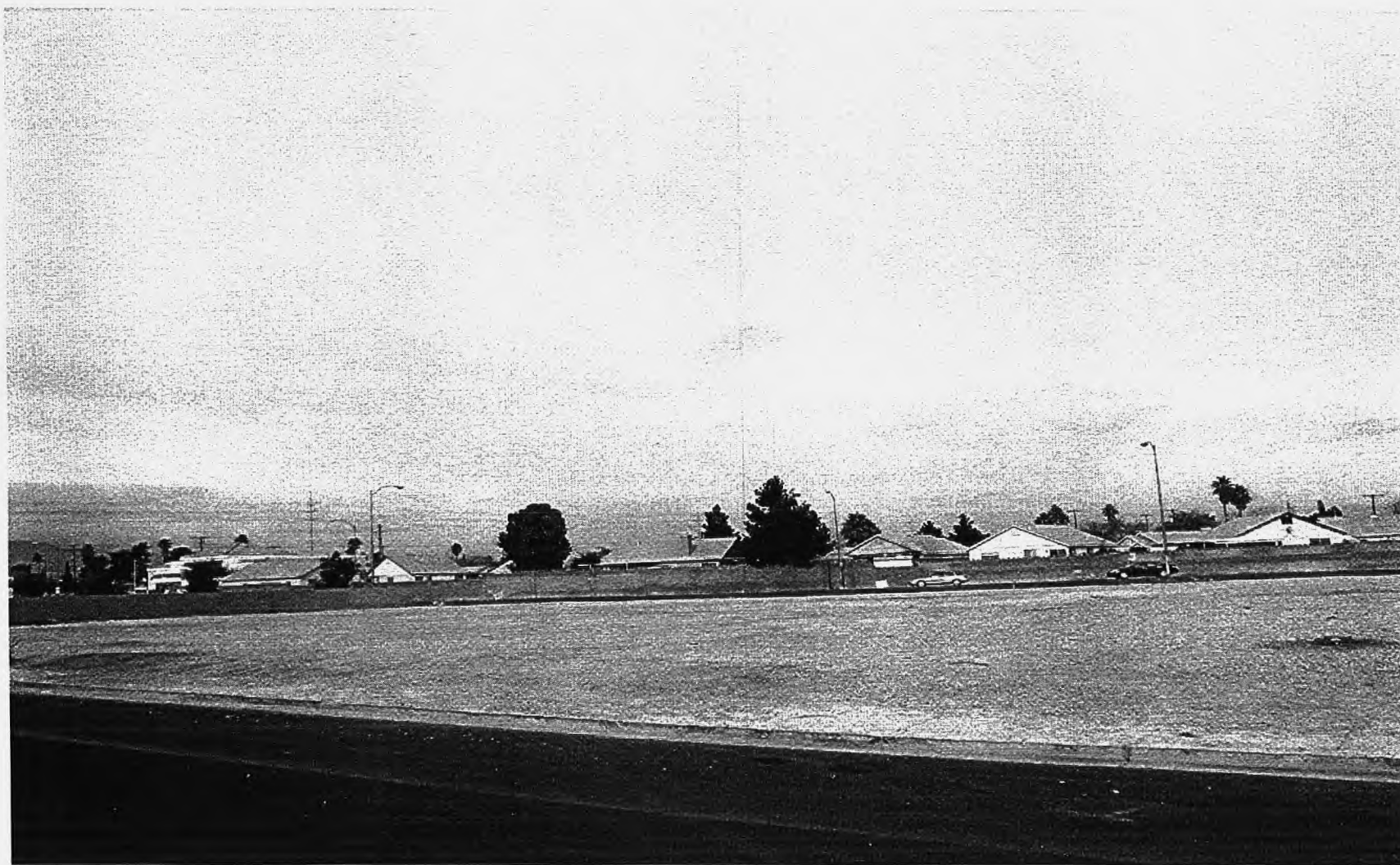
GPA-18374, ZON-18375 & SDR-18376 - APPLICANT/OWNER: ALLEN AND RAFID HAMIKA
SOUTH SIDE OF LAKE MEAD BOULEVARD, APPROXIMATELY 420 FEET EAST OF DECATUR BOULEVARD
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06



GPA-18374, ZON-18375 & SDR-18376 - APPLICANT/OWNER: ALLEN AND RAFID HAMIKA
SOUTH SIDE OF LAKE MEAD BOULEVARD, APPROXIMATELY 420 FEET EAST OF DECATUR BOULEVARD
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06



GPA-18374, ZON-18375 & SDR-18376 - APPLICANT/OWNER: ALLEN AND RAFID HAMIKA
SOUTH SIDE OF LAKE MEAD BOULEVARD, APPROXIMATELY 420 FEET EAST OF DECATUR BOULEVARD
JANUARY 25, 2007 PLANNING COMMISSION

12/22/06

LAW OFFICE
Jay H. Brown, Ltd.
A PROFESSIONAL CORPORATION
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jay@jhbrownltd.com

November 28, 2006

City of Las Vegas
Planning & Development
741 S. Fourth St.
Las Vegas, NV 89101

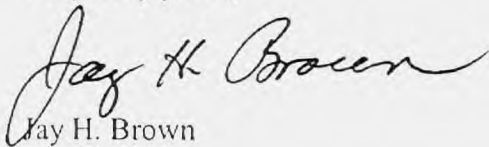
SUBJECT: JUSTIFICATION LETTER – **General Plan Amendment, Zone Change,
Site Design Review and Waiver for
Parking Lot Fingers**

The name of this proposal is: **Allen Hamika Lake Mead and Decatur**

1. This land use application will produce an environment of stable and desirable character consistent with the objections of Title 19 and the General Plan due to the area in which it will service.
2. The purpose is to make the necessary applications to allow for a zone change from R-E to C-1. To properly affect this we hereby apply for a general plan amendment from ML to SC.
3. We will develop this property as a retail center consisting of six (6) units, all of which are one-story.
4. The total gross acreage for this site is .79 acres. The APN is 139-19-301-002.
5. The General Plan adjacent to this project is SC to the west and ML to the east.
6. We are requesting a waiver of the required 1 parking finger per 6 parking spaces to accommodate the required 38 parking spaces.

Thank you for your assistance in this matter. If you need any additional information, please contact me or my assistant, Carol Caldwell.

Very truly yours,


Jay H. Brown

JHB:cc

**SDR-18376
01/25/07 PC**

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

CITY OF LAS VEGAS**ONE MOTION / ONE VOTE****Planning and Development Department****Current Planning Division****731 South Fourth Street****Las Vegas, Nevada 89101****(702) 229-6301 Phone (702) 385-7268 Fax****SUBJECT: SDR-18376 - APPLICANT/OWNER: ALLEN AND RAFID HAMIKA**

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

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

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



Signature

1/23/07

Date

Allen Hamika

Please Print Name

Company Name

Sincerely,

Douglas J. Rankin, AICP
Current Planning Manager

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

GENERAL PLAN AMENDMENT

GPA-18683 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request to amend a portion of the Southeast Sector Plan of the Master Plan FROM: M (MEDIUM DENSITY RESIDENTIAL) TO: ML (MEDIUM-LOW DENSITY RESIDENTIAL) on 1.11 acres at 1929 through 1953 Gregory Street (APNs 139-22-313-004 through 010), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation

Motion made by LAWRENCE WEEKLY to Approve

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 82 [GPA-18683] and Item 83 [ZON-18684].

MARGO WHEELER, Director of Planning and Development, explained that the subject properties are adjacent west of Losee Road, in which the City is consolidating and rezoning. She noted that this is not project approval at this time; a subsequent Site Development Plan Review would be required at such time.

RONDA BURNEY, 312 MIKE CIRCLE, questioned if the project was low income housing. COUNCILMAN WEEKLY explained that the site was originally approved for Habitat for

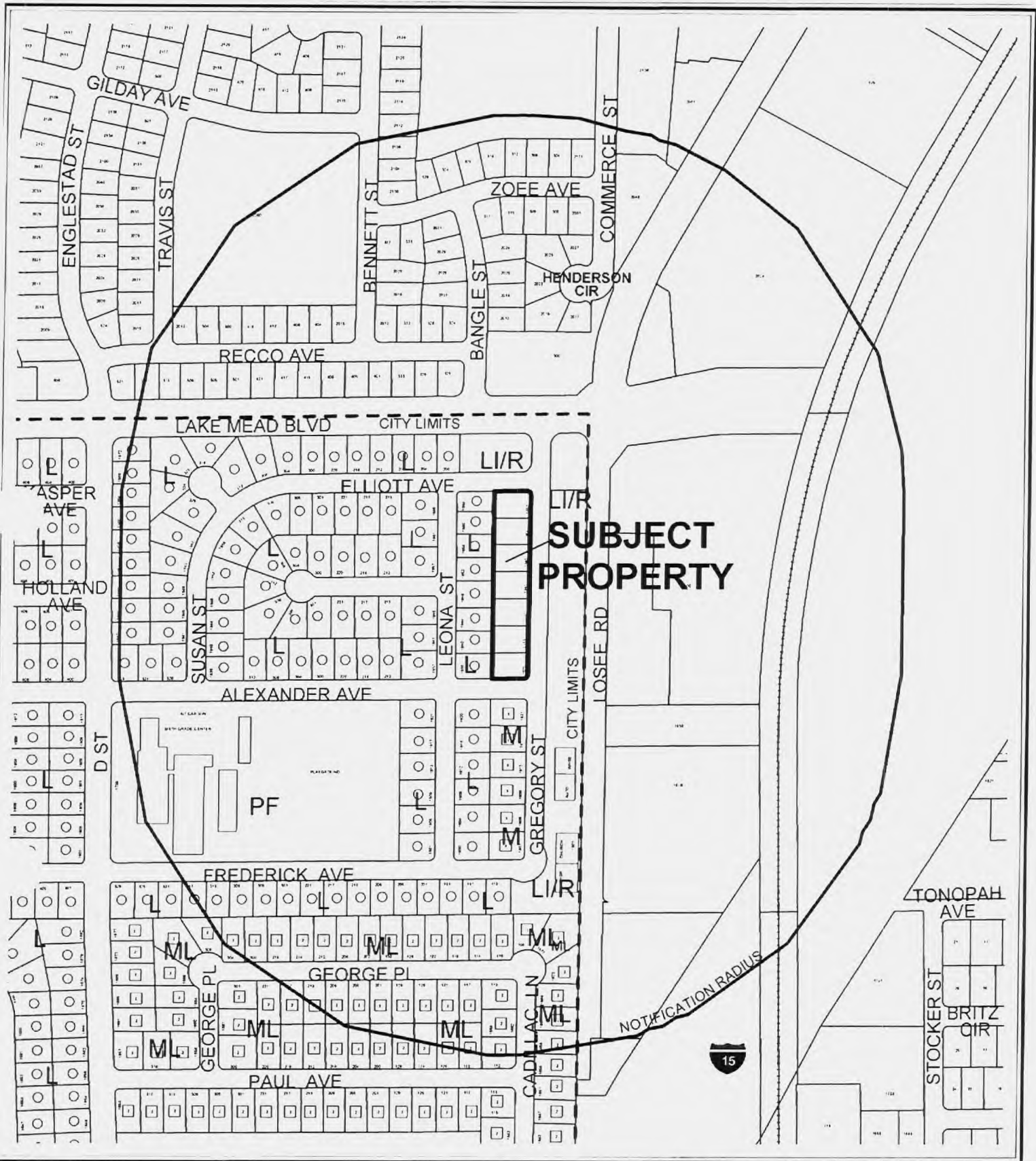
CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

Humanity but the application fell through. This project is similar to Vegas Heights; the subject lot is small so the number of units was reduced from 11 to seven.

MS. WHEELER clarified the difference between Medium and Medium Low Density.

MAYOR GOODMAN declared the Public Hearing closed on Item 82 [GPA-18683] and Item 83 [ZON-18684].





CASE: GPA-18683

RADIUS: 1000 FT

GENERAL PLAN USE OF SUBJECT PROPERTY:

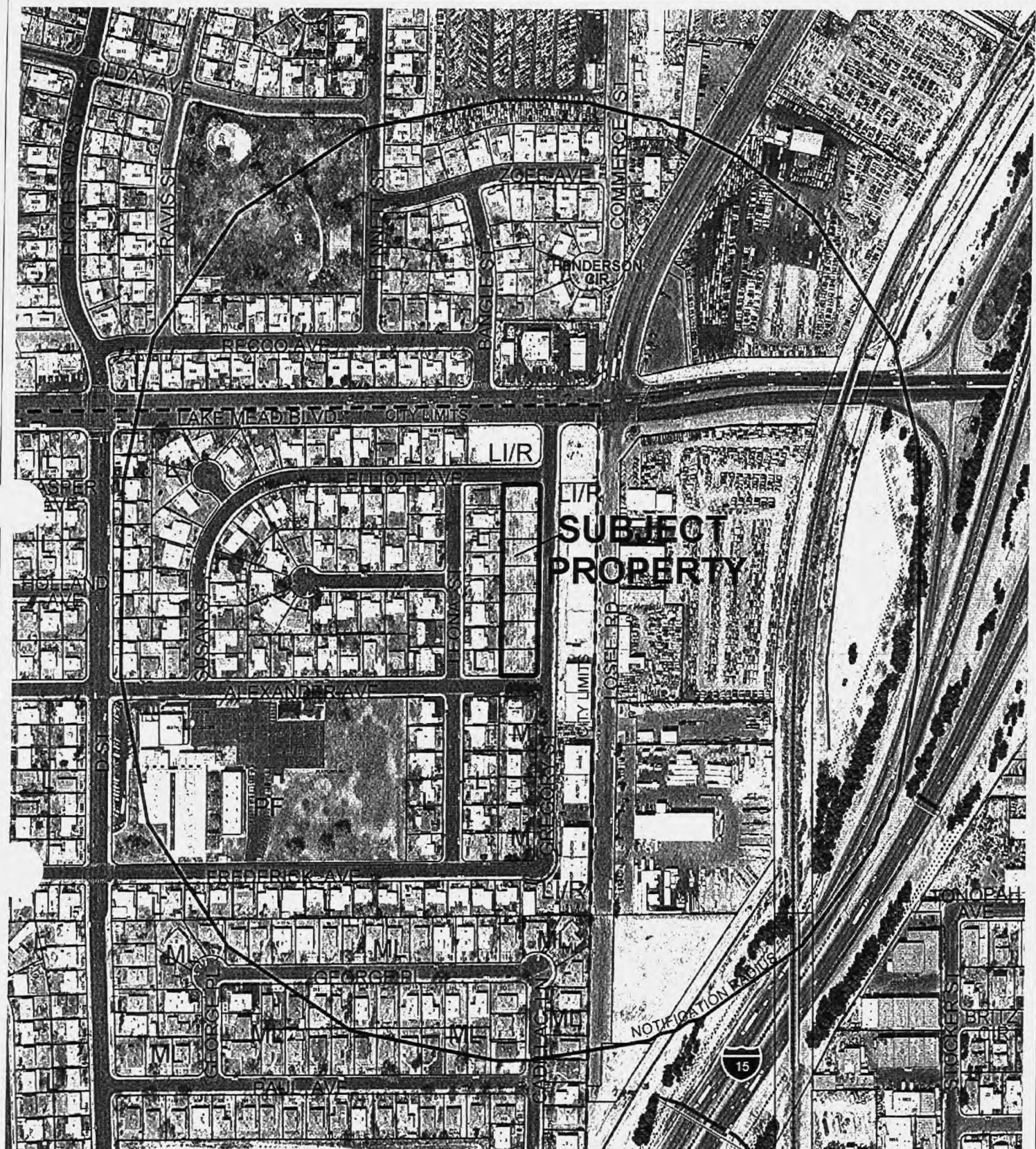
M (MEDIUM DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN USE OF SUBJECT PROPERTY:

ML (MEDIUM-LOW DENSITY RESIDENTIAL)

0 300 600 Feet





CASE: GPA-18683

RADIUS: 1000 FT

GENERAL PLAN USE OF SUBJECT PROPERTY:

M (MEDIUM DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN USE OF SUBJECT PROPERTY:

ML (MEDIUM-LOW DENSITY RESIDENTIAL)

0 300 600 Feet



City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-18683 - APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request to amend a portion of the Southeast Sector Plan of the Master Plan from M (Medium Density Residential) to ML (Medium-Low Density Residential) at 1929 through 1953 Gregory Street. This item is related to a concurrent application requesting a Rezoning (ZON-18684) from R-3 (Medium Density Residential) to R-1 (Single Family Residential).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/10/62	The Planning Commission approved a Rezoning (Z-0038-62) from R-1 (Single-Family Residential) to R-3 (Medium Density Residential) including the subject site. Staff recommended denial.
01/25/07	The Planning Commission recommended approval of companion item ZON-18684 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #7/rl).

<i>Pre-Application Meeting</i>
A pre-application meeting was not required for this application nor was one held.

<i>Neighborhood Meeting</i>	
01/04/07	A neighborhood meeting was held at the West Las Vegas Arts Center at 947 West Lake Mead Boulevard. Eleven members of the public attended along with three city staff and two representatives of the applicant. Attendees raised concerns about the walls and slope differential and stated that crime and low-income are problems at this location. The applicant incorrectly referred to a "Zone Variance" and discussed the potential for rear setback on other variances associated with this site. Estimated completion is December 2007, and once questions were answered there appeared to be general approval for the proposal.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.11

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	M (Medium Density Residential)	R-3 (High Density Residential)
North	Parking Lot (Under Construction)	LI/R (Light Industrial/Research)	R-3 (High Density Residential)
South	Multi-family	M (Medium Density Residential)	R-3 (High Density Residential)
East	Manufacturing	LI/R (Light Industrial/Research)	M (Industrial)
West	Single Family Residential	L (Low Density Residential)	R-1 (Low Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
West Las Vegas Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District 175 Feet	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>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-3 (Medium Density Residential)	25 Units Per Acre	27 Units
<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-1 (Single-Family Residential)	6.70 Units Per Acre	7 Units
<i>Existing General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
M (Medium Density Residential)	18.49 Units Per Acre	20 Units
<i>Proposed General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
ML (Medium-Low Density Residential)	8.49 Units Per Acre	9 Units

ANALYSIS

The request is for a General Plan Amendment to ML (Medium Low Density Residential). The subject site is an infill site and is surrounded by single-family residential and commercial development. The proposed ML (Medium Low Density Residential) land use designation is intended for single-family detached homes, including compact lot and zero lot lines, mobile home parks and two-family dwellings with densities of up to 8.49 units per acre. This request will allow for the development of an infill site to proceed in a manner that is compatible with existing uses in the area.

This application was submitted with a companion request for a Rezoning (ZON-18684) from R-3 (Medium Density Residential) to R-1 (Single Family Residential). The site plan submitted with the companion application shows a proposed single family development that meets or exceeds all requirements of the proposed R-1 zone and is appropriate for the West Las Vegas area as it is consistent with Goal 3 (Preserve the character of existing neighborhoods) of the West Las Vegas Plan. Further, while this request seeks to alter the Las Vegas 2020 Master Plan Land Use element, the change in land use designation will help to achieve the priorities of the Las Vegas

2020 Master Plan Housing Element through helping to sustain and improve the mature neighborhood adjacent to the west of the subject site through appropriate, high-quality redevelopment; by helping to ensure a diverse choice of affordable housing types and costs that meets the present and future needs of the city's population; by providing opportunities for home ownership; and by providing housing opportunity with walk able access to transit, schools and employment.

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 ML (Medium Low Density Residential) land use designation is compatible with the existing designations to the north, west and south of the subject site.

In regard to “2”:

A related Rezoning (ZON-18684) to the R-1 (Single-Family Residential) zoning district will be considered concurrently with this request. The zoning district is consistent with the surrounding residential uses.

In regard to “3”:

The lots to be created related to this General Plan Amendment will be served by Gregory Street, a local street that is fully adequate to serve the proposed development.

In regard to “4”:

The proposed General Plan Amendment, as well as a companion Rezoning (ZON-18684) conform with other applicable adopted plans and policies, including the Housing Element of the Las Vegas 2020 Master Plan and the West Las Vegas Neighborhood Plan.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 218 by Planning Department

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-18683** APN: 13A-22-313-004 through 010
Name of Property Owner: City of Las Vegas
Name of Applicant: _____

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

_____ Yes

_____ X _____ No

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

City Official: _____

Partner(s): _____

APN: _____

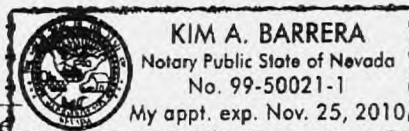
Signature of Property Owner: Douglas Selby

Print Name: Douglas Selby

Subscribed and sworn before me

This 8 day of January, 2007

Kim A. Barrera
Notary Public in and for said County and State



FUTURE LAND USE
Parcels 139-22-313-004
Through 139-22-313-010

- | | |
|---|--|
|  | Rural Neighborhood Preservation - up to 2 du/ac (0 to 2 du/ac) |
|  | Desert Rural - up to 2.49 du/ac (2.1 to 2.49 du/ac) |
|  | Rural - up to 3.59 du/ac (2.5 to 3.59 du/ac) |
|  | Low - 3.6 to 5.5 du/ac |
|  | Medium - Low - 5.6 to 8 du/ac |
|  | Medium - Low Attached - 8.1 to 12 du/ac |
|  | Medium - 12.1 to 25 du/ac |
|  | High - 25+ du/ac |
|  | Mixed Use (L, ML, M, H, O, SC, GC, HP) |
|  | Office |
|  | Service Commercial |
|  | General Commercial |
|  | General Tourist Commercial |
|  | Commercial (O, SC, GC) |
|  | Park/Recreation/Open Space |
|  | Park / Recreation / Open Space |
|  | Public Facility |
|  | Public Facility - School |
|  | Public Facilities - Clark County |
|  | Resource - Conservation |
|  | Light Industrial / Research |
|  | Planned Community Development |
|  | Town Center |
|  | University Medical Center |
|  | Traditional Neighborhood Development |

• City Limits

Plotted December 13, 2006



Our maps are primarily produced
only to meet the needs of the C&G
User to continuously development and
this map is for reference only.

Geographic Information System

Pharmacy & Oncology at Geur
702-276-0501

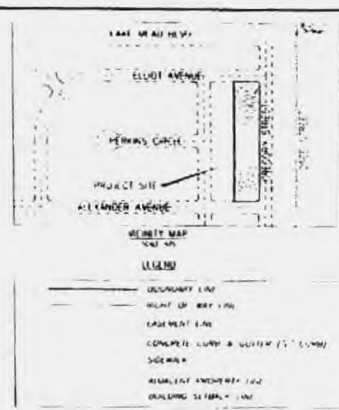
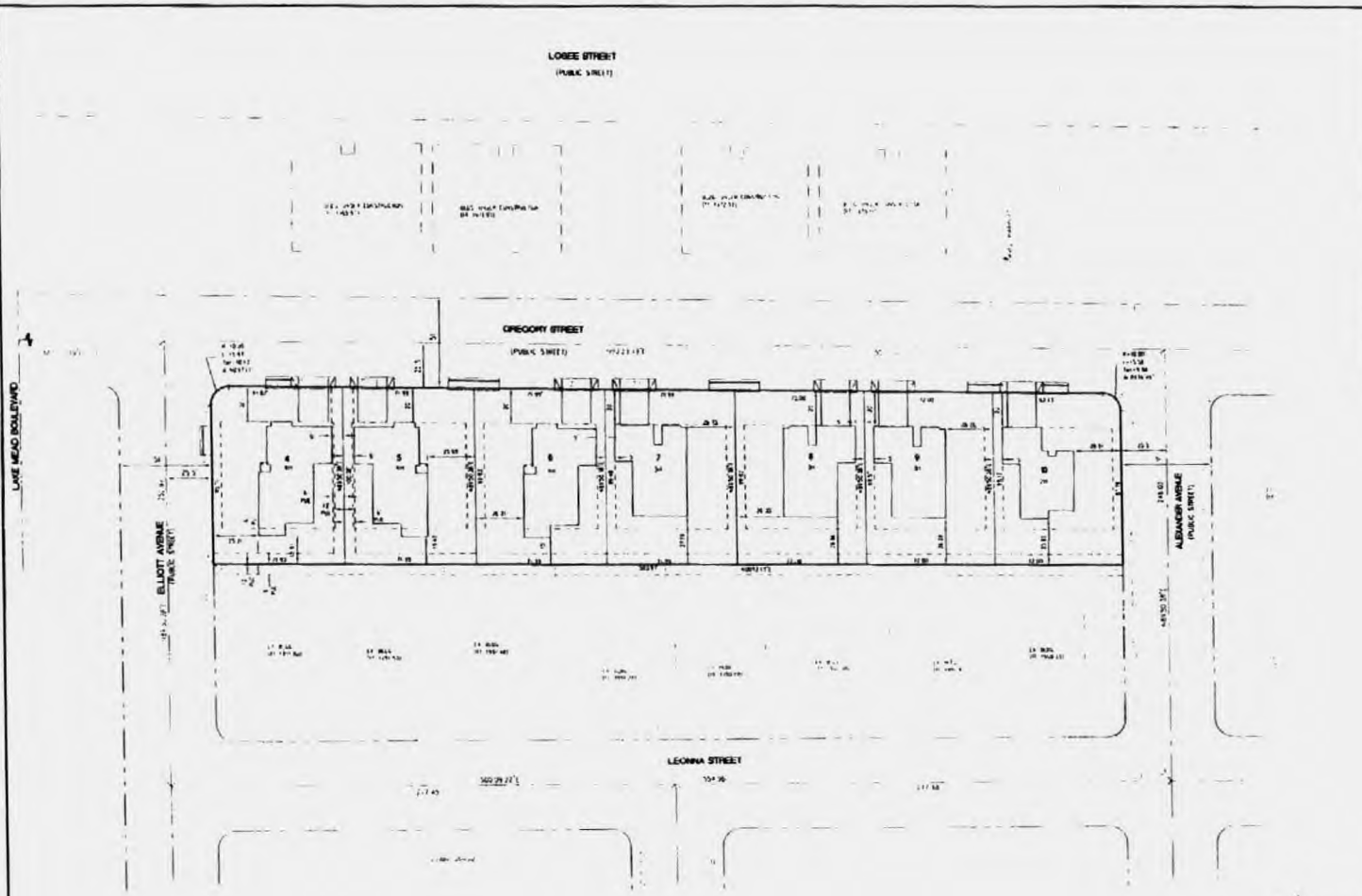


Subject Properties
139-22-313-004
through 139-22-313-010

GPA-18683

01/25/07 PC

RECEIVED
WEBB
DEC 13 2006



- LEGEND**
- DOCUMENTARY LINE
 - RIGHT OF WAY LINE
 - EXISTING LINE
 - COMPOSITE CURVE RADIUS (15' - 100')
 - SHED LINE
 - REMARKS: EXISTING LINE
 - EXISTING TO BE REMOVED

WRIGHT
CLIENT DRIVER

HABITAT FOR HUMANITY
GREGORY STREET

SITE PLAN

1. THE CITY OF LAS VEGAS HAS REVIEWED THIS SITE PLAN AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE CITY OF LAS VEGAS SUBDIVISION MAP ACT AND THE SUBDIVISION MAP ACT REGULATIONS.

2. THE CITY OF LAS VEGAS HAS REVIEWED THIS SITE PLAN AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE CITY OF LAS VEGAS SUBDIVISION MAP ACT AND THE SUBDIVISION MAP ACT REGULATIONS.

3. THE CITY OF LAS VEGAS HAS REVIEWED THIS SITE PLAN AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE CITY OF LAS VEGAS SUBDIVISION MAP ACT AND THE SUBDIVISION MAP ACT REGULATIONS.

4. THE CITY OF LAS VEGAS HAS REVIEWED THIS SITE PLAN AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE CITY OF LAS VEGAS SUBDIVISION MAP ACT AND THE SUBDIVISION MAP ACT REGULATIONS.

5. THE CITY OF LAS VEGAS HAS REVIEWED THIS SITE PLAN AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE CITY OF LAS VEGAS SUBDIVISION MAP ACT AND THE SUBDIVISION MAP ACT REGULATIONS.

6. THE CITY OF LAS VEGAS HAS REVIEWED THIS SITE PLAN AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE CITY OF LAS VEGAS SUBDIVISION MAP ACT AND THE SUBDIVISION MAP ACT REGULATIONS.

7. THE CITY OF LAS VEGAS HAS REVIEWED THIS SITE PLAN AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE CITY OF LAS VEGAS SUBDIVISION MAP ACT AND THE SUBDIVISION MAP ACT REGULATIONS.

8. THE CITY OF LAS VEGAS HAS REVIEWED THIS SITE PLAN AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE CITY OF LAS VEGAS SUBDIVISION MAP ACT AND THE SUBDIVISION MAP ACT REGULATIONS.

9. THE CITY OF LAS VEGAS HAS REVIEWED THIS SITE PLAN AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE CITY OF LAS VEGAS SUBDIVISION MAP ACT AND THE SUBDIVISION MAP ACT REGULATIONS.

10. THE CITY OF LAS VEGAS HAS REVIEWED THIS SITE PLAN AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE CITY OF LAS VEGAS SUBDIVISION MAP ACT AND THE SUBDIVISION MAP ACT REGULATIONS.

BASIS OF PLANNING
THE CITY OF LAS VEGAS HAS REVIEWED THIS SITE PLAN AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE CITY OF LAS VEGAS SUBDIVISION MAP ACT AND THE SUBDIVISION MAP ACT REGULATIONS.

LEGAL DESCRIPTION
THE CITY OF LAS VEGAS HAS REVIEWED THIS SITE PLAN AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE CITY OF LAS VEGAS SUBDIVISION MAP ACT AND THE SUBDIVISION MAP ACT REGULATIONS.

REMARKS
THE CITY OF LAS VEGAS HAS REVIEWED THIS SITE PLAN AND HAS DETERMINED THAT IT IS IN ACCORDANCE WITH THE CITY OF LAS VEGAS SUBDIVISION MAP ACT AND THE SUBDIVISION MAP ACT REGULATIONS.

SCALE
1" = 100'

DATE
01/25/07

BY
GPA-18683

FOR
HABITAT FOR HUMANITY

RECEIVED
DEC 13 2006

GPA-18683
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 RELATED TO GPA-18683

ZON-18684 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL) TO: R-1 (SINGLE-FAMILY RESIDENTIAL) on 1.11 acres at 1929 through 1953 Gregory Street (APNs 139-22-313-004 through 010), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

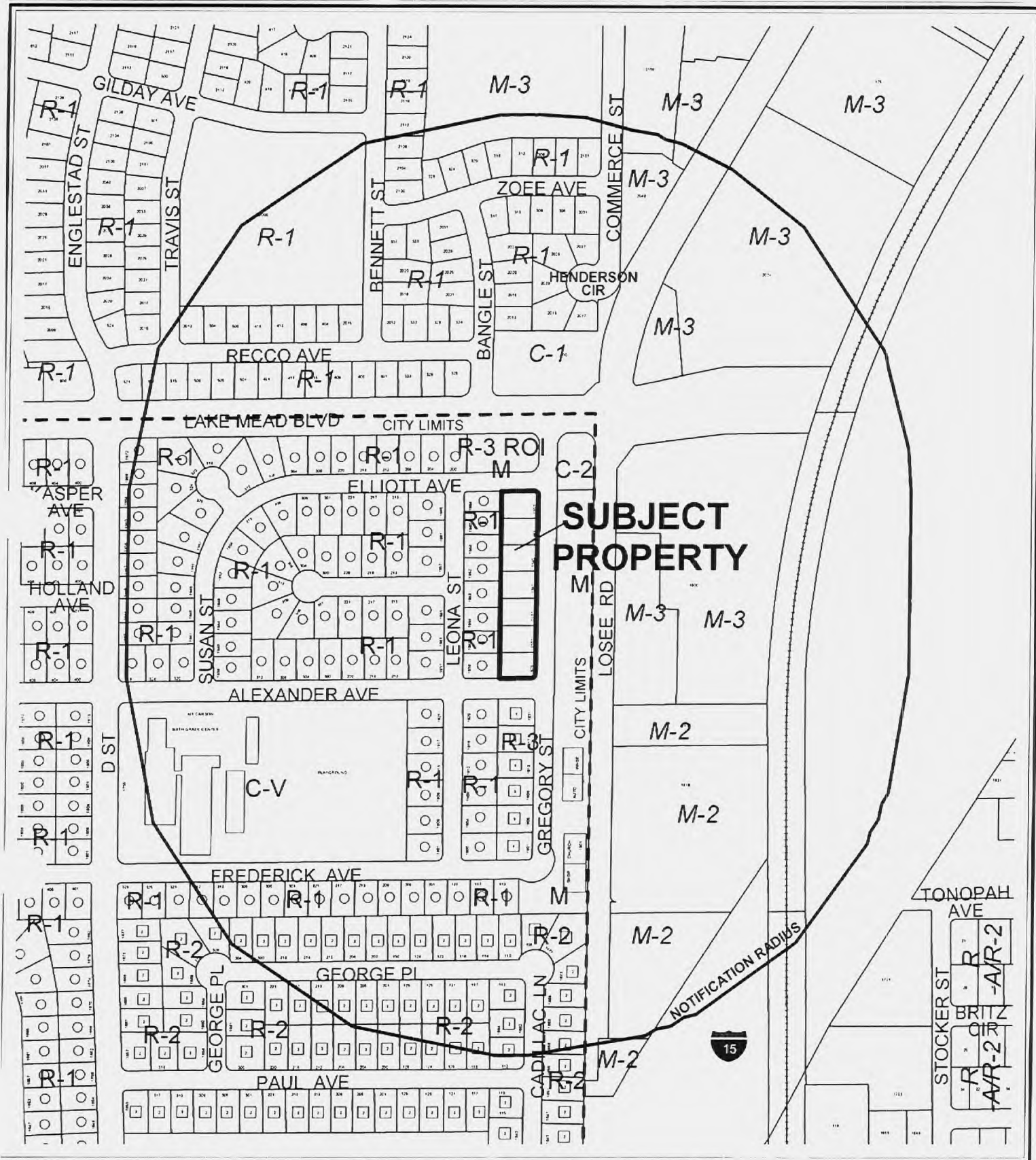
Motion made by LAWRENCE WEEKLY to Approve Subject to Conditions

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 82 for related discussion.



CASE: **ZON-18684**

RADIUS: 1000 FT

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

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

0 300 600 Feet





CASE: **ZON-18684**

RADIUS: 1000 FT

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

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-18684 - APPLICANT/OWNER: CITY OF LAS VEGAS

**** CONDITIONS ****

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

Planning and Development

1. A General Plan Amendment (GPA-18683) to a ML (Medium-Low Density Residential) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit is hereby granted.

Public Works

3. Upon development appropriate right-of-way dedications, street improvements, connection to City sewer, drainage plan/studies and traffic mitigation commitments may be required.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Rezoning FROM: R-3 (Medium Density Residential) TO: R-1 (Single-Family Residential) at 1929 through 1953 Gregory Street. A companion General Plan Amendment (GPA-18683) will be considered concurrently.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/10/62	The Planning Commission approved a Rezoning (Z-0038-62) from R-1 (Single-Family Residential) to R-3 (Medium Density Residential) including the subject site. Staff recommended denial.
01/25/07	The Planning Commission recommended approval of companion item GPA-18683 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #8/rl).
<i>Pre-Application Meeting</i>	
A pre-application meeting was not held for this application	
<i>Neighborhood Meeting</i>	
01/04/07	A neighborhood meeting was held at the West Las Vegas Arts Center at 947 West Lake Mead Boulevard. Eleven members of the public attended along with three city staff and two representatives of the applicant. Attendees raised concerns about the walls and slope differential and stated that crime and low-income are problems at this location. The applicant incorrectly referred to a "Zone Variance" and discussed the potential for rear setback on ot her variances associated with this site. Estimated completion is December 2007, and once questions were answered there appeared to be general approval for the proposal.
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.11

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	M (Medium Density Residential)	R-3 (High Density Residential)
North	Parking Lot (Under Construction)	LI/R (Light Industrial/Research)	R-3 (High Density Residential)
South	Multi-family	M (Medium Density Residential)	R-3 (High Density Residential)
East	Manufacturing	LI/R (Light Industrial/Research)	M (Industrial)
West	Single Family Residential	L (Low Density Residential)	R-1 (Low Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		Y
Airport Overlay (175 Feet)	X		Y
West Las Vegas Plan	X		Y
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

DEVELOPMENT STANDARDS

Pursuant to Title 19.08:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	6,500 SF	7,081 SF	Y
Min. Lot Width	65 Feet	71.99 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	5 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	15 Feet	25 Feet	Y
Max. Lot Coverage	50%	Not shown	NA
Max. Building Height	The lesser of 2-stories or 35 feet	Not Shown	NA

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-3 (Medium Density Residential)	25 Units Per Acre	27 Units
<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-1 (Single-Family Residential)	6.70 Units Per Acre	7 Units
<i>Existing General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
M (Medium Density Residential)	18.49 Units Per Acre	20 Units
<i>Proposed General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
ML (Medium-Low Density Residential)	8.49 Units Per Acre	9 Units

ANALYSIS

The applicant is seeking a rezoning from R-3 (Medium Density Residential), which allows for up to 18.49 units for up to acre, to the R-1 (Single-Family Residential) zone, which is intended for development of detached single-family residences in a suburban setting with a maximum density of 6.70 units per acre. The 1.11 acre site is currently vacant. The site plan depicts a seven-lot subdivision with a minimum lot size of 7,081 square feet, and an overall density of 6.31 units per acre. The site plan further complies with all related Title 19.06 Development Standards.

A development with lots meeting minimum R-1 (Single Family Residential) standards would be consistent and compatible with the established development pattern in the area. Therefore, the proposed Rezoning is recommended as the lots sizes and density allowed by the R-1 (Single Family Residential) zoning are similar to existing residential developments to the west, and are otherwise compatible with existing and future development.

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 applicant is requesting in a related application an Amendment to the General Plan (GPA-18683) to ML (Medium-Low Density Residential). The Medium Low Density Residential Category allows up to 8.49 units per acre, a significant decrease from the 18.49 units per acre allowed by the existing M (Medium Density Residential) designation. The Rezoning request to R-1 (Single-Family Residential) is consistent with the General Plan Amendment to ML (Medium-Low Density Residential).

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 single family subdivision is compatible with the single family development to the west of the site. To the north and east of the subject site are properties that are either zoned or under Resolution of Intent for light industrial uses; however, these properties do not front Gregory Street and are adequately screened from the adjacent residential development.

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

The Rezoning would be appropriate since the current land use designation on the site is M (Medium Density Residential). Further, the proposed development serves to further the Housing Element of the Las Vegas 2020 Master Plan, and is consistent with the identifiable need for affordable housing in the city.

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 is served by Gregory Street, a local street. The addition of seven residential lots will not negatively affect this thoroughfare’s ability to handle traffic flow.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 218 by Planning Department

APPROVALS 0

PROTESTS 2

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-18684** APN: 139-22-313-004 through 010
Name of Property Owner: City of Las Vegas
Name of Applicant: _____

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

_____ Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

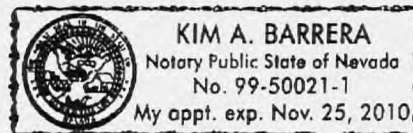
Signature of Property Owner: Douglas Selby

Print Name: Douglas Selby

Subscribed and sworn before me

This 8 day of January, 2007

Kim Barrera
Notary Public in and for said County and State





GPA-18683 & ZON-18684- APPLICANT/OWNER: CITY OF LAS VEGAS
1929 THROUGH 1953 GREGORY STREET
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06



GPA-18683 & ZON-18684- APPLICANT/OWNER: CITY OF LAS VEGAS
1929 THROUGH 1953 GREGORY STREET
JANUARY 25, 2007 PLANNING COMMISSION

12/26/06

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
REZONING

ZON-17856 - PUBLIC HEARING - APPLICANT: REBECCA BURTON - OWNER:
TOWANDA, LLC - Request for a Rezoning FROM: R-4 (HIGH DENSITY RESIDENTIAL)
TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.16 acres at 801 South Sixth Street
(APN 139-34-410-209), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff
recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 01-25-07 Planning Commission Meeting Item 9

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

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

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

NOTE: COUNCILMAN WOLFSON abstained, as the applicant is one of his tenants in his
office building.

Minutes:

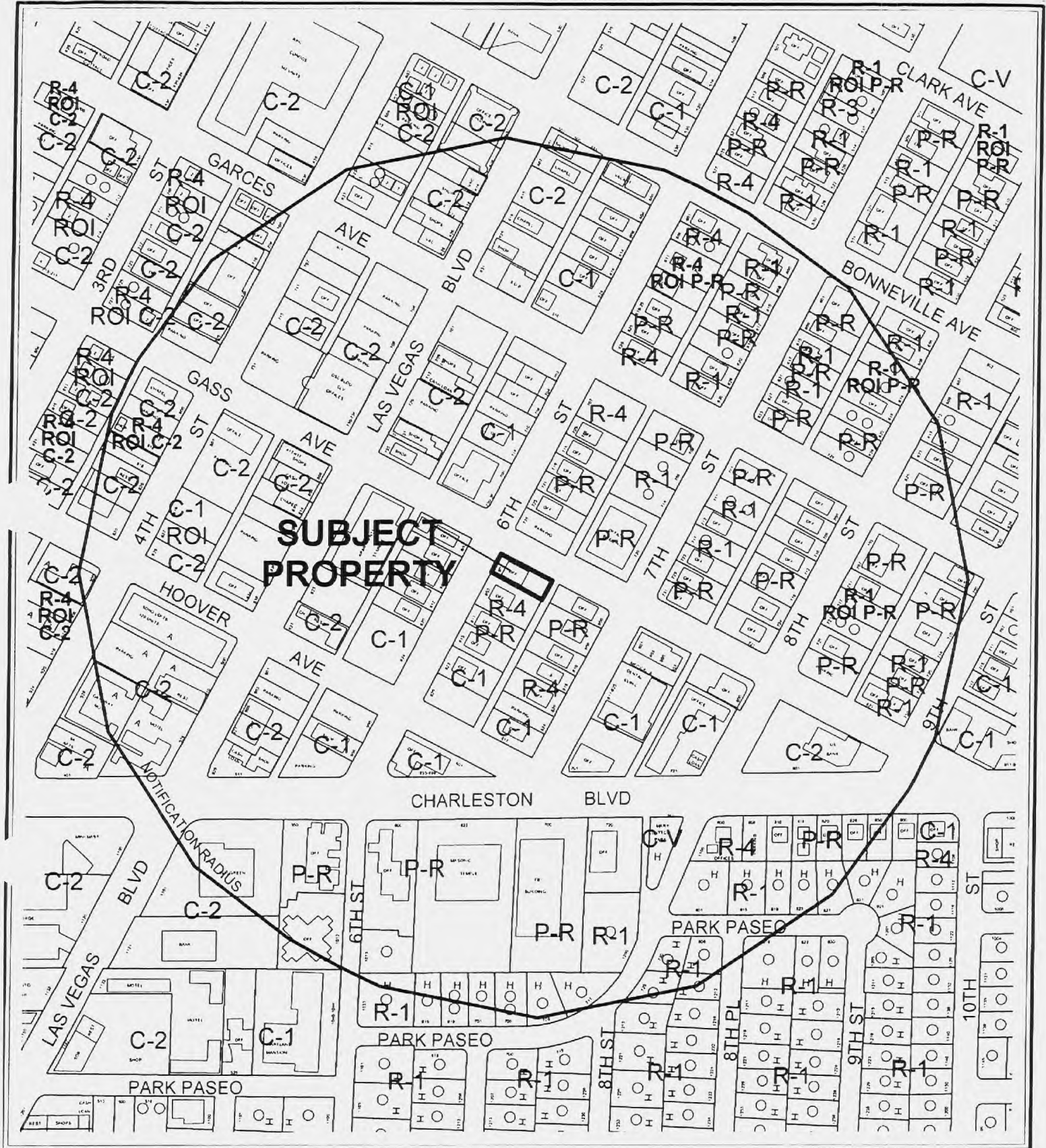
MAYOR GOODMAN declared the Public Hearing open on Item 84 [ZON-17856] and Item 85
[SDR-18788].

REBECCA BURTON expressed her desire to convert a charming, Spanish-style home to an
office. She is a family law attorney and will be practicing from the proposed office.

CITY COUNCIL MEETING OF: FEBRUARY 21, 2007

MAYOR GOODMAN declared the Public Hearing closed on Item 84 [ZON-17856] and Item 85 [SDR-18788].





CASE: **ZON-17856**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

0 90 180 Feet





CASE: **ZON-17856**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

0 90 180 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-17856 - APPLICANT: REBECCA BURTON - OWNER: TOWANDA, LLC

**** CONDITIONS ****

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

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-18788) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site if approved.

Public Works

3. Dedicate a 10-foot radius on the southeast corner of Sixth Street and Gass Avenue prior to the issuance of any permits; coordinate with the Right of Way section of the Department of Public Works for assistance in the preparation of appropriate documents.
4. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current Downtown Centennial Plan standards, except in cases of approved Waivers, concurrent with development of this site.
5. No required parking shall be allowed within the public right-of-way.
6. Landscape and maintain all unimproved rights-of-way, if any, on Gass Avenue and South Sixth Street adjacent to this site. 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.
7. Submit an Encroachment Agreement for all landscaping located in the Gass Avenue and South Sixth Street public right-of-way adjacent to this site prior to occupancy of this site.
8. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.

9. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.
10. Sign and record a Covenant Running with Land agreement for the possible future installation and/or relocation of half-street improvements in accordance with Downtown Centennial Standards for all improvements not required to be constructed at this time as a result of the requested Waiver. Such Covenant Running with Land agreement shall record prior to the issuance of any permits for this site.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project request is to allow a Rezone from R-4 (High Density Residential) to P-R (Professional Office and Parking) on 0.16 acres at 801 South Sixth Street, southeast corner of South Sixth Street at Gass Avenue.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
1983	The Board of Zoning Adjustment considered and approved a request for a Special Use Permit (U-0042-83) to allow Professional Offices on property located at 801 and 803 South 6th Street, where such use is not permitted, R-4 (High Density Residential) Zone.
11/21/63	The Board of Zoning Adjustment considered a request for Use Permit (U-0073-63) to allow a real estate office at the southeast corner of Gass Street and Sixth Street, R-4 (High Density Residential) Zone.
01/25/07	The Planning Commission recommended approval of companion item SDR-18788 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #9/ja).
<i>Pre-Application Meeting</i>	
01/23/06	A Pre-application meeting was held with the applicant. Staff advised the applicant of parking requirements for the P-R Zone and the need for handicapped parking to meet current code. Subsequent to this meeting and due to the proposed change in use from single family residential to office, staff determined additional assessment of the project was needed via a Site Development Plan Review.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not held for this type of application nor is one required.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.16 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	Office and Parking	R-4 (High Density Residential)
North	Parking	Mixed-Use	P-R (Professional Office and Parking)
South	Office	Commercial	R-4 (High Density Residential)

East	Office and Parking	Commercial	P-R (Professional Office and Parking)
West	Office and Parking	Mixed-Use	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

The proposal is located within the Downtown Overlay District. All structures within this district are exempted from the automatic application of the height limitation, required setbacks, lot width, and lot coverage requirements specified in Title 19 - Section 19.08.050 Commercial Development Standards. The following table references development standards for the P-R (Professional Office and Parking) Zone District in comparison to the proposed site development:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	NA	Y
Min. Lot Width	60	50 feet	Y*
Min. Setbacks			
• Front	20	20	Y
• Side	5	7	Y
• Corner	15	80	Y
• Rear	15	78	Y
Max. Lot Coverage	50 percent	17	Y
Max. Building Height	Lessor of 2 stories or 35 feet	1 story	Y
Trash Enclosure	1	1	Y

**Property is located in Downtown Overlay District and is exempt from minimum lot width requirements.*

ANALYSIS

The proposed project will allow for the conversion of an existing one story 1,215 square foot single-family residence to a law office. Existing vehicular access will be maintained via Gass Avenue, South Sixth Street, and a public alley.

The project is located within the Downtown Centennial Plan area which contains specific site planning, streetscape design, and transportation and parking standards. As such, a Site Development Plan Review (SDR-18788) will be considered concurrently with this rezone request. A 40-foot public Right-of-Way along Gass Avenue and South Sixth Street limit the projects ability to meet required landscape buffers. Waivers to perimeter landscape buffers and Downtown Centennial Plan Streetscape standards are included in the request.

The project structure was reviewed by Historic Resources Planning staff and was determined to not be ineligible for historic designation. Minor exterior modifications to repair the roof, repaint building walls, and replace windows are included in this proposal.

- **Zoning**

The project site is currently zoned as R-4 (High Density Residential). The request to rezone to P-R (Professional Office and Parking) would be compatible with the surrounding commercial and office and parking zones and this zone allows professional office uses.

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 P-R (Professional Office and Parking) Zone district is consistent with the Commercial land use designation of the General Plan.

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

The proposed P-R Zone is consistent with surrounding Limited commercial and Professional Office and Parking zones as well as existing office, parking, and mixed uses.

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

The intent of the Downtown Centennial Plan is focused on revitalization of the Urban Core. The proposed rezone will achieve the spirit and intent of this plan as the proposal will allow for the operation of professional office services upon an underutilized site.

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.”**

Existing neighborhood street capacity is adequate and the proposed rezone will not result in significant trip generation.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 295 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-17856** APN: 137-34-410-209
 Name of Property Owner: TOWANDA LLC
 Name of Applicant: REBECCA L. BURTON

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: Rebecca L. Burton ^{MANAGER} TOWANDA LLC

Print Name: REBECCA L. BURTON

Subscribed and sworn before me

This 30th day of Oct, 2006

Jane H. Chilcutt
 Notary Public in and for said County and State





A photograph of a metal plate with a ruler and a label. The ruler is placed horizontally above the plate, showing a scale from 0 to 10 cm. The plate is rectangular and has a label in the center that reads "Al.0". Above the label, there is a small rectangular area with text that is partially obscured but appears to include "Al.0" and "0.02 mm".

RUTAR

SUZANA RUTAR, Architect Ltd.,
A Professional Corporation

October 30, 2006

City of Las Vegas
Planning & Development
Current Planning Department
731 South Fourth Street
Las Vegas, Nevada 89101

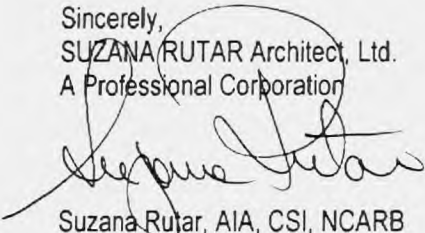
Re: Zone Change Application
Justification Letter
@ 801 South 6th Street
APN # 139-34-410-209

To Whom It May Concern:

This letter is a justification letter for the above referenced property. The above referenced .16 acre property is currently zoned R-4 with an existing single-family residence in place. The Owner, Rebecca Burton is in the process of remodeling the existing single-family residence into a 1215 s.f. Law Office. Although the existing residence has an existing Special Use Permit to operate as an office, the CLV Staff is recommending that the property be re-zoned to P-R prior to permitting the remodel. The parking required for an office use is 5 spaces and the site is accommodating/ providing 9 spaces.

Thank you for your consideration of this request. If you have any questions or if you require additional information, please call me at 263-6176.

Sincerely,
SUZANA RUTAR Architect, Ltd.
A Professional Corporation



Suzana Rutar, AIA, CSI, NCARB
Principal

1950 E. Warm Springs Road · Las Vegas, Nevada 89119
Phone: (702) 263-6176 · Fax: (702) 361-2582
Email: srutar@aol.com

ZON-17856
01/25/07 PC

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

CITY OF LAS VEGAS**ONE MOTION / ONE VOTE****Planning and Development Department****Current Planning Division****731 South Fourth Street****Las Vegas, Nevada 89101****(702) 229-6301 Phone (702) 385-7268 Fax****SUBJECT: ZON-17856 - APPLICANT: REBECCA BURTON - OWNER: TOWANDA, LLC**

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

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

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

A handwritten signature in cursive script that reads "Rebecca L. Burton".

Signature

1.22.07

Date

REBECCA L. BURTON

Please Print Name

TOWANDA LLC

Company Name

Sincerely,

Douglas J. Rankin, AICP
Current Planning Manager

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

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-17856

SDR-18788 - PUBLIC HEARING - APPLICANT: REBECCA BURTON - OWNER:
TOWANDA, LLC - Request for a Site Development Plan Review FOR THE CONVERSION
OF AN EXISTING SINGLE-FAMILY RESIDENCE TO AN OFFICE AND WAIVER OF
PERIMETER LANDSCAPE BUFFER WIDTHS AND DOWNTOWN STREETSCAPE
STANDARDS on 0.16 acres 801 South Sixth Street (APN 139-34-410-209), R-4 (High Density
Residential) Zone [PROPOSED: P-R (Professional Office and Parking) Zone], Ward 3 (Reese).
The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 01-25-07 Planning Commission Meeting Item 10

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

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

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
STEVEN D. ROSS; (Against-None); (Abstain-STEVE WOLFSON); (Did Not Vote-None);
(Excused-GARY REESE)NOTE: COUNCILMAN WOLFSON abstained, as the applicant is one of his tenants in his
office building.

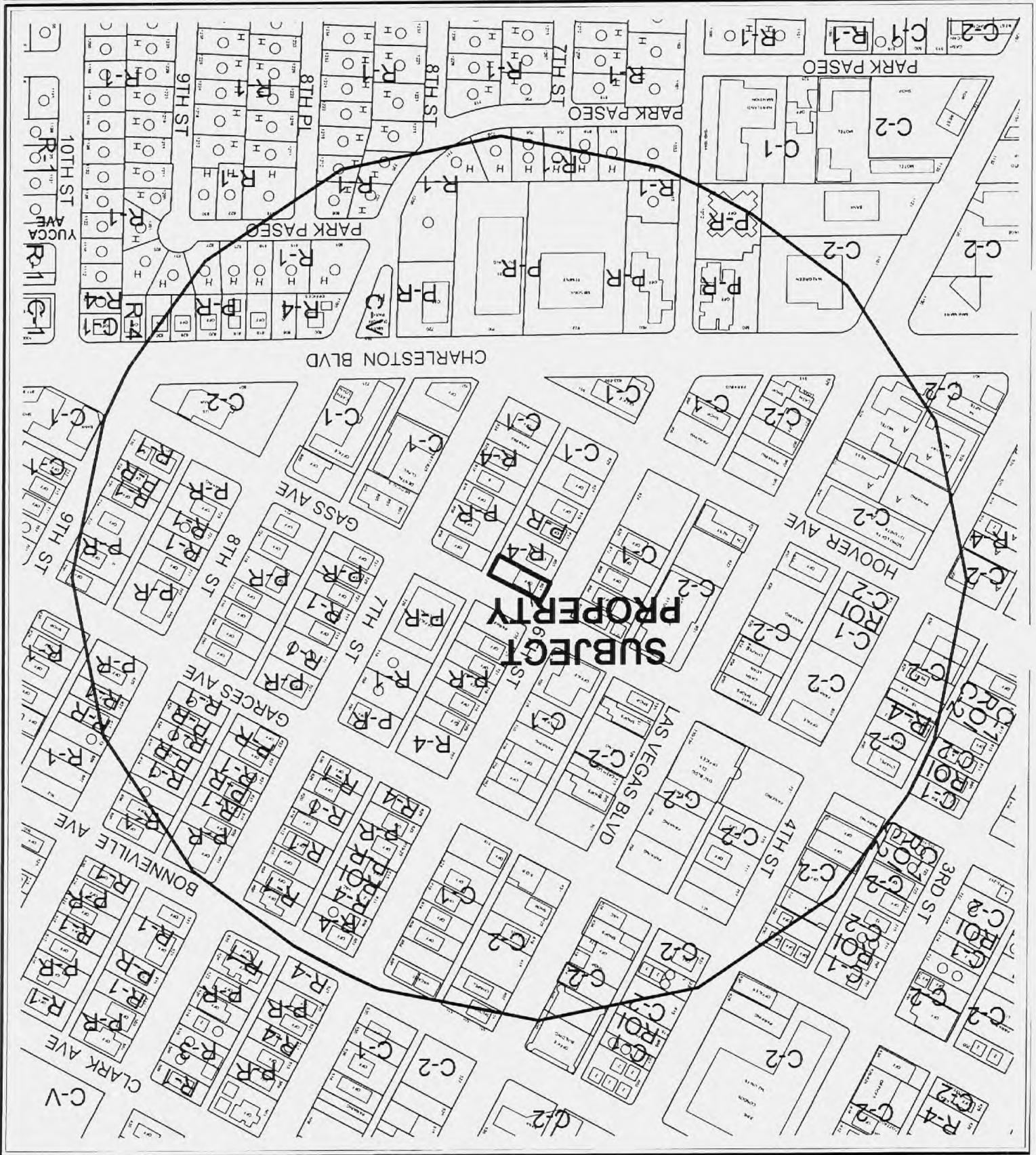
Minutes:

See Item 84 for related discussion.

P-R (PROFESSIONAL OFFICE AND PARKING)
PROPOSED ZONING OF SUBJECT PROPERTY:
R-4 (HIGH DENSITY RESIDENTIAL)
ZONING OF SUBJECT PROPERTY:

RADIUS: 1000 FT
CASE: SDR-18788

0 400 Feet





CASE: **SDR-18788**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-4 (HIGH DENSITY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

P-R (PROFESSIONAL OFFICE AND PARKING)

0 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-18788 - APPLICANT: REBECCA BURTON - OWNER: TOWANDA, LLC

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-17856) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan dated stamped 12/29/2006, and building elevations, date stamped 12/15/2006, except as amended by conditions herein.
4. Waiver from Title 19 – Section 19.12.040 perimeter landscape standards is hereby approved to allow a zero foot buffer where 8 feet is required along the southern property line (interior) adjacent to the parking area, and 6 foot buffer where 15 feet is required along the north side of structure along Gass Avenue.
5. A Waiver of Downtown Centennial Plan streetscape design standards to allow a zero foot landscape buffer where 8 feet is required along the parking area adjacent to Gass Avenue, no amenity zone where 5 feet is required along Gass Avenue, zero East/West shade trees, no decorative paving and lighting along South Sixth Street and Gass Avenue is hereby approved.
6. Existing turf areas shall be removed and replaced with xeriscape. Non-vegetative cover shall be installed in all landscaped areas and shall consist, without limitation, of rocks and small stones, crushed rock and bark, installed to a minimum depth of two inches in all areas.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.

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

Public Works

14. Site development to comply with all applicable conditions of approval for ZON-17856 and all other site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Site Development Plan Review (SDR) to allow for the conversion of an existing single-family residence to a law office on a 0.16 acre site located at 801 South Sixth Street, southeast corner of Gass Street and South 6th Street.

Two 40-foot Right-of-Ways (ROW) abut the project parcel along Gass Avenue and South Sixth Street. The ROW hinders the ability of the project to meet Title 19 Perimeter Landscape Buffer Widths and Downtown Centennial Plan Streetscape Standards. Therefore, a Waiver of perimeter landscape standards and Downtown Centennial Plan streetscape standards is requested. Public Works will require an Encroachment Maintenance and Removal Agreement for project landscaping within public ROW. Additionally, a companion request to rezone the property to P-R (Professional Office and Parking) from R-4 (High Density Residential) will be considered with this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/21/63	The Board of Zoning Adjustment considered and approved a request for Use Permit (U-0073-63) to allow a real estate office at the southeast corner of Gass Street and Sixth Street, R-4 (High Density Residential) Zone.
1993	The Board of Zoning Adjustment considered and approved a request for a Special Use Permit (U-0042-83) to allow Professional Offices on property located at 801 and 803 South 6th Street, where such use is not permitted, R-4 (High Density Residential) Zone.
01/25/07	The Planning Commission recommended approval of companion item ZON-17856 concurrently with this application.
	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #10/ja).
<i>Pre-Application Meeting</i>	
01/23/06	A Pre-application meeting was held with the applicant. Staff advised the applicant of parking requirements for the P-R Zone and the need for handicapped parking to meet current code. Subsequent to this meeting and due to the proposed change in use from single family residential to office, staff determined additional assessment of the project was needed via a Site Development Plan Review.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not held for this type of application nor is one required.	
<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.16 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	Office and Parking	R-4 (High Density Residential)
North	Parking	Mixed-Use	P-R (Professional Office and Parking)
South	Office	Commercial	R-4 (High Density Residential)
East	Office and Parking	Commercial	P-R (Professional Office and Parking)
West	Office and Parking	Mixed-Use	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

The proposal is located within the Downtown Overlay District. All structures within this district are exempted from the automatic application of the height limitation, required setbacks, lot width, and lot coverage requirements specified in Title 19 - Section 19.08.050 Commercial Development Standards. The following table references the development standards for the P-R (Professional Office and Parking) Zone District in comparison to the proposed site development:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	NA	Y
Min. Lot Width	60	50 feet	Y*
Min. Setbacks			
• Front	20	20	Y
• Side	5	7	Y
• Corner	15	80	Y
• Rear	15	78	Y
Max. Lot Coverage	50 percent	17 percent	Y
Max. Building Height	Lessor of 2 stories or 35 feet	1 story	Y
Trash Enclosure	1	1	Y

Property is located in Downtown Overlay District and is exempt from minimum lot width requirements.

In accordance with Title 19.12.040, the following Landscape Standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	• 1 Tree/20 linear feet (when adjacent to residential)	2 Trees	1 Tree	N*
	• 1 Tree/30 linear feet (when adjacent to any commercial or industrial use)	2 Trees	0 Trees	N
Buffer: Min. Trees	1 Tree/30 linear Feet	2 Trees	2	Y
TOTAL		6	2	N
Min. Zone Width	• 15 Feet along Right-of-Way • 8 Feet along parking areas facing public Right-of-Way • 8 Feet along interior property lines		• 20 Ft. front • 6 Feet side • 0 Feet (along parking area adjacent to Gass Street) • 0 Feet along interior property lines	Y N* N N
Wall Height	8 Feet		6-8 Feet	Y

* A Waiver of perimeter landscaping buffers required. Development Services Department - Development Coordination shall require an Encroachment maintenance and removal agreement for new landscaping within the public Right-of-Way.

The Downtown Centennial Plan Streetscape Standards apply to the project.

Streetscape Standards	Required	Provided	Compliance
Downtown Centennial Plan (Page 40)	Yes (5 foot amenity zones, decorative paving and lighting, 10 foot sidewalks, 8 foot parking lot landscape buffer, North/South Palm Trees, East/West shade trees, parking lot screen, tire stops)	Yes (North/South Palm Trees, parking screen, tire stops) No (most streetscape plan design elements will not be implemented)	No*

*Waiver of the Downtown Centennial Plan Streetscape Standards required.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area	Base Parking Requirement		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Professional	1,215 square feet	1 space per 300 square feet of g.f.a.	4	1	9	1	Y
TOTAL					9		Y

ANALYSIS

The project will involve minor exterior improvements to an existing one story house, resurfacing an existing parking lot, removal of existing turf, and installation of xeriscape, street trees, parking lot landscaping and screening. The project lies within the Downtown Centennial Planning area however an existing ROW along Gass Avenue and South Sixth Street limits the ability of the project to meet all Downtown Centennial Plan Streetscape and Title 19 Landscape standards.

- General Plan Land Use and Zoning**

The project site is designated for Commercial use in the General Plan. The surrounding land use includes mixed use as well as office and parking uses. The project site is currently zoned as R-4 (High Density Residential). A companion rezone request to P-R (Professional Office and Parking) shall be considered concurrently with this Site Development Plan Review. The P-R (Professional Office and Parking) Zone is consistent with the General Plan - Commercial land use category. The project parcel is bounded by Gass Avenue to the north, South Sixth Street to the west, a public alley to the east, and an existing office structure to the south.

- **Overlay Zone**

The proposal is situated within the Downtown Overlay District. All structures in this district are exempt from the automatic application of height limitations, required setbacks, lot width, and lot coverage requirements. However, the exemption does not prohibit the City Council from imposing similar or equivalent limitations in connection with the approval of a Site Development Plan in accordance with Section 19.06.060. Development in the P-R District involving the conversion of an existing residential structure may maintain the existing setbacks consistent with Title 19.08.050.

- **Neighborhood Plan**

The proposed project is located within the Downtown Centennial Plan (DCP) area, Downtown South subarea. The project is unable to meet the (DCP) streetscape standards for trees, and parking lot landscape setbacks. A Waiver of the perimeter landscape buffer requirements and DCP streetscape standards are included in this request.

- **Site Plan and Landscaping**

The project site plans show an existing 1,215 square foot one-story single family home and paved surface parking lot. The project site is partially covered with grass turf. Title 19 requires landscape buffers of 15 feet along public ROW, and 8 feet along interior property lines. Existing and unmaintained palm trees within a 3 foot landscape buffer parallel to Gass Avenue and situated within the public ROW will be removed and replanted with Chilean Mesquite trees and shrubs. Grass turf will also be removed and replaced with drought tolerant landscaping. Date Palm trees would be installed as streetscaping along the western property line fronting South Sixth Street. Parking lot landscape islands will be constructed in accordance with Title 19 and a 42-inch parking lot screen along the parking lot edge facing Gass Avenue in conformance with the DCP parking requirements. The North/South street on South Sixth Avenue will be planted with 2 Phoenix Date palm trees consistent with Downtown Las Vegas Streetscape design standards.

- **Parking**

As the intent of the Las Vegas Downtown Centennial Plan area focuses on pedestrian oriented development, the proposed project is not subject to the automatic application of parking requirements. Title 19 parking standards for office development require a minimum of 4 parking spaces. As proposed, the project site plan indicates 9 on-site parking spaces including one handicapped accessible space.

- **Historical Resources**

The existing single family house was constructed in 1932 but is not located within any designated historic area of the Downtown Centennial Plan. Additionally, planning staff reviewed the existing property and determined the structure to be ineligible for historic designation as it does not meet the following: (1) Does not meet the criteria for listing on the State or National Register of Historic Places, (2) Is not of exceptional significance nor expresses a distinctive character.

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 site improvements to the existing single-family residence structure will blend harmoniously with the surrounding office development.

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

The project conforms to the General Plan land use for Office. A Waiver of Title 19 perimeter landscape buffers and Downtown Centennial Plan Streetscape standards are requested.

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

Vehicular access to the project site is provided along Gass Avenue and a public alley south of Gass Avenue. No adverse affects to area traffic movements will result with this proposal.

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

The building exterior will be repainted and repaired as necessary while maintaining the existing architecture. Existing turf landscaping will be replanted with contemporary xeriscape landscaping in conformance with the Downtown Centennial Plan Streetscape and Title 19 Landscape standards.

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 exterior treatments to the existing structure will upgrade the project site and vicinity thereby resulting in a complementary building with surrounding development.

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

The project will not adversely affect human health and public safety.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

19

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 295 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-18788** APN: 139-34-410-209

Name of Property Owner: TOWANDA LLC

Name of Applicant: REBECCA L. BURTON

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: Rebecca L. Burton ^{MANAGER} TOWANDA LLC

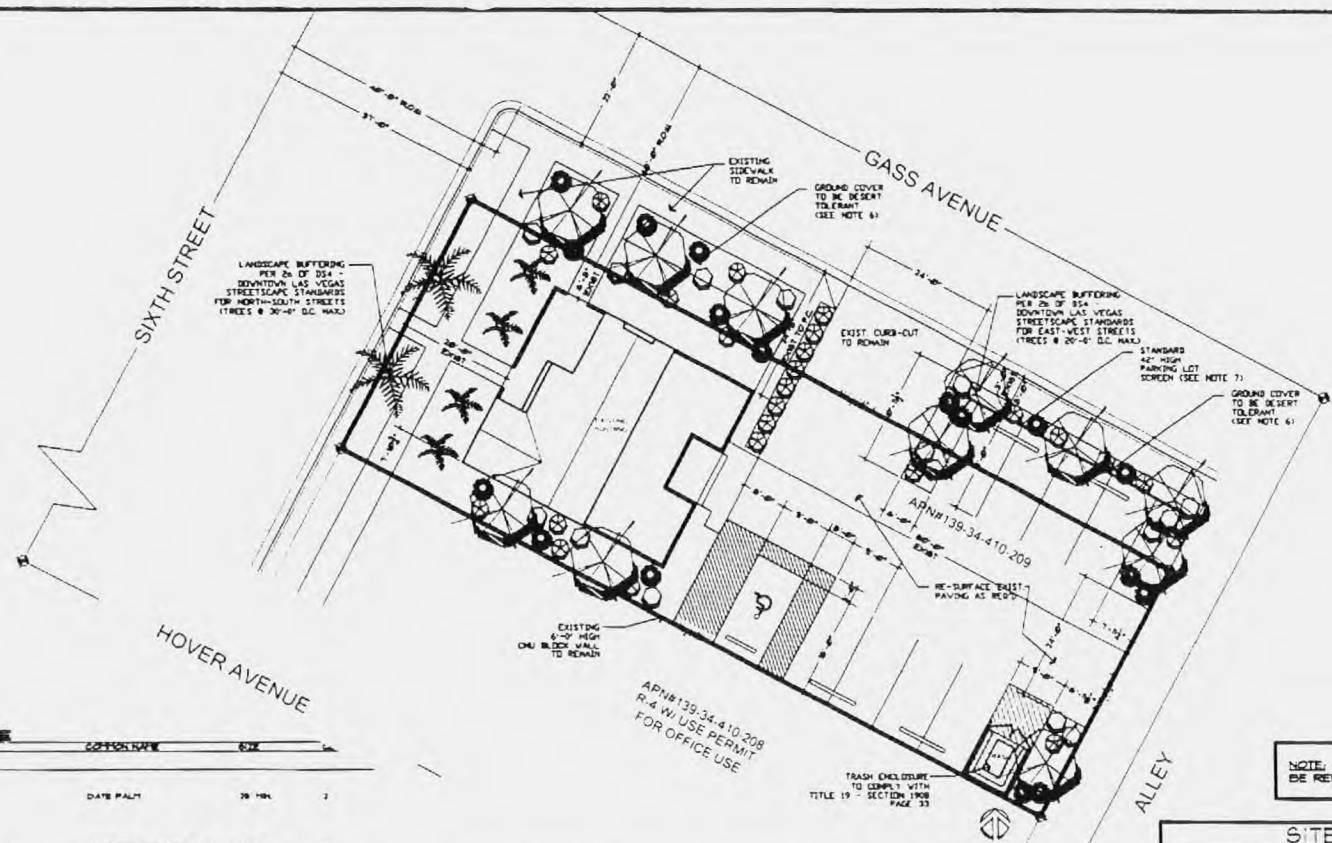
Print Name: REBECCA L. BURTON

Subscribed and sworn before me

This 15th day of Dec, 2006

Jane H. Chilcutt
Notary Public in and for said County and State





PLANT SCHEDULE

SYMBOL	DESCRIPTION	QUANTITY	SIZE
	DATE PALM	20	10"
	MEDITERRANEAN PALM	10	10"
	OLIVE TREE	10	10"
	JAPANESE PINK ORANGE	5	5"
	BALBO PALM	5	5"
	ARTIST BUSH	5	5"

GENERAL NOTES:

- CONTRACTOR IS RESPONSIBLE TO VERIFY ALL PLANT QUANTITIES. THE PLANT LIST IS INTENDED AS A REFERENCE ONLY.
- LANDSCAPE ARCHITECT IS TO APPROVE ALL PLANT MATERIAL PRIOR TO INSTALLATION WITH PRIOR NOTICE OF 48 HOURS.
- PLANT MATERIAL IS TO HAVE IDENTIFICATION TAGS ON 10% OF TOTAL QUANTITY OF EACH SPECIES SHOWING GENUS SPECIES AND VARIETY, ETC.
- PROVIDE MATCHING SIZES AND FORMS OF LIKE SHRUB SPECIES AS SHOWN ON DRAWINGS.
- DECOMPOSED GRANITE 1/2" FINISH COLOR "TAN PLAIN", 3" DEPTH TYPICAL IN ALL PLANTING BEDS. DECOMPOSED GRANITE TO CONTAIN 40% FINES AND 60% AGGREGATE. CONTRACTOR TO RECEIVE VERIFICATION OF THIS FROM THE SUPPLIER AND PRESENT VERIFICATION TO THE OWNER PRIOR TO ANY CONSTRUCTION.
- GROUND COVER IS REQUIRED AND SHALL INCLUDE A MINIMUM OF FOUR (4) BURLIPS OF FIVE (5) GALLON MINIMUM EACH PER EACH 24 INCH BOX AND 5 GALLON TREE PROVIDED. TURF MAY BE AN OPTION WHEN THE PLANTER HAS A FOURTEEN (14) FEET MINIMUM WIDTH. THIS OPTION DOES NOT REQUIRE ANY EVERGREEN BURLIPS.
- PARKING LOTS FACING PUBLIC STREETS, MAJOR PEDESTRIAN WALKWAYS, OR PLAZAS AND OPEN SPACE SHALL INCORPORATE A PARKING LOT SCREEN ALONG THE ENTIRE LENGTH OF VISUAL EXPOSURE. THE PARKING LOT SCREEN SHALL BE 40" HIGH, CENTERED ON PARKING STALL AND BE BLACK FOREST GREEN PAINT FINISH. SEE GRAPHIC 3 DETAIL IN THE LAS VEGAS DOWNTOWN CENTENNIAL PLAN (PAGE 84).

ARCHITECTURAL SITE / LANDSCAPING PLAN

SCALE: 1" = 10'



VICINITY MAP

NOTE: ALL EXISTING LANDSCAPING TO BE REPLACED PER SHOWN LANDSCAPING.

SITE ANALYSIS

SITE INFO:

APN: 139-34-410-209
SITE ADDRESS: 201 S. 6TH ST.

ZONED: R-4
EXISTING: P-R
REQUESTED: P-R

PROPERTY AREA: 6,970 SF (0.16 AC)
LOT COVERAGE: 17%

BUILDING AREA: 157 FLOOR: 1215 SF

PARKING INFO:

REQUIRED PARKING (1:300 SF.): 5 SPACES

PARKING PROVIDED: 3 SPACES
ADA ACCESSIBLE SPACES: 1 SPACE

RECEIVED

DEC 29 2006

SUZANA RUTAR Architect Ltd.
Architectural Design & Planning
1980 E. Farm Springs Road
Las Vegas, Nevada 89119
Tel: (702) 381-2082
Fax: (702) 381-2082

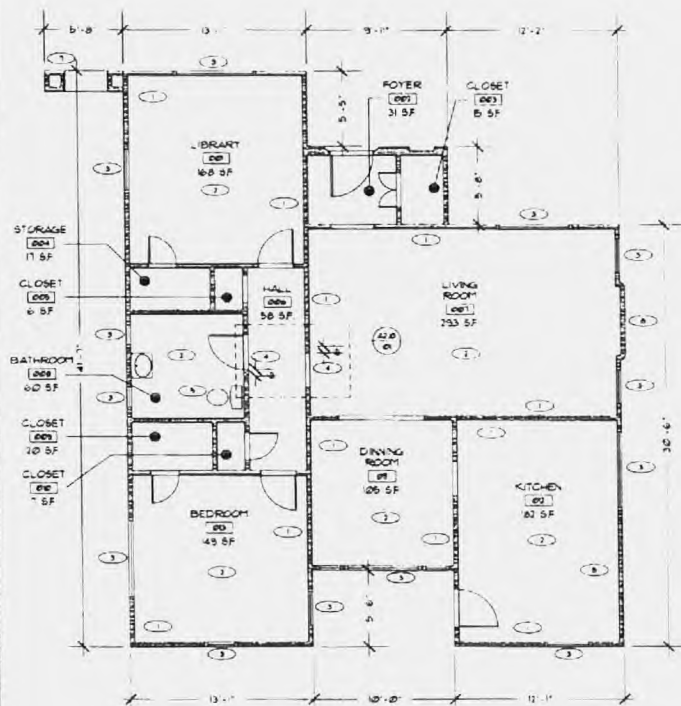
PRELIMINARY

BURTON LAW OFFICE
Suzanne Rutar, Esq.
Burton Law Office, P.C.
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Las Vegas, NV 89101
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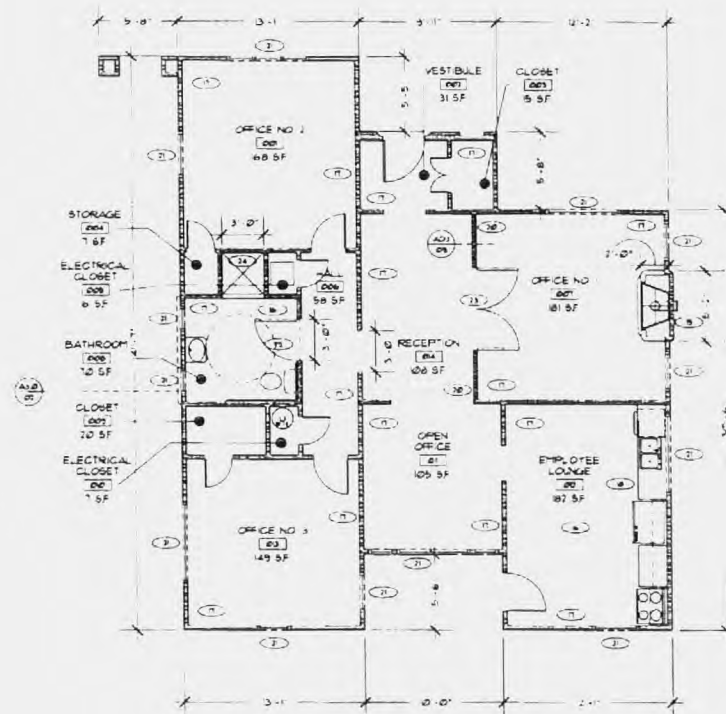
ARCHITECTURAL
SITE PLAN

AI.0

SDR-18788
REVISED
01/25/07 PC



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



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

CONSTRUCTION NOTES:

- (1) REMOVE ALL EXISTING INTERIOR GYPSUM BOARD LATH & PLASTER FROM EXISTING STUD WALLS/CEILINGS W/ RELATED INSULATION.
- (2) REMOVE ALL EXISTING ELEC FIXTURES, ANTIQUE WIRING & GLASS INSULATORS (TV) AND SERVICE PANEL POINT OF CONNECTION (PHONE, TV, ETC.).
- (3) REMOVE EXISTING GLAZING & FRAME.
- (4) REMOVE PORTION OF EXISTING WALLS.
- (5) REMOVE ALL EXISTING CABINETS & PLUMBING FIXTURES W/ RELATED PIPING.
- (6) REMOVE ALL EXISTING HVAC DUCTING AND HVAC EQUIPMENT.
- (7) REMOVE PORTIONS OF EXISTING CRACKED OR DAMAGED EXTERIOR STUCCO.
- (8) REMOVE EXISTING MASONRY (BRICK/CHIMNEY AND RELATED FIREPLACE ASSEMBLY).
- (9) ROOFING SUBCONTRACTOR TO INSPECT ROOF W/ DRAINER & VERIFY CONDITION OF EXISTING ROOFING & FLASHING & REMOVE AS REQUIRED.
- (10) INSTALL NEW HVAC DUCTWORK & RELATED HEAT PUMP/DIFFUSER/EQUIPMENT.
- (11) INSTALL NEW ELECTRICAL PANEL & CONDUIT WIRING FIXTURES PER ELECTRICAL DRAWINGS.
- (12) INSTALL NEW PLUMBING PIPING AND RELATED FIXTURES & SEE PLUMBING DRAWINGS.
- (13) INSTALL NEW ATTIC & WALL INSULATION (R-30 ATTIC R-13-19 WALLS).
- (14) INSTALL & PATCH EXISTING ROOFING AND FLASHING AS REQUIRED.
- (15) INSTALL NEW FIREPLACE AND 2X FRAMED BOX MATCH EXISTING INT FINISH & R/F "HEAT LATCH" OVER VIA NO. 4236 DIRECT VENT INSTALL PER PG. 3 REQ'S.
- (16) INSTALL NEW FINISH FLOORING.
- (17) INSTALL NEW 5/8" TYPE X GYPSUM BOARD INTERIOR WALL SHEATHING BULLHORN CORNER TRIM (1/2" GREEN BOARD) AT NEW WALL LOCATIONS.
- (18) INSTALL NEW CABINETS AND RELATED PLUMBING FIXTURES.
- (19) INSTALL NEW 3'0" X 6'0" DOOR & FRAME AT BATHROOM (1/2" PAIR OF 3 1/2" HINGES).
- (20) INSTALL NEW 3'0" HIGH 2X4 STUD PONY WALL AT LIVING RM.
- (21) INSTALL NEW WINDOW & FRAME PER PLAN & SEE ELEVATIONS.
- (22) PATCH & REPAIR STUCCO TO MATCH EXISTING ADJACENT FINISH.
- (23) INSTALL NEW 3'0" X 6'0" DOOR (DOUBLE DOOR) & FRAME (1/2" PAIR OF 3 1/2" HINGES EACH DOOR).
- (24)

WALL LEGEND:

- PORTION OF EXISTING WALL TO BE REMOVED
- NEW 3'-0" HIGH 2X4 STUD PONY WALL
- EXISTING 2X4 WALL - WALL TO RECEIVE NEW 1/2" MIN. DRYWALL

RECEIVED

A2.0

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Architecture, Design & Planning
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Tomball, Texas 77375
Telephone: 281-283-8174
Fax: 281-283-8175

BURTON LAW OFFICE
CONVERSION, REMODEL
80 SOUTH 6TH ST
REBECCA BURTON

NOTED FLOOR PLANS

SDR-18788
01/25/07 PC



WEST ELEVATION



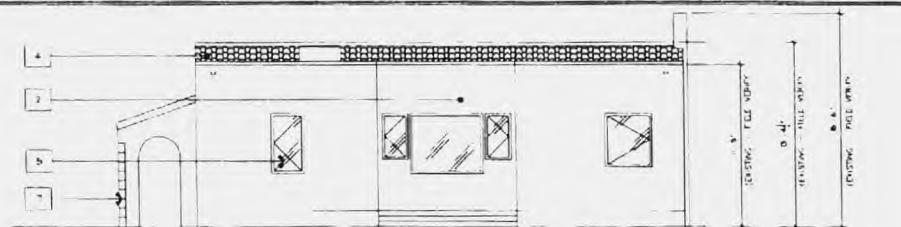
WEST ELEVATION



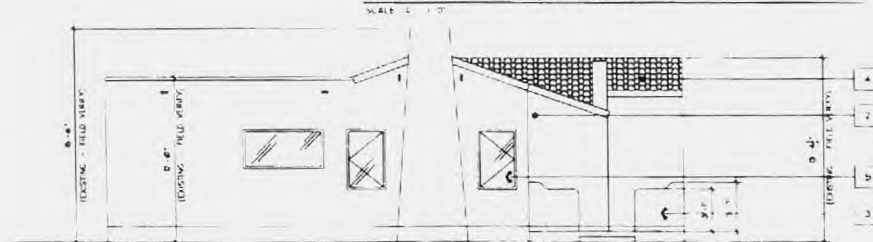
NORTH ELEVATION



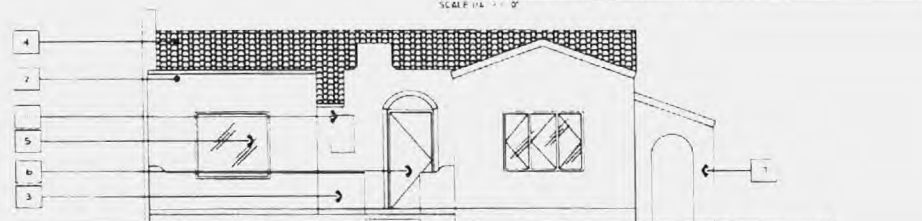
NORTHWEST VIEW



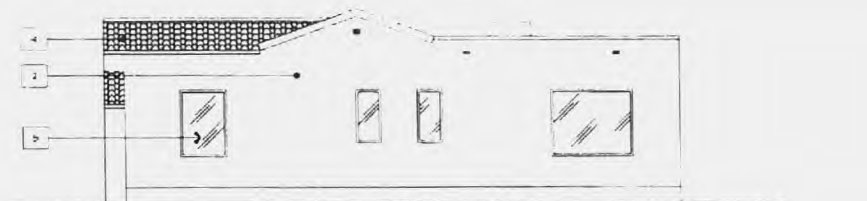
EAST ELEVATION (EXISTING)



NORTH ELEVATION (EXISTING)



WEST ELEVATION (EXISTING)



SOUTH ELEVATION (EXISTING)

KEYNOTES	
#	DESCRIPTION
1	REPAIR EXIST. ROOF
2	REPAIR EXIST. STUCCO AS REQUIRED - COLOR TO MATCH EXISTING
3	REPLACE EXISTING 3" X 6" HIGH EXTERIOR PATIO WALL - MATCH EXISTING DESIGN, MATERIALS & COLOR
4	EXIST. CONCRETE SPANISH TILE ROOF - REPAIR AS NEEDED
5	REPLACE EXISTING WINDOWS WITH NEW VINYL WINDOWS - COLOR OR FINISH TO MATCH EXISTING
6	REPLACE EXIST. DOOR WITH NEW DOOR - FINISH - COLOR/STAIN BY OWNER
7	EXISTING STUCCO ON WALL - REPAIR AS NEEDED - COLOR TO MATCH EXISTING

RECEIVED

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Fax: (702) 251-9176
A Professional Corporation

BURTON LAW OFFICE
CONVERSION
88 SOUTH 4TH ST.
REBECCA BURTON

EXISTING ELEVATIONS

A4.0

SDR-18788
01/25/07 PC



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01/25/07 PC DEC 15 2006



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SDR-18788
01/25/07 PC

SDR 18788				
Rebecca Burton				
SEC Gass & 6th				
Proposed 1.215 thousand square foot office conversion.				
Traffic produced by proposed development:				
Existing Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DWELL.]	1	9.57	10
AM Peak Hour			0.75	1
PM Peak Hour			1.01	1
(heaviest 60 minutes)				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	1.215	11.01	13
AM Peak Hour			1.55	2
PM Peak Hour			1.49	2
(heaviest 60 minutes)				
Net Change	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	1.215		4
AM Peak Hour				1
PM Peak Hour				1
(heaviest 60 minutes)				
Existing traffic on all nearby streets: counts not available for 3rd Street				
Gass Avenue				
Average Daily Traffic (ADT)	3,227			
PM Peak Hour	258			
(heaviest 60 minutes)				
4th Street				
Average Daily Traffic (ADT)	13,088			
PM Peak Hour	1047			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			

	Capacity			
Gass Avenue	15300			
4th Street	29400			
This project will add approximately 270 trips per day on Gass, 3rd and 4th. This will increase expected volumes by about 8 percent on Gass and about 2 percent on 4th. Gass is at about 21 percent of capacity and 4th is at about 45 percent of capacity.				
Based on Peak Hour use, this development will add roughly 24 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-17856 & SDR-18788 - APPLICANT: REBECCA BURTON - OWNER: TOWANDA LLC
801 SOUTH SIXTH STREET
JANUARY 25, 2007 PLANNING COMMISSION

11/22/06



ZON-17856 & SDR-18788 - APPLICANT: REBECCA BURTON - OWNER: TOWANDA LLC
801 SOUTH SIXTH STREET
JANUARY 25, 2007 PLANNING COMMISSION

11/22/06

RUTAR

SUZANA RUTAR, Architect Ltd.,
A Professional Corporation

December 15, 2006

City of Las Vegas
Planning & Development
Current Planning Department
731 South Fourth Street
Las Vegas, Nevada 89101

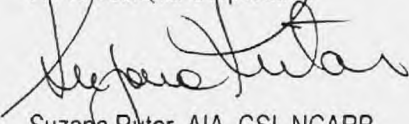
Re: Site Development Plan Review &
Waiver of Development Standards for Landscaping
Justification Letter
@ 801 South 6th Street
APN # 139-34-410-209

To Whom It May Concern:

This letter is a justification letter for the above referenced property. The above referenced .16 acre property is currently zoned R-4 with an existing single-family residence in place. The existing 1,215 s.f. residence has been used as an office under a use permit since 1963 (U-0073-63 & U-0042-83). Because the current Owner purchased the building after it was vacated and the existing office use permit was not extended, the office use of the property reverted back to the residential use. The Owner is at this time proposing to rehabilitate and remodel the existing residence into a law office. Because the existing use permits expired, the Staff required a Zone Change application, which was applied for in October of 2006 (ZON-17856). After reviewing the zone change application, the Staff requested that a Site Development Plan Review application be submitted, because the use of the property is being changed from residential to office use. The Applicant is therefore requested a Site Development Plan Review and also a Waiver of the Development Standards for Landscaping Buffer along a portion of Gass Avenue (next to the existing parking lot) and along a portion of the south property line (also next to the existing parking lot), because (1) the parking lot and the landscaping are existing and (2) if the required landscaping along these areas is provided per the current zoning ordinance requirements, the existing parking lot would become too narrow to allow for any on-site parking and therefore, the existing on-site parking would be eliminated.

Thank you for your consideration of this request. If you have any questions or if you require additional information, please call me at 263-6176.

Sincerely,
SUZANA RUTAR Architect, Ltd.
A Professional Corporation



Suzana Rutar, AIA, CSI, NCARB
Principal

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Email: srutar@aol.com

SDR-18788
01/25/07 PC

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

CITY OF LAS VEGAS**ONE MOTION / ONE VOTE****Planning and Development Department****Current Planning Division****731 South Fourth Street****Las Vegas, Nevada 89101****(702) 229-6301 Phone (702) 385-7268 Fax****SUBJECT: SDR-18788 - APPLICANT: REBECCA BURTON - OWNER: TOWANDA, LLC**

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

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

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

Rebecca L. Burton

Signature

1.22.07

Date

REBECCA L. BURTON

Please Print Name

TOWANDA LLC

Company Name

Sincerely,

Douglas J. Rankin, AICP
Current Planning Manager