

Agenda

City of Las Vegas

PLANNING COMMISSION MEETING

FEBRUARY 22, 2007

Council Chambers 400 Stewart Avenue

Phone 229-6301

TDD 386-9108

<http://www.lasvegasnevada.gov>

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Las Vegas City Council

Mayor Oscar B. Goodman

Mayor Pro-Tem Gary Reese, Ward 3

Councilman Larry Brown, Ward 4

Councilman Lawrence Weekly, Ward 5

Councilman Steve Wolfson, Ward 2

Councilwoman Lois Tarkanian, Ward 1

Councilman Steven D. Ross, Ward 6

City Manager, Douglas Selby

Commissioners

Leo Davenport, Chairperson

Byron Goynes, Vice-Chairperson

Richard Truesdell

Steven Evans

David W. Steinman

Glenn E. Trowbridge

Sam C. Dunnam

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE. UNLESS OTHERWISE STATED, ITEMS MAY BE TAKEN OUT OF THE ORDER PRESENTED AT THE DISCRETION OF THE CHAIRPERSON.

CALL TO ORDER: 6:00 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ROLL CALL:

ANNOUNCEMENT: Compliance with the Open Meeting Law

NOTICE: This meeting has been properly noticed and posted at the following locations:

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Clark County Government Center, 500 South Grand Central Parkway
Las Vegas Library, 833 Las Vegas Boulevard North
Grant Sawyer Building, 555 East Washington Avenue
Bulletin Board, City Hall Plaza (next to Metro Records)

MINUTES: Approval of the January 25, 2007 Planning Commission Meeting minutes by reference (___ vote)

ACTIONS: ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

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ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

PLANNING COMMISSION MEETING RULES OF CONDUCT:

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received; the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

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CONSENT ITEMS:

CONSENT ITEMS ARE CONSIDERED ROUTINE BY THE PLANNING COMMISSION AND MAY BE ENACTED BY ONE MOTION. HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COMMISSION MEMBER OR APPLICANT SO DESIRES.

1. TMP-18682 - TENTATIVE MAP - STONEWATER - APPLICANT/OWNER: RICHMOND AMERICAN HOMES OF NEVADA, INC. - Request for a Tentative Map FOR A PROPOSED 32-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 10.7 acres adjacent to the north side of Ann Road, approximately 290 feet east of Torrey Pines Drive (APNs 125-26-801-012 and 125-26-802-014), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre) Zone, Ward 6 (Ross).
2. TMP-19099 - TENTATIVE MAP - SANTA FE SHADOWS CONDOMINIUMS - APPLICANT/OWNER: SANTA FE 124, LLC - Request for a Tentative Map FOR THE CONVERSION OF A 124-UNIT CONDOMINIUM DEVELOPMENT on 6.0 acres at 1111 Warbonnet Way (APN 163-04-501-004), R-PD23 (Residential Planned Development - 23 Units Per Acre) Zone, Ward 1 (Tarkanian).
3. ANX-19110 - ANNEXATION - OWNER/APPLICANT: SPINNAKER HOMES IX, LLC - Petition to annex property located at the southwest corner of North Tenaya Way and Grand Teton Drive, containing approximately 36.57 acres (APN 125-15-101-003), Ward 6 (Ross).

ONE MOTION – ONE VOTE:

THE FOLLOWING ARE ITEMS THAT MAY BE CONSIDERED IN ONE MOTION/ONE VOTE. THEY ARE CONSIDERED ROUTINE NON-PUBLIC AND PUBLIC HEARING ITEMS THAT HAVE NO PROTESTS OR CONDITION CHANGES BY THE APPLICANT OR STAFF. ALL PUBLIC HEARINGS AND NON-PUBLIC HEARINGS WILL BE OPENED AT ONE TIME. ANY PERSON REPRESENTING AN APPLICATION OR A MEMBER OF THE PUBLIC OR A MEMBER OF THE PLANNING COMMISSION NOT IN AGREEMENT WITH THE CONDITIONS AND ALL STANDARD CONDITIONS FOR THE APPLICATION RECOMMENDED BY STAFF, SHOULD REQUEST TO HAVE THAT ITEM REMOVED FROM THIS PART OF THE AGENDA.

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4. **VAR-19019 - VARIANCE - PUBLIC HEARING - APPLICANT: NATIONAL HOMES CORPORATION - OWNER: NEVADA MANAGEMENT HOLDING COMPANY, LLC** - Request for a Variance TO ALLOW ZERO SQUARE FEET OF OPEN SPACE WHERE 15,137 SQUARE FEET IS REQUIRED FOR A PROPOSED 21-UNIT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 7.02 acres at the southwest corner of Torrey Pines Drive and Azure Drive (APNs 125-26-203-002, 003, and 004), R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre) Zone, Ward 6 (Ross).
5. **VAR-19046 - VARIANCE - PUBLIC HEARING - APPLICANT: PULTE HOMES - OWNER: PN II, INC.** - Request for a Variance TO ALLOW A 7.4-FOOT CORNER SIDE SETBACK WHERE 10 FEET WAS REQUIRED FOR AN APPROVED SINGLE FAMILY RESIDENTIAL DWELLING on 0.12 acres at 6505 Taylor Creek Avenue (APN 125-35-111-046), R-E (Residence Estates) Zone under Resolution of Intent to R-PD4 (Residential Planned Development - 4 Units Per Acre), Ward 6 (Ross).
6. **VAR-19117 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: K B HOME NEVADA** - Request for a Variance TO ALLOW SIDE YARD SETBACKS OF 5.77 FEET WHERE A 10-FOOT SETBACK IS REQUIRED FOR A PROPOSED SINGLE FAMILY DWELLING on 0.09 acres at 10707 Iona Island Avenue (APN 126-13-115-105) PD (Planned Development) Zone [ML (Medium-Low Density Residential) Cliff's Edge Special Land Use Designation], Ward 6 (Ross).
7. **SUP-19068 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ACELERO LEARNING - OWNER: LUZ MARIE SANCHEZ** - Request for a Special Use Permit FOR A CHILD CARE CENTER at 4301 Stewart Avenue (APN 140-31-602-009), R-E (Residence Estates) Zone, Ward 3 (Reese).
8. **SUP-19087 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ESSENCE OF THAI, INC. - OWNER: CARMELLA M. MAURO** - Request for a Special Use Permit FOR A BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN AN EXISTING RESTAURANT at 4105 West Sahara Avenue (APN 162-07-511-005), C-I (Limited Commercial) Zone, Ward I (Tarkanian).

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9. SUP-19121 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ADVANCE GROUP, INC. - OWNER: RESORT HOLDINGS 1, LLC - Request For A Special Use Permit FOR AN AUTO TITLE LOAN ESTABLISHMENT at 7460 West Cheyenne Avenue (APN 138-10-413-007), C-1 (Limited Commercial) Zone, Ward 4 (Brown).

10. SDR-19122 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: SCOTT ASHJIAN - Request for a Major Modification to an Approved Site Development Plan Review (SDR-5553) FOR A PROPOSED TWO-STORY, 4,364 SQUARE FOOT AUTO DETAIL FACILITY at 4485 North Rainbow Boulevard (APN 138-03-602-013), C-1 (Limited Commercial) Zone, Ward 4 (Brown).

11. VAC-19032 - VACATION - PUBLIC HEARING - OWNER/APPLICANT: PICERNE PROVIDENCE, LLC - Petition to vacate a 40-foot wide BLM right-of-way grant along the north side of Deer Springs Way commencing approximately 340 feet from the northwest corner of Hualapai Way and Deer Springs Way and a 33-foot wide portion of an U.S. Government Patent Easement generally located west of Hualapai Way and north of Deer Springs Way, Ward 6 (Ross).

- PUBLIC HEARING ITEMS:

12. ABEYANCE - ZON-17304 - REZONING - PUBLIC HEARING - APPLICANT: DAVID PAWL - OWNER: VP PROPERTIES, LLC, ET AL - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) AND C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL) on 2.67 acres at 2020 through 2022 West Bonanza Road and 719 Clarkway Drive (APNs 139-28-301-020 and 029), Ward 5 (Weekly).

13. ABEYANCE - SDR-18676 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-17304 - PUBLIC HEARING - APPLICANT/OWNER: V.P. PROPERTIES, LLC, ET AL - Request for a Site Development Plan Review FOR A LANDSCAPE MATERIAL/LUMBER YARD AND WAIVERS TO ALLOW A PERIMETER LANDSCAPE BUFFER TEN FEET IN WIDTH WHERE 15 FEET IS THE MINIMUM REQUIRED ADJACENT TO THE RIGHT-OF-WAY AND TO ALLOW A PERIMETER LANDSCAPE BUFFER ZERO FEET IN WIDTH WHERE EIGHT FEET IS THE MINIMUM REQUIRED ALONG A PORTION OF THE INTERIOR AND TO ALLOW NO SCREEN WALL WHERE AN EIGHT-FOOT SCREEN WALL IS THE MINIMUM REQUIRED FOR A PORTION OF THE EASTERN SIDE PROPERTY LINE on 2.67 acres at 2020 through 2022 West Bonanza Road and 715 Clarkway Drive (APNs 139-28-301-020 and 029), R-E (Residence Estates) and C-1 (Limited Commercial) Zones [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly).

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14. **ABEYANCE - VAR-18345 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: WAGNER HOMES, INC.** - Request for a Variance to ALLOW A 13.9 FOOT HIGH PERIMETER WALL WHERE 12 FEET IS THE MAXIMUM HEIGHT ALLOWED FOR AN APPROVED 57-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 0.36 acres adjacent to the southeast corner and southwest corner of Alexander Road and Campbell Road (APNs 138-08-116-020 and 021), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units Per Acre) Zone, Ward 4 (Brown).
15. **ABEYANCE - VAR-18984 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SPANISH VILLAS AT SAHARA, LLC** - Request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED on 7.68 acres at 3100-3190 West Sahara Avenue (APN 162-05-403-001 through 003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).
16. **ABEYANCE - RENOTIFICATION - SDR-18693 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-18984 - PUBLIC HEARING - APPLICANT/OWNER: SPANISH VILLAS AT SAHARA, LLC** - Request for a Site Development Plan Review FOR A FOUR-STORY, 42,000 SQUARE-FOOT OFFICE BUILDING, WITH A 2,450 SQUARE-FOOT RESTAURANT WITH DRIVE-THROUGH, A 14,550 SQUARE-FOOT GENERAL RETAIL ESTABLISHMENT WITH DRIVE-THROUGH AND A WAIVERS TO ALLOW PERIMETER LANDSCAPE BUFFER WIDTHS OF FIVE FEET ALONG THE EAST PROPERTY LINE; TWO FEET ALONG THE SOUTH PROPERTY LINE; SIX FEET ALONG THE WEST PROPERTY LINE WHERE 15 FEET IS THE MINIMUM REQUIRED AND TO ALLOW INTERIOR LANDSCAPE BUFFER WIDTH OF SIX FEET WHERE EIGHT FEET IS THE MINIMUM REQUIRED ALONG THE NORTH PROPERTY LINE on 7.68 acres at 3100-3190 West Sahara Avenue (APNs 162-05-403-001 through 003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).
17. **ABEYANCE - WVR-18085 - WAIVER - PUBLIC HEARING - APPLICANT/OWNER: JOSE LOPEZ** - Request for a Waiver to Title 18.12.160 TO ALLOW 180 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED at the southeast corner of Maverick Street and Jo Marcy Drive (APN 125-14-506-001), R-E (Residence Estates) Zone, Ward 6 (Ross).
18. **ABEYANCE - SUP-18084 - SPECIAL USE PERMIT RELATED TO WVR-18085 - PUBLIC HEARING - APPLICANT/OWNER: JOSE LOPEZ** - Request for a Special Use Permit FOR PRIVATE STREETS at the southeast corner of Maverick Street and Jo Marcy Drive (APN 125-14-506-001), R-E (Residence Estates) Zone, Ward 6 (Ross).

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19. **MOD-19114 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT/OWNER: CLIFF'S EDGE, LLC** - Request for a Major Modification TO REVISE THE CLIFF'S EDGE MASTER DEVELOPMENT PLAN AND DESIGN GUIDELINES TO CLARIFY CERTAIN SETBACK, LANDSCAPE, DESIGN, WALL, ARCHITECTURAL PROJECTION SEPARATION AND BALCONY SEPARATION STANDARDS; TO ALLOW THREE STORY SINGLE FAMILY DWELLINGS WITH A MAXIMUM HEIGHT OF 38 FEET AND TO ADD A SIGN STANDARD SECTION, (APN Multiple), PD (Planned Development) Zone, Ward 6 (Ross).
20. **ZON-18208 - REZONING - PUBLIC HEARING - APPLICANT: FLETCHER JONES MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST** - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-2 (GENERAL COMMERCIAL) on a one-acre portion of 9.34 acres at 400 South Decatur Boulevard (APN 138-36-601-002), Ward 1 (Tarkanian).
21. **VAR-18210 - VARIANCE RELATED TO ZON-18208 - PUBLIC HEARING - APPLICANT: FLETCHER JONES MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST** - Request for a Variance TO ALLOW 509 PARKING SPACES WHERE 783 SPACES ARE REQUIRED on 9.34 acres at 400 South Decatur Boulevard (APN 138-36-601-002), R-1 (Single Family Residential) Zone and C-2 (General Commercial) Zone [PROPOSED: C-2 (General Commercial)], Ward 1 (Tarkanian).
22. **SUP-19129 - SPECIAL USE PERMIT RELATED TO ZON-18208 AND VAR-18210 - PUBLIC HEARING - APPLICANT: FLETCHER JONES MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST** - Request for a Special Use Permit FOR A PROPOSED AUTO PAINT & BODY REPAIR SHOP WITH A WAIVER TO ALLOW SERVICE BAYS TO FACE PUBLIC RIGHT-OF WAY at 400 South Decatur Boulevard (APN 138-36-601-002), C-2 (General Commercial) Zone and R-1 (Single Family Residential) Zone [PROPOSED: C-2 (General Commercial)], Ward 1 (Tarkanian).

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23. **SDR-18206 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-18208 AND SUP-19129 - PUBLIC HEARING - APPLICANT: FLETCHER JONES MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST** - Request for a Site Development Plan Review for a 123,669 SQUARE FOOT EXPANSION OF AN EXISTING AUTOMOBILE SERVICE FACILITY WITH WAIVERS OF THE PERIMETER LANDSCAPING REQUIREMENT TO ALLOW NO LANDSCAPING ALONG THE EAST PROPERTY LINE AND ALONG A PORTION OF THE SOUTH PROPERTY LINE WHERE AN EIGHT FOOT WIDE BUFFER IS REQUIRED; TO ALLOW A FIVE FOOT WIDE BUFFER ALONG A PORTION OF THE SOUTH PROPERTY LINE WHERE EIGHT FEET IS REQUIRED; TO ALLOW A SIX FOOT WIDE BUFFER ALONG THE WEST PROPERTY LINE WHERE EIGHT FEET IS REQUIRED; AND TO ALLOW A ONE FOOT WIDE BUFFER ALONG THE NORTH PROPERTY LINE WHERE 15 FEET IS REQUIRED ADJACENT TO A PUBLIC RIGHT OF WAY on 9.34 acres at 400 South Decatur Boulevard (APN 138-36-601-002), R-1 (Single Family Residential) Zone and C-2 (General Commercial) Zone [PROPOSED: C-2 (General Commercial)], Ward 1 (Tarkanian).
24. **ZON-19070 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: ALL STAR AUTOMOTIVE, INC.** - Request for a Rezoning FROM: C-2 (GENERAL COMMERCIAL) TO: C-M (COMMERCIAL/INDUSTRIAL) on 1.09 acres at 2027-2041 West Bonanza Road (APNs 139-28-401-029 and 031), Ward 5 (Weekly).
25. **VAR-18625 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: LE FERIA, LLC** - Request for a Variance TO ALLOW 39 PARKING SPACES WHERE 95 PARKING SPACES ARE THE MINIMUM REQUIRED on 2.33 acres at 3851 Pennwood Avenue (APNs 162-07-702-002 and 003), M (Industrial) Zone, Ward 1 (Tarkanian).
26. **SDR-19214 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-18625 - PUBLIC HEARING - APPLICANT/OWNER: Le FERIA, LLC** - Request for a Site Development Plan Review FOR AN EXISTING OFFICE, RETAIL AND MINI-STORAGE FACILITY DEVELOPMENT AND A WAIVER TO ALLOW A LANDSCAPE BUFFER WIDTH OF ZERO FEET WHERE 15 FEET IS THE MINIMUM REQUIRED ALONG THE RIGHT-OF-WAY on 2.33 acres at 3851 Pennwood Avenue (APNs 162-07-702-002 and 003), M (Industrial) Zone, Ward 1 (Tarkanian).

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27. **VAR-18090 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: FAIRFIELD HUALAPAI, LLC** - Request for a Variance of the CLIFF'S EDGE MASTER DEVELOPMENT PLAN AND DESIGN GUIDELINES SECTION 3.2.1 TO ALLOW A BALCONY TO BALCONY SEPARATION OF 24 FEET WHERE 30 FEET IS REQUIRED AND TO ALLOW A SETBACK OF TWO FEET FROM A LIVING AREA, PORCH, STOOP, AND SIDEWALK WHERE TEN FEET IS REQUIRED on a portion of 15.69 acres at the southwest corner of Hualapai Way and Elkhorn Road (APN 126-24-510-003), PD (Planned Development) Zone [VC (Village Commercial) Cliff's Edge Special Land Use Designation], Ward 6 (Ross).
28. **SDR-18031 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-18090 - PUBLIC HEARING - APPLICANT/OWNER: FAIRFIELD HUALAPAI, LLC** - Request for a Site Development Plan Review FOR A CLIFF'S EDGE MIXED-USE DEVELOPMENT CONSISTING OF 218 PROPOSED CONDOMINIUM UNITS AND A THREE BUILDING, 32,400 SQUARE-FOOT RETAIL DEVELOPMENT on 15.69 acres at the southwest corner of Hualapai Way and Elkhorn Road (APN 126-24-510-003), PD (Planned Development) Zone [VC (Village Commercial) Cliff's Edge Special Land Use Designation], Ward 6 (Ross).
29. **VAR-19098 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: KRYFAM, LP** - Request for a Variance TO ALLOW 74 PARKING SPACES WHERE 87 SPACES ARE REQUIRED on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive (APN 125-27-410-004), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross).
30. **VAR-19447 - VARIANCE RELATED TO VAR-19098 - PUBLIC HEARING - APPLICANT/OWNER: KRYFAM, LP** - Request for a Variance TO ALLOW A FOUR-STORY HOTEL WHERE TWO STORIES ARE THE MAXIMUM PERMITTED on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive (APN 125-27-410-004), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross).
31. **SUP-19100 - SPECIAL USE PERMIT RELATED TO VAR-19098 AND VAR-19447 - PUBLIC HEARING - APPLICANT/OWNER: KRYFAM, LP** - Request for a Special Use Permit FOR A HOTEL WITH A WAIVER TO ALLOW A DISTANCE SEPARATION OF 80 FEET FROM A RESIDENTIAL USE WHERE 330 FEET IS THE MINIMUM REQUIRED at the southwest corner of Tenaya Way and Sky Pointe Drive (APN 125-27-410-004), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross).

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32. SDR-19097 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-19098, VAR-19447 AND SUP-19100 - PUBLIC HEARING - APPLICANT/OWNER: KRYFAM, LP - Request for a Site Development Plan Review FOR A FOUR-STORY, 50,478 SQUARE FOOT HOTEL WITH A WAIVER TO ALLOW PERIMETER LANDSCAPE BUFFER WIDTH OF 14 FEET FOR A THREE FOOT SECTION WHERE 15 FEET IS THE MINIMUM REQUIRED on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive (APN 125-27-410-004), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross).
33. VAR-19101 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: LUCAS HOLDINGS, LLC AND SHAWNA REALTY, LLC - Request for a Variance TO ALLOW A PROPOSED EIGHT-FOOT HIGH BLOCK WALL WITH NINE-FOOT HIGH PILASTERS IN THE FRONT YARD AREAS WHERE FIVE FEET IS THE MAXIMUM HEIGHT ALLOWED AND TO ALLOW A PORTION OF THE TOP THREE FEET TO BE SOLID WHERE THE TOP THREE FEET IS REQUIRED TO BE OPEN on 2.9 acres at 8112 and 8144 Via Olivero Avenue (APNs 163-04-801-006 and 007), R-E (Residence Estates) Zone, Ward 2 (Wolfson).
34. VAR-19297 - VARIANCE - PUBLIC HEARING - APPLICANT: AMERICAN CHILD CARE PROPERTIES, LLC - OWNER: DAVIDSON INVESTMENT REAL ESTATE, LP - Request for a Variance TO ALLOW A PROPOSED BUILDING 11 FEET FROM THE REAR PROPERTY LINE WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED on 1.45 acres at the southwest corner of Bonanza Road and Page Street (APN 140-32-101-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese).
35. SDR-19116 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-19297 - PUBLIC HEARING - APPLICANT: AMERICAN CHILD CARE PROPERTIES, LLC - OWNER: DAVIDSON INVESTMENT REAL ESTATE, LP - Request for a Site Development Plan Review FOR A ONE-STORY, 15,119 SQUARE FOOT CHILD CARE CENTER on 1.45 acres at the southwest corner of Bonanza Road and Page Street (APN 140-32-101-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese).
36. SUP-19105 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: 1 HOUR BAIL BONDS - OWNER: LEWIS CENTER PARKING, LLC - Request for a Special Use Permit FOR A BAIL BOND SERVICE at 321 South Casino Center Boulevard (APN 139-34-201-020), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

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DIRECTOR'S BUSINESS:

37. **TXT-8744 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Discussion and possible action to amend Title 19.06 to add a new section 19.06.170 to provide for development standards on hillsides with slopes greater than 15 percent and to add definitions to section 19.20.

CITIZENS PARTICIPATION:

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

Facilities are provided throughout City Hall for the convenience of disabled persons. Special equipment for the hearing impaired is available for use at meetings. If you need an accommodation to attend and participate in this meeting, please call the DEPARTMENT DESIGNEE at (702) 229-6301 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is (702) 386-9108.

AFFIDAVIT OF POSTING

(Posting required under the provision of NRS 241, Sec. 1.3 and 1.5)

State of Nevada)
)
County of Clark))
)
City of Las Vegas)

I ED OAKLEY, an employee of the Planning and Development Department of the City of Las Vegas, being first duly sworn, deposes and says that on the day of February 15, 2007, at the hour of 3:00 p.m., there were posted copies of the February 22, 2007 Planning Commission Agenda, the attached of which is a true and correct copy, at the following locations:

1. In the Clark County Government Center
500 South Grand Central Parkway
2. In the Grant Sawyer Building
555 East Washington Avenue
(Go in through the main entrance. Straight ahead is the security desk. Ask one of the guards to unlock the bulletin board so that you may post the agenda.)
3. In the Las Vegas Library
833 Las Vegas Boulevard North
(Go through the double doors. To the right of the desk is the bulletin board. I am told that they keep it very neat. Take some extra pushpins as they may not have any).
4. City Clerk's Bulletin Board
400 Stewart Avenue, 2nd Floor Skybridge
(in the walkway area next to the entrance of the Human Resources Department. See City Clerk for key)
5. On the Public Bulletin Board at the Plaza Level to the City Hall
400 Stewart Avenue
(Near the entrance to the Court Clerk's Office)

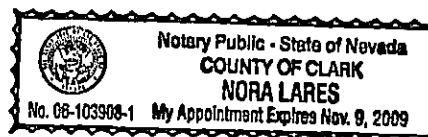
Ed Oakley
(Signature)

Planning and Development Department

Subscribed and sworn to before me

This 15th day of February, 2007.

Nora Lares
Notary Public in and for said County and State



AFFIDAVIT OF MAILING

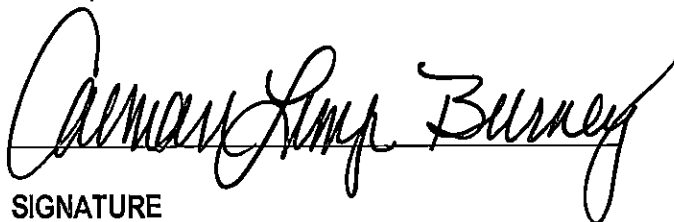
(Mailing required under the provisions of NRS Chapter 241)

STATE OF NEVADA)

) ss

COUNTY OF CLARK)

I Carman Livingston Burney, an employee of the Planning and Development Department of the City of Las Vegas, being first duly sworn, deposes and says that on the day of February 15, 2007, a copy of the February 22, 2007 Planning Commission Agenda, the attached of which is a true and correct copy, was mailed electronically and/or deposited in the United States Mail, Postage prepaid, First Class Mail, to each person and/or organization whose name appears on the list maintained in the Department of Planning and Development, Current Planning Division.

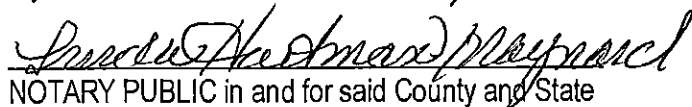


SIGNATURE

Planning and Development Department

Subscribed and sworn to before me this

16TH day of FEBRUARY, 2007



NOTARY PUBLIC in and for said County and State





PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by CHAIRMAN DAVENPORT.

CALL TO ORDER: 6:01 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: CHAIRMAN LEO DAVENPORT, MEMBERS BYRON GOYNES, RICHARD TRUESDELL, STEVEN EVANS, GLENN TROWBRIDGE AND SAM DUNNAM

EXCUSED: MEMBER DAVID STEINMAN

STAFF PRESENT: MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., FLINN FAGG – PLANNING & DEVELOPMENT DEPT., ANDY REED – PLANNING & DEVELOPMENT DEPT., BART ANDERSON – PUBLIC WORKS, VICTOR BOLANOS – PUBLIC WORKS, JAMES LEWIS – CITY ATTORNEY'S OFFICE, YDOLEENA YTURRALDE – CITY CLERK'S OFFICE, CARMEL VIADO – CITY CLERK'S OFFICE

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

SUBJECT:

Approval of the minutes of the January 25, 2007 Planning Commission Meeting

MOTION:

GOYNES - APPROVED – UNANIMOUS with STEINMAN excused

MINUTES:

There was no discussion.

(6:02)

1- 45

MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 3 [ANX-19110] to 3/8/2007; Item 15 [VAR-18984] and Item 16 [SDR-18693] to 3/22/2007; and TABLE Item 12 [ZON-17304] and Item 13 [SDR-18676] – UNANIMOUS with STEINMAN excused

MINUTES:

ANDY REED, Planning Supervisor, stated that the applicants for the following items requested the items be held in abeyance or tabled. Letters are on file for each of the requests.

Item 3 [ANX-19100]	Abeyance to the 3/8/2007 Planning Commission Meeting
Item 12 [ZON-17304]	TABLED
Item 13 [SDR-18676]	TABLED
Item 15 [VAR-18984]	Abeyance to 3/22/2007 Planning Commission Meeting
Item 16 [SDR-18693]	Abeyance to 3/22/2007 Planning Commission Meeting

The applicant of Item 3 [ANX-19110] requested an abeyance to 3/8/2007 to allow time to complete a final map.

Item 12 [ZON-17304] and Item 13 [SDR-18676] were requested to be tabled as the applicant is revising the site plan.

The applicant of Item 15 [VAR-18984] and Item 16 [SDR-18693] requested both matters be abeyed until 3/22/2007.

(6:02 -- 6:04)

1-63



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

CHAIRMAN DAVENPORT announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

CHAIRMAN DAVENPORT read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDA ITEM.



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

CHAIRMAN DAVENPORT noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

TMP-18682 - TENTATIVE MAP - STONEWATER - APPLICANT/OWNER: RICHMOND AMERICAN HOMES OF NEVADA, INC. - Request for a Tentative Map FOR A PROPOSED 32-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 10.7 acres adjacent to the north side of Ann Road, approximately 290 feet east of Torrey Pines Drive (APNs 125-26-801-012 and 125-26-802-014), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre) Zone, Ward 6 (Ross).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions Item 1 [TMP-18682] and Item 2 [TMP-19099] – **UNANIMOUS** with **STEINMAN** excused

This is Final Action

MINUTES:

There was no discussion.

(6:04 – 6:06)

1-115

PLANNING COMMISSION MEETING OF FEBRUARY 22, 2007
Department of Planning and Development
Item 1 – TMP-18682

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-17698), and Rezone (ZON-17697).
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. 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.
5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

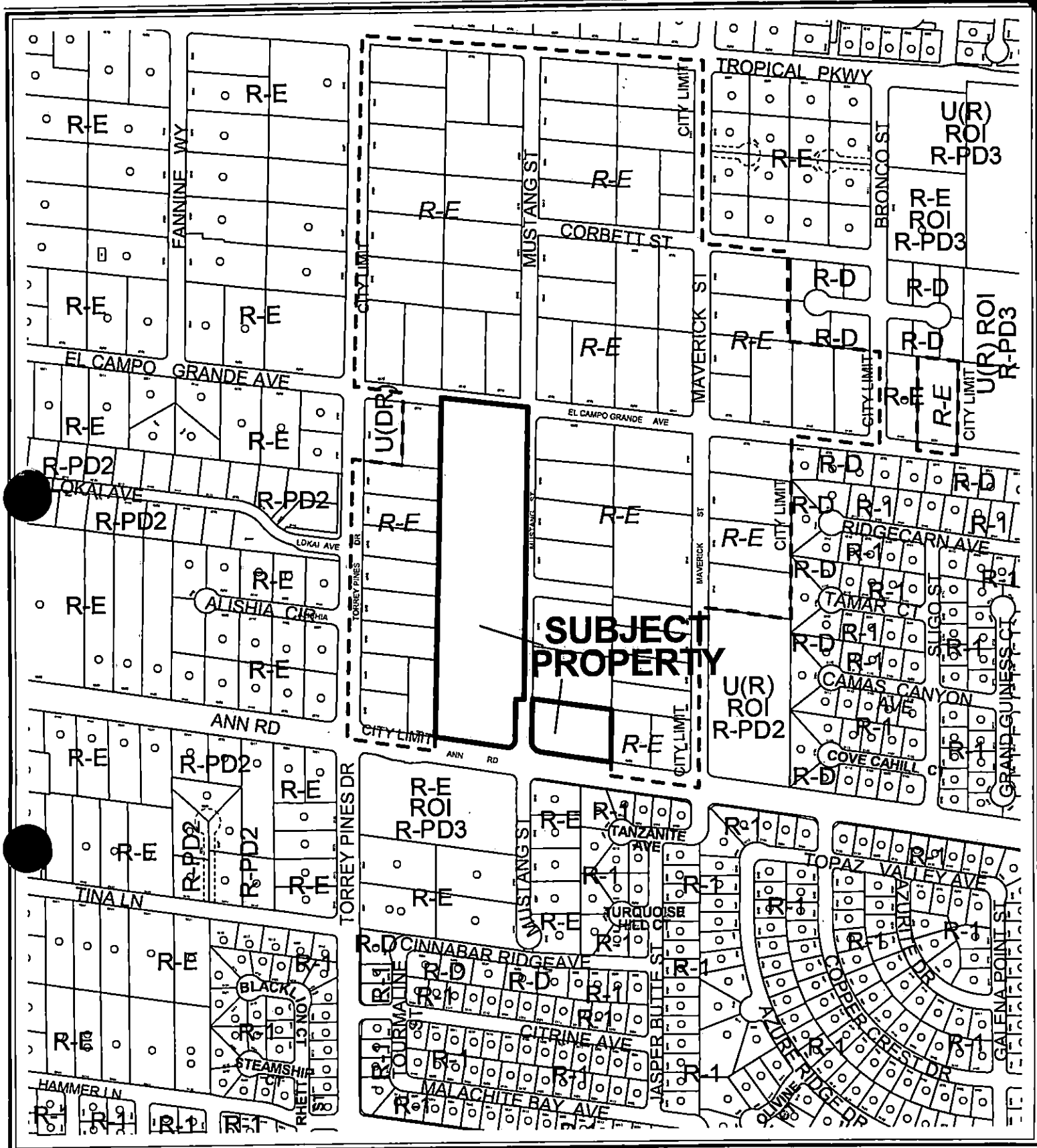
7. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be

PLANNING COMMISSION MEETING OF FEBRUARY 22, 2007
Department of Planning and Development
Item 1 – TMP-18682

CONDITIONS – Continued

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.

8. Private streets and private drives must be granted on the Final Map as public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowners' Association.
9. Site development to comply with all applicable conditions of approval for ZON-17697, SDR-17698, and WVR-5331, and all other subsequent site-related actions.
10. The approval of all Public Works related improvements shown on this Tentative Map 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 approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.



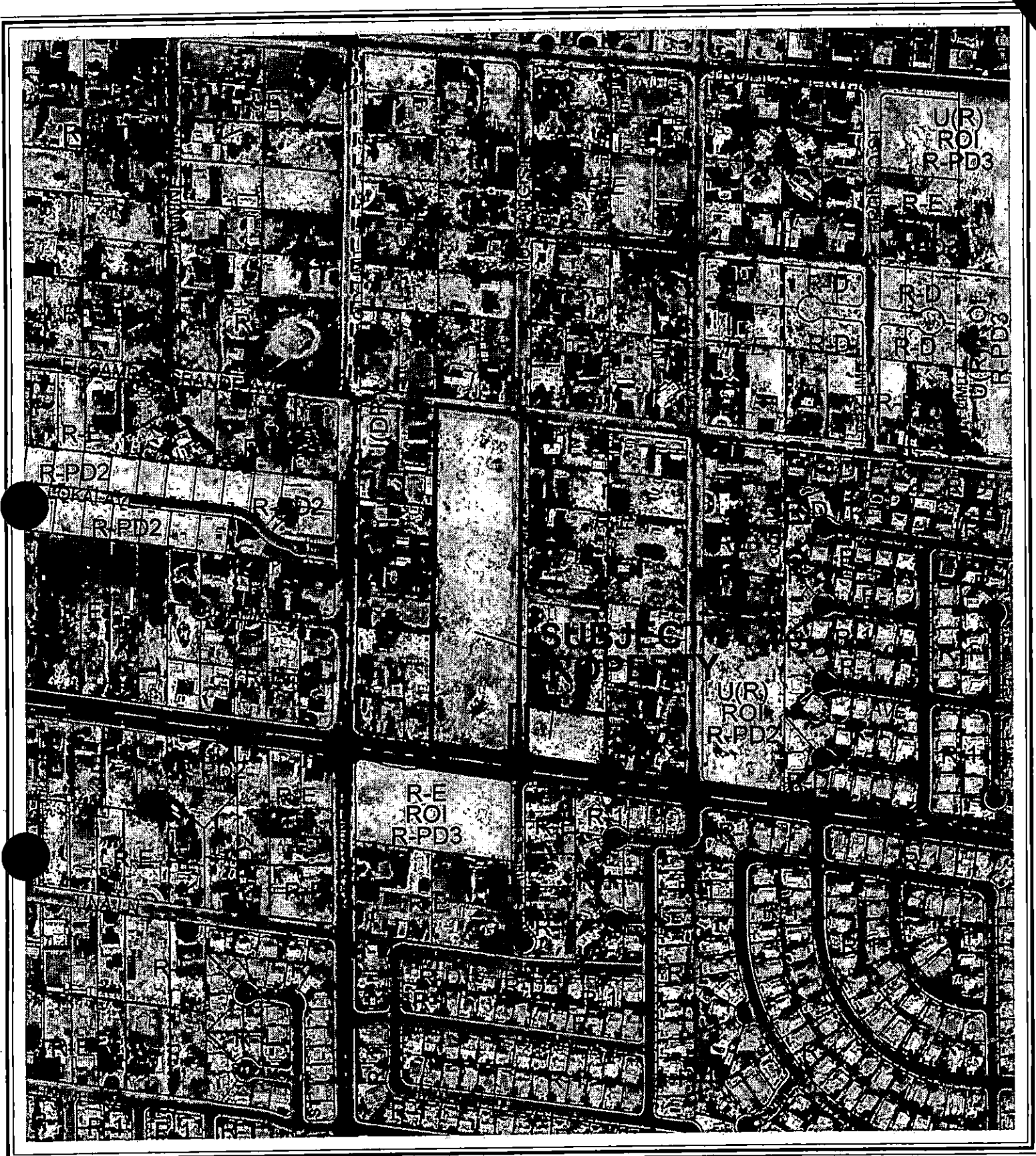
CASE: **TMP-18682**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) LAND USE DESIGNATION]
 UNDER RESOLUTION OF INTENT TO R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT -
 THREE UNITS PER ACRE)





0 300 600 Feet

CASE: **TMP-18682**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [R (RURAL DENSITY RESIDENTIAL) LAND USE DESIGNATION]
UNDER RESOLUTION OF INTENT TO R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT -
THREE UNITS PER ACRE)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 22, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: TMP-18682 - STONEWATER - APPLICANT/OWNER:
RICHMOND AMERICAN HOMES OF NEVADA, INC.**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-17698), and Rezone (ZON-17697).
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. 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.
5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.

TMP-18682 - Conditions Page Two
February 22, 2007 - Planning Commission Meeting

6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
8. Private streets and private drives must be granted on the Final Map as public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowners' Association.
9. Site development to comply with all applicable conditions of approval for ZON-17697, SDR-17698, and WVR-5331, and all other subsequent site-related actions.
10. The approval of all Public Works related improvements shown on this Tentative Map 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 approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

TMP-18682 - Staff Report Page One
February 22, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Tentative Map for a proposed 32-lot single-family residential subdivision on 10.7 acres adjacent to the north side of Ann Road, approximately 290 feet east of Torrey Pines Drive and consistent with approved Site Development Plan Review (SDR-17698), and Rezone (ZON-17697). The project is consistent with all previously approved actions. Staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/20/04	The City Council approved Annexation (ANX-4957) for the subject site, generally located on the north side of Ann Road, east and west of Mustang Road. Staff and the Planning Commission recommended approval on September 3, 2004.
10/21/04	The Planning Commission approved a related General Plan Amendment (GPA-5172), Title 18 Waiver (WVR-5331), and Site Development Plan Review (SDR-5175) for a 32-lot residential subdivision on 10.65 acres. Staff recommended denial.
12/15/04	The City Council approved General Plan Amendment (GPA-5172), Title 18 Waiver (WVR-5331); Site Development Plan Review (SDR-5175) for a 32-lot residential subdivision on 10.65 acres.
12/07/06	The Planning Commission considered a request for a Site Development Plan Review (SDR-17698) of a 32 lot residential subdivision on 10.30 acres adjacent to the northwest and northeast corners of Ann Road and Mustang Street, and companion request Rezone (ZON17697) from U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to R-PD3 (Residential Planned Development – 3 units per acre) to R-PD3 (Residential Planned Development – 3 Units per acre). The Planning Commission recommendation to City Council was for denial for the SDR-17698 and companion item ZON-17697.
1/03/07	The City Council considered a request for a Site Development Plan Review (SDR-17698) and companion request Rezone (ZON17697). The Planning Commission and staff recommended denial for both applications. City Council approved both requests subject to amended conditions.
<i>Related Building Permits/Business Licenses</i>	
NA	NA

TMP-18682 - Staff Report Page Two
February 22, 2007 - Planning Commission Meeting

Pre-Application Meeting	
11/20/06	A Pre-application meeting was held with the applicant. Planning staff advised the applicant of the zoning approval required prior to submission of a application for a Tentative Map.
Neighborhood Meeting	
A neighborhood meeting is not required for this type of application nor was one held.	

Details of Application Request	
Site Area	
Gross Acres	10.3
Net Acres	9.73

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	Rural Density Residential (R)	RPD-3
North	Single-family residential	Rural Neighborhood Preservation (RNP)	R-E (Rural Estates Residential – Clark County Designation)
South	Undeveloped	Rural Density Residential (R)	R-E
East	Single-family residential	Rural Neighborhood Preservation (RNP)	R-E (Rural Estates Residential – Clark County Designation)
West	Single-family residential	Rural Neighborhood Preservation (RNP)	R-E (Rural Estates Residential – Clark County Designation)

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

TMP-18682 - Staff Report Page Three
February 22, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.06, the development standards are established under Planned Development District approved SDR-17698:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	7,283 sf	7,414 sf	Y
Min. Lot Width	NA	NA	NA
Min. Setbacks			
• Front	20 feet	20 feet	Y
• Side	9 feet	9 feet	Y
• Corner	9 feet	9 feet	Y
• Rear	20feet	20 feet	Y
Max. Building Height	2 stories/35 feet	2 & 1	Y

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-PD3 (Residential Planned Development – 3 Units Per Acre)	3.59 du/ac	36.97
<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-PD3 (Residential Planned Development – 3 Units Per Acre)	3.59 du/ac	36.97
<i>General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R (Residential)	3.59 du/ac	36.97

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Buffer:				
Min. Trees	1 Tree/30 linear feet	17 Trees	74 trees	Y
TOTAL		17	74	Y
Min. Zone Width	6 feet		6 & 15 feet	Y
Wall Height	6 feet		6 feet	Y

<i>Open Space – R-PD only</i>							
<i>Total Acreage</i>	<i>Density</i>	<i>Required</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Ratio</i>	<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
10.3 acres	3.1 du/ac	1.65	5.12%	22,949 sf	5.12%	23,000 sf	Y

TMP-18682 - Staff Report Page Four
February 22, 2007 - Planning Commission Meeting

Pursuant to Title 19.10, the following parking standards apply:

Pursuant to Title 19.10, the following parking standards apply.

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Single Family Detached	32 units	2 per unit	64		64		Y
SubTotal			64		64		Y
TOTAL (including handicap)							

ANALYSIS

- Project Background and General Plan Consistency**

The project requests consideration of the Tentative Map for approved Site Development Plan Review (SDR-17698) and Rezone (ZON-17697). The project proposes the development of a 32-lot residential planned development district on 10.30 acres adjacent to the northeast and northwest corners of Ann Road and Mustang Road. The development is located on two separate parcels at the northeast and northwest corners of Ann Road and Mustang Road. Lots 1 through 28 will be accessed via a drive from Mustang Road, and Lots 29 through 32 will receive access via a drive from Ann Road. Internal circulation is provided by 37-foot wide private streets. The plans depict a six-foot landscape buffer provided along El Campo Grande Avenue and Mustang Road, and a 15-foot landscape buffer along Ann Road. Three common lots providing a total of 23,000 square feet of open space lots are located to the north and southern ends of Portage Lake Street. The applicant proposes one and two-story detached, single-family residential dwellings. The development includes five foot wide sidewalk connecting all lots with the open space elements. On January 3, 2007, the City Council approved the Site Development Plan and Rezone subject to amended conditions.

- Zoning**

A Rezone (ZON-17697) and a Resolution of Intent (ROI) were approved by City Council on January 3, 2007 for the project site to change from U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to R-PD3 (Residential Planned Development – 3 Units Per Acre) to R-PD3 (Residential Planned Development – 3 Units Per Acre).

The Tentative Map (TM) is subject to revised conditions pursuant to the approved Site Development Plan Review (SDR-17698) pertaining to minimum lot size, setbacks, building and wall heights, and sidewalks. The TM is consistent with all required conditions.

TMP-18682 - Staff Report Page Five
February 22, 2007 - Planning Commission Meeting

FINDINGS

- General information

The proposed project will construct a 32-lot planned residential development on 10.3 acres with three common lots totaling 23,000 square feet consistent in accordance with approved Site Development Plan Review (SDR-17698) and Rezone (ZON-17697).

- Cross Section

The project plan elevations depict wall heights throughout the entire development ranging in heights of six to eight feet.

- Trails

No trails are proposed nor required for this proposal.

- Special Conditions of Approval

1. The standards for this development shall include a minimum lot size of 7,414 square feet and building height shall not exceed two stories or 35 feet, whichever is less.
2. The setbacks for this development shall be a minimum of 20 feet to the front of the house, 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, nine feet on the side, nine feet on the corner side, and 20 feet in the rear. The setbacks for the casitas shall be a minimum six feet to main structure, five feet to side property line, and three feet to the rear property line.
3. Lots 8, 9, 30, and 31 as shown on the submitted site plan dated 12/21/06 will have front setbacks of 19 feet.
4. The developer shall disclose to all prospective home purchasers, prior to the time the prospective purchaser signs a sales agreement or opens escrow, whichever occurs first, that they are purchasing a home located in rural area surrounded by parcels upon which the raising of farm animals such as horses, bovines, goats, and other domesticated animals is allowed and that such rural properties, and the raising of said animals, may cause the emanation of smells, odors, insects, and pests associated with the keeping and raising such farm and domesticated animals, such that it may, in the future, interfere with the quiet enjoyment of the prospective homes purchaser's property.
5. Lots 5-7, 9-12, 14, 16-20, 29-32 shall be limited to single story.

TMP-18682 - Staff Report Page Six
February 22, 2007 - Planning Commission Meeting

6. Wall heights shall be as follows: Eight foot high screen wall along the boundary with the lot to the north (APN:125-26-802-011). Eight foot high screen wall along the following lots: APNs: 125-26-801-003; 125-26-801-004; 125-26-801-005; 125-26-801-006; 125-26-801-007; and 125-26-801-008. Lastly, six foot high wall along lot 125-26-801-011.
7. Access for the community well which is shown on site plan date stamped 12/21/06 shall be provided through the proposed development Open Space tract, as shown on site plan date stamped 12/21/06, for the purposes of servicing the existing well located at the rear of APN 125-26-801-003. Access is to be granted to the owners who benefit from the use of said community well.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0



TMP-18682

Case Number: **IMP-10002** APN: 125-26-801-012; 125-26-802-014

Name of Property Owner: Richmond American Homes

Name of Applicant: Richmond American Homes

 Yes

X No

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: P. E. S.

Print Name: Paulo E. Chavez

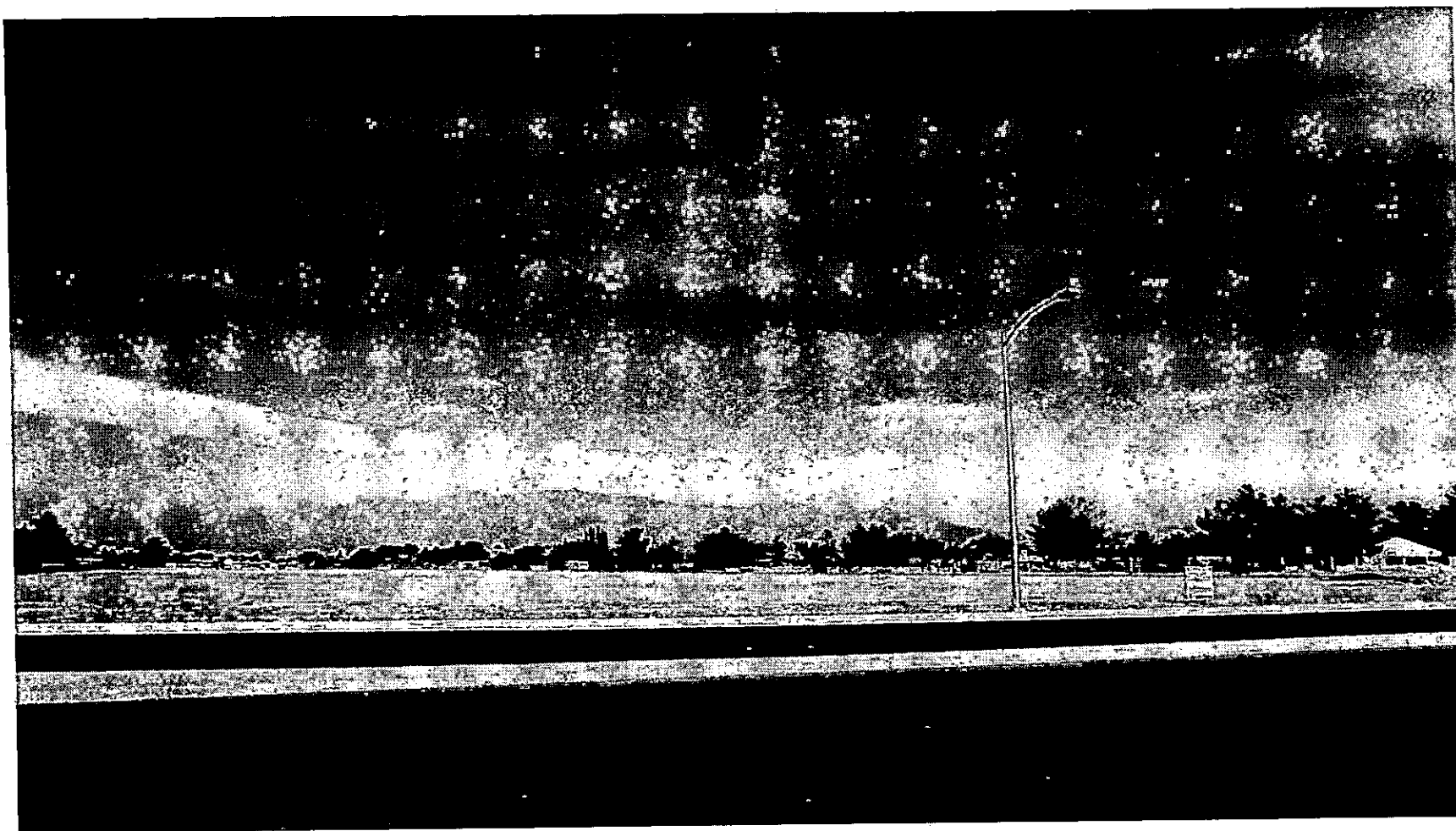
This 9 day of November, 2006

Virginia Jurczyk
Notary Public in and for said County and State



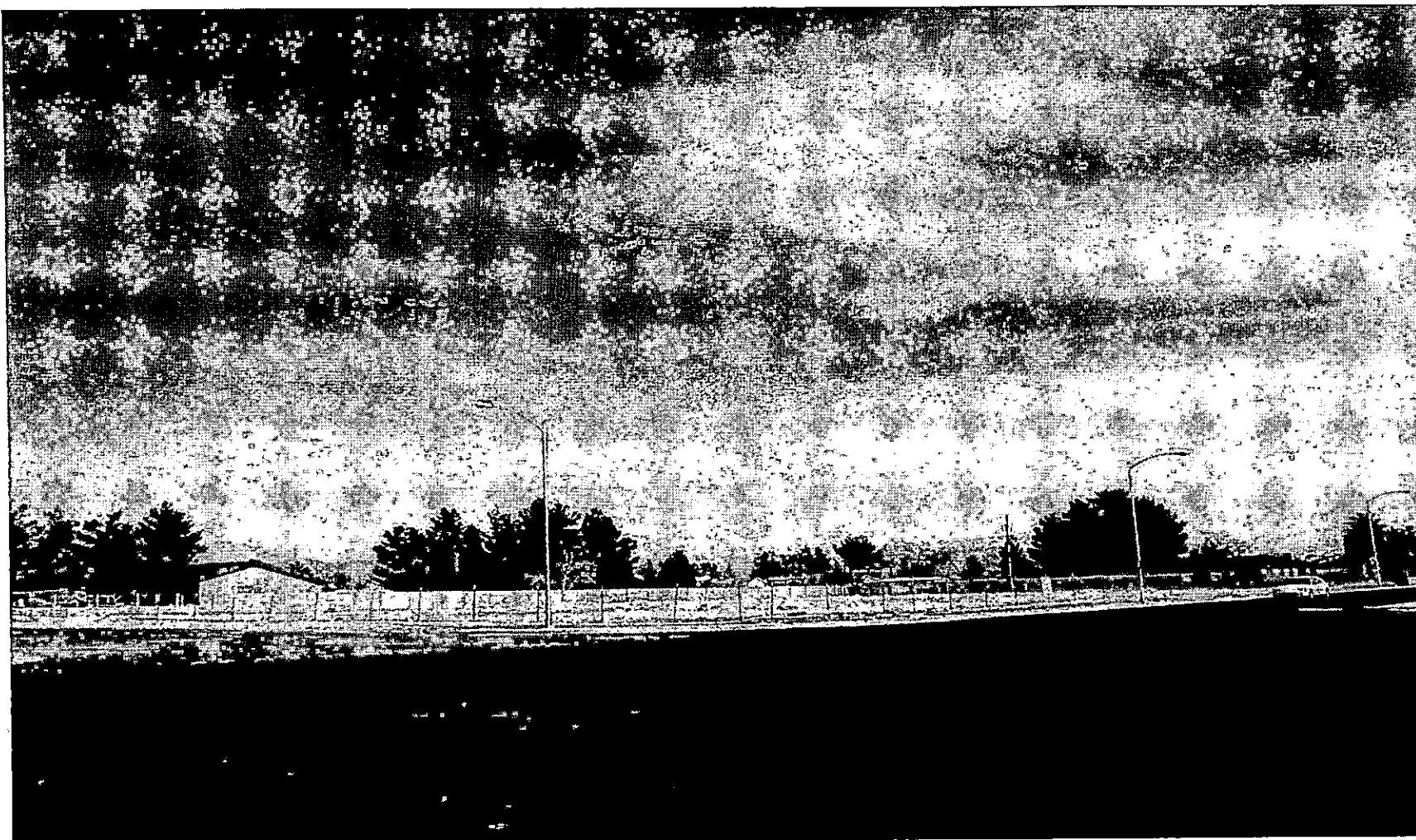
VIRGINIA JAUREGUI
Notary Public State of Nevada
No. 98-2698-1
My appt. exp. Feb. 5, 2008

TMP-18682
REVISED
02/22/07 PC



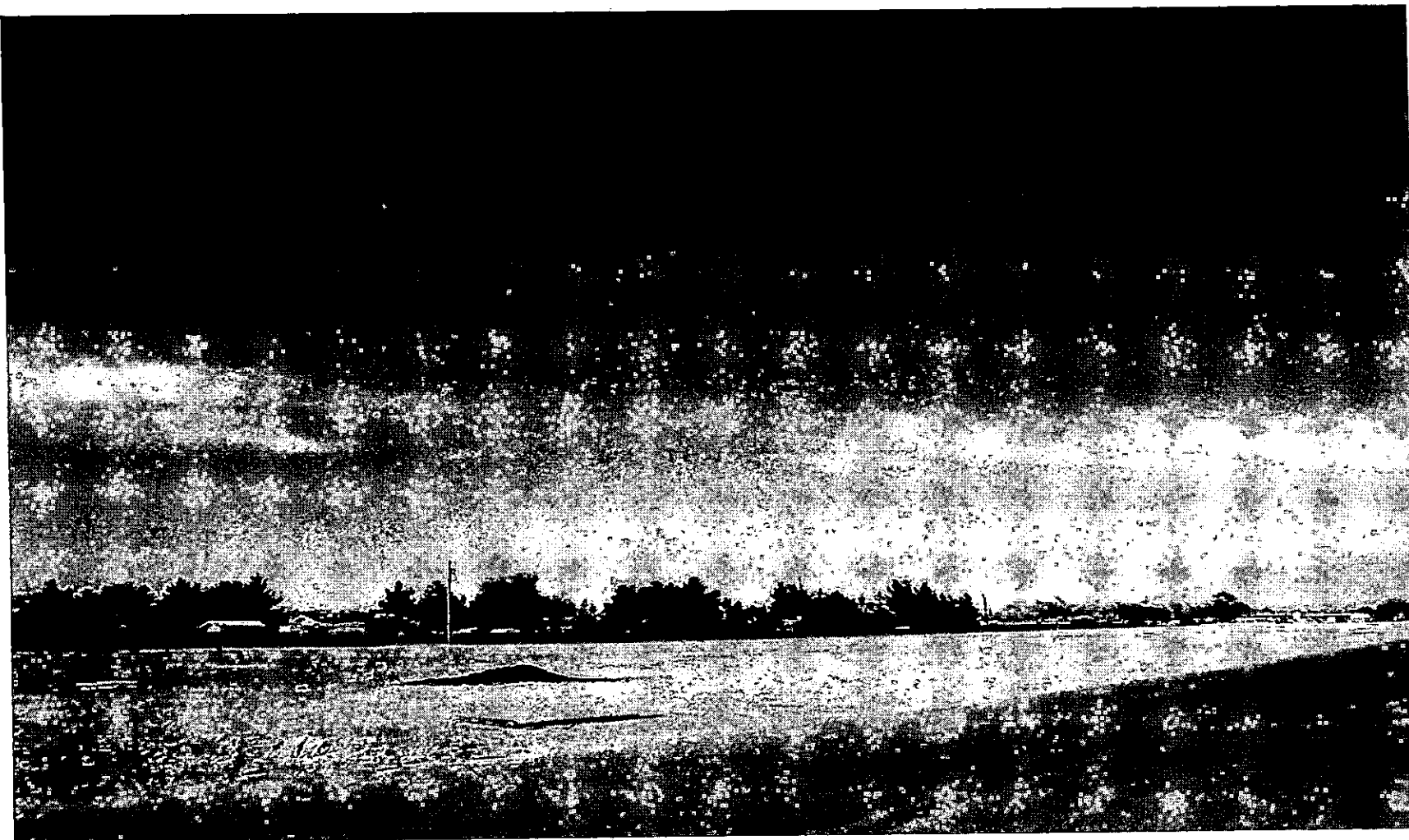
TMP-18682 - STONEWATER - APPLICANT/OWNER: RICHMOND AMERICAN HOMES OF NEVADA, INC.
ADJACENT TO THE NORTH SIDE OF ANN ROAD, APPROXIMATELY 290 FEET EAST OF TORREY PINES
DRIVE
FEBRUARY 22, 2007 PLANNING COMMISSION

12/22/06



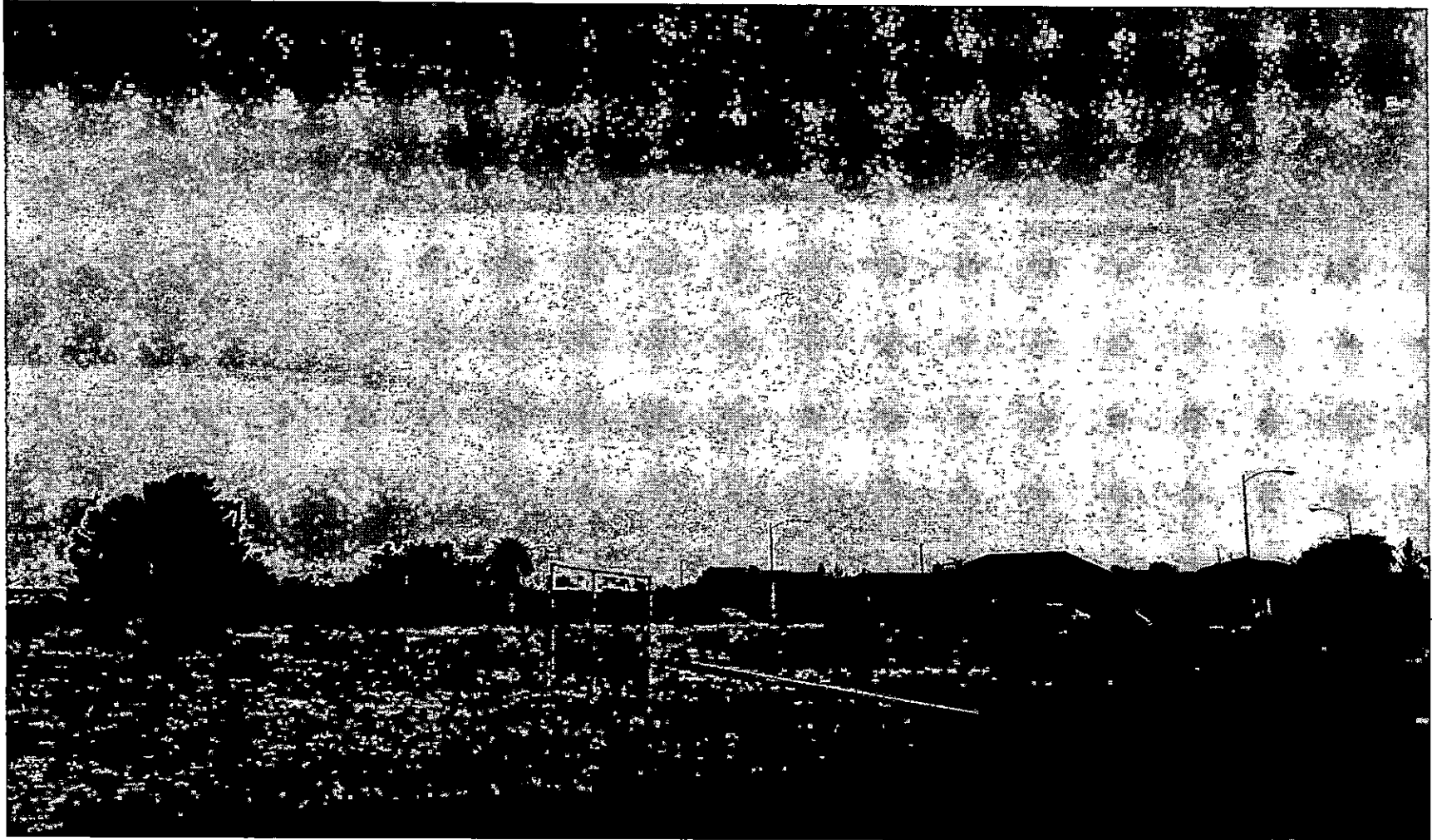
TMP-18682 - STONEWATER - APPLICANT/OWNER: RICHMOND AMERICAN HOMES OF NEVADA, INC.
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DRIVE
FEBRUARY 22, 2007 PLANNING COMMISSION

12/22/06

T ☐ **THOMASON**
C ☐ **CONSULTING**
E ☐ **ENGINEERS**

December 12, 2006

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

Reference: Stonewater – Ann mustang
Tentative map
APN #125-26-801-012,125-26-802-014

On behalf of Richmond American Homes, we respectfully request your consideration of the attached Tentative map for the above-listed parcels.

Location: The proposed site is located on Ann Road and Mustang Road within Section 26, Township 19 South, Range 60 East.

Request:

At this time, we are requesting approval of a 32 lot, single family residential development located on the approximately 10.3 acres listed above. The density intended for this proposed site is 3.1 dwelling units per acre (DUA). The applicant has provided .53 acres (23,000 sf) of open space where .53 acres (23,000 sf) is required. The minimum lot size intended for this development is 7,400 sf. with setbacks as indicated on the attached site plan

Richmond American Homes intends to utilize 1 and 2 story products on this site and offer casitas each model offers two-car garages and a variety of architectural features. The size of the casitas will be 10' x 25'.

The setbacks for the houses will be as follows.

20' min – Front Garage

20' min – Front House

9' – Side

19' - side lots (lots 8, 9, 30, & 31)

9' - Corner/side

20' - Rear

The setbacks for the casitas will be as follows.

Setbacks – Casitas

6' – Main structure

5' – Side

3' – Rear

Sincerely,

Sonia Macias
Project Coordinator

3277 East Warm Springs Road, Suite 400
Las Vegas, Nevada 89120
Phone (702) 932-6125 • Fax (702) 932-6129

TMP-18682
02/22/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

TMP-19099 - TENTATIVE MAP - SANTA FE SHADOWS CONDOMINIUMS - APPLICANT/OWNER: SANTA FE 124, LLC - Request for a Tentative Map FOR THE CONVERSION OF A 124-UNIT CONDOMINIUM DEVELOPMENT on 6.0 acres at 1111 Warbonnet Way (APN 163-04-501-004), R-PD23 (Residential Planned Development - 23 Units Per Acre) Zone, Ward 1 (Tarkanian).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions Item 1 [TMP-18682] and Item 2 [TMP-19099] – UNANIMOUS with STEINMAN excused

This is Final Action

MINUTES:

There was no discussion.

(6:04 – 6:06)

1-115

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.

PLANNING COMMISSION MEETING OF FEBRUARY 22, 2007
Department of Planning and Development
Item 2 – TMP-19099

CONDITIONS – Continued:

2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-17057), except as amended herein.
3. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions (“CC&R”), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements (“DPMR”) as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

5. Contact the City Engineer’s Office at 229-6272 to coordinate the development of this project with the (ITS Infrastructure Improvements Corridor 1A) project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
6. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-17057 and all other applicable site-related actions.
7. The approval of all Public Works related improvements shown on this Tentative Map 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 approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this

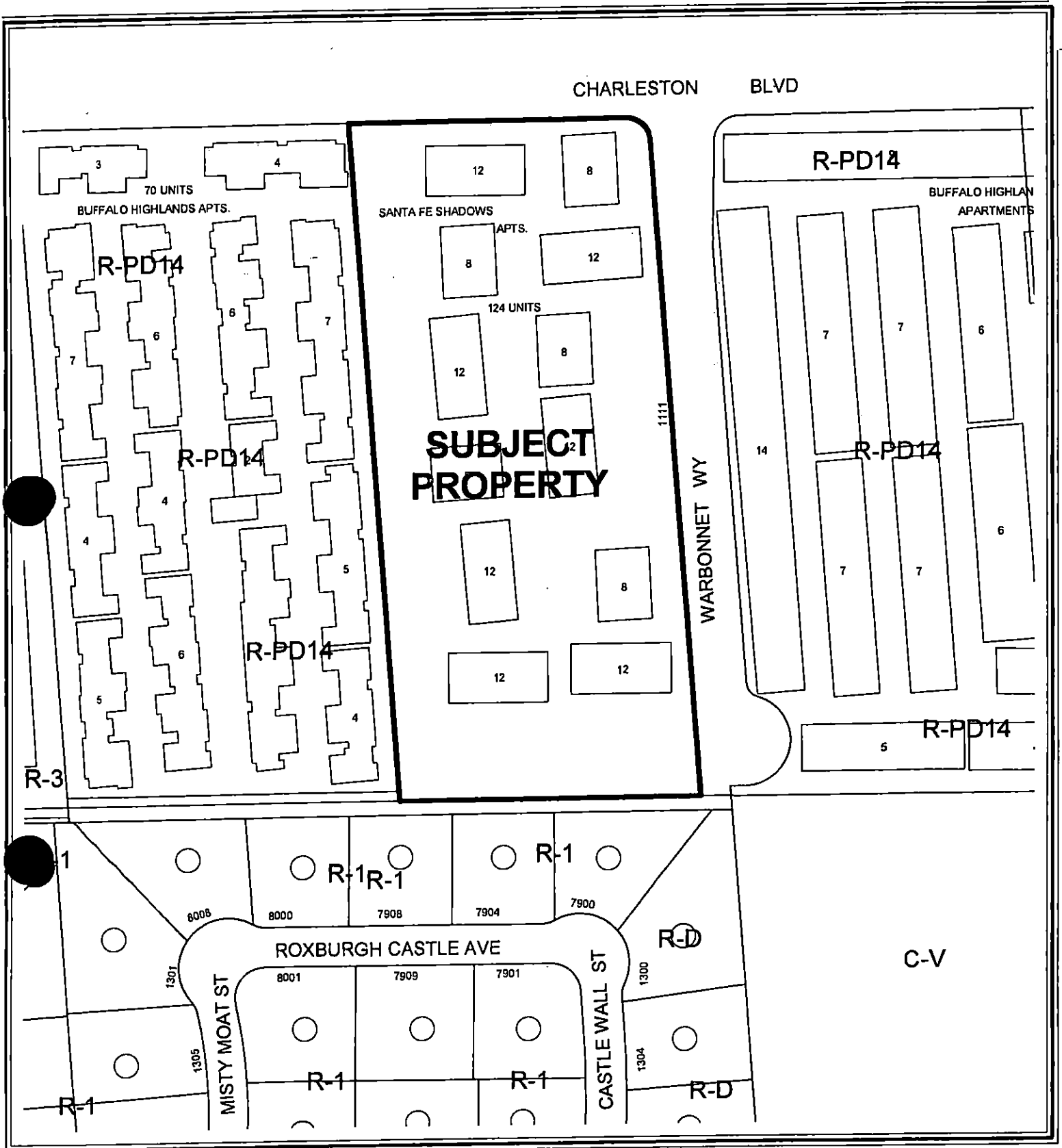
PLANNING COMMISSION MEETING OF FEBRUARY 22, 2007

Department of Planning and Development

Item 2 – TMP-19099

CONDITIONS – Continued:

TentativeMap does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.



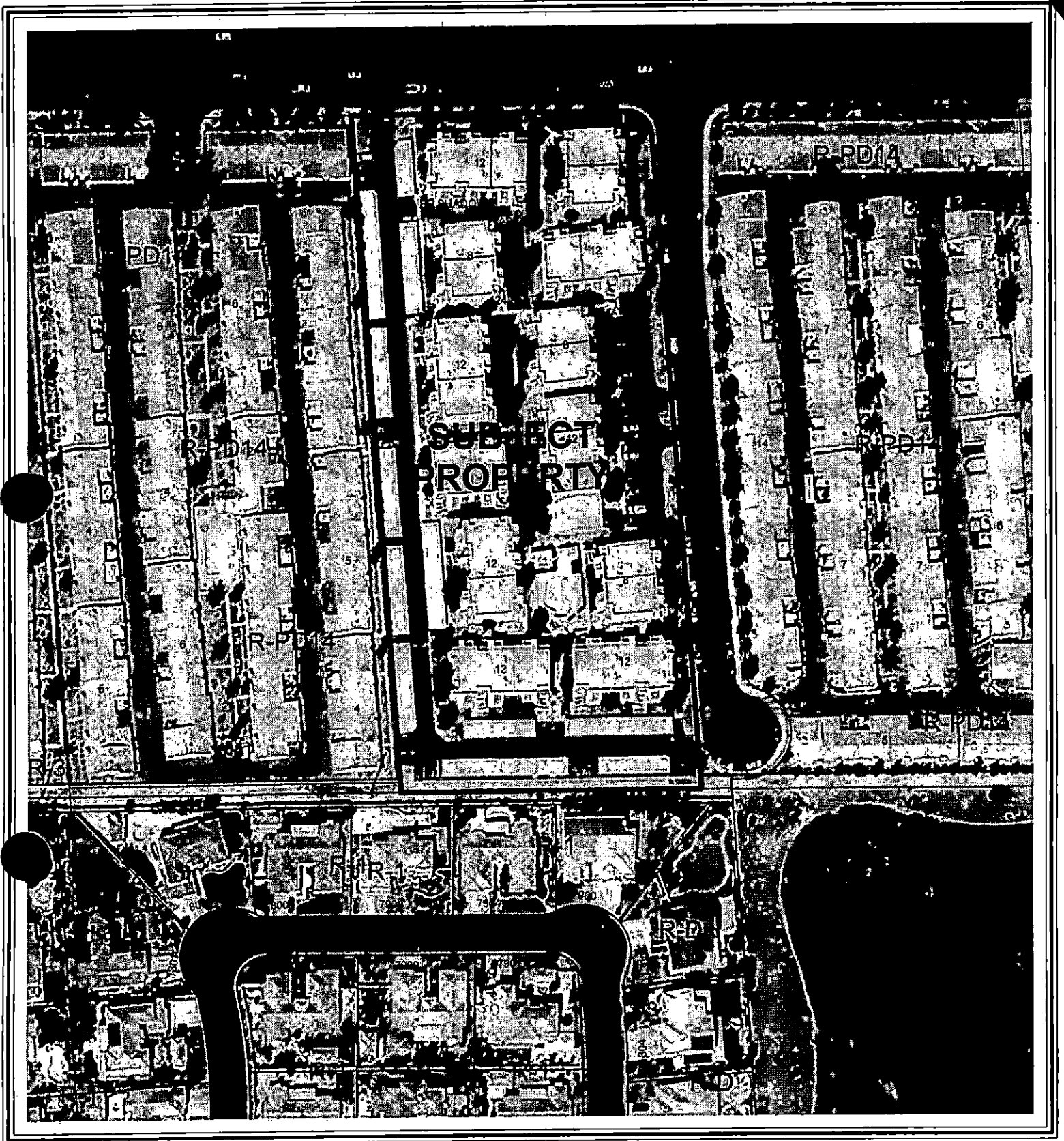
0 400 Feet

CASE: **TMP-19099**

ZONING OF SUBJECT PROPERTY:

R-PD23 (RESIDENTIAL PLANNED DEVELOPMENT - 23 UNITS PER ACRE)





0 400 Feet

A horizontal scale bar with a black outline and a white fill, positioned below the text '0 400 Feet'.

CASE: TMP-19099

ZONING OF SUBJECT PROPERTY:

R-PD23 (RESIDENTIAL PLANNED DEVELOPMENT - 23 UNITS PER ACRE)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 22, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TMP-19099 - SANTA FE SHADOWS CONDOMINIUMS -

APPLICANT/OWNER: SANTA FE 124, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-17057), except as amended herein.
3. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

TMP-19099 - Conditions Page Two
February 22, 2007 - Planning Commission Meeting

Public Works

5. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the (ITS Infrastructure Improvements Corridor 1A) project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
6. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-17057 and all other applicable site-related actions.
7. The approval of all Public Works related improvements shown on this Tentative Map 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 approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

TMP-19099 - Staff Report Page One
February 22, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Tentative Map for the conversion of a 124-unit condominium development at 1111 Warbonnet Way. This conversion was previously approved as Site Development Plan Review (SDR-17057).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/04/85	The City Council approved the Re-classification of property (Z-0075-85) generally located on the southwest corner of Charleston Boulevard and Placid Avenue, from N-U (Non-Urban), to R-PD23 (Residential Planned Development – 23 Units Per Acre).
01/20/88	The City Council approved the Reinstatement and Extension of Time on property located on the southwest corner of Charleston Boulevard and Warbonnet Way, N-U (Non-Urban) Zone under Resolution of Intent to R-PD23 (Residential Planned Development – 23 Units Per Acre).
12/20/06	The City Council approved a Site Development Plan Review (SDR-17057) for the conversion of a 124-unit apartment complex to a condominium development. The Planning Commission recommended approval and staff recommended denial.
<i>Related Building Permits/Business Licenses</i>	
08/05/87	A Plot Plan Review was approved to construct a 12 apartment, 124 unit developments.
10/23/89	An active Business License A07-01106-1-040916 was issued to Santa Fe Shadows apartments for 124 rental units with no daily or weekly rentals allowed.
<i>Pre-Application Meeting</i>	
12/13/06	A pre-application meeting was held and the submittal requirements for a Tentative Map were discussed including wall sections and elevations, including photographs of existing walls and structures.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not held, nor was one required.	
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	4.7
Gross Acres	6.0

TMP-19099 - Staff Report Page Two
February 22, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Apartment	M (Medium Density Residential)	R-PD23 (Residential Planned Development – 23 Units Per Acre)
North	Townhouse	ML (Medium-Low Density Residential) and M (Medium Density Residential)	R-PD12 (Residential Planned Development – 12 Units Per Acre) and R-PD14 (Residential Planned Development – 14 Units Per Acre)
South	Single Family Residential	R (Rural Density Residential)	R-1 (Single Family Residential)
East	Apartment	M (Medium Density Residential)	R-PD14 (Residential Planned Development – 14 Units Per Acre)
West	Apartment	M (Medium Density Residential)	R-PD14 (Residential Planned Development – 14 Units Per Acre)

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

DEVELOPMENT STANDARDS

Standard	Provided	Compliance
Min. Lot Size	6.0 Acres	Y
Min. Lot Width	301.75 Feet	Y
Min. Setbacks		
• Front	26 Feet	Y
• Side*	58 Feet	Y
• Corner Side*	20 Feet	Y
• Rear	75 Feet	Y
Min. Distance Between Buildings	10 Feet	Y
Max. Building Height	24 Feet	Y
Trash Enclosure	3	Y
Mech. Equipment	Screened	Y

* Site Development Plan Review (SDR-17057) incorrectly lists the Side Yard Setback as 20 Feet and the Corner Side Yard Setback as 58 Feet.

TMP-19099 - Staff Report Page Three

February 22, 2007 - Planning Commission Meeting

Pursuant to Title 19.06, the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	Required			Provided	
		Ratio	Percent	Area	Percent	Area
6.00 acres	21 d.u./ac	1.65	35 %	90,561 SF	30%	79,558 SF

The proposal is deficient in the required amount of open space by approximately 5%.

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	
One Bedroom	28 Units	1 per 1.25	35				
Two Bedroom	96 Units	1 per 1.75	168				
Guest	124 Units	1 per 6 units	21				
SubTotal			224	7	171	3	
TOTAL			224	7	171	3	
Percent Deviation					24%		

As the project has already been built, neither variances nor waivers of the deficiencies noted above (handicap accessible parking spaces, open space, and parking and perimeter landscaping) were required with the approval of the Site Development Plan (SDR-17057).

ANALYSIS

- General

The subject site is designated for a land use of M (Medium Density Residential) within the Southwest Sector of the General Plan, and is located in an R-PD23 (Residential Planned Development – 23 Units Per Acre) zone. R-PD (Residential Planned Development) zones allow applicants to define their own development standards. As such, the subject proposal, at a density of 21 units per acre, conforms to the applicable zoning designation.

TMP-19099 - Staff Report Page Four
February 22, 2007 - Planning Commission Meeting

This request is for a Tentative Map for the approved conversion of a 124-unit apartment project to a condominium development on 6.00 acres. The site receives access from Warbonnet Way, a 60-foot collector street and 24-foot drives provide internal circulation for the site. The site consists of 28 one-bedroom and 96 two-bedroom units.

- **Site Plan**

The complex was constructed in 1989 and provides 171 parking spaces where 224 parking spaces are required. The site is considered parking impaired as it complied with all applicable parking requirements on its date of construction, but does not meet current Title 19 requirements. If held to current standards, the site would be deficient by a total of 57 parking spaces (53 regular and 4 handicapped). This would constitute a 24% deviation from required parking. It should be noted that 47 are open stalls and 124 are covered stalls.

On the southwest portion of the site, the site plan depicts a shed. A site visit, prior to the approval of the Site Development Plan Review (SDR-17057), demonstrated that the shed does not meet the accessory structure setbacks expressed in Title 19.08 which state that a detached, accessory structure must be located a minimum distance of three feet from the side and rear property lines. A condition of the approved Site Development Plan Review (SDR-17057) requires the shed to meet Title 19.08 standards upon completion of the conversion.

- **Landscape Plan**

Conditions of the approved Site Development Plan Review (SDR-17057) require the applicant to provide a minimum of 49 additional trees (24-gallon minimum size) along the perimeter of the site spaced at a maximum of 20 feet apart on center to comply with current code requirements. Although the site is deficient 49 parking, street, and perimeter trees, the applicant does provide an additional 65 trees on the interior portion of the site.

- **Open Space**

Per Title 19.06 open space standards, the site shows a total of 79,558 square feet of open space where 90,561 square feet of open space is required. The proposal is deficient in the required amount of open space by approximately 5%. However, since the development was approved before open space requirements were considered for Residential Planned Developments (R-PD), the standards are not applicable.

TMP-19099 - Staff Report Page Five
February 22, 2007 - Planning Commission Meeting

FINDINGS

- General information

The subject site is located in the Southwest Sector of the General Plan. Within that Sector it has a land use designation of M (Medium Density Residential). This designation allows for a variety of multi-family housing types including plexes, townhouses, and low-density apartments. The R-3 (Medium Density Residential) zoning allows similar types of development. As such, the General Plan and the zoning are in compliance.

The subject property is currently zoned R-PD23 (Residential Planned Development – 23 Units Per Acre). The type of residential product currently on the site conforms to the intent of that district and to all applicable development standards attached thereto. The site plan depicts a layout typical of multi-family apartment developments with 12 two-story buildings. Resident amenities, including a pool and office/recreation building are located on site.

- Cross Section

This development is a conversion of an existing apartment development to a condominium development and therefore has existing six-foot perimeter walls. In addition, a site visit identified two retaining walls, one along the east side of Building 8, and one between Buildings 1 and 12. The cross sections show a six-foot typical perimeter wall and a two-foot typical interior retaining wall. In addition, photographs have been provided and do not show any changes to the existing walls.

- Trails

No required trails are adjacent to the subject site.

- Special Conditions of Approval

The Site Development Plan Review to allow the conversion of the apartment complex to condominiums (SDR-17057) was approved by Council on 01/03/07 and included the following conditions of approval:

Condition 1

This approval shall be void 18 months 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.

Condition 2

All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 09/22/06, except as amended by conditions herein.

TMP-19099 - Staff Report Page Six
February 22, 2007 - Planning Commission Meeting

Condition 3

A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: an additional thirty 24-inch box trees shall be added to the landscape plan and installed in the project buffer perimeter within 60 days of plan approval.

Condition 14

The applicant shall provide a building and grounds condition report prepared by a licensed civil engineer or licensed architect to the Planning and Development Department for review and approval upon application for Tentative Map approval. This report shall contain an evaluation of the structural condition of each building in the project, and an evaluation of the condition of all site features such as parking areas, accessory buildings, landscaped areas, driveways, sidewalks, carports, any amenities, fences and utility systems. A copy of the report shall be provided to all prospective buyers.

Condition 15

Upon application for a Tentative Map, the applicant shall provide proof that a notice of intent to convert has been delivered to each tenant as required by Nevada Revised Statutes. The applicant is further responsible for providing each tenant with notice of any and all future public hearings held regarding the conversion or mapping process.

Condition 17

Handicap parking spaces must be provided in accordance with Title 19.10 standards.

Condition 18

All accessory structures shall be located a minimum distance of three feet from the side and rear property lines per Title 19.08.

Condition 19

Building repair and maintenance, minimally to include replacing all awnings, repairing stucco, repainting all buildings and repairing or replacing all hand railings, shall occur within 18 months of plan approval.

In compliance with the above special conditions of improvement, building and grounds condition report prepared by a licensed civil engineer as well as proof of tenant notification of the intended conversion were provided as part of the tentative map application. A revised plan was provided to demonstrate compliance with Handicap Parking Standards in accordance with Title 19.10. The applicant is still within the time limits of providing the additional landscaping required by Condition #3 and completing the minimal repairs required by Condition #19. As per condition #18, an existing shed must be located at least three feet from the rear and side property lines.

TMP-19099 - Staff Report Page Seven
February 22, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

8

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: **TMP-19099** APN: 163-04-501-004

Name of Property Owner: Santa Fe 124, LLC

Name of Applicant: Santa Fe 124, LLC

Name of Representative: Ben Howell

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: Ben Howell

Subscribed and sworn before me

This 12th day of December, 2006
Dayna Goulet
 Notary Public in and for said County and State

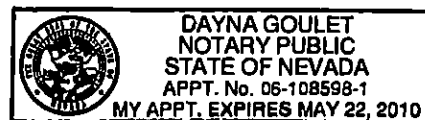
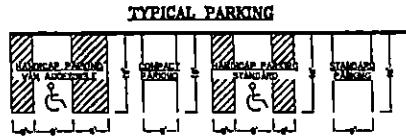


Diagram illustrating a typical existing wall section. The wall is shown in cross-section, with labels indicating its composition and dimensions:

- ALL EXISTING WALL CONSTRUCTION
- 6" 1/2" OF BLOCK
- VERTICAL JOINTS OF U.C. BRICKS
- GRADE
- FOOTING
- NO. 4 REINFORCING

TYPICAL EXISTING WALL SECTION

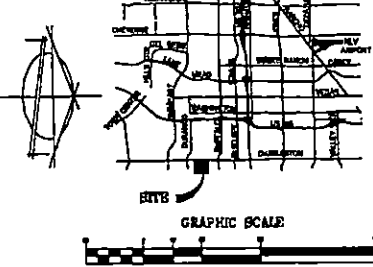
NOTE: THERE SHALL BE NO CHANGES TO EXISTING WALL.



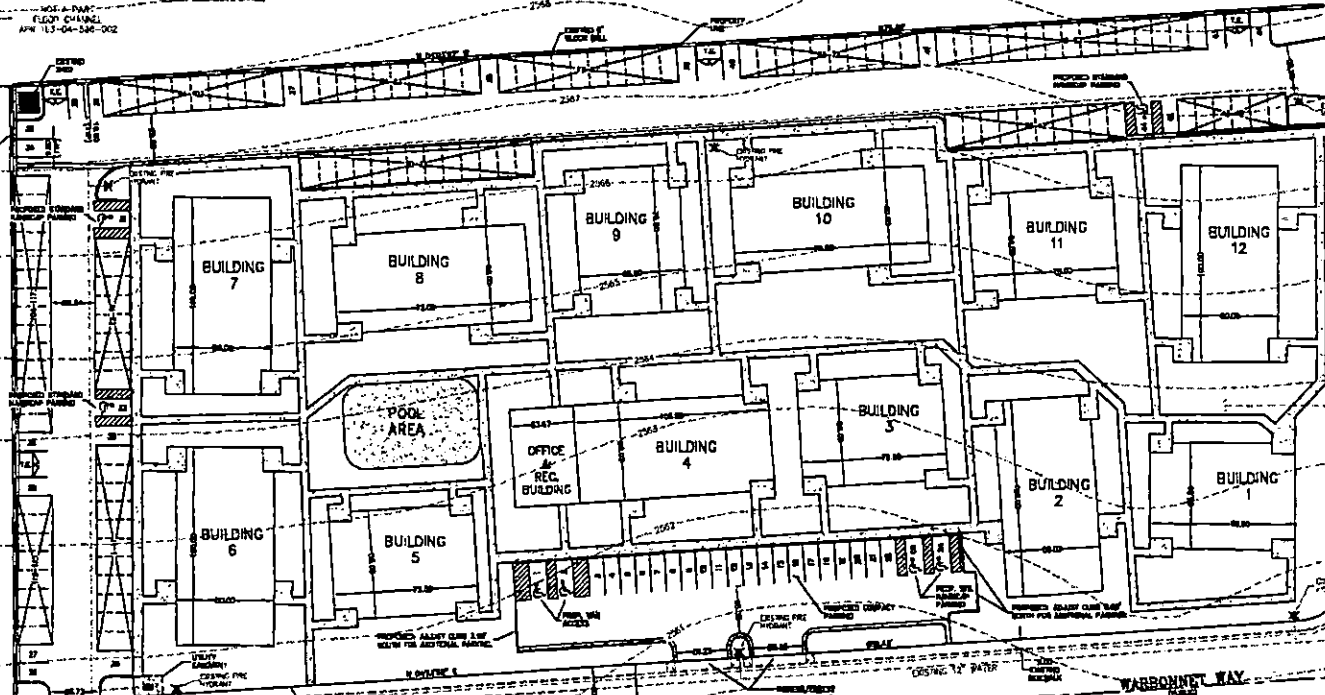
STREET CONFORMANCE
PROPERTY LINE
ADJACENT PROPERTY
EX. 10000
BLOCK 100
BLK 10000
BLK 10000
EX. 10000



BULK (1000) = 20.000 BULK FET (1000)
 CUBE (100) = 0.000 BULK FET (100)
 SPOT (100) = 0.000 BULK FET (100)
 TOTAL = 20.000 BULK FET (1000)



NOT A PART
BUTALO HIGHLANDS V
AP4 183-04-501-203



BEN HOWELL

[illegible]

BAUGHMAN & TURNER, INC.
LAND SURVEYORS
LAND PLANNERS
CIVIL ENGINEERS
1102
N. 11th St., Suite 100
Phoenix, Arizona 85004
(602) 254-1102



**SANTA FE SHADOWS CONDOMINIUMS
TENTATIVE MAP**

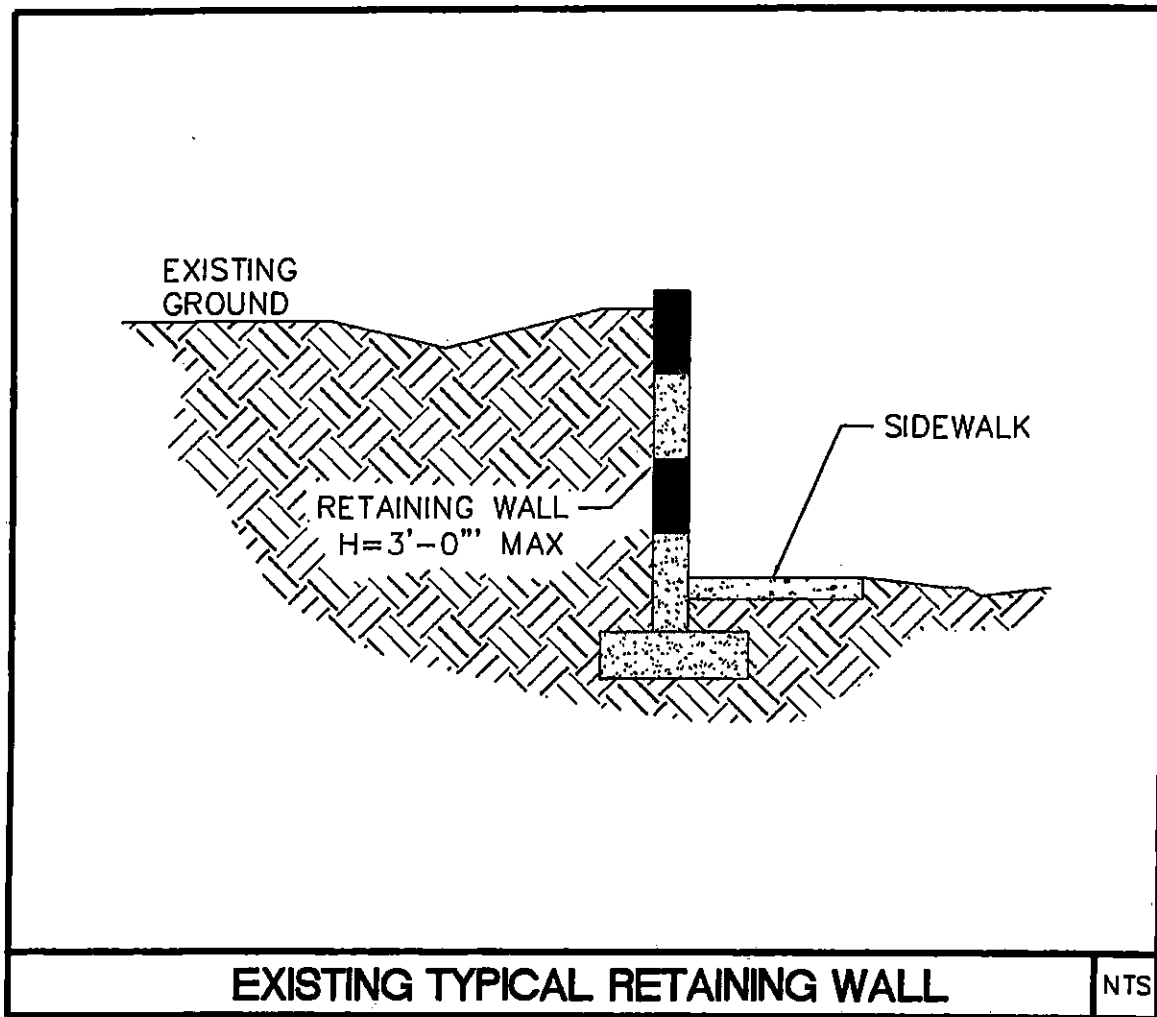
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-JAN 22 2007

REVISED 01/22/07

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02/22/07 PC

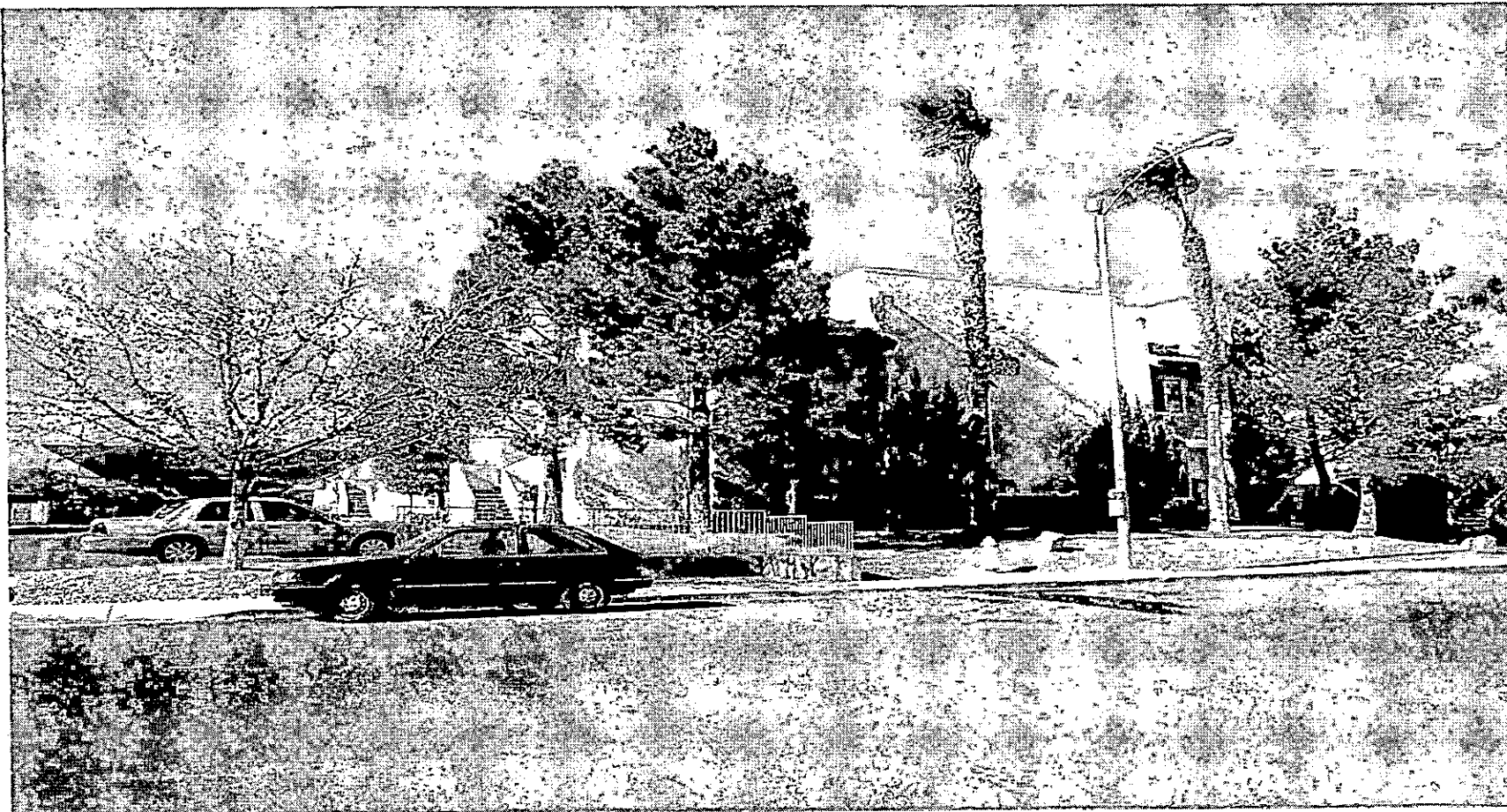


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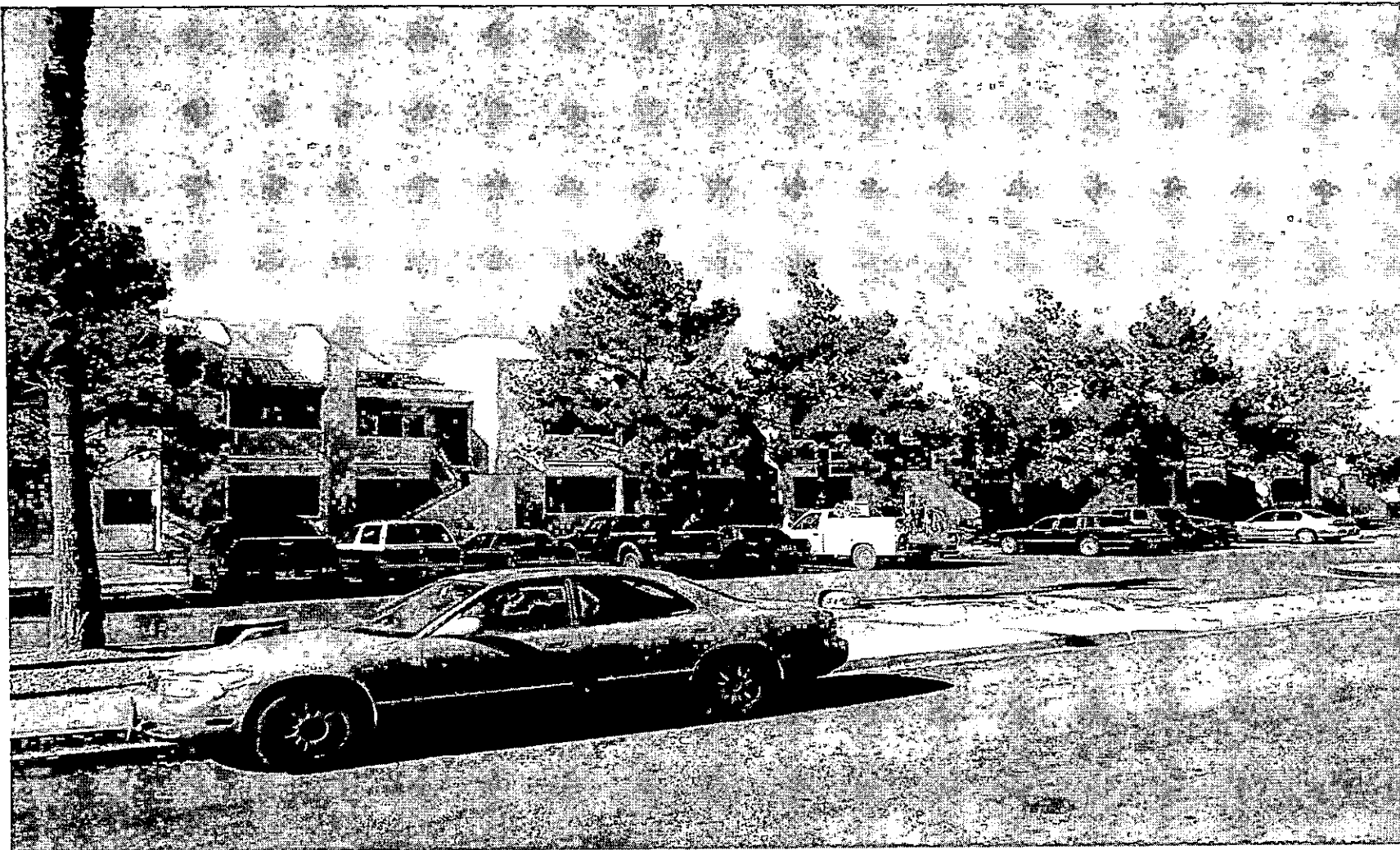
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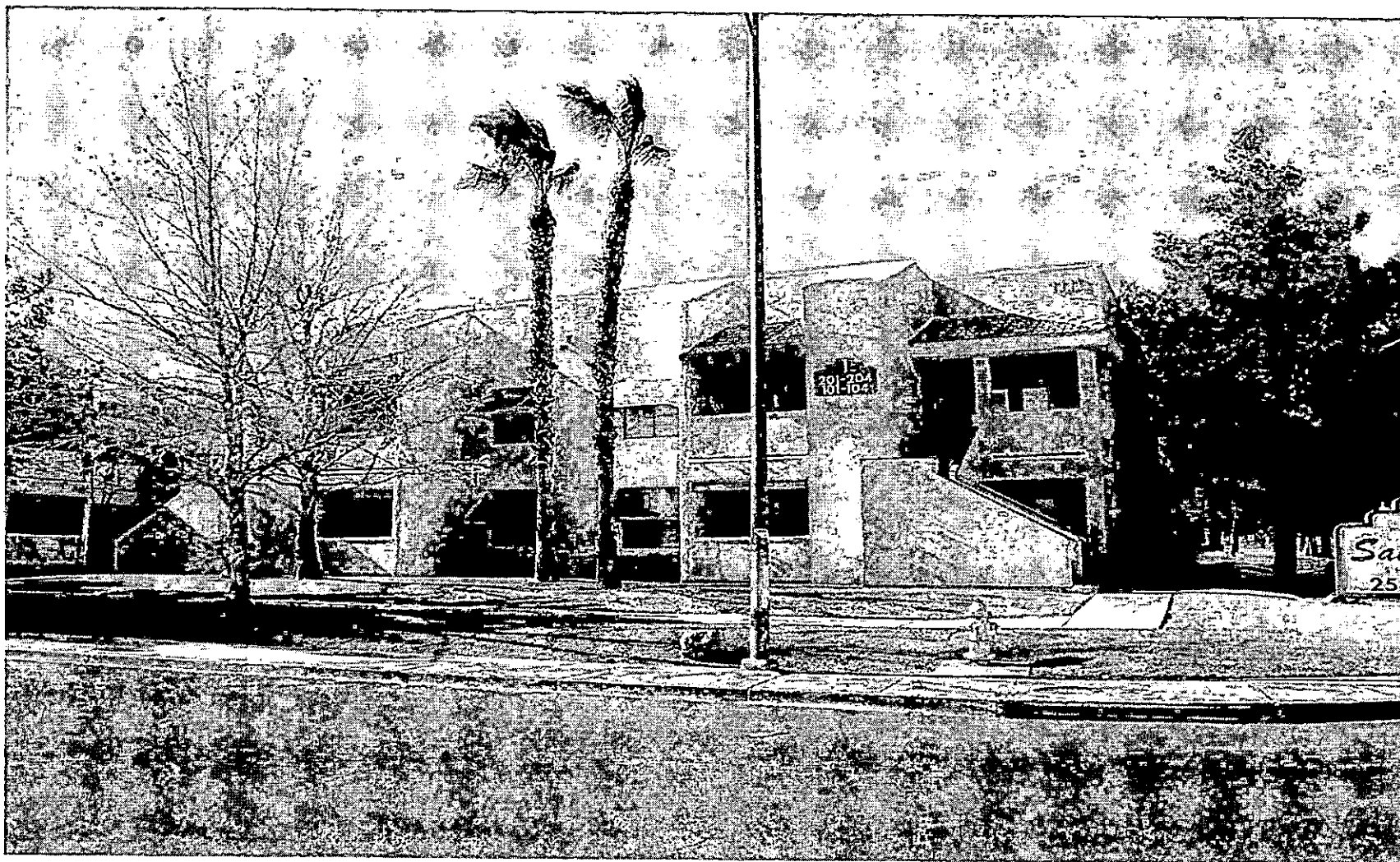
TMP-19099 - SANTA FE SHADOWS CONDOMINIUMS - APPLICANT/OWNER: SANTA FE 124, LLC
111 WARBONNET WAY
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



TMP-19099 - SANTA FE SHADOWS CONDOMINIUMS - APPLICANT/OWNER: SANTA FE 124, LLC
111 WARBONNET WAY
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



TMP-19099 - SANTA FE SHADOWS CONDOMINIUMS - APPLICANT/OWNER: SANTA FE 124, LLC
111 WARBONNET WAY
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ANX-19110 - ANNEXATION - OWNER/APPLICANT: SPINNAKER HOMES IX, LLC -
Petition to annex property located at the southwest corner of North Tenaya Way and Grand Teton Drive, containing approximately 36.57 acres (APN 125-15-101-003), Ward 6 (Ross).

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Abeyance request by Thomason Consulting Engineers

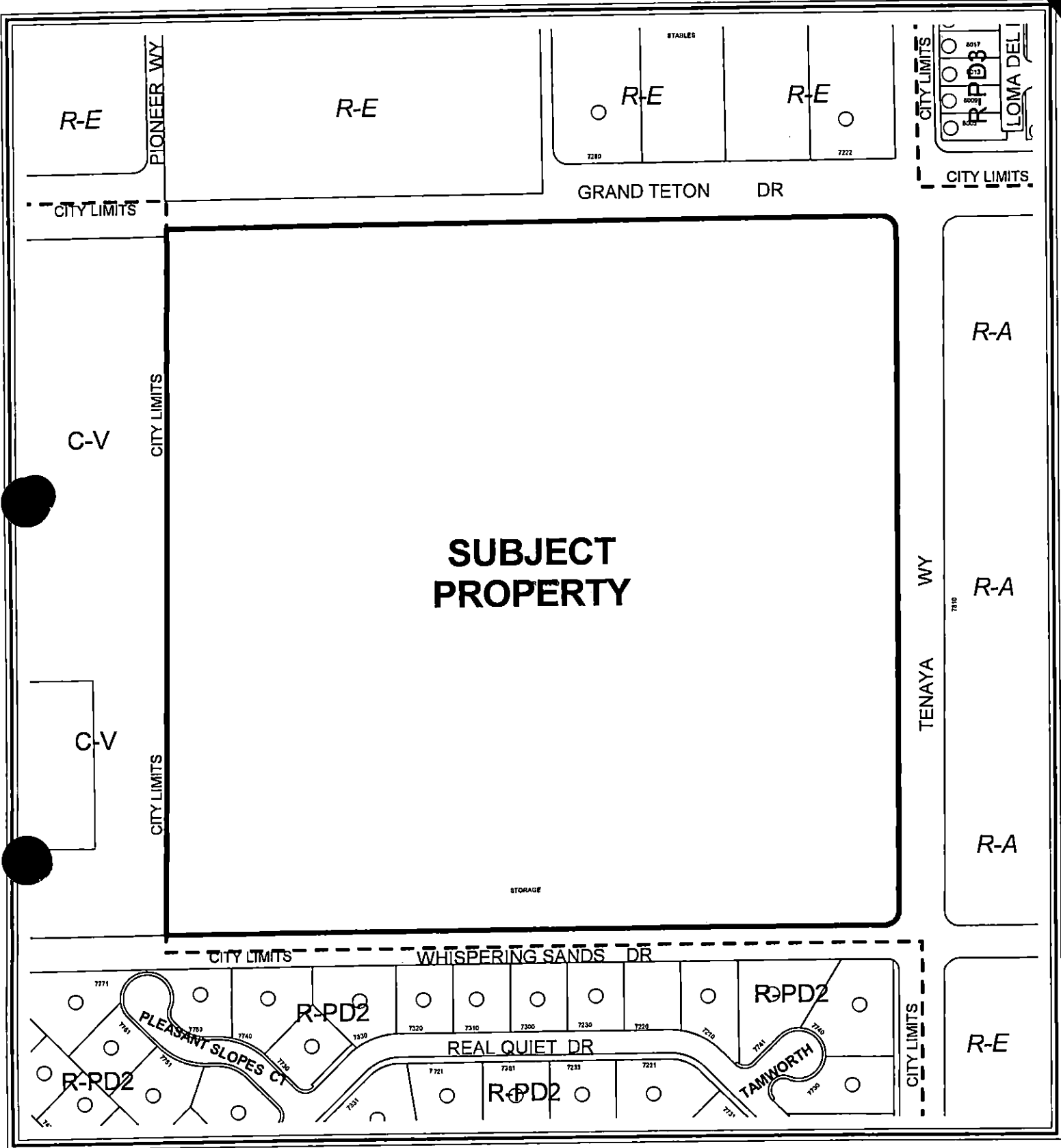
MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 3 [ANX-19110] to 3/8/2007; Item 15 [VAR-18984] and Item 16 [SDR-18693] to 3/22/2007; and TABLE Item 12 [ZON-17304] and Item 13 [SDR-18676] – UNANIMOUS with STEINMAN excused

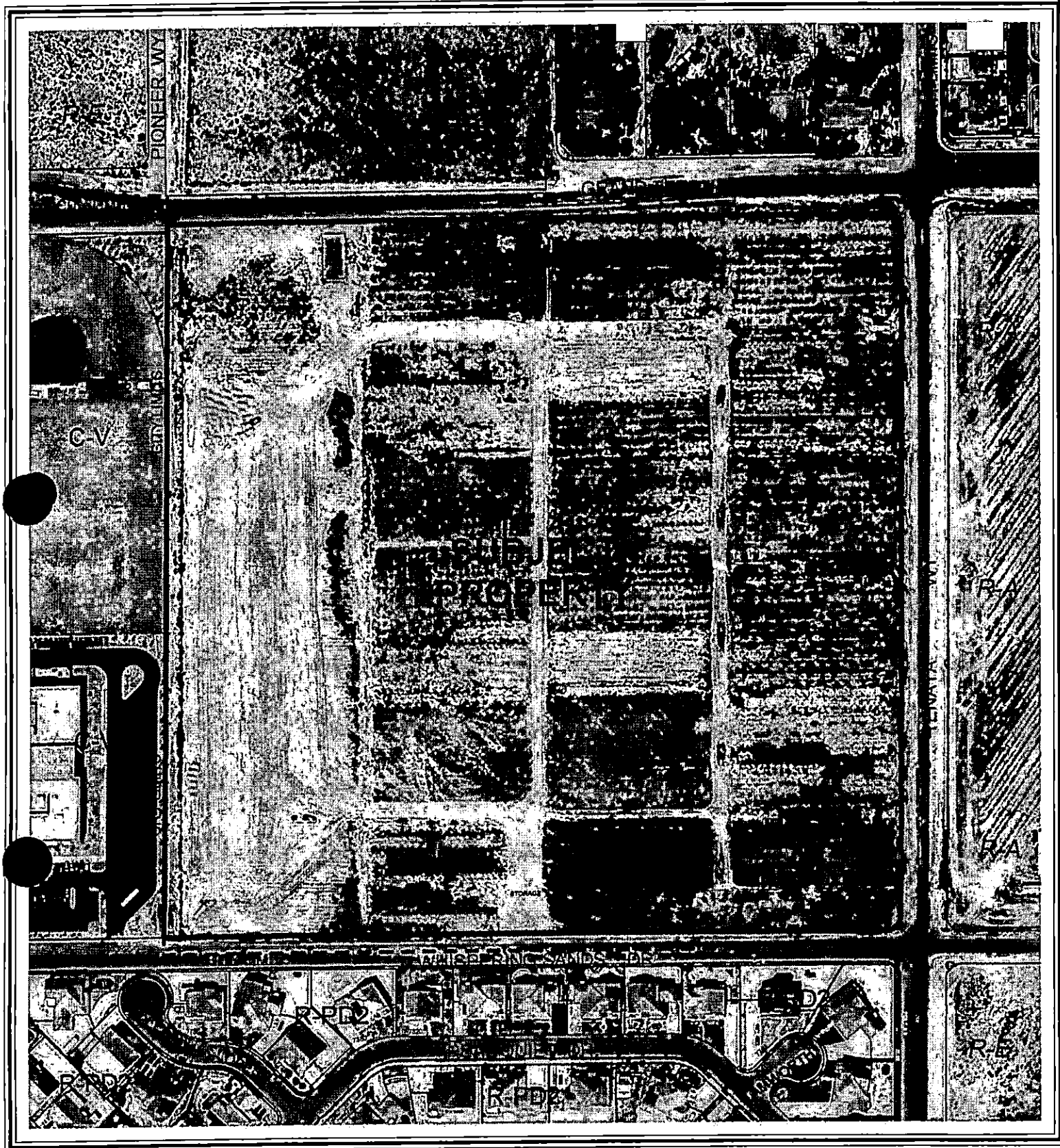
MINUTES:

ANDY REED, Planning Supervisor, stated that the applicant of Item 3 [ANX-19110] requested an abeyance to 3/8/2007 to allow time to complete a final map.

(6:02 – 6:04)



CASE: ANX-19110



CASE: ANX-19110

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 22, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ANX-19110 - OWNER/APPLICANT: SPINNAKER HOMES IX,
LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL

MAH

ANX-19110 - Staff Report Page One
February 22, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is intended to annex one (1) parcel of land containing approximately 36.57 acres. The parcel is located on the southwest corner of North Tenaya Way and Grand Teton Drive.

BACKGROUND INFORMATION

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	36.57

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant	U (Undeveloped)	R-A (Residential Agricultural District), with a ROI of R-E (Rural Estates Residential District) - Clark County Designation
North	Residential	PCD (Planned Community Development)	R-E (Rural Estates Residential District) with a ROI of C-1 (Commercial) and parcels with R-E designation only - Clark County Designation
South	Residential	DR (Desert Rural)	R-PD 2 (Residential Planned Development - 2 Units Per Acre)
East	Orchard	R-E (Rural Estates) - Clark County Designation	R-A (Residential Agricultural District) - Clark County Designation
West	School	PF-CC (Public Facilities)	C-V (Civic)

ANX-19110 - Staff Report Page Two
February 22, 2007 - Planning Commission Meeting

ANALYSIS

This parcel is in an area of the city considered to be appropriate for annexation in that they meet the requirements of NRS 268.580 No. 2(b), which states, "Not less than one-eighth of the aggregate external boundaries must be contiguous to the boundaries of the annexing city."

The property is identified in the Centennial Hills Sector Plan as R-E (Rural Estates) for future land use by Clark County, which allows up to 2.5 units per acre. The current county zoning on this parcel is R-A (Residential Agricultural) with a Resolution of Intent for R-E (Rural Estates). The city's equivalent zoning is U (Undeveloped) with a [DR (Desert Rural) General Plan Designation]. The subject property is currently undeveloped. The applicant has indicated that the proposed use of the property will be a single-family subdivision.

The subject parcels are located within the Excepted Area of the Interlocal Agreement. This annexation is at the request of the property owner and can be processed for annexation. Annexation is not required as consideration for the provision of sewer service.

Upon development appropriate right-of-way dedications, street improvements, plan/studies and traffic mitigation commitments will be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

15

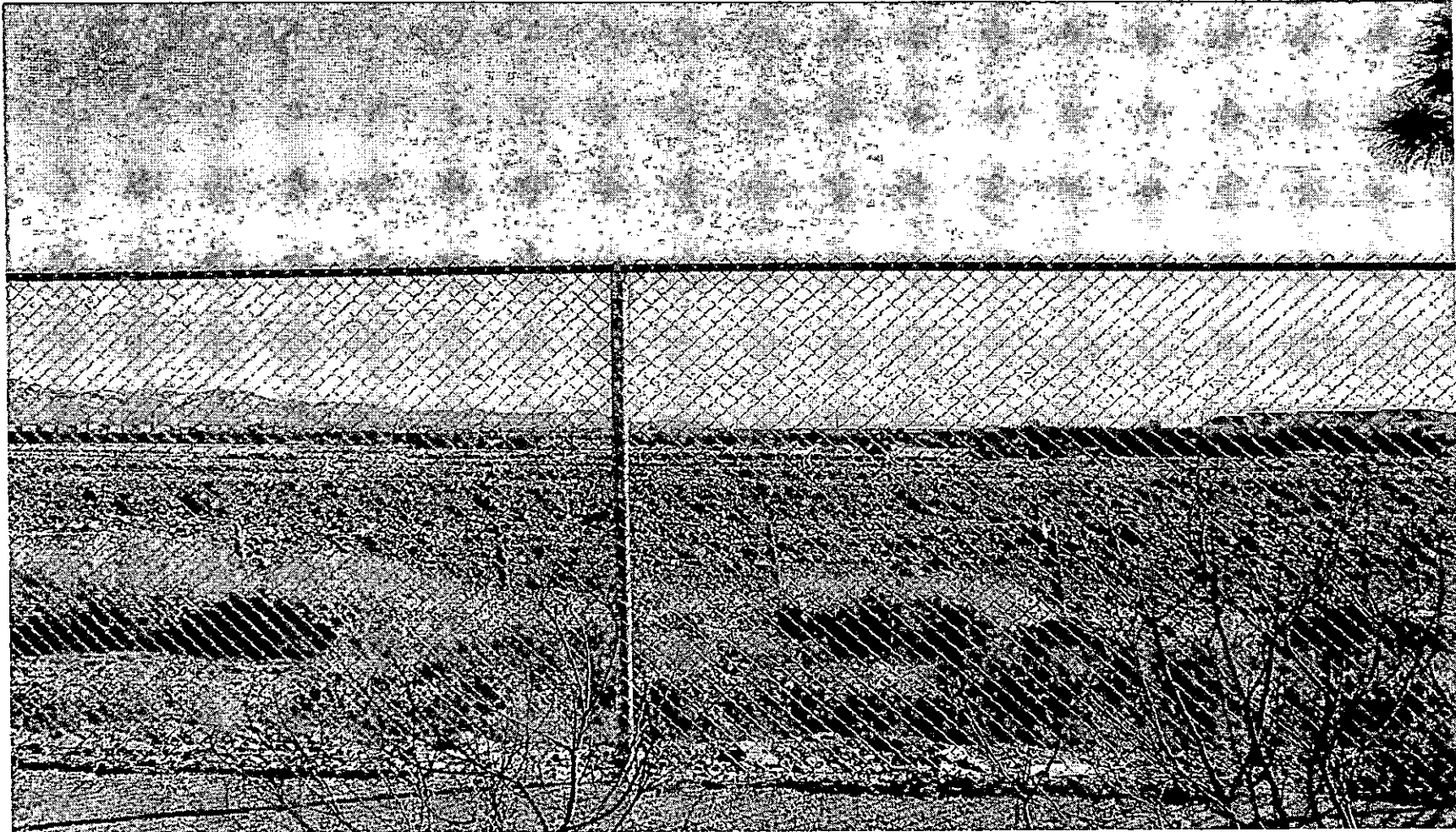
ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

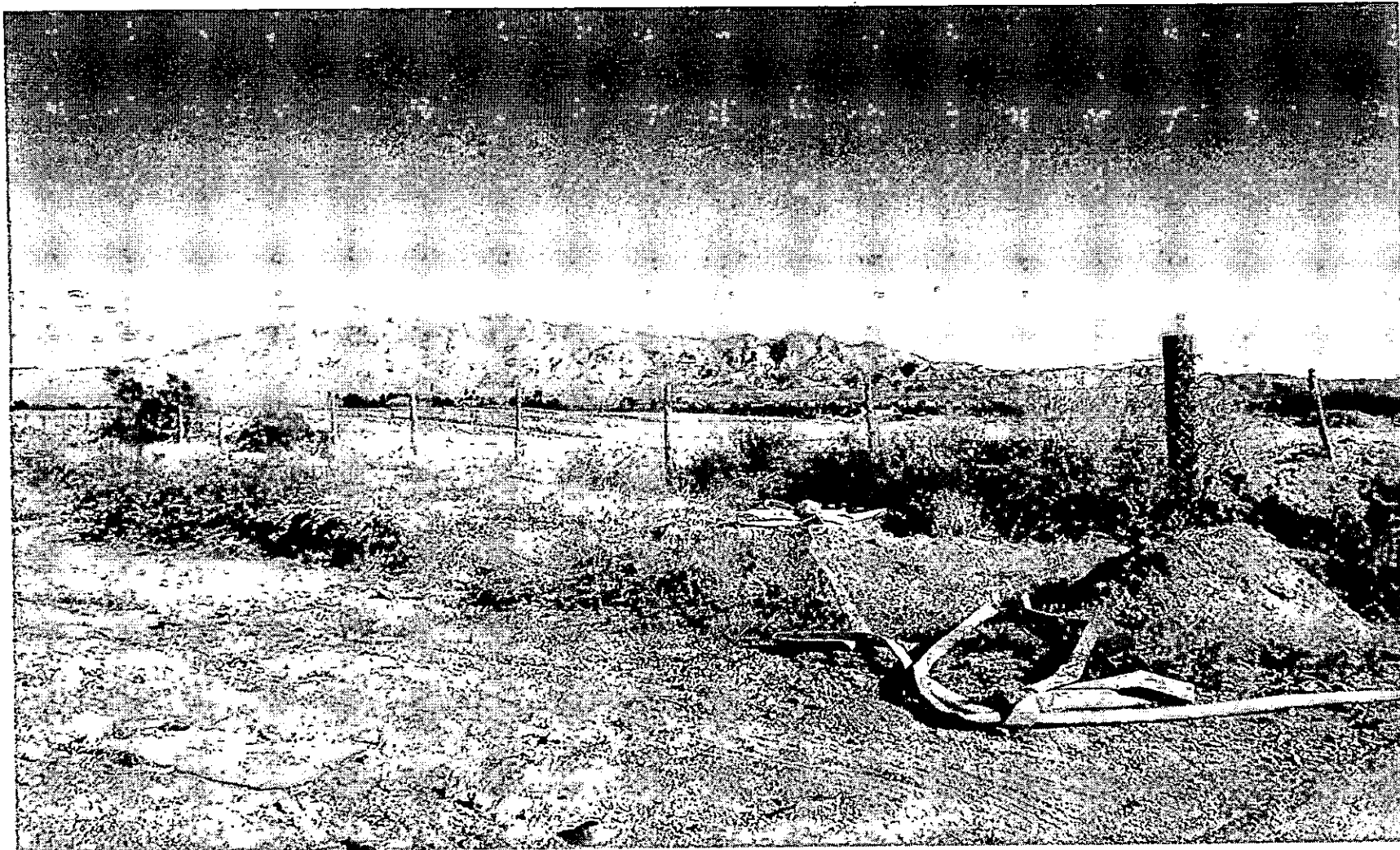
APPROVALS 0

PROTESTS 0



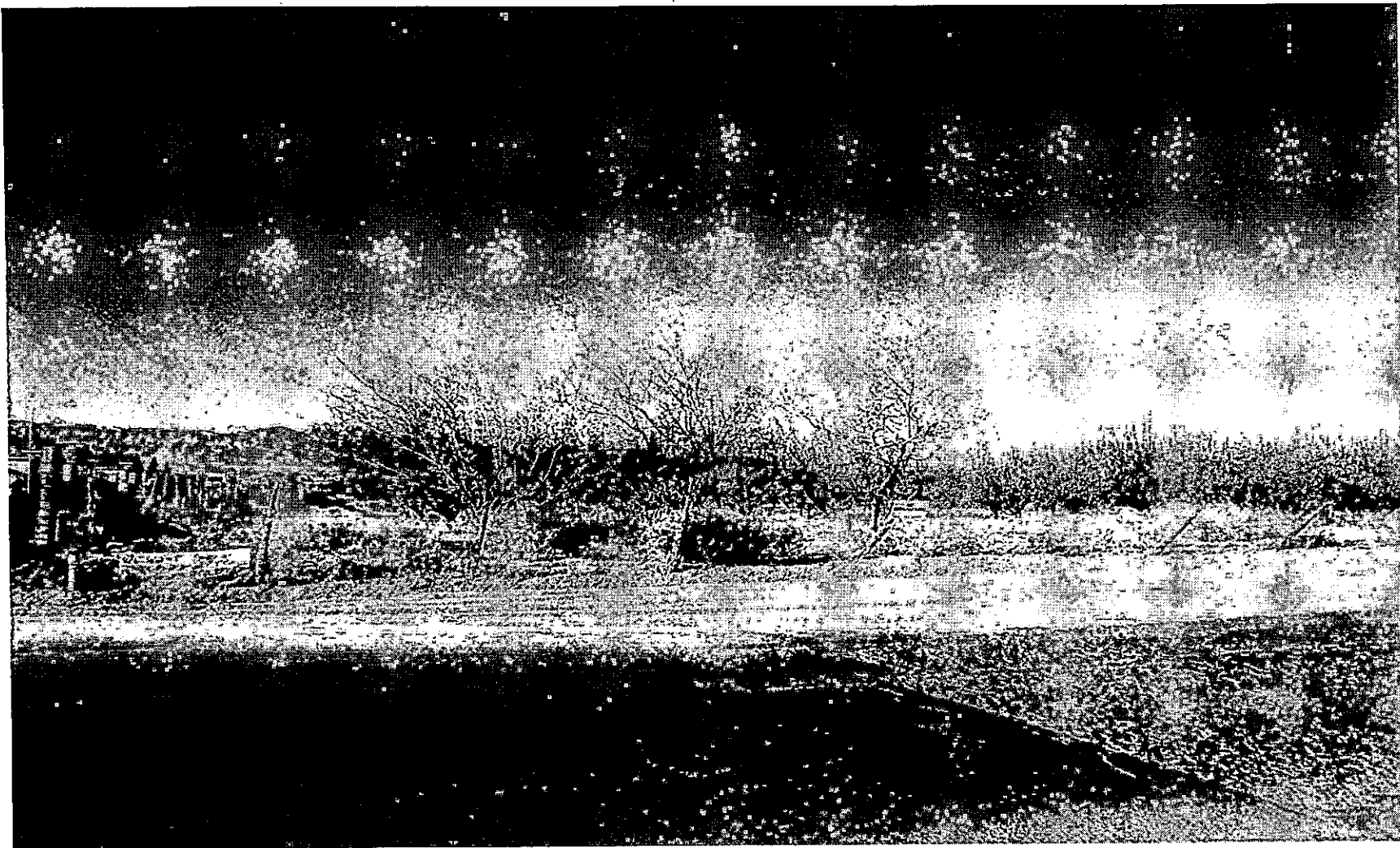
ANX-19110 - ANNEXATION - OWNER/APPLICANT: SPINNAKER HOMES IX, LLC
SOUTHWEST CORNER OF NORTH TENAYA WAY AND GRAND TETON DRIVE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



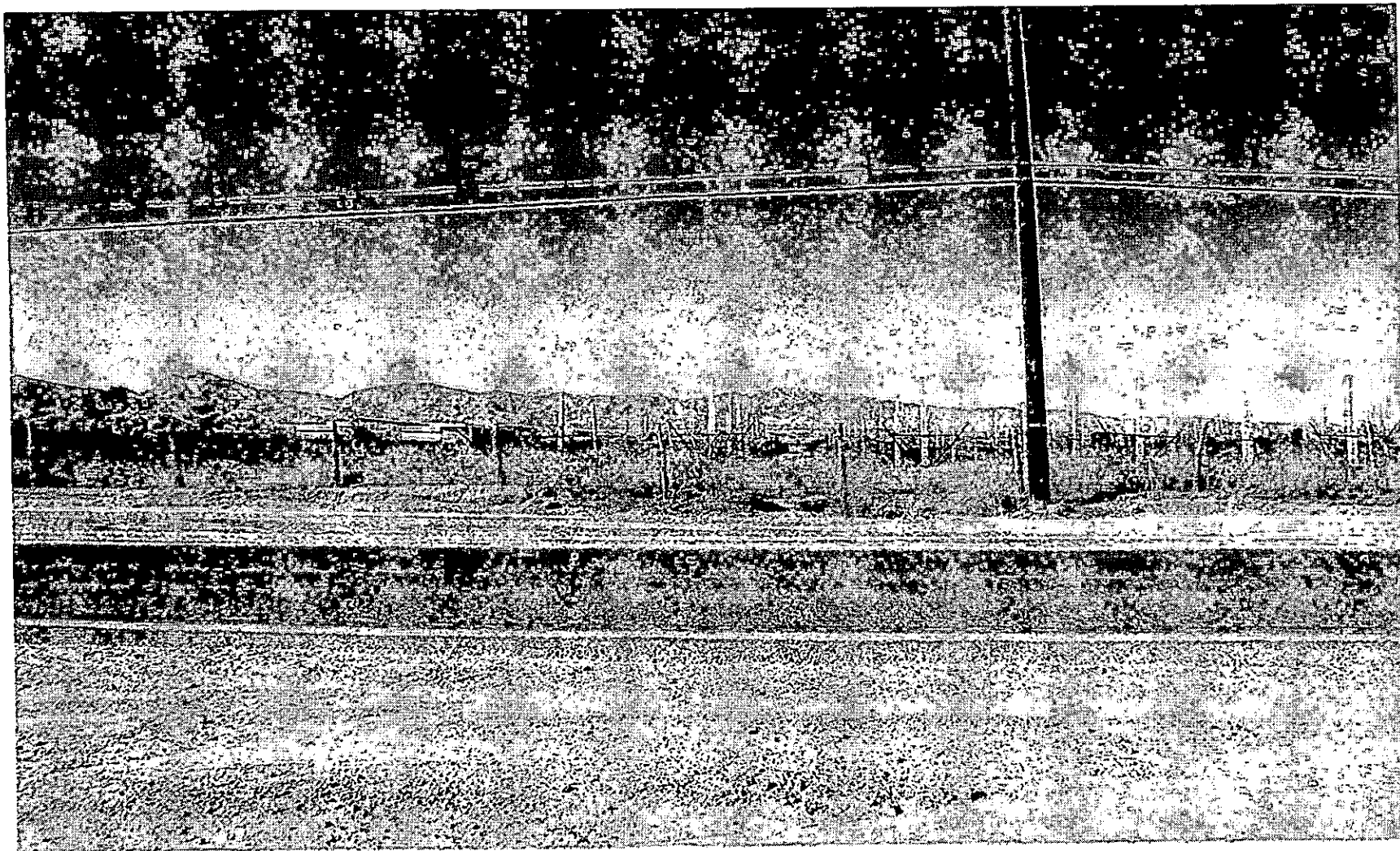
ANX-19110 - ANNEXATION - OWNER/APPLICANT: SPINNAKER HOMES IX, LLC
SOUTHWEST CORNER OF NORTH TENAYA WAY AND GRAND TETON DRIVE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



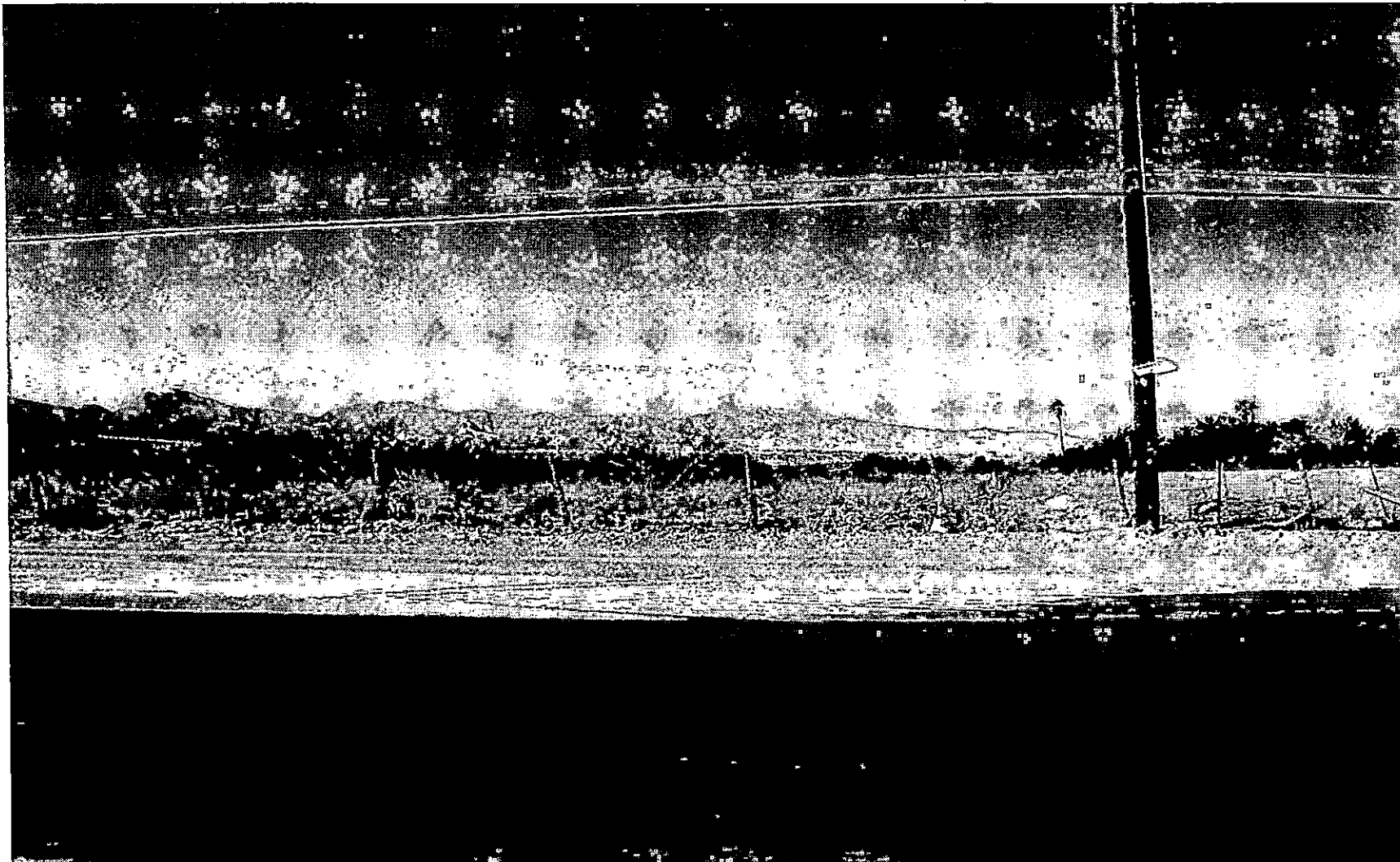
ANX-19110 - ANNEXATION - OWNER/APPLICANT: SPINNAKER HOMES IX, LLC
SOUTHWEST CORNER OF NORTH TENAYA WAY AND GRAND TETON DRIVE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



ANX-19110 - ANNEXATION - OWNER/APPLICANT: SPINNAKER HOMES IX, LLC
SOUTHWEST CORNER OF NORTH TENAYA WAY AND GRAND TETON DRIVE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



ANX-19110 - ANNEXATION - OWNER/APPLICANT: SPINNAKER HOMES IX, LLC
SOUTHWEST CORNER OF NORTH TENAYA WAY AND GRAND TETON DRIVE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07

T ☐ **THOMASON**
C ☐ **CONSULTING**
E ☐ **ENGINEERS**

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

**Reference: The Orchards
 Annexation
 APN #125-15-101-003**

On behalf of Royal Construction we respectfully request that you approve annexation of 125-15-101-003 for the specific purpose of facilitating a sewer hook-up as described below.

The annexation is justified because the property is almost an island of county land adjacent to city property; the project will connect to city sewer; and Steve Aizenberg President of Spinnaker homes, project developer, has met with Councilman Ross regarding this proposed annexation and councilman Ross informed Mr. Aizenberg that he welcomed and supported the annexation of this property.

If you have any questions or need additional information, please call me at 932-6125 (office) or 336-4071 (cell).

Sincerely,



Sonia Macias
Project Coordinator

3161 East Warm Springs Road, Suite 200
Las Vegas, Nevada 89120
Phone (702) 932-6125 • Fax (702) 932-6129


JAN 09 2007
ANX-19110
02/22/07 PC

☐ ☐ THOMASON
☐ ☐ CONSULTING
☐ ☐ ENGINEERS

February 21, 2007

011-05003

City of Las Vegas
731 S. Fourth Street
Las Vegas, Nevada 89101

Attention: Andy Reed

Subject: ANX-19110
Annexation for Spinnaker Homes at the Orchard

On behalf of Spinnaker Homes, we respectfully request that ANX-19110, which is scheduled to be heard by Planning Commissioners on February 22, 2007 be held for 2 weeks until the March 8, 2007 PC. The purpose of this request is so the City of Las Vegas can revise the Staff Recommendations to reflect the zoning as R-PUD2 instead of R-A as in initial Staff Recommendations.

Please do not hesitate to give Joe Thomason a call with any questions or concerns.

Thank you,

Kelly Meyer
Project Coordinator

Cc: Shella Lambert
Steve Aizenberg

3277 East Warm Springs Road, Suite 400
Las Vegas, Nevada 89120
Phone (702) 932-6125 • Fax (702) 932-6129

Submitted after final agenda

Date 2/22/07 Item #3

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-19019 - VARIANCE - PUBLIC HEARING - APPLICANT: NATIONAL HOMES CORPORATION - OWNER: NEVADA MANAGEMENT HOLDING COMPANY, LLC -
Request for a Variance TO ALLOW ZERO SQUARE FEET OF OPEN SPACE WHERE 15,137 SQUARE FEET IS REQUIRED FOR A PROPOSED 21-UNIT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 7.02 acres at the southwest corner of Torrey Pines Drive and Azure Drive (APNs 125-26-203-002, 003, and 004), R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre) Zone, Ward 6 (Ross).

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Signed proposed conditions of approval form by National Homes Corp.

MOTION:

GOYNES – APPROVED subject to conditions Item 4 [VAR-19019], Item 5 [VAR-19046], Item 6 [VAR-19117], Item 7 [SUP-19068], Item 8 [SUP-19087] and Item 9 [SUP-19121] – **UNANIMOUS** with **STEINMAN** excused

This is Final Action

MINUTES:

CHAIRMAN DAVENPORT explained that these items will be considered in One Motion/One Vote and are routine public and non-public hearing items that have no protests, waivers from the Code, or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in

PLANNING COMMISSION MEETING OF FEBRUARY 22, 2007
Department of Planning and Development
Item 4 – VAR-19019

MINUTES – Continued:

agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN DAVENPORT declared the Public Hearing open for Item 4 [VAR-19019], Item 5 [VAR-19046], Item 6 [VAR-19117], Item 7 [SUP-19068], Item 8 [SUP-19087] and Item 9 [SUP-19121].

There was no discussion.

CHAIRMAN DAVENPORT declared the Public Hearing closed for Item 4 [VAR-19019], Item 5 [VAR-19046], Item 6 [VAR-19117], Item 7 [SUP-19068], Item 8 [SUP-19087] and Item 9 [SUP-19121].

(6:06 – 6:09)

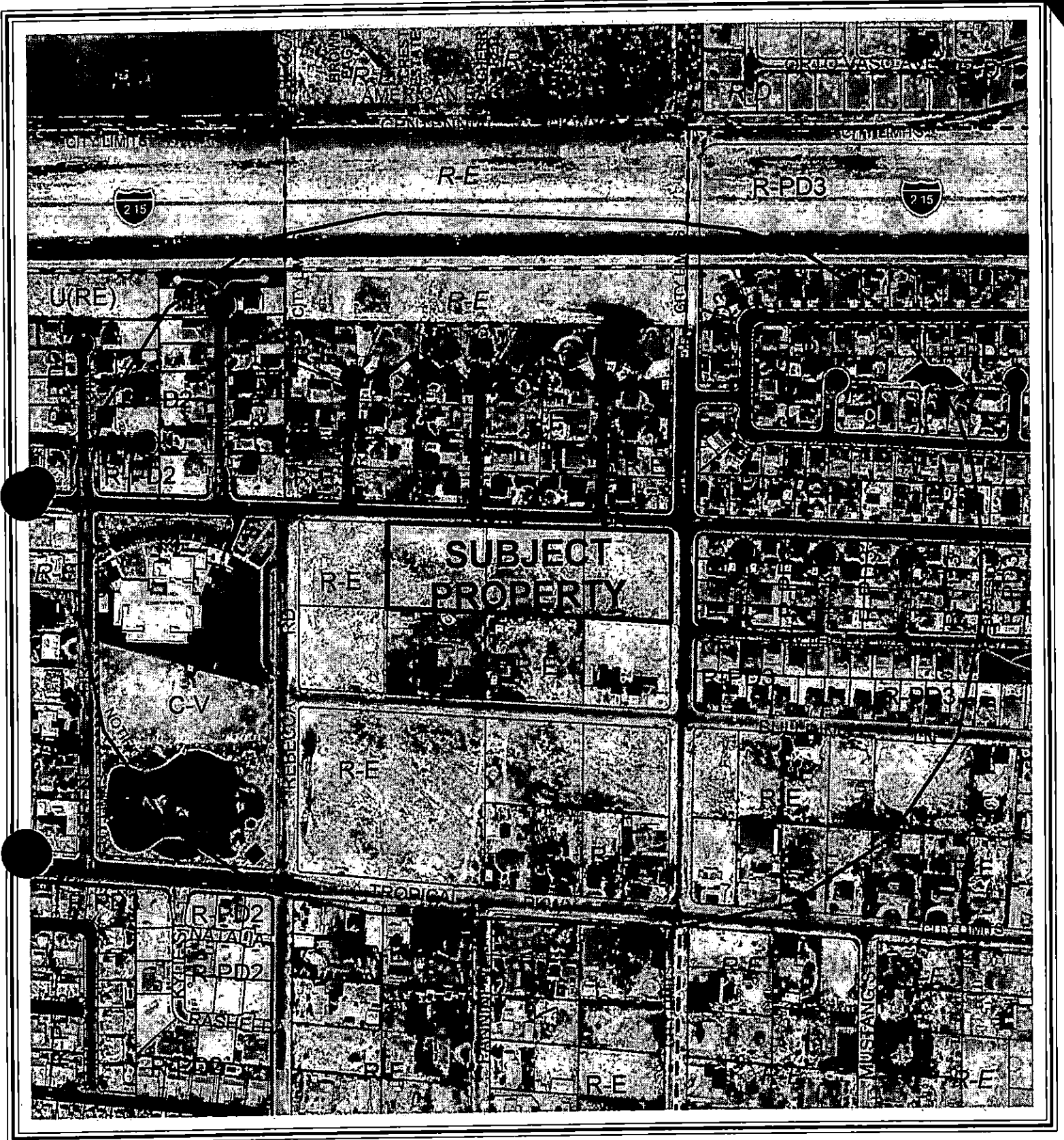
1-170

CONDITIONS:

Planning and Development

1. Conformance to the Conditions of Approval for General Plan Amendment (GPA-16538), Rezoning (ZON-16609), Site Development Plan Review (SDR-16611), and Waiver (WVR-16610) shall be required, except as amended herein.
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.





0 500 Feet

CASE: VAR-19019

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) ZONE UNDER RESOLUTION OF INTENT TO R-PD3
(RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) ZONE



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 22, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-19019 - APPLICANT: NATIONAL HOMES CORPORATION - OWNER: NEVADA MANAGEMENT HOLDING COMPANY, LLC

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the Conditions of Approval for General Plan Amendment (GPA-16538), Rezoning (ZON-16609), Site Development Plan Review (SDR-16611), and Waiver (WVR-16610) shall be required, except as amended herein.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-19019 - Staff Report Page One
February 22, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Variance to allow zero square feet of open space where 15,137 square feet is required for an approved 21-unit single-family residential subdivision on 7.02 acres at the southwest corner of Torrey Pines Drive and Azure Drive.

A Variance to allow no open space where 15,137 square feet is the minimum required is a condition of approval for a Site Development Plan Review (SDR-16611) approved on 12/20/2006 by the City Council for a 21-unit single-family residential subdivision. The need for the Variance was derived by conditions of the approved SDR as requested by the Planning Commission to increase lot size, eliminate access to Torrey Pines Drive, and make up the difference by eliminating 15,260 square feet of open space.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/04/04	City Council tabled a request for a Site Development Plan Review (SDR-3284) and a Variance (VAR-3360) to allow a 27-foot side yard setback where residential adjacency standards require a minimum setback of 78 feet for a proposed private school, primary on 2.10 acres adjacent to the south side of Azure Drive, approximately 285 feet west of Rebecca Road.
06/22/06	City Council tabled a request to amend a portion of the Centennial Hills Sector Plan of the Master Plan from DR (Desert Rural Density Residential to L (Low Density Residential), a Rezoning from R-E (Residence Estates) to R-1 (Single Family Residential), and a Special Use Permit for a private streets in conjunction with a proposed single-family residential development on 7.02 acres at the southwest corner of Torrey Pines Drive and Azure Drive.
10/19/06	The Planning Commission held in abeyance at the request of the applicant an application for a General Plan Amendment (GPA-16538), a Rezoning (ZON-16609), a Site Development Plan Review (SDR-16611), and a Waiver (WVR-16610) to the 11/02/06 Planning Commission meeting.
12/20/06	The City Council approved an application for: • General Plan Amendment (GPA-16538) from Dr (Desert Rural Density Residential) to: R (Rural Density Residential), • Rezoning (ZON-16609) from R-E (Residence Estates) to R-PD3 (Residential Planned Development - 3 Units Per Acre), • Site Development Plan Review (SDR-16611) required for a 1-unit single-family residential subdivision, and • Waiver (WVR-16610) to Title 18.12.160 to allow approximately 173 feet between street intersections where 220 feet is the minimum distance separation required. Planning Commission and staff recommended denial.

RL

VAR-19019 - Staff Report Page Two
February 22, 2007 - Planning Commission Meeting

Related Building Permits/Business Licenses	
No building permits or business licenses have been issued pertaining to the subject site.	
Pre-Application Meeting	
01/02/07	A pre-application meeting with the applicant was held and the following items were discussed. This application stems from a requirement for a minimum lot size of 10,000 square feet, effectively "pushing out" the open space previously proposed in a Site Development Plan Review (SDR-16611). Two common lots providing approximately 8,200 square feet of passive open space may have qualified for providing some open space if in compliance with Title 19.06.040 (G) 4 and 5.

Neighborhood Meeting	
09/25/06	A neighborhood meeting was held at 6:00 pm at the Lied Community School, 5340 West Tropical Parkway for the previously approved applications for General Plan Amendment (GPA-16538), Rezoning (ZON-16609), Site Development Plan Review (SDR-16611), and Waiver (WVR-16610). Eleven citizens attended the meeting. The attendees were concerned about the 2-story height, traffic issues on Azure Drive and Torrey Pines Drive and the perimeter wall height being the same as surrounding properties. They preferred rural streetlight standards and lot sizes.

Details of Application Request	
Site Area	
Gross Acres	7.02
Net Acres	6.08

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

VAR-19019 - Staff Report Page Three
February 22, 2007 - Planning Commission Meeting

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

The subject site falls within a Rural Preservation Overlay District. Nevada Revised Statute 278 as well as Title 19 limits residential development within such districts to an average density of three residential dwelling units per acre. The subject site as proposed will be built at a density of 2.99 units per acre and is in compliance with the designation of the Rural Preservation Overlay District.

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Provided</i>	<i>Compliance</i>
Minimum Lot Size	10,000 SF	Y
Setbacks		
• Front	20 Feet	Y
• Side	5 Feet	Y
• Corner	15 Feet	Y
• Rear	20 Feet	Y
Max. Building Height	30 Feet	Y

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-E (Residence Estates)	2.18 du/ac for a total of 15.30 units	R-PD3 (Residential Planned Development - 3 Units Per Acre)	3.59 du/ac for a total of 25.20 units	R (Rural Density Residential)	3.59 du/ac a total of 25.20 units

VAR-19019 - Staff Report Page Four
February 22, 2007 - Planning Commission Meeting

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Buffer:				
Min. Trees	1 Tree/20 Linear Feet	46 Trees	46 Trees	Y
TOTAL		46 Trees	46 Trees	Y
Min. Zone Width	6 Feet		6 Feet	Y
Wall Height	6 Feet		6 Feet	Y

<i>Open Space - R-PD only</i>							
<i>Total Acreage</i>	<i>Density</i>	<i>Required</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Ratio</i>	<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
7.02	2.99	1.65	4.93	15,086	0	0	N*

* Subject of this Variance.

ANALYSIS

This request for a Variance to allow zero square feet of open space where 15,137 square feet is required is related to a previously approved subdivision. On 12/20/06, City Council approved a General Plan Amendment (GPA- 16538) from DR (Desert Rural Density Residential) to R (Rural Density Residential); a Rezoning (ZON-16609) from R-E (Residence Estates) to R-PD3 (Residential Planned Development – 3 Units Per Acre); a Site Development Plan Review (SDR-16611) for a twenty-one lot subdivision on 7.02 acres adjacent to the intersection of Azure Drive and Torrey Pines Drive. The subdivision will consist of 21, one- and two-story homes ranging in size from 2,755 to 3,455 square feet. No Title 19 waivers were associated with these previous applications; however, a formal Title 18 Waiver (WVR-16610) was approved to allow approximately 173 feet between street intersections where 220 feet is the minimum distance separation required. As this design does not appear to present turn conflicts, nor is it expected to hinder area traffic flow, the Public Works Department did not object to the request for this Waiver, and City Council approved the Waiver on 12/20/06 with the related applications.

Several changes were made to the site plan associated with the aforementioned cases prior to City Council approval at the behest of the Planning Commission. This included the elimination of all but emergency access to Torrey Pines Drive and an increase in the minimum lot size from 7,647 square feet to 10,000 square feet. These changes necessitated the elimination of the proposed 15,260 square feet of open space, and thus the need for this Variance. As such, the City Council required an approved Variance for this subdivision as a condition of the approved Site Development Plan Review to be satisfied prior to the application for a Tentative Map.

VAR-19019 - Staff Report Page Five
February 22, 2007 - Planning Commission Meeting

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 hardship from which the applicant seeks relief is not self-created, but rather the result of the narrowness of the parcel for which the development is proposed, and the need to keep the design of the proposed subdivision consistent with the adjacent neighborhood and the requirements of the Rural Preservation Overlay District within which the subject site is located. As such, staff recommends approval.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 186

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-19019** APN: 125-26-203-002,003,004
Name of Property Owner: Nevada Management Holding Company LLC.
Name of Applicant: Taney Engineering
Name of Representative: Roberta Culp

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: 125-26-203-002,003,004

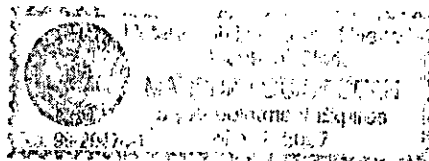
Signature of Property Owner: _____

Print Name: Gina MacKay

Subscribed and sworn before me

This 8 day of Dec, 2006

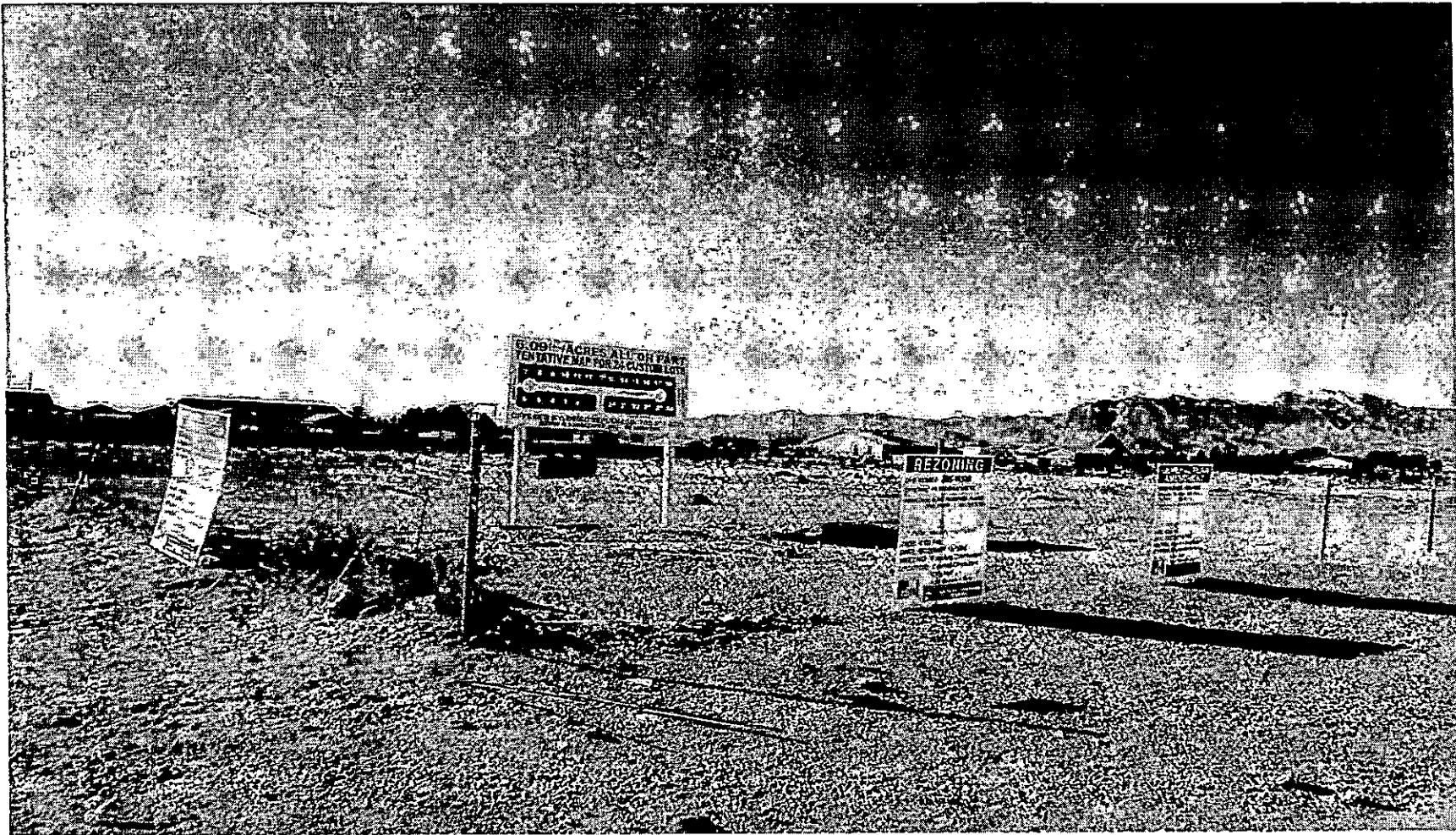
Martha Laura Rean
Notary Public in and for said County and State





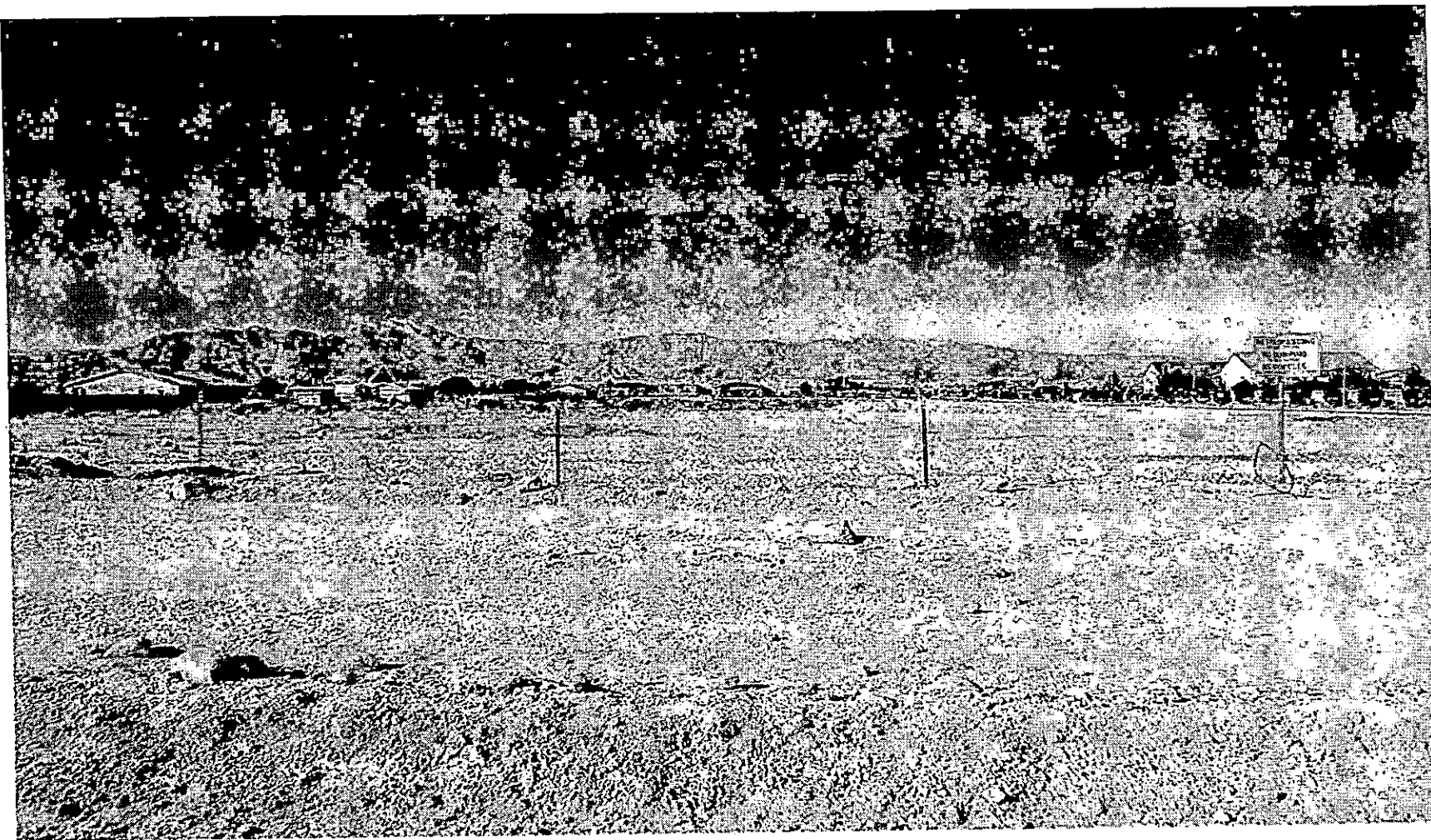
VAR-19019 - APPLICANT: NATIONAL HOMES CORPORATION - OWNER: NEVADA MANAGEMENT
HOLDING COMPANY, LLC
SOUTHWEST CORNER OF TORREY PINES DRIVE AND AZURE DRIVE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



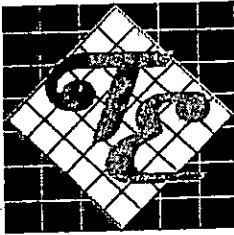
VAR-19019 - APPLICANT: NATIONAL HOMES CORPORATION - OWNER: NEVADA MANAGEMENT HOLDING COMPANY, LLC
SOUTHWEST CORNER OF TORREY PINES DRIVE AND AZURE DRIVE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



VAR-19019 - APPLICANT: NATIONAL HOMES CORPORATION - OWNER: NEVADA MANAGEMENT
HOLDING COMPANY, LLC
SOUTHWEST CORNER OF TORREY PINES DRIVE AND AZURE DRIVE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



TANEY ENGINEERING

4445 S. JONES #1

LAS VEGAS, NEVADA 89103

TELEPHONE: (702) 362-8844

FAX: (702) 362-5233

December 18, 2006

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

Re: APN 125-26-203-002, 125-26-203-003 And 125-26-203-004

To Whom It May Concern:

On behalf of our client, National Homes Corporation, Taney Engineering is applying for a Variance of required open space on a 7.02± acre site located at the southwest corner of Azure Drive and Torrey Pine Drive.

We are submitting an application of Variance for Zero Open Space in a proposed RPD-3 development. The zero open space is needed in order to maximize the lot area to a minimum of 10,000 square feet per meetings with the surrounding neighbors and City Councilman Ross.

The site plan exceeds conformance to the neighborhood in lot size and style. This project will aid in the completion of the community and a consistency in residential development.

Sincerely,

Christopher Zhang
Project Manager
Taney Engineering

VAR-19019
02/22/07 PC

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: VAR-19019 - APPLICANT: NATIONAL HOMES CORPORATION - OWNER: NEVADA MANAGEMENT HOLDING COMPANY, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **February 22, 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 Burrey 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] *Manager*

2-20-07

OWNER

Signature

Date

Nevada Management Hold Co LLC

Please Print Name

[Signature]

2-20-07

APPLICANT

Company Name

National Homes Corporation

Sincerely,

Andrew P. Reed, Planning Supervisor
Current Planning Division

Submitted after final agenda

Date *2/22/07* Item *#4*

4

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-19046 - VARIANCE - PUBLIC HEARING - APPLICANT: PULTE HOMES - OWNER: PN II, INC. - Request for a Variance TO ALLOW A 7.4-FOOT CORNER SIDE SETBACK WHERE 10 FEET WAS REQUIRED FOR AN APPROVED SINGLE FAMILY RESIDENTIAL DWELLING on 0.12 acres at 6505 Taylor Creek Avenue (APN 125-35-111-046), R-E (Residence Estates) Zone under Resolution of Intent to R-PD4 (Residential Planned Development - 4 Units Per Acre), Ward 6 (Ross).

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends **APPROVAL**.

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-9142
6. Submitted after final agenda – Signed proposed conditions of approval form by GE Wallace

MOTION:

GOYNES – APPROVED subject to conditions Item 4 [VAR-19019], Item 5 [VAR-19046], Item 6 [VAR-19117], Item 7 [SUP-19068], Item 8 [SUP-19087] and Item 9 [SUP-19121] – UNANIMOUS with STEINMAN excused

This is Final Action

MINUTES:

CHAIRMAN DAVENPORT explained that these items will be considered in One Motion/One Vote and are routine public and non-public hearing items that have no protests, waivers from the Code, or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF FEBRUARY 22, 2007
Department of Planning and Development
Item 5 – VAR-19046

MINUTES – Continued:

CHAIRMAN DAVENPORT declared the Public Hearing open for Item 4 [VAR-19019], Item 5 [VAR-19046], Item 6 [VAR-19117], Item 7 [SUP-19068], Item 8 [SUP-19087] and Item 9 [SUP-19121].

There was no discussion.

CHAIRMAN DAVENPORT declared the Public Hearing closed for Item 4 [VAR-19019], Item 5 [VAR-19046], Item 6 [VAR-19117], Item 7 [SUP-19068], Item 8 [SUP-19087] and Item 9 [SUP-19121].

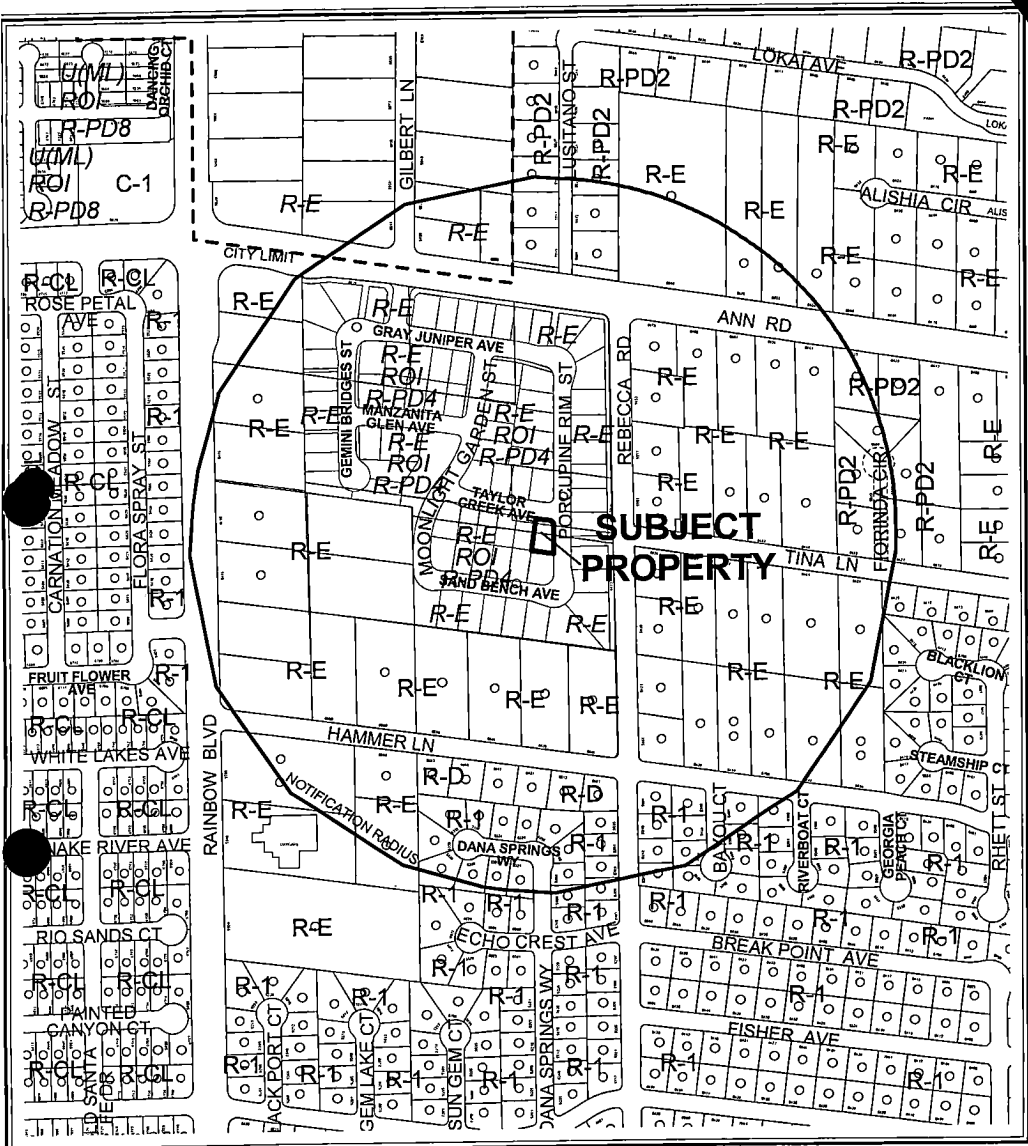
(6:06 – 6:09)

1-170

CONDITIONS:

Planning and Development

1. Conformance to the Conditions of Approval for approved Site Development Plan Review (SDR-9142), Tentative Map (TMP-11690), General Plan Amendment (GPA-9144), and Variance (VAR-9143) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.



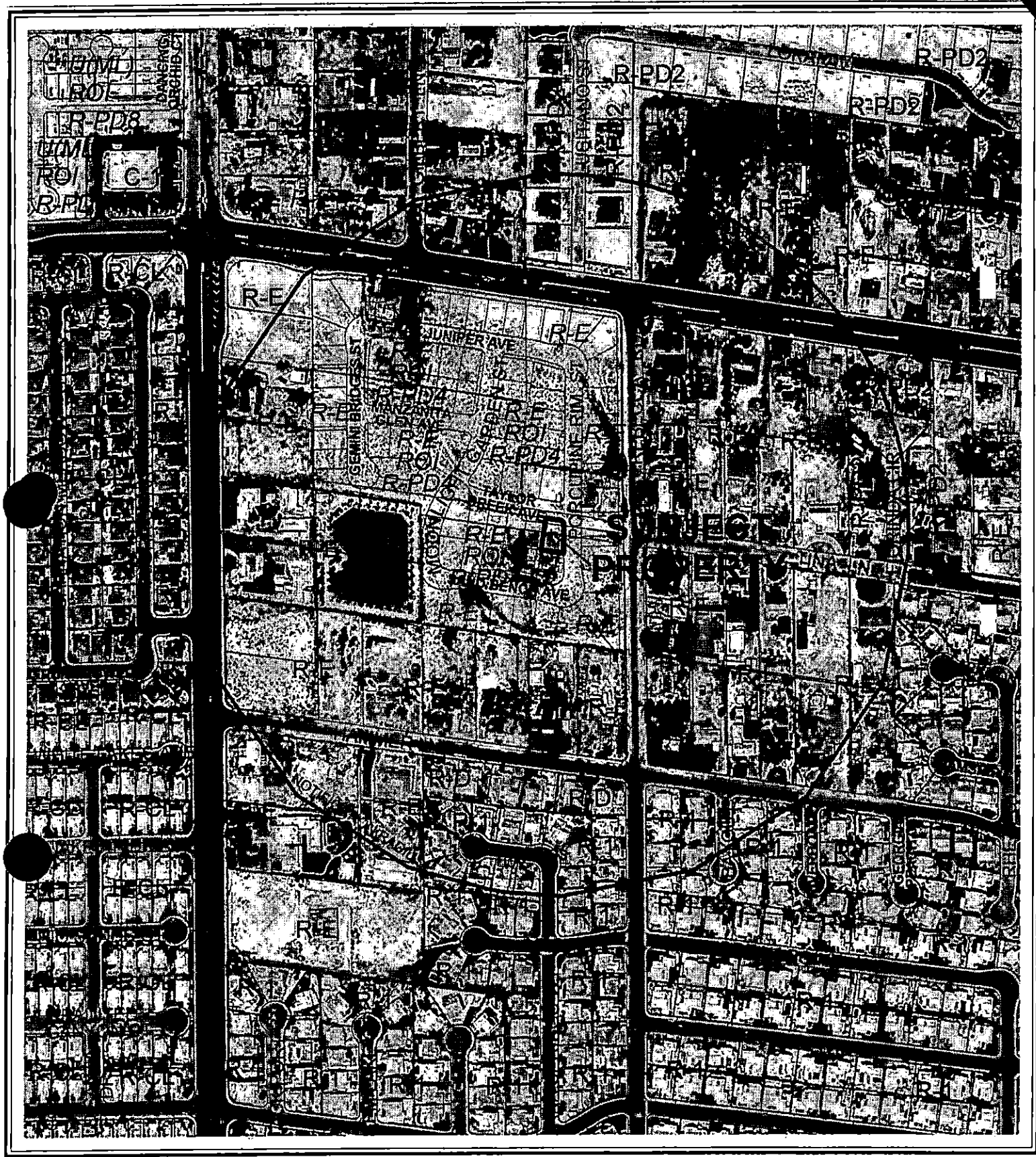
CASE: **VAR-19046**

RADIUS: 1000 FT

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

0 90180 Feet





CASE: **VAR-19046**

RADIUS: 1000 FT

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

0 500 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 22, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-19046 - APPLICANT: PULTE HOMES - OWNER: PN II, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the Conditions of Approval for approved Site Development Plan Review (SDR-9142), Tentative Map (TMP-11690), General Plan Amendment (GPA-9144), and Variance (VAR-9143) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-19046 - Staff Report Page One
February 22, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

Request for a Variance to allow a 7.4-foot corner side setback where 10 feet is required for an approved single family residential dwelling on 0.12 acres at 6505 Taylor Creek Avenue, southwest corner at the intersection of West Ann Road at Rebecca Road.

Staff finds that the tapered front property line is a hardship and notes that all other required setbacks will be met. Therefore, staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/15/05	The Planning Commission considered and approved a Site Development Plan Review (SDR-9142), a Rezoning (ZON-9141) from R-E (Residence Estates) to R-PD4 (Residential Planned Development – 4 Units Per Acre), a Vacation (VAC-9540) of a portion of Tina Lane, and a Variance (VAR-9143) to allow a reduction of required open space. A General Plan Amendment (GPA-9144) was considered as well to change the land use designation from DR (Desert Rural Density Residential) and R (Rural Density Residential) to L (Low Density Residential). The Planning Commission failed to reach a supermajority vote and as such the request was forwarded to the City Council with a recommendation for denial. Staff recommended denial as well.
01/18/06	The City Council considered and approved a Site Development Plan Review (SDR-9142), a General Plan Amendment (GPA-9144) from DR (Desert Rural Density Residential) and R (Rural Density Residential) to L (Low Density Residential), a Rezoning (ZON-9141) from R-E (Residence Estates) to R-PD4 (Residential Planned Development— 4 Units Per Acre), a Vacation (VAC-9540) of a portion of Tina Lane, and a Variance (VAR-9143) to allow a reduction of required open space.
<i>Related Building Permits/Business Licenses</i>	
None	None
<i>Pre-Application Meeting</i>	
11/6/06	A Pre-application conference was held with the applicant. Staff advised the applicant of the Variance submittal requirements.
<i>Neighborhood Meeting</i>	
A Pre-application meeting is not required for this application type nor was one held.	

VAR-19046 - Staff Report Page Two
February 22, 2007 - Planning Commission Meeting

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.13 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Residential Construction	L (Low Density Residential)	R-E (Residential Estates) under Resolution of Intent to R-PD4 (Residential Planned Development - 4 Units Per Acre)
North	Residential Construction	L (Low Density Residential)	R-E (Residential Estates) under Resolution of Intent to R-PD4 (Residential Planned Development - 4 Units Per Acre)
South	Residential Construction	L (Low Density Residential)	R-E (Residential Estates) under Resolution of Intent to R-PD4 (Residential Planned Development - 4 Units Per Acre)
East	Residential Construction	L (Low Density Residential)	R-E (Residential Estates) under Resolution of Intent to R-PD4 (Residential Planned Development - 4 Units Per Acre)
West	Residential Construction	L (Low Density Residential)	R-E (Residential Estates) under Resolution of Intent to R-PD4 (Residential Planned Development - 4 Units Per Acre)

VAR-19046 - Staff Report Page Three
February 22, 2007 - Planning Commission Meeting

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

DEVELOPMENT STANDARDS

Pursuant to Site Development Plan Review (SDR-9142) the following development standards for R-PD4 (Residential Planned Development - 4 Units Per Acre) apply to the project:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	5,320 square feet	5,656 square feet	Y
Min. Lot Width	54 feet	54 feet	Y
Min. Setbacks • Front	• 20 feet to front of house • 15 feet to front of garage measured from back of sidewalk of back of curb	• 20 feet to front of house • 15 feet to front of garage measured from back of sidewalk of back of curb	Y Y
• Side • Corner • Rear	5 10 15	5 7.4 15	Y N Y
Max. Building Height	2 stories or 35 feet, whichever is less		Y or N

ANALYSIS

The project requests relief of the required corner side setback established under approved Site Development Plan Review (SDR-9142) and companion Rezoning (ZON-9141). The setback reduction will apply to Lot 46 which will be constructed with a two story single-family residence within a 78-unit planned residential development.

- **General Plan and Zoning**

The project site is located within an area designated under the General Plan for Low density residential use and zoned as R-E (Residential Estates) under Resolution of Intent (ROI) to R-PD4 (Residential Planned Development - 4 Units Per Acre). The properties surrounding the project site are currently in the construction phase.

- **Site Plan**

The project site plan depicts a reduced corner side setback of 7.4 feet where 10 feet is required. The footprint of the proposed single family structure will be constructed on a tapered corner lot that will meet all other required setbacks. Staff recommends approval of the Variance request as the lot possesses an unusual dimension.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

VAR-19046 - Staff Report Page Five
February 22, 2007 - Planning Commission Meeting

Staff finds that the tapered front property line is a hardship and notes that all other required setbacks will be met. Therefore, staff recommends approval.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 1

SENATE DISTRICT 6

NOTICES MAILED 225

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-19046** APN: 125.35.101.006 & 125.35.101.003, 004, 005 & 008
Name of Property Owner: PN II INC
Name of Applicant: Pulte Homes

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

☐ Yes

☒ 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 _____

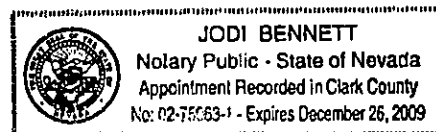
Signature of Property Owner: _____

Print Name: Tim Washburn

Subscribed and sworn before me

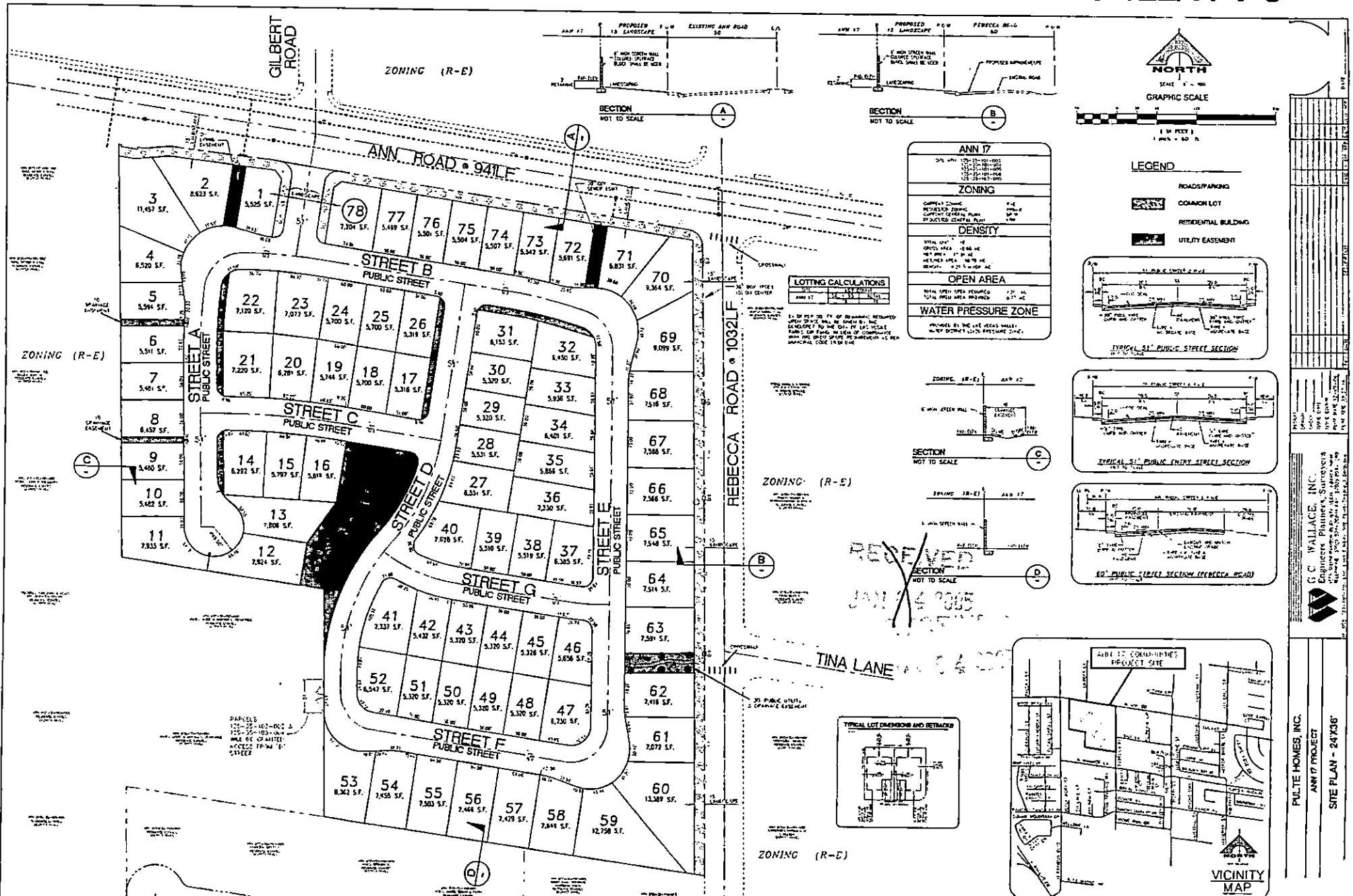
This 16th day of November, 20 06

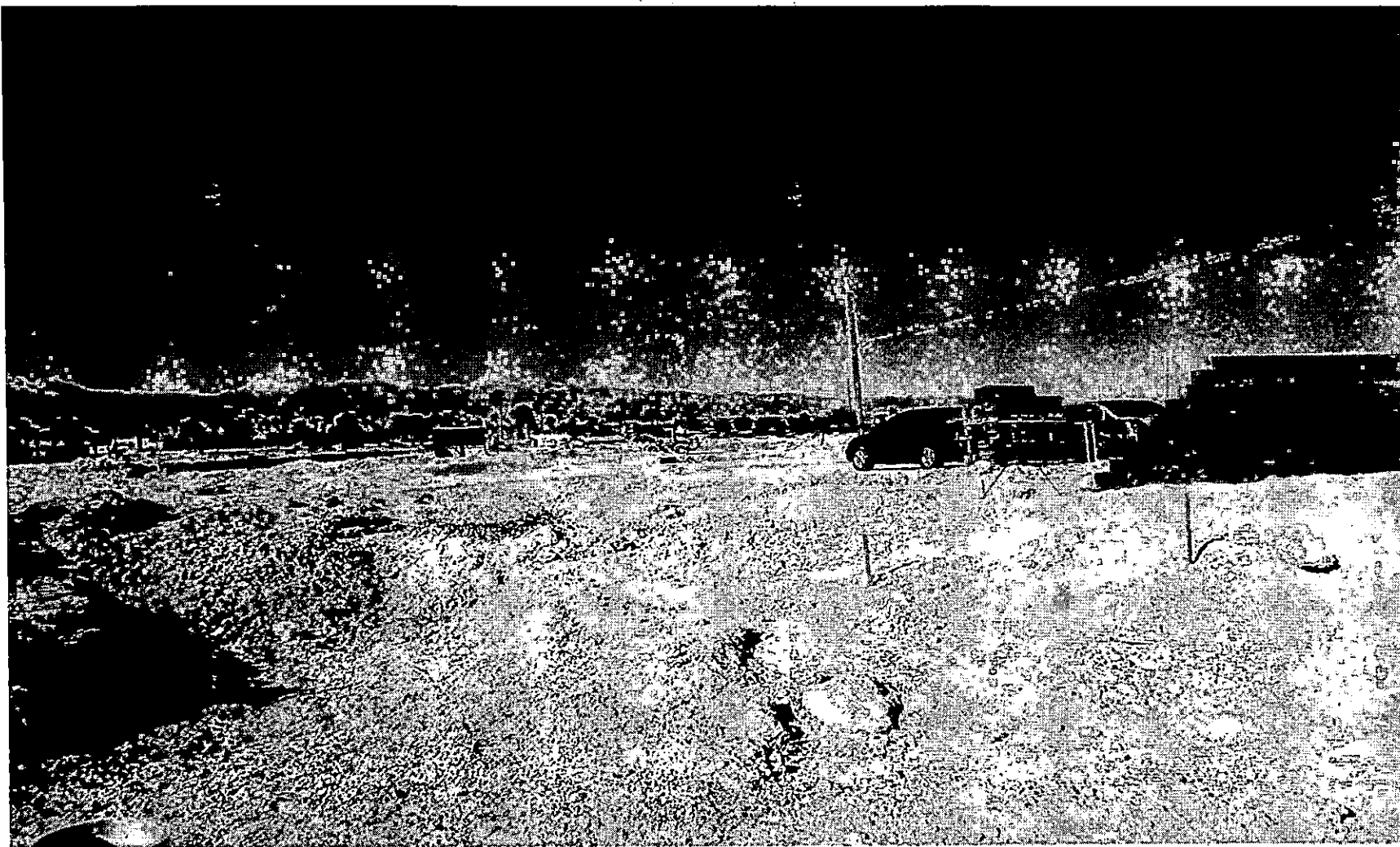
Jodi Bennett
Notary Public in and for said County and State



JAN 04 2007

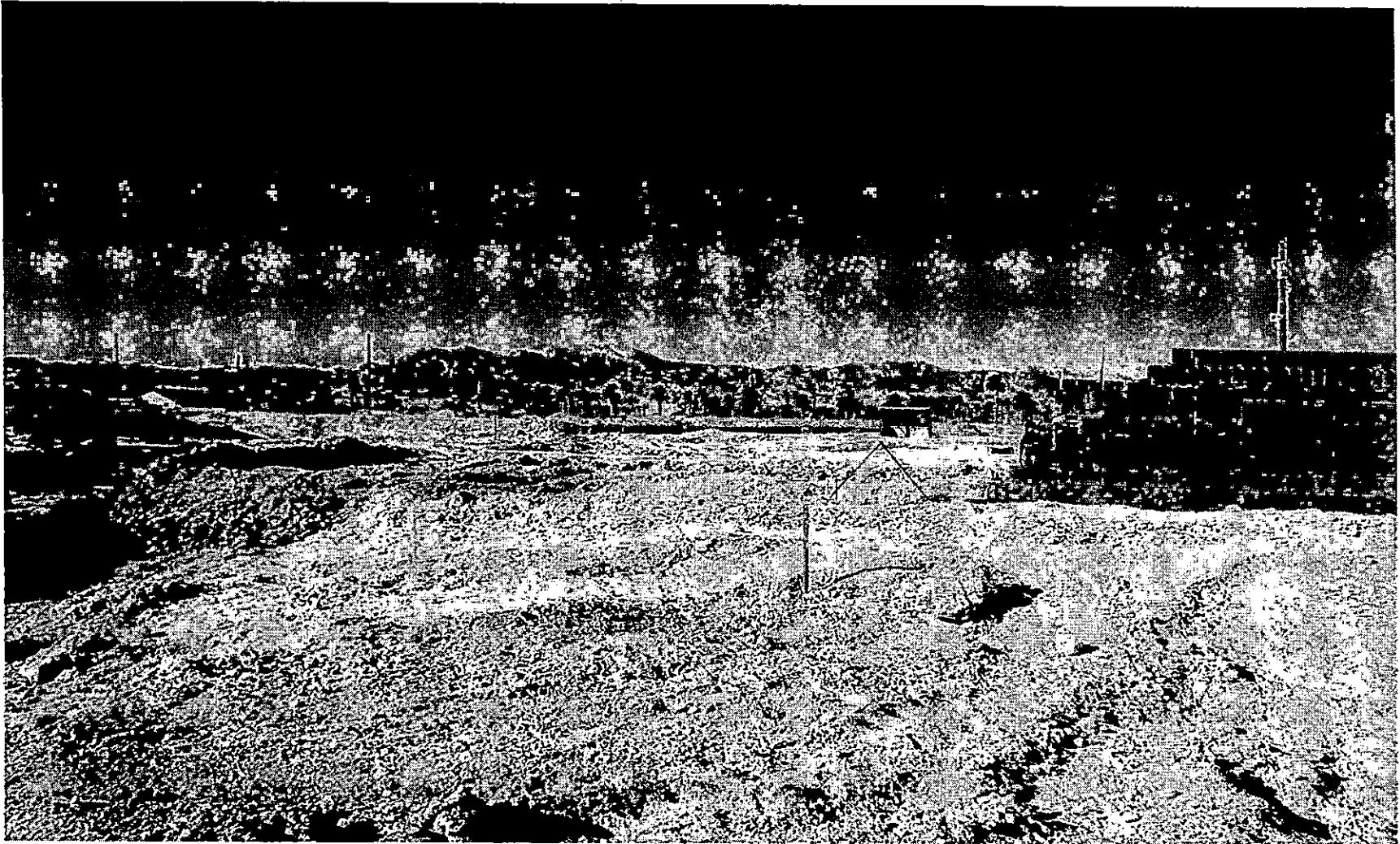
VAR-19046
02/22/07 PC





VAR-19046 - APPLICANT: PULTE HOMES - OWNER: PN II, INC.
6505 TAYLOR CREEK AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



VAR-19046 - APPLICANT: PULTE HOMES - OWNER: PN II, INC.
6505 TAYLOR CREEK AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



ENGINEERS PLANNERS SURVEYORS

G. C. WALLACE, INC.

Writer's Contact Information:

764.100.100

November 16, 2006

Don Schmeiser
City of Las Vegas
731 S. Fourth Street
Las Vegas, Nevada 89030

Re: **Justification letter – Ann 17 – Review of Conditions for SDR-9142**
Assessors Parcel Numbers – 125-35-101-005; 125-35-101-003, 004, 006 & 008

Dear Mr. Schmeiser:

On behalf of our client, PN II Inc., dba Pulte Homes of Nevada, G. C. Wallace, Inc. requests the approval of a Review of Conditions for a single-family residential project generally located at the southwest corner of Ann Road and Rebecca Road.

The project is located within the City of Las Vegas on land designated as Desert Rural (up to 2.49 units per acre) and Rural (up to 3.59 units per acre) in the Centennial Hills Plan. The zoning is currently R-PD4. We are requesting a ~~Review of Conditions~~ **VARIANCE** of item no. 5, which a portion states that the corner side setback should be 10'. We would like to have this changed to reduce the side yard setback to a minimum of 7.4', specifically for lot 46. This change is requested to allow for footprint 3249 and smaller to be placed on this lot.

This project will contain appropriate buffering, including necessary setbacks and landscaping, to protect the residences surrounding the proposed project. This project complies with Title 19.

The project is compatible with adjacent developments and we believe that this project would be an excellent addition to the existing community.

Very truly yours,

G. C. WALLACE, INC.

Jodi Bennett
Project Coordinator

cc: Kris Munn, Pulte Homes
Tim Washburn, Pulte Homes
Tabitha Keetch, KKBR
Rick Read, GCW

VAR-19046
02/22/07 PC



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYORGARY REESE
MAYOR PRO TEMLARRY BROWN
LAWRENCE WEEKLYSTEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSSDOUGLAS A. SELBY
CITY MANAGER

060051

February 24, 2006

Ms. Eloisa Deleon, et al
354 Lincoln Avenue
Fort Lee, New Jersey 07024-5047RE: SDR-9142 - SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF JANUARY 18, 2006
RELATED TO GPA-9144, ZON-9141, VAR-9143 AND VAC-9540

Dear Ms. Deleon:

The City Council at a regular meeting held January 18, 2006 APPROVED the request for a Site Development Plan Review FOR A 79-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 18.66 acres at the southwest corner of Ann Road and Rebecca Road (APN 125-35-101-003, 004, 006, 008 and 125-35-103-005), R-E (Residence Estates) Zone [PROPOSED: R-PD4 (Residential Planned Development - 4 Units Per Acre) Zone]. The Notice of Final Action was filed with the Las Vegas City Clerk on January 19, 2006. This approval is subject to:

Planning and Development

1. A General Plan Amendment (GPA-9144) to L (Low Density Residential), a Rezoning (ZON-9141) to R-PD4 (Residential Planned Development - 4 Units Per Acre), a Vacation (VAC-9540) of a portion of Tina Lane, and a Variance (VAR-9143) to allow a reduction of required open space.
2. 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 of Las Vegas.
3. All development shall be in conformance with the revised site plan/landscape plan for 78 units date stamped 01/9/06 and building elevations date stamped 01/11/06, except as amended by conditions herein.
4. Building height shall not exceed two stories or 35 feet, whichever is less, except lots shown as 53-59 shall be limited to single story and there shall be an eight-foot block wall along these lots as measured from the low side.
5. The setbacks for this development shall be a minimum of 20 feet to the front of the house, 15 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 15 feet in the rear.

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

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnada.gov

18112-001-06-05
CLV 7009VAR-19046
02/22/07 PC

Ms. Eloisa Deleon, et al
SDR-9142 – Page Two
February 24, 2006

6. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
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. The landscape plan shall include irrigation specifications.
8. The conceptual 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 reflect intense landscaping along Rebecca Road with a minimum of 36-inch box trees planted 15 feet on-center with a minimum of four five-gallon shrubs for each tree within provided planters. Landscaping along Ann Road shall include a minimum of 24-inch box trees planted 20 feet on-center with a minimum of four five-gallon shrubs for each tree within provided planters. A maximum six-foot high perimeter wall and five-foot sidewalk shall also be depicted on the revised landscape plan.
9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
10. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed.
11. Prior to approval of the Final Map Mylar, two final landscape plans must be submitted for review and approval by the Planning and Development Department in conformance with the conditions of approval. The landscape plan shall indicate the location and facilities to be incorporated into the proposed lot.
12. Air conditioning units shall not be mounted on rooftops.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
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.

VAR-19046
02/22/07 PC

Ms. Eloisa Deleon, et al
SDR-9142 - Page Three
February 24, 2006

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

Public Works

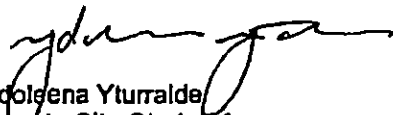
16. Development of this site shall preserve legal access rights in favor of Assessor's Parcel Numbers 125-35-103-002 and 125-35-103-004 to the existing access gate in the Tina Lane alignment, and such easement rights shall be shown on the map for this site.

17. Site development to comply with all applicable conditions of approval for ZON-9141 and all other applicable site-related actions.

18. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

19. 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.

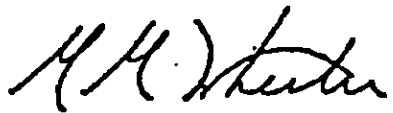
Sincerely,


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

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

Mr. Kevin Sipes
Valente Development
4710 Trimwater Court
Las Vegas, Nevada 89130

Mr. Christopher Carver
5500 Rebecca Road
Las Vegas, Nevada 89130


M. Margo Wheeler, AICP
Director
Planning and Development Department

Mr. Evan Neff
PN II, Inc.
8345 West Sunset Road
Las Vegas, Nevada 89113

Mr. Chals Jenkins
GC Wallace, Inc.
1555 South Rainbow Boulevard
Las Vegas, Nevada 89146

VAR-19046
02/22/07 PC

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: VAR-19046 - APPLICANT: PULTE HOMES - OWNER: PN II, INC.

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **February 22, 2007** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

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

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

 _____ Signature	<u>2/21/07</u> _____ Date
<u>Judi Bennett</u> _____ Please Print Name	
<u>G.C. Wallace</u> _____ Company Name	

Sincerely,

Andrew P. Reed, Planning Supervisor
Current Planning Division

Submitted after final agenda

Date 2/22/07 Item # 5

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-19117 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: K B HOME NEVADA - Request for a Variance TO ALLOW SIDE YARD SETBACKS OF 5.77 FEET WHERE A 10-FOOT SETBACK IS REQUIRED FOR A PROPOSED SINGLE FAMILY DWELLING on 0.09 acres at 10707 Iona Island Avenue (APN 126-13-115-105) PD (Planned Development) Zone [ML (Medium-Low Density Residential) Cliff's Edge Special Land Use Designation], Ward 6 (Ross).

C.C.: 03/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Signed proposed conditions of approval form by VTN Nevada

MOTION:

GOYNES – APPROVED subject to conditions Item 4 [VAR-19019], Item 5 [VAR-19046], Item 6 [VAR-19117], Item 7 [SUP-19068], Item 8 [SUP-19087] and Item 9 [SUP-19121] – **UNANIMOUS** with **STEINMAN** excused

This is Final Action

MINUTES:

CHAIRMAN DAVENPORT explained that these items will be considered in One Motion/One Vote and are routine public and non-public hearing items that have no protests, waivers from the Code, or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF FEBRUARY 22, 2007
Department of Planning and Development
Item 6 – VAR-19117

MINUTES – Continued:

CHAIRMAN DAVENPORT declared the Public Hearing open for Item 4 [VAR-19019], Item 5 [VAR-19046], Item 6 [VAR-19117], Item 7 [SUP-19068], Item 8 [SUP-19087] and Item 9 [SUP-19121].

There was no discussion.

CHAIRMAN DAVENPORT declared the Public Hearing closed for Item 4 [VAR-19019], Item 5 [VAR-19046], Item 6 [VAR-19117], Item 7 [SUP-19068], Item 8 [SUP-19087] and Item 9 [SUP-19121].

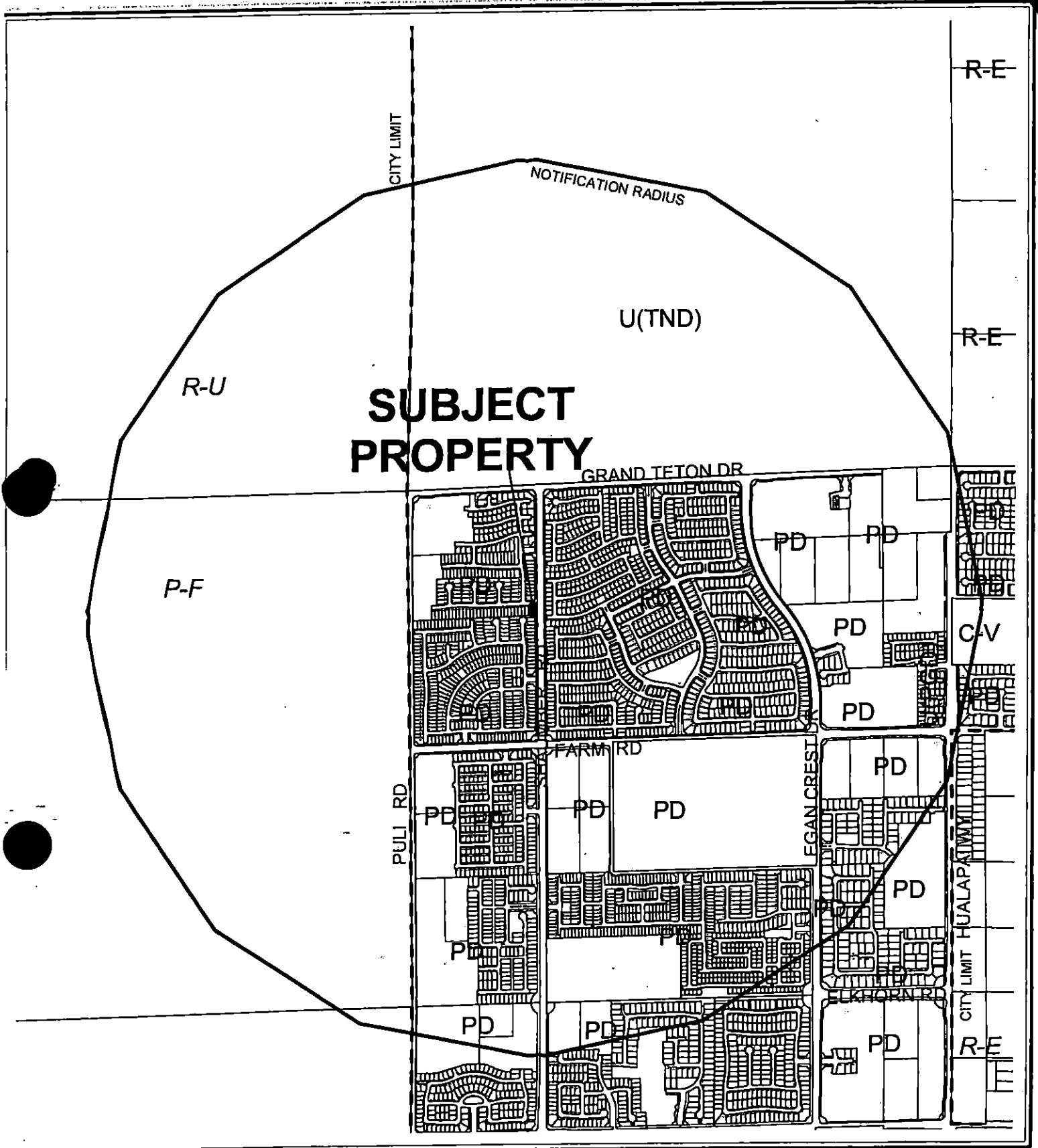
(6:06 – 6:09)

1-170

CONDITIONS:

Planning and Development

1. Conformance to the Conditions of Approval for Tentative Map (TMP-5290) and Final Map (FMP-8443) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.



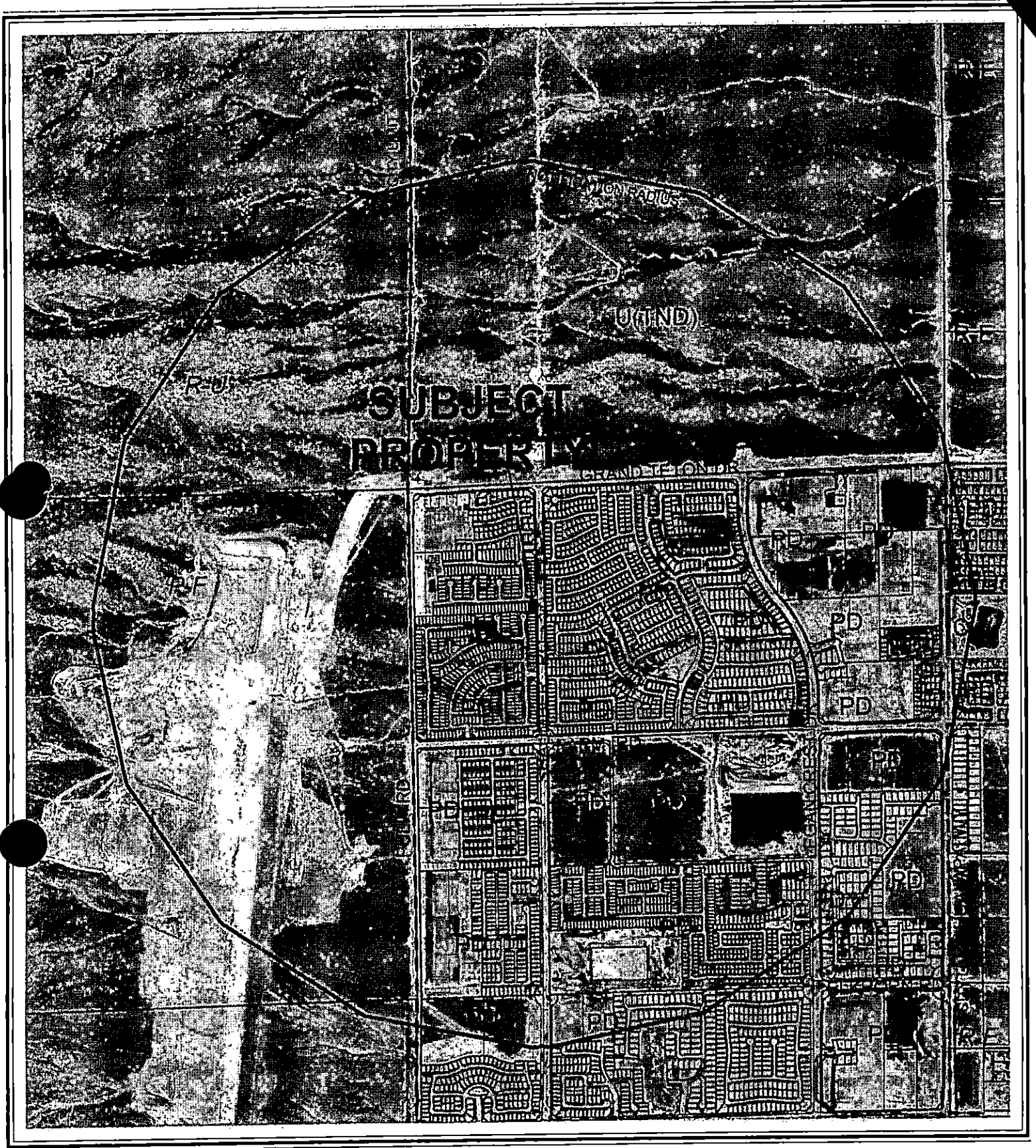
CASE: **VAR-19117**

RADIUS: 5000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

0 1000 Feet





CASE: **VAR-19117**

RADIUS: 5000 FT

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

0 1000 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 22, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-19117 - APPLICANT/OWNER: K B HOME NEVADA

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the Conditions of Approval for Tentative Map (TMP-5290) and Final Map (FMP-8443) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-19117 - Staff Report Page One
February 22, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Variance to allow deviations from the Cliff's Edge Master Plan standards for a side setback on 0.089 acres at 10707 Iona Island Avenue. Specifically, this application requests a deviation to allow a side yard setback of five feet where 10 feet is the minimum required in the ML (Medium-Low Density Residential) land use category of the Cliff's Edge Master Plan.

The applicant indicates that the variance is necessary because of changes to community wall standards that impact the product siting on this lot. The master developer is in support of this deviation. Due to the imposed hardship created by the wall standard change made outside the applicants influence and after the product siting for this lot, approval of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/06/02	The City Council approved an annexation (A-0026-01) of 95 acres in the northern portion of the Master Plan area, south of Grand Teton Drive. The Planning Commission recommended approval. The effective date of this annexation is 02/15/02.
02/06/02	The City Council approved an annexation (A-0028-01) of 10 acres in the northern portion of the Master Plan area, south of Grand Teton Drive. The Planning Commission recommended approval. The effective date of this annexation is 02/15/02.
06/19/02	The City Council approved an annexation (A-0027-01) of five acres in the northern portion of the Master Plan area, south of Grand Teton Drive. The Planning Commission recommended approval. The effective date of this annexation is 06/28/02.
01/08/03	The City Council approved an annexation (A-0030-02) of five acres in the northern portion of the Master Plan area, south of Grand Teton Drive. The Planning Commission recommended approval on. The effective date of this annexation is 01/17/03.
02/05/03	The City Council approved an annexation (A-0035-02) of over 1,056 acres in the area bounded by Hualapai Way to the east, Grand Teton Drive to the north, Puli Road to the west and Centennial Parkway and the Beltway alignment to the south. The Planning Commission recommended approval. The effective date of this annexation is 02/14/03.

VAR-19117 - Staff Report Page Two
February 22, 2007 - Planning Commission Meeting

03/19/03	The City Council approved a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 317.5 acres covering 68 separate parcels in the Cliff's Edge area, and approved the related Cliff's Edge Master Development Plan to regulate development and the provision of infrastructure in the area. The Planning Commission and staff recommended approval.
07/16/03	The City Council approved a Rezoning (ZON-2184) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 704 acres covering 21 separate parcels in the Cliff's Edge area, and approved text modifications to the related Cliff's Edge Master Development Plan to address conditions of approval of ZON-1520. The Planning Commission and staff recommended approval.
11/20/03	A request for a Minor Modification to the Cliff's Edge Master Development Plan (MOD-3189) allowing reduced street widths under certain conditions in limited portions of the Plan area was administratively approved by the Planning and Development Department.
02/18/04	The City Council approved a request for a Rezoning (ZON-3241) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 90 acres covering 20 separate parcels in the Cliff's Edge area. The Planning Commission and staff had recommended approval.
02/18/04	The Cliff's Edge Development Agreement (DIR-3451) was introduced to the City Council at this time. It was approved in ordinance form on 03/17/04. The Planning Commission and staff recommended approval.
03/11/04	The Planning Commission approved a request for the Cliff's Edge Parent Tentative Map (TMP-3798). Staff had recommended approval.
05/05/04	The City Council approved a request for a Major Modification to the Cliff's Edge Master Development Plan (MOD-2955) to change land use designations from Village Commercial to Medium Low Density Residential and Medium Density Residential; from Medium Density Residential to Residential Small Lot; and from Medium Low Density Residential to Pump & Reservoir; to modify Section 6.2.3 regarding retaining walls; and to modify Table 1 (Section 2.2) to reflect changes to the land use categories on 40 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission recommended approval.
05/27/04	A request for a Minor Modification to the Cliff's Edge Master Development Plan and Design Guidelines (MOD-4237) to include an exhibit depicting cross sections for private interior residential streets was administratively approved by the Planning and Development Department.

VAR-19117 - Staff Report Page Three
February 22, 2007 - Planning Commission Meeting

06/16/04	The City Council approved an amendment to the Master Plan of Streets and Highways (MSH-4197) to add major roads within the Cliff's Edge Master Development Plan area, generally located between Grand Teton Drive and Clark County 215, and between Puli Road and Hualapai Way. The preparation and submission of this request was a condition of approval of the Cliff's Edge parent Tentative Map, as approved by the Planning Commission.
11/18/04	The Planning Commission approved a request for the Cliff's Edge Pods 210 and 203 Tentative Map (TMP-5290). Staff had recommended approval.
08/03/05	The City Council approved a request for a Major Modification to the Cliff's Edge Master Development Plan (MOD-6279) to change land use designations from ML (Medium Low Density Residential) to L (Low Density Residential) and RSL (Residential Small Lot); from L (Low Density Residential) to ML (Medium-Low Density Residential); and from RSL (Residential Small Lot) to ML (Medium Low Density Residential); and to modify the following sections of the Master Development Plan: Sections 2.2, 2.3.5, 2.3.6 and 2.3.7; to modify or add to the Design Guidelines as follows: Sections 3.1.1, 3.2.3B, 5.10, 5.10.1, 6.2.1, 6.2.2, 6.2.3, 7 and Exhibits 2, 7a, 7b, 8a, 14a, 14b, 14c, 15 and 17, on 1,146 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission and staff recommended approval.
08/24/05	A request for a Final Map Technical Review (FMP-8440) for Cliff's Edge Pods 210 and 203 – Unit 1 was administratively approved by the Planning and Development Department. This map was recorded 04/05/06.
08/25/05	A request for a Final Map Technical Review (FMP-8441) for Cliff's Edge Pods 210 and 203 – Unit 2 was administratively approved by the Planning and Development Department. This map was recorded 09/07/06.
08/25/05	A request for a Final Map Technical Review (FMP-8443) for Cliff's Edge Pods 210 and 203 – Unit 3 was administratively approved by the Planning and Development Department. This map was recorded 09/01/06.
08/25/06	A request for a Final Map Technical Review (FMP-8444) for Cliff's Edge Pods 210 and 203 – Unit 4 was administratively approved by the Planning and Development Department. This map has not yet recorded.
Related Building Permits/Business Licenses	
11/15/05	A building plans review application, plan check T-3835-05 through T-3840-05, were submitted for the development. The approved plans were issued 07/25/06. The Planning and Development Department review began 11/29/05 and recorded approval on 07/05/06. There have been multiple revisions and reviews added to this plan check with the latest being for minor architectural adjustments that was completed on 01/03/07.
Pre-Application Meeting	
12/19/06	A pre-application meeting was held and elements of this application were discussed. It was noted that per Section 9.3 of Cliff's Edge Master Plan that the DRC must first review the plans. Submittal requirements were discussed.

VAR-19117 - Staff Report Page Four
February 22, 2007 - Planning Commission Meeting

Neighborhood Meeting
A neighborhood meeting is not required nor was one held.

Details of Application Request
Site Area
Net Acres .089

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)
North	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)
South	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)
East	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)
West	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
PD (Planned Development) District – Cliff's Edge Master Plan	X		N*
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts		X	n/a
Trails		X	n/a
Rural Preservation Overlay District		X	n/a
Development Impact Notification Assessment		X	n/a
Project of Regional Significance		X	n/a

* Setback requirements for ML (Medium-Low Density Residential) are not met for the side setback for a perimeter lot. This necessitates that a variance will be needed.

VAR-19117 - Staff Report Page Five
February 22, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Cliff's Edge Master Plan 3.2.5, the following development standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Setbacks			
• Front	15 Feet (House) ** 18 Feet (Garage)**	n/a 18 Feet	n/a Y
• Side	3 Feet (Interior) 10 Feet (Perimeter)	5 Feet 5.77 Feet	Y N*
• Corner	10 Feet	n/a	n/a
• Rear	15 Feet ***	15 Feet	Y

* If approved this Variance would allow a side setback of five feet where ten feet would be required for a perimeter lot within the ML (Medium-Low Density Residential) land use category of the Cliff's Edge Master Plan.

** For two-story elements the front setback may be ten feet for up to 60 percent of the wall plane. A front entry garage may be setback five feet or less or a minimum of 18 feet.

*** The rear setback may be ten feet for up to 50 percent of the product width.

<i>Deviations from Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Percent Deviation</i>
Min. Setbacks			
• Rear	10 Feet	5 Feet	50% Reduction

ANALYSIS

The subject property is designated as PCD (Planned Community Development) under the Centennial Hills Sector Plan of the General Plan. This category allows for a mix of residential uses that maintains an average overall density ranging from two to eight dwelling units per gross acre, depending on compatibility with adjacent uses. The site is zoned PD (Planned Development). The density of the development that includes this site is 7.05 dwelling units per acre. This zoning district and mean density are in conformance with the PCD (Planned Community Development) land use designation.

This site is designated as ML (Medium-Low Density Residential) under the Cliff's Edge Master Development Plan. The Medium-Low Density Residential category provides for the development of up to eight dwelling units per gross acre. This land use category allows for medium density detached or attached single-family product types including, but not limited to, duplexes, compact lots, cluster and zero lot line developments. The development that includes this site is single-family residential, has a mean density of 7.05 units per acre and is allowed under the Medium-Low Density Residential land use designation.

RTS

VAR-19117 - Staff Report Page Six
February 22, 2007 - Planning Commission Meeting

Title 19.06.050 stipulates that the development standards within a PD (Planned Development) zoning district are established by the Master Development Plan. The development standards for the Cliff's Edge area are established through the approved Cliff's Edge Master Development Plan, and with the approval of proposed modifications to the area's land use categories.

Section 3.2.5 of the Cliff's Edge Master Development Plan requires a side yard setback of 10 feet within the ML (Medium-Low Density Residential) land use designation, where a two story element is to be placed siding to any community level roadway or open space. The eastern side yard qualifies as siding to community level open space and the proposed side setback is less than the required 10-foot minimum. The lot as proposed would have a setback of five feet. The deviation from the standard is due to changes in the wall standard, made by the master developer, that necessitates a terraced design within the common lot and this has reduced the available width of the lot in question. Given the size of this development this deviation will have little if any affect on the surrounding area.

Only one lot within the development is currently affected by this change and a part of this Variance. The deviation from the required ten-foot setback while a 50 percent reduction is considered minimal according to the Master Developer's Design Review Committee and any affect on the surrounding area would be negligible. There is an approved Tentative Map for this development (TMP-5290). While the most recent submittals reference the subject property as lot 278, the lot affected is depicted as lot 13 on the approved Tentative Map (TMP-5290). If this Variance is approved it would only apply to the lot numbered 13 on the approved Tentative Map dated (09/20/04).

Staff is recommending approval of this item since the hardship is not self-imposed and was created as a result of external factors after this development went through its review process. Further, the deviation will have little to no affect on the surrounding properties and has been endorsed by the Master Developer's Design Review Committee.

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

VAR-19117 - Staff Report Page Seven
February 22, 2007 - Planning Commission Meeting

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.”

The applicant has presented the following evidence of a unique or extraordinary circumstance:

- Standard changes are being imposed that have effectively reduced the lot width after the subject property had received the necessary siting reviews. Thereby considering this an exceptional situation or condition of the piece of property, the strict application of any zoning regulations would result in peculiar and exceptional practical difficulties and undue hardship upon the owner of the property.

For these reasons, it appears that the Variance will have little impact on adjacent lands and the request is justified; accordingly, it is recommended that the Variance request is within the realm of NRS Chapter 278 for granting of Variances, and should be granted.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

11

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

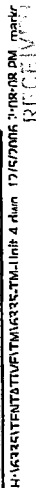
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APPROVALS 0

PROTESTS 0

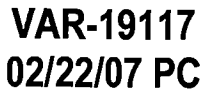


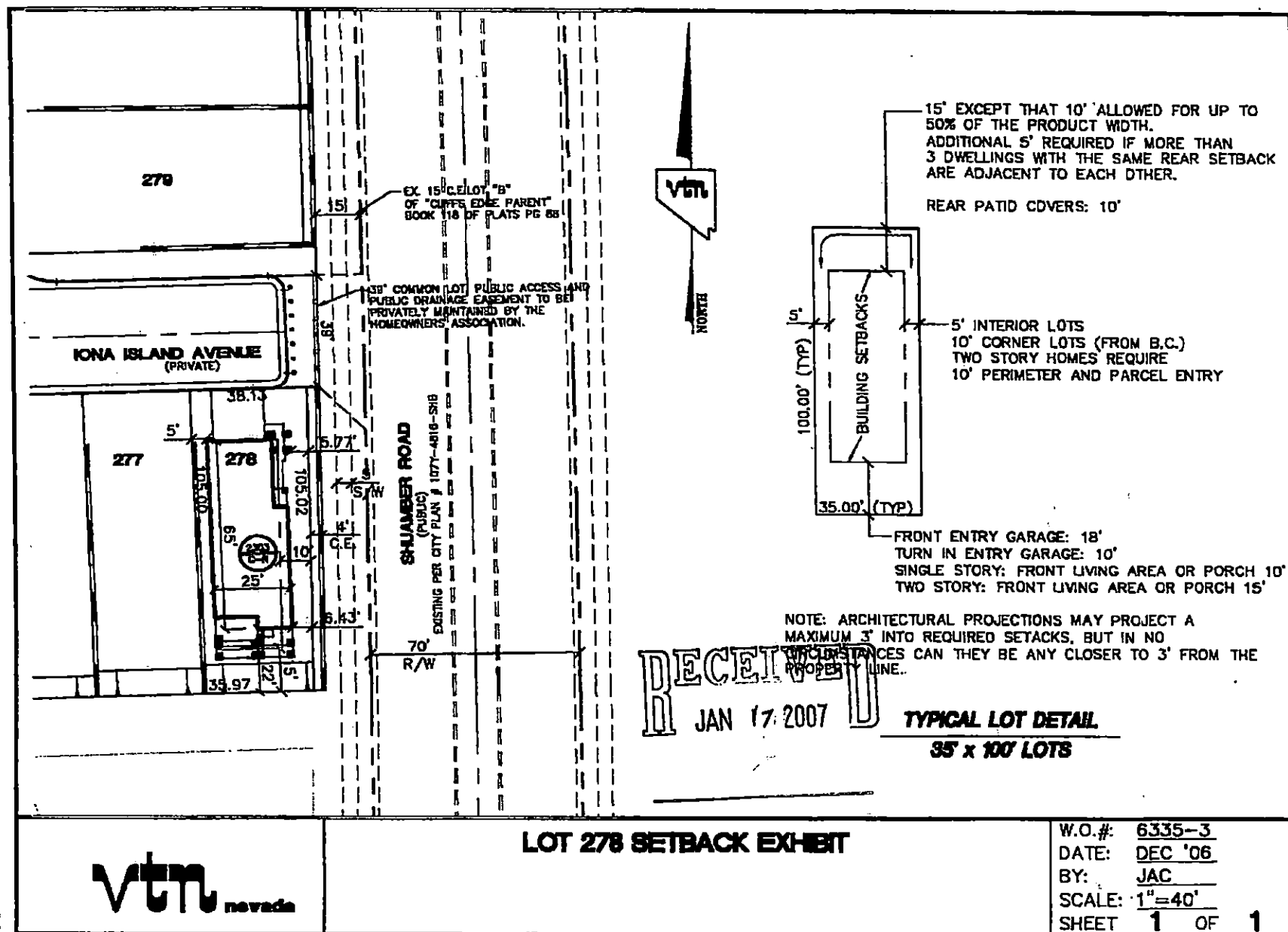
Case Number: **VAR-19117** APN: 126-13-115-105 126-13-110-015



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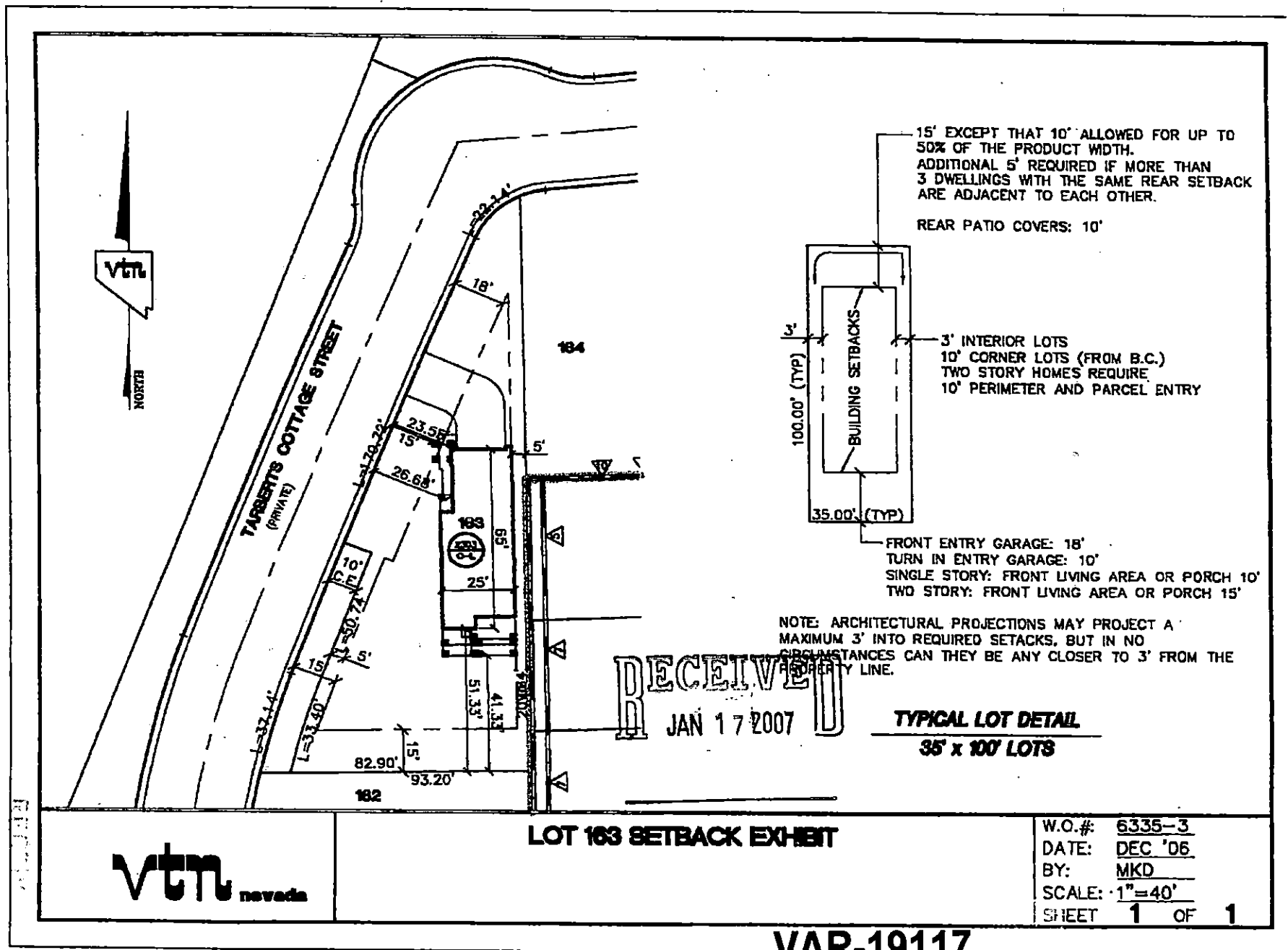
VAR-19117
02/22/07 PC





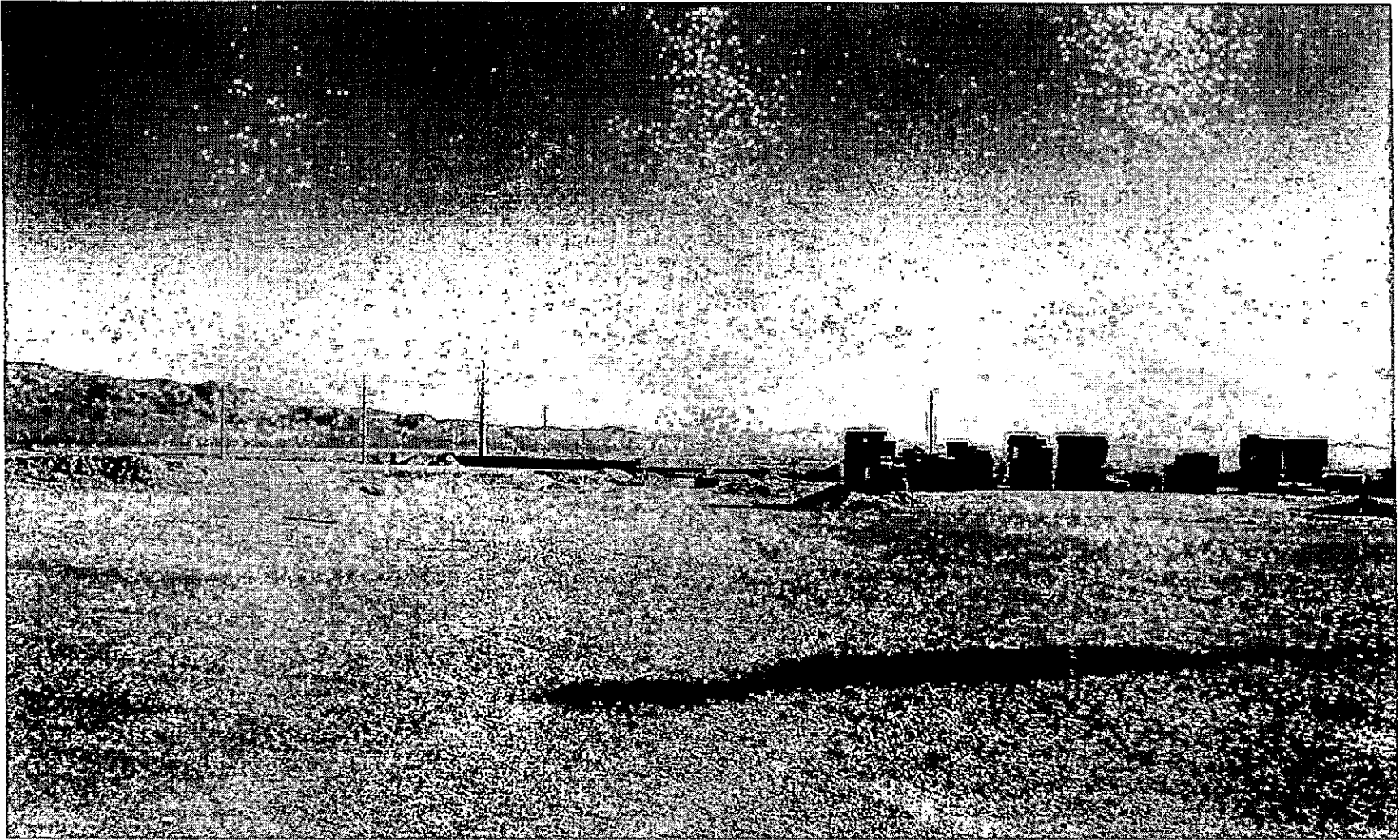
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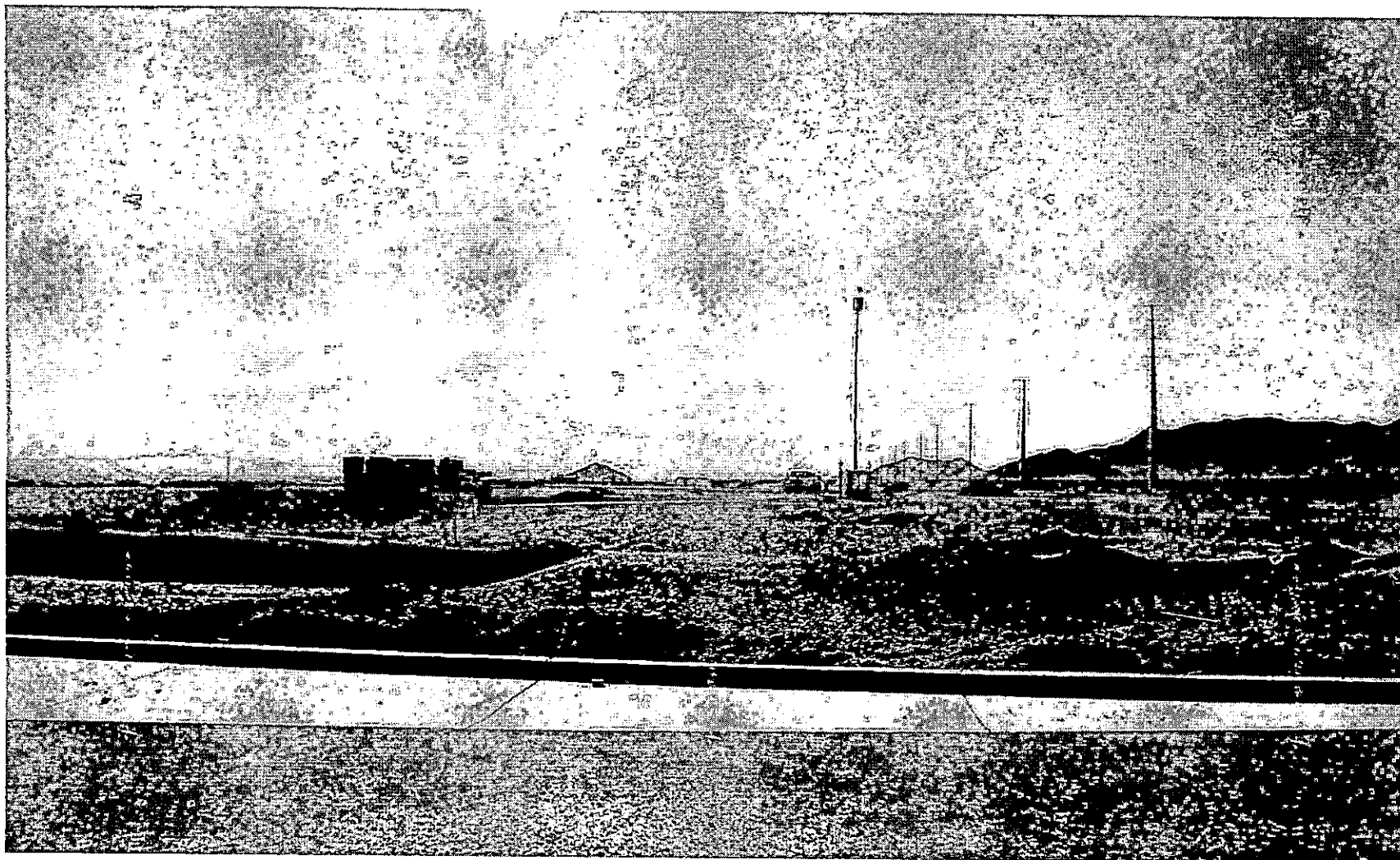
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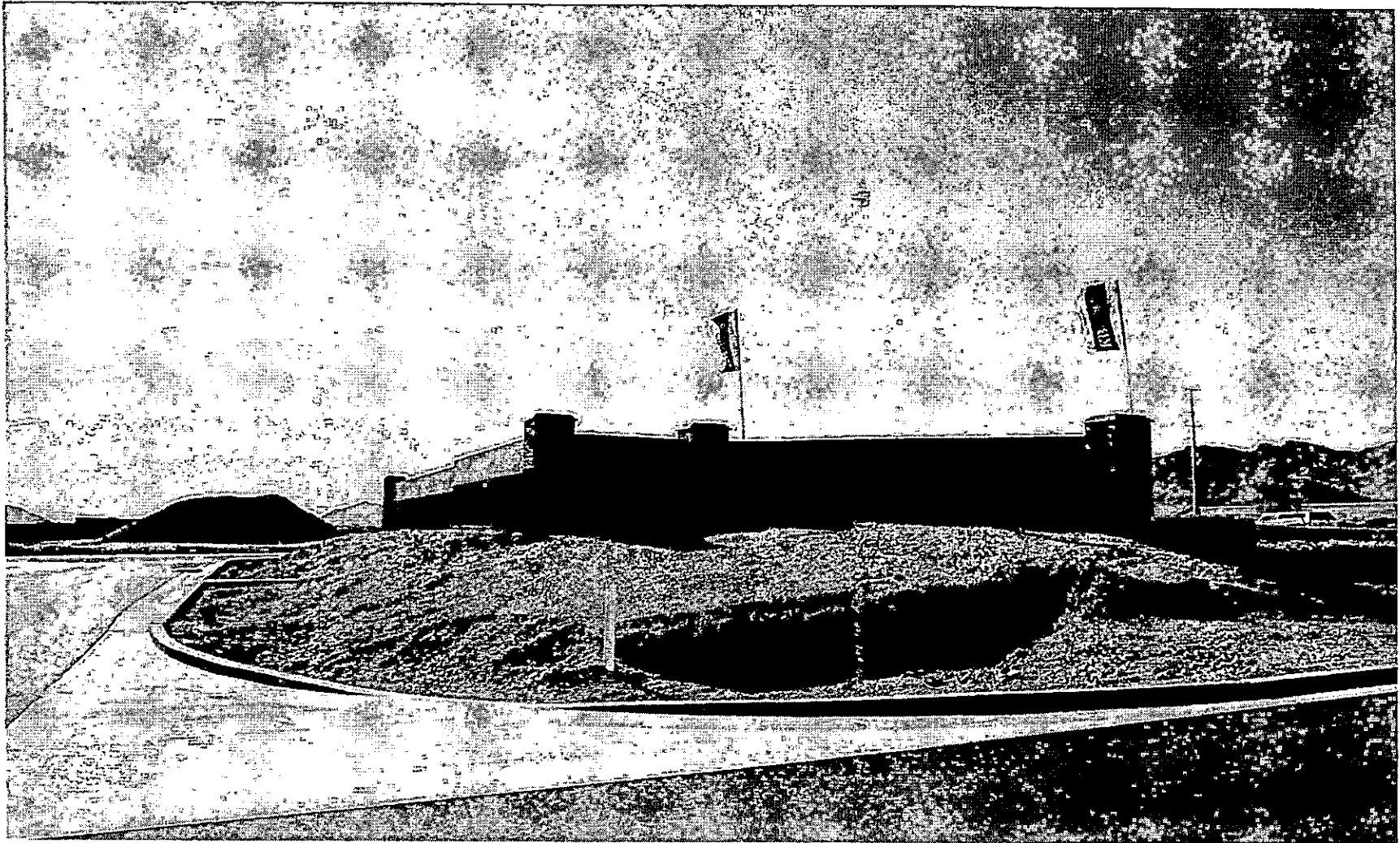


VAR-19117 - APPLICANT/OWNER: K B HOME NEVADA
10707 IONA ISLAND AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

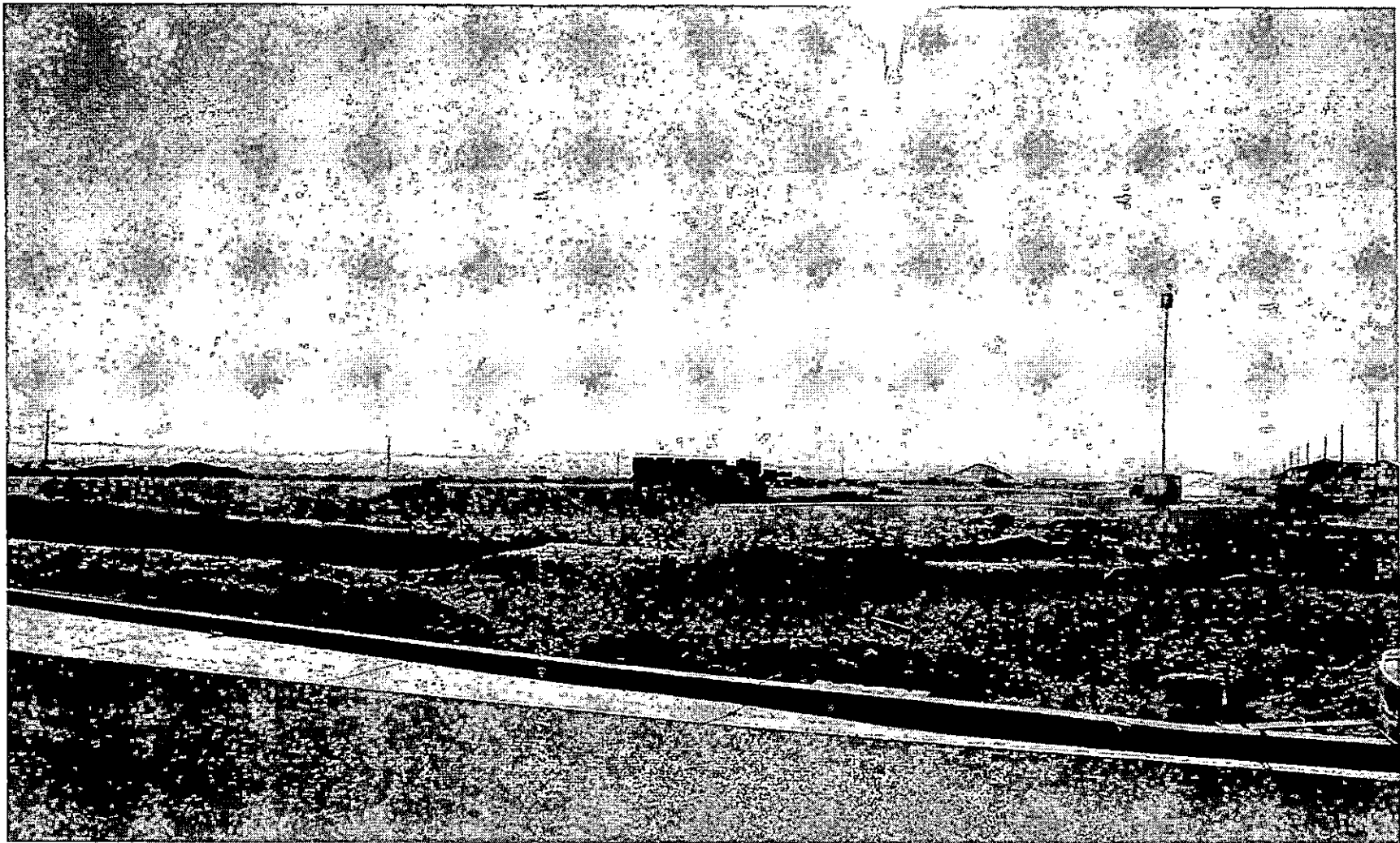
01/22/07



VAR-19117 - APPLICANT/OWNER: K B HOME NEVADA
10707 IONA ISLAND AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION



VAR-19117 - APPLICANT/OWNER: K B HOME NEVADA
10707 IONA ISLAND AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION



VAR-19117 - APPLICANT/OWNER: K B HOME NEVADA
10707 IONA ISLAND AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION



PROVIDENCE

Master Planned Community

3455 Cliff Shadows Parkway, Suite 220, Las Vegas, Nevada 89129
(702) 242-4949 ~ FAX: 568-2044

January 10, 2007

Temple Mullen
KB Home
5655 Badura Avenue
Las Vegas, NV 89118

**RE: Cliff's Edge Master Plan Community
Setback Waiver Request
POD: 201/203 - Cambridge Crossings/Villas
Lot(s) 163 & 278**

Dear Temple,

The Cliff's Edge Design Review Committee (DRC) is in receipt of the VTN letter dated October December 05, 2006 requesting a reduction in the setback requirements for Lots 163 and 278.

Upon review of your request the Cliff's Edge DRC "approves" the proposed setback reductions for Lots 163 and 278 in PDD 201/203. The proposed layouts technically do not meet the standards, but they still meet the intent of the Design Guidelines.

In regards to Lot 163, the required building setback is less than 5' or 18'+. The intention set forth in this requirement was to ensure that a vehicle parked in the driveway would not protrude into the street. The proposed site plan for Lot 163 proposes a driveway approximately 40' long, which is more than sufficient.

In regards to Lot 278, the required building setback is 10' from the property line, which places the building 25' from the street right of way. This requirement was created so that the mass of the buildings would not overwhelm the street scene of the community level streets. The submitted plot plan places the building 24.77' from the street right of way. This proposed setback is acceptable as it meets the Intent of the Design Guidelines.

If additional deviations in setback are required they must be submitted to the DRC for review and approval. Should you have any questions, please do not hesitate to contact our office.

Sincerely,

CLIFF'S EDGE, LLC

Carmen Shukis
Design Review Manager

cc via email: Tom Cardin, Paula Gibson, Christina Healey, Heather Motogawa - Focus
Rebecca Arreola, David Browning, Allen Mellor - Landtek

Enclosures: (VTN letter dated 12/05/06, Ret. Wall Detail, Lot 278 Setback Exhibit dated 12/06, Lot 163 Setback Exhibit dated 12/06, Tentative Map - Unit 4 dated 09/05)

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VAR-19117
02/22/07 PC

RECEIVED

JAN 17 2007



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PROVIDING QUALITY PROFESSIONAL
SERVICES SINCE 1960

December 5, 2006

W.O. 6335

City of Las Vegas
Planning & Development
731 South Fourth Street
Las Vegas, NV 89101**RE: VARIANCE LETTER APN # 126-13-115-105 & 126-13-110-015**

On behalf of our client KB Homes, VTN Nevada respectfully requests a variance to allow for a reduction in the setback requirements for two lots located within Cliffs Edge Master Planned Community Pod 201 & 203 Unit 3 & Unit 4.

Pod 201 & 203 at Cliff's Edge is a previously approved subdivision located within the Cliffs Edge Master Planned Community. The applicant is requesting a variance for section 3.2.5 Site Planning Guidelines for a side yard setback reduction on lot 278 and a reduction for a front yard setback for lot 163. Unit 3 has 32 lots with an overall density of 11.72 du/ac. Lot number 278 is requiring a reduction in the side yard setback from 10 feet to 5 feet. The reason this lot is in need of this reduction is that in order to stay in conformance with the new Cliff's Edge wall design guidelines (per Landtek) the wall was terraced to reduce the height (please see attached exhibit). In order to terrace the wall the side yard setback was encroached by 5 feet. On lot 163 the applicant is requesting to reduce the front yard setback from 18 feet to 15 feet (please see attached exhibit). Due to the reconfiguration of the I-215 beltway this lot was modified and became a triangular shaped lot. Without the reconfiguration of the I-215 beltway lot 163 did meet all setback criteria. Title 19 does not sufficiently determine the front of the lot. In order to stay within conformance with Title 19 the applicant is requesting a variance to resolve this issue. Also the applicant would like to maximize the rear yard for lot 163. The applicant believes that the health and safety of the residents will not be affected by these reductions.

Should you have any questions please do not hesitate to contact me at 702-253-2449.

Sincerely,

VTN Nevada

Jason Kepple



VAR-19117
02/22/07 PC

RECEIVED
JAN 17 2007



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SERVICES SINCE 1960

December 5, 2006

W.O. 6335

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

RE: VARIANCE LETTER APN # 126-13-115-105 & 126-13-110-015

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Pod 201 & 203 at Cliff's Edge is a previously approved subdivision located within the Cliffs Edge Master Planned Community. The applicant is requesting a variance for section 3.2.5 Site Planning Guidelines for a side yard setback reduction on lot 278 and a reduction for a front yard setback for lot 163. Unit 3 has 32 lots with an overall density of 11.72 du/ac. Lot number 278 is requiring a reduction in the side yard setback from 10 feet to 5 feet. The reason this lot is in need of this reduction is that in order to stay in conformance with the new Cliff's Edge wall design guidelines (per Landtek) the wall was terraced to reduce the height (please see attached exhibit). In order to terrace the wall the side yard setback was encroached by 5 feet. On lot 163 the applicant is requesting to reduce the front yard setback from 18 feet to 15 feet (please see attached exhibit). Due to the reconfiguration of the I-215 beltway this lot was modified and became a triangular shaped lot. Without the reconfiguration of the I-215 beltway lot 163 did meet all setback criteria. Title 19 does not sufficiently determine the front of the lot. In order to stay within conformance with Title 19 the applicant is requesting a variance to resolve this issue. Also the applicant would like to maximize the rear yard for lot 163. The applicant believes that the health and safety of the residents will not be affected by these reductions.

RECEIVED

VAR-19117 JAN 09 2007
02/22/07 PC

Should you have any questions please do not hesitate to contact me at 702-253-2449.

Sincerely,

VTN Nevada

Jason Kepple

A handwritten signature in cursive script, appearing to read "J Kepple", written in dark ink.

RECEIVED

VAR-19117
02/22/07 PC

JAN 09 2007

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: VAR-19117 - APPLICANT/OWNER: K B HOME NEVADA

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **February 22, 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 "Brian J. Psioda".

Signature

2.16.07

Date

Brian J. Psioda

Please Print Name

VTN Nevada

Company Name

Sincerely,

Andrew P. Reed, Planning Supervisor
Current Planning Division

Submitted after final agenda

Date 2/22/07 Item #6

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-19068 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ACELERO LEARNING - OWNER: LUZ MARIE SANCHEZ - Request for a Special Use Permit FOR A CHILD CARE CENTER at 4301 Stewart Avenue (APN 140-31-602-009), R-E (Residence Estates) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 03/21/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Signed proposed conditions of approval form by Acelero Learning

MOTION:

GOYNES – APPROVED subject to conditions Item 4 [VAR-19019], Item 5 [VAR-19046], Item 6 [VAR-19117], Item 7 [SUP-19068], Item 8 [SUP-19087] and Item 9 [SUP-19121] – **UNANIMOUS** with **STEINMAN** excused

To be heard by City Council on 3/21/2007

MINUTES:

CHAIRMAN DAVENPORT explained that these items will be considered in One Motion/One Vote and are routine public and non-public hearing items that have no protests, waivers from the Code, or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF FEBRUARY 22, 2007
Department of Planning and Development
Item 7 – SUP-19068

MINUTES – Continued:

CHAIRMAN DAVENPORT declared the Public Hearing open for Item 4 [VAR-19019], Item 5 [VAR-19046], Item 6 [VAR-19117], Item 7 [SUP-19068], Item 8 [SUP-19087] and Item 9 [SUP-19121].

There was no discussion.

CHAIRMAN DAVENPORT declared the Public Hearing closed for Item 4 [VAR-19019], Item 5 [VAR-19046], Item 6 [VAR-19117], Item 7 [SUP-19068], Item 8 [SUP-19087] and Item 9 [SUP-19121].

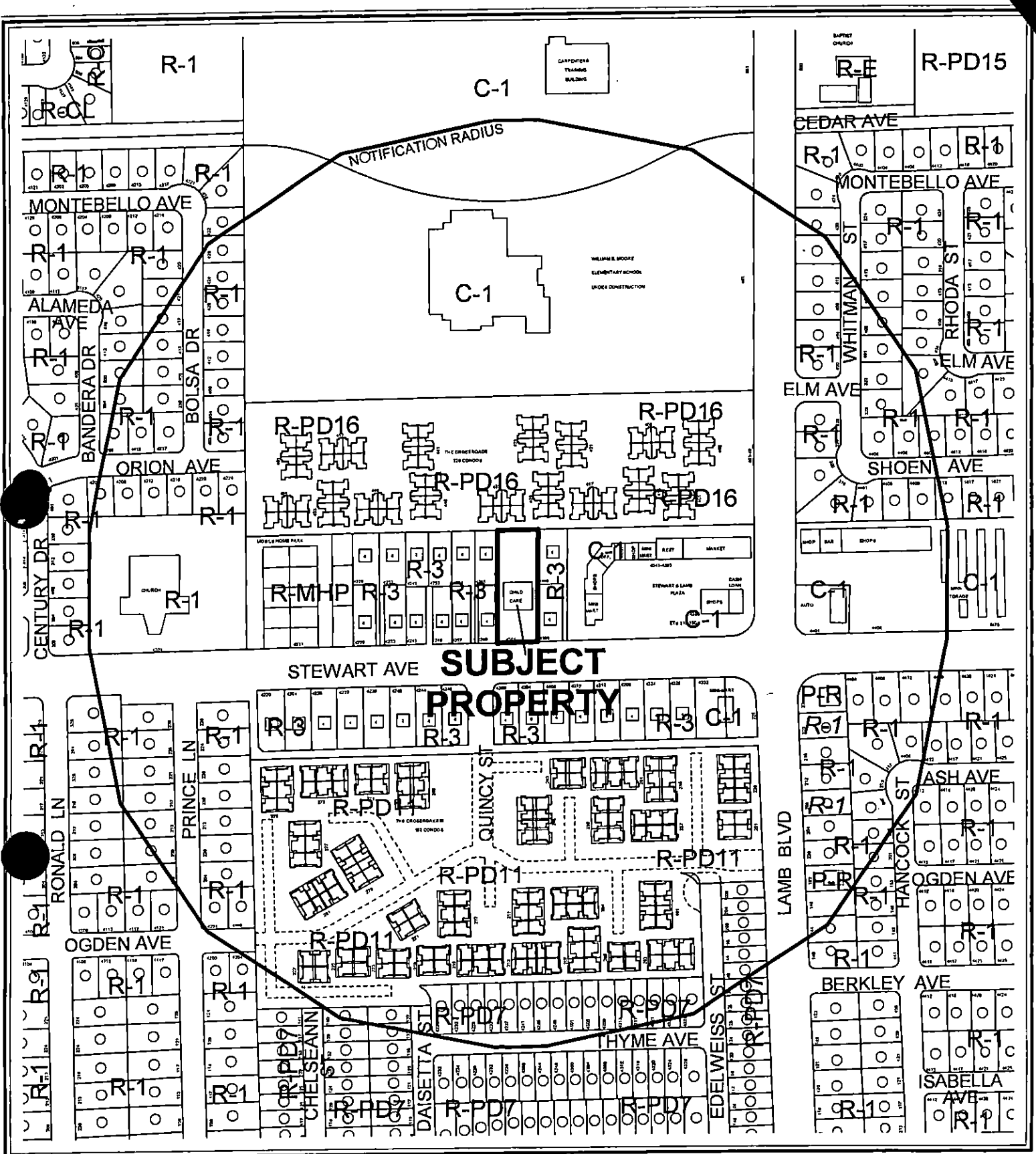
(6:06 – 6:09)

1-170

CONDITIONS:

Planning and Development

1. Prior to the issuance of a business license the removal of all graffiti from doors and walls and repair of the chain link fencing, including slating, must be completed.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.



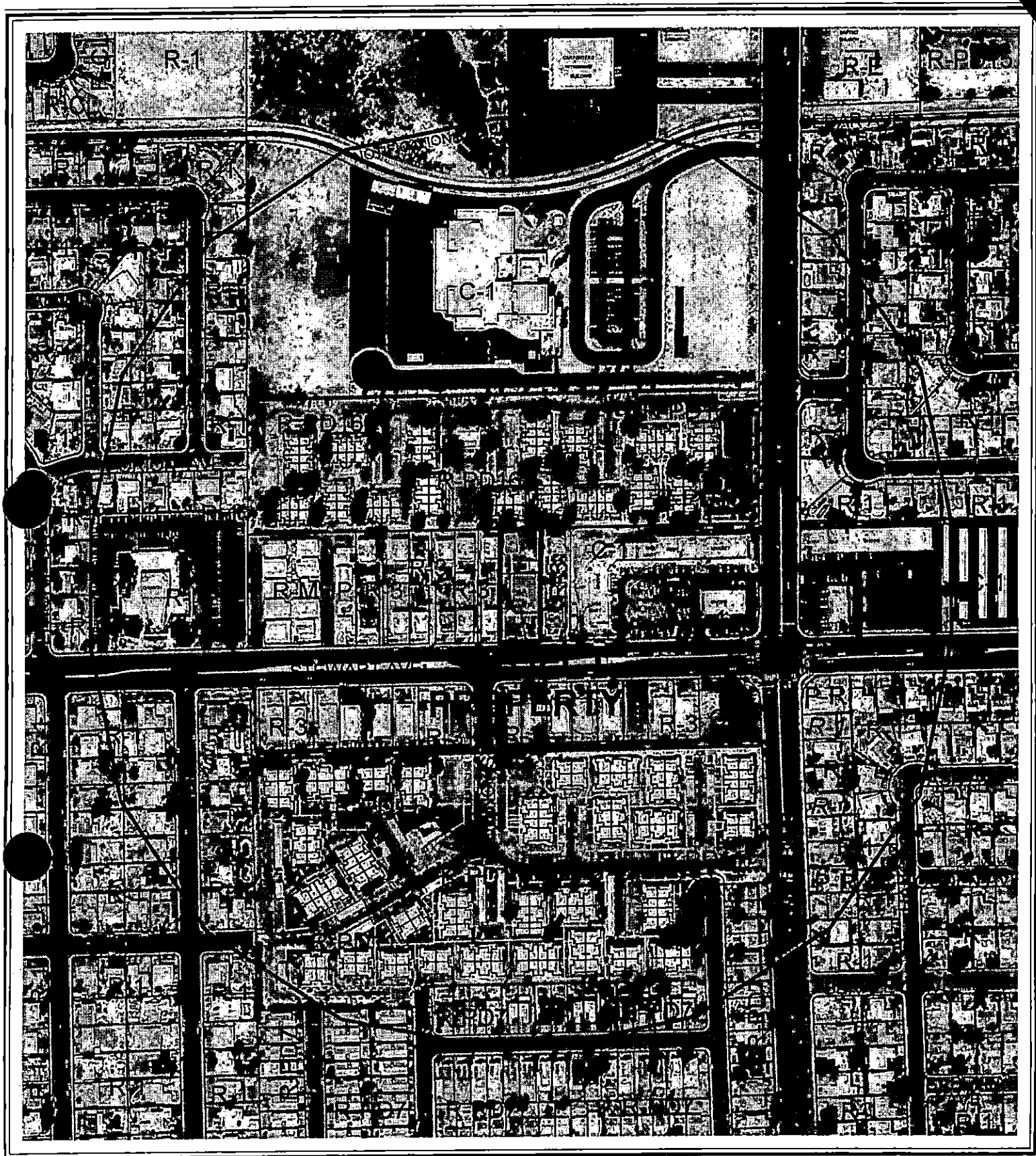
CASE: SUP-19068

RADIUS: 1000 FT

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

0 500 Feet





CASE: **SUP-19068**

RADIUS: 1000 FT

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

0 500 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 22, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-19068 - APPLICANT: ACELERO LEARNING - OWNER:
LUZ MARIE SANCHEZ**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Prior to the issuance of a business license the removal of all graffiti from doors and walls and repair of the chain link fencing, including slating, must be completed.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-19068 - Staff Report Page One
February 22, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed Child Care Center use on property at 4301 Stewart Avenue. An approved Special Use Permit (SUP-5392) expired in October 2006 for this site due to the activity ceasing for more than a year.

The applicant intends the proposed childcare center use to provide day care services and preschool activities that will compliment the neighborhood. The use is compatible with the surrounding area. Staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/28/80	The Board of Zoning Adjustment approved a request for a Variance (V-0003-80) to allow a commercial child care facility (Kinder Care Learning Center) on the subject property.
04/02/80	The Board of City Commissioners denied an appeal of the Board of Zoning Adjustment's approval of the Variance (V-0003-80) to allow a commercial child care facility on the subject property.
11/14/03	The Child Care Facility use on the subject site ceased business operations.
11/14/04	The Variance (V-0003-80) to allow the Child Care Facility use became void.
12/15/04	The City Council approved a request for a Special Use Permit (SUP-5392) to allow a commercial child care facility (Whiz Kidz Elite Pre-school) on the subject property. The Planning Commission and staff had recommended approval.
10/24/05	The Child Care Facility use on the subject site ceased business operations.
10/24/06	The Special Use Permit (SUP-5392) to allow the Child Care Facility use became void.
<i>Related Building Permits/Business Licenses</i>	
01/03/05	A building permit application, plan check L-592-05, was submitted for the site. This was for a Non-work Certificate of Occupancy. This permit (05000012) was reviewed by the Planning and Development Department and issued by the Building and Safety Department the same day as submitted.
02/28/05	A business license for a N15 (Child Care Center - Preschool - Combination of a child care center (N10) and a preschool center (N13)) category license was processed in by the Department of Finance and Business Services. This license (N15-00054) was issued by Business Services on 08/11/05 with no apparent Planning and Development review. This license has been marked out of business as of 10/24/05.

SUP-19068 - Staff Report Page Two
February 22, 2007 - Planning Commission Meeting

12/19/06	A business license for a N16 (Child Care Center - Preschool - Nursery - Combination of a child care center (N10), a nursery for infants and toddlers (N12), and a preschool (N13)) category license was processed in. This license (N16-99799) has not yet been reviewed by Planning and Development and would be subject to approval of a new Special Use Permit as the prior approval (SUP-5392) expired on 10/24/06. This license has not been issued as of 01/29/07.
Pre-Application Meeting	
12/20/06	A pre-application meeting was held and elements of this application were discussed. It was noted that photos would suffice for the elevation since this is an existing structure. Submittal requirements were discussed.
Neighborhood Meeting	
A neighborhood meeting is not required nor was one held.	

Details of Application Request	
Site Area	
Net Acres	0.65

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Child Care Center (Vacant)	SC (Service Commercial)	R-E (Residence Estates)
North	Condominiums	M (Medium Density Residential)	R-PD16 (Residential Planned Development – 16 Unit Per Acre)
South	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
West	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

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

SUP-19068 - Staff Report Page Three
February 22, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular		Handi-capped
Child Care Center	4,725 SQFT	1 space / staff member and 1 space / 10 children	13 Spaces	1 Space	13 Spaces	1 Space	Y
TOTAL (including handicap)			14 Spaces		14 Spaces		

ANALYSIS

The site is designated SC (Service Commercial) on the Southeast Sector Map of the General Plan. This category allows for low to medium intensity retail, office and commercial uses. The existing current R-E (Residence Estates) zoning classification does not conform to the SC (Service Commercial) designation; however, the Child Care Center use is a compatible commercial use and is allowed within an R-E (Residence Estates) zone with an approved Special Use Permit. There are no base conditions for approval of a Special Use Permit for a Child Care Center use. These projects are evaluated on a case-by-case basis and conditions are imposed as needed.

A Child Care Center by definition is a commercial facility in which the licensee regularly provides day or overnight care for more than 12 children. The facility is subject to the childcare regulations and standards of the Department of Business Activity. The proposed Child Care Center is an allowed use with the approval of this Special Use Permit.

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Child Care Center use and there are no other licensed child care providers within the 750-foot notification distance.

The current 4,725 square-foot facility had been in operation at various times since the early 1980s. The site had been licensed as a Child Care Center and a Nursery, but the license expired in November 2003. Later, the site was licensed as a Child Care Center and a Preschool, but that license expired in October 2005. The Child Care Center use had been approved through a previous use Variance (V-0003-80), an entitlement that is no longer permitted by the Zoning

RTS

SUP-19068 - Staff Report Page Four
February 22, 2007 - Planning Commission Meeting

Code and later a Special Use Permit (SUP5392). These entitlements became void in November 2004 and October 2006, respectively. The proposed Special Use Permit would legitimize the use within the R-E (Residence Estates) zoning district. No changes will be made to the exterior of the structure; however, due to the graffiti and damage to the chain link fence a condition of approval has been added that prior to licensing appropriate repairs be made to the site.

The parking standard for a Child Care Center is one space for each staff member plus one space for each ten students at peak capacity. The site will have sufficient parking for the proposed number of staff members and the potential of up to a maximum 100 students at any one time. The business license review by the Department of Finance and Business Services may reduce the number of allowable students based on their evaluation during the licensing process. There are no on-site loading spaces required.

FINDINGS

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

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

Although the subject property is surrounded by multi-family residential uses on adjacent parcels, the proposed Child Care Center use has previously existed on the site without creating nuisances to the neighborhood. Therefore, it can be conducted in a manner that is harmonious with surrounding land uses and any future land uses.

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

The approved site plan will provide sufficient play areas, parking and building facilities to accommodate the students and staff.

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."**

Stewart Avenue is a Primary Thoroughfare (100-foot) per the City's Master Planned Streets and Highways that will provide the primary access to the site. This street will be adequate in size to accommodate the proposed Child Care Center use.

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

SUP-19068 - Staff Report Page Five
February 22, 2007 - Planning Commission Meeting

The proposed Child Care Center use will be subject to regular inspection for compliance with applicable codes; therefore, the use will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 11

SENATE DISTRICT 10

NOTICES MAILED 437

APPROVALS 0

PROTESTS 0

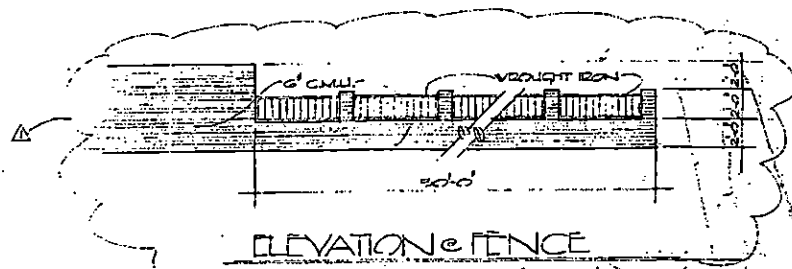
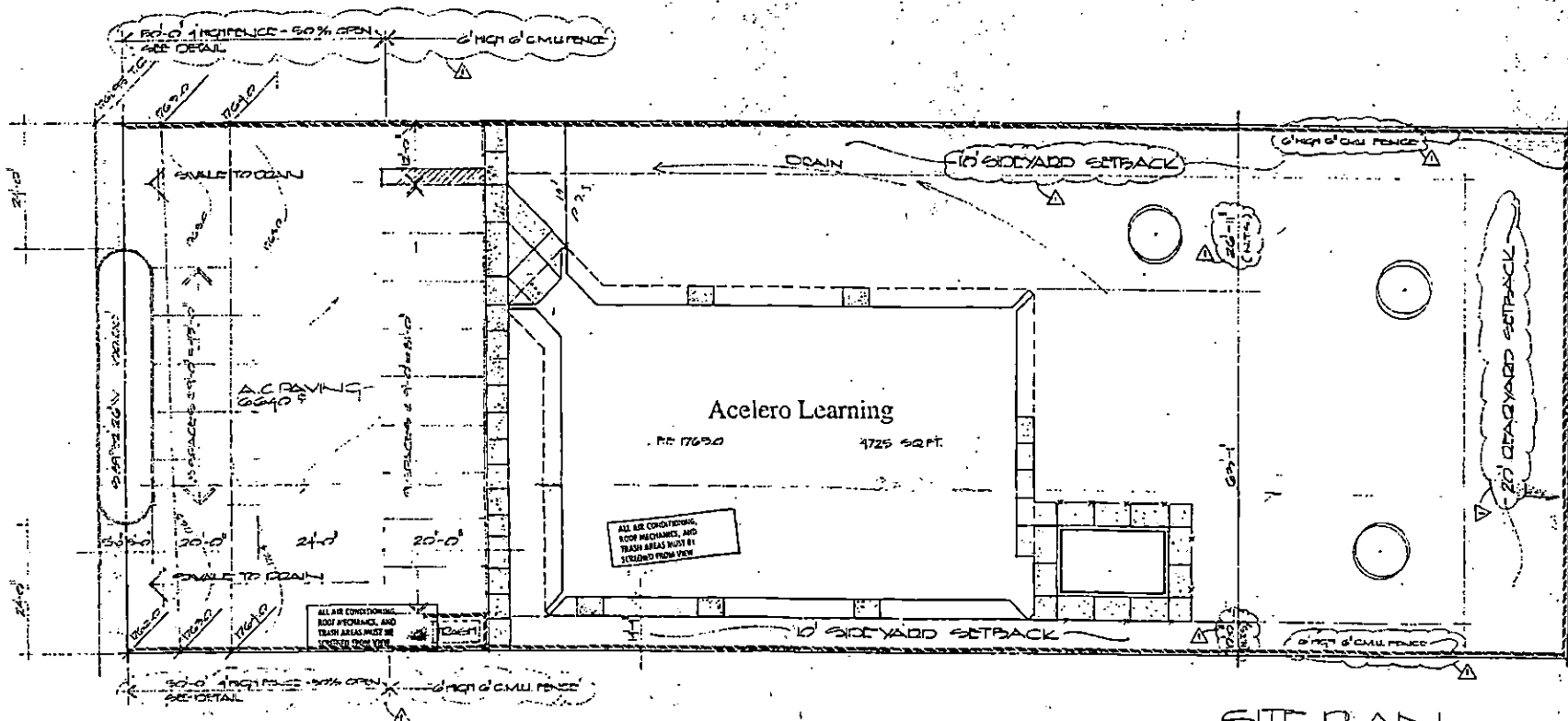


STATEMENT OF FINANCIAL INTEREST

STEWART AVE

Acelero Learning

HARRY E. CAMPBELL, A.I.A.



TABULATION

BUILDING AREA	4725
PARKING AREA	6610
PLAY AREA	13,975
POOL AREA	660
MOB. AREA	1760
TOTAL AREA	27,730



SITE PLAN

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1. Redesign the parking and provide landscaping as required by the Department of Community Planning and Development.
2. Construct a six (6') block wall on the west, north, and east sides of the property as required by the Department of Community Planning and Development.
3. Conformance to the plot plan as amended, to reflect the above conditions.
4. Securing of necessary permits and licenses, and installation of City code requirements and signs, where applicable.

PROTECT the above condition,
and satisfaction of City
City Department.

PLAN APPROVED
6-18-64
BY: [Signature]
City of Los Angeles

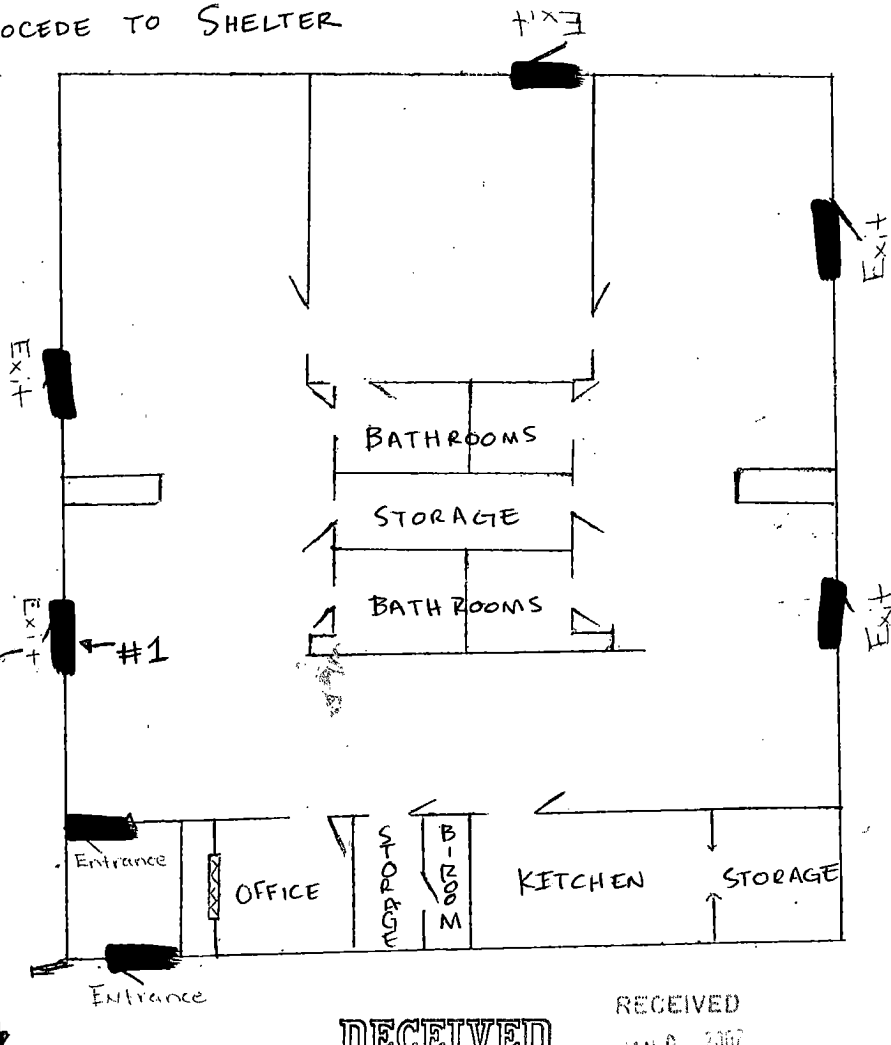
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JAN 05 2007



SUP-19068
02/22/07 PC

RM #1

- ① EXIT SIDE DOOR
- ② MEET IN PARKING LOT
- ③ HEAD COUNT
- ④ PROCEED TO SHELTER



RECEIVED
JAN 05 2007

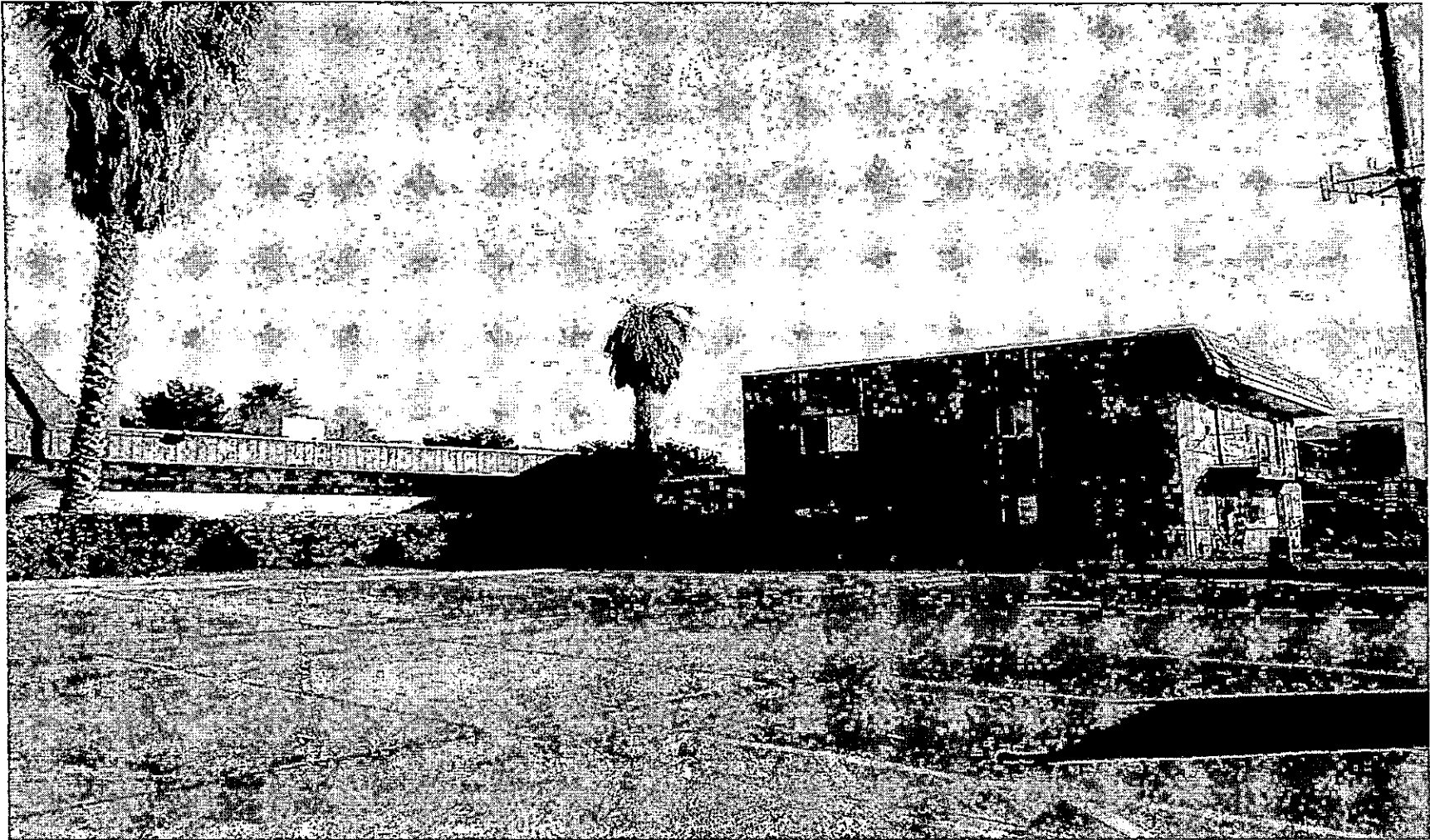
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SUP-19068
02/22/07 PC



SUP-19068 - APPLICANT: ACELERO LEARNING - OWNER: LUZ MARIE SANCHEZ
4301 STEWART AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



SUP-19068 - APPLICANT: ACELERO LEARNING - OWNER: LUZ MARIE SANCHEZ
4301 STEWART AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



SUP-19068 - APPLICANT: ACELERO LEARNING - OWNER: LUZ MARIE SANCHEZ
4301 STEWART AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07

January 3, 2007

HCA
ARCHITECTS
2111 TROPICANA AVE. SUITE 100
LAS VEGAS, NEVADA 89119
(702) 731-0363 FAX (702) 731-9288

BRADY DOWNS, AIA
President
CHERYL FELSKA
Vice President, Office Manager

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

Re: Kindercare, Stewart Street
Subject: Permission to release plans from Archive

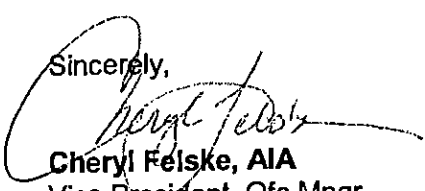
To Whom It May Concern:

This letter is written notification that HCA Architects, as Architect of Record for the site plans prepared for Kindercare located at 4301 E. Stewart Street, Las Vegas Nevada, hereby grant permission to Acelero Learning to obtain the site plan from the archive files of the City of Las Vegas, Planning and Zoning department.

This notification is written at the request of Ms. Melissa Sherrill, Southwest Managing Director of Acelero Learning.

If you need further assistance or verbal verification of this notice, please do not hesitate to contact Cheryl Felske, at 702.731.0363.

Sincerely,


Cheryl Felske, AIA
Vice President, Ofc Mngr
HCA Inc.

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

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

SUBJECT: SUP-19068 - APPLICANT: ACELERO LEARNING - OWNER: LUZ MARIE SANCHEZ

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **February 22, 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.

Melissa Sherrill
Signature

2/21/07
Date

Melissa Sherrill
Please Print Name

Acelero Learning
Company Name

Sincerely,

Andrew P. Reed, Planning Supervisor
Current Planning Division

Submitted after final agenda

Date 2/22/07 Item # 7

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-19087 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ESSENCE OF THAI, INC. - OWNER: CARMELLA M. MAURO - Request for a Special Use Permit FOR A BEER/WINE/COOLER ON-SALE ESTABLISHMENT WITHIN AN EXISTING RESTAURANT at 4105 West Sahara Avenue (APN 162-07-511-005), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

IF APPROVED: C.C.: 03/21/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location, Aerial, and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Signed proposed conditions of approval form by Essence of Thai, Inc.

MOTION:

GOYNES – APPROVED subject to conditions Item 4 [VAR-19019], Item 5 [VAR-19046], Item 6 [VAR-19117], Item 7 [SUP-19068], Item 8 [SUP-19087] and Item 9 [SUP-19121] – **UNANIMOUS** with STEINMAN excused

To be heard by City Council on 3/21/2007

MINUTES:

CHAIRMAN DAVENPORT explained that these items will be considered in One Motion/One Vote and are routine public and non-public hearing items that have no protests, waivers from the Code, or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF FEBRUARY 22, 2007
Department of Planning and Development
Item 8 – SUP-19087

MINUTES – Continued:

CHAIRMAN DAVENPORT declared the Public Hearing open for Item 4 [VAR-19019], Item 5 [VAR-19046], Item 6 [VAR-19117], Item 7 [SUP-19068], Item 8 [SUP-19087] and Item 9 [SUP-19121].

There was no discussion.

CHAIRMAN DAVENPORT declared the Public Hearing closed for Item 4 [VAR-19019], Item 5 [VAR-19046], Item 6 [VAR-19117], Item 7 [SUP-19068], Item 8 [SUP-19087] and Item 9 [SUP-19121].

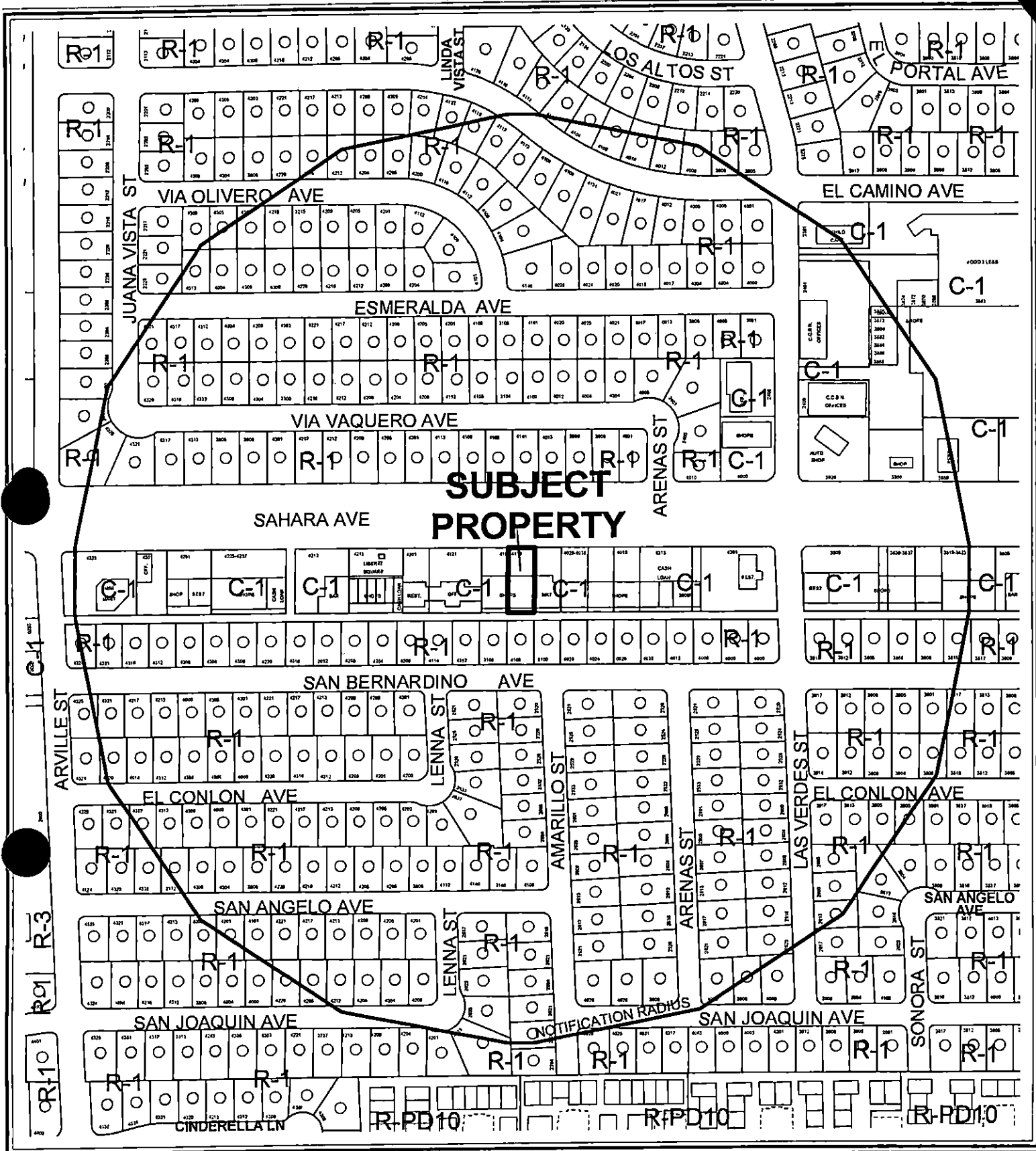
(6:06 – 6:09)

1-170

CONDITIONS:

Planning and Development

1. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. Approval of this Special Use Permit does not constitute approval of a liquor license.
3. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

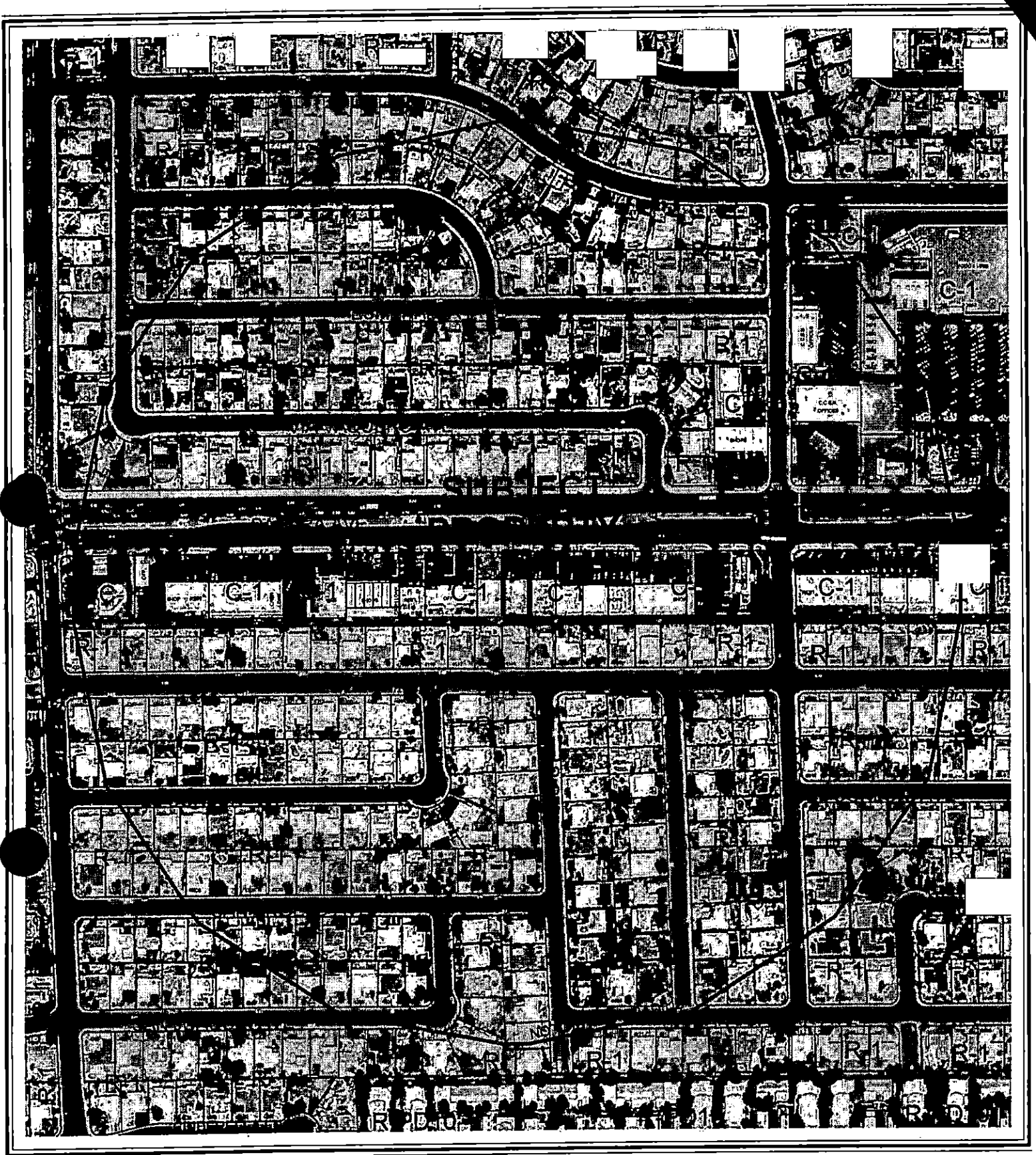


CASE: SUP-19087

RADIUS: 1000 FT

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





0 500 Feet

CASE: SUP-19087

RADIUS: 1000 FT

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





SUP-19087

Protected Landuses

-  CITY PARKS
-  RELIGIOUS
-  SCHOOLS

Business Licenses

-  Tavern
-  Child Care/
Children Facility
-  Supper Club/
Restaurant Service Bar

 Subject Property

 400 foot buffer



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 22, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-19087 - APPLICANT: ESSENCE OF THAI, INC. -

OWNER: CARMELLA M. MAURO

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. Approval of this Special Use Permit does not constitute approval of a liquor license.
3. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-19087 - Staff Report Page One
February 22, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Special Use Permit for a Beer/Wine/Cooler on-sale establishment at an existing restaurant located at 4105 West Sahara Avenue. The project will meet all Title 19.04 regulations therefore approval is recommended by staff.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/18/99	The City Council denied a request for a Variance (V-55-99) on property located at 4109 West Sahara Avenue to allow a proposed addition to an existing non-conforming retail building.
<i>Related Building Permits/Business Licenses</i>	
Current	Restaurant license (R09-01333-6-125783) seating for 45 or more patrons.
<i>Pre-Application Meeting</i>	
12/27/06	A Pre-application meeting was held with the applicant. Planning staff advised the applicant Title 19 regulations for alcohol sales governed under a Special Use Permit.
<i>Neighborhood Meeting</i>	
A Neighborhood Meeting is not required for this type of application nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.21 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
North	Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Residential	L (Low Density Residential)	R-1 (Single Family Residential)
East	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
West	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)

SUP-19087 - Staff Report Page Two
February 22, 2007 - Planning Commission Meeting

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.04, the following parking standards apply:

<i>Parking Requirement</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required Parking</i>		<i>Provided Parking</i>		<i>Compliance</i>
			<i>Regular</i>	<i>Handi-capped</i>	<i>Regular</i>	<i>Handi-capped</i>	
	1,922	1 space/50 square feet of public seating area (1,200)	28	1	32		N*
TOTAL			28		32		N
Loading Spaces			0		0		N

*The restaurant is located within a parking impaired development. Per Title 19.04 no additional parking is required for Beer/Wine/Cooler sales beyond the required parking for the restaurant use.

ANALYSIS

The project request is to allow alcohol sales (on-site) within an existing restaurant within an existing commercial center.

SUP-19087 - Staff Report Page Three
February 22, 2007 - Planning Commission Meeting

- **General Plan and Zoning**

The project site is designated for SC (Service Commercial) uses in the General Plan and zoned as C-1 (Limited Commercial). In accordance with Title 19 - Section 19.04 Beer/Wine/Cooler on-site sales is an allowable use with a Special Use Permit.

- **Separation Distance**

No protected uses such as churches, public parks, schools or daycare centers are located within 400 feet of the proposed project.

- **Parking**

The existing 1,922 square foot restaurant is considered a parking impaired development. However, pursuant to Title 19.04 for Beer/Wine/Cooler on-sales uses no additional parking is required for the proposed use beyond that required of the primary use. The property owner of the commercial center where the proposed use is located is owned by a single property owner and has 32 parking spaces available for the restaurant and adjoining commercial uses.

FINDINGS

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

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

The proposed use can be operated to complement surrounding commercial uses.

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

The project does not propose any new construction and will not result in an intensification of 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 project site has adequate vehicular access along Sahara Avenue.

SUP-19087 - Staff Report Page Four
February 22, 2007 - Planning Commission Meeting

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

No detrimental effects to human health and public safety will result from the proposed use.

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

The project satisfies all requirements as stipulated under Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

15

ASSEMBLY DISTRICT 11

SENATE DISTRICT 1

NOTICES MAILED 353

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-19087** APN: 162-07-511-005

Name of Property Owner: Louis & Carmella Mauro

Name of Applicant: Essence of Thai, Inc.

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

 Yes

 X No

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

City Official: N/A

Partner(s): N/A N/A

APN: N/A

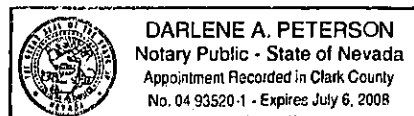
Signature of Property Owner: Carmella Mauro

Print Name: Carmella Mauro

Subscribed and sworn before me

This 7 day of DECEMBER, 2006

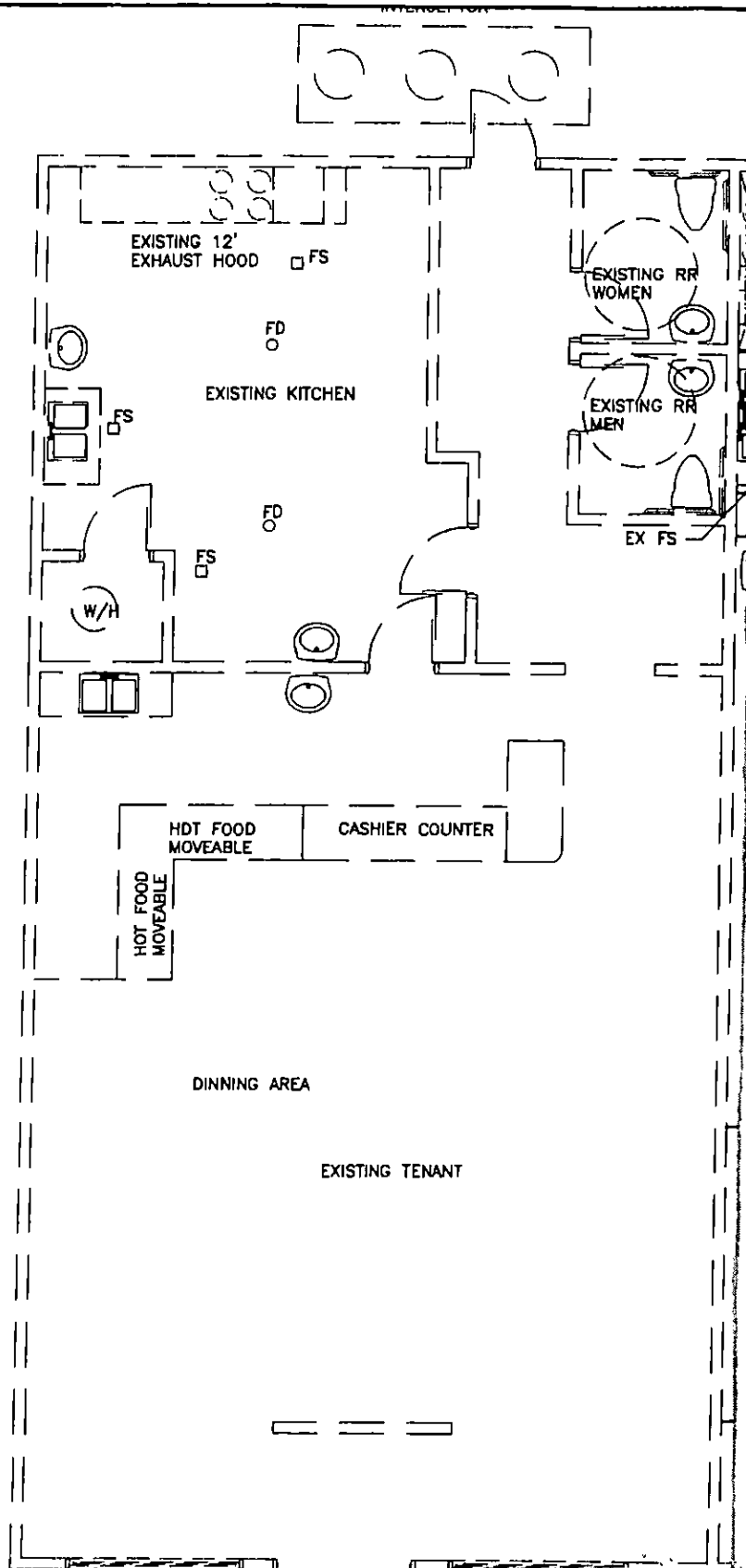
Darlene Peterson
Notary Public in and for said County and State



JAN 08 2007

02/22/07 PC

(323-) 464-2312



SUP-19087

02/22/07 PC

FLOOR PLAN

1/8" = 1'-0"

RECEIVED
JAN 08 2007



SUP-19087 - APPLICANT: ESSENCE OF THAI, INC. - OWNER: CARMELLA M. MAURO
4105 WEST SAHARA AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



SUP-19087 - APPLICANT: ESSENCE OF THAI, INC. - OWNER: CARMELLA M. MAURO
4105 WEST SAHARA AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07

January 2, 2006

City of Las Vegas
400 Stewart Avenue
Las Vegas, NV

RE: Special Use Permit for Essence of Thai Restaurant
4105 W. Sahara Avenue, Las Vegas, Nevada

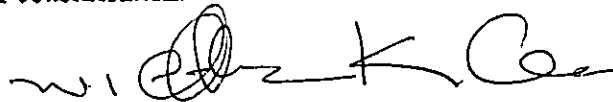
To Whom This May Concern:

Please accept this letter as my request to be granted a special use permit for the sale of beer and wine at my restaurant Essence of Thai Restaurant located at 4105 W. Sahara Avenue.

I opened my restaurant several months ago and though the business covers the overhead, I need to build on the business in order to stay afloat. The customers that come into the restaurant ask if we serve beer and wine with the meals on a regular basis. I feel that if I had a license for beer and wine sales, I could probably increase my business tremendously. If I am not granted a license, I believe I will be forced to close the business due to the lack of income I am receiving. As you are probably well aware, the restaurant business is one of the hardest to succeed with if you can't keep up with the competition. If I can't offer beer and wine to my customers with their meals, they may move on to another restaurant which can.

I appreciate your consideration.

Sincerely,



Wichitra Gee, President
Essence of Thai Restaurant, Inc.

SUP-19087
02/22/07 PC

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

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

SUBJECT: SUP-19087 - APPLICANT: ESSENCE OF THAI, INC. - OWNER: CARMELLA M. MAURO

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **February 22, 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 Burrey 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] K Co 2-22-07
Signature Date

WICHITRA K GEE
Please Print Name

ESSENCE OF THAI, INC.
Company Name

Sincerely,

Andrew P. Reed, Planning Supervisor
Current Planning Division

Submitted after final agenda

Date 2/22/07 Item 18

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-19121 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: ADVANCE GROUP, INC. - OWNER: RESORT HOLDINGS 1, LLC - Request For A Special Use Permit FOR AN AUTO TITLE LOAN ESTABLISHMENT at 7460 West Cheyenne Avenue (APN 138-10-413-007), C-1 (Limited Commercial) Zone, Ward 4 (Brown).

IF APPROVED: C.C.: 03/21/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	2
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location, Aerial, and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letters
6. Submitted after final agenda – Signed proposed conditions of approval form by Las Consulting, Inc.

MOTION:

GOYNES – APPROVED subject to conditions Item 4 [VAR-19019], Item 5 [VAR-19046], Item 6 [VAR-19117], Item 7 [SUP-19068], Item 8 [SUP-19087] and Item 9 [SUP-19121] – **UNANIMOUS** with **STEINMAN** excused

To be heard by City Council on 3/21/2007

MINUTES:

CHAIRMAN DAVENPORT explained that these items will be considered in One Motion/One Vote and are routine public and non-public hearing items that have no protests, waivers from the Code, or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF FEBRUARY 22, 2007
Department of Planning and Development
Item 9 – SUP-19121

MINUTES – Continued:

CHAIRMAN DAVENPORT declared the Public Hearing open for Item 4 [VAR-19019], Item 5 [VAR-19046], Item 6 [VAR-19117], Item 7 [SUP-19068], Item 8 [SUP-19087] and Item 9 [SUP-19121].

There was no discussion.

CHAIRMAN DAVENPORT declared the Public Hearing closed for Item 4 [VAR-19019], Item 5 [VAR-19046], Item 6 [VAR-19117], Item 7 [SUP-19068], Item 8 [SUP-19087] and Item 9 [SUP-19121].

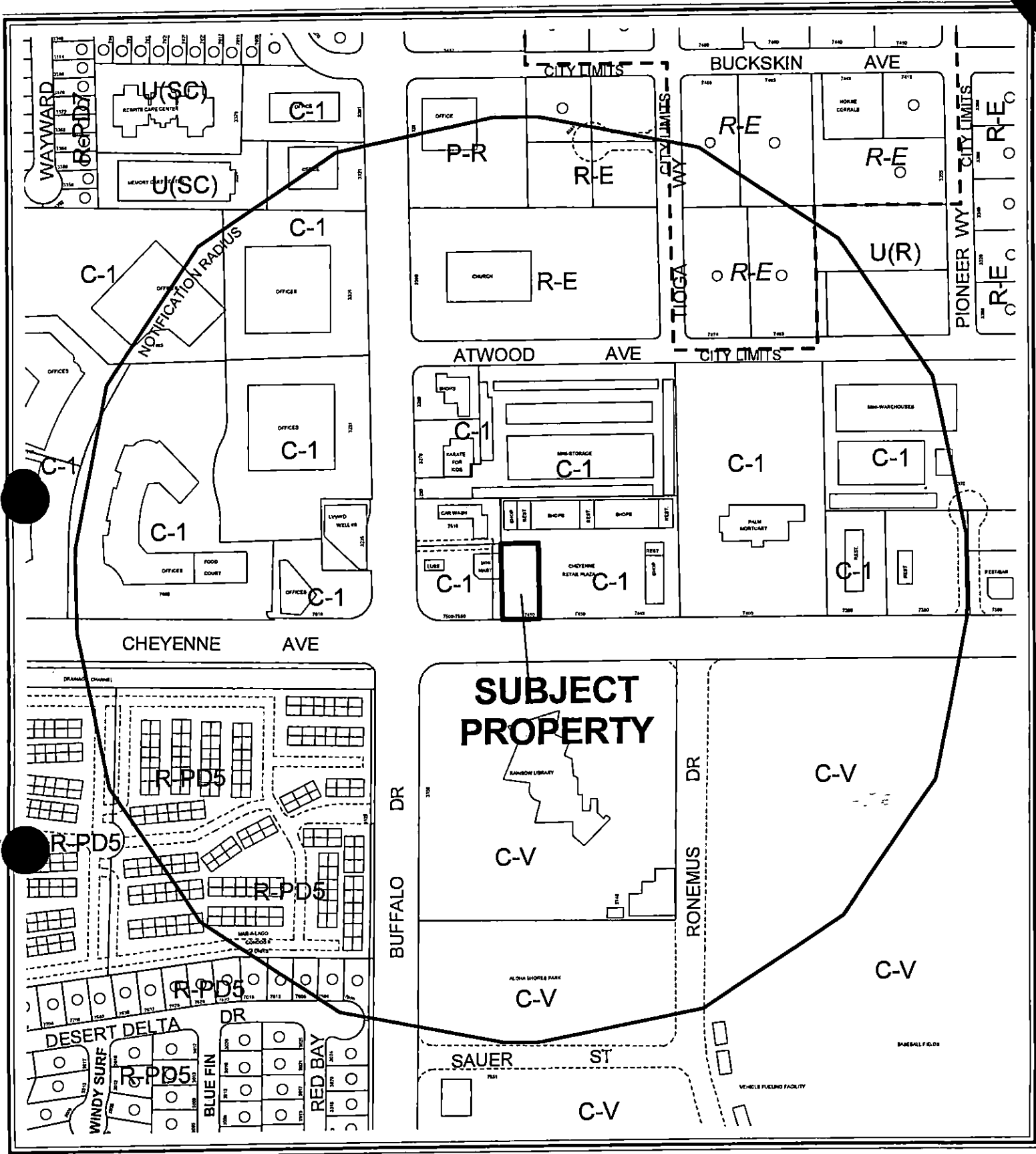
(6:06 – 6:09)

1-170

CONDITIONS:

Planning and Development

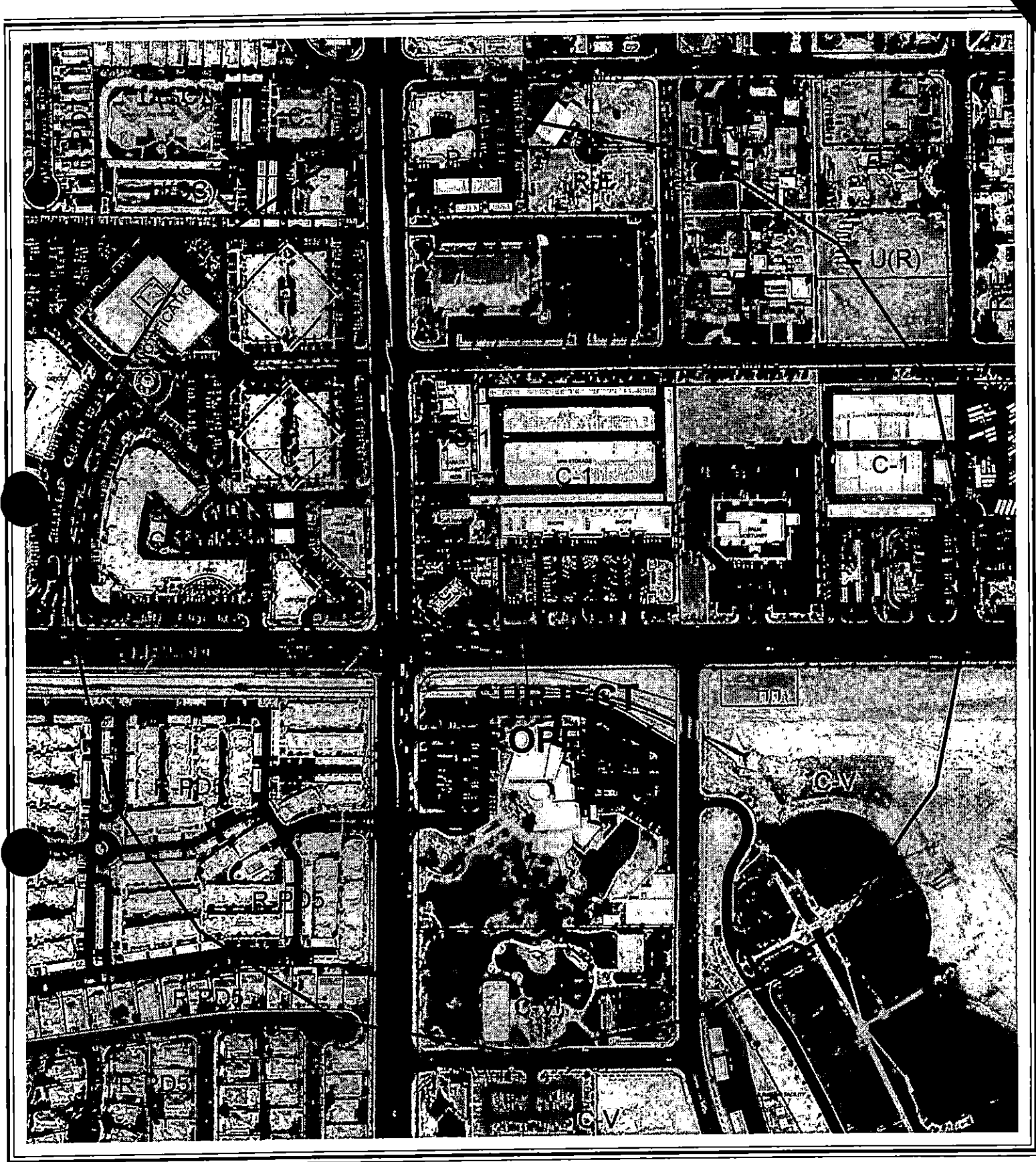
1. Conformance to the conditions Site Development Plan Review (SDR-13664) except as amended herein.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.



CASE: **SUP-19121**

RADIUS: 1000 FT

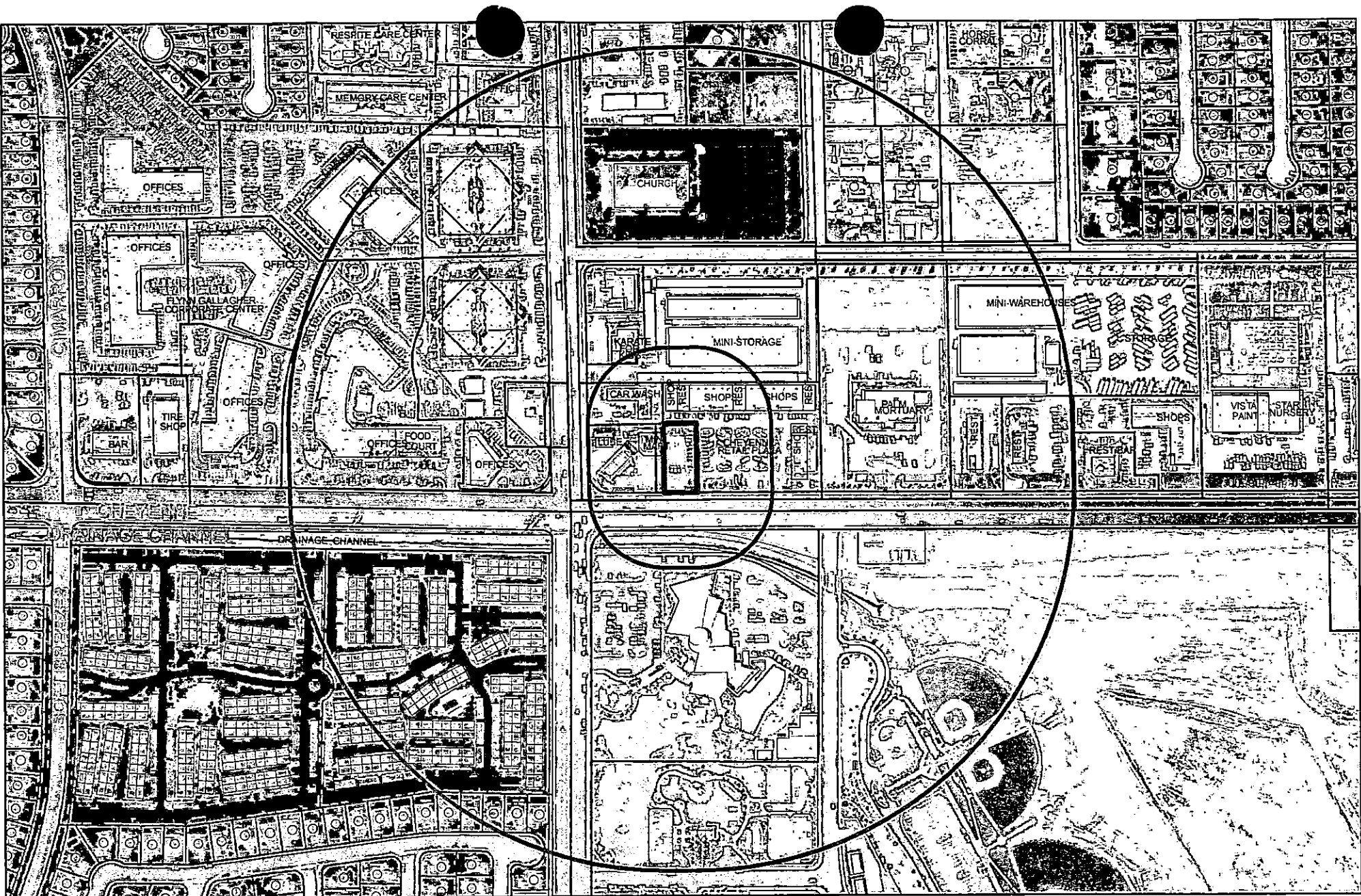
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



CASE: SUP-19121

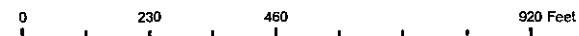
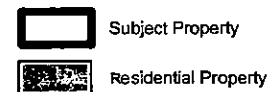
RADIUS: 1000 FT

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

**Financial Institution**

	Finance Company		Financial Institution, Specified (Check Cashing Service)
	Automobile Title Loan		Financial Institution, Specified (Check Cashing Service with Grass)
	Auto Pawnbroker		

	Finance Company		Financial Institution, Specified <i>(Check Cashing Service)</i>
	Automobile Title Loan		Financial Institution, Specified <i>(Check Cashing Service with Grass)</i>
	Auto Pawnbroker		



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 22, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-19121 - APPLICANT: ADVANCE GROUP, INC. -

OWNER: RESORT HOLDINGS 1, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions Site Development Plan Review (SDR-13664) except as amended herein.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-19121 - Staff Report Page One
February 22, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Special Use Permit for an Auto Title Loan Establishment at 7460 West Cheyenne Avenue.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/16/89	The City Council approved a Zoning Reclassification from R-E (Residence Estates) to C-1 (Limited Commercial) zoning for the site (Z-61-89). The site plan for the shopping center was part of this approval.
07/13/06	A Site Development Plan Review (SDR-13664) was administratively approved for a proposed 3,500 square foot commercial building on the subject site.
<i>Related Building Permits/Business Licenses</i>	
12/15/06	A building permit C-0317-06 was issued for the shell construction and for on-site improvements/hardscapes for Building C of the Cheyenne Fountains Shopping Center.

<i>Pre-Application Meeting</i>	
09/22/06	A pre-application meeting was held to discuss the requirements for a Special Use Permit for an Auto Title Loan establishment including payday loans and check cashing. Applicant was informed that if the suite were less than 1,500 square feet, a Waiver would be required. However, the subject suite is 3,450 square feet and; therefore, no waiver is necessary.

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

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	0.39

SUP-19121 - Staff Report Page Two
February 22, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Public Library	PF (Public Facility)	C-V (Civic)
East	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)

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

* The subject business is located within the North Las Vegas Airport Overlay District in the 175-foot buffer zone. As the shopping center is one-story and well below 175 feet in height, the subject site is in full compliance with the overlay district standards.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	0.39 Acre	Y
Min. Lot Width	N/A	422 Feet	Y
Min. Setbacks			
• Front	20 Feet	81 Feet	Y
• Side	10 Feet	22 Feet	Y
• Rear	20 Feet	126 Feet	Y
Max. Lot Coverage	50 %	21 %	Y
Max. Building Height	N/A	20 Feet	Y
Trash Enclosure	50 Feet from residential	108 Feet	Y

SUP-19121 - Staff Report Page Three
February 22, 2007 - Planning Commission Meeting

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	
Shopping Center	32,500 SF	1/250 SF	125	5	172	6	Y
TOTAL (including handicap)			130		178		Y

ANALYSIS

- Zoning

The subject site is currently zoned C-1 (Limited Commercial). The Auto Title Loan use is permitted in C-1 (Limited Commercial) with the approval of a Special Use Permit. This application, if approved, will satisfy this requirement.

- Use

An Auto Title Loan is defined by Title 19 as a business whose primary function is to lend money on the security of the title to a motor vehicle rather than on the security of the vehicle itself. An Auto Title Loan establishment such as the one proposed is also permitted to provide services such as payday loans and check cashing typically associated with the Financial Institution, Specified or Check Cashing, Limited uses which fall below Auto Title Loan in the use hierarchy. An Auto Title Loan establishment may not provide the services of Auto Pawn or Pawn Shop establishments which are considered more intensive uses.

- Conditions

Title 19.04.050 lists the following conditions for the Auto Title Loan use, adopted by City Council April 21, 2004.

1. The use shall comply with all applicable requirements of Title 6.
2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.
3. No temporary signs (as described in Title 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.

SUP-19121 - Staff Report Page Four
February 22, 2007 - Planning Commission Meeting

4. Window signs shall not:
 - a. Cover more than twenty percent (20%) of the area of all exterior windows;
 - b. Include flashing lights or neon lighting; or
5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
6. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
7. No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use or pawn use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to lines of fee interest parcels and not leasehold parcels.

The proposed use meets all building design requirements including those regarding signage. The proposed floor plan is 3,500 square feet where a minimum area of 1,500 square feet is required. The subject site is located 337 feet from the nearest residential use where a minimum distance separation of 200 feet is required, and 1,670 feet from the nearest financial institution where 1,000 feet is the minimum distance separation required.

FINDINGS

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

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

The proposed Auto Title Loan use is located in an approved pad site under construction in an existing shopping center and can be conducted in a manner that is harmonious and compatible with existing surrounding land uses. The Auto Title Loan use is appropriate for the C-1 (Limited Commercial) zone and the subject site meets all distance separation requirements.

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

SUP-19121 - Staff Report Page Five
February 22, 2007 - Planning Commission Meeting

The proposed site plan conforms to both the General Plan and the Title 19 land use designations for the site. The proposed site plan conforms to other city policies and standards.

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

The subject site is served by Cheyenne Boulevard, a 100-Foot Primary Arterial on the Master Plan of Streets and Highways, and of adequate capacity to serve the proposed use.

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

This site will be subject to inspections and business licensing requirements and will not endanger the public health or general welfare.

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

The proposed use is in compliance with all conditions of Title 19.04. The site is 337 feet from the nearest residential use where a 200-foot minimum distance separation is required, and is 1,670 from the nearest Auto Title Loan or other Financial Institution Specified, where a 1,000-foot minimum distance separation is required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

ASSEMBLY DISTRICT 37

SENATE DISTRICT 6

NOTICES MAILED 472

APPROVALS 0

PROTESTS 3

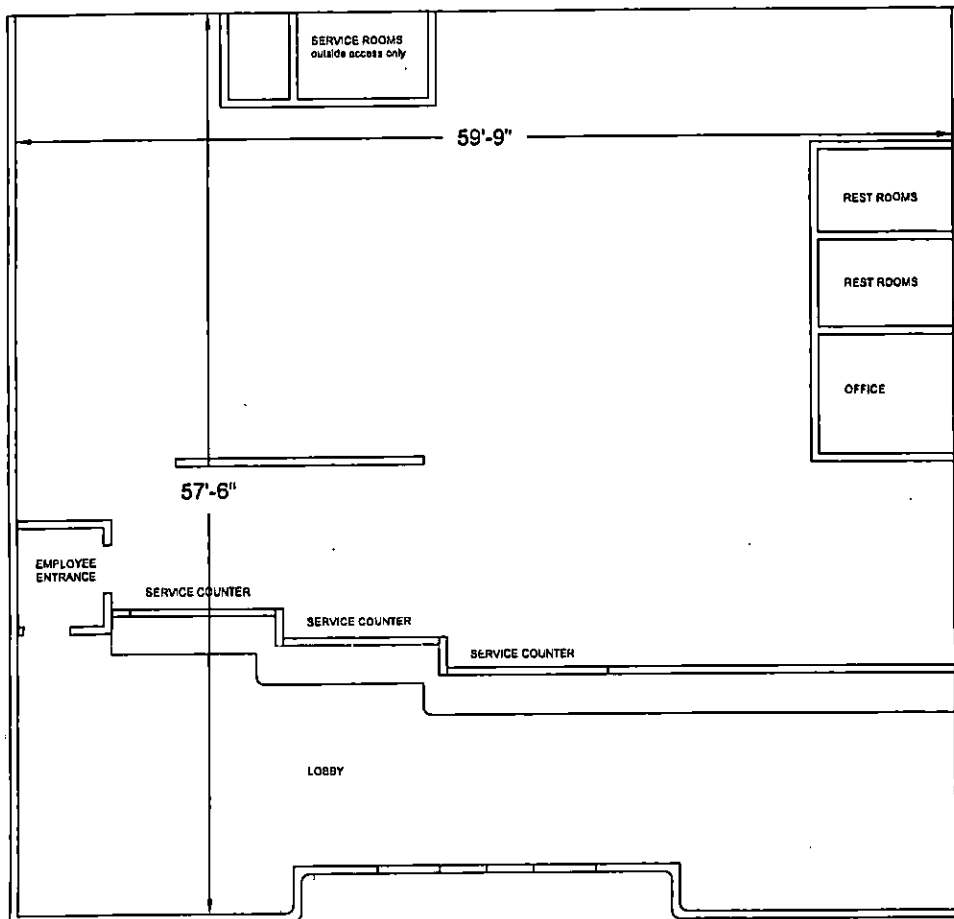


Case Number: **SUP-19121** APN: 138-10-413-007

Name of Applicant: ^{DBA:} RAPID CASH Advance Group, Inc.

 Yes X No

f:\depot\Application Packet\Statement of Financial Interest.doc



FLOOR PLAN

Check City

SCALE $\frac{1}{8}$ " = 1'-0"

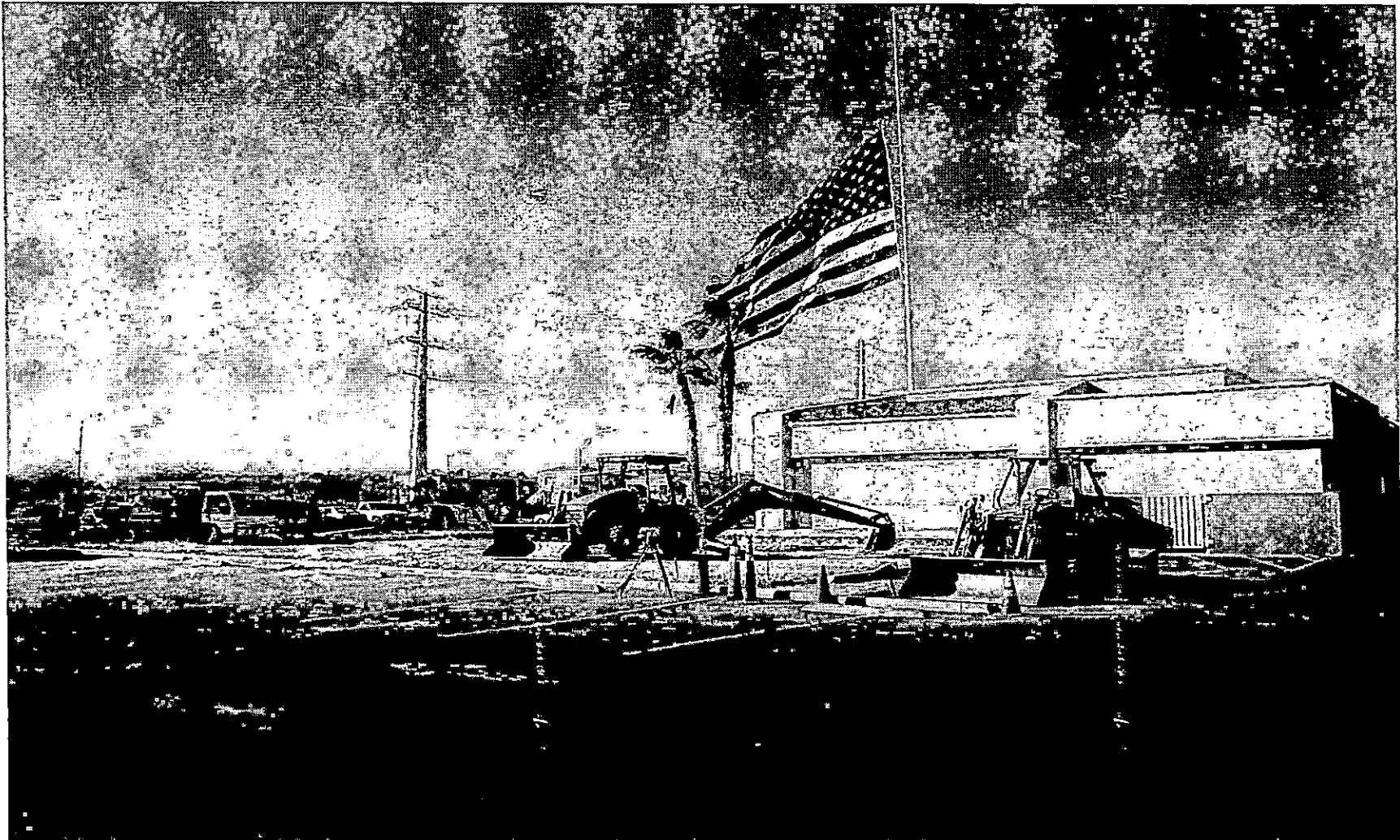
RECEIVED
JAN 09 2007

SUP-19121
02/22/07 PC



SUP-19121 - APPLICANT: ADVANCE GROUP, INC. - OWNER: RESORT HOLDINGS 1, LLC
7460 WEST CHEYENNE AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



SUP-19121 - APPLICANT: ADVANCE GROUP, INC. - OWNER: RESORT HOLDINGS 1, LLC
7460 WEST CHEYENNE AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



Land Use Consultants

- Zoning, Planning, Building & Land Use
- Variances, Conditional Use Permits & Waivers
- Permit Tracking
- Property Analysis & Feasibility Studies
- Business, Gaming & Liquor Licensing
- Development Services

December 27, 2006

City of Las Vegas
Planning and Development Department
731 4th Street
Las Vegas, NV 89121

SUBJECT: JUSTIFICATION LETTER -- Special Use Permit

The name of this proposal is: **Rapid Cash**

APN: 138-10-413-007

1. This proposed use is located 7460 W. Cheyenne.
2. The total gross acres for this site are 0.39.
3. The current zone for this parcel is C-1 and the current general plan is limited commercial district.
4. The proposed land use is for an Auto Title loan establishment that will also include check cashing and payday loans.
5. We would like to apply for a special use permit for the above mentioned.

If I can be of any additional assistance in any of this at any time, please do not hesitate to call me at #312-2435.

Sincerely,

Sandra Montgomery

Sandra Montgomery
Associate Planner

SUP-19121
02/22/07 PC

RECEIVED
JAN 09 2007

Telephone Protest/Approval Log

Meeting Date: 2/22/07

Case Number: Sup. 19121

Date: 2/12/07
Name: Correa R. Cabrera
Address: 3150 Soft Breeze
Phone: 267.9494
☒ PROTEST ☐ APPROVE

Date: 2/14/07
Name: Barita Ryan
Address: 3340 Pioneer Wy.
Phone: 645.3141
☒ PROTEST ☐ APPROVE

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

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

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

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

Carman Burney

From: Nora Lares
Sent: Thursday, February 15, 2007 8:32 AM
To: Carman Burney
Subject: FW: Internet Submission - SUP-19121 - Auto Title Loan

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

From: b-doyle@hotmail.com [mailto:b-doyle@hotmail.com]
Sent: Thursday, February 15, 2007 8:22 AM
To: planning@LasVegasNevada.gov
Subject: Internet Submission - SUP-19121 - Auto Title Loan

Citizen Name: Bob Doyle

Email: b-doyle@hotmail.com

Comments: Dear Sirs,
I would like to express my oposition to the a request for a special use permit for an auto title loan establishment at 7460 W. Cheyenne Ave.

I believe this will negatively affect my property values at 3150 Soft Breezes Dr. and that there are enough title loan establishments in the area. We do not need another one.

Thanks - plz let me know if I need to submit this by snail mail.

Date: 2/15/2007 8:21:35 AM

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

SUBJECT: SUP-19121 - APPLICANT: ADVANCE GROUP, INC. - OWNER: RESORT HOLDINGS 1, LLC

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the **February 22, 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

2/18/07
Date

Lucy Stewart
Please Print Name

LAS CONSULTING, INC
Company Name

Sincerely,

Andrew P. Reed, Planning Supervisor
Current Planning Division

Submitted after final agenda

Date 2/22/07 Item #9

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-19122 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -
APPLICANT/OWNER: SCOTT ASHJIAN - Request for a Major Modification to an
Approved Site Development Plan Review (SDR-5553) FOR A PROPOSED TWO-STORY,
4,364 SQUARE FOOT AUTO DETAIL FACILITY at 4485 North Rainbow Boulevard (APN
138-03-602-013), C-1 (Limited Commercial) Zone, Ward 4 (Brown).

C.C.: 03/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions – **UNANIMOUS** with **TRUESDELL**
abstaining because he has a partner who owns an interest in property within the notice
area and **STEINMAN** excused

This is Final Action

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

This item was under the One Motion/One Vote portion of the agenda and was brought forward
for discussion upon **ANDY REED'S** request, Planning Supervisor.

SCOTT ASHTON, 4485 North Rainbow, appeared with **CURTIS ATWOOD** and agreed to all
conditions and the favorable recommendation. **MR. ASHTON** stated that he was informed that
the matter would not need to proceed on to City Council and **CHAIRMAN DAVENPORT**
confirmed that, if approved, it would be a Final Action.

PLANNING COMMISSION MEETING OF FEBRUARY 22, 2007
Department of Planning and Development
Item 10 – SDR-19122

MINUTES – Continued:

CHRIS NICHOLS, 4452 McBride Drive, inquired about the plans since the proposal is visible from his home. MR. ASHTON confirmed the additional facility would not be visible as attractive landscaping currently exists. The auto detail facility would only be used privately amongst himself and friends.

COMMISSIONER EVANS suggested MR. ASHTON meet with MR. NICHOLS subsequent to the hearing.

(6:09 – 6:15)

1-274

CONDITIONS:

Planning and Development

1. Conformance to the Conditions of Approval for the Rezoning (ZON-1112), Site Development Plan Review (SDR-5553) and Special Use Permit (SUP-5554) shall be required, except as amended by conditions herein.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 01/09/07.
4. 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.
5. 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.
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

PLANNING COMMISSION MEETING OF FEBRUARY 22, 2007
Department of Planning and Development
Item 10 – SDR-19122

CONDITIONS – Continued:

7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
8. 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.
9. 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.
10. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

11. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
12. 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.
13. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade 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.
14. Site development to comply with all applicable conditions of approval for ZON-1112 and all other subsequent site-related actions.



RADIUS: 1000 FT

0 500 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: FEBRUARY 22, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-19122 - APPLICANT/OWNER: SCOTT ASHJIAN**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL**, subject to:**Planning and Development**

1. Conformance to the Conditions of Approval for the Rezoning (ZON-1112), Site Development Plan Review (SDR-5553) and Special Use Permit (SUP-5554) shall be required, except as amended by conditions herein.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 01/09/07.
4. 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.
5. 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.
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

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8. 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.
9. 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.
10. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

11. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
12. 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.
13. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade 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.
14. Site development to comply with all applicable conditions of approval for ZON-1112 and all other subsequent site-related actions.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Major Amendment to an Approved Site Development Plan Review (SDR-5553) for a proposed 4,404 square-foot Auto Detail Facility on 1.21 acres at 4485 North Rainbow Boulevard. The original review approved a 2,220 square-foot Auto Detail Facility and granted waivers of the perimeter landscape buffer requirements and the parking lot landscaping standards.

The applicant indicates that the proposed Auto Detail Facility has increased in total square footage mainly due to the second floor office area going from 420 square feet to 1,776 square feet. The building footprint has increased slightly, growing from a 60-foot by 30-foot building to a 62-foot by 44-foot building. The overall height has also changed somewhat, going from 28.9 feet to 32.3 feet. The proposed modifications are still in keeping with the intent of the original approval. Staff is recommending approval of this major amendment subject to all conditions of approval for the original site development plan review, except as amended by this review.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
07/12/99	The City Council approved a request for Rezoning (Z-0029-99) the subject property from R-E (Residence Estates) to C-1 (Limited Commercial) subject to a Resolution of Intent with a one-year time limit. The Planning Commission and staff recommended approval.
07/12/00	The Resolution of Intent on the subject site expired.
12/18/02	The City Council approved a request for Rezoning (ZON-1112) the subject property from R-E (Residence Estates) to C-1 (Limited Commercial) to convert a single-family home into a professional office building Planning. The Planning Commission and staff recommended approval.
01/19/05	The City Council approved a request for a Site Development Plan Review (SDR-5553) and a Special Use Permit (SUP-5554) for a proposed Auto Detail Facility on the subject property. The Planning Commission and staff recommended approval.
<i>Related Building Permits/Business Licenses</i>	
10/05/98	A business license for a C11 (Contractor - any person who is licensed or required to be licensed as a contractor under NRS Chapter 624, whether or not the contractor maintains a business location within the corporate limits of the City) category license was processed in by the Department of Finance and Business Services. This license (C11-07090) was originally issued by Business Services on 10/21/98 and was re-issued due to a change of location on 02/23/05 with Planning and Development comments recorded on 02/14/05.

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10/18/05	A business license for a K20 (Insurance Adjuster Firm - which is an office location where administrative functions are conducted for an insurance adjusting firm) category license was processed in by the Department of Finance and Business Services. This license (K20-00004) was approved by the Planning and Development Department on 10/21/05 and issued by Business Services on 10/26/05.
02/16/06	A building permit application, plan check C-54-06, was submitted for the site. The permit has not been issued as of 01/19/07. The Planning and Development Department review began 04/04/06 and has problemed this permit pending approval of an updated site development plan review.
05/04/06	A business license for an E02 (Equipment Rental & Leasing - A company that offers a variety of equipment (lawn mowers, backhoes, tents, party supplies) for the sole purpose of rental or leasing the equipment) category license was processed in by the Department of Finance and Business Services. This license (E02-95504) was denied by the Planning and Development Department on 05/15/06. This license has not been issued.
05/04/06	A business license for a L33 (Lawn & Landscape Maintenance - Any business that provides lawn or landscape maintenance but is not required to have a State contractor's license) category license was processed in by the Department of Finance and Business Services. This license (L33-95503) was denied by the Planning and Development Department on 05/15/06. This license has not been issued.
12/18/06	A business license for an A01 (Administrative Office Space - an office location in which specific administrative functions of a business are conducted apart from the primary business location) category license was processed in by the Department of Finance and Business Services. This license (A01-99758) was approved by the Planning and Development Department on 01/10/07. This license had not been issued as of 01/17/07.
<i>Pre-Application Meeting</i>	
12/19/06	A pre-application meeting was held and elements of this application were discussed. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.21

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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single Family, Detached	O (Office)	R-E (Residence Estates)
South	Animal Hospital	SC (Service Commercial)	C-1 (Limited Commercial)
East	Single Family, Detached	M (Medium Density Residential)	R-CL (Single Family Compact-Lot)
West	Mini-Storage Facility	SC (Service Commercial)	C-1 (Limited Commercial)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	n/a	5,271 SQFT	n/a
Min. Lot Width	100 Feet	185 Feet	Y
Min. Setbacks			
• Front	20 Feet	153 Feet	Y
• Side	10 Feet	>10 Feet	Y
• Corner	15 Feet	n/a	n/a
• Rear	20 Feet	31 Feet	Y
Max. Lot Coverage	50%	10.5%	Y
Max. Building Height	n/a	32.33 Feet	Y
Trash Enclosure	Yes	Yes	n/a

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

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	96.99 Feet	117.39 Feet	Y
Adjacent development matching setback	10 Feet	117.39 Feet	Y
Trash Enclosure	50 Feet	72.22 Feet	Y

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

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree / 6 Spaces	7 Trees	3 Trees	N *
Buffer: Min. Trees	1 Tree / 20 Linear Feet	13 Trees	13 Trees	Y
	1 Tree / 30 Linear Feet	16 Trees	9 Trees	N *
TOTAL		36 Trees	27 Trees	N *
Min. Zone Width	15 Feet – ROW		40 Feet	Y
	8 Feet – Interior Lot Lines		6 Feet	N *
Wall Height	6 Feet		8 Feet	Y

* Per the approved Site Development Plan Review (SDR-5553) relief from the city standards for perimeter landscape buffers and parking area landscaping was granted.

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

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office, Other Than Listed (Existing)	3,000 SQFT	1 Space / 300 SF of GFA	9 Spaces	1 Space	12 Spaces	1 Space	Y
Office, Other Than Listed	1,776 SQFT	1 Space / 300 SF of GFA	5 Spaces	1 Space	5 Spaces	1 Space	Y
Car Wash, Full Service or Auto Detailing	2,588 SQFT	1 Space / 150 SF of GFA	17 Spaces	0 Spaces	17 Spaces	1 Space	Y
SubTotal	7,364 SQFT		31 Spaces	2 Spaces	34 Spaces	3 Spaces	Y
TOTAL (including handicap)			33 Spaces		37 Spaces		Y
Loading Spaces	7,364 SQFT	1 Space @ <10,000 SQFT	1 Space		1 Space		Y

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<i>Changes Generated by the Proposed Major Amendment to the Approved Site Development Plan Review (SDR-5553)</i>				
	<i>Approved</i>	<i>Proposed</i>	<i>Amount Increased</i>	<i>Percent Increased</i>
Building Square Footage	2,220 SQFT	4,404 SQFT	2,184 SQFT	98.4%
-- First Floor	1,800 SQFT	2,628 SQFT	828 SQFT	46.0%
-- Second Floor	420 SQFT	1,776 SQFT	1,356 SQFT	322.8%
Building Footprint	60-FT x 30-FT	62-FT x 44-FT	2-FT x 14-FT	n/a
-- Footprint Square Footage	1,800 SQFT	2,728 SQFT	928 SQFT	51.5%
Building Height	28.9 FT	32.3 FT	3.4 FT	11.8%
Parking Required (including HC)	15 Spaces	23 Spaces	8 Spaces	53.3%
Parking Provided (including HC)	24 Spaces	24 Spaces	0 Spaces	0%

ANALYSIS

The subject site is designated SC (Service Commercial) within the Centennial Hills Sector Plan of the General Plan. This category permits a variety of low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and that do not include more intense general commercial characteristics. The present zoning of C-1 (Limited Commercial) is in conformance with this land use designation.

An Auto Detail Facility use is permitted in a C-1 (Limited Commercial) zoning district subject to the approval of a Special Use Permit. There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed auto detail facility use. A Special Use Permit (SUP-5554) to allow the Auto Detail Facility use was approved in conjunction with the original site development plan review.

The proposed Auto Detail Facility is to be located on the back portion of the subject property. On the front portion of the site there is one existing building that serves as offices for several existing businesses.

- **Site Plan**

The proposed Auto Detail Facility is to be located within the back portion of the subject site and will not be readily visible to the public from Rainbow Boulevard. The facility's 32.3-foot high building is to consist of 4,404 square feet of floor area. The orientation of the building, parking, drive and site amenities portray a development that will be functional and attractive to the area.

The site is subject to the Residential Adjacency Standards due to the R-E (Residence Estates) designated property to the north of this property which contains a single-family, detached dwelling. Pursuant to Title 19.08.060, the Proximity Slope uses a 3:1 calculation for determining what the distance from a protected property to a building on

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the subject site may be. The proposed building is two stories and approximately 32.3 feet in height. Per the 3:1 slope requirement this would necessitate a residential adjacency setback of at least 96.9 feet. The site plan shows that the building is 117.39 feet away; therefore, the Residential Adjacency Standards are met.

The trash enclosure has been moved as required by condition 11 of the Site Development Plan Review (SDR-5553) which brings the proposed Auto Detail Facility into compliance with the development standards of Title 19.08.

- **Landscape Plan**

A landscape plan has been submitted with the application. A total of 36 trees are required for the development, 29 trees of which are for the perimeter of the site and seven for the parking area. Eleven trees are required along the perimeter for the office development located at the front of the site, but seven trees were planted.

The Applicant had requested a Waiver of the perimeter landscaping requirements along the west property line as a part of the original site development plan review. The Waiver was approved. With the Waiver and the trees required for the office development, 22 perimeter trees are required, and 22 trees have been provided. The development is deficient four trees for the parking area, and this deficiency was addressed as a condition of approval in the original site development plan review. This staff report has included a condition of approval that requires compliance with all applicable conditions of the original Site Development Plan Review (SDR-5553), including condition seven that deals with parking lot trees.

- **Elevation/Floor Plan**

The elevations of the building for the Auto Detail Facility illustrate walls composed of layers of split face block in light brown and dark red colors. The metal garage doors are to be silver in color. The building would be 32.3 feet tall at the highest point of the parapet roof.

The site is within the North Las Vegas Airport Overlay Map portion of the Airport Overlay District. The submitted elevations are in compliance with Title 19.06.080 (B) which allows a "structure to a height up to thirty five feet above the surface of the land on any parcel" without a height limitation review or prohibition.

The floor plan for the Auto Detail Facility building shows three bays for detailing and typical restroom, waiting room, and storage space. The floor plan is typical of other similar facilities. There is an expanded future office space depicted on the second floor.

This project, including the modifications to the approved plans, is appropriate for this site and staff is recommending approval of this application.

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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;**

To the west of the subject property is a mini-storage facility and to the south is a veterinarian clinic. On property to the north is a single-family dwelling in an O (Office) future land use designation. The dwelling is located approximately 210 feet from the subject property. Across the street are single-family residences that would be screened from view by an existing office building to the front of the property that is owned by the applicant. The proposed Auto Detail Facility would be harmonious and compatible to existing and future land uses, particularly with the perimeter buffers proposed.

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

The proposed development is consistent with City plans, policies and standards with the exception of a deficiency in the number of trees and bushes for the parking area and perimeter. This was addressed as a condition of approval in the approval of the original Site Development Plan Review (SDR-5553).

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

The Auto Detail Facility will have access to Rainbow Boulevard, a secondary collector (80-foot wide) street. The street is designed to provide adequate access to the property.

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

The building and landscape materials are appropriate for the site. It should be noted that an abundance of landscaping has been provided along Rainbow Boulevard at the front of site for the existing office building.

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

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The Auto Detail Facility building is to be located at the back of a site where its visibility from the street will be substantially diminished by the presence of an office building at the front. Regardless, the building features are visually acceptable to adjoining development.

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

The proposed Auto Detail Facility would be subject to periodic inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

8

ASSEMBLY DISTRICT 37

SENATE DISTRICT 4

NOTICES MAILED 279

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-19122** APN: 138-03-602-013

Name of Property Owner: Scott Ashjian

Name of Applicant: Scott Ashjian

Name of Representative: _____

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

☐ Yes

☒ No

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: _____

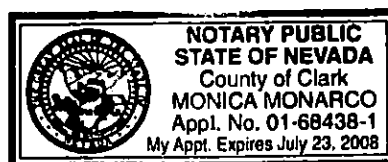
Signature of Property Owner: _____

Print Name: Scott Ashjian

Subscribed and sworn before me

This 9th day of January, 2007

Notary Public in and for said County and State

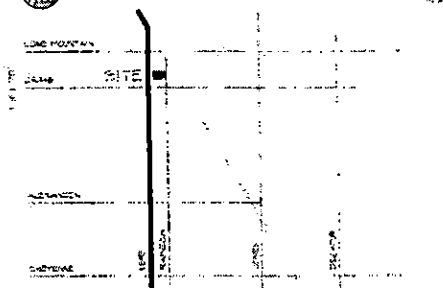




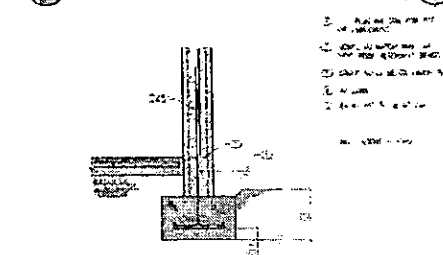
5300 Westview Drive, Suite #300
Frederick, MD 21704

OWNER: A&A	DATE: 02/22/07
PROJECT: 4485 NORTH RAINBOW	SCALE: 1" = 20' (PLAN)
DESIGNER: FUSION	DATE: 02/22/07
PROJECT NO: 19122	PROJECT NO: 19122
PROJECT NAME: 4485 NORTH RAINBOW	PROJECT NAME: 4485 NORTH RAINBOW
PROJECT ADDRESS: 4485 NORTH RAINBOW	PROJECT ADDRESS: 4485 NORTH RAINBOW
PROJECT CITY: FREDERICK, MD	PROJECT CITY: FREDERICK, MD
PROJECT STATE: MD	PROJECT STATE: MD
PROJECT ZIP: 21704	PROJECT ZIP: 21704
PROJECT PHONE: (301) 221-1111	PROJECT PHONE: (301) 221-1111
PROJECT FAX: (301) 221-1111	PROJECT FAX: (301) 221-1111
PROJECT EMAIL: info@fusionmd.com	PROJECT EMAIL: info@fusionmd.com
PROJECT WEBSITE: www.fusionmd.com	PROJECT WEBSITE: www.fusionmd.com

1. SITE / BUILDING ANALYSIS



2. VICINITY MAP



3. TYPICAL PERIMETER FENCE WALL



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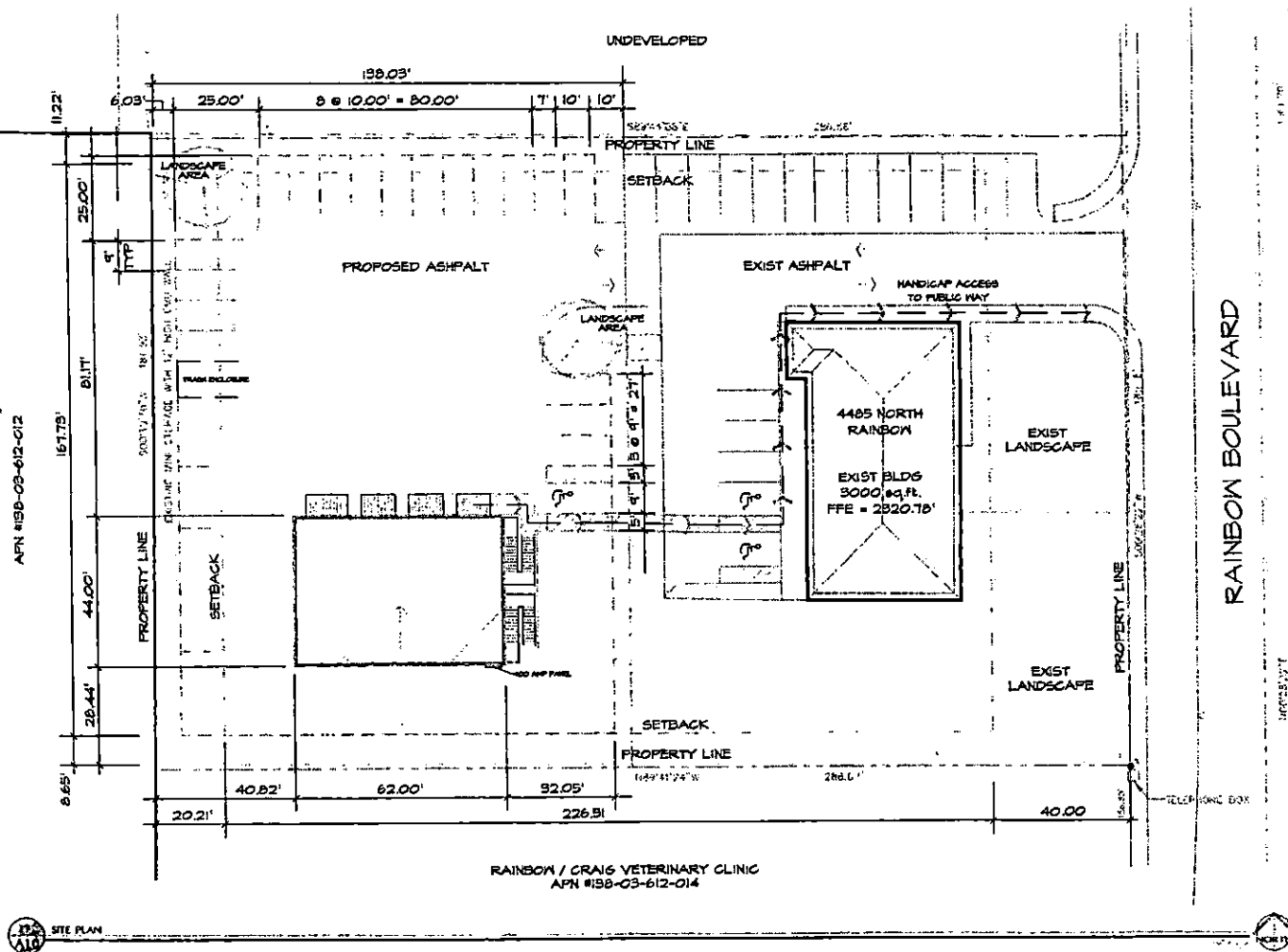
SDR-19122
02/22/07 PC

A&A Asphalt
Bada Bling
Craig Road & Rainbow Dr
Las Vegas, NV



Project No:	03.101.1
Owner:	FPI
Architect:	JW
Building Department Submit:	12.16.07
Sheet Count:	
Site Plan:	
Vicinity Map:	
Site / Building Analyst:	
Site Detail:	

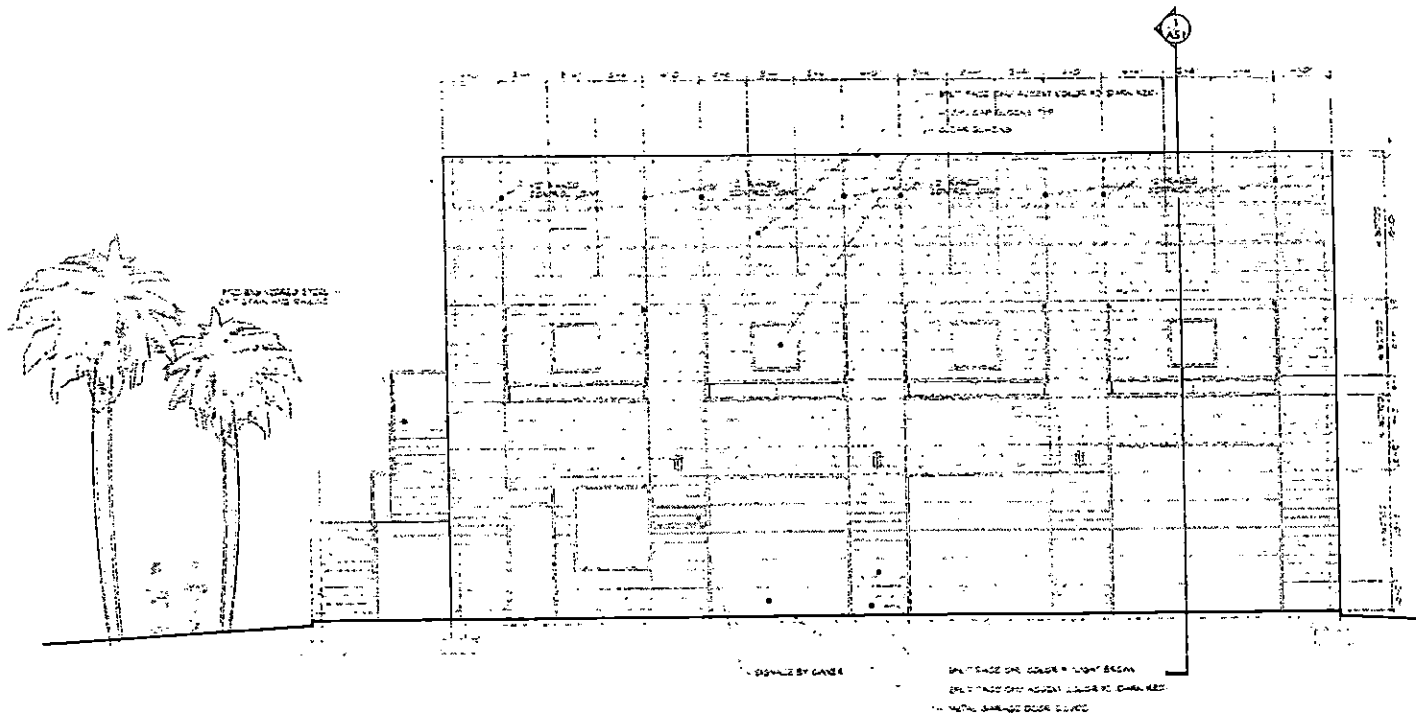
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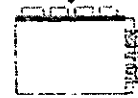
RAINBOW / CRAIG VETERINARY CLINIC
APN #198-03-612-014

APN #198-03-612-012

1. SITE PLAN



A&A Asphalt Bada Bling
 Strip Road & Rainbow Blvd
 Las Vegas, NV



- Revisions
- 1. CLV Plan Check 04.12.0
 - 2. CLV Plan Check 05.23.0
 - 3. CLV Plan Check 06.26.0
 - 4. CLV Plan Check 06.01.0
 - 5. CLV Plan Check 06.26.0

PROJECT NO.
 03.101.1
 DESIGNER
 FPI
 CHECKED
 JWW

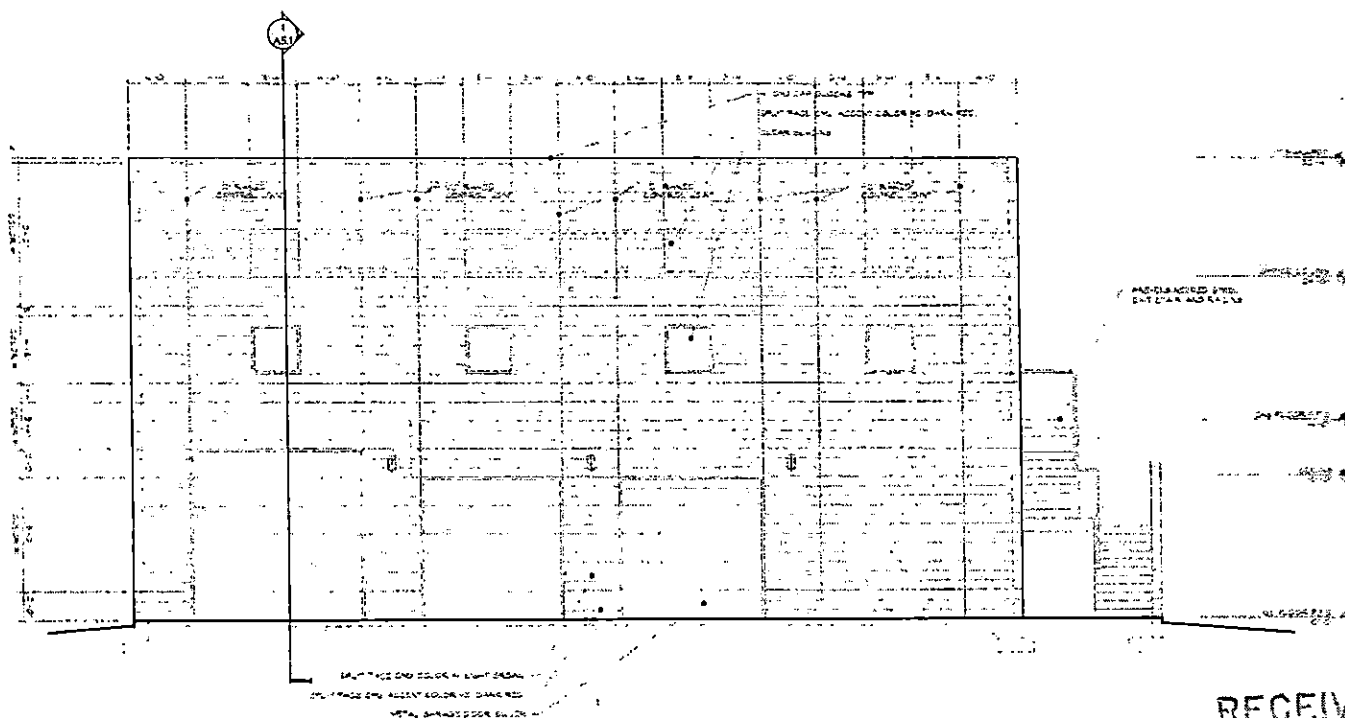
Building Department permit
 12.16.0
 Street Curb

North Elevation

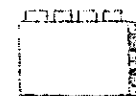
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SDR-19122
02/22/07 PC

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A&A Asphalt Bada Bling
4000 Road 5, Rainbow Blvd
Las Vegas, NV



- Revisions:
1. CLV Plan Check 04.12.0
 2. CLV Plan Check 05.23.0
 3. CLV Plan Check 06.26.0
 4. CLV Plan Check 08.04.0
 5. CLV Plan Check 08.26.0

Project #114
03.101.1

Drawn by
FPI

Checked by
JW

Building Department Stamp
12.16.0

Sheet Count

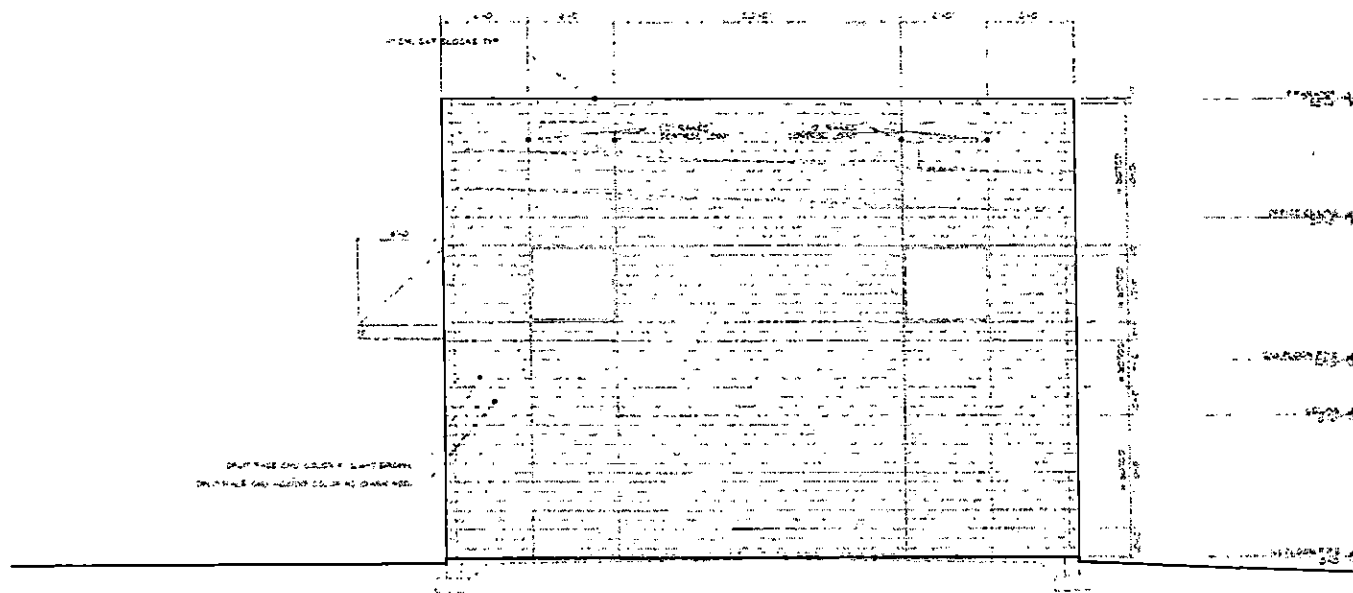
South Elevation

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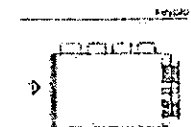
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SDR-19122
02/22/07 PC

A4.2



**A&A Asphalt
Bada Bling**
Craig Road & Rainbow Dr.
Las Vegas, NV



PROJECT NO.
03.101.1
SHEET NO.
FPI
CLIENT
JWW
BUILDING DEPARTMENT SUBMIT
12.16.07
SHEET COUNT

West Elevation

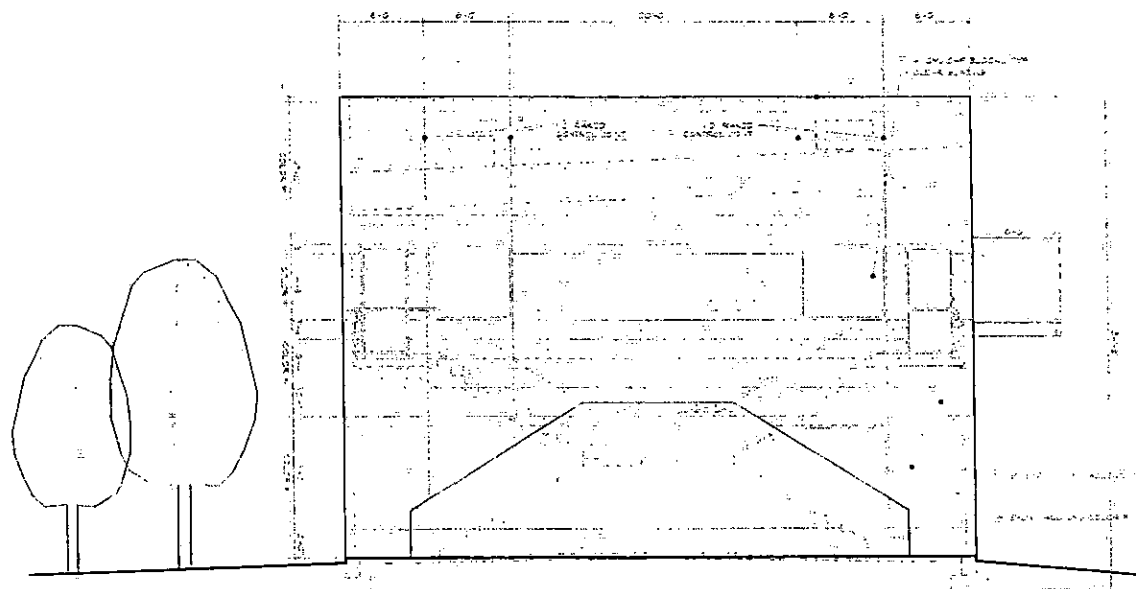
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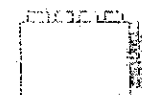
SDR-19122
02/22/07 PC

WEST ELEVATION
A4.3

A4.3



**A&A Asphalt
Bada Bling**
Craig Roun & Robert G.
Las Vegas, NV



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JAN 09 2007

PROJECT
03.101.1
DRAWING
FPI
DESIGNED BY
JW
BUILDING DEPARTMENT JOURNAL
12.18.0
SHEET NUMBER

East Elevation

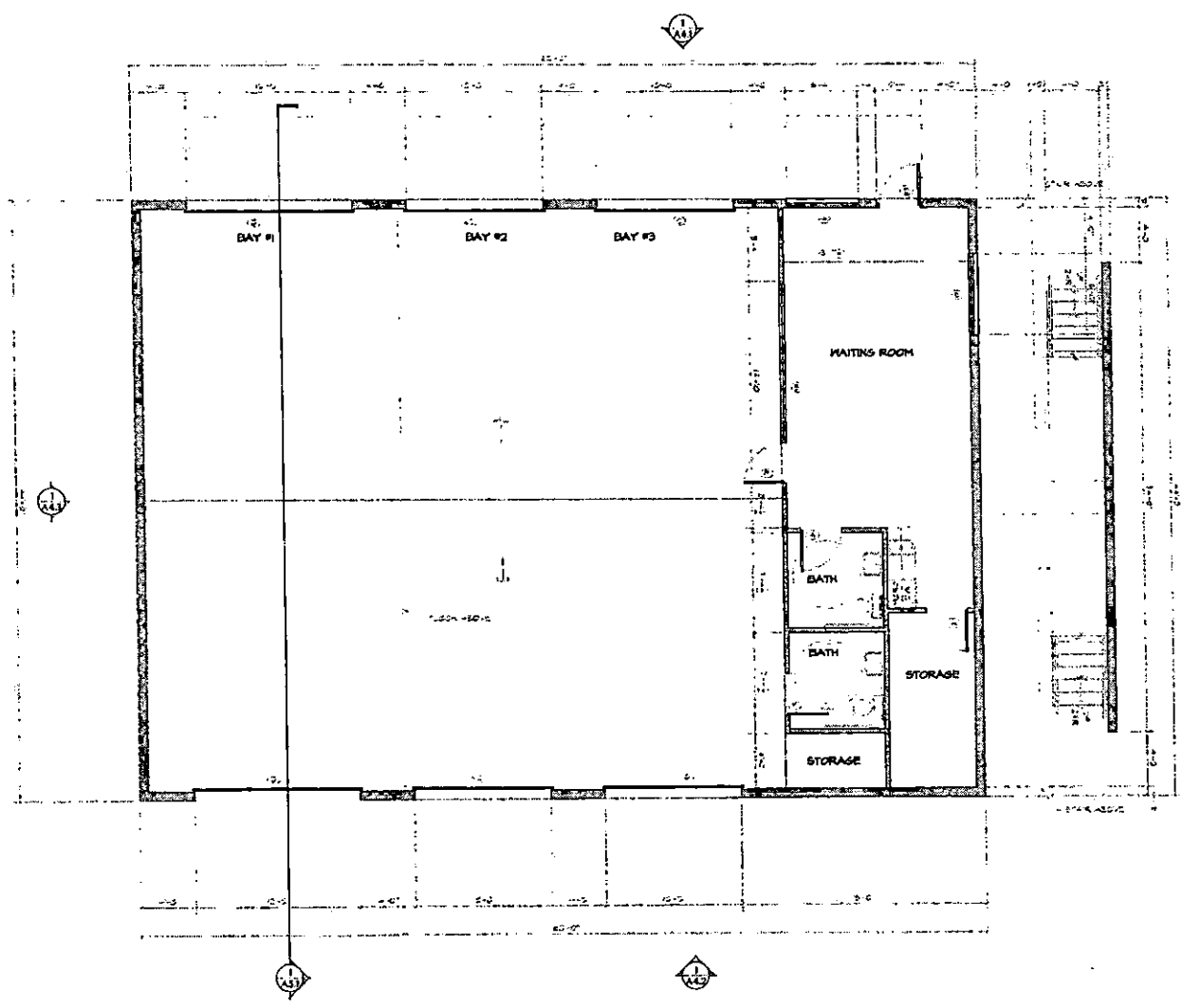


EAST ELEVATION

SDR-19122

02/22/07 PC

A4.4



PLAN NOTES

1. REFER TO STRUCTURAL DRAWINGS FOR ADDITIONAL NOTES AND DETAIL PERTAINING TO FOUNDATION STRUCTURE.
2. ALL STEEL FRAMING MEMBERS SHALL BE WELDED TO THE FOUNDATION STRUCTURE. THE CONCRETE CONTRACTOR SHALL PROVIDE THE FOUNDATION STRUCTURE WITH THE FOUNDATION OF ALL MEMBERS.
3. FLOOR FLOOR SHALL BE 6" ABOVE FINISHED GRADE. GRADE SHALL BE 6" ABOVE FINISHED GRADE.
4. CONCRETE CONTRACTOR SHALL PROVIDE FOR AND NEAR THE ELECTRICAL CONTRACTOR.
5. FOUNDATION SUPPORTING WALLS SHALL BE AT LEAST 4" ABOVE THE FINISHED GRADE.
6. ALL FOUNDATION WALLS AND PLATES ON A CONCRETE SLAB SHALL BE IN DIRECT CONTACT WITH THE SLAB. ALL FOUNDATION WALLS SHALL BE PROTECTED AGAINST CORROSION OR FOUNDATION DAMAGE.
7. REFER TO MECHANICAL DRAWINGS FOR MECH SYSTEM INFORMATION.
8. ALL WALLS SHALL BE 12" THICK AND BE FINISHED WITH 1/2" GYPSUM BOARD.
9. ALL WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD.
10. REFER TO ELECTRICAL DRAWINGS FOR ELECTRICAL SYSTEM INFORMATION.
11. REFER TO PLUMBING DRAWINGS FOR PLUMBING SYSTEM INFORMATION.
12. TYPICAL WALLS FLOOR CONSTRUCTION SHALL BE 12" GYPSUM BOARD OVER 1/2" GYPSUM BOARD. SEE STRUCTURAL DRAWINGS FOR ADDITIONAL INFORMATION.

AREA CALCULATIONS

FIRST FLOOR	3,000 SQ. FT.
SECOND FLOOR	1,775 SQ. FT.
TOTAL	4,775 SQ. FT.

NOTES

- 1. 12" GYPSUM BOARD
- 2. 1/2" GYPSUM BOARD
- 3. 1/2" GYPSUM BOARD
- 4. 1/2" GYPSUM BOARD
- 5. 1/2" GYPSUM BOARD
- 6. 1/2" GYPSUM BOARD
- 7. 1/2" GYPSUM BOARD
- 8. 1/2" GYPSUM BOARD
- 9. 1/2" GYPSUM BOARD
- 10. 1/2" GYPSUM BOARD
- 11. 1/2" GYPSUM BOARD
- 12. 1/2" GYPSUM BOARD

WALL SCHEDULE

- 1. 12" GYPSUM BOARD
- 2. 1/2" GYPSUM BOARD
- 3. 1/2" GYPSUM BOARD
- 4. 1/2" GYPSUM BOARD
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- 12. 1/2" GYPSUM BOARD

SYMBOLS & LEGEND

- 1. 12" GYPSUM BOARD
- 2. 1/2" GYPSUM BOARD
- 3. 1/2" GYPSUM BOARD
- 4. 1/2" GYPSUM BOARD
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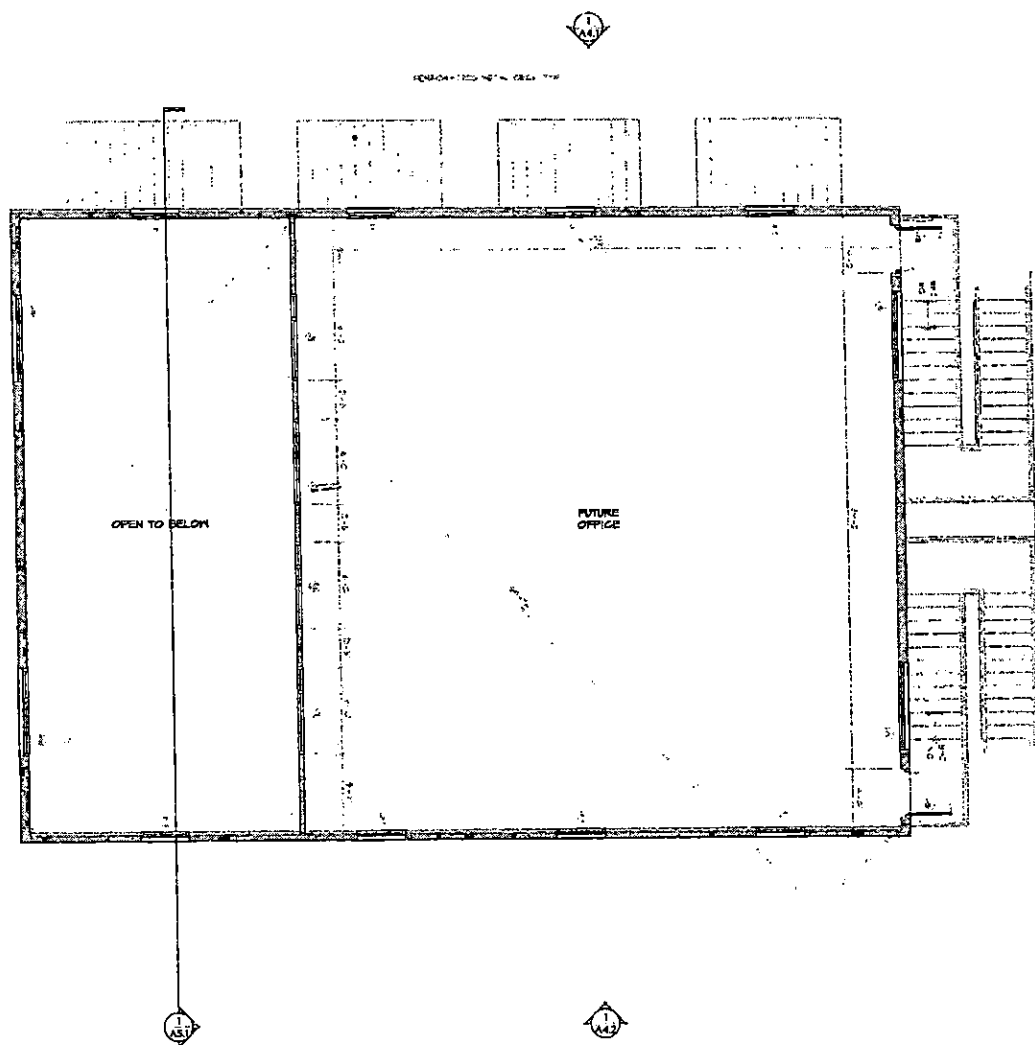
A&A Asphalt Bada Bling
Craig Road & Rainbow Blvd
Las Vegas, NV



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A2.1



PLAN NOTES

1. REFER TO STRUCTURAL DRAWINGS FOR FOOTING, COLUMN AND BEAM DETAILING TO BE USED IN CONSTRUCTION.
2. ALL STEEL BEAMS INCLUDING JOINTS SHALL BE WELDED IN PLACE PRIOR TO THE FOUNDATION FORMWORK ERECTION. THE CONCRETE CONFINEMENT AND FINISHES CONSTRUCTION SHALL COORDINATE THE PLACEMENT OF ALL CONNECTIONS.
3. FUTURE FLOOR SHALL BE 2" ABOVE FINISH GRADE. ON FLOOR SHALL COVER ANY EXISTING THE BUILDING.
4. REFER TO CONTRACTOR SHALL PROVIDE LOCK, DUCT AND THE ELECTRICAL WIRING LEADING INTO THE BUILDING CONSTRUCTION.
5. FOUNDATION WALLS SHALL BE EXTENDING AT LEAST 6" ABOVE THE FINISHED FINISHED GRADE.
6. ALL FOUNDATION WALLS AND PLUMBING IN A CONCRETE IS AS HIGH AS IN JUNE 1" CONTAIN WITH THE BATH SHALL BE PROVIDED TO BE USED FOR FOUNDATION DRAINAGE TO BE USED.
7. REFER TO MECHANICAL DRAWING FOR MECHANICAL SYSTEM INFORMATION.
8. ALL MECHANICAL WIRING IS TO BE USED AND
9. DRAINAGE AND TO BE USED FOR MECHANICAL SYSTEM INFORMATION.
10. REFER TO ELECTRICAL DRAWING FOR ELECTRICAL SYSTEM INFORMATION.
11. REFER TO MECHANICAL DRAWING FOR MECHANICAL SYSTEM INFORMATION.
12. MECHANICAL WIRING SHALL BE USED IN MECHANICAL SYSTEM INFORMATION. SEE MECHANICAL DRAWING FOR MECHANICAL INFORMATION.

AREA CALCULATIONS

FIRST FLOOR	2,000 sq. ft.
SECOND FLOOR	1,000 sq. ft.
TOTAL	3,000 sq. ft.

NOTES

1. 1/2" DIA.
2. 1/4" DIA.
3. 1/8" DIA.
4. 1/16" DIA.
5. 1/32" DIA.
6. 1/64" DIA.
7. 1/128" DIA.
8. 1/256" DIA.
9. 1/512" DIA.
10. 1/1024" DIA.
11. 1/2048" DIA.
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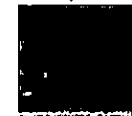
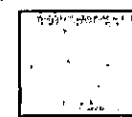


CMU (accent) color #2
Medium Terra Cotta



CMU (field) color #1
Rustic Brown

Standard Stock Colors

 Matte Black	 Stone White	 Sandstone	 Terra Cotta
 Sierra Tan	 Slate Blue	 Mansard Brn	 Colonial Red
 Dark Bronze	 Slate Gray	 Evergreen	 Regal White
 Seal Brown	 Ash Gray	 Patina Green	

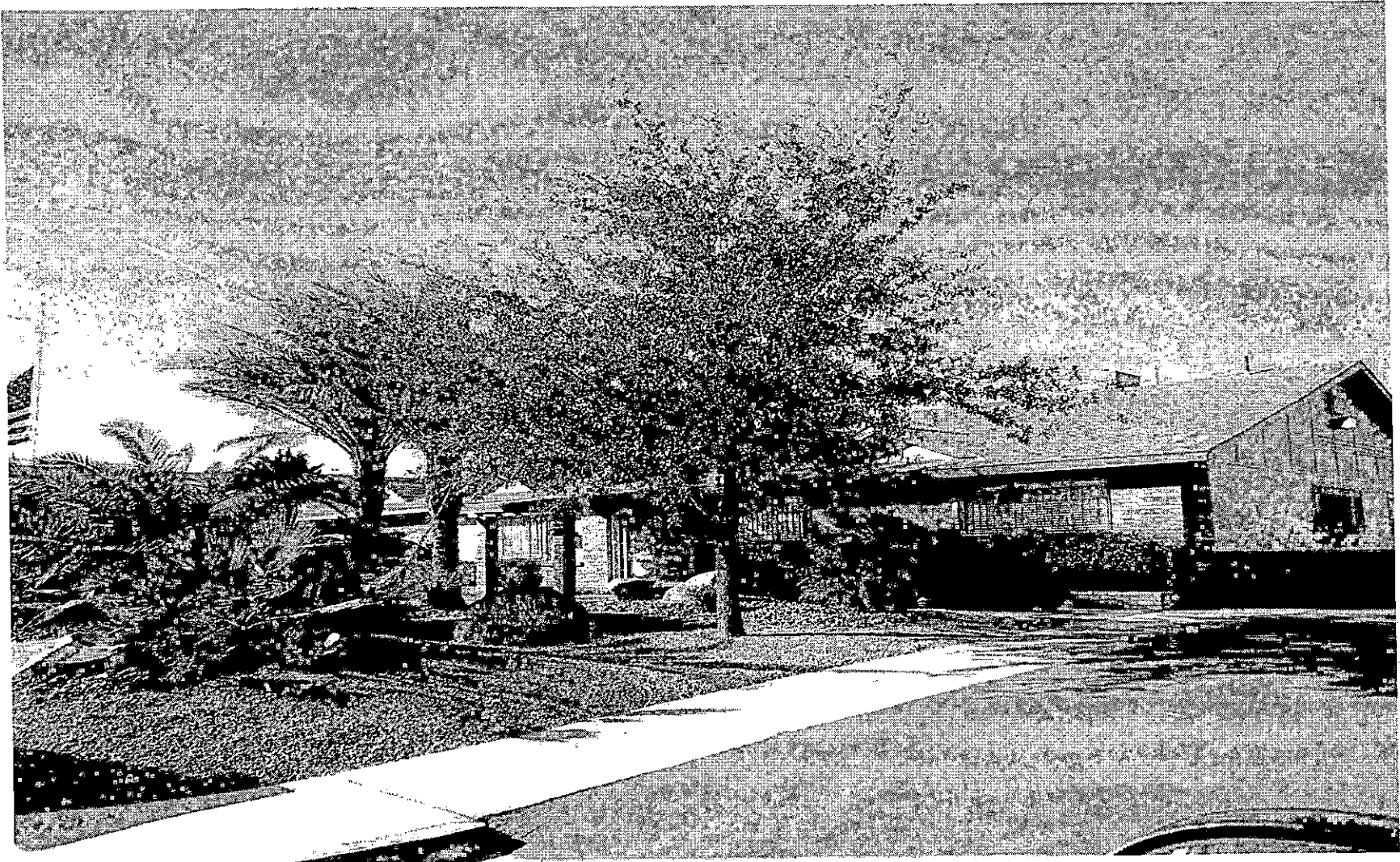
standing seam metal roof
Stone White

A&A Detailing Shop

Near Craig & Rainbow
Las Vegas, Nevada

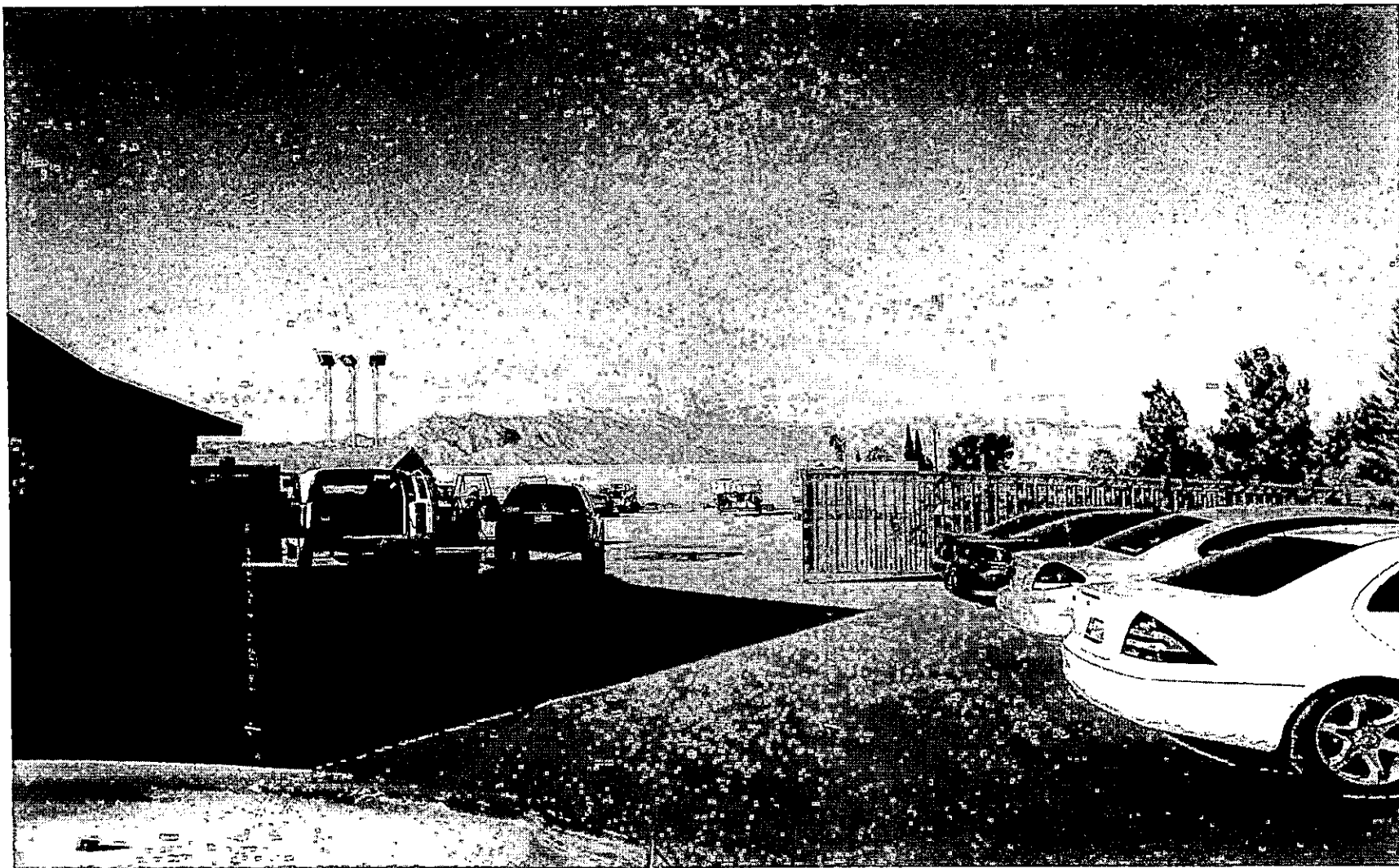
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SDR-19122
02/22/07 PC



SDR-19122 - APPLICANT/OWNER: SCOTT ASHJIAN
4485 NORTH RAINBOW BOULEVARD
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



SDR-19122 - APPLICANT/OWNER: SCOTT ASHJIAN
4485 NORTH RAINBOW BOULEVARD
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



SDR-19122 - APPLICANT/OWNER: SCOTT ASHJIAN
4485 NORTH RAINBOW BOULEVARD
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



A & A Asphalt Paving Co.
4485 N. Rainbow Blvd.
Las Vegas, NV 89108
Office: (702) 891-9111
Fax: (702) 251-0112

January 9, 2007

Re: 138-03-602-013
SDR 5553

To Whom It May Concern:

It was brought to our knowledge in our final planning meeting with the City of Las Vegas Planning Department, that the only hold up for getting a permit was that our architect had submitted a preliminary set of plans which showed a building of 30 x 60 sq. ft., when our final plan is and should have been 44 x 62 sq. ft., which has passed all departments with the City.

We were not aware of this problem until our final meeting. For this reason, we are asking for this change. It will not affect any changes in elevation, height or parking and we fully intend to meet all the City's requests.

Thank You for Your Consideration,

Scott Ashjian
Owner

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SDR-19122
02/22/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAC-19032 - VACATION - PUBLIC HEARING - OWNER/APPLICANT: PICERNE PROVIDENCE, LLC - Petition to vacate a 40-foot wide BLM right-of-way grant along the north side of Deer Springs Way commencing approximately 340 feet from the northwest corner of Hualapai Way and Deer Springs Way and a 33-foot wide portion of an U.S. Government Patent Easement generally located west of Hualapai Way and north of Deer Springs Way, Ward 6 (Ross).

SET DATE: 03/07/07

C.C.: 03/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – HOLD IN ABEYANCE to 3/8/2007 – UNANIMOUS with STEINMAN excused

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

ANDY REED, Planning Supervisor, stated that the right-of-way and patent are in excess of City requirements and therefore he recommended approval.

ATTORNEY STEPHANIE ALLEN, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. She described the surrounding area and explained that the request derived from the Site Development Plan requirement that was approved in 2005. She acknowledged outstanding concerns for access to the parcel south of the subject site.

PLANNING COMMISSION MEETING OF FEBRUARY 22, 2007
Department of Planning and Development
Item 11 – VAC-19032

MINUTES – Continued:

ATTORNEY JOHN CLARK appeared with BERNIE CHIPOLETTI on behalf of ALBERT and EILEEN MASSIE. ATTORNEY CLARK pointed out that the Massie property is now between the Bureau of Land Management (BLM) property and across from the Piceme property. If the Vacation of the easement is granted, ATTORNEY CLARK stated that the property would be landlocked and the right-of-way to the school would also be impacted.

BART ANDERSON, Department of Public Works, confirmed that the aforementioned grant was provided to allow access to a subdivision consisting of County residents living west of the subject site. Termination of that existing right-of-way would need to be done through a Vacation process. When the Providence Master Plan was adopted by City Council, it eliminated Deer Springs Way. The City continues to maintain public access to the Massie property through the existing right-of-way. MR. ANDERSON stated that the right-of-way grant could not be relinquished without the Commission and Council approval which would not take place because it would land lock that parcel as access from that parcel to Hualapai Way had been eliminated with the original plan. MR. ANDERSON stated that the Massie property should not be negatively affected but since he had not seen the document which raises concern, he could not be certain. He supported abeying the matter to allow him and the City Attorney an opportunity to review all documents to verify and satisfy all concerns.

ATTORNEY ALLEN was supportive of an abeyance; however, she reviewed the document in question and noted that if the school chose to vacate the property west of the subject site, they would have to request a Vacation through a public hearing. ATTORNEY ALLEN confirmed that the maps have already been recorded with the cul-de-sac bulb on the map and remained confident that the Massie property would not be land locked.

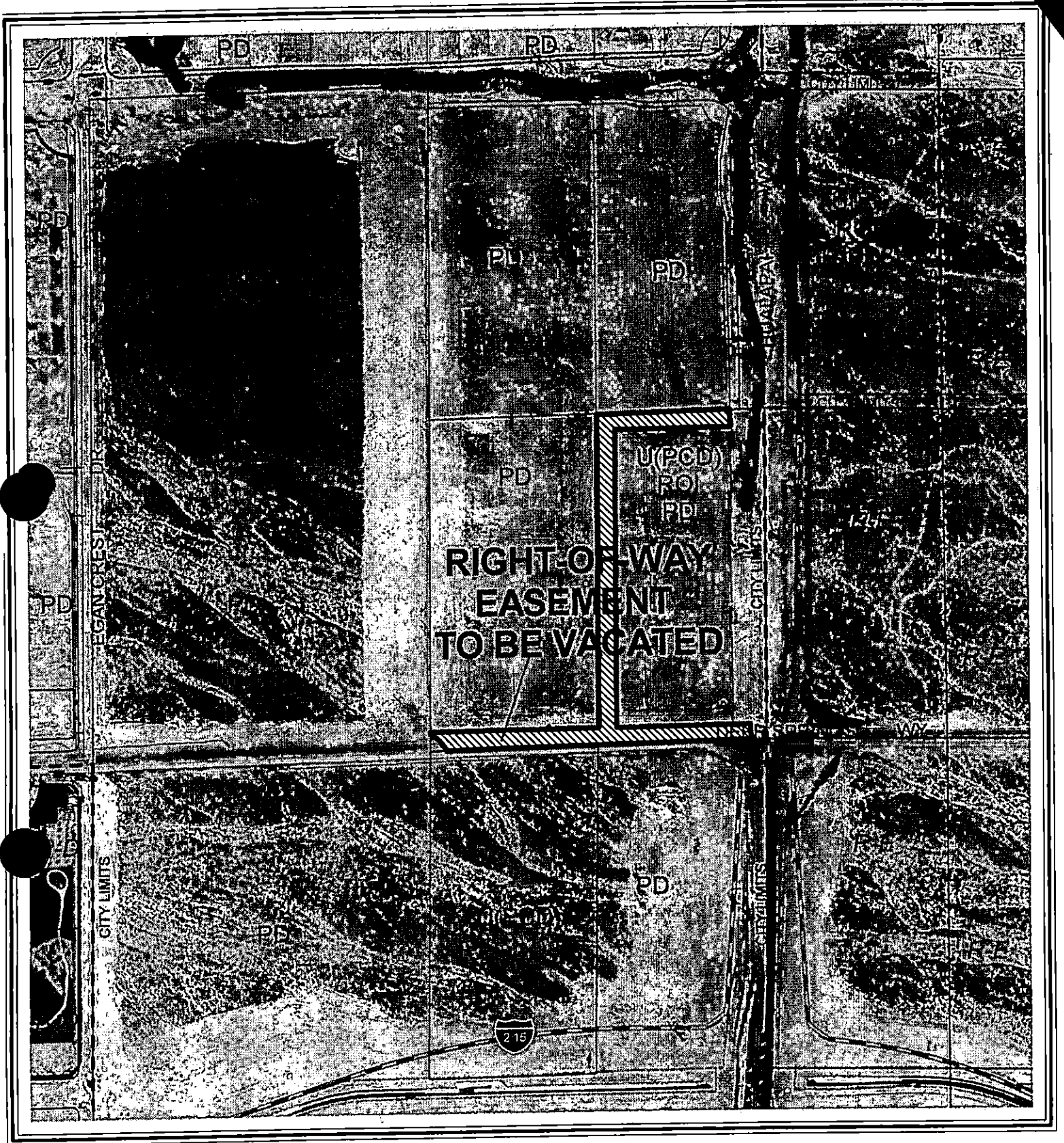
MR. ANDERSON added that the City has dealt with many BLM grants and all have needed to be Vacated before by a public body before they could be eliminated. If this concern is found to be legitimate, it would be atypical. ATTORNEY CLARK reiterated that the matter does not affect a public right-of-way but rather a private right-of-way between the BLM and the County and quoted portions of the document that are of concern.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(6:15 – 6:27)

1-437





0 200 400 Feet

CASE: VAC-19032



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: FEBRUARY 22, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: VAC-19032 - OWNER/APPLICANT: PICERNE PROVIDENCE, LLC**

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

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
2. All development shall be in conformance with code requirements and design standards of all City Departments.
3. A public sewer easement acceptable to the Collection System Planning Section of the Department of Public Works shall record concurrent with the recordation of the Order of Vacation.
4. An addendum to the previously approved Drainage Plan and Technical Drainage Study for the parcels associated with this Vacation Application must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest and Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
5. All existing public improvements, if any, adjacent to and in conflict with this Vacation Application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest and Order of Vacation.
6. The Order of Vacation and the Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met. 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 street light 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 being vacated must be retained.
7. If the Order of Vacation and Order of Relinquishment of Interest are 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.

RTS

VAC-19032 - Staff Report Page One
February 22, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request to Vacate a portion of a BLM Right-of-Way Grant along the north side of Deer Springs Way alignment commencing approximately 340 feet from the northwest corner of Hualapai Way and Deer Springs Way and a 33-foot wide portion of an U.S. Government Patent Easement generally located west of Hualapai Way and north of Deer Springs Way. The applicant is submitting this application in part to comply with Condition 12 of the approved Site Development Plan Review (SDR-17128).

The applicant is proposing to vacate approximately 304 linear feet of a BLM right-of-way grant along the north side of the Deer Springs Way alignment with an approximate width of 40 feet. Additionally, the applicant wishes to vacate a 33-foot wide portion of an U.S. Government Patent Easement that runs along the northern, western, and southern portion of the eastern half of the site.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/08/03	The City Council approved an annexation (A-0030-02) of five acres in the northern portion of the Master Plan area, south of Grand Teton Drive. While these lands form part of the Master Plan area, they are not part of this Rezoning request. The Planning Commission recommended approval on 10/10/02. The effective date of this annexation is 01/17/03.
02/05/03	The City Council approved an annexation (A-0035-02) of over 1,056 acres in the area bounded by Hualapai Way to the east, Grand Teton Drive to the north, Puli Road to the west and Centennial Parkway and the Beltway alignment to the south, including the subject sites of this Rezoning request. The Planning Commission recommended approval on 09/26/02. The effective date of this annexation is 02/14/03.
03/19/03	The City Council approved a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 317.5 acres covering 68 separate parcels in the Cliff's Edge area, and approved the related Cliff's Edge Master Development Plan to regulate development and the provision of infrastructure in the area. The Planning Commission and staff recommended approval.

VAC-19032 - Staff Report Page Two
February 22, 2007 - Planning Commission Meeting

07/16/03	The City Council approved a Rezoning (ZON-2184) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 704 acres covering 21 separate parcels in the Cliff's Edge area, and approved text modifications to the related Cliff's Edge Master Development Plan to address conditions of approval of ZON-1520. The Planning Commission and staff recommended approval.
05/05/04	The City Council approved a request for a Major Modification to the Cliff's Edge Master Development Plan (MOD-3955) to change land use designations from Village Commercial to Medium Low Density Residential and Medium Density Residential; from Medium Density Residential to Residential Small Lot; and from Medium Low Density Residential to Pump & Reservoir; to modify Section 6.2.3 regarding retaining walls; and to modify Table 1 (Section 2.2) to reflect changes to the land use categories on 40 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission recommended approval.
01/19/05	The City Council approved a request for a Site Development Plan Review (SDR-4730) for a proposed 392-unit multi-family residential development and a Waiver of Cliff's Edge Master Development Plan and Design Guidelines to allow 10-foot setback on the western property line for three-story buildings and a zero-foot setback from the eastern and western property line for one and two-story buildings, on 15.69 acres adjacent to the southwest corner of Dorrell Lane and Hualapai Way. In addition, a request for a Variance (VAR-5547) to allow a 30-foot setback where residential adjacency standards require a minimum of 126 feet was approved by City Council. Staff recommended denial and Planning Commission recommended approval.
08/17/05	The City Council approved a request for a Rezoning (ZON-6774) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) on 5.0 acres adjacent to the northwest corner of Hualapai Way and Deer Springs Way.
11/16/05	The City Council approved a request for a Major Modification (MOD-9174) to the Cliff's Edge Master Development Plan and Design Guidelines to establish standards for rear-loaded residential small-lot housing products and to add Section 3.2.5B to the Design Guidelines on 1,146 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road.
01/17/07	The City Council approved a request for a Site Development Plan Review (SDR-17128) to site an additional 124 units for an approved 392 unit multi-family residential development and a Variance (VAR-17127) to allow 926 parking spaces where 973 spaces are required. Planning Commission recommended approval and staff recommended denial on both items.

VAC-19032 - Staff Report Page Three
February 22, 2007 - Planning Commission Meeting

<i>Related Building Permits/Business Licenses</i>	
09/28/05	A building permit application, plan check C-250-05, was submitted. The permit was issued 06/05/06. The Planning and Development Department review began 10/19/05 and recorded approval on 05/01/06. There have been multiple revisions and reviews added to this plan check with the latest being for architectural revisions that was completed on 11/29/06.
<i>Pre-Application Meeting</i>	
A pre-application meeting was not held nor is one required for this type of request.	
<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	18.76

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PCD (Planned Community Development)	U (Undeveloped) PCD (Planned Community Development) under Resolution of Intent to PD (Planned Development) [Medium Density Residential Cliff's Edge Special Land Use Designation]
	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)
North	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)
South	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)
	Undeveloped	PCD (Planned Community Development)	U(PCD) Undeveloped (Planned Community Development)
East	Undeveloped	R (Rural Density Residential)	Clark County Zoning
West	Undeveloped	PCD (Planned Community Development)	PD (Planned Development)

VAC-19032 - Staff Report Page Four
February 22, 2007 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
PD (Planned Development) District – Cliff's Edge Master Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	n/a
Trails		X	n/a
Rural Preservation Overlay District		X	n/a
Development Impact Notification Assessment		X	n/a
Project of Regional Significance		X	n/a

DETAILS OF APPLICATION REQUEST

BLM Right-of Way Grant:

The property is legally described as a 40-foot wide right-of-way grant beginning 340 feet west of the northwest corner of Deer Springs Way and Hualapai Way and extending approximately 340 feet west along Deer Springs Way.

Said property being a portion of the West Half (W½) of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section 24, Township 19 South, Range 59 East, M.D.M.

U.S. Patent Easement:

The property is legally described as a thirty-three foot (33') wide portion of a patent easement.

Said property being the north, west, and south thirty-three feet (33') of the East half (E½) of the southeast quarter (SE¼) of the southeast quarter (SE¼) of the northeast quarter (NE¼) of section 24, township 19 south, range 59 east, M.D.M.;

Excepting therefrom the east fifty feet (50') of said north and south thirty-three feet (33').

ANALYSIS

- **Planning**

A Site Development Plan Review (SDR-17128) requires that the applicant submit a Petition of Vacation for a BLM right-of-way grant that exists within the Deer Springs Way alignment. The applicant has further requested that a portion of the U.S. Patent Easement on the site be vacated as well.

VAC-19032 - Staff Report Page Five
February 22, 2007 - Planning Commission Meeting

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

- **Public Works**

Public Works has no objection to the Vacation Application request for a BLM Right-of-Way Grant and U.S. Government Patent Reservations generally located on the north side of Deer Springs Way, west of Hualapai Way.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 7

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-19032** APN: 126-24-610-004

Name of Property Owner: Picerne Providence, LLC

Name of Applicant: Picerne Providence, 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: _____

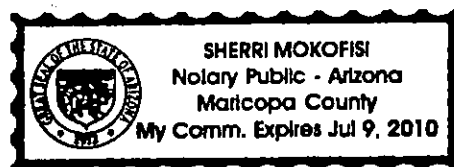
Signature of Property Owner: Picerne Providence, LLC
By: Ernesto R. Alvarez, Sr. Vice President
Picerne Development Corporation, "AS Agent"

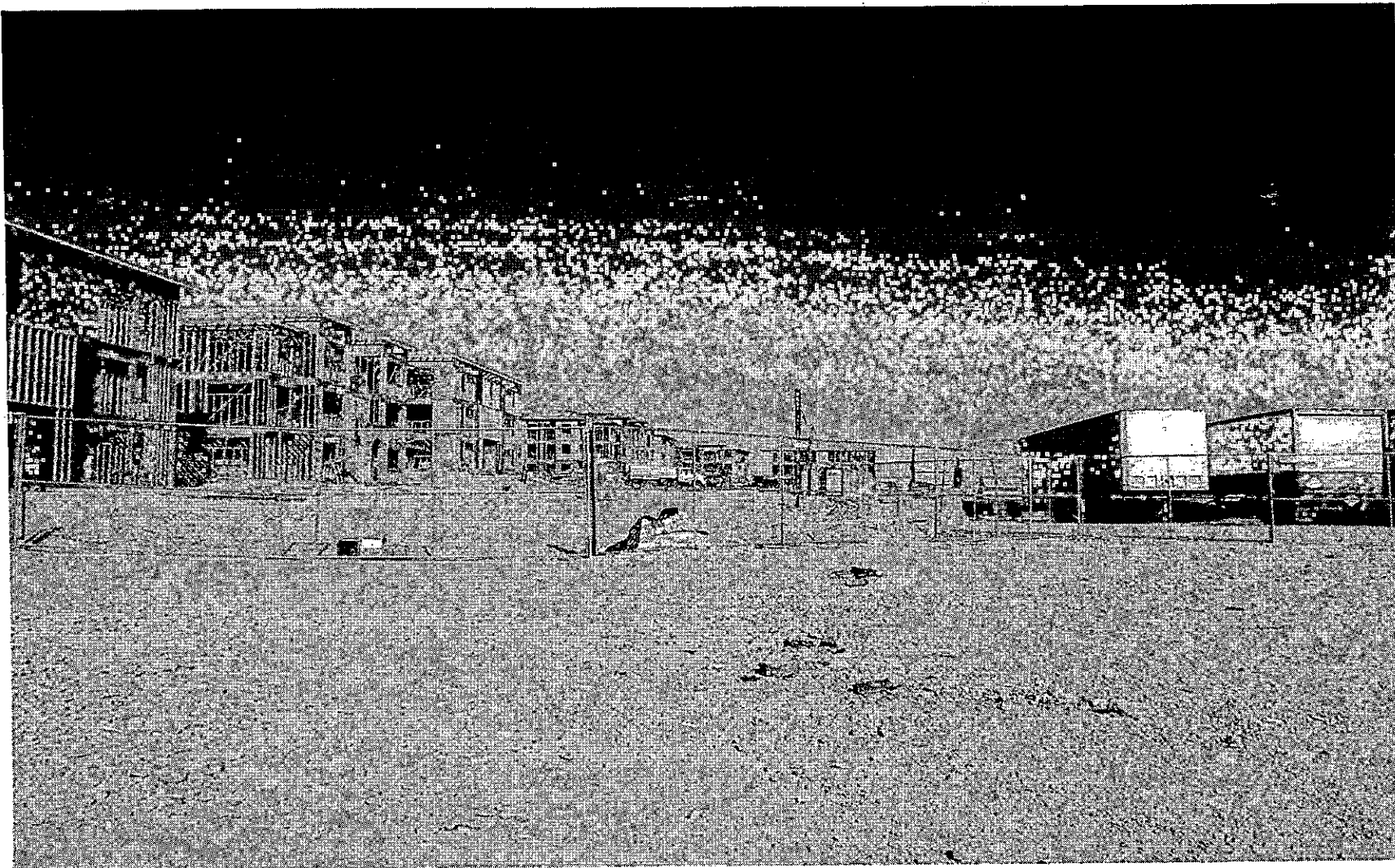
Print Name: Ernesto R. Alvarez

Subscribed and sworn before me

This 10th day of November, 20 06

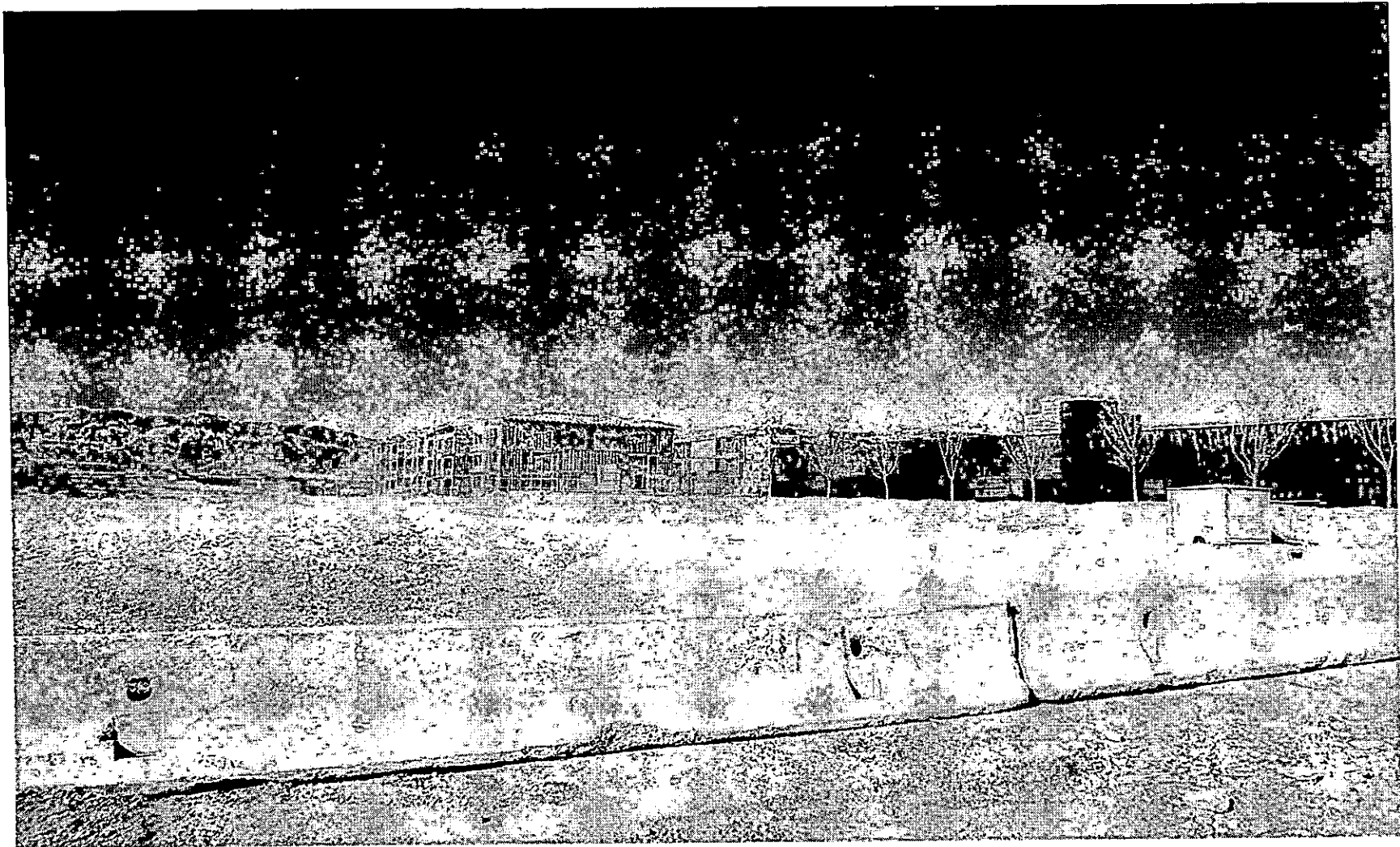
Sherril Mokofisi
Notary Public in and for said County and State





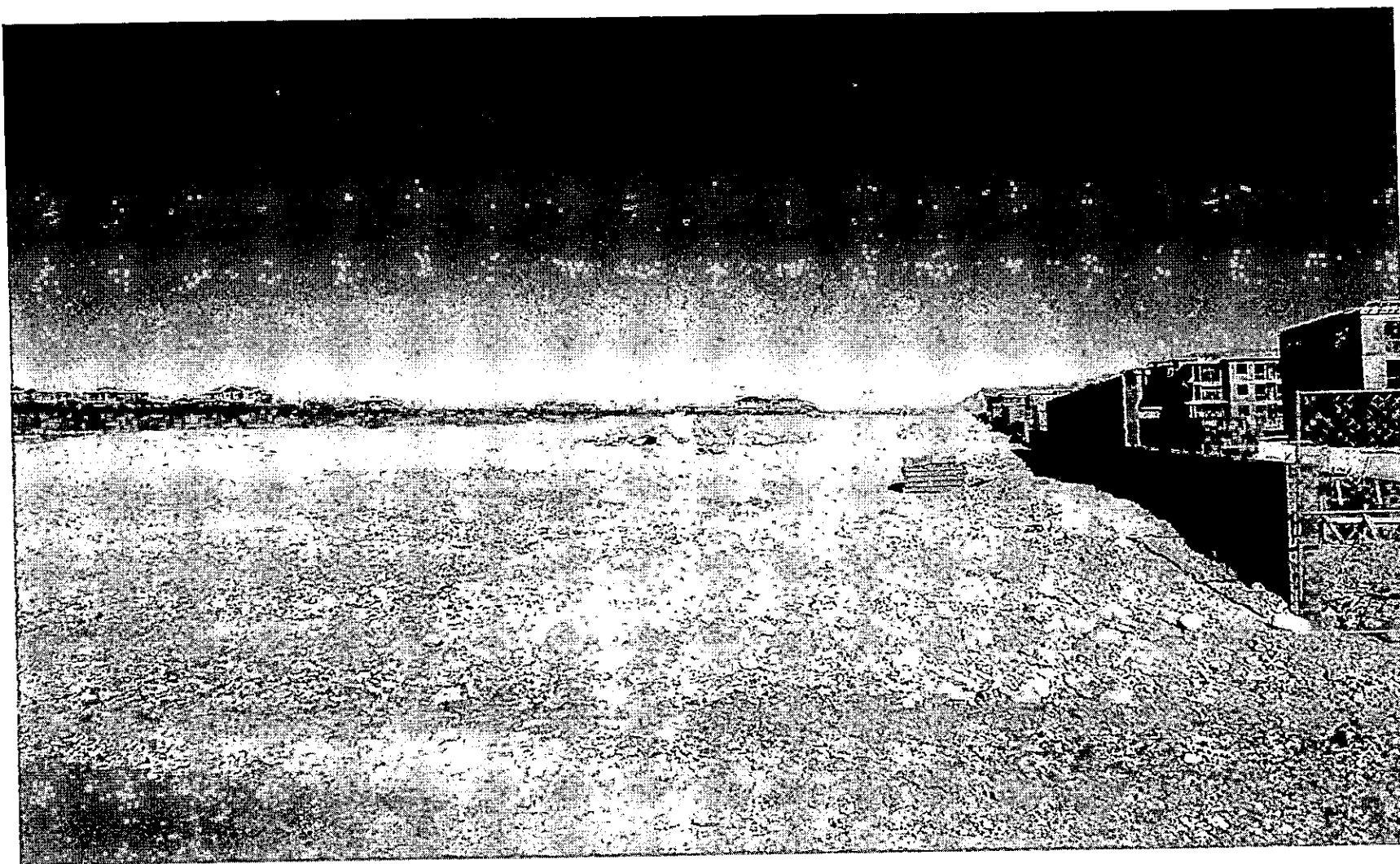
VAC-19032 - OWNER/APPLICANT: PICERNE PROVIDENCE, LLC
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



VAC-19032 - OWNER/APPLICANT: PICERNE PROVIDENCE, LLC
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



VAC-19032 - OWNER/APPLICANT: PICERNE PROVIDENCE, LLC
FEBRUARY 22, 2007 PLANNING COMMISSION



Development Resource Consultants, Inc.

Civil Engineering • Land Surveying • Land Planning

January 3, 2007

City of Las Vegas
731 S, Fourth St.
Las Vegas, NV 89101

Attention: Senior Planner

Subject: Providence Apartments
Vacation of Patents and BLM ROW Grant

On behalf of our client, Picerne Development, DRC Engineering would like to submit a request for a Vacation and Abandonment of Patents and BLM ROW Grant on APN #126-24-610-004.

This Patent and BLM ROW Grant are no longer needed and will allow our client to move forward in the development of this site.

Thank you in advance for your favorable consideration. Please contact me if you should have any questions or require additional information.

Sincerely,

DRC Engineering

Jolene J. Granberg
Senior Project Coordinator

VAC-19032
02/22/07 PC

JAN 03 2007

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - ZON-17304 - REZONING - PUBLIC HEARING - APPLICANT: DAVID PAWL - OWNER: VP PROPERTIES, LLC, ET AL - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) AND C-1 (LIMITED COMMERCIAL) TO: C-2 (GENERAL COMMERCIAL) on 2.67 acres at 2020 through 2022 West Bonanza Road and 719 Clarkway Drive (APNs 139-28-301-020 and 029), Ward 5 (Weekly).

C.C.: 03/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

6

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letters
6. Submitted after final agenda – Table request by Brent Wilson for Items 12 and 13

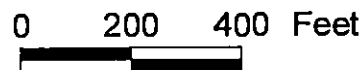
MOTION:

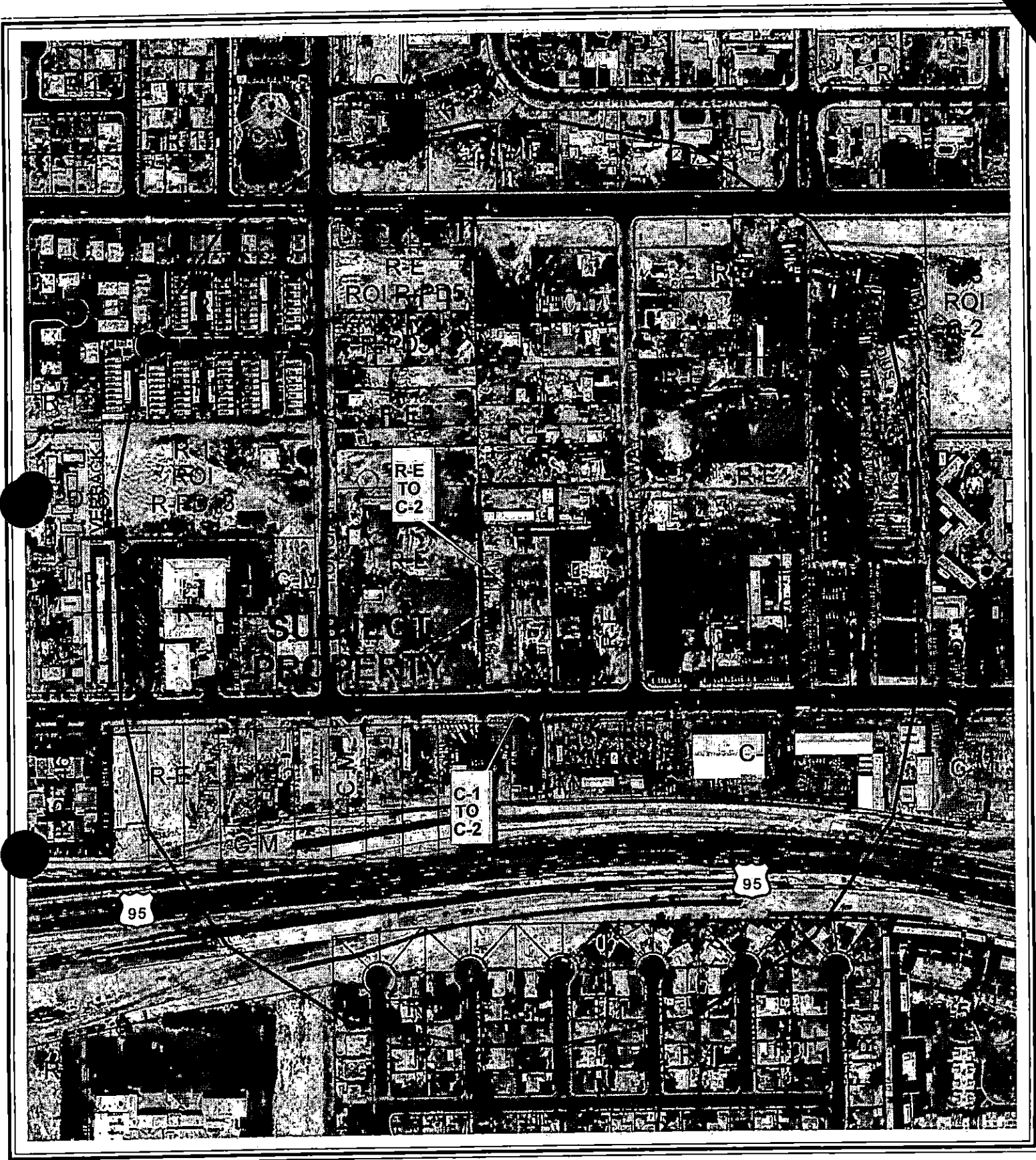
GOYNES – Motion to HOLD IN ABEYANCE Item 3 [ANX-19110] to 3/8/2007; Item 15 [VAR-18984] and Item 16 [SDR-18693] to 3/22/2007; and TABLE Item 12 [ZON-17304] and Item 13 [SDR-18676] – UNANIMOUS with STEINMAN excused

MINUTES:

ANDY REED, Planning Supervisor, stated that Item 12 [ZON-17304] and Item 13 [SDR-18676] were requested to be tabled as the applicant is revising the site plan.

(6:02 – 6:04)





CASE: ZON-17304

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) AND C-1 (LIMITED COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL)

0 200 400 Feet



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: FEBRUARY 22, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ABEYANCE - ZON-17304 - APPLICANT: DAVID PAWL -
OWNER: VP PROPERTIES, LLC**

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

1. A Resolution of Intent with a two-year time limit is hereby granted.

Public Works

2. Construct all incomplete half-street improvements on Bonanza Road and remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
3. The City Surveyor recommends filing an Administrative Joining of the two parcels that comprise this site; alternatively provide a copy of a recorded Joint Access Agreement for the parcels that comprise this site prior to the issuance of any permits.
4. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

ZON-17304 - Staff Report Page One
February 22, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting a rezoning to a C-2 (General Commercial) District. The property currently consists of an office located on the portion of the property that is zoned C-1 (Limited Commercial) and a building and landscape material/lumber yard that is not permitted in the current zoning district but would be permitted in the requested C-2 (General Commercial) district.

The site contains several deviations from requirements. The property contains abundant trash that is not properly screened from public view, razor wire, and graffiti. These issues have been addressed with conditions of approval with the associated Site Development Plan Review. Additional problems with this site that cannot be resolved with conditions of approval have been turned over to Code Enforcement. It is noted that the office use is properly licensed; however, the building and landscape material/lumber yard is a separate use and does not have business licenses on file. Based on the several deviations from requirements denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg, etc.</i>	
10/03/79	The City Council approved a rezoning request (Z-0053-79) from R-E (Residence Estates) to P-R (Professional Offices and Parking) and R-3 (Limited Multiple Residence) on the site. The Planning Commission had recommended approval. This action has expired.
12/05/80	The Board of Zoning Adjustment approved a Use Permit (U-0075-80) to allow a juvenile consulting center on the site.
10/05/88	The City Council approved a request for a variance (V-0096-88) to permit a homeless shelter on the site, where not permitted.
06/19/02	The City Council tabled a request for a Special Use Permit (U-0037-02) to allow a building and landscape material yard at this location. The Planning Commission and staff recommended denial of this request.
10/16/02	The City Council approved a request for a site development plan (Z-0067-02(1)) allowing the conversion of a 3,230 square foot existing single family residence into an office and a Rezoning (Z-0067-02) to C-1 (Limited Commercial). The Planning Commission and staff recommended approval.
11/16/06	This item was held in abeyance at the request of the applicant in order to allow the applicant time to submit a Site Development Plan Review.
01/25/07	A companion Site Development Plan Review (SDR-18676) will be heard concurrently with this item.

ZON-17304 - Staff Report Page Two
February 22, 2007 - Planning Commission Meeting

Related Building Permits/Business Licenses	
05/29/97	A permit to construct a chain link fence around a well was issued. This permit expired on 11/29/97.
05/30/97	A permit to construct two 200 square-foot sheds was issued. This permit expired on 06/13/98.
11/12/97	A permit to construct a 640 square-foot shed was issued. This permit expired on 06/13/98.
06/25/01	A permit to construct a shed 20X20 was issued. This project was completed on 09/18/01.
06/10/02	A permit to re-roof a hen house/barn was issued. This permit expired on 12/07/02.
06/07/06	A Business License, category C 11 (Contractor), was issued for a concrete contracting company.
09/19/06	An application was made for a permit for a new garage. No permit has been issued.

Pre-Application Meeting	
09/21/06	A pre-application meeting was held. It was noted that the requested change would bring the site up to current requirements as the current use is non-conforming. A reversionary map would be required and it was stated that Bonanza is a Nevada Department of Transportation (NDOT) right-of-way.

Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	

Details of Application Request	
Site Area	
Net Acres	2.67

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office	MXU (Mixed-use)	R-E (Residence Estates)
	Outdoor Storage		C-1 (Limited Commercial)
North	Single-family Residential	MXU (Mixed-use)	R-E (Residence Estates)
South	Office	LI/R (Light Industry/Research)	C-2 (General Commercial) under Resolution of Intent to C-M
	Commercial Storage		(Commercial/industrial)

NG

ZON-17304 - Staff Report Page Three
February 22, 2007 - Planning Commission Meeting

East	Commercial	MXU (Mixed-use)	R-E (Residence Estates) C-1 (Limited Commercial)
West	Single-family Residential	MXU (Mixed-use)	R-E (Residence Estates)

<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		N
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (140-foot)	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

DEVELOPMENT STANDARDS

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-E (Residence Estates)	Two units per acre	N/A	C-2 (General Commercial)	N/A	MXU (Mixed Use)	Unlimited depending on the project
C-1 (Limited Commercial)						

ZON-17304 - Staff Report Page Four
February 22, 2007 - Planning Commission Meeting

ANALYSIS

The applicant is requesting a rezoning to a C-2 (General Commercial) District. This is in an effort to bring an illegal non-conforming use into conformance with requirements. A site inspection yielded that the site is currently operating as a building and landscape material/lumber yard. This use is not permitted in the current zoning district, but would be permitted in the requested C-2 (General Commercial) District. There are bricks, rocks, and other similar type materials located on and being distributed from the property. There are leftover pallets and dumpsters strewn throughout the site. These materials shall be located in an area that is screened from public view. Additionally, there are several temporary storage containers located on the property. Other problems on the site are graffiti on the dust control sign and razor wire on top of the walls. Conditions of approval shall be added requiring the removal of these materials.

The proposed development does not meet with the overall goals and objectives of the West Las Vegas Plan. Goal 2 of the West Las Vegas Plan is that mature neighborhoods will be sustained and improved through appropriate and selective high quality redevelopment and preservation. Policy 2.1.2 states that; the development on vacant or underutilized lots within existing residential neighborhoods be sensitive in use and design to surrounding development. The proposed development does not meet these criteria. Due to the high quantity of waivers the proposed project is not deemed to be of a high quality and with a lack of screening and intense nature of use within close proximity to residential development is not considered sensitive in use and design to surrounding development.

The site has a business license for a concrete contractors office located at 2020 West Bonanza Road. This is the property on which the office building is located and is currently zoned as a C-1 (Limited Commercial) District. The materials are being stored and distributed from the adjacent property 2022 West Bonanza Road. This property is currently zoned R-E (Residence Estates) and is not documented in the business license. It is noted that the original approval of this site to an office [Z-0067-02(1)] was for a dentist's office rather than the concrete contractor's office that is currently on site.

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."**

ZON-17304 - Staff Report Page Five
February 22, 2007 - Planning Commission Meeting

The General Plan for this site is MXU (Mixed Use). The Mixed Use land use designation permits a variety of uses. The proposed C-2 (General Commercial) District is in conformance with the Mixed Use land use designation, however; the site requires waivers from several Code requirements. The site is currently being operated as a building and landscape material/lumber yard and although this application is intended to permit this use, the site requires waivers from several Code requirements. Therefore; the site does not meet with the intent of the General Plan.

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

The existing use on the property is a concrete contractor's office on the C-1 portion of the property. This use has a business license and a certificate of occupancy.

The use on the R-E portion of the property would not be compatible with the surrounding land uses and zoning districts. The use as currently operated is best described as a building and landscape material/lumber yard. This use is not compatible with the area as currently operated as Title 19.04 requires the outside storage to be screened from view of the adjacent properties and streets, which is not the current condition of the property.

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

The rezoning request is not due to growth or development factors in the community. The rezoning is requested as the current use on the site does not reflect the proper zoning district. The request is not supported as the site is out of compliance with several Code requirements and does not meet the conditions of the current use as a building and landscape material/lumber yard. The office portion would not require a rezoning to continue its operation as it is a permissible use in the C-1 (Limited Commercial) district.

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

Site access is provided from Bonanza Road a 100-foot Primary Arterial. This street is large enough to provide adequate access to and from the subject property.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

ASSEMBLY DISTRICT 6

ZON-17304 - Staff Report Page Six
February 22, 2007 - Planning Commission Meeting

SENATE DISTRICT 4

NOTICES MAILED 428 [Mailed with SDR-18676]
184 [11/16 PC]

APPROVALS 0

PROTESTS 6



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-17304** APN: 139-28-301-029

Name of Property Owner: David Pawl

Name of Applicant: David Pawl

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): _____

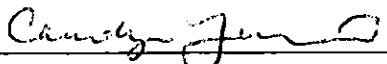
APN: _____

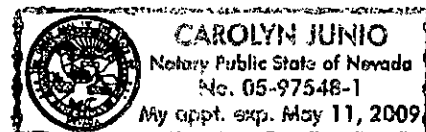
Signature of Property Owner: 

Print Name: David Pawl

Subscribed and sworn before me

This 28th day of September, 2006


Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-17304** APN: 139-28-301-020

Name of Property Owner: VP Properties LLC

Name of Applicant: David Pawl

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): _____

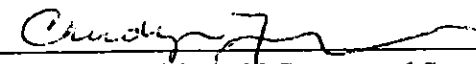
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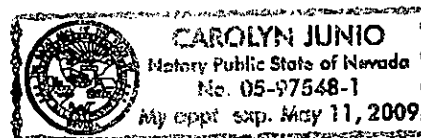
Signature of Property Owner: 

Print Name: David Pawl

Subscribed and sworn before me

This 28th day of September, 2006


Notary Public in and for said County and State



Brent Wilson
2112 Conchita Street
Las Vegas, Nevada 89108
Phone: (702) 595-5228
E-Mail: wilson.76@cox.net

October 3, 2006

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

RE: JUSTIFICATION FOR REZONING FROM C-1 AND R-E TO C-2
APN's: 139-28-301-020 & 029
Southwest Design

Dear Planning Staff,

The owner and managing member of the parcels listed above, Mr. David Pawl, is requesting a rezoning to C-2 on approximately 2.67 acres generally located at the northwest corner of Bonanza Road and Clarkway Drive within ward 5 of the City of Las Vegas. The intent of the proposed zone change is to allow a landscape material yard and outdoor storage in conjunction with the landscape design office which is currently being run on a portion of parcel 139-28-301-029. The applicant has recently purchased parcel 139-28-301-020 and would like to expand his existing operation into this area and the vacant portion of parcel 139-28-301-029, which is currently being used for parking vehicles. No buildings are being added to the existing development at this time.

The present R-E zoning on the parcels is no longer consistent with the progression of development that is occurring along the Bonanza Road corridor. This frontage is better suited for commercial and light industrial development than low density residential, which the un-built portion of the parcels are currently zoned to allow. C-2 zoning conforms to the MXU land use designation placed on this area of the City's redevelopment area, established in May of this year with GPA-9219.

The applicant feels that the proposed use and zone change are consistent and compatible with existing and future development in the area and would respectfully request a favorable recommendation from staff.

If you have any questions, comments, or concerns, please contact me at a number or address listed above.

Thank you,



Brent Wilson

ZON-17304
02/22/07 PC

November 11, 2006

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

Regarding: **ZON-17304**

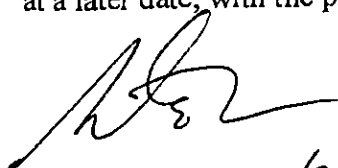
This letter is to voice an objection to the ZON-17304 application submitted by Mr. David Pawl, Owner: VP Properties, LLC. The following are several items that we feel have not been addressed with this application. In conjunction with these items, it is a mystery to us how this application was able to be placed on the Planning Commission's agenda both with respect to proper time required meetings not being met and the items of variances that are not addressed with this application.

1. It is a well known fact to the neighborhood that this property has been operating their business in a non-conforming use for at least the last two years without a granted permit from the city.
2. This application does not have a site development review as part of the application so as such we in the neighborhood are left without any factual information with respect to what the owners have planned with this property.
3. There are no applications for variances that have to do with set-backs, ground covering, fencing, etc. As a point in fact, this property is on the property line of four, we repeat, four residential properties. There is no indication how the owners intend to address this situation.
4. It is unfortunate, but the planner that is working with this property owner should have prevented this application from being placed on the Planning Commission's agenda, and by not preventing this, such actions scream with government malfeasance and corruption. We now are of the strong belief that the planner is trying to either "test the waters" and/or push this application through without the consideration and input of the neighboring residents.
5. We, the residents of this neighborhood, have been involved in the past months with the rezoning issues that Ahern Rentals had to participate in to eventually see their rezoning applications finally approved by both the Planning Commission and the City Council. We feel very strongly that these property owners, in this instant, should not be allowed to precede any differently than Ahern Rentals' application process had to follow. If this application procedure were allowed to proceed unabated, we are of the opinion that this would certainly demonstrate an unlawful action of extreme favoritism.

It is our understanding, from the phone conversation that we had with Debbie, a planner who returned our phone inquiry in this matter that was placed on November 6, 2006 at approximately 10:00 a.m. and then again at approximately 4:00 p.m. and to whom we spoke, that day, at approximately 4:40 p.m. when she returned the previous phone calls. Debbie explained that a GPA zoning application was not needed with this application since the area is already aligned as a mixed use district. She did say that a site plan "SDR" is required and that the planner that is working with the property owner, Nathan Goldberg, should not have placed this application on the Planning Commission's agenda.

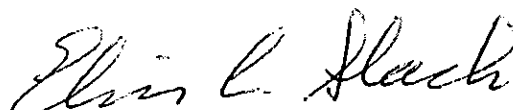
Debbie called back on November 7, 2006 at approximately 8:32 a.m. and said that her research indicated that the application does need a site development plan and that the planning department will be requesting that this application be tabled and that the application will not appear on the November 16, 2006 Planning Commission's agenda.

We, the undersigned, therefore strongly request that this application should be tabled for the November 16, 2006 Planning Commissioner's meeting and that we again be noticed, at a later date, with the proper applications.

 Tom DeMarco
651 Clarkway Dr. 648-9028

 Janet DeMarco
651 Clarkway Dr 648-9028

SHERYL TAYLOR
820 CLARKWAY DRIVE 636-6652

 Elsin L. Slack
708 CLARKWAY DRIVE 647-4885

Brent Wilson
2112 Conchita Street
Las Vegas, Nevada 89108
Phone: (702) 595-5228
E-Mail: wilson.76@cox.net

February 21, 2007

Planning and Development Department - Current Planning Division
City of Las Vegas Development Services Center
731 South Fourth Street
Las Vegas, Nevada 89101
Fax: (702)385-7268

RE: REQUEST TO TABLE ZON-17304 & SDR-18676
APN's: 139-28-301-020 & 029
Southwest Design

Dear Planning Staff,

The owner of the parcels listed would like to have the Rezoning and Site Development Plan Review applications listed above to be tabled indefinitely at this time. Certain options are being reviewed by the applicant in order to possibly gain more favorable recommendations from staff and to possibly devise a more cohesive land area to be zoned.

We appreciate the time spent by City staff reviewing the applications and wish to work with the responsible members prior to proceeding with the applications.

If you have any questions, comments, or concerns, please contact me at a number or address listed above.

Respectfully,

Brent Wilson

Submitted after final agenda

Date 2/22/07 Item 412-13

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - SDR-18676 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-17304 - PUBLIC HEARING - APPLICANT/OWNER: V.P. PROPERTIES, LLC, ET AL - Request for a Site Development Plan Review FOR A LANDSCAPE MATERIAL/LUMBER YARD AND WAIVERS TO ALLOW A PERIMETER LANDSCAPE BUFFER TEN FEET IN WIDTH WHERE 15 FEET IS THE MINIMUM REQUIRED ADJACENT TO THE RIGHT-OF-WAY AND TO ALLOW A PERIMETER LANDSCAPE BUFFER ZERO FEET IN WIDTH WHERE EIGHT FEET IS THE MINIMUM REQUIRED ALONG A PORTION OF THE INTERIOR AND TO ALLOW NO SCREEN WALL WHERE AN EIGHT-FOOT SCREEN WALL IS THE MINIMUM REQUIRED FOR A PORTION OF THE EASTERN SIDE PROPERTY LINE on 2.67 acres at 2020 through 2022 West Bonanza Road and 715 Clarkway Drive (APNs 139-28-301-020 and 029), R-E (Residence Estates) and C-1 (Limited Commercial) Zones [PROPOSED: C-2 (General Commercial) Zone], Ward 5 (Weekly).

C.C.: 03/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

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

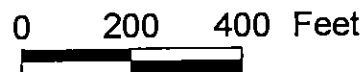
MOTION:

GOYNES – Motion to **HOLD IN ABEYANCE** Item 3[ANX-19110] to 3/8/2007; Item 15 [VAR-18984] and Item 16 [SDR-18693] to 3/22/2007; and **TABLE** Item 12 [ZON-17304] and Item 13 [SDR-18676] – **UNANIMOUS** with **STEINMAN** excused

MINUTES:

ANDY REED, Planning Supervisor, stated that Item 12 [ZON-17304] and Item 13 [SDR-18676] were requested to be tabled as the applicant is revising the site plan.

(6:02 – 6:04)



C-2 (GENERAL COMMERCIAL)



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: FEBRUARY 22, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ABEYANCE - SDR-18676 - APPLICANT/OWNER: V.P. PROPERTIES, LLC ET AL**

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

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-17304) 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 trash enclosure on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 12/12/06, except as amended by conditions herein.
4. The applicant shall remove all graffiti, razor wire, and trash from the site within 30 days of approval of this item.
5. The applicant shall remove the building in the far northeast corner of the site within 30 days of approval of this item.
6. All outside storage shall be screened from view of the adjacent properties and streets. The screening must be architecturally consistent with the principal dwelling in terms of materials, colors, and details.
7. The wall in the front yard shall be setback a minimum of 20 feet from the front property line.
8. No person shall be allowed to live on the subject property.
9. The construction trailer and temporary storage containers located on the property shall be removed from the site within 30 days of approval of this item.
10. A Waiver from perimeter landscape buffer requirements is hereby approved, to allow a perimeter landscape buffer width of 10 feet adjacent to the right-of-way where 15 feet is the minimum required.

SDR-18676 - Conditions Page Two
February 22, 2007 - Planning Commission Meeting

11. A Waiver from perimeter landscape buffer requirements is hereby approved, to allow no perimeter landscape buffer along the boundary with parcel 139-28-301-028 in the side yard where eight feet is the minimum required.
12. A Waiver from the required number of trees is hereby approved, to allow a total of 62 trees where 79 trees are the minimum required.
13. A Waiver from perimeter screen wall requirements is hereby approved, to allow a screen wall to be less than the required six feet around the perimeter of the site.
14. 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.
15. 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.
16. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
17. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
18. 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.
19. 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.
20. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

SDR-18676 - Conditions Page Three
February 22, 2007 - Planning Commission Meeting

Public Works

21. All new driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a unless a deviation from standards is approved by the City Engineer and shall also receive approval from the Nevada Department of Transportation.
22. 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.
23. Landscape and maintain all unimproved right-of-way, if any, on Bonanza Road adjacent to this site.
24. 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.
25. As appropriate, submit an Encroachment Agreement to the City of Las Vegas or obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Bonanza Road public right-of-way adjacent to this site prior to the issuance of any permits.
26. Site development to comply with all applicable conditions of approval for ZON-17304 and all other subsequent site-related actions.

SDR-18676 - Staff Report Page One
February 22, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a Building Landscape Material/Lumber Yard and waivers to allow a perimeter landscape buffer ten feet in width where 15 feet is the minimum required adjacent to the right-of-way and to allow a perimeter landscape buffer zero feet in width where eight feet is the minimum required along a portion of the interior and to allow no screen wall where an eight-foot screen wall is the minimum required for a portion of the eastern side property line on 2.67 acres at 2020 through 2022 West Bonanza Road and 715 Clarkway Drive.

The use is currently operating on the site and the applicant is proposing to clean-up the site, however; due to the large quantity of waivers from Code requirements and continued work that is in violation of Code that is being conducted without permits, denial of this request is recommended. The sections of the Code that the applicant is requesting relief from are intended to assist in buffering the site from adjacent uses that are less intense.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/03/79	The City Council approved a rezoning request (Z-0053-79) from R-E (Residence Estates) to P-R (Professional Offices and Parking) and R-3 (Limited Multiple Residence) on the site. The Planning Commission had recommended approval. This action has expired.
12/05/80	The Board of Zoning Adjustment approved a Use Permit (U-0075-80) to allow a juvenile consulting center on the site.
10/05/88	The City Council approved a request for a variance (V-0096-88) to permit a homeless shelter on the site, where not permitted.
06/19/02	The City Council tabled a request for a Special Use Permit (U-0037-02) to allow a building and landscape material yard at this location. The Planning Commission and staff recommended denial of this request.
10/16/02	The City Council approved a request for a site development plan [Z-0067-02(1)] allowing the conversion of a 3,230 square foot existing single family residence into an office and a Rezoning (Z-0067-02) to C-1 (Limited Commercial). The Planning Commission and staff recommended approval.
01/25/07	A companion Rezoning (ZON-17304) will be heard concurrently with this item.

SDR-18676 - Staff Report Page Two
February 22, 2007 - Planning Commission Meeting

Related Building Permits/Business Licenses	
05/29/97	A permit to construct a chain link fence around a well was issued. This permit expired on 11/29/97.
05/30/97	A permit to construct two 200 square-foot sheds was issued. This permit expired on 06/13/98.
11/12/97	A permit to construct a 640 square-foot shed was issued. This permit expired on 06/13/98.
06/25/01	A permit to construct a shed 20X20 was issued. This project was completed on 09/18/01.
06/10/02	A permit to re-roof a hen house/barn was issued. This permit expired on 12/07/02.
06/07/06	A Business License, category C 11 (Contractor), was issued for a concrete contracting company.
09/19/06	An application was made for a permit for a new garage. No permit has been issued.
05/29/97	A permit to construct a chain link fence around a well was issued. This permit expired on 11/29/97.

Pre-Application Meeting	
09/21/06	A pre-application meeting was held. It was noted that the requested change would bring the site up to current requirements as the current use is non-conforming. A reversionary map would be required and it was stated that Bonanza is a Nevada Department of Transportation (NDOT) right-of-way.
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	

Details of Application Request	
Site Area	
Net Acres	2.67

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office	MXU (Mixed-use)	R-E (Residence Estates)
	Outdoor Storage		C-1 (Limited Commercial)
North	Single-family Residential	MXU (Mixed-use)	R-E (Residence Estates)

SDR-18676 - Staff Report Page Three
February 22, 2007 - Planning Commission Meeting

South	Office Commercial Storage	LI/R (Light Industry/Research)	C-2 (General Commercial) under Resolution of Intent to C-M (Commercial/industrial)
East	Commercial	MXU (Mixed-use)	R-E (Residence Estates) C-1 (Limited Commercial)
West	Single-family Residential	MXU (Mixed-use)	R-E (Residence Estates)

<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			
A-O (Airport Overlay) District (140-foot)	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 Proposed C-2</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 Feet	192 Feet	Y
Min. Setbacks			
• Front	20 Feet	51 Feet	Y
• Side	10 Feet	14 Feet	Y
• Corner	15 Feet	N/A	N/A
• Rear	20 Feet	71 Feet	Y
Max. Lot Coverage	50 %	6 %	Y
Trash Enclosure	50 Feet from a protected property	76 Feet	Y
Mech. Equipment	Screened	Open Storage	N

SDR-18676 - Staff Report Page Four
February 22, 2007 - Planning Commission Meeting

Per Title 19.12:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces	12 Trees	Zero trees	N
Buffer:	1 Tree/20 Linear Feet	58 Trees	48 trees	N
Min. Trees	1 Tree/30 Linear Feet	9 Trees	14 trees	Y
TOTAL		79 Trees	62 Trees	N
	8 Feet interior		Zero Feet	N
Min. Zone Width	15 Feet right-of-way		10 Feet	N
Wall Height	6 to 8 Feet		4-8 Feet	N

Pursuant to Title 19.10, the following parking standards apply:

Pursuant to Title 19.10, the following parking standards apply:							
Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office	2,476	1:300	9	1	7	1	N
Building & Landscape Material/ Lumber Yard	5,558	1:500	12	0	60	0	Y
Sub-Total			21	1	67	1	Y
TOTAL			21		67		Y
Loading Spaces			1		1		Y

Waivers		
Request	Requirement	Staff Recommendation
To allow a screen wall to be less than the required six feet around the perimeter of the site. The existing wall varies in height from four feet to seven feet, and in the front yard and a portion of the eastern side yard consists of chain link fence.	Commercial development requires a six to eight-foot screen wall from adjacent uses. Additionally, Chain link is a prohibited material.	The applicant is providing some of the screening, however; portions of this screening are as low as four feet and do not provide adequate screening from adjacent properties. Additionally, chain link is not considered an acceptable material and also does not provide proper screening. Due to the nature of the proposed use on the site this waiver request is not supported.

NG

SDR-18676 - Staff Report Page Five
February 22, 2007 - Planning Commission Meeting

To allow a perimeter landscape buffer width of 10 feet adjacent to the right-of-way where 15 feet is the minimum required.	A minimum perimeter landscape buffer with of 15 feet is required adjacent to the right-of-way for commercial development.	This landscaping is in place and includes the required bus stop. Expansion of this landscape buffer would encroach into the parking lot area for the office building and would make the drive aisle width too small to navigate. This waiver request is supported.
To allow no perimeter landscape buffer along a portion of the side yard where eight feet is the minimum required.	A minimum perimeter landscape buffer with of eight feet is required along interior lot lines for commercial development.	The lack of landscaping is only along the portion where a narrow parcel juts into the subject property. Providing landscaping along this parcel would not provide additional screening from adjacent uses. This parcel is a unique condition and this waiver request is supported.
The applicant is requesting to provide a total of 62 trees where 79 trees are the minimum required.	One tree for every six parking spaces in the parking lot area. In the perimeter one tree for every 20 lineal feet adjacent to residential use and one tree for every 30 lineal feet adjacent to commercial use.	The addition of 17 trees to meet the minimum number of trees required would enhance the property. The applicant is choosing not to provide these trees. There are no unique or extraordinary circumstances preventing the applicant from providing the required number of trees. This waiver is not supported.

ANALYSIS

The proposed changes to the site include adding additional parking, landscaping, constructing a trash enclosure, remove buildings that are currently in violation of Code, conduct a general clean-up on the site, and rezone the property to bring the use into compliance with requirements.

A total of 21 parking spaces are required based on Title 19.04 and Title 19.10 requirements. The applicant is depicting a total of 67 spaces on the submitted site plan. These spaces must meet Code requirements in that they must be paved, and that with 67 provided spaces a total of three handicapped accessible spaces must be provided.

The applicant is proposing to add additional landscaping to the property in the perimeter buffer area. The exception is along the boundary with the parcel that juts into the subject property. This is a unique circumstance and the requested waiver to provide relief from this requirement is supported.

SDR-18676 - Staff Report Page Six
February 22, 2007 - Planning Commission Meeting

The site currently does not have a trash enclosure location. Trash is located throughout the site with dumpsters and stacks of left over materials out in the open. The applicant has agreed to construct a trash enclosure at a location that meets requirements and based on the sites layout is furthest away from all boundaries and is screened from the public right-of-way.

Part of the general clean-up on the site is to remove buildings at the rear of the property that are in violation of Code. One of these buildings has already been removed; however the concrete slab and auto lift that were inside remain and are now in plain view. A second building in the far northeast corner of the site is slated to be removed according to the site plan, however; a new roof is currently being put on the structure indicating that the building would be remaining, however; a building permit has not been issued for this work. A third building will be significantly reduced in size and it appears that it may currently be occupied as a residence. There are several large storage containers located throughout the site that are not permitted. Finally a construction trailer has been placed on the subject property without permits. Conditions of approval shall be added to ensure the proper changes take place. Additionally, conditions of approval shall be added to deal with the removal of razor wire, graffiti and trash from the subject property.

In regards to the screen wall around the perimeter of the property, the applicant has requested a waiver from the requirement. In the front yard a six-foot high chain link fence with a gate is provided, the fence contains slats to screen the site from the public right-of-way. This wall is located in the front yard setback and is only permitted to be five feet in height without a variance. The wall shall be moved back twenty feet from the property line to conform to standards. Along the western boundary of the site there is an existing block wall ranging from four to six feet in height. Along the rear yard there is an existing wall that is seven feet in height. The screening along the eastern boundary varies greatly. Along approximately the rear 110 feet of the eastern boundary there is a six-foot high block wall with an additional two feet of corrugated metal on top. This then stops where there is a narrow parcel jutting into the subject property. The same type of wall then continues for another 140 feet where it then transitions into a chain link fence.

The applicant has constructed a new chain link fence with razor wire, without obtaining the proper permits. This fence cuts off a portion of another person's property denying another property owner access to their own property.

The proposed changes would provide a certain level of improvement to the subject property. The applicant has requested several waivers to permit deviations from requirements. The majority of these waivers are from elements that help to provide screening and limit the effects of the use on neighboring properties. Based on the effect these waivers would have, if approved, and due to the quantity of waiver requested, denial of this project is recommended.

FINDINGS

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

NG

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

The use on the site would not change, as the site is currently operating as a building landscape material/lumber yard, which is not currently permitted on this site and is not properly licensed. This application is meant to bring the site into conformance with Code requirements. The applicant has requested several waivers from these requirements and due to the quantity of these waivers the level of non-compliance remains too high to be considered appropriate. Therefore; this project is not considered compatible with the surrounding area and denial of this request is recommended.

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

The proposed development is not consistent with Title 19. The use is currently operating on this site in a zoning district that does not conform to the use. Additionally, the applicant has requested waivers of several Code sections to provide relief from requirements for landscaping and screening.

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

Site access is provided from Bonanza Road a 100-foot Primary Arterial. This street is large enough to provide adequate access to and from the subject property.

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

Building materials are not appropriate for the area and the City of Las Vegas. Per Title 19.04 the screen wall shall match the materials of the main building. The screen wall consists of cinder block in places, however; the wall also includes corrugated metal, chain link fence, and razor wire. These materials are not appropriate. The proposed landscape materials are appropriate for the area and the City of Las Vegas.

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

The buildings on the site are all existing. Two of these dwellings that do not meet Code requirements are being removed; a third is partially being removed. The main dwelling is used as the office for the business on the site and consists of stucco, Spanish tile and is appropriate.

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 428 [Mailed with ZON-17304]

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-18676** APN: 139-28-301-029

Name of Property Owner: David Pawl

Name of Applicant: David Pawl

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: _____

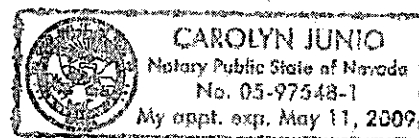
Signature of Property Owner: X

Print Name: David Pawl

Subscribed and sworn before me

This 6th day of December, 2006

Carolyn Junio
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-18676** APN: 139-28-301-020

Name of Property Owner: VP Properties LLC

Name of Applicant: David Pawl

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: _____

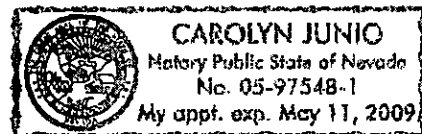
Signature of Property Owner: X *David Pawl*

Print Name: David Pawl

Subscribed and sworn before me

This 6th day of December, 2006

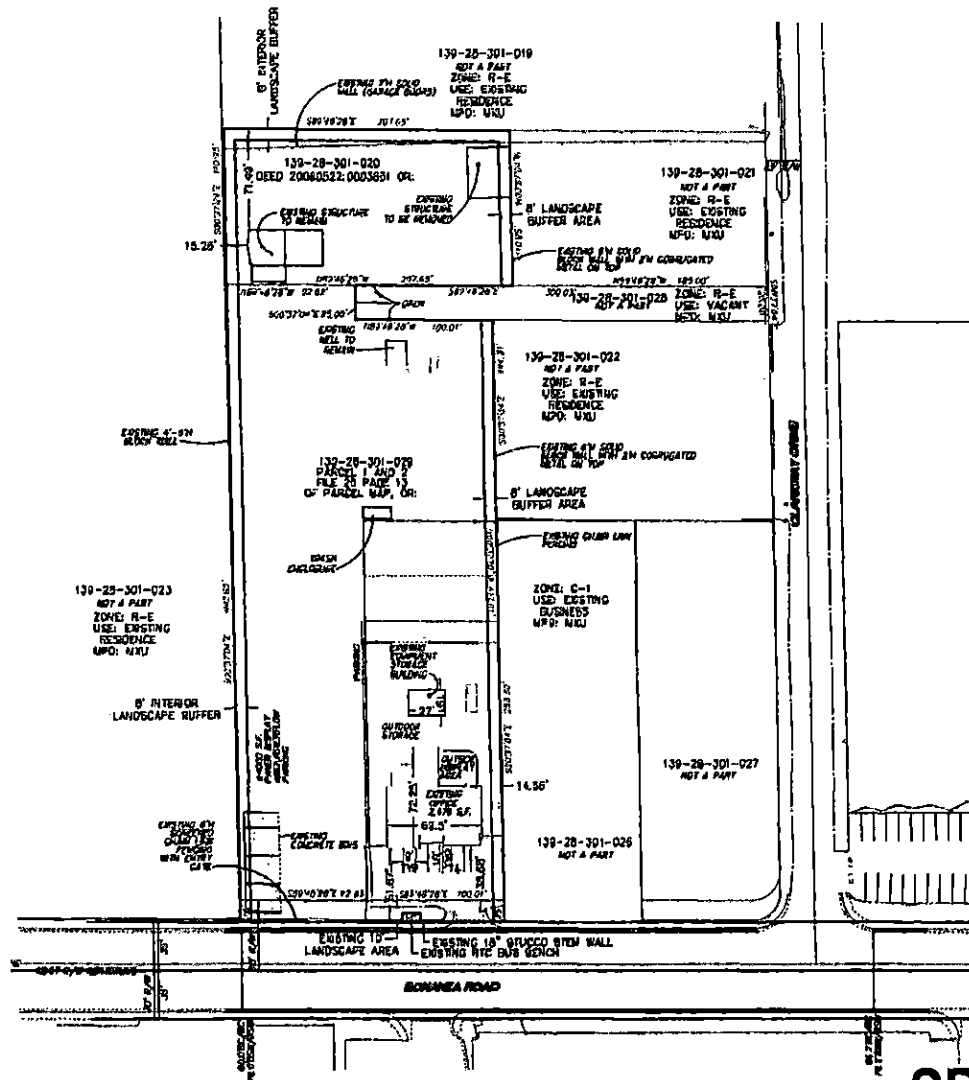
Camryn Jones
Notary Public in and for said County and State



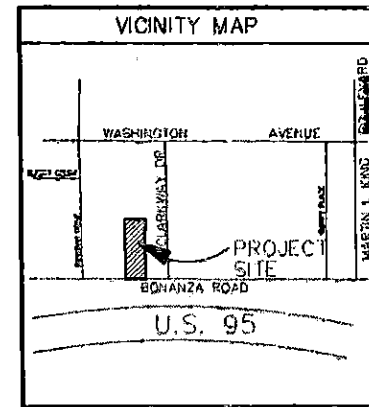
APN: 139-28-301-020, 029



GRAPHIC SCALE
(OF FEET)
1 INCH = 40 FT.



VICINITY MAP



SITE-DATA

[illegible]

STEP PLAN

FOR SOUTHWEST DESIGN

MICHAEL PORRETT
7040 DNER AVENUE
NORTH LAS VEGAS, NV 89004
702-575-4451

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of 1

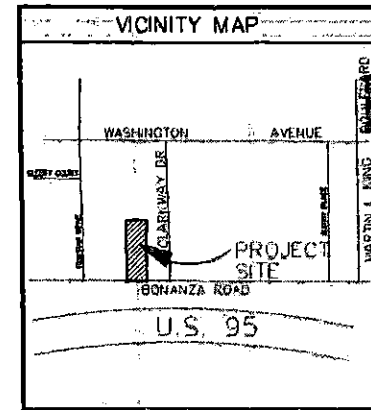
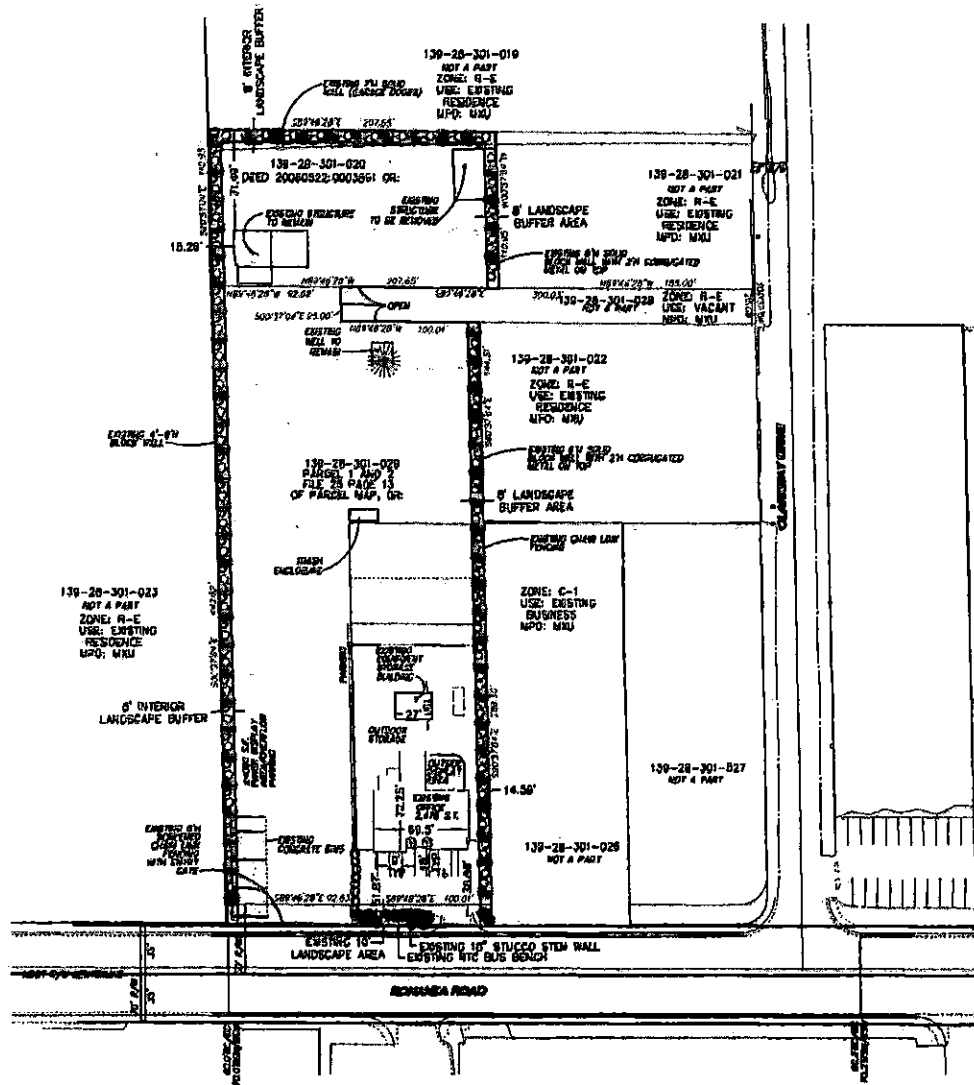
SDR-18676

DEC 12 2006

02/22/07 PC

LANDSCAPE PLAN

APN: 139-28-301-020, 029



SITE DATA	
REZONING APPLICATION:	139-28-301-020, 029
PROJECT NAME:	LANDSCAPE & BUILDING MATERIALS
PROJECT ADDRESS:	139-28-301-020, 029
PROJECT PHONE:	702-455-4651
PROJECT FAX:	702-455-4651
PROJECT E-MAIL:	LANDSCAPE & BUILDING MATERIALS
PROJECT WEBSITE:	LANDSCAPE & BUILDING MATERIALS
PROJECT CONTACT:	LANDSCAPE & BUILDING MATERIALS
PROJECT DATE:	02/22/07
PROJECT STATUS:	02/22/07
PROJECT TYPE:	02/22/07
PROJECT VALUE:	02/22/07
PROJECT RISK:	02/22/07
PROJECT IMPACT:	02/22/07
PROJECT BENEFIT:	02/22/07
PROJECT COST:	02/22/07
PROJECT REVENUE:	02/22/07
PROJECT PROFIT:	02/22/07
PROJECT LOSS:	02/22/07
PROJECT BREAK-EVEN:	02/22/07
PROJECT ROI:	02/22/07
PROJECT NPV:	02/22/07
PROJECT IRR:	02/22/07
PROJECT PAYBACK:	02/22/07
PROJECT SENSITIVITY:	02/22/07
PROJECT RISK RANKING:	02/22/07
PROJECT RISK MITIGATION:	02/22/07
PROJECT RISK MONITORING:	02/22/07
PROJECT RISK REPORTING:	02/22/07
PROJECT RISK REVIEW:	02/22/07
PROJECT RISK UPDATE:	02/22/07
PROJECT RISK CLOSURE:	02/22/07
PROJECT RISK RE-OPENING:	02/22/07
PROJECT RISK RE-EVALUATION:	02/22/07
PROJECT RISK RE-ASSESSMENT:	02/22/07
PROJECT RISK RE-AUDIT:	02/22/07
PROJECT RISK RE-CERTIFICATION:	02/22/07
PROJECT RISK RE-REGISTRATION:	02/22/07
PROJECT RISK RE-RENEWAL:	02/22/07
PROJECT RISK RE-REVISION:	02/22/07
PROJECT RISK RE-REWORK:	02/22/07
PROJECT RISK RE-REDESIGN:	02/22/07
PROJECT RISK RE-RECONSTRUCTION:	02/22/07
PROJECT RISK RE-REPAIR:	02/22/07
PROJECT RISK RE-REPLACE:	02/22/07
PROJECT RISK RE-REMOVE:	02/22/07
PROJECT RISK RE-REUSE:	02/22/07
PROJECT RISK RE-RECYCLE:	02/22/07
PROJECT RISK RE-REPAIR:	02/22/07
PROJECT RISK RE-REPLACE:	02/22/07
PROJECT RISK RE-REMOVE:	02/22/07
PROJECT RISK RE-REUSE:	02/22/07
PROJECT RISK RE-RECYCLE:	02/22/07

TREE/PLANT SCHEDULE				
SYM.	QTY.	SIZE	SPACING	NAME
1	1	24"	VARIABLE	MOORETO
2	2	VARIABLE	N/A	DAVE
3	123	GALLON	VARIABLE	DAVE
4	10	GALLON	VARIABLE	DAVE

GENERAL NOTES:
1. The proposed landscaping and plants are shown on this plan.
2. The proposed landscaping and plants are shown on this plan.
3. The proposed landscaping and plants are shown on this plan.
4. The proposed landscaping and plants are shown on this plan.
5. The proposed landscaping and plants are shown on this plan.
6. The proposed landscaping and plants are shown on this plan.
7. The proposed landscaping and plants are shown on this plan.
8. The proposed landscaping and plants are shown on this plan.
9. The proposed landscaping and plants are shown on this plan.
10. The proposed landscaping and plants are shown on this plan.

SDR-18676
02/22/07 PC

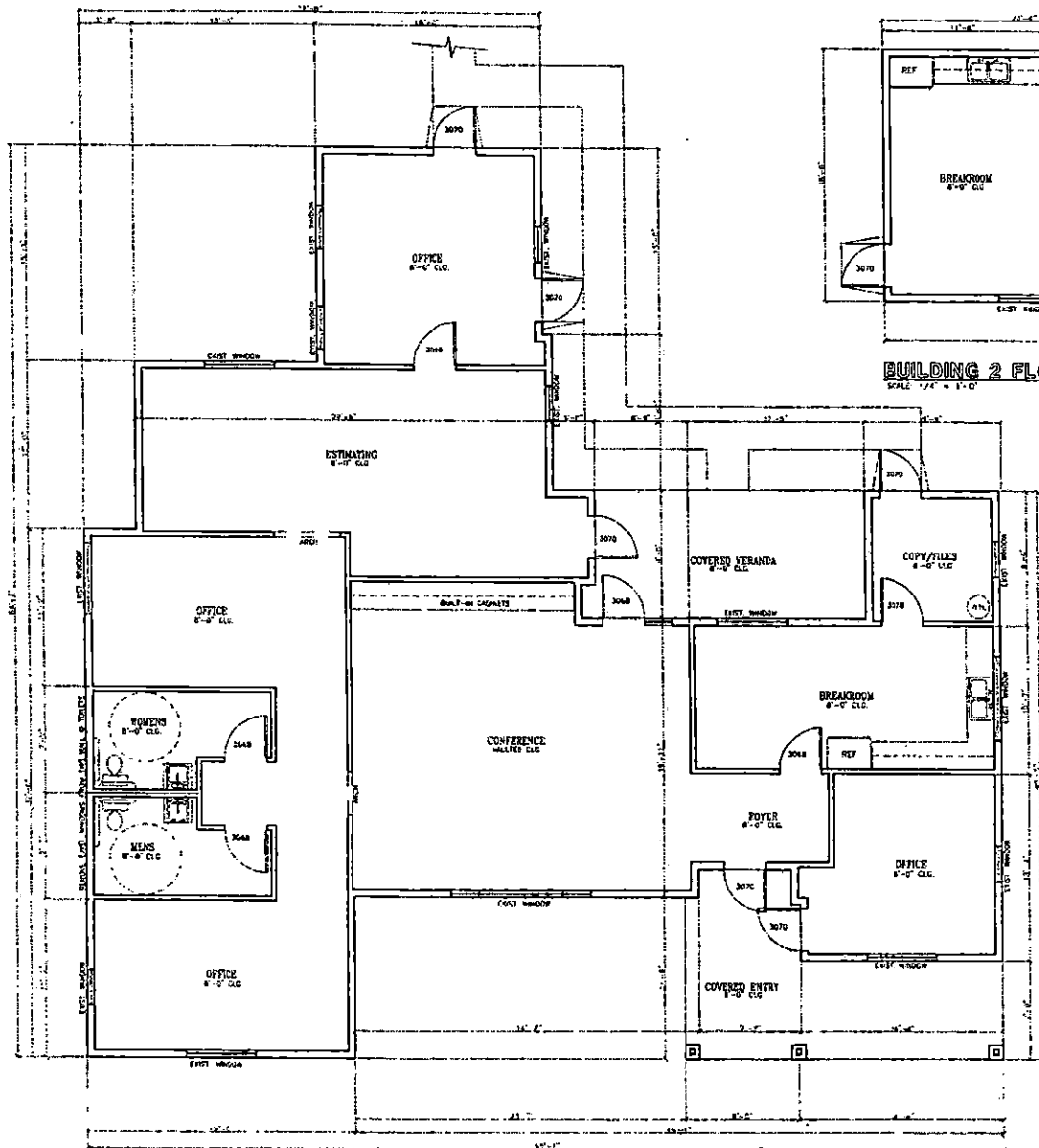
RECEIVED
DEC 12 2006

NO.	DATE	DESCRIPTION	BY	CHKD.
1	02/22/07	LANDSCAPE PLAN	Michael Forrest	
2	02/22/07	LANDSCAPE PLAN	Michael Forrest	
3	02/22/07	LANDSCAPE PLAN	Michael Forrest	
4	02/22/07	LANDSCAPE PLAN	Michael Forrest	
5	02/22/07	LANDSCAPE PLAN	Michael Forrest	
6	02/22/07	LANDSCAPE PLAN	Michael Forrest	
7	02/22/07	LANDSCAPE PLAN	Michael Forrest	
8	02/22/07	LANDSCAPE PLAN	Michael Forrest	
9	02/22/07	LANDSCAPE PLAN	Michael Forrest	
10	02/22/07	LANDSCAPE PLAN	Michael Forrest	

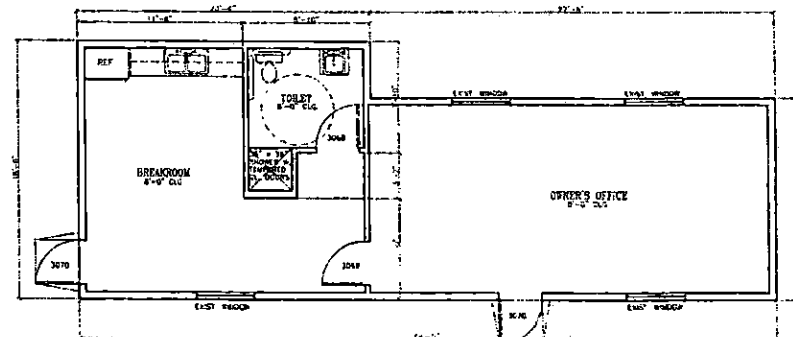
CONCEPTUAL LANDSCAPE PLAN
FOR SOUTHWEST DESIGN

Michael Forrest
7000 CINDER AVENUE
NORTH LAS VEGAS, NV 89104
702-455-4651

Sheet
1 of 1



BUILDING 1 FLOOR PLAN 2/25/07
SCALE: 1/8" = 1'-0"



BUILDING 2 FLOOR PLAN 2/25/07
SCALE: 1/8" = 1'-0"

GENERAL NOTES:

1. ALL EXTERIOR WALLS AND DOOR THRESHS SHALL BE 8" MIN. 12" C.C. CONSTRUCTION.
2. ALL INTERIOR WALLS TO ALL NEW CONSTRUCTION SHALL BE 5/8" MIN. 12" C.C. CONSTRUCTION.
3. FLOOR TO EXISTING EXTERIOR WALLS SHALL BE 5/8" MIN. 12" C.C. CONSTRUCTION.
4. ALL EXISTING CONCRETE SHALL BE REINFORCED WITH 4" DIA. BARS AT 18" O.C. MINIMUM.
5. PROVIDE 5/8" MIN. 12" C.C. CONSTRUCTION.
6. PROVIDE 5/8" MIN. 12" C.C. CONSTRUCTION.
7. ALL CONCRETE SHALL BE 4000 PSI.
8. PROVIDE 5/8" MIN. 12" C.C. CONSTRUCTION.
9. PROVIDE 5/8" MIN. 12" C.C. CONSTRUCTION.
10. PROVIDE 5/8" MIN. 12" C.C. CONSTRUCTION.
11. PROVIDE 5/8" MIN. 12" C.C. CONSTRUCTION.
12. PROVIDE 5/8" MIN. 12" C.C. CONSTRUCTION.

SDR-18676
02/22/07 PC

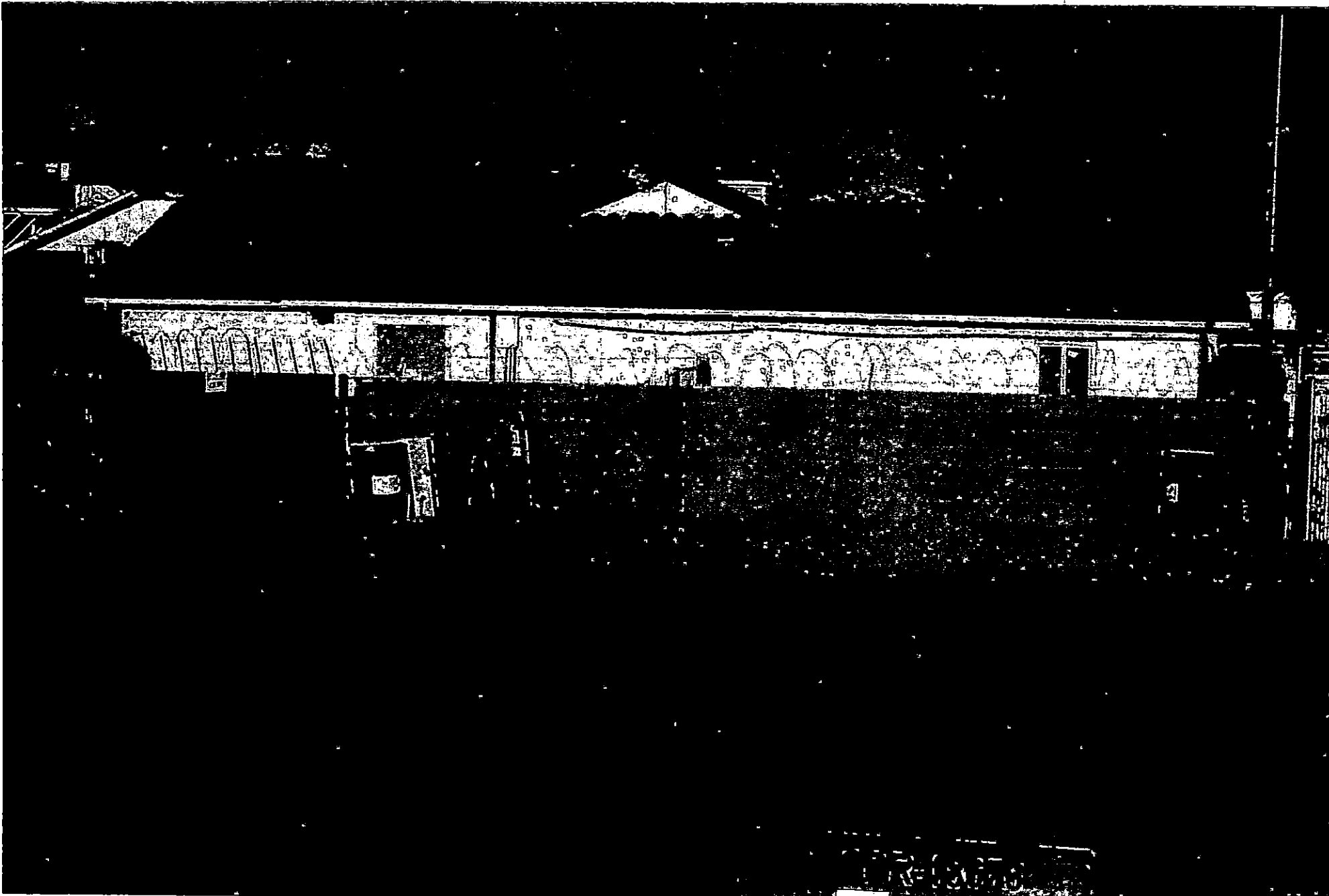
DECEIVED
DEC 12 2006

STAFF

A-2
D.I.S.T.I.N.C.T.I.V.E
GENERAL CONTRACTING
PH. (702) 385-2307 LIC. #45304

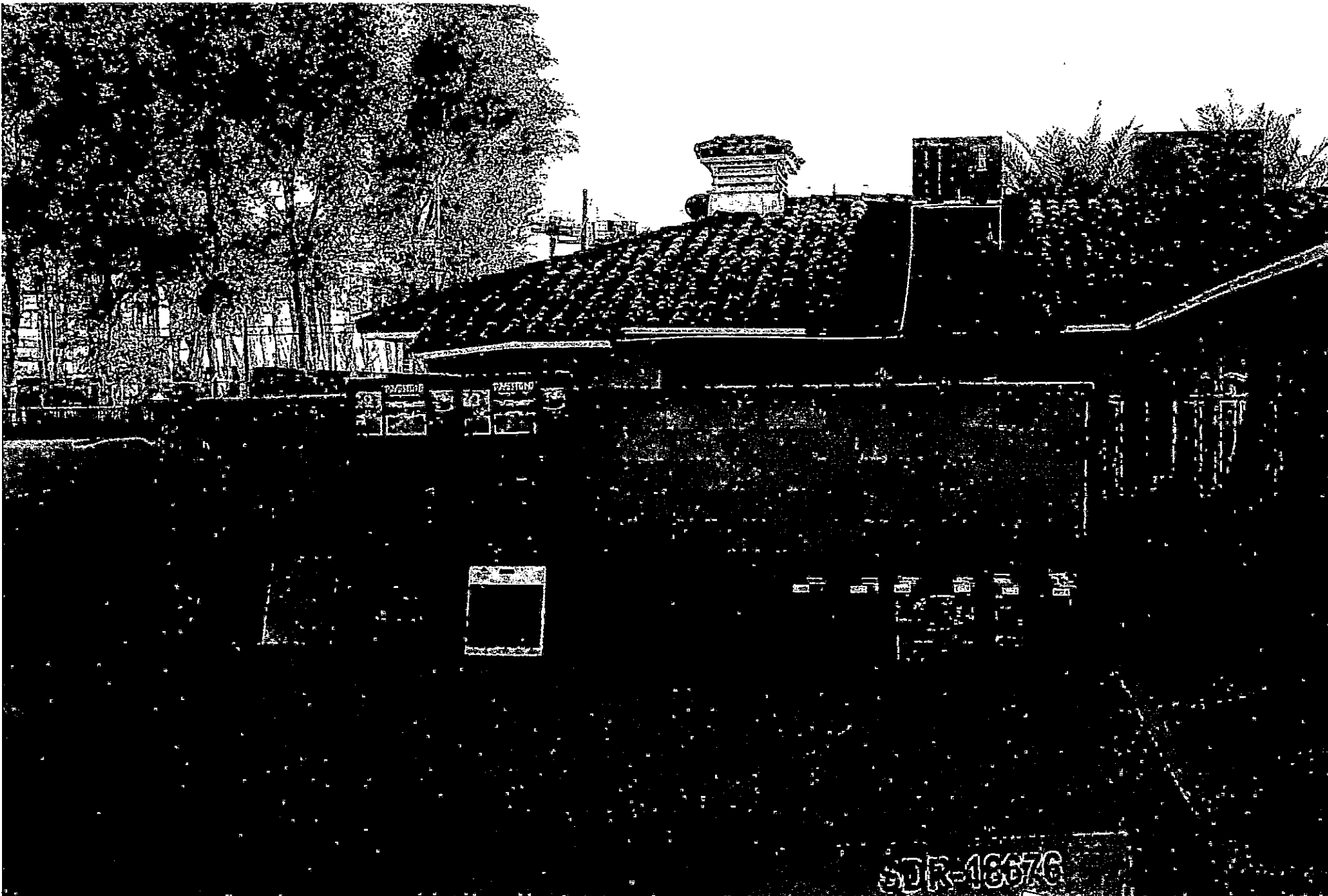
THE SOUTHWEST DESIGN GROUP
LAS VEGAS, NEVADA
OFFICE RENOVATION PROJECT

A-2



02/22/07 PC

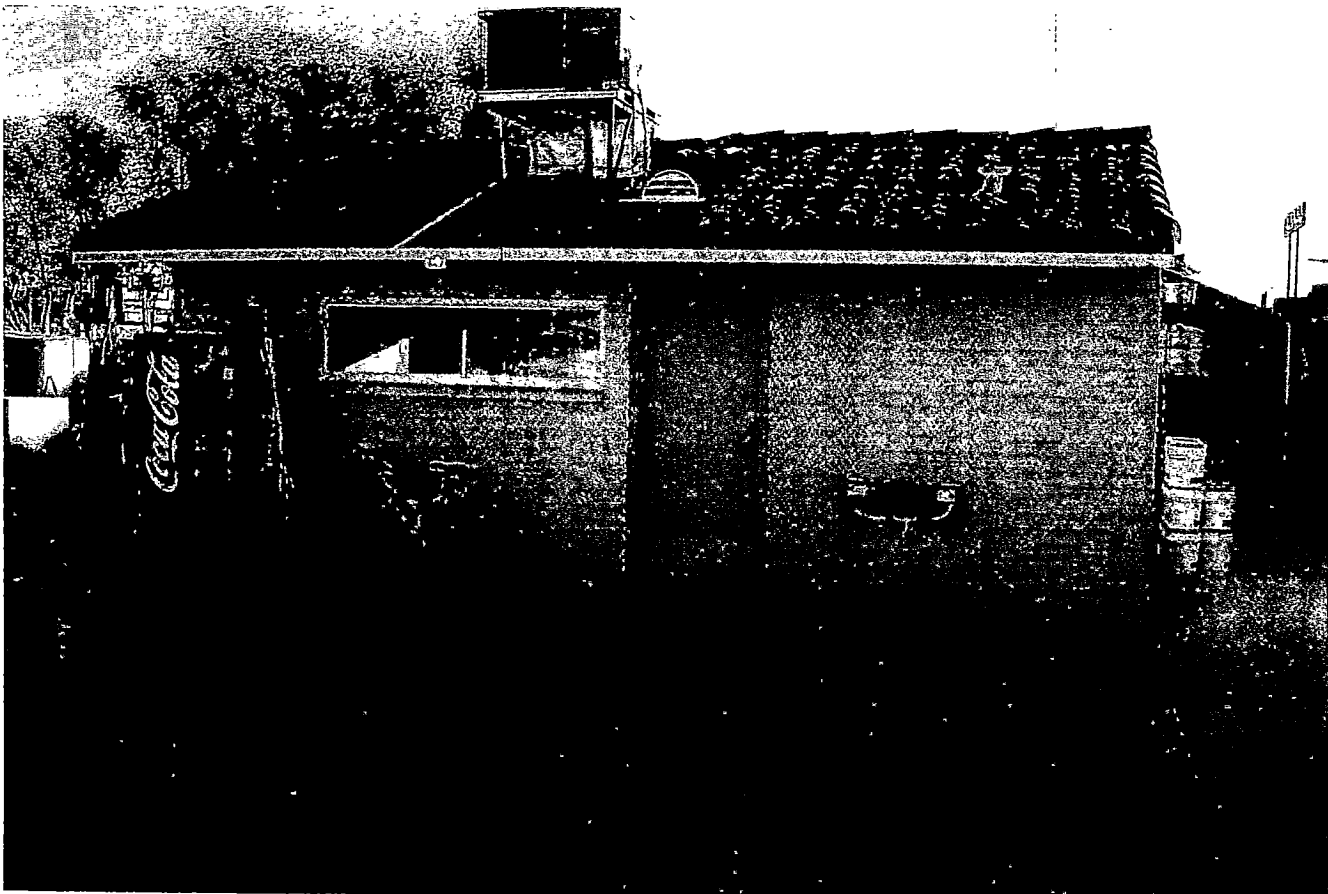
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SDR-48676

02/22/07 PC

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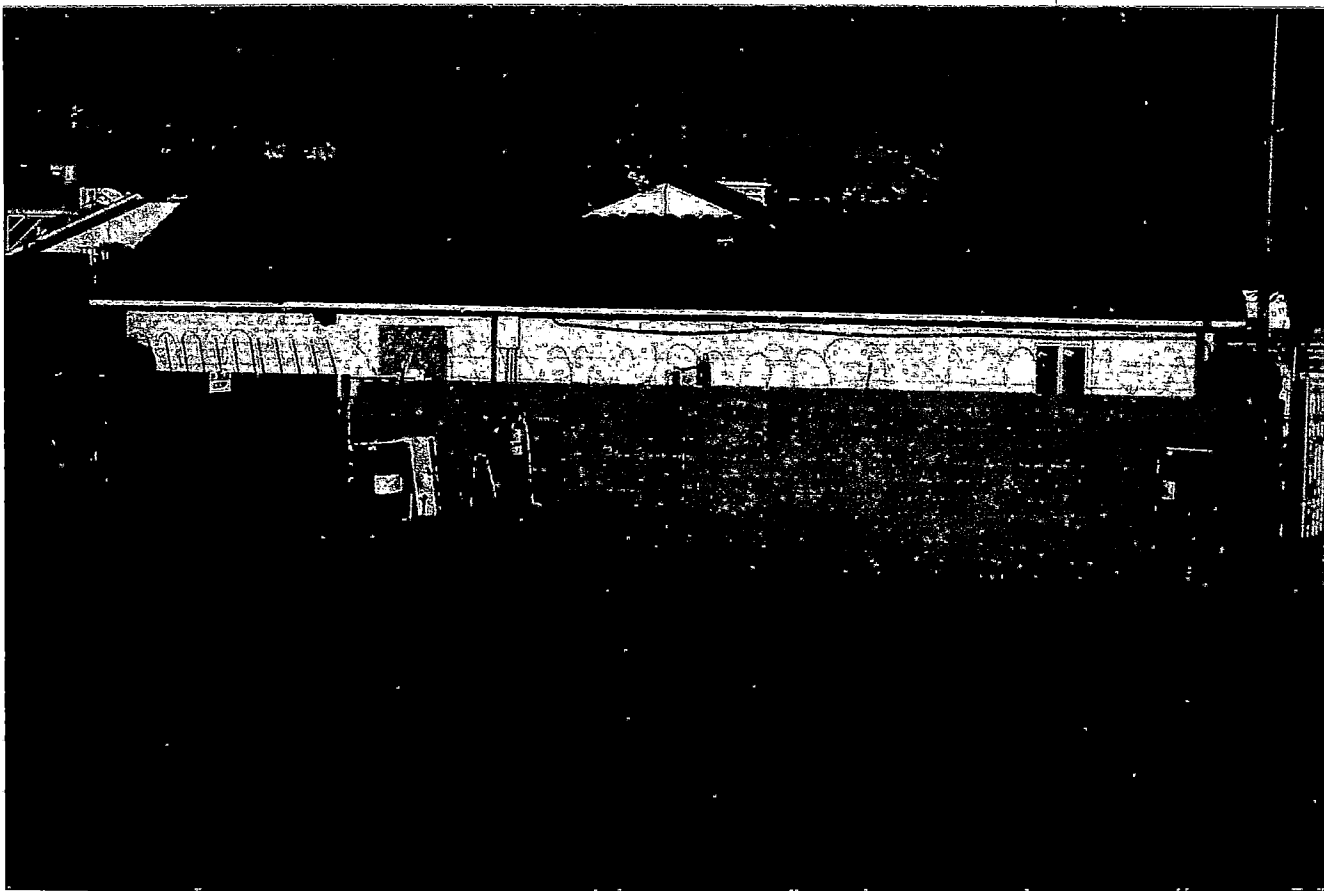
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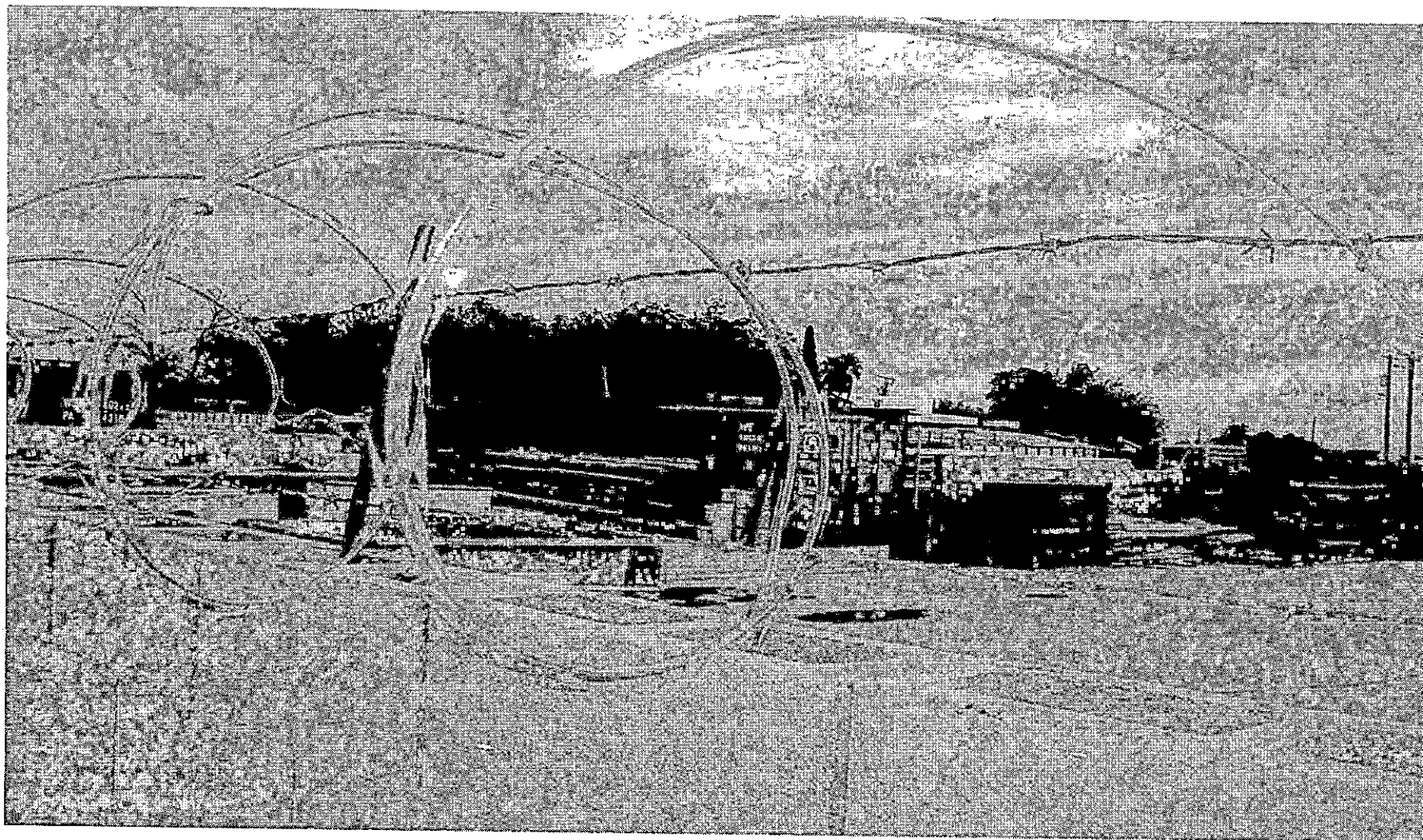
DEC 12 2006



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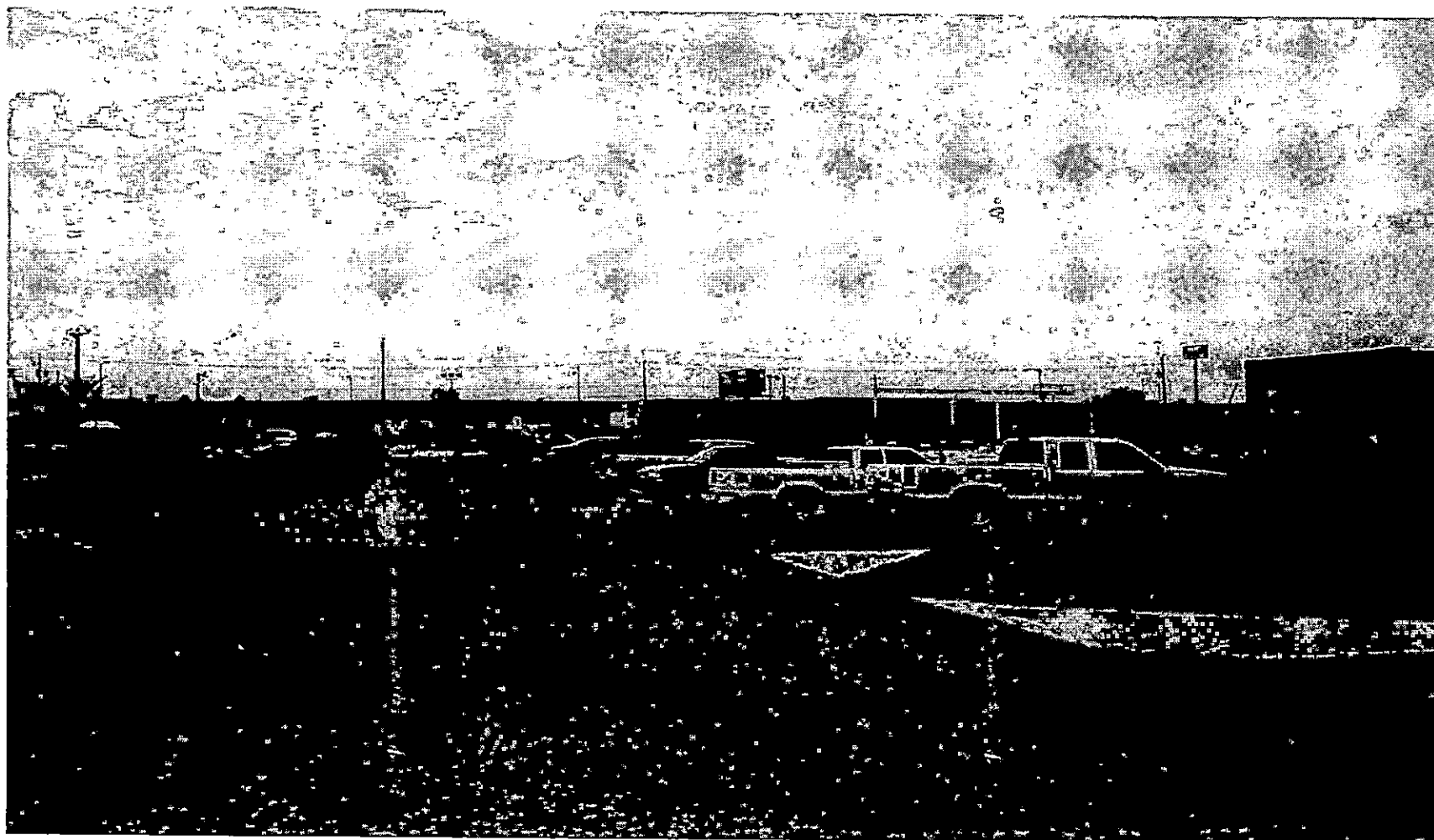
ZON-17304 & SDR-18676 - APPLICANT: DAVID PAWL - OWNER: VP PROPERTIES, LLC
2020 THROUGH 2022 WEST BONANZA ROAD AND 719 CLARKWAY DRIVE
FEBRUARY 22, 2007 PLANNING COMMISSION

10/10/06



ZON-17304 & SDR-18676 - APPLICANT: DAVID PAWL - OWNER: VP PROPERTIES, LLC
2020 THROUGH 2022 WEST BONANZA ROAD AND 719 CLARKWAY DRIVE
FEBRUARY 22, 2007 PLANNING COMMISSION

10/10/06



ZON-17304 & SDR-18676 - APPLICANT: DAVID PAWL - OWNER: VP PROPERTIES, LLC
2020 THROUGH 2022 WEST BONANZA ROAD AND 719 CLARKWAY DRIVE
FEBRUARY 22, 2007 PLANNING COMMISSION

10/10/06

SDR 18676				
V.P. Properties, LLC				
2020 & 2022 W Bonanza				
Proposed 8.034 thousand square foot office/landscape yard development.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	2.476	11.01	27
AM Peak Hour			1.55	4
PM Peak Hour			1.49	4
(heaviest 60 minutes)				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	WAREHOUSE [1000 SF]	5.558	4.96	28
AM Peak Hour			0.45	3
PM Peak Hour			0.47	3
(heaviest 60 minutes)				
Total	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	8.034		55
AM Peak Hour				6
PM Peak Hour				6
(heaviest 60 minutes)				
Existing traffic on all nearby streets: counts not available for Clarkway				
Bonanza Road				
Average Daily Traffic (ADT)	30,981			
PM Peak Hour	2478			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Bonanza Road	32100			
This project will add approximately 55 trips per day on Bonanza and Clarkway. This will increase expected volumes less than 1 percent on				

Bonanza. Bonanza is at about 97 percent of capacity. Counts are not available for Clarkway, but it is believed to be under capacity.			
Based on Peak Hour use, this development will add roughly 6 additional cars into the area; which works out to about one every ten minutes.			
Note that this report assumes all traffic from this development uses all named streets.			

Brent Wilson
2112 Conchita Street
Las Vegas, Nevada 89108
Phone: (702) 595-5228
E-Mail: wilson.76@cox.net

December 12, 2006

Mr. Nathan Goldberg
Planning and Development Department - Current Planning Division
City of Las Vegas Development Services Center
731 South Fourth Street
Las Vegas, Nevada 89101

**RE: JUSTIFICATION FOR SITE DEVELOPMENT PLAN REVIEW ACCOMPANIED BY WAIVER
REQUESTS (RELATED TO ZON-17304)
APN's: 139-28-301-020 & 029
Southwest Design**

Dear Nathan,

The owner of the parcels listed above and proprietor of the licensed concrete contracting business, Mr. David Pawl, respectfully requests the City of Las Vegas to review the proposed site plan on approximately 2.67 gross (2.43 net) acres generally located at the northwest corner of Bonanza Road and Clarkway Drive within ward 5 of the City of Las Vegas. The Site Development Plan Review and waivers are being submitted as companion applications to ZON-17304. ZON-17304 is a proposed zone change to allow a building and landscape material/lumber yard in conjunction with the existing decorative concrete design office. No buildings are being added to the existing development at this time.

SITE DEVELOPMENT PLAN REVIEW

The applicant has submitted a proposed site plan for review. The plan consists of 2,476 square feet of office space and 5,558 square feet of building/landscape material yard customer display area. There are three existing assessor structures that are used to screen and shelter concrete materials and paving stones. One of the assessor structures that remains at the northeast corner of the property will be removed due to building code and setback violations.

WAIVER REQUESTS

19.08.050.D.1 – Wall Materials and Details

Walls surrounding the site are a mix of materials. The wall along the western boundary of the site consists of solid concrete block at varying heights between 4' and 6' on the vacant residentially zoned side. The wall along the northern boundary of the site encroaches onto the property a distance of between 8' and 14', consists primarily of reused garage door panels, and varies in height from 5' to 7'. The wall adequately screens both properties. The eastern boundary wall consists of different materials at different locations along the boundary of separate abutting parcels. It consists of a 6' CMU block wall with corrugated metal extending to 8' in height at the boundary abutting the existing residence (139-28-301-022). There are existing buildings crossing the eastern side property line on the rear parcel between 139-28-301-020 and 021 as this was formerly a combined parcel that has been subdivided and sold to the applicant. The buildings located on the applicant's property are being razed to alleviate the nonconformity. As a result, the present wall of buildings on the adjacent parcel will be the future screen wall between the parcels. Chain link fencing has been removed between the subject property and the vacant alleyway, parcel 139-28-

**SDR-18676
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301-028. This parcel is a 25' wide "alley" that is not used for vehicular traffic and only serves as a well easement to convey water from the existing well on the applicant's property to properties on the east side of Clarkway Drive, a remnant from the rural condition of the area. The applicant prefers to leave this area open as the status of the parcel as an easement is unbuildable and will be part of an abutting development in the future. There is currently chain link fencing between parcels 139-28-301-029 & 026, which are both currently zoned C-1. The applicant proposes to leave the existing walls and fencing in the present condition as development in the foreseeable future would not warrant decorative pilasters and contrasting materials as required by code. All abutting properties are adequately screened with the perimeter walls that exist.

19.08.050.D.2 – Building Placement

The primary structure is located approximately 37' from the current City of Las Vegas right-of-way and 52' from the back of sidewalk abutting the existing Bonanza roadway. The building is currently being used as a landscape and decorative concrete design office that was renovated from a previous use as a single family home. Since the residential zoning has been changed and the structure remains, the building could not be reasonably placed next to the street frontage.

19.10 – Parking Lot Landscape Islands, Trees, Shrubs, and Ground Cover

The parking lot is located at the front of the building, between the primary structure and the bonanza frontage. In this area, there are parking spaces allowing one handicapped and seven standard parking spaces. The applicant has included parking on the presently R-E zoned portion of the parcel to accommodate 65 additional parking spaces. East and west of the office building are swinging gates that allow passage into the rear yard of the office facility. If landscape islands, trees, or shrubs were located where curbing and this plant material would be required, access to the rear of the building would not be possible. Visual enhancements to the front of the property include the addition of foundation landscaping where physically able and pavers to the parking area in front of the office building.

19.10 – Parking Lots shall not directly abut a building or must have a 5' sidewalk or landscaping. The parking lot is constructed and has been enhanced as indicated above. There is not a sidewalk constructed between the building and the entire parking area, but the applicant has agreed to place parking curb stops 5' from the building face in this area. With the limited distance constraints between the constructed building and the back-of-sidewalk, and a waiver for the width of the Bonanza Road landscape buffer zone being requested, there is only room between the existing building and the back of constructed sidewalk to accommodate 18' deep parking stalls, 24' drive aisle, and 10' landscaping. Due to the physical constraints of the site, the applicant feels that this waiver would be warranted.

19.12 – Landscape Buffer Zones – 15'/8'

The Bonanza frontage improvements have been constructed. The applicant obtained the required approval from NDOT in order to place the entrance curb-cut where it is currently located. There is a 10' landscape planter located abutting the sidewalk along Bonanza Road with low-lying shrubs and rock mulch. With the 10' wide landscaping area, there is only enough room between the building and the landscape planter to provide two 12' wide travel lanes and the standard 18' depth parking stalls. The applicant requests a waiver to allow landscaping along the Bonanza Road frontage at a distance of 10' in width. The applicant also requests a waiver to allow a lack of landscaping buffer adjacent to the parcel protruding into the property (139-28-301-028), which makes the subject parcels an irregular shape. Again, due to the physical constraints of the site, the applicant feels that the waivers are warranted.

19.12 – Plant Materials

The applicant intends to buffer the interior of the property with an 8' landscape buffer per code, except where waivers would be applied. The existing 10' landscape planter abutting the bonanza right-of-way consists of ground shrubs and low-level plantings to allow the enhanced front of the office building to give

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the business street presence. Extensive improvements to the primary structure have been made to the facade which fronts Bonanza Road since the property was purchased in 2002. These improvements include the addition of stone veneer and fresh coats of paint to enhance the appearance of the building. Also added was the paving stone parking area located between the primary structure and the Bonanza Road frontage. The applicant wishes to waive the requirement for 24" box trees along the Bonanza frontage to allow the public to view the building from this right-of-way. The applicant agrees to obtain an encroachment agreement with the City to plant within the right-of-way.

In summary, the existing use of the property is a decorative concrete design office and decorative masonry/landscape materials yard. The portion of the parcel that is presently zoned R-E is being used primarily for employees of the concrete contracting business to park their vehicles during normal business hours (typically between 6a and 5p) with scattered building materials located throughout the area. The subject parcels comprise approximately 200' of Bonanza Road frontage of which 100' is decoratively landscaped with plant materials located in a 10' landscape area behind an approximately 18" high stem wall. The owner has enhanced the facade of the office building fronting Bonanza Road extensively from its condition when the property was purchased. The property was previously used as a homeless shelter and the owner has worked diligently to remove the refuse left over from this land use. The portion of property behind the office building is intended to be private with access only through the primary structure.

Properties surrounding the subject parcels are vacant or currently being used for similar businesses and land uses and are all master-planned MXU – Mixed Use, under the City's recently adopted addition to the Redevelopment Plan. The property to the west is famous locally for being the Binion Ranch, which is currently vacant. Abutting the north edge of the included parcel is a large single-family residential property's rear yard which is devoid of permanent built structures. Along the eastern edge of the subject site are four properties – two single-family residences, a vacant alley/well easement, and an office for a roofing company, which also fronts Bonanza. The alley is a 25' wide privately owned easement for the well located on the applicant's property to convey water to parcels on the east side of Clarkway Drive. The two occupied single family residences abutting the property will be adequately screened from the proposed and existing use of the subject property.

This portion of the City's Redevelopment Plan and the surrounding area, especially the Bonanza Road frontage is currently in a trend of development that is shifting from blighted, aging development including rural single-family residences to land uses of a more commercial and/or industrial nature. Due to the existing industrial nature of this transitional area of Las Vegas, the applicant feels that the proposed zoning and site plan are consistent and compatible with current and future development.

If you have any questions, comments, or concerns, please contact me at a number or address listed above.

Respectfully,


Brent Wilson

SDR-18676
02/22/07 PC

January 16, 2007

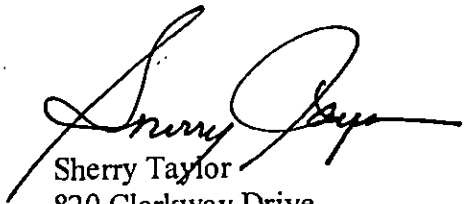
Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, Nv 89101

RE: SDR-18676 V P Properties LLC request for Perimeter Waivers

Please accept this as my OBJECTION to any and all waivers to be addressed. I expect this company to comply with ALL buffer requirements.

As I have stated in previous correspondence, I expect this company to be put under the same restrictions and requests that Mr. Donald Ahern of Ahern Equipment Rentals was subjected to by the surrounding residents.

Thank you for your attention to this matter.



Sherry Taylor
820 Clarkway Drive
Las Vegas, Nevada 89106-3610

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - VAR-18345 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: WAGNER HOMES, INC. - Request for a Variance to ALLOW A 13.9 FOOT HIGH PERIMETER WALL WHERE 12 FEET IS THE MAXIMUM HEIGHT ALLOWED FOR AN APPROVED 57-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 0.36 acres adjacent to the southeast corner and southwest corner of Alexander Road and Campbell Road (APNs 138-08-116-020 and 021), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD5 (Residential Planned Development - 5 Units Per Acre) Zone, Ward 4 (Brown).

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

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

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with STEINMAN excused

This is Final Action

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

ANDY REED, Planning Supervisor, stated there is no hardship associated with the request and recommended the matter be denied.

PLANNING COMMISSION MEETING OF FEBRUARY 22, 2007
Department of Planning and Development
Item 14 – VAR-18345

MINUTES – Continued:

LIZ SOROKAC, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and stated that when the zone change was approved, there was a condition imposed that required, at maximum, an eight-foot perimeter wall. Upon approval of a Review of Condition and after working with staff and involving the Councilman, this proposal was suggested. MS. SAROKAC noted three areas where the perimeter wall exceeds eight feet and requested a pony wall between one to three feet in height with the perimeter wall set back six feet from that. She depicted examples of the pony wall that would include landscaping and vary in length from 25 to 78 feet. She respectfully requested approval for the Variance for the proposed wall.

COMMISSIONER TROWBRIDGE acknowledged a letter addressing concern for the impact upon a driver's sight lights and inquired whether the proposed height would contribute to that concern. ATTORNEY SAROCICK confirmed that a driver's sight line would not be affected and she explained where drainage would occur. BART ANDERSON, Department of Public Works, concurred that drainage is not expected to be a problem.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(6:41 – 6:47)

1-1324

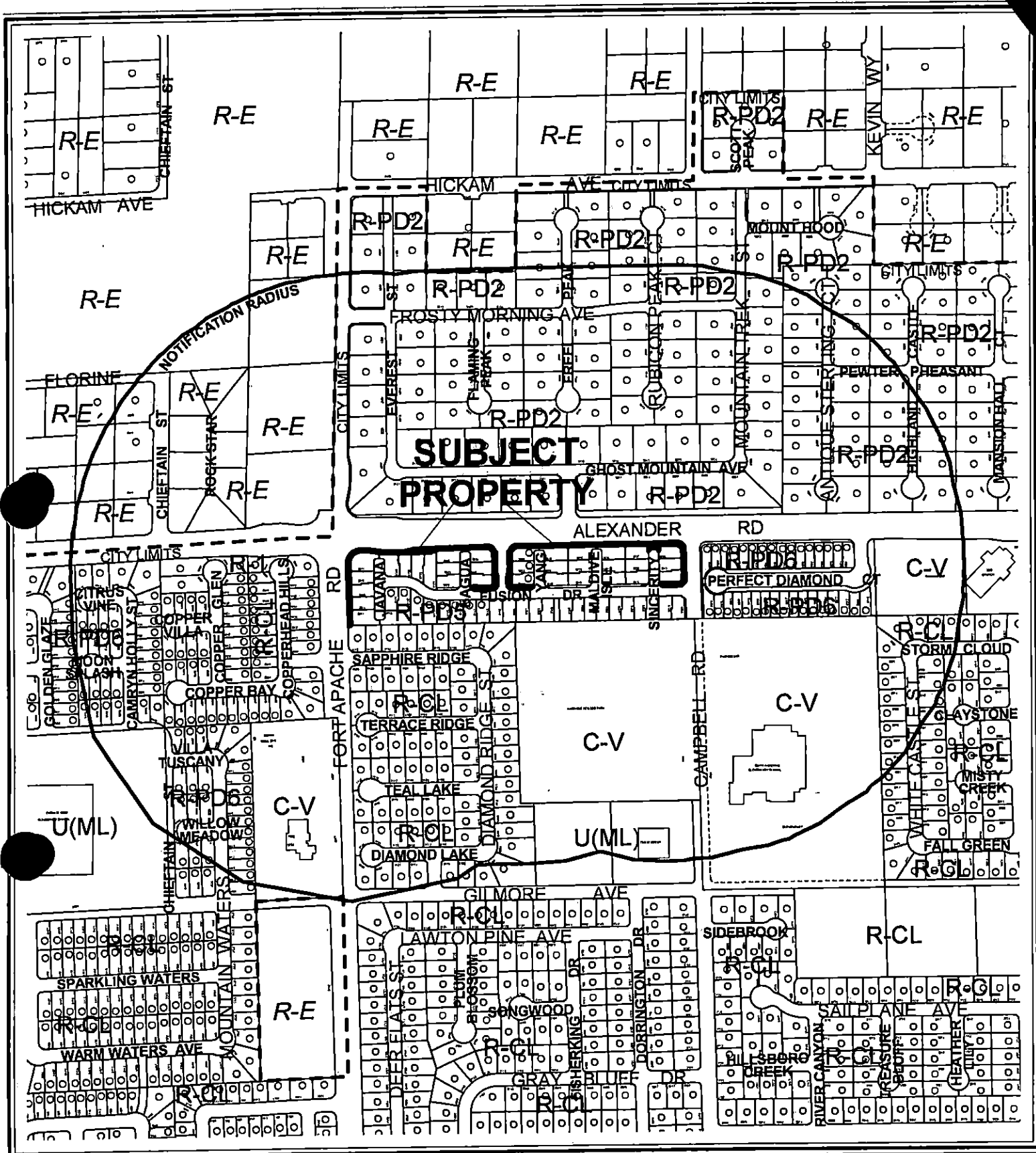
CONDITIONS:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-2415), Site Development Plan Review (SDR-2418), Tentative Map (TMP-3068), and Review of Conditions (ROC-18431).
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.

Public Works

3. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building permits for the block wall. Provide and improve all drainageways as recommended in the approved drainage plan/study.
4. Site development to comply with all applicable conditions of approval for ZON-2415 and all other applicable site-related actions.

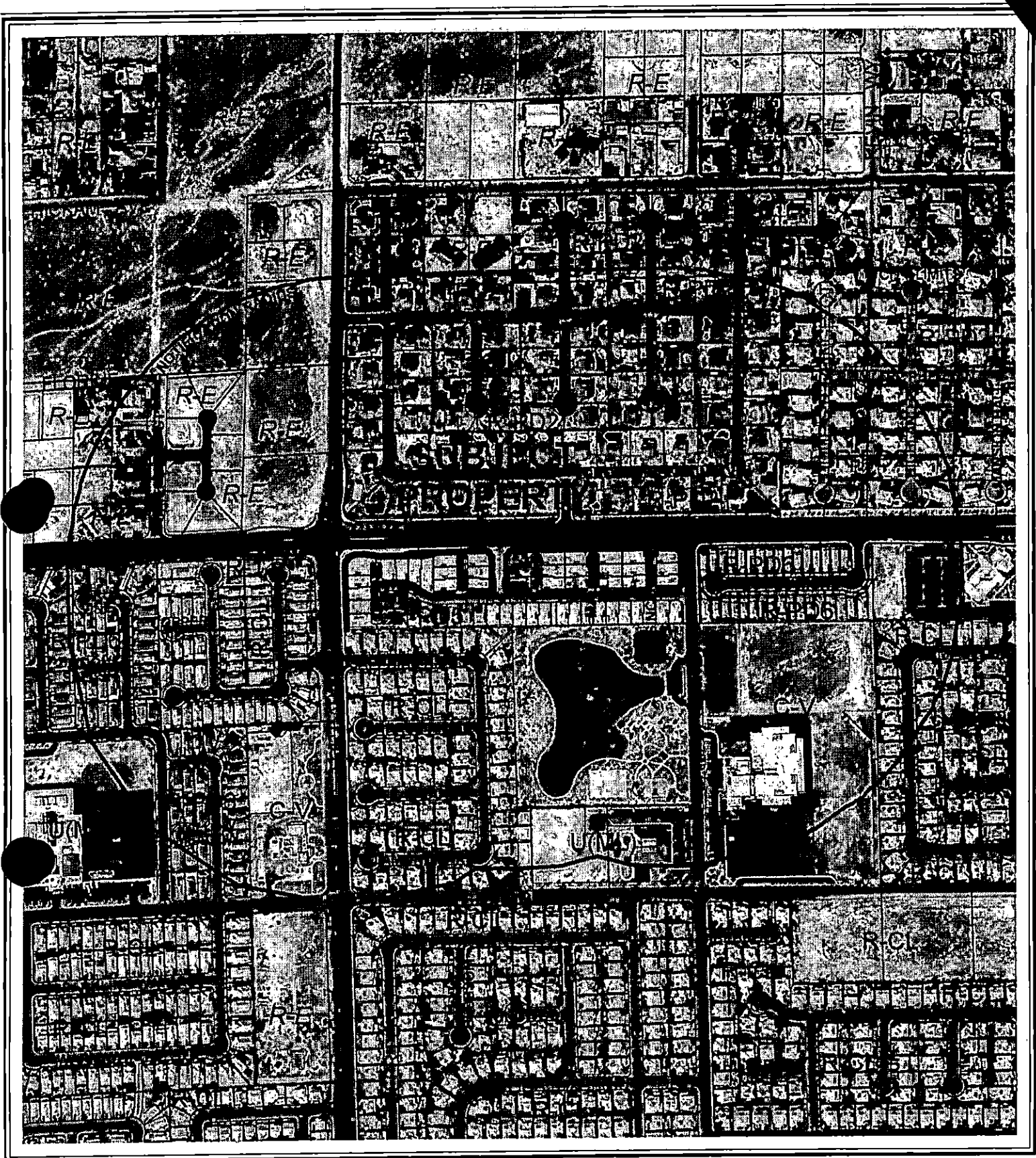


CASE: **VAR-18345**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT- 5 UNITS PER ACRE)



CASE: **VAR-18345**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-PD5 (RESIDENTIAL PLANNED DEVELOPMENT- 5 UNITS PER ACRE)

0 200 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 22, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - VAR-18345 - APPLICANT/OWNER: WAGNER HOMES, INC.

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-2415), Site Development Plan Review (SDR-2418), Tentative Map (TMP-3068), and Review of Conditions (ROC-18431).
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.

Public Works

3. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building permits for the block wall. Provide and improve all drainageways as recommended in the approved drainage plan/study.
4. Site development to comply with all applicable conditions of approval for ZON-2415 and all other applicable site-related actions.

VAR-18345 - Staff Report Page One
February 22, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request, for a Variance to allow a 13.9-foot high wall where a 12-foot retaining & screen wall is allowed, stems from an improper installation of the previously approved 10-foot perimeter walls. Although the applicant states that a Variance is sought in pursuit of a better design, the issue stems from non-compliance in the field during the wall installation.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/06/02	The City Council approved an annexation (A-0075-01) for a portion of this site with an effective date of March 15, 2002. The Planning Commission recommended approval.
06/11/03	The City Council approved an Annexation (ANX-2016) for a portion of this site. The Planning Commission recommended approval April 24, 2003. The annexation was recorded 06/11/03.
08/06/03	The City Council approved Rezoning (ZON-2415) to R-PD5 (Residential Planned Development – 5 Units Per Acre), Variance (VAR-2419) to allow no open space where 41,164 square of open space is required and Site Development Plan Review (SDR-2418) for a 57 lot single family residential development on this site. The Planning Commission recommended approval of a Rezoning on June 26, 2003 and approval of the Variance and Site Development Plan Review on July 10, 2003. Staff recommended denial.
10/23/03	The Planning Commission approved a Tentative Map (TMP-3068) for a 57 lot single-family residential subdivision on 8.01 acres adjacent to the southeast corner of Alexander Road and Fort Apache Road. Staff recommended approval.
01/03/07	The City Council held in abeyance a request for a Review of Condition (ROC-18341) of an approved Site Development Plan Review (SDR-2418) to remove condition #11, requiring all perimeter walls, including a combination of retaining and screen walls, to not exceed eight feet in height, measured from the base of the retaining wall, without the appropriate stepbacks for an approved residential subdivision. This item is scheduled to be heard at the January 17 th City Council Meeting. Staff recommended denial
1/11/07	The Planning Commission held in abeyance a request for a Variance to allow a 13.9 foot high perimeter wall where 12 feet is the maximum height allowed for an approved 57-lot single family residential development on 0.36 acres adjacent to the southeast corner and southwest corner of Alexander Road and Campbell Road. This item is scheduled to be heard at the January 25 th Planning Commission Meeting. Staff recommended denial

VAR-18345 - Staff Report Page Two
February 22, 2007 - Planning Commission Meeting

<i>Related Building Permits/Business Licenses</i>	
05/02/06	Permit # 63273: Engineered retaining and screen walls –perimeter, rear, side, and returns. Permits show a four-foot retaining wall with a 6-foot screen only.
07/26/06	Permit #70030: Engineered retaining & screen walls –perimeter only. Permits show a four-foot retaining wall with a 6-foot screen only.
08/29/06	Permit #69632: Automatic vehicle access gate
<i>Pre-Application Meeting</i>	
11/14/06	Description
<i>Neighborhood Meeting</i>	
NA	NA

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	10.8 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Homes	L (Low Density Residential)	R-PD5 (Residential-Planned Development - 5 Units Per Acre)
North	Single Family Homes	DR (Desert Rural Density Residential)	R-PD2 (Residential-Planned Development - 2 Units Per Acre)
South	Single Family Homes & City Park	ML (Medium-Low Density Residential and PF (Public Facilities))	R-CL (Single-Family Compact-Lot) C-V (Civic)
East	Single Family Homes	ML (Medium-Low Density Residential)	R-PD6 (Residential-Planned Development- 6 units per acre)
West	Single Family Homes	ML (Medium-Low Density Residential) and L (Low Density Residential)	R-CL (Single-Family Compact-Lot) and R-1 (Single-Family Residential)

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

VAR-18345 - Staff Report Page Three
February 22, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Standards	Required	Provided	Compliance
Max. wall height established by SDR-2418	8-foot maximum height	13.9 feet	N

ANALYSIS

The proposed Variance to allow a 13.9-foot high wall does not comply with the development standards set forth in 19.08.040, the approved Site Development Plan review (SDR-2418), the approved Tentative Map (TMP-3068), or the submitted building permits.

Site Development Plan Review (SDR-2418) specifically limited perimeter wall heights to no more than 8 feet, including the combination of retaining walls and screen walls as stated in condition #11. The applicant has submitted a Review of Condition (ROC-18341) to amend condition #11 so as to allow for the existing 13.9-foot wall to gain final approval.

From the previously approved Tentative Map (TMP-3068) the walls along the northern and western perimeter of the site depicted 6-foot screen walls atop retaining walls of varying heights. It was pointed out during the review of the Tentative Map that the varying retaining wall heights in addition to the submitted six-foot walls may present a wall face exceeding 8 feet in height. It was recommend that by splitting the retaining wall height across the required 6 foot wide landscape buffer, as the applicant proposed in the submittal; no single wall face would exceed 8 feet in height.

The current wall height standards for residential zoning districts do not place an inherent hardship on the applicant, nor prohibit him from making the highest and best use of the property. The originally-approved wall design should remain consistent with the standards, previous approvals, and submitted building permits. As permits have been issued and approved for 10-foot walls and the applicant has provided proof of walls under construction that now exceed the approved height, this hardship is entirely self-imposed and personal in nature. Therefore, staff must recommend denial.

FINDINGS

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

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

VAR-18345 - Staff Report Page Four
February 22, 2007 - Planning Commission Meeting

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has not created a self-imposed hardship by failing to abide to the approved heights as established by the Site Development Plan Review (SDR-2418), the Tentative Map (TMP-3068), or the issued building permits (#63273 & #70030). The alternative striking the excess courses of masonry would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 4

SENATE DISTRICT 6

NOTICES MAILED 395

APPROVALS 0

PROTESTS 1

**PLANNING & DEVELOPMENT DEPARTMENT****STATEMENT OF FINANCIAL INTEREST****VAR-18345**Case Number: _____ APN: 138-08-116-020 + 021Name of Property Owner: Wagner Homes IncName of Applicant: Wagner HomesName of Representative: Stephani Allen

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: _____

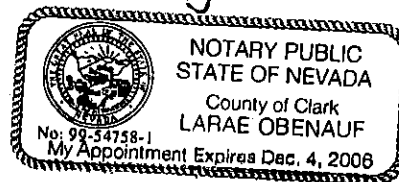
Partner(s): _____

APN: _____

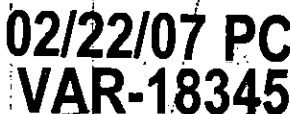
Signature of Property Owner: _____

Print Name: David Wagner

Subscribed and sworn before me .

This 22nd day of November, 2006Larae Obenauf
Notary Public in and for said County and State

NOV 28 2006



RECEIVED

DEC 15 2006



02/22/07 PC

RECEIVED

DEC 15 2006

VAR-18345
02/22/07 PC



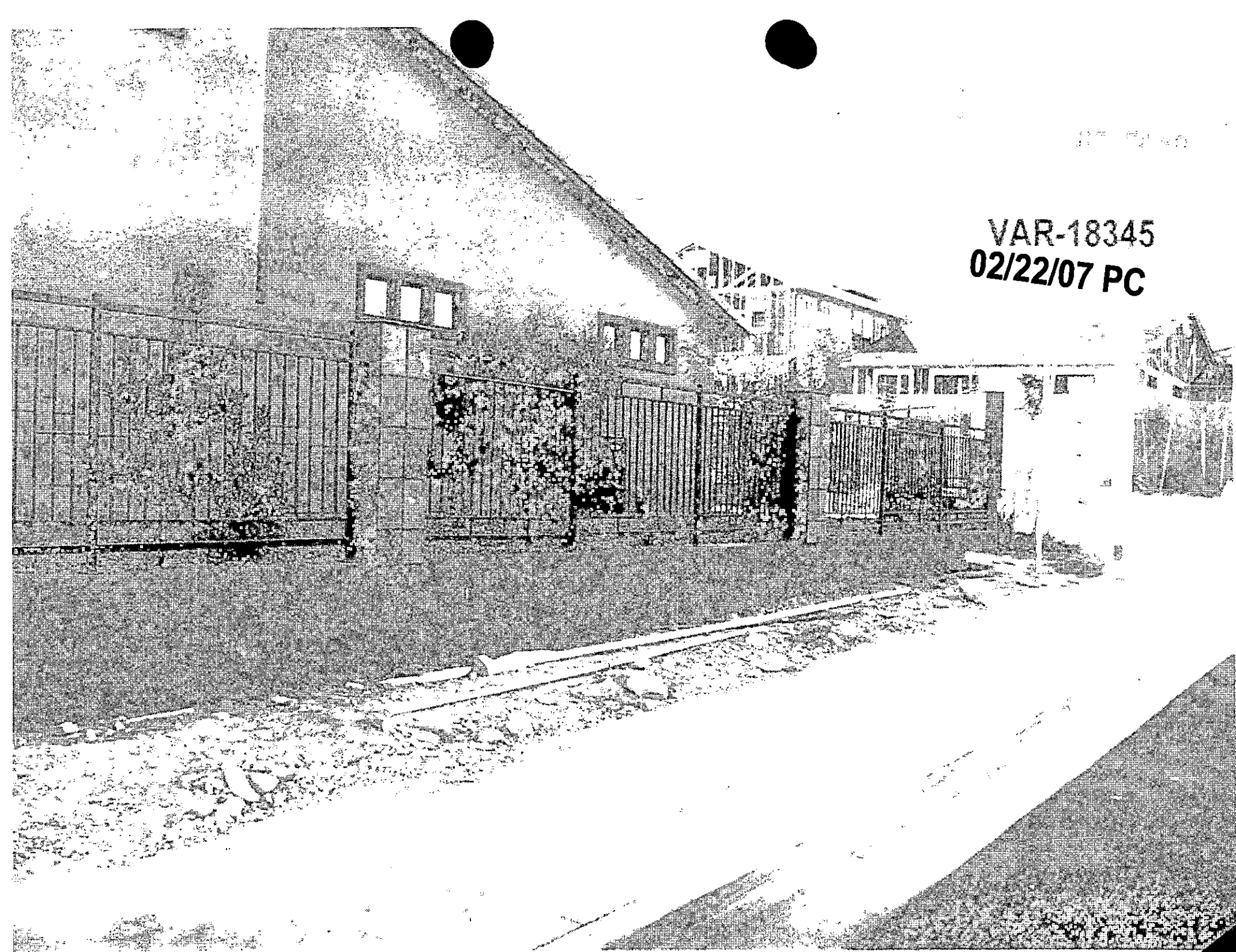
RECEIVED

DEC 15 2006

VAR-18345
02/22/07 PC



VAR-18345
02/22/07 PC



VAR-18345

02/22/07 PC

RECEIVED
DEC 15 2006



RECEIVED
DEC 15 2006

VAR-18345
02/22/07 PC

RECEIVED

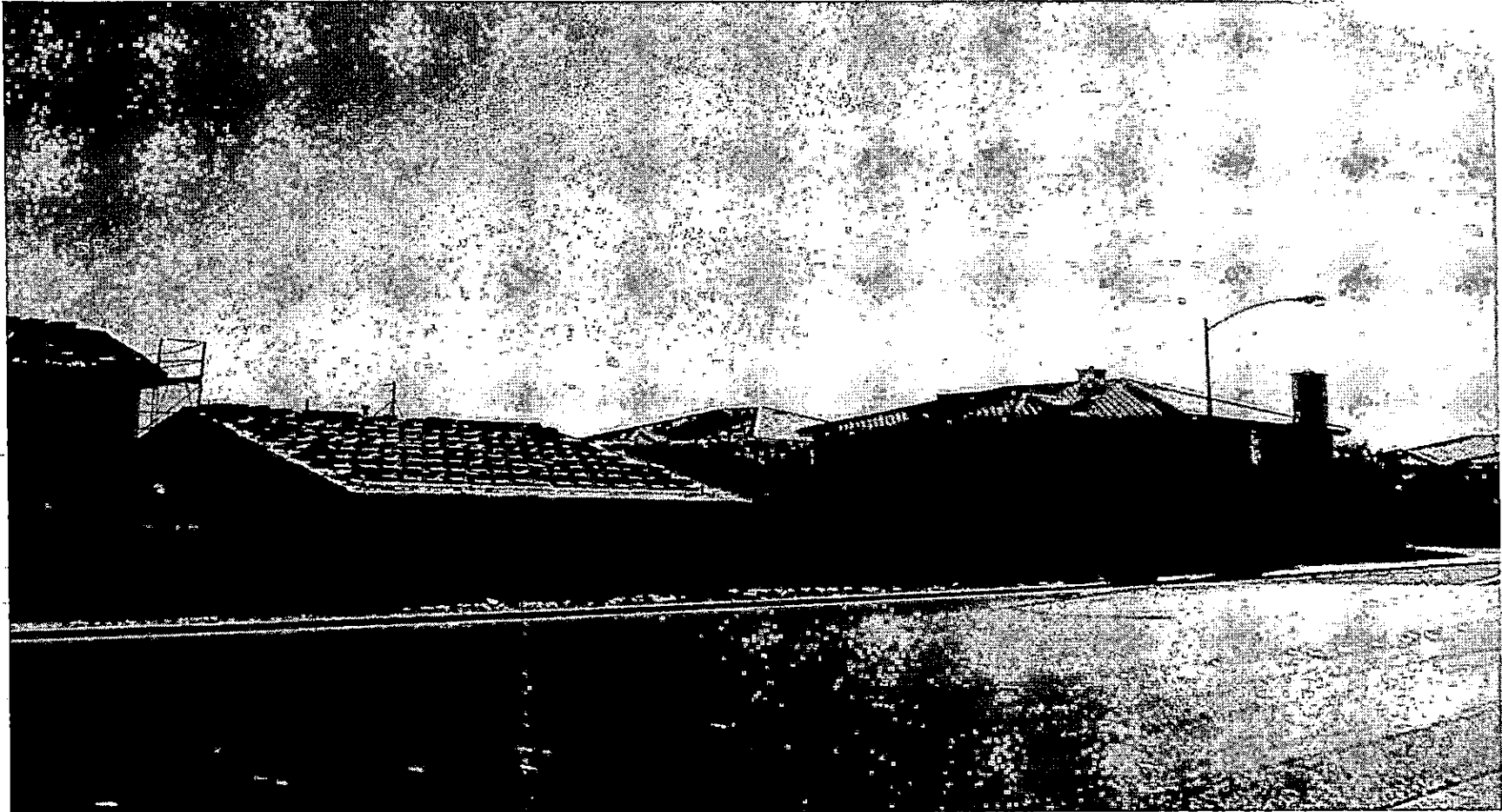
DEC 15 2006



VAR-18345
02/22/07 PC

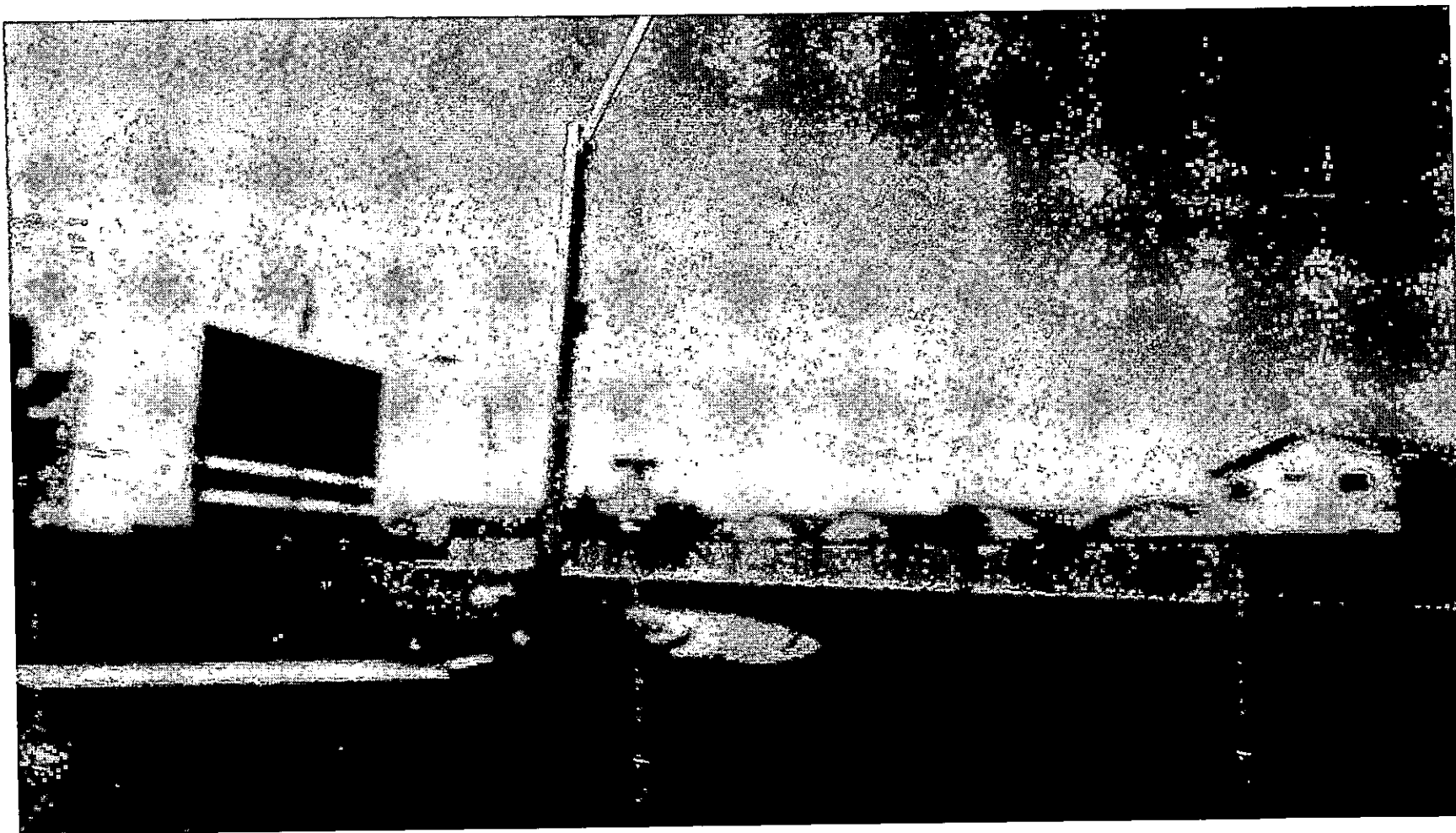
RECEIVED

DEC 15 2006



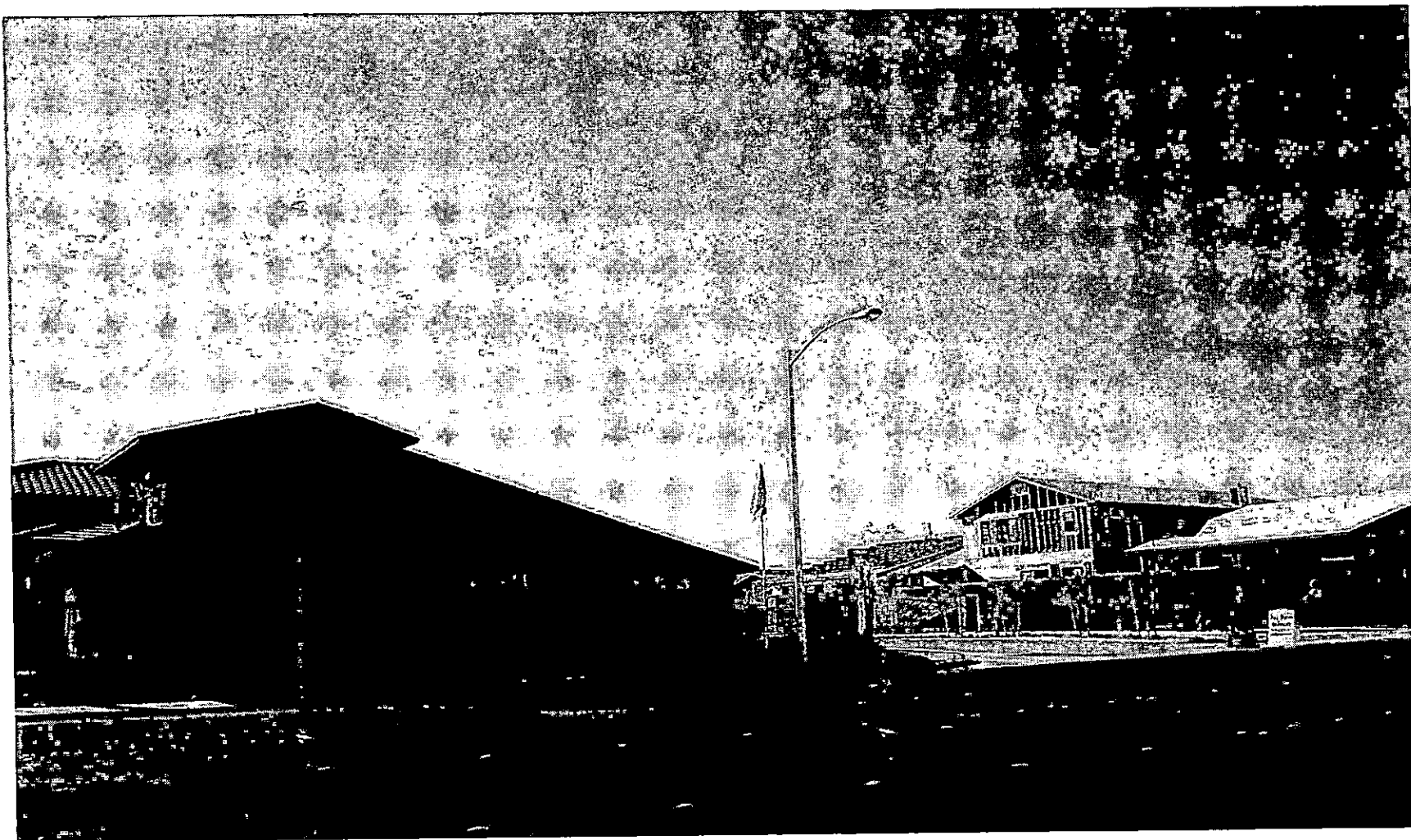
VAR-18345 - APPLICANT/OWNER: WAGNER HOMES INC
ADJACENT TO THE SOUTHEAST CORNER AND SOUTHWEST CORNER OF ALEXANDER ROAD AND
CAMPBELL ROAD
FEBRUARY 22, 2007 PLANNING COMMISSION

12/08/06



VAR-18345 - APPLICANT/OWNER: WAGNER HOMES INC
ADJACENT TO THE SOUTHEAST CORNER AND SOUTHWEST CORNER OF ALEXANDER ROAD AND
CAMPBELL ROAD
FEBRUARY 22, 2007 PLANNING COMMISSION

12/08/06



VAR-18345 - APPLICANT/OWNER: WAGNER HOMES INC
ADJACENT TO THE SOUTHEAST CORNER AND SOUTHWEST CORNER OF ALEXANDER ROAD AND
CAMPBELL ROAD
FEBRUARY 22, 2007 PLANNING COMMISSION

12/08/06



VAR-18345 - APPLICANT/OWNER: WAGNER HOMES INC
ADJACENT TO THE SOUTHEAST CORNER AND SOUTHWEST CORNER OF ALEXANDER ROAD AND
CAMPBELL ROAD
FEBRUARY 22, 2007 PLANNING COMMISSION

12/08/06



VAR-18345 - APPLICANT/OWNER: WAGNER HOMES INC
ADJACENT TO THE SOUTHEAST CORNER AND SOUTHWEST CORNER OF ALEXANDER ROAD AND
CAMPBELL ROAD
FEBRUARY 22, 2007 PLANNING COMMISSION

12/08/06



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SERVICES SINCE 1960

November 27, 2006
WO# 6194

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

DAY DAWN FUSION:

RE: Justification for a Varlance & Review of Conditions

Planning Department,

On behalf of our client, Nevada Homes Group, VTN Nevada respectfully submits this letter and application for a Review of Condition and a Variance. Our client is requesting relief from condition # 11 of SDR-2418, stipulating in part, that perimeter walls shall not exceed eight feet in height. Amending this condition to permit a greater wall height would necessitate relief of Chapter 19.08.040 of Title 19, limiting wall height to eight feet.

The applicant is only requesting this relief for approximately 1,300 feet along Alexander Road. Basically, the request is restricted from the vicinity of the entry street east to Campbell Road

The applicant is proposing to build an enhanced, visually superior oriental themed wall that uses contrasting materials, color, as well as surface relief to provide visual relief of a monotonous wall that is typically so pervasive in the area.

The wall is currently designed in two sections that include a combination retaining/screen wall and an off-set, low retaining wall. The combined height of this wall section is 12.4 feet $\pm$. The applicant proposes to build an enhanced single wall approximately 13.9 feet $\pm$ in height in the aforementioned area. The grading of the landscape easement will reduce the total wall height by 1-foot.

The applicant believes the substantial cost of single, enhanced perimeter wall that enhances the visual theme justifies this request. Thank you for your consideration in this matter.

Sincerely,

VTN Nevada


Jeffrey Armstrong
Senior Planner

VAR-18345

02/22/07 PC

Attachments

2727 SOUTH RAINBOW BOULEVARD LAS VEGAS, NEVADA 89146-5146
TEL: (702) 873-7550 FAX: 362-2597

Dorothy Marsili

From: Doug Rankin
Sent: Monday, January 08, 2007 10:51 AM
To: John Korkosz; Dorothy Marsili
Subject: FW: City of LV - 01-11-07 PC Final Agenda

From: Heimgartner, Erin [mailto:eeheimgartner@centexhomes.com]
Sent: Monday, January 08, 2007 10:48 AM
To: drankin@lasvegasnevada.gov
Subject: City of LV - 01-11-07 PC Final Agenda

Re: Item #33 VAR-18345

What is purpose of increased height? Is it necessary for construction safety? Are driver site lines impacted? Is there an impact on flood water drainage?

If any of these items are of a negative factor to the community, I do not support the variance.

Thank you,

Erin E. Heimgartner

1/8/2007

ITEM # 33
CASE # VAR-18345
PC MTG 1-11-07

P

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - VAR-18984 - VARIANCE - PUBLIC HEARING -
APPLICANT/OWNER: SPANISH VILLAS AT SAHARA, LLC - Request for a Variance
TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS THE MINIMUM
SETBACK REQUIRED on 7.68 acres at 3100-3190 West Sahara Avenue (APN 162-05-403-001
through 003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

C.C.: 03/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the March 22, 2007 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report (Not Applicable)
3. Supporting Documentation
4. Justification Letter
5. Protest Letters

MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 3[ANX-19110] to 3/8/2007; Item 15 [VAR-18984] and Item 16 [SDR-18693] to 3/22/2007; and TABLE Item 12 [ZON-17304] and Item 13 [SDR-18676] – UNANIMOUS with STEINMAN excused

MINUTES:

ANDY REED, Planning Supervisor, stated that the applicant of Item 15 [VAR-18984] and Item 16 [SDR-18693] requested both matters be abeyed until 3/22/2007.

(6:02 – 6:04)



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





0 300 600 Feet



CASE: **VAR-18984**

RADIUS: 1000 FT

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



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 22, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - VAR-18984 - APPLICANT/OWNER: SPANISH
VILLAS AT SAHARA, LLC

***APPLICANT REQUESTS THIS
ITEM BE HELD IN ABEYANCE TO
THE MARCH 22, 2007 PLANNING
COMMISSION MEETING***



GREGORY E. BORGEL
Vice President
Planning and Development Services

February 15, 2007

Planning Department
City of Las Vegas
Hand delivered

Dear Ladies/Gentlemen:

I have been directed by Mr. Howard Mann, applicant on VAR-18984 and SDR-18693 (2/22/07 PC agenda), to request that those items be ABEYED again to the 3/22/07 Planning Commission meeting. The reason for this second abeyance request is that Councilwoman Tarkanian's office has suggested that the applicant meet with an additional homeowners' group on March 7th.

I will attend the 2/22 meeting to answer any questions.

Thanks,



Greg Borgel

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-18984** APN: 162-05-403-001 thru 003

Name of Property Owner: Spanish Villas at Sahara LLC

Name of Applicant: Spanish Villas at Sahara LLC

Name of Representative: Perkowitz & Ruth Architects

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

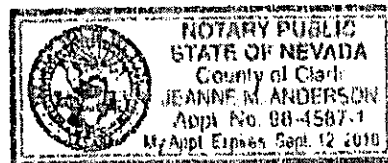
Signature of Property Owner: _____

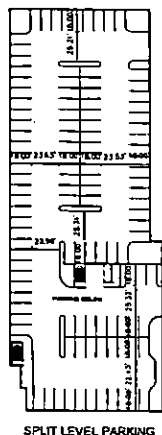
Print Name: _____

Subscribed and sworn before me

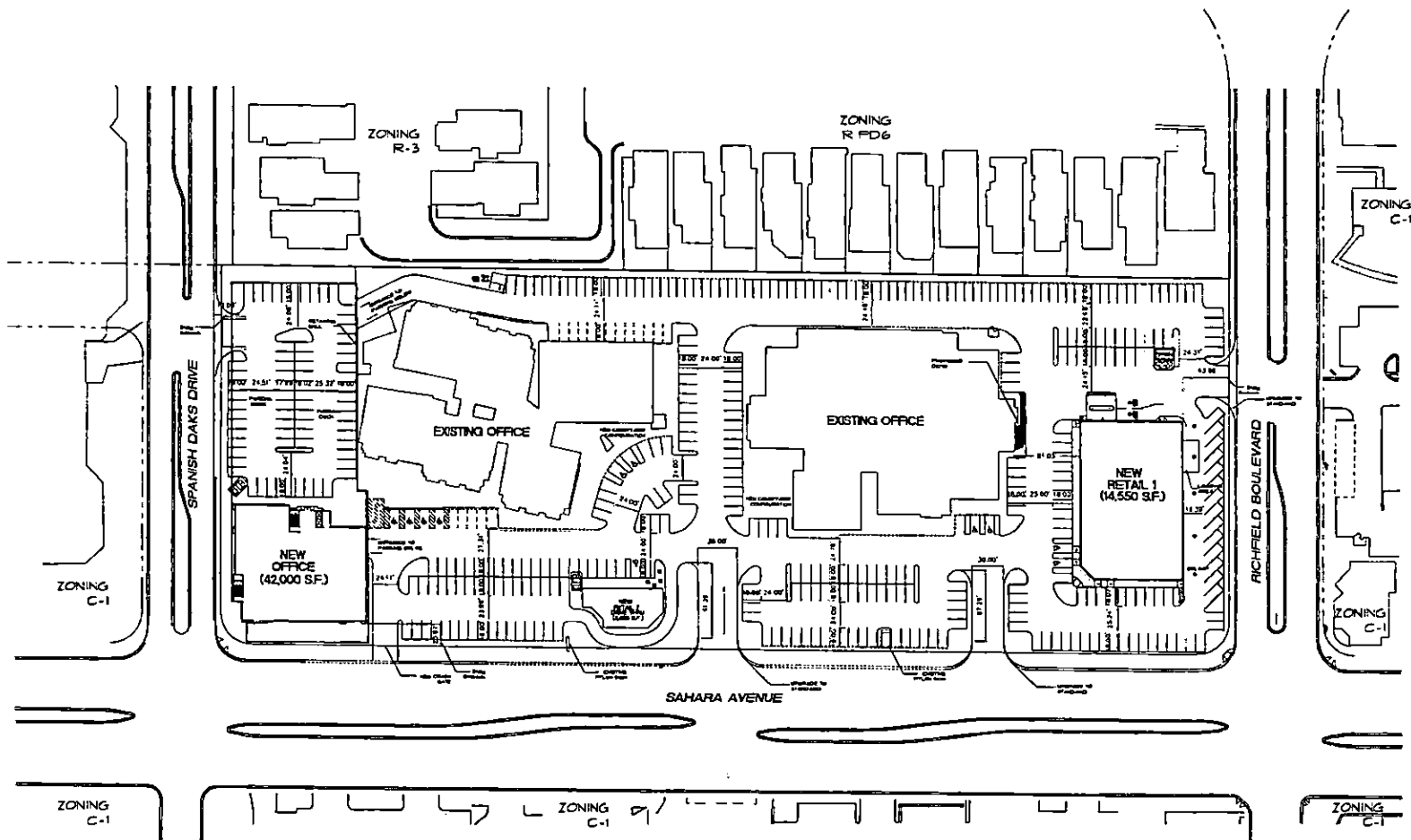
This 1st day of December, 2006

Jessie M. Anderson
Notary Public in and for said County and State





SPLIT LEVEL PARKING



PARKING SUMMARY

PARKING PROVIDED:
 OPEN SURFACE PARKING = 426 STALLS
 SPLIT LEVEL PARKING = 115 STALLS
TOTAL PROVIDED = 541 STALLS

TOTAL PARKING REQUIRED = 529 STALLS

OFFICE SUMMARY

EXISTING OFFICE = 64,885 S.F.
 NEW OFFICE BUILDING = 42,000 S.F.
TOTAL = 126,885 S.F.
PARKING REQUIRED:
 EXISTING OFFICE = 281 STALLS
 (3.3 STALLS FOR EVERY 1000 SF.)
 NEW OFFICE BUILDING = 139 STALLS
 (3.3 STALLS FOR EVERY 1000 SF.)
TOTAL = 421 STALLS

RETAIL SUMMARY

RETAIL 1 = 14,550 S.F.
 STARBUCKS = 2,450 S.F.
TOTAL = 17,000 S.F.

PARKING REQUIRED:

RETAIL 1 = 83 STALLS
 (1 STALL FOR EVERY 175 SF.)
 STARBUCKS = 25 STALLS
 (1 STALL FOR EVERY 100 SF.)
TOTAL = 108 STALLS

SPANISH VILLAS

LAS VEGAS, NEVADA

RECEIVED
 JAN 12 2006

SITE PLAN

Perkowitz + Ruth
 ARCHITECTS

111 W. Ocean Blvd., Suite 2100, Long Beach, CA 90802 (562) 628-8000

(714) 850-3488 Costa Mesa CA

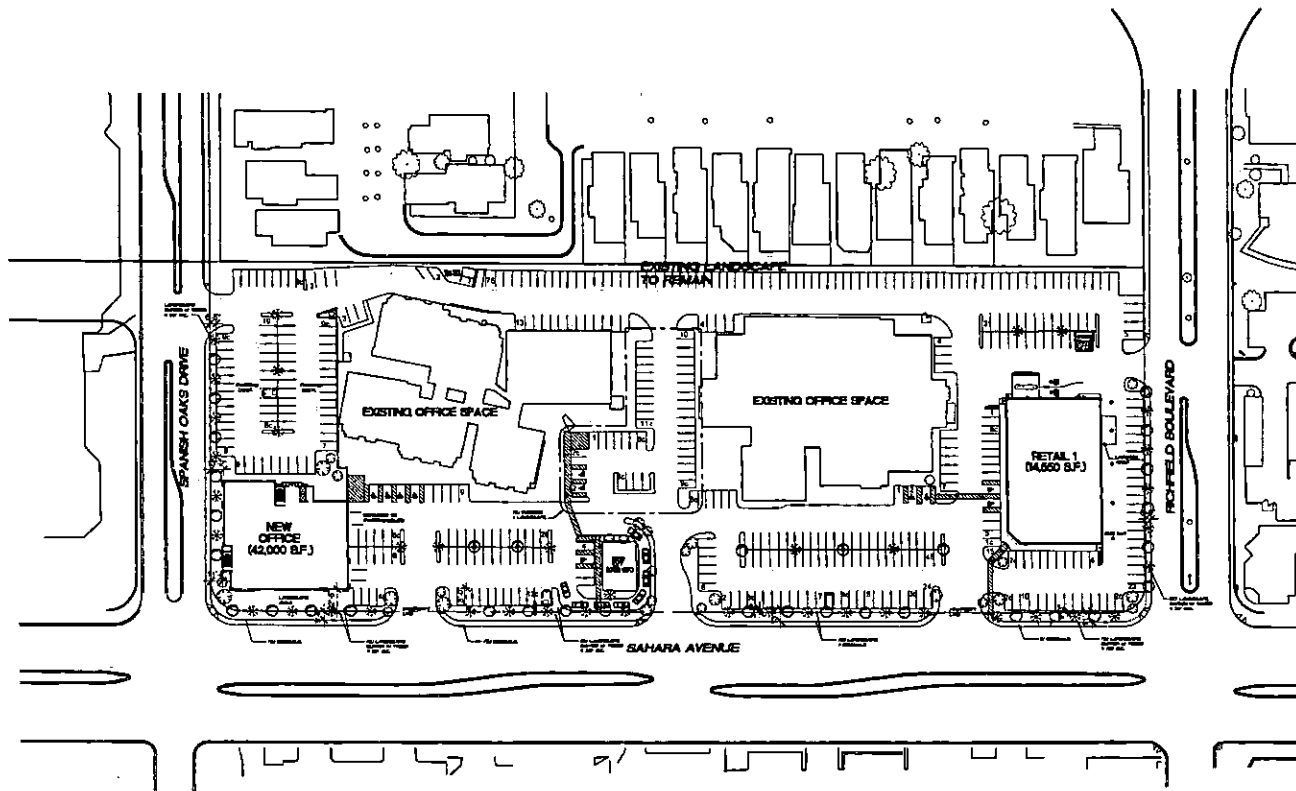
(782) 852-8588 Las Vegas, NV

(703) 398 0400 Washington, DC

(583) 472-9903 Phoenix, AZ



VAR-18984 SDR-18983
REVISED 02/22/07 PC



NEW LANDSCAPING
PER CHAPTER 19.12.030
SECTION F, FIGURE 4

RECEIVED
DEC 28 2006

LANDSCAPE PLAN

SPANISH VILLAS

LAS VEGAS, NEVADA

Perkowitz+Ruth
ARCHITECTS

1000 W. Sahara Avenue, Suite 200, Las Vegas, NV 89106 (562) 628.8000

DATE: 02/22/07

PROJECT: SPANISH VILLAS

VAR-18984
02/22/07 PC



SCALE 1"=60'



Date: 11-11-06

MEMORANDUM

Date: December 22, 2006
To: **CITY OF LAS VEGAS**
PLANNING AND DEVELOPMENT DEPARTMENT
731 S. Fourth Street
Las Vegas, NV 89101
From: Jin Kang
Project: **Spanish Villa** Project No.: 06-618
APN: 162-05-403-001, 002 & 003
Re: Justification Letter for Setback Variance File No.: 5.1

Perkowitz+Ruth Architects, on behalf of Mr. Howard Mann, respectfully request variance approval for a 7.7 acre site located on the North of Sahara Ave. between Spanish Oaks Drive and Richfield Boulevard.

This variance application requests for a 50% reduction of the required setback distance along Spanish Oaks Drive. The proposed 4 story office building which replaces the existing tavern located at the corner of Sahara Ave. and Spanish Oaks Drive encroach 10' into the required setback along Spanish Oaks Drive which is the designated front yard of the site. A request to designate Sahara Ave. to be designated front yard has been denied. Thus, requesting an approval for this variance.

Document13
NB-MEMO (r. 11/2/00)

VAR-18984
02/22/07 PC

Regional Office: 3980 Howard Hughes Parkway, Suite 450, Las Vegas, NV 89109 ♦ (702) 892-8500
Corporate Office: 111 West Ocean Boulevard, 21st Floor, Long Beach, CA 90802 ♦ (562) 628-8000

FEB. 10, 2007

PLANNING COMMISSION
CITY COUNCIL CHAMBER
400 STUART AVENUE
LAS VEGAS, NEVADA

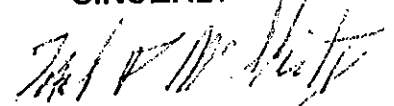
RE: SDR-18693

TO WHOM IT MAY CONCER:

RE THE ITEM SDR-18693, I AM GREATLY OPPOSED TO THIS VARRIATION

1 I, PAUL McGINTY, AN OWNER OF PROPERTY, AND LIVE IN THE SPANICH OAKS
A RESIDENTIAL GATED COMMUNITY, NEXT TO THE PROPERTY ASKING FOR THE
CHANGE IN A VARIENCE. I, AND THE NEIGHBORHOOD OF SPANISH OAKS HMO.
ARE STRONGLY AGAINST THE ALLOWING OF THIS VARRIENCE.

SINCERLY



PAUL P. McGINTY

2205 PLAZA DEL ROBLE
LAS VEGAS, NV. 89102

FEB. 12, 2007

PLANNING COMMISSION
CITY COUNCIL CHAMBER
400 STUART AVENUE
LAS VEGAS, NEVADA

RE: SDR-18693

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I OWN AND LIVE IN THE SPANISH OAKS, GATED RESIDENTIAL PROPERTY AND THIS WOULD CAUSE MYSELF AND OTHER NEIGHBORS A GREAT LOSS OF LIVING IN A SOMEWHAT OPEN AREA.

RESPECTFULLY

*3204 Plaza del Robles
Las Vegas, NV. 89102*

Spanish Oaks Gated Community

John M. Coady
JOHN COADY

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - RENOTIFICATION - SDR-18693 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-18984 - PUBLIC HEARING - APPLICANT/OWNER: SPANISH VILLAS AT SAHARA, LLC - Request for a Site Development Plan Review FOR A FOUR-STORY, 42,000 SQUARE-FOOT OFFICE BUILDING, WITH A 2,450 SQUARE-FOOT RESTAURANT WITH DRIVE-THROUGH, A 14,550 SQUARE-FOOT GENERAL RETAIL ESTABLISHMENT WITH DRIVE-THROUGH AND A WAIVERS TO ALLOW PERIMETER LANDSCAPE BUFFER WIDTHS OF FIVE FEET ALONG THE EAST PROPERTY LINE; TWO FEET ALONG THE SOUTH PROPERTY LINE; SIX FEET ALONG THE WEST PROPERTY LINE WHERE 15 FEET IS THE MINIMUM REQUIRED AND TO ALLOW INTERIOR LANDSCAPE BUFFER WIDTH OF SIX FEET WHERE EIGHT FEET IS THE MINIMUM REQUIRED ALONG THE NORTH PROPERTY LINE on 7.68 acres at 3100-3190 West Sahara Avenue (APNs 162-05-403-001 through 003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

C.C.: 03/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the March 22, 2007 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report (Not Applicable)
3. Supporting Documentation
4. Justification Letter
5. Protest Letters

MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 3[ANX-19110] to 3/8/2007; Item 15 [VAR-18984] and Item 16 [SDR-18693] to 3/22/2007; and TABLE Item 12 [ZON-17304] and Item 13 [SDR-18676] – UNANIMOUS with STEINMAN excused

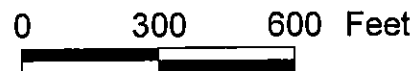
PLANNING COMMISSION MEETING OF FEBRUARY 22, 2007
Department of Planning and Development
Item 16 – SDR-18693

MINUTES:

ANDY REED, Planning Supervisor, stated that the applicant of Item 15 [VAR-18984] and Item 16 [SDR-18693] requested both matters be abeyed until 3/22/2007.

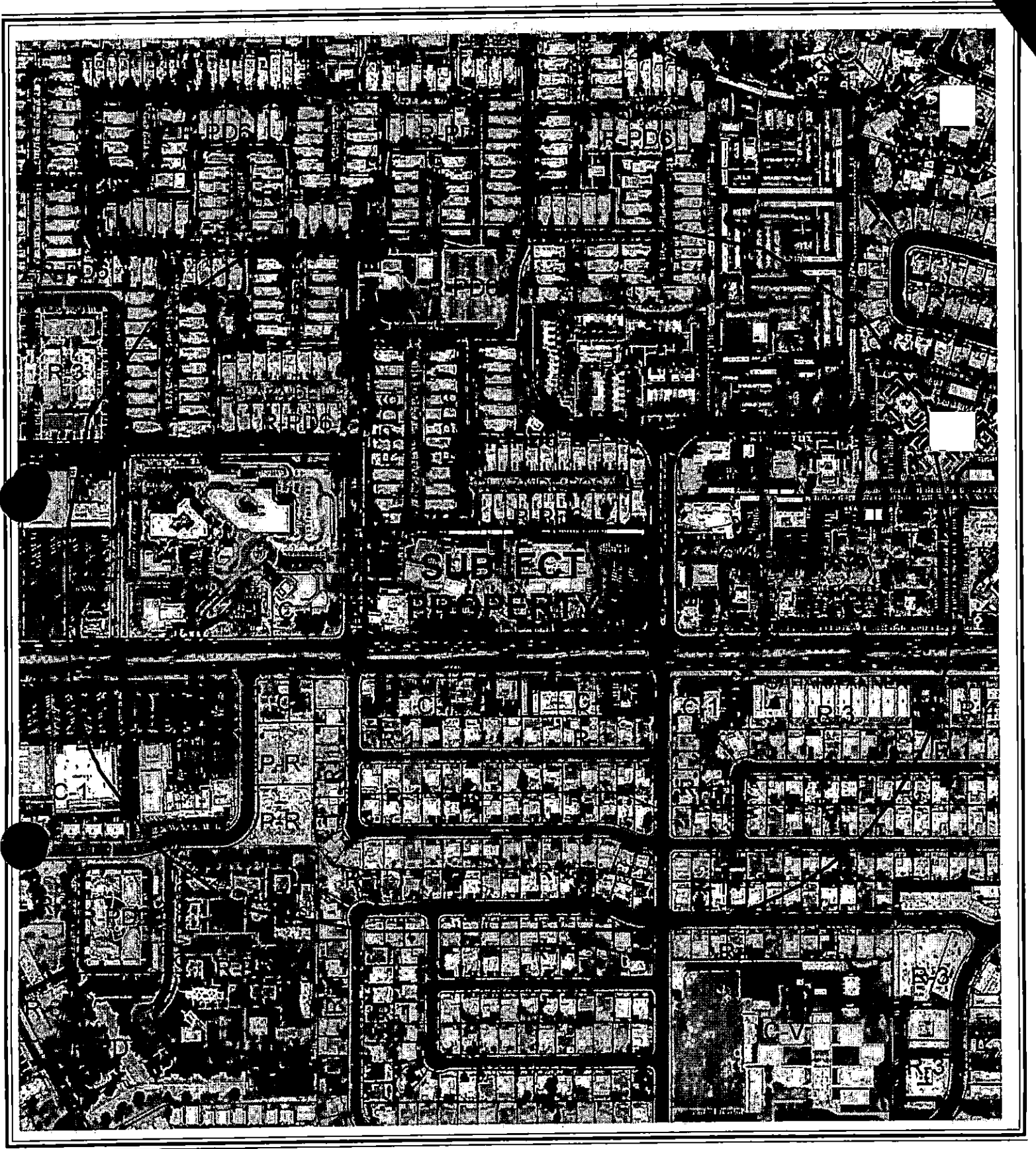
(6:02 – 6:04)

1-63



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





0 300 600 Feet

CASE: SDR-18693

RADIUS: 1000 FT

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



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 22, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - SDR-18693 - APPLICANT/OWNER: SPANISH
VILLAS AT SAHARA, LLC

***APPLICANT REQUESTS THIS
ITEM BE HELD IN ABEYANCE TO
THE MARCH 22, 2007 PLANNING
COMMISSION MEETING***



GREGORY E. BORGEL
Vice President
Planning and Development Services

February 15, 2007

Planning Department
City of Las Vegas
Hand delivered

Dear Ladies/Gentlemen:

I have been directed by Mr. Howard Mann, applicant on VAR-18984 and SDR-18693 (2/22/07 PC agenda), to request that those items be ABEYED again to the 3/22/07 Planning Commission meeting. The reason for this second abeyance request is that Councilwoman Tarkanian's office has suggested that the applicant meet with an additional homeowners' group on March 7th.

I will attend the 2/22 meeting to answer any questions.

Thanks,



Greg Borgel



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-18693** APN: 162-05-403-001 thru 003

Name of Property Owner: Spanish Villas at Sahara LLC

Name of Applicant: Spanish Villas at Sahara LLC

Name of Representative: Perkowitz & Ruth Architects

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: _____

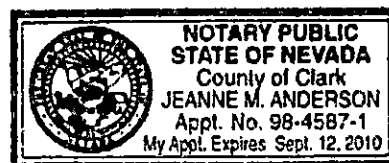
Signature of Property Owner: _____

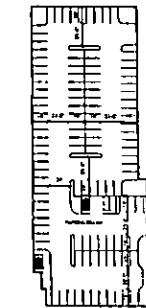
Print Name: HOWARD S. MANN

Subscribed and sworn before me

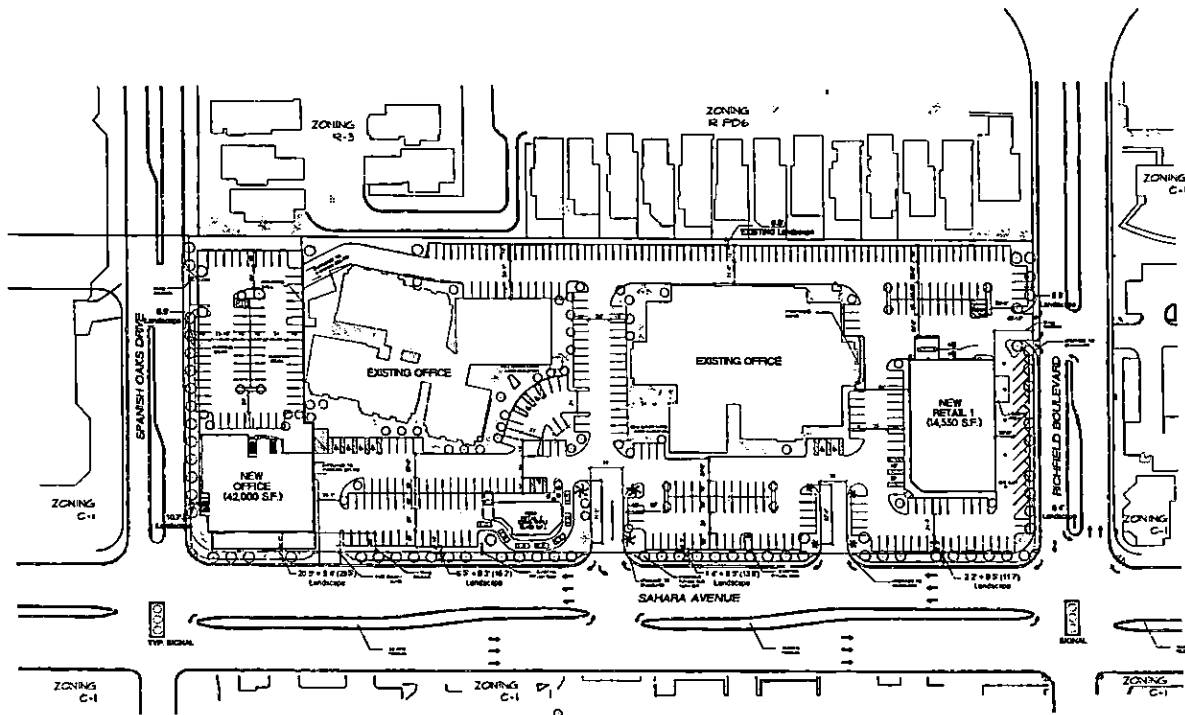
This 1st day of December, 2006

Jeanne M. Anderson
Notary Public in and for said County and State





SPLIT LEVEL PARKING



PARKING SUMMARY

PARKING PROVIDED:

OPEN SURFACE PARKING = 475 STALLS
SPLIT LEVEL PARKING = 115 STALLS
TOTAL PROVIDED = 548 STALLS

TOTAL PARKING REQUIRED = 529 STALLS

OFFICE SUMMARY

EXISTING OFFICE = 84,885 S.F.
NEW OFFICE = 42,000 S.F.
TOTAL = 126,885 S.F.

PARKING REQUIRED:

EXISTING OFFICE = 281 STALLS
(3.3 STALLS FOR EVERY 1000 SF.)
NEW OFFICE BUILDING = 139 STALLS
(3.3 STALLS FOR EVERY 1000 SF.)
TOTAL = 421 STALLS

RETAIL SUMMARY

NEW RETAIL 1 = 14,550 S.F.
NEW RETAIL/ DRIVE THRU 2,450 S.F.
TOTAL = 17,000 S.F.

PARKING REQUIRED:

NEW RETAIL 1 = 83 STALLS
(1 STALL FOR EVERY 175 SF.)
NEW RETAIL/ DRIVE THRU = 25 STALLS
(1 STALL FOR EVERY 100 SF.)

TOTAL = 108 STALLS

EXISTING LANDSCAPE TO REMAIN

* - NEW LANDSCAPE

RECEIVED
FEB 08 2007

SITE PLAN

Perkowitz + Ruth
ARCHITECTS

5000 E. Flamingo Ave., Suite 100, Las Vegas, NV 89119 (505) 620-0000

1000 E. Flamingo Ave., Suite 100, Las Vegas, NV 89119

1000 E. Flamingo Ave., Suite 100, Las Vegas, NV 89119

1000 E. Flamingo Ave., Suite 100, Las Vegas, NV 89119

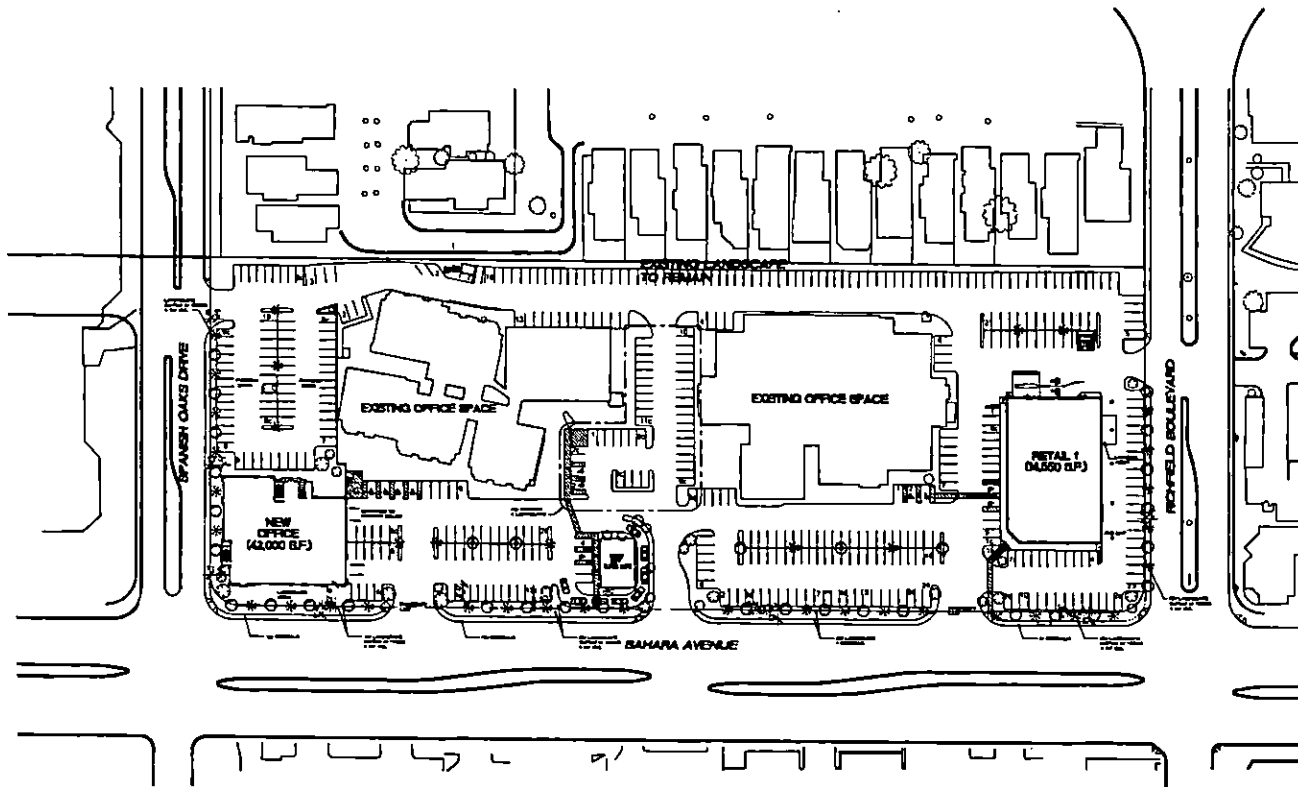
SPANISH VILLAS

LAS VEGAS, NEVADA



Date 11-05-06

SDR-18693
REVISED
02/22/07 PC



NEW LANDSCAPING
PER CHAPTER 19.12.050
SECTION F, FIGURE 4

RECEIVED
DEC 28 2006

LANDSCAPE PLAN

SPANISH VILLAS

LAS VEGAS, NEVADA

Perkowitz+Ruth
ARCHITECTS

1000 South Main Street, Suite 200, Las Vegas, NV 89101 (502) 828-8000

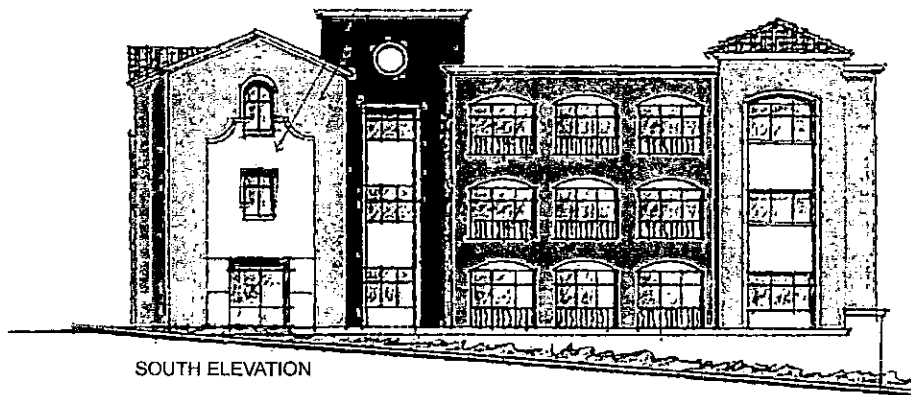
1000 South Main Street, Suite 200, Las Vegas, NV 89101

1000 South Main Street, Suite 200, Las Vegas, NV 89101

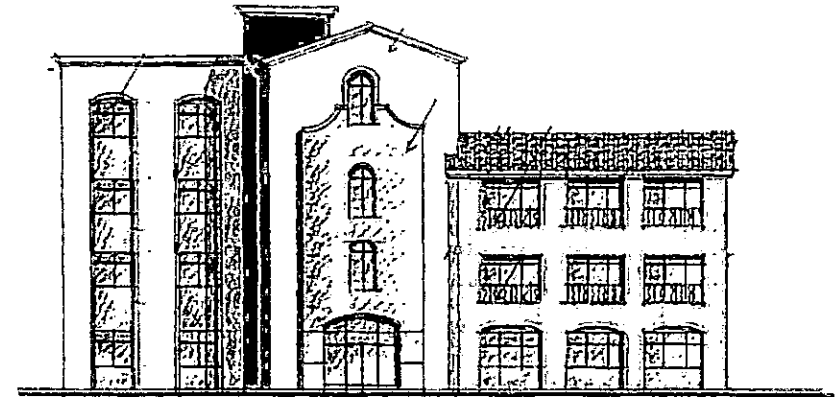
02/22/07 PC SDR-18693
REVISED



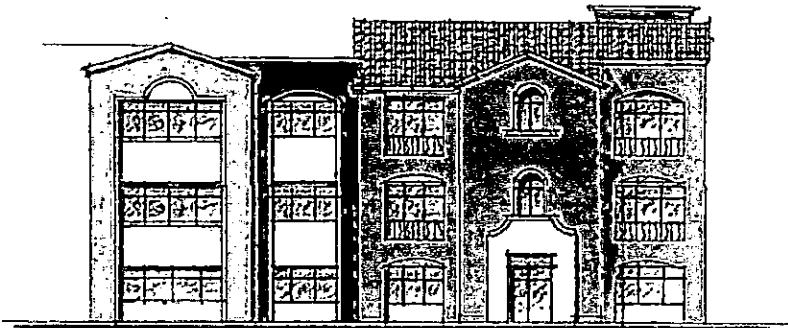
PR
ARCHITECTS
Date: 11-11-06



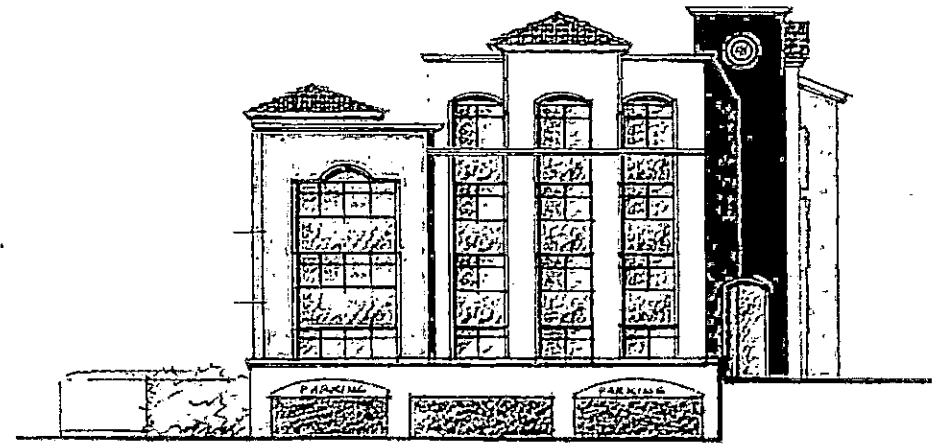
SOUTH ELEVATION



NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION

OFFICE BUILDING

COLOR ELEVATION

SDR-18693
02/22/07 PC

Scale: 1/100'

Job #: 06-218
Date: 12/06/06

Office Elev 01



Perkowitz+Ruth
ARCHITECTS

3980 Howard Hughes Parkway
Suite 450 Las Vegas, NV 89109
702.892.8588 fax 702.892.8514

DEC 12 2006



NEW RETAIL/ DRIVE THRU

COLOR ELEVATION

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

Job #: 06-218

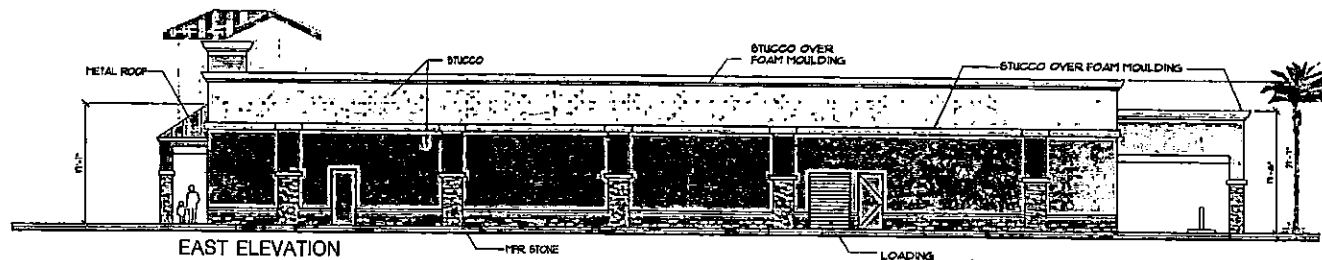
Date: 12/06/06

File Name: 06-618 NEW RETAIL/DRIVE THRU Elev01.dwg

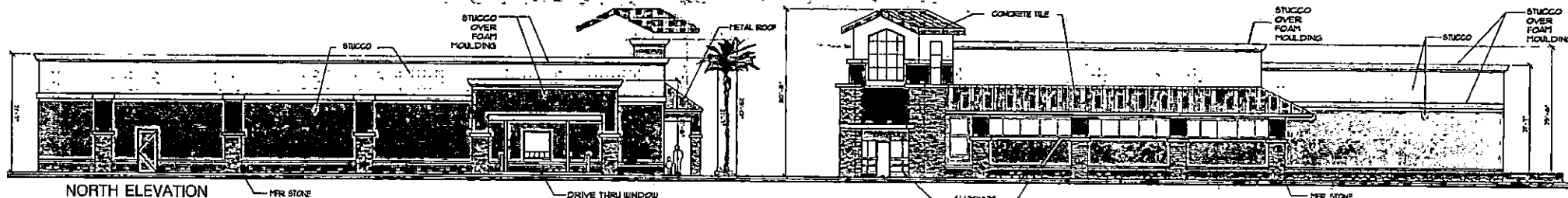
SDR-18693

02/22/07 PC



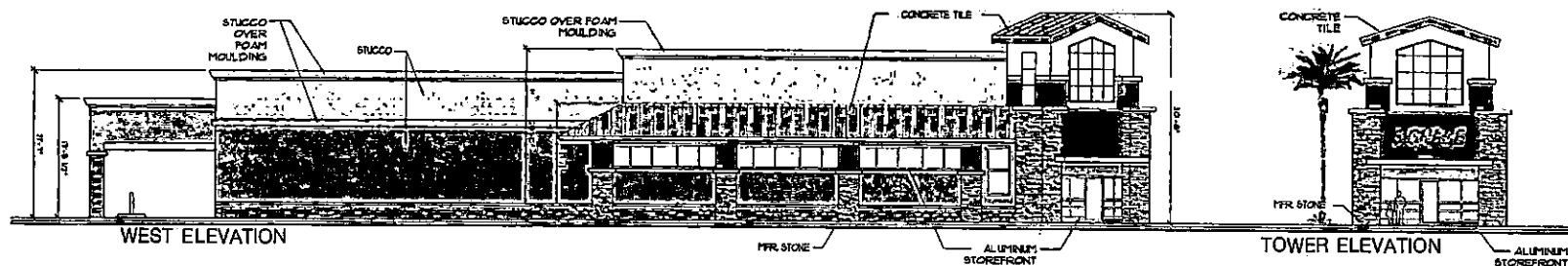


EAST ELEVATION



NORTH ELEVATION

SOUTH ELEVATION



WEST ELEVATION

TOWER ELEVATION

NEW RETAIL

COLOR ELEVATION

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

Job #: 06-218

Date: 12/06/06

File Name: 06-618 NEW RETAIL Elev01.ai

Perkowitz + Ruth
ARCHITECTS
3990 Howard Hughes Parkway
Suite 450, Las Vegas, NV 89109
702.892.8500 fax 702.892.8514

RECEIVED
DEC 12 2006

SDR-18693
02/22/07 PC

FINISHES



FRAZEE
7774D
DESERT VISTA
LRV 41

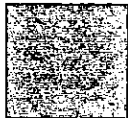
FRAZEE
7741W
SILVERED PECAN
LRV 75



FRAZEE
7763M
HIGHLAND BUFF
LRV 57



FRAZEE
8305D
JERICHO BROWN
LRV 19

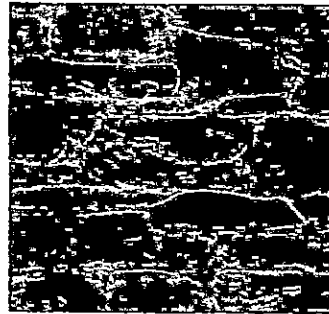


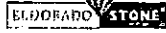
FRAZEE
8843M
SHALLOW ROOT
LRV 39



FRAZEE
AC128N
RICH BURGUNDY
LVR 9

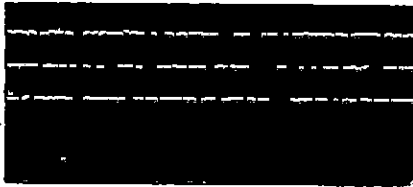
STONE VENEER



Field Ledge
Veneto 

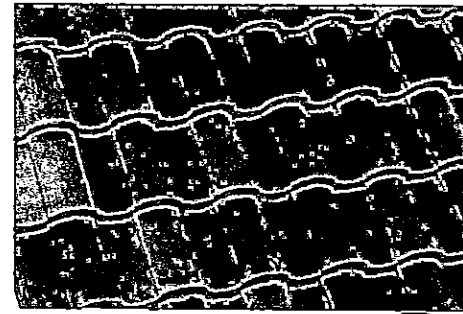
STOREFRONT

Standard Medium Bronze
AB - 5



65 Bonner Street, Stamford, Ct. 06902-4510
tel: 860-423-6565 ext: 203-316-0000
fax: 203-316-0200 info@arcadiaproducts.com

ROOF TILE



Product No: 3680 

Name: Los Padres Blend

Description: Terracotta, Tan, Gray Blend

Styles: Capistrano, Malibu, Bel Air

GLAZING



SPANISH VILLAS - MATERIAL BOARD LAS VEGAS

Scales: NTS

Job #: 06-618.11

Date: 12/05/06

File Name: 06-618, Material Board.ai

SDR-18693

02/22/07 PC



Perkowitz+Ruth
ARCHITECTS

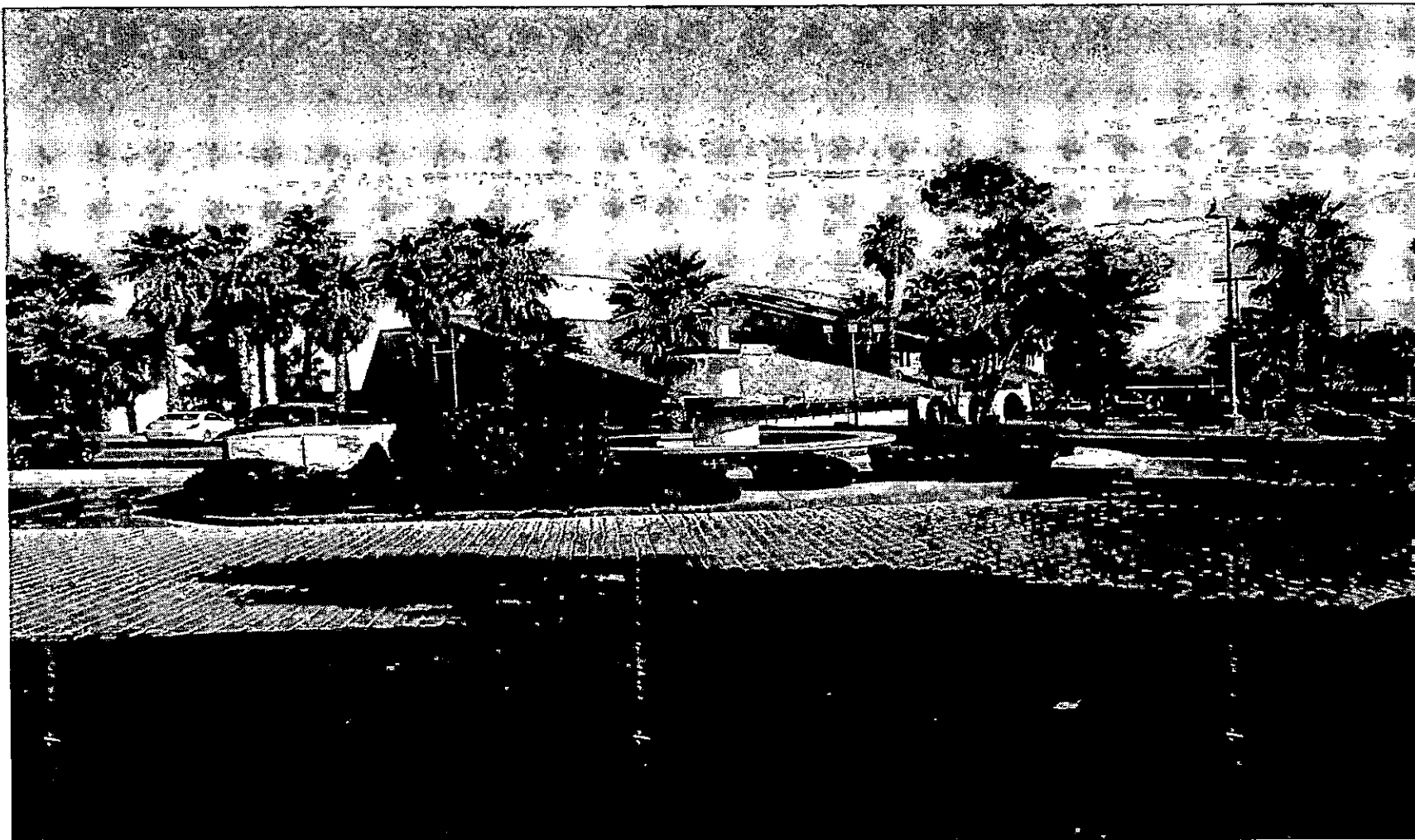
3980 Howard Hughes Parkway
Suite 450, Las Vegas, NV 89109
702.892.8500 fax 702.692.8514

DEC 12 2006



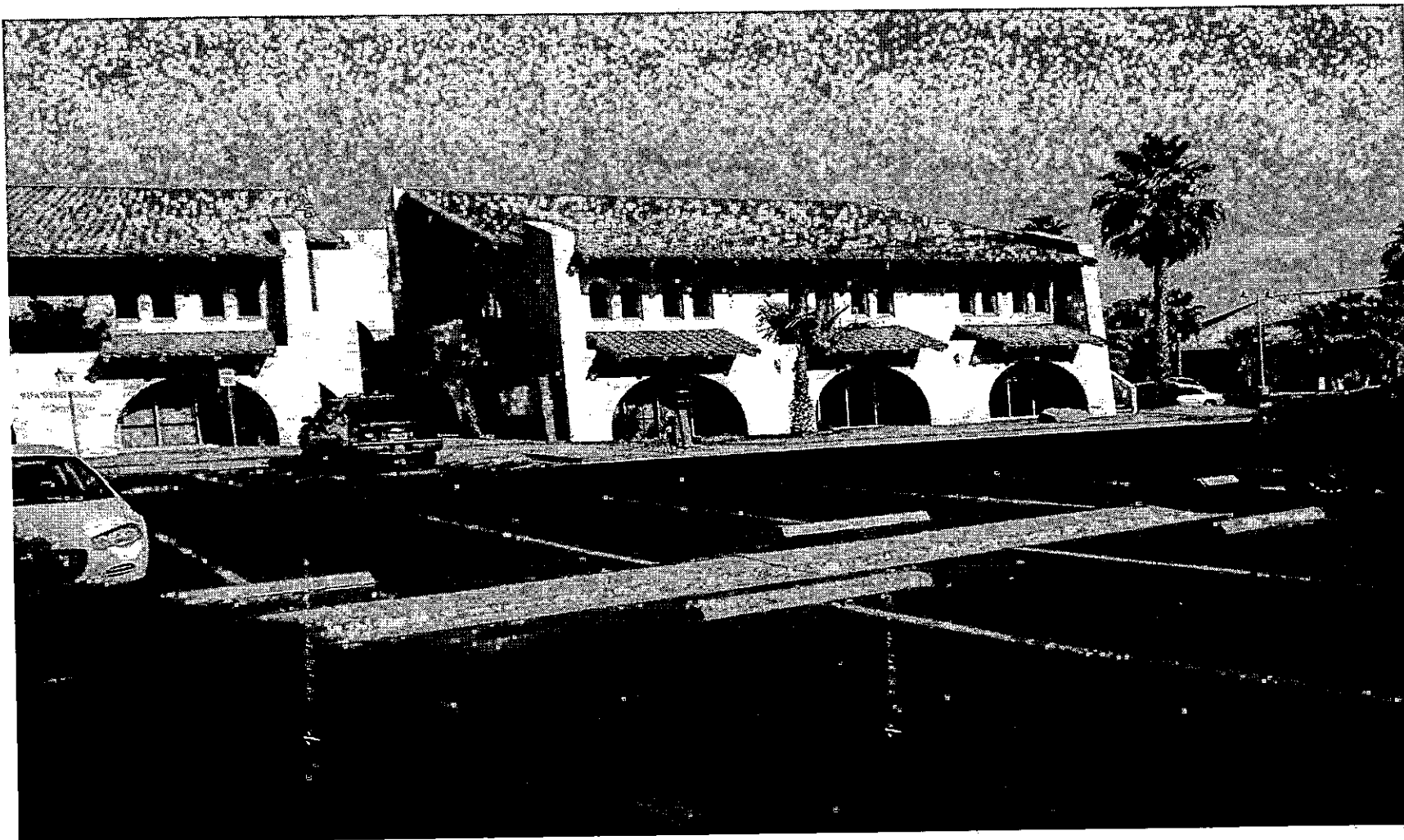
VAR-18984 & SDR-18693 - APPLICANT/OWNER: SPANISH VILLAS AT SAHARA, LLC
3100-3190 WEST SAHARA AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

12/26/06



VAR-18984 & SDR-18693 - APPLICANT/OWNER: SPANISH VILLAS AT SAHARA, LLC
3100-3190 WEST SAHARA AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

12/26/06



VAR-18984 & SDR-18693 - APPLICANT/OWNER: SPANISH VILLAS AT SAHARA, LLC
3100-3190 WEST SAHARA AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

12/26/06

MEMORANDUM

Date: December 12, 2006
To: **CITY OF LAS VEGAS**
PLANNING AND DEVELOPMENT DEPARTMENT
731 S. Fourth Street
Las Vegas, NV 89101
From: Jin Kang
Project: **Spanish Villa** Project No.: 06-618
APN: 162-05-403-001, 002 & 003
Re: Justification Letter File No.: 5.1

Perkowitz+Ruth Architects, on behalf of Mr. Howard Mann, respectfully request Site Development Plan review approval for a 7.7 acre site located on the North of Sahara Avenue between Spanish Oaks Drive and Richfield Boulevard. The site is C-1, Limited Commercial District zoning currently consisting of three parcels with an existing building in each parcel.

The existing building on Parcel 162-05-403-001, Hose Hogs, to be demolished and replaced with a 4 story, 42,000 sf office building with a sublevel parking lot. The proposed building height complies with the 3:1 residential adjacency requirements.

The existing office building on parcel 162-05-403-002 is proposed with new exterior paints and decorative trims and entrance element. A single story, 1,750 sf drive-thru is proposed west of the site ingress from Sahara.

The existing office building on parcel 162-05-403-003 is proposed with new exterior paints and decorative trims. A single story, 14,550 sf grocery/drug store with a drive thru is proposed at the corner of Sahara Avenue and Richfield Boulevard.

The proposed site development conforms to Title 29 Development Code except a waiver is requested for the parking lot landscape requirements and that Sahara to be designated the front of the site for the building setback requirements.

Additionally, we are requesting that Sahara to be designated the front of the site for the building setback requirements.

Document13
NB-MEMO (r. 11/2/00)

SDR-18693
02/22/07 PC

Regional Office: 3980 Howard Hughes Parkway, Suite 450, Las Vegas, NV 89109 • (702) 892-8500
Corporate Office: 111 West Ocean Boulevard, 21st Floor, Long Beach, CA 90802 • (562) 628-8000

FEB. 10, 2007

PLANNING COMMISSION
CITY COUNCIL CHAMBER
400 STUART AVENUE
LAS VEGAS, NEVADA

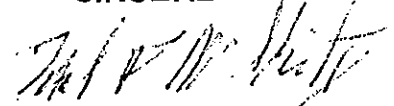
RE: SDR-18693

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ARE STRONGLY AGAINST THE ALLOWING OF THIS VARRIENCE.

SINCERLY



PAUL P. McGINTY

2205 PLAZA DEL ROBLE
LAS VEGAS, NV. 89102

FEB. 12, 2007

PLANNING COMMISSION
CITY COUNCIL CHAMBER
400 STUART AVENUE
LAS VEGAS, NEVADA

RE: SDR-18693

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I OWN AND LIVE IN THE SPANISH OAKS, GATED RESIDENTIAL PROPERTY AND THIS WOULD CAUSE MYSELF AND OTHER NEIGHBORS A GREAT LOSS OF LIVING IN A SOMEWHAT OPEN AREA.

RESPECTFULLY

2204 Plaza del Valle
Las Vegas, NV. 89102

Spanish Oaks Gated Community

John M. Coady
JOHN COADY

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - WVR-18085 - WAIVER - PUBLIC HEARING - APPLICANT/OWNER: JOSE LOPEZ - Request for a Waiver to Title 18.12.160 TO ALLOW 180 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED at the southeast corner of Maverick Street and Jo Marcy Drive (APN 125-14-506-001), R-E (Residence Estates) Zone, Ward 6 (Ross).

C.C.: 03/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

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

MOTION:

DUNNAM – APPROVED subject to conditions – **UNANIMOUS** with **STEINMAN** excused

To be heard by City Council on 3/21/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open for Item 17 [WVR-18085] and Item 18 [SUP-18084].

ANDY REED, Planning Supervisor, reported that the size and location of the parcel justify the requested waiver; therefore, he recommended approval. Pertaining to the Special Use Permit, **MR. REED** stated that there are no other gated communities in the area and recommended denial.

LARRY BUGSBY, 9050 West Warm Springs, appeared on behalf of the applicant and outlined portions of the staff report. **MR. BUGSBY** stated that much of the area is changing, the private street is appropriate for the four-home subdivision and all other conditions could be met. **MR.**

PLANNING COMMISSION MEETING OF FEBRUARY 22, 2007
Department of Planning and Development
Item 17 – WVR-18085

MINUTES – Continued:

BUGSBY emphasized that allowing a gate for the small community would offer a sense of privacy and security.

COMMISSIONER GOYNES disagreed with the argument to support a gate, noting statistics confirm more homes are likely to be vandalized when part of a gated community than in non-gated communities. He opined that gating communities takes away the presence of a community.

COMMISSIONER EVANS inquired the difference between a private street and a public and BART ANDERSON, Department of Public Works, stated that a private street could be as narrow as 37 feet; however, the proposal is for 40 feet. MR. ANDERSON stated that public streets have the same minimum width but require a sidewalk and/or streetlights.

COMMISSIONER GOYNES added that the subject area should be preserved as there are many other areas of town that offer that type of lifestyle. COMMISSIONER TRUESDELL supported staff's recommendation of both items.

COMMISSIONER DUNNAM supported both requests because if the developer wants to provide that type of living environment without affecting the subject site negatively, it should be the buyers' decision to chose to live in that type of small community.

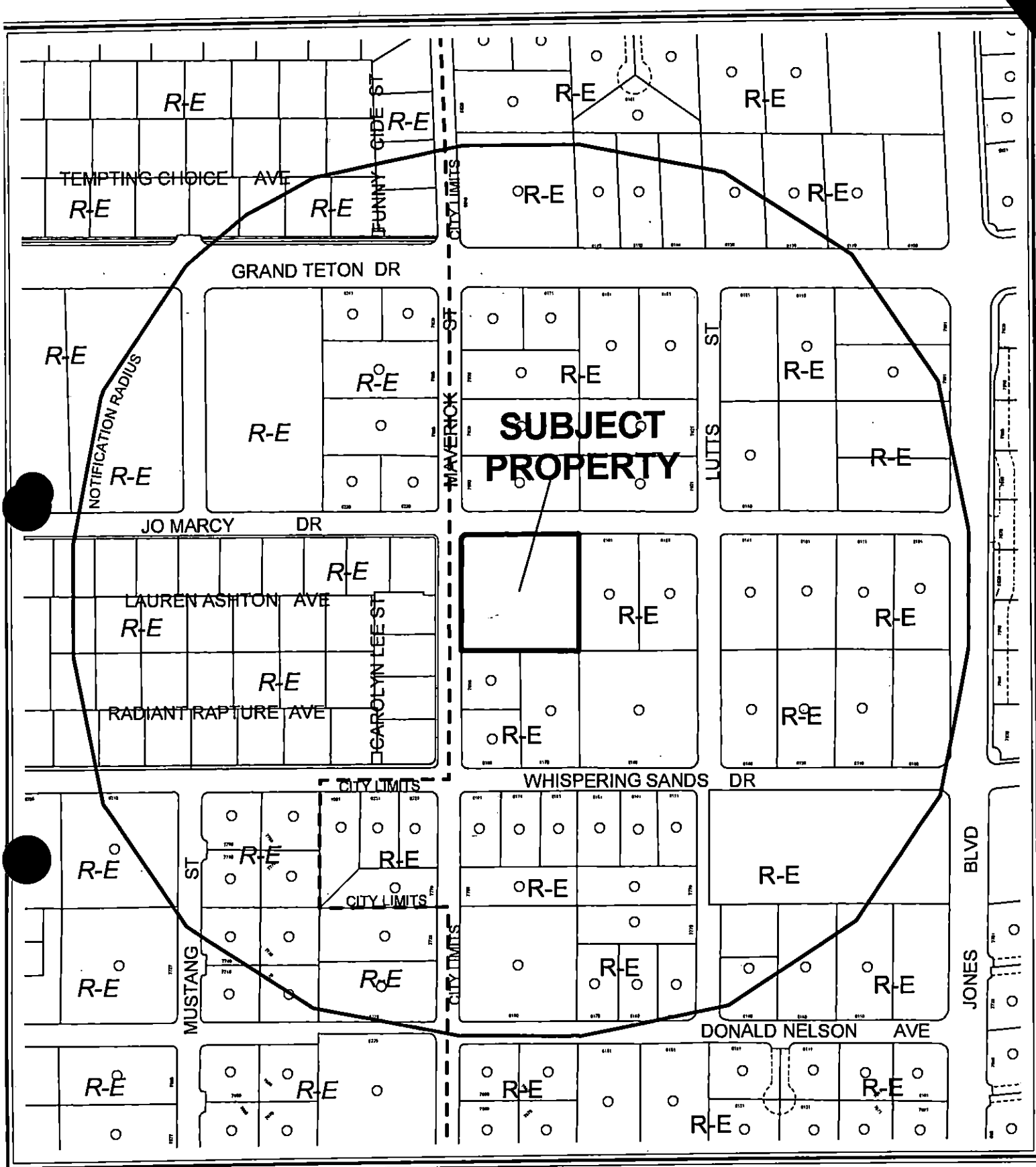
CHAIRMAN DAVENPORT declared the Public Hearing closed for Item 17 [WVR-18085] and Item 18 [SUP-18084].

(6:47 – 6:58)
1-1533

CONDITIONS – Continued:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-18084) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

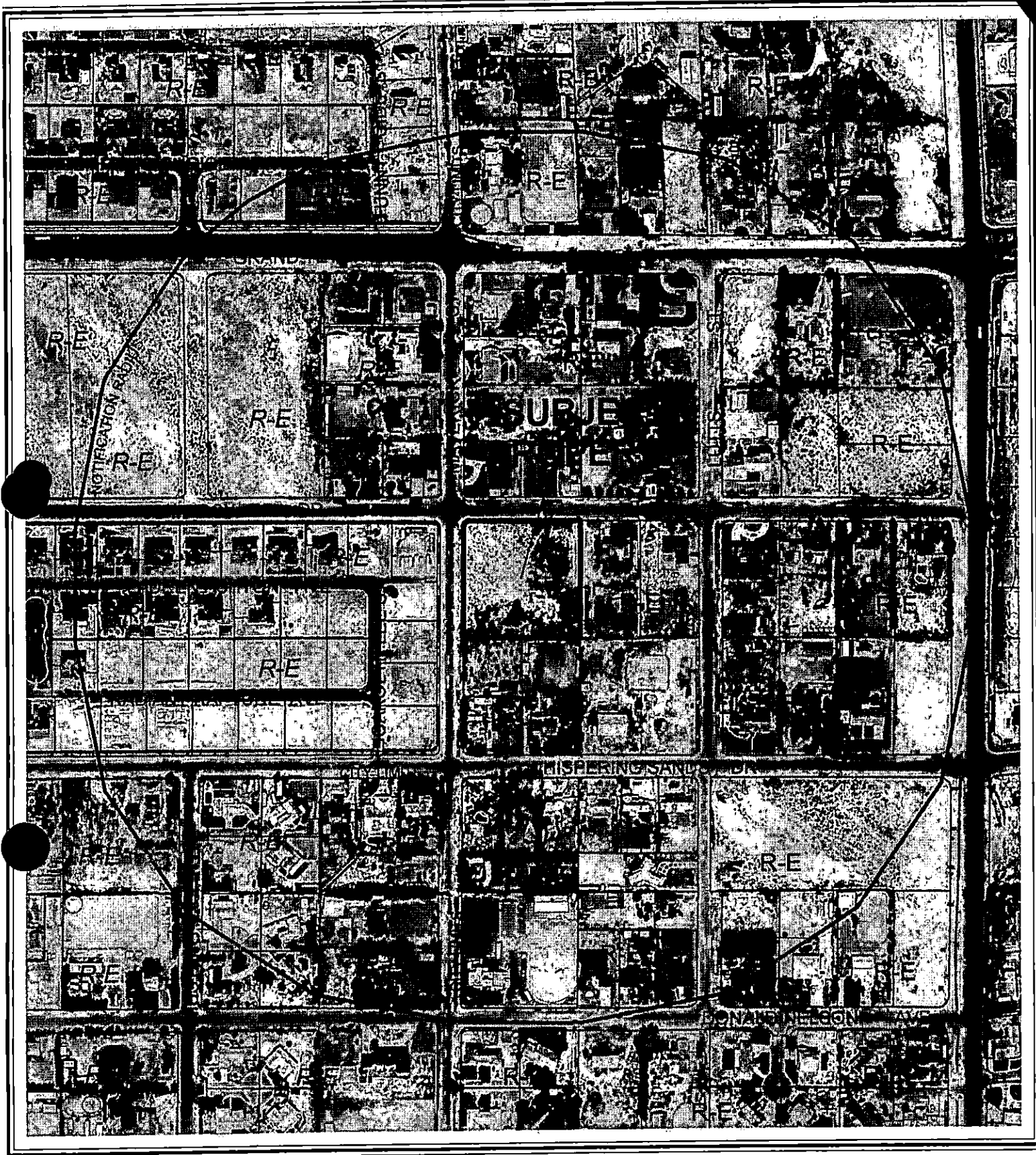


CASE: **WVR-18085**

RADIUS: 1000 FT

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





CASE: WVR-18085

RADIUS: 1000 FT

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

0 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 22, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - WVR-18085 - APPLICANT/OWNER: JOSE LOPEZ

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-18084) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

WVR-18085 - Staff Report Page One
February 22, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Waiver to Title 18.12.160 to allow approximately 180 feet between street intersections where 220 feet is the minimum distance separation required adjacent to the southeast corner of Maverick Street and Jo Marcy Drive. This intersection is needed to provide the entrance to a four-lot single-family residential subdivision.

The applicant indicates that the proposed entrance from Maverick Street would be compatible with the rural area and the limited scope of this project. Staff is recommending approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/09/06	Staff received a Parcel Map (PMP-13512) for review for a four lot parcel map. This is an administrative review pending approval of this waiver of Title 18.12.160 and a Special Use Permit (SUP-18084) for private streets.
01/25/07	The Planning Commission held this application and a companion Special Use Permit (SUP-18084) in abeyance until the 02/8/07 PC.
02/08/07	The Planning Commission held this application and a companion Special Use Permit (SUP-18084) in abeyance until the 02/22/07 PC.
02/22/07	A companion Special Use Permit (SUP-18084) will be heard concurrently with this item.
<i>Related Building Permits/Business Licenses</i>	
This is an undeveloped lot with no building permits or business licenses related to this project approved or under review.	
<i>Pre-Application Meeting</i>	
09/05/06	A pre-application was held and elements of this application were discussed. It was noted that the justification letter should include specifics about the intersection separation and that it should indicate whether the waiver is acceptable to Traffic Engineering and Fire Engineering. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.08

WVR-18085 - Staff Report Page Two
February 22, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Single-Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Single-Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Single-Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	Single-Family Residential	Clark County (RNP)	Clark County

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	20,000 SF	21,084 SF	Y
Min. Lot Width	100 Feet	141 Feet	Y
Min. Setbacks			
• Front	35 Feet *	>35 Feet	Y
• Side	10 Feet	>10 Feet	Y
• Corner	15 Feet	>15 Feet	Y
• Rear	35 Feet	>35 Feet	Y
Max. Building Height	2 Stories/35 Feet	2 Stories/35 Feet	Y

* Lots which front onto a public street shall maintain a minimum front yard setback of fifty feet. The minimum front setback for an attached, open porte-cochere is thirty feet. Lots which front onto a private street or a private access easement shall maintain a minimum setback of thirty feet from the edge of the private street access easement; provided, however, where such lots are located on a cul-de-sac or a street knuckle, the minimum front yard setback shall be twenty feet from the edge of the private street or access easement.

WVR-18085 - Staff Report Page Three
February 22, 2007 - Planning Commission Meeting

Existing Zoning	Permitted Density	Units Allowed
R-E (Residence Estates)	2.0 Units Per Acre	4 Units
Proposed Zoning	Permitted Density	Units Allowed
R-E (Residence Estates)	2.0 Units Per Acre	4 Units
General Plan	Permitted Density	Units Allowed
DR (Desert Rural Density Residential)	2.49 Units Per Acre	5 Units

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Number of Units	Parking Ratio	Required Parking		Provided Parking		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Single-Family Residential	4	2 Spaces/Dwelling Unit	8 Spaces	0 Spaces	8 Spaces	0 Spaces	Y
TOTAL (including handicap)	4	2 Spaces/Dwelling Unit	8 Spaces		8 Spaces		Y

Waivers		
Request	Requirement	Staff Recommendation
Wavier of Title 18.12.160: To allow 180 feet btw intersections	220 feet btw intersections	PW Recommends – Approval

ANALYSIS

This request is not a Zoning Code compliance issue but a request for a Waiver in Title 18.12.160 of the Subdivision Ordinance to allow approximately 180 feet between street intersections where 220 feet is the minimum distance separation.

Specifically, Title 18.12.160 states:

“Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred and twenty feet, measured from centerline to centerline. Intersections of streets providing service internally within a subdivision, where they do not intersect arterial or major streets, shall be offset a minimum of one hundred twenty five feet.”

WVR-18085 - Staff Report Page Four
February 22, 2007 - Planning Commission Meeting

Public Works has no objection to the request for a Waiver of Title 18.12.160 to allow 180 feet between street intersections where 220 feet is the minimum distance separation required for property located on the southeast corner of Maverick Street and Jo Marcy Drive.

Public Works notes that this site is the subject of a Special Use Permit (SUP-18084); all site-related conditions of approval are addressed with those actions. Staff is recommending approval as Public Works has no objection to this request.

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."

The proposed design does not appear to present turn conflicts, nor is it expected to hinder area traffic flows. The hardship generating the request for the Waiver is real, given the shape and location of the parcel and scale of the project; therefore, approval of the Waiver is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

ASSEMBLY DISTRICT

13

SENATE DISTRICT

9

WVR-18085 - Staff Report Page Five
February 22, 2007 - Planning Commission Meeting

NOTICES MAILED 92 [Mailed with SUP-18084]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **WVR-18085** APN: 125-14-506-001

Name of Property Owner: Jose Lopez

Name of Applicant: Lana Manning-Civilworks, Inc.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

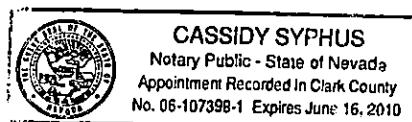
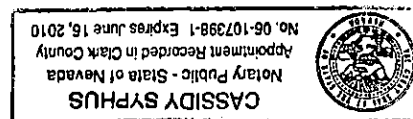
Signature of Property Owner: JOSE GILBERTO LOPEZ

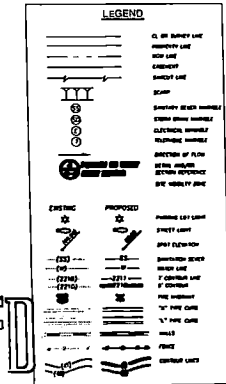
Print Name: Jose Lopez

Subscribed and sworn before me

This 18 day of September 2006

Cassidy Syphus
Notary Public in and for said County and State





NOTE:
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 08-11-2009 BY 60322 UCBAW/SJS/STP

BENCHMARK
CLARK COUNTY BENCHMARK #14190 PLATE IN CONCRETE PIER (POWER) PLAIN AND FOUR' PILES.
ELEV = 776.143' (N) 238.82' (N)

BASIS OF BEARING
NORTH 89°14'26" EAST, BEING THE CENTRELINE OF SHARPSCOPE SAND DRIVE, AS SHOWN BY MAP TITLE FILE IN FILE 38, PAGE 8 OF PARCEL MAPS IN THE OF THE COUNTY RECORDS, CLARK COUNTY, NEVADA.



LAS CABAÑAS
MAVERICK & JO MARCY

3415

November 6, 2006

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

**SUBJECT: REQUEST FOR WAIVER OF DEVELOPMENT STANDARDS
APN#-125-14-506-001**

To Whom It May Concern:

We respectfully request your consideration for approval for the above-referenced application. This is a proposed 4 lot residential subdivision situated on approximately 2.08 acres, located at cross streets Jo Marcy and Maverick. The current zoning on this parcel is RE, which shall remain.

We are requesting a Waiver of Development Standards of Title 18, Section 18.12.160 Intersections-Length- Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred twenty feet from centerline to centerline. We are requesting an approval of a street length of 180' where 220' is required. City of Las Vegas Traffic and Fire are in support of this application. Given the size and shape of the subject parcel as well as the rural setting, conforming to this standard would place an undue burden on our Client.

Accompanying this application is also a Special Use Permit application and a Deviation from Standards.

Thank you for your consideration, please contact me at 876-3474 if you need additional information.

Respectfully,

CIVILWORKS, INC.



Lana Manning
Agency Processor

LJM:iam

RECEIVED
NOV 08 2006

Civil Works
Engineering with "sensible" solutions tailored to your "specific" needs.
7625 Dean Martin Drive, Suite #101 • Las Vegas, NV 89139-1111
Office: 702.876.3474 • Fax: 702.876.1323

WVR-18086
02/22/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ABEYANCE - SUP-18084 - SPECIAL USE PERMIT RELATED TO WVR-18085 - PUBLIC HEARING - APPLICANT/OWNER: JOSE LOPEZ - Request for a Special Use Permit FOR PRIVATE STREETS at the southeast corner of Maverick Street and Jo Marcy Drive (APN 125-14-506-001), R-E (Residence Estates) Zone, Ward 6 (Ross).

C.C.: 03/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

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

MOTION:

DUNNAM – APPROVED subject to conditions – Motion carried with EVANS and GOYNES voting NO and STEINMAN excused

To be heard by City Council on 3/21/2007

MINUTES:

See Item 17 for related discussion.

(6:47 – 6:58)

1-1533

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04 for Private Streets use.
2. Approval of and conformance to the Conditions of Approval for Waiver (WVR-18085) and Parcel Map (PMP-13512) shall be required.

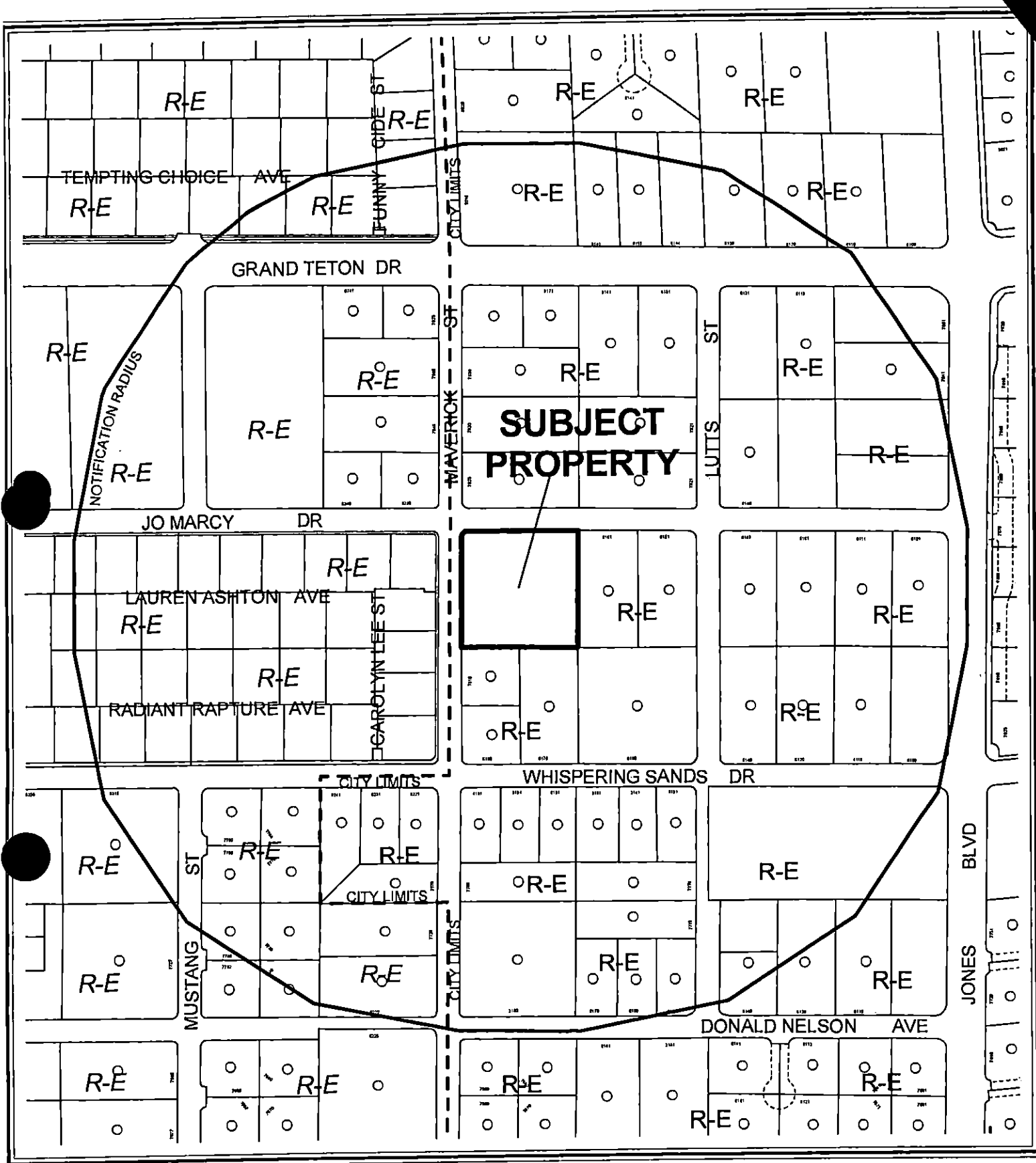
PLANNING COMMISSION MEETING OF FEBRUARY 22, 2007
Department of Planning and Development
Item 18 – SUP-18084

CONDITIONS – Continued:

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

Public Works

5. The private street shall be granted as a public utility easement (P.U.E), City of Las Vegas public sewer easement and public drainage easement to be privately maintained by the Homeowners' Association.
6. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All private improvements and landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
7. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.



CASE: **SUP-18084**

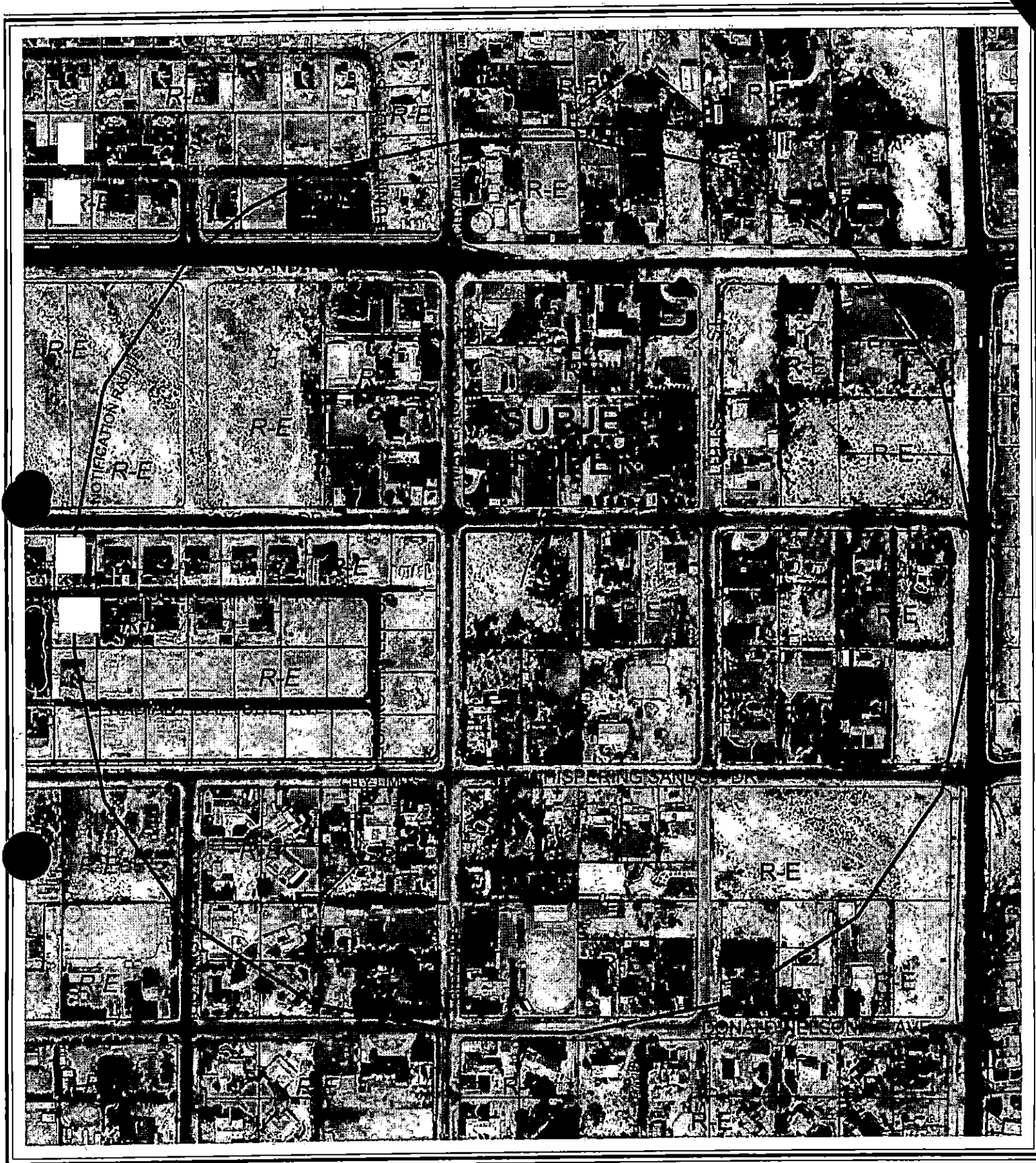
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

0 400 Feet





CASE: SUP-18084

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

0 400 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 22, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - SUP-18084 - APPLICANT/OWNER: JOSE LOPEZ

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04 for Private Streets use.
2. Approval of and conformance to the Conditions of Approval for Waiver (WVR-18085) and Parcel Map (PMP-13512) shall be required.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

5. The private street shall be granted as a public utility easement (P.U.E), City of Las Vegas public sewer easement and public drainage easement to be privately maintained by the Homeowners' Association.
6. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All private improvements and landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
7. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

SUP-18084 - Staff Report Page One
February 22, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for Private Streets in a single-family subdivision adjacent to the southeast corner of Maverick Street and Jo Marcy Drive. The project would create a four-lot single-family subdivision with access from Maverick Street.

This is a proposal for a new development with no existing streets and therefore unlike the conversion to private streets within an existing residential subdivision which is a Conditional Use, a Special Use Permit is required. The Private Streets use is not compatible with adjacent development, and therefore denial is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/09/06	Staff received a Parcel Map (PMP-13512) for review for a four lot parcel map. This is an administrative review pending approval of this Special Use Permit to allow the Private Streets use and a Wavier of Title 18.12.160 (WVR-18085).
01/25/07	The Planning Commission held this application and a companion Wavier of Title 18.12.160 (WVR-18085) in abeyance until the 02/8/07 PC.
02/08/07	The Planning Commission held this application and a companion Wavier of Title 18.12.160 (WVR-18085) in abeyance until the 02/22/07 PC.
02/22/07	A companion Wavier of Title 18.12.160 (WVR-18085) will be heard concurrently with this item.
<i>Related Building Permits/Business Licenses</i>	
This is an undeveloped lot with no building permits or business licenses related to this project approved or under review.	
<i>Pre-Application Meeting</i>	
09/05/06	A pre-application was held and elements of this application were discussed. It was noted that a wavier for intersection offsets was needed due to the 180 feet proposed offset where 220 feet is required. Additionally, it was noted that Traffic Engineering had no problem with the wavier of intersection separation and that the applicant must work with Fire Engineering regarding the gating of the private street. Further, Land Development discussed a drainage study and half-street improvements. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	

SUP-18084 - Staff Report Page Two
February 22, 2007 - Planning Commission Meeting

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.08

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	DR (Desert Rural)	R-E (Residence Estates)
North	Single-Family Residential	DR (Desert Rural)	R-E (Residence Estates)
South	Single-Family Residential	DR (Desert Rural)	R-E (Residence Estates)
East	Single-Family Residential	DR (Desert Rural)	R-E (Residence Estates)
West	Single-Family Residential	Clark County (RNP)	Clark County

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-E (Residence Estates)	2.0 DUA	4 Units
<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
R-E (Residence Estates)	2.0 DUA	4 Units
<i>General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
DR (Desert Rural)	2.49 DUA	5 Units

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

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" for the following reasons:

- 1) Any Special Use Permit within 500' of the City Boundary

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures is as follows:

RTS

SUP-18084 - Staff Report Page Three
February 22, 2007 - Planning Commission Meeting

- 1) Flood Control requires a technical drainage study of the subject project to address and mitigate the drainage impact to the vicinity areas. The drainage study must be prepared by a Nevada registered civil engineer and submitted to the City of Las Vegas Flood Control Division for review and approval.
- 2) Las Vegas Valley Water District has determined that the project will not have a significant impact on the capacity of the District's water supply system.
- 3) Wastewater collection system has determined that the project will have minimal impacts.

The Planning Commission shall consider the Environmental Impact Assessment and the proposed mitigation measures prior to make a decision on the proposal.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	20,000 SF	21,084 SF	Y
Min. Lot Width	100 Feet	141 Feet	Y
Min. Setbacks			
• Front	35 Feet *	>35 Feet	Y
• Side	10 Feet	>10 Feet	Y
• Corner	15 Feet	>15 Feet	Y
• Rear	35 Feet	>35 Feet	Y
Max. Building Height	2 Stories/35 Feet	2 Stories/35 Feet	Y

* Lots which front onto a public street shall maintain a minimum front yard setback of fifty feet. The minimum front setback for an attached, open porte-cochere is thirty feet. Lots which front onto a private street or a private access easement shall maintain a minimum setback of thirty feet from the edge of the private street access easement; provided, however, where such lots are located on a cul-de-sac or a street knuckle, the minimum front yard setback shall be twenty feet from the edge of the private street or access easement.

Existing Zoning	Permitted Density	Units Allowed	Proposed Zoning	Permitted Density	General Plan	Permitted Density
R-E (Residence Estates)	2.0 Units/Acre	4 Units	R-E (Residence Estates)	2.0 Units/Acre	DR (Desert Rural)	2.49 Units/Acre

SUP-18084 - Staff Report Page Four
February 22, 2007 - Planning Commission Meeting

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Single-Family Residential	4	2 Spaces Per Unit	8 Spaces	0 Spaces	8 Spaces	0 Spaces	Y
TOTAL (including handicap)	4	2 Spaces Per Unit	8 Spaces		8 Spaces		Y
Waivers							
Request			Requirement		Staff Recommendation		
Wavier of Title 18.12.160: To allow 180 feet btw intersections			220 feet btw intersections		PW Recommends - Approval		

ANALYSIS

This is a request for a Special Use Permit for Private Streets use in a single-family subdivision adjacent to the southeast corner of Maverick Street and Jo Marcy Drive. The conversion to private streets within an existing residential subdivision is a Conditional Use; however, because the proposed project is a new development with no existing streets, a Special Use Permit is required.

The project would create a four-lot single-family subdivision with entry to the site via a proposed private, gated entrance accessed from Maverick Street. The proposed internal street is a 40-foot wide private cul-de-sac.

The subject site is located within the Centennial Hills Sector of the General Plan. The site is categorized as DR (Desert Rural) under the General Plan with an R-E (Residence Estates) zoning designation. The DR (Desert Rural) designation allows a maximum of 2.49 dwelling units per gross acre. This category is a generally rural environment that permits greater privacy and some non-commercial raising of domestic animals. The zoning of R-E (Residence Estates) is in conformance with the DR (Desert Rural Density Residential) land use designation.

The site is located within the Rural Preservation Overlay District buffer area. The Rural Preservation Overlay District allows for a density of two units per acre. This project has a land use designation of DR (Desert Rural Density Residential), which allows a density of up to 2.49 units per acre. However, R-E (Residence Estates) zoning only allows a density of up to two units per acre which is in conformance with the provisions of this overlay district and is in keeping with the nature of the buffer area.

SUP-18084 - Staff Report Page Five
February 22, 2007 - Planning Commission Meeting

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Private Streets use. In the area, there are no existing gated private streets. Further, the Private Streets use is not compatible with adjacent development. Staff is recommending denial because of the incompatibility of the Private Streets use with adjacent development.

Conditions:

Private Streets [All Residential Districts]

- (1) Eligibility as Conditional Use. Private streets are permitted pursuant to the following provisions only if:
 - (a) The streets are public streets within an existing subdivision that are proposed to be converted to private streets; and
 - (b) All the lots within the subdivision conform to the minimum lot size requirements of Title 19.
- (2) Design and Construction Standards. Unless otherwise approved by the City Council or otherwise provided by means of a specific regulation governing private streets, every private street shall conform to the same standards that govern the design and construction of public streets.
- (3) Access Restrictions. The entrances to all private streets must be marked with a sign stating that it is a private street. Guard houses, access control gates and cross arms may be constructed. All restricted access entrances shall be manned twenty-four hours every day or provide an alternative means of ensuring access to the subdivision by the City and other emergency and utility service providers with appropriate identification. If the association fails to maintain reliable access as required to provide City services, the City may enter the subdivision and remove any gate or device which is a barrier to access at the sole expense of the association. The association documents shall contain provisions in conformity with this paragraph which may not be amended without the written consent of the City.
- (4) Access Restricted Entrance Design Standards. Any private street which has access control gates or cross arms must be of a break-away design. A turn-around space must be located in front of any restricted access entrance to allow vehicles denied access to safely exit onto public streets. Any guardhouse, or other entry feature designed as a drive-through, must have a minimum clearance of fourteen feet in height above the road surface.
- (5) Streets Excluded. Streets shown on the Master Plan of Streets and Highways shall not be used, maintained, or constructed as private streets. Also, the department may deny the creation of any other private street if it is determined that the private street would have any of the following effects:
 - (a) Negatively affect traffic circulation on public streets;
 - (b) Impair access to property either on-site or off-site to the subdivision;

SUP-18084 - Staff Report Page Six
February 22, 2007 - Planning Commission Meeting

- (c) Impair access to or from public facilities including schools, parks and libraries; or
 - (d) Delay the response time of emergency vehicles.
- (6) **Property Owners' Associations Required.** Subdivisions developed with private streets must have a mandatory property owners' association which includes all property served by private streets. The association shall own and be responsible for the maintenance of private streets and appurtenances. The association documents must establish a reserve fund for the maintenance of streets and other improvements. Such documents are subject to review and approval by the City to ensure that adequate provision for maintenance has been made.
- (7) **Private Street Requirements.** Private streets must be located on property that is separately owned by a property owners' association or is subject to perpetual access easements running in favor of the owners of lots within the subdivision. Private streets must include provision for appropriate easements to be granted to the City and to other utility providers allowing necessary use and access for utilities and the maintenance thereof. The easements must also provide the City and protective service providers with the same right of access they would have if the streets were public streets.
- (8) **Waiver of Services.** The subdivision final map, property deeds and property owners association documents shall note that certain City services shall not be provided on private streets. Among the services which will not be provided are: routine police patrols, enforcement of traffic and parking ordinances, preparation of accident reports and other services which may not be reasonably or properly available within a particular development. All private regulatory signs shall conform to State of Nevada regulations.
- (9) **Special Use Permit.** In cases where a Special Use Permit is required to allow private streets that do not conform to the provisions of Paragraphs (1) through (5) above, the provisions of Paragraphs (1) through (8) above are minimum standards that shall presumptively apply to a Special Use Permit for this use. The prohibitions and requirements in Paragraphs (5) through (8) are not waivable in connection with a Special Use Permit approval.

FINDINGS

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

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

SUP-18084 - Staff Report Page Seven
February 22, 2007 - Planning Commission Meeting

There are no existing gated private streets in the area. The 40-foot private street is not compatible with existing surrounding land uses.

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

The subject site is suitable for the forty foot (40') wide private street within the proposed four-lot residential subdivision.

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

The proposed development will have access from Maverick Street, a 55-foot local street right-of-way, which will provide adequate ingress/egress for the proposed single-family development.

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

The proposed private streets will be subject to inspections for compliance to Title 18 (Subdivision Ordinance) requirements and to City design standards and therefore will not compromise the public health, safety and welfare or the overall objectives of the General Plan.

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 92 [Mailed with WVR-18085]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-18084** APN: 125-14-506-001

Name of Property Owner: Jose Lopez

Name of Applicant: Lana Manning-Civilworks, Inc.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

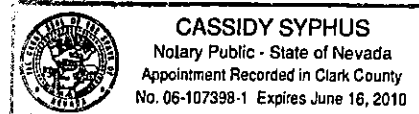
Signature of Property Owner: JOSE GILORDA LOPEZ

Print Name: Jose Lopez

Subscribed and sworn before me

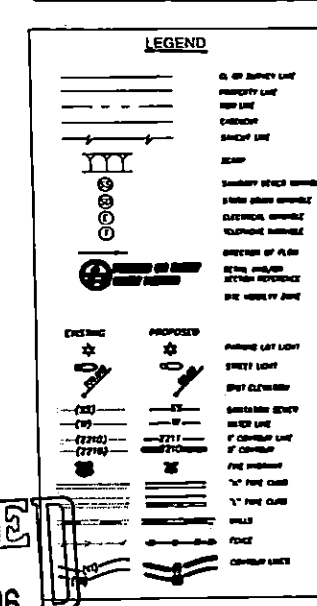
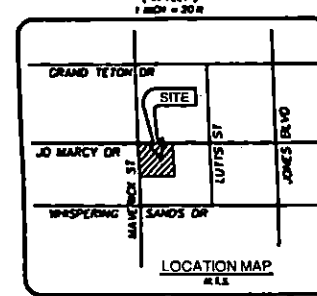
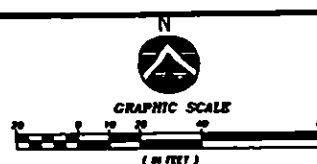
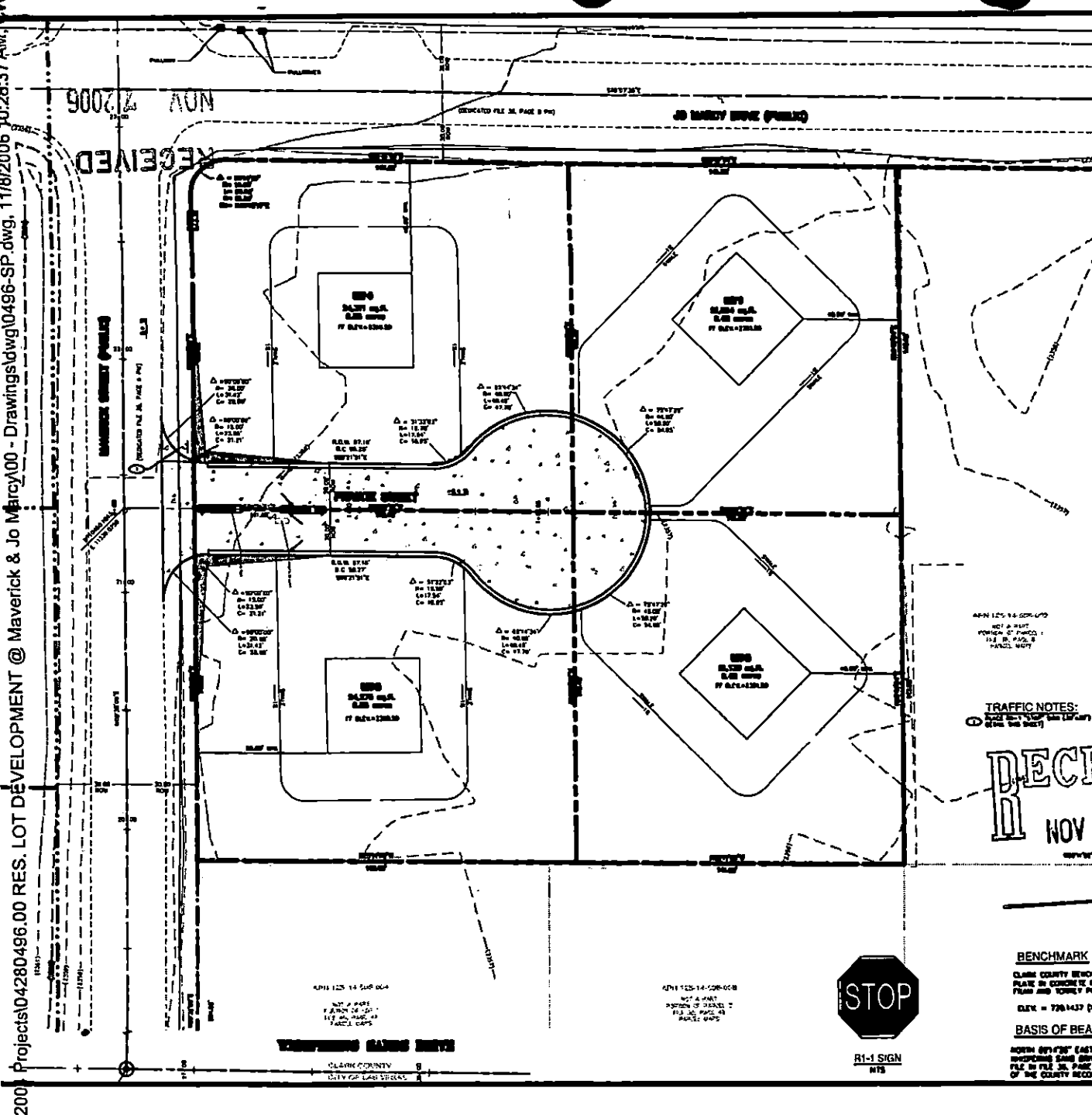
This 18 day of September, 2006

Cassidy Syphus
Notary Public in and for said County and State



Projects\04280496.00 RES. LOT DEVELOPMENT @ Maverick & Jo Marcy\00 - Drawings\dwg\0496-SP.dwg, 11/18/2006 10:28:37 AM, X:\2006

RECEIVED
NOV 7 2006



NOTE:
ALL MEASUREMENTS ARE IN FEET. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD.

RECEIVED
NOV 08 2006

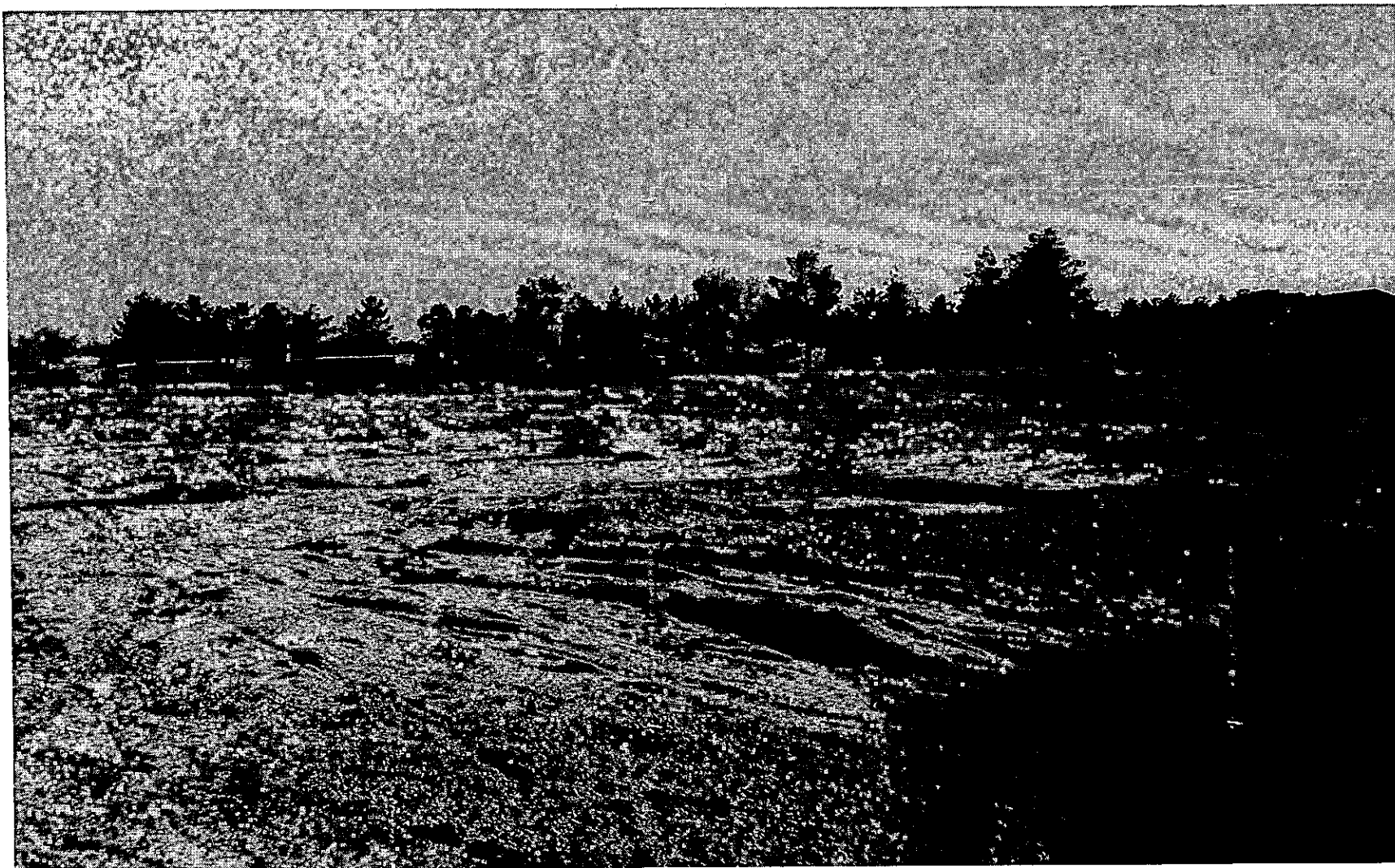
BENCHMARK
CLARK COUNTY BENCHMARK
PLATE IN CONCRETE PAD (10'-0" DIA.)
ELEV. = 7261.437 (N) 2382.11

BASIS OF BEARING
NORTH 89°42'00" EAST, BEING THE GEOMAGNETIC OR
MAGNETIC NORTH, AS SHOWN BY MAP INDICATED ON
FILE IN FILE 30, PAGE 8 OF PARCEL MAPS IN THE OFFICE
OF THE COUNTY RECORDER, CLARK COUNTY, NEVADA.

02/22/07 PC

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LAS CABANAS
MAVERICK & JO MARCY
OWNER/DEVELOPER
JOSE LOPEZ
JUAN CABRERA
LAS VEGAS, NEVADA 89118
PH: (702) 325-4340



WVR-18085 & SUP-18084 - APPLICANT/OWNER: JOSE LOPEZ
SOUTHEAST CORNER OF MAVERICK STREET AND JO MARCY DRIVE
FEBRUARY 22, 2007 PLANNING COMMISSION

11/20/06

November 7, 2006

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

**SUBJECT: REQUEST FOR SPECIAL USE PERMIT
APN#-125-14-506-001**

To Whom It May Concern:

We respectfully request your consideration for approval for the above-referenced application. This is a proposed 4 lot residential subdivision situated on approximately 2.08 acres, located at cross streets Jo Marcy and Maverick. The current zoning on this parcel is RE, which shall remain.

On behalf of our Client, we are requesting a Special Use Permit to allow construction of a Private Street within a proposed gated subdivision. This being a gated community with access limited to the Homeowners and their guests, traffic on this street will be very minimal as there is no through access. We are requesting this Special Use Permit because we are not in conformance of the provisions outlined in Title 19.04 – Private Streets, paragraphs 1-5. Emergency vehicle access has been addressed through meetings with City of Las Vegas Fire Chief who is in agreement with this request.

Accompanying this application is a Waiver Of Development Standards application and a Deviation from Standards.

Thank you for your consideration, please contact me at 876-3474 if you need additional information.

Respectfully,

CIVILWORKS, INC.



Lana Manning
Agency Processor

LJM:iam

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NOV 08 2006

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02/22/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

MOD-19114 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT/OWNER: CLIFF'S EDGE, LLC - Request for a Major Modification TO REVISE THE CLIFF'S EDGE MASTER DEVELOPMENT PLAN AND DESIGN GUIDELINES TO CLARIFY CERTAIN SETBACK, LANDSCAPE, DESIGN, WALL, ARCHITECTURAL PROJECTION SEPARATION AND BALCONY SEPARATION STANDARDS; TO ALLOW THREE STORY SINGLE FAMILY DWELLINGS WITH A MAXIMUM HEIGHT OF 38 FEET AND TO ADD A SIGN STANDARD SECTION, (APN Multiple), PD (Planned Development) Zone, Ward 6 (Ross).

C.C.: 03/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

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

MOTION:

TRUESDELL – APPROVED subject to conditions – Motion failed due to a tie vote with **EVANS, DAVENPORT** and **DUNNAM** voting **NO** and **STEINMAN** excused

To be heard by City Council on 3/21/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

ANDY REED, Planning Supervisor, stated that the modification is supportive of the intent of the Cliff's Edge Master Plan and he recommended approval.

PLANNING COMMISSION MEETING OF FEBRUARY 22, 2007
Department of Planning and Development
Item 19 – MOD-19114

MINUTES – Continued:

LIZ SOROKAC, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and stated this request would modify the design guidelines and development standards for the Providence/Cliff's Edge Community. This includes a new architecture style, an addition of a master signage plan, a revised plant list, clarification of architectural elements into the setback area including clarification as to where the setbacks are measured from and the addition of a three story product. MS. SOROKAC referenced three areas in the community that have neither a tentative map nor entitlements, some areas have obtained approval with open models, two hatch parcels have tentative maps but models have not commenced, there are public facilities and one parcel that would be addressed later in the evening's agenda. She emphasized that these requests would be minimal in relation to what is currently taking place in development. She agreed to staff's recommendations, but acknowledged outstanding opposition.

TODD FARLOW, 240 North Nineteenth Street, commended the applicant for proposing a three-story product as they are more energy efficient.

MICHELLE DISHON, 9690 Wittig Avenue, appeared in opposition and requested that the Commission uphold the original standards. She stated that there was no attempt to gather input from the community and since there are custom homes in the area, she suggested the original proposal be considered.

KATHLEEN BRUCE, 9880 Elkhorn Road, objected to the proposed three-story homes. The area has endured ongoing disturbance to the rural character, and MS. BRUCE indicated that existing views already consist of two-story homes. She expressed opposition to the modification to allow three-story homes.

COMMISSIONER DUNNAM verified that there were several neighborhood meetings to work out a comprehensive plan that has now been altered so much that the plan has lost integrity. Regardless of staff's support, he could not support the proposal without further justification.

COMMISSIONER EVANS queried why a three-story plan was not contemplated at the time of the original proposal which MS. SOROKAC was unable to explain. The market was probably not feasible at the time as the Cliff's Edge Development Agreement was approved several years ago; however, since then, three-story homes have become more customary in the Valley. She emphasized the tremendous efforts to gain staff's support and noted specific language to the design guidelines and development standards to ensure that the three-story products are aesthetically pleasing. MS. SOROKAC displayed renderings of the pictorial representation of the architectural styles contemplated.

PLANNING COMMISSION MEETING OF FEBRUARY 22, 2007
Department of Planning and Development
Item 19 – MOD-19114

MINUTES – Continued:

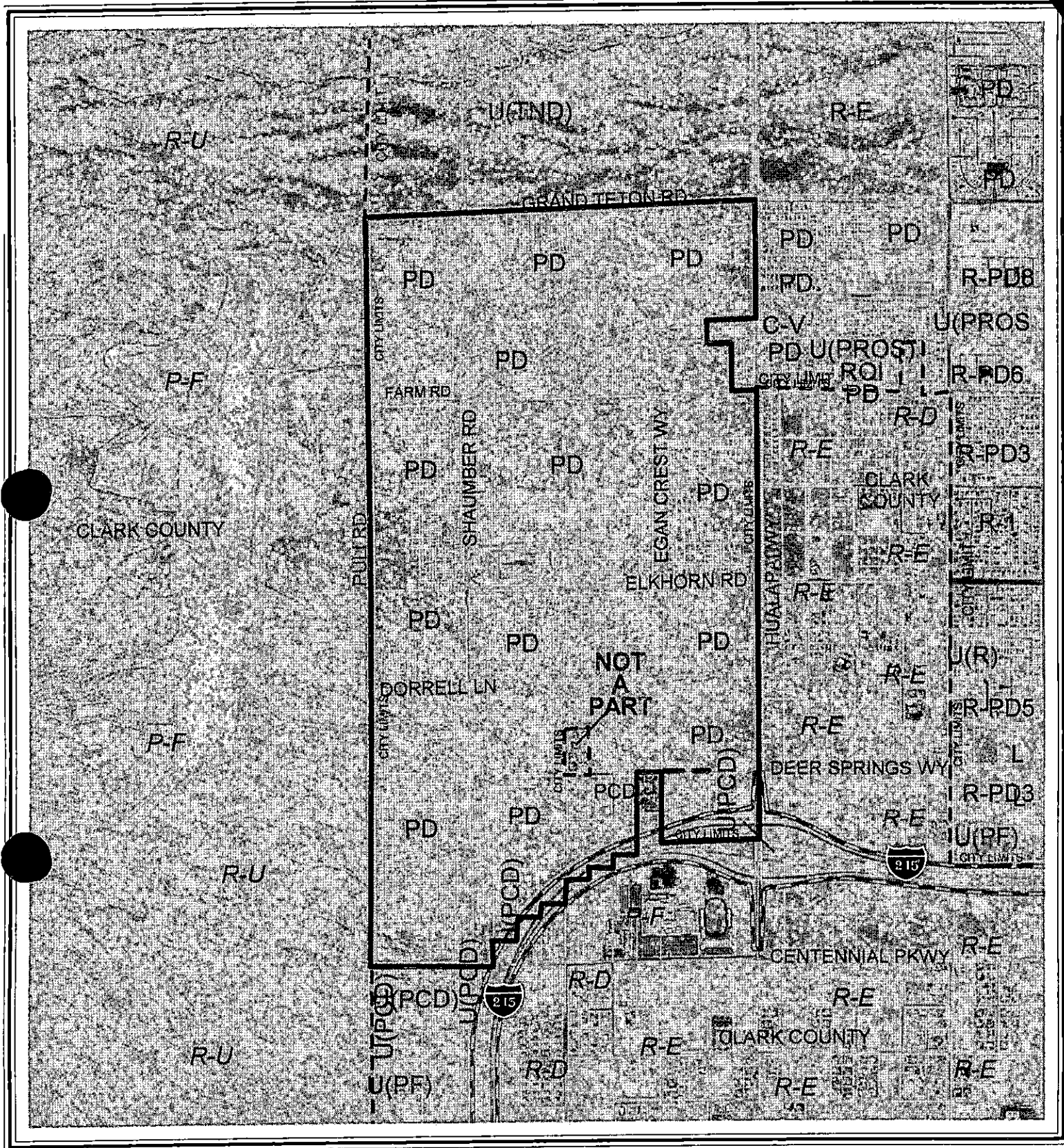
COMMISSIONER TROWBRIDGE inquired the size of the lots for the proposed modified plans and the setbacks of the three-story product versus what was approved. MS. SOROKAC confirmed that the setback requirements remain the same for a three-story product and instead of developing a two-story product at 35 feet in height, the request is to allow a three-story product at 38 feet in height; a difference of three feet.

Pertaining to the sightline and aesthetics, COMMISSIONER GOYNES questioned how the homes would blend into the neighborhood. MS. SOROKAC noted that the developer acknowledges that concern and would discourage a three-story home at the corners of the entryway in addition to other careful measures to take that into account.

COMMISSIONER TRUESDELL empathized with the neighbors' concerns regarding a changed plan but expressed understanding for the need and desire to modify the plan.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(6:58 – 7:15)
1-1971



CASE: MOD-19114

ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

MAP LEGEND



CLIFF'S EDGE MASTER
DEVELOPMENT PLAN AREA

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: FEBRUARY 22, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: MOD-19114 - APPLICANT/OWNER: CLIFF'S EDGE, LLC

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the builder sign guidelines stamped 02/01/07.

Public Works

2. Coordinate all construction drawings with the Fire Protection Engineering Section of the Department of Fire Services; all buildings facing streets narrower than 36 feet wide, or 3 stories in height, or having less than a 5-foot side setback from the property line should be protected by residential fire sprinkler systems.

MOD-19114 - Staff Report Page One
February 22, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Major Modification to revise the Cliff's Edge Master Development Plan and design guidelines to clarify certain setback, landscape, design, wall, architectural projection separation and balcony separation standards; to allow three story single family dwellings with a maximum height of 38 feet and to add a sign standard section.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/05/03	The City Council approved an annexation (A-0035-02) of over 1,056 acres in the area bounded by Hualapai Way to the east, Grand Teton Drive to the north, Puli Road to the west and Centennial Parkway and the Beltway alignment to the south, including the subject sites of this Rezoning request. The Planning Commission recommended approval on 09/26/02. The effective date of this annexation is 02/14/03.
03/19/03	The City Council approved a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 317.5 acres covering 68 separate parcels in the Cliff's Edge area, and approved the related Cliff's Edge Master Development Plan to regulate development and the provision of infrastructure in the area. The Planning Commission and staff recommended approval on 02/13/03.
07/16/03	The City Council approved a Rezoning (ZON-2184) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 704 acres covering 21 separate parcels in the Cliff's Edge area, and approved text modifications to the related Cliff's Edge Master Development Plan to address conditions of approval of ZON-1520. The Planning Commission and staff recommended approval on 06/12/03.
11/20/03	A request for a Minor Modification to the Cliff's Edge Master Development Plan (MOD-3189) allowing reduced street widths under certain conditions in limited portions of the Plan area was administratively approved by the Planning and Development Department.

MOD-19114 - Staff Report Page Two
February 22, 2007 - Planning Commission Meeting

02/18/04	The Cliff's Edge Development Agreement (DIR-3451) was introduced to the City Council at this time. It was approved in ordinance form on 03/17/04. The Planning Commission and staff recommended approval on 01/08/04.
05/05/04	The City Council approved a request for a Major Modification to the Cliff's Edge Master Development Plan (MOD-2955) to change land use designations from Village Commercial to Medium Low Density Residential and Medium Density Residential; from Medium Density Residential to Residential Small Lot; and from Medium Low Density Residential to Pump & Reservoir; to modify Section 6.2.3 regarding retaining walls; and to modify Table 1 (Section 2.2) to reflect changes to the land use categories on 40 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission recommended approval on 04/08/04.
05/27/04	A request for a Minor Modification to the Cliff's Edge Master Development Plan and Design Guidelines (MOD-4237) to include an exhibit depicting cross sections for private interior residential streets was administratively approved by the Planning and Development Department.
06/16/04	The City Council approved an amendment to the Master Plan of Streets and Highways (MSH-4197) to add major roads within the Cliff's Edge Master Development Plan area, generally located between Grand Teton Drive and Clark County 215, and between Puli Road and Hualapai Way. The preparation and submission of this request was a condition of approval of the Cliff's Edge parent Tentative Map, as approved by the Planning Commission on 03/11/04.
08/03/05	The City Council approved a request for a Major Modification to the Cliff's Edge Master Development Plan (MOD-6279) to change land use designations from ML (Medium Low Density Residential) to L (Low Density Residential) and RSL (Residential Small Lot); from L (Low Density Residential) to ML (Medium-Low Density Residential); and from RSL (Residential Small Lot) to ML (Medium Low Density Residential); and to modify the following sections of the Master Development Plan: Sections 2.2, 2.3.5, 2.3.6 and 2.3.7; to modify or add to the Design Guidelines as follows: Sections 3.1.1, 3.2.3B, 5.10, 5.10.1, 6.2.1, 6.2.2, 6.2.3, 7 and Exhibits 2, 7a, 7b, 8a, 14a, 14b, 14c, 15 and 17, on 1,14The applicant 6 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission and staff recommended approval on 05/26/05.
<i>Pre-Application Meeting</i>	
12/11/07	The requirements for a Major Modification were explained.
<i>Neighborhood Meeting</i>	
Month/date/year	A neighborhood meeting is not required for this type of application

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1,146

MOD-19114 - Staff Report Page Three
February 22, 2007 - Planning Commission Meeting

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Cliff's Edge Planned Community	X		Y
PD (Planned Development) District	X		Y
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

The provisions of the Centennial Hills Sector Plan require that a master plan be prepared for PCD (Planned Community Development) areas that exceed 80 acres in size. The applicant has previously prepared a master development plan entitled the "Cliff's Edge Master Development Plan and Design Guidelines", which was approved by City Council on March 19, 2003

Although the overall Cliff's Edge Master Development Plan area contains trails, is adjacent to rural preservation neighborhood areas and was a Project of Regional Significance, these issues were incorporated in the consideration and approval of the original Plan and related documents, such as the parent Tentative Map. These factors are not affected by the contents of the proposed Major Modification.

DETAILS OF APPLICATION REQUEST:

The applicant is proposing to revise the Cliff's Edge Development Standards. A summary of those changes, with staff's recommendations, are shown in the following tables:

Section 3.2.1 Medium Density Residential up to 25 Du/Ac	
PROPOSED CHANGE	STAFF RECOMMENDATION
Clarify property line and right of way setbacks	No objection
Clarify building separation standards	No objection
Clarify architectural projection standards.	No objection

Section 3.2.2 Residential Small Lot (Attached) - Up to 15 Du/Ac	
PROPOSED CHANGE	STAFF RECOMMENDATION
Clarify setbacks	No objection
Allow 3 story structures with a height of 38 feet. Standards for third story elements include a limitation to a maximum of 60% of the building footprint area.	No objection
Clarify architectural projection standards.	No objection

MOD-19114 - Staff Report Page Four
February 22, 2007 - Planning Commission Meeting

Section 3.2.3 Residential Small Lot (Mini Lot Cluster) - Up to 15 Du/Ac	
PROPOSED CHANGE	STAFF RECOMMENDATION
Clarify setbacks	No objection
Allow 3 story structures with a height of 38 feet. Standards for third story elements include a limitation to a maximum of 60% of the building footprint area.	No objection
Clarify architectural projection standards.	No objection

3.2.3. A Residential Small Lot (Paseo Cluster) Up to 15 Du/Ac	
PROPOSED CHANGE	STAFF RECOMMENDATION
Clarify setbacks	No objection
Allow 3 story structures with a height of 38 feet. Standards for third story elements include a limitation to a maximum of 60% of the building footprint area.	No objection
Clarify architectural projection standards.	No objection

3.2.3. B Residential Small Lot (Rear Loaded) Up to 15 Du/Ac	
PROPOSED CHANGE	STAFF RECOMMENDATION
Clarify setbacks	No objection
Allow 3 story structures with a height of 38 feet. Standards for third story elements include a limitation to a maximum of 60% of the building footprint area.	No objection
Clarify architectural projection standards.	No objection

3.2.4. Residential Small Lot (Mini-Lot Conventional) Up to 15 Du/Ac	
PROPOSED CHANGE	STAFF RECOMMENDATION
Clarify setbacks	No objection
Allow 3 story structures with a height of 38 feet. Standards for third story elements include a limitation to a maximum of 60% of the building footprint area.	No objection
Clarify architectural projection standards.	No objection

3.2.5. Medium Low and Low Density Residential	
PROPOSED CHANGE	STAFF RECOMMENDATION
Clarify setbacks	No objection
Clarify accessory structure setbacks	
Allow 3 story structures with a height of 38 feet. Standards for third story elements include a limitation to a maximum of 60% of the building footprint area.	No objection

MOD-19114 - Staff Report Page Five
February 22, 2007 - Planning Commission Meeting

Clarify architectural projection standards.	No objection
Revises varying rear setback standards so that no more than three adjacent dwellings may have rear setbacks that vary less than 5' from one another. otherwise an additional offset of at least 5' is required on the fourth dwelling.	No objection

4.1 Introduction	
PROPOSED CHANGE	STAFF RECOMMENDATION
Adds Classic Americana as an architectural style within a new section of the standards, designated as Section 4.10	No objection

4.3.1 Building Form	
PROPOSED CHANGE	STAFF RECOMMENDATION
Allows multi-story (exceeding two stories) dwelling in single family areas	No objection

4.4.1 Roof Form and Slope	
PROPOSED CHANGE	STAFF RECOMMENDATION
Revises roof standards so no more than two adjacent residences may have primary gable end roof forms facing the visible perimeter edges of the parcel.	No objection

4.10 Classic Americana Single Family Guidelines	
PROPOSED CHANGE	STAFF RECOMMENDATION
Adds Classic Americana as an architectural style with symmetrical or asymmetrical 1 and 2 story massing with both vertical and horizontal breaks.	No objection

4.14 Classic Americana Multi Family Guidelines	
PROPOSED CHANGE	STAFF RECOMMENDATION
Adds Classic Americana as an architectural style with symmetrical or asymmetrical multiple story building forms.	No objection

MOD-19114 - Staff Report Page Six
February 22, 2007 - Planning Commission Meeting

5.2.1 Approved Plant Materials List	
PROPOSED CHANGE	STAFF RECOMMENDATION
Revises the approved plant materials list.	No objection

5.2.3 Rock Mulch.	
PROPOSED CHANGE	STAFF RECOMMENDATION
Establishes Rebel Rose as the approved rock color for the entire community	No objection

5.2.3 Rock Mulch.	
PROPOSED CHANGE	STAFF RECOMMENDATION
Establishes Rebel Rose as the approved rock color for the entire community	No objection

6.2 Walls	
PROPOSED CHANGE	STAFF RECOMMENDATION
Revises design standards for community walls.	No objection

6.2.9 View Fences	
PROPOSED CHANGE	STAFF RECOMMENDATION
Establishes RAL 8012 Red brown as the approved color for wrought iron view fences for the entire community.	No objection

8.1.1 Commercial Design Guidelines	
PROPOSED CHANGE	STAFF RECOMMENDATION
Allows the developer to enforce design standards more restrictive than the written guidelines.	No objection

Appendix A Sign Standards	
PROPOSED CHANGE	STAFF RECOMMENDATION
Adds a new section which addresses signage within the community.	No objection

MOD-19114 - Staff Report Page Seven
February 22, 2007 - Planning Commission Meeting

ANALYSIS

This Modification represents further fine-tuning of the Cliff's Edge Master Development Plan and Design Guidelines documents that were previously approved by City Council in March 2003 and subsequently amended in 2003, 2004 and 2005. This Plan update has been reviewed in detail with City staff and staff has determined that the request is generally supportive of the thrust of the original policy basis of the Plan as developed in recent years. As a result of this approach, the application is recommended for approval.

FINDINGS

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

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

The General Plan designates the subject lands as PCD (Planned Community Development). The proposed text change to the Design Guidelines is unrelated to General Plan policies.

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 Modification does not conflict with the PD (Planned Development) zoning that applies to lands within the Plan area. The proposed amendment is compatible with, and supportive of, the overall land use intent of the Plan.

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

The Modification request is appropriate given the need for the development industry to be able to incorporate design solutions for small lots on relatively steep lands within the Plan area. The ability to design and develop a range of housing types and products within the Plan area requires a more detailed approach to perimeter and product wall design than currently exists in the Cliff's Edge Master Development Plan, Title 18 or Title 19.

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 request is unrelated to the provision of streets and highway facilities. This amendment will have no effect on streets and highway facilities in the area.

MOD-19114 - Staff Report Page Eight
February 22, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 1

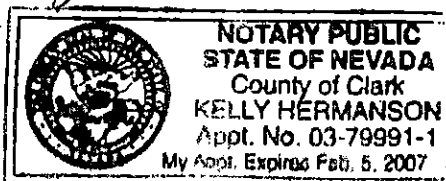
ASSEMBLY DISTRICT 13

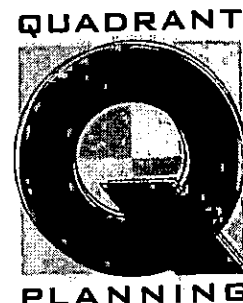
SENATE DISTRICT 9

NOTICES MAILED 126

APPROVALS 0

PROTESTS 0





November 28, 2006

Doug Rankin, Planning Supervisor
City of Las Vegas, Current Planning Division
731 S. Fourth Street
Las Vegas, NV 89101

**SUBJECT: JUSTIFICATION LETTER FOR A MAJOR MODIFICATION TO
THE CLIFF'S EDGE MASTER PLAN FOR LAND USE PLAN UPDATES**

Dear Doug:

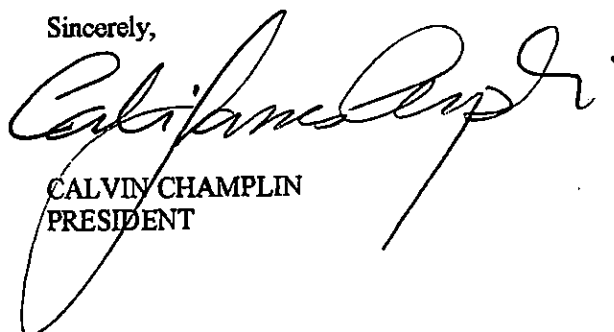
Cliff's Edge, LLC, as the Master Developer of the Cliff's Edge Master Plan, is requesting the attached major modification to the Plan on behalf of the property owners contained therein. This request would allow for modifications to the Cliffs Edge Land Use Plan and Land Use Tables and for a series of text and graphic updates.

The changes we are requesting are listed on the attached sheet with their corresponding page numbers where they would be replaced in the current design guidelines. Please note that proposed deletions from the plan are shown in red crossed-through text and proposed additions to the Plan are shown in blue text on the attached sheets, with the exception of the Land Use page where requested changes are shown in red for ease of reading.

Approving this request for land use changes will update the land use plan to reflect current and anticipated land uses within the Cliff's Edge Master Plan and accommodate changes to text and graphics that will further streamline implementation of the Cliff's Edge Master Plan.

Thank you for your assistance. Please let me know if you need anything further.

Sincerely,



CALVIN CHAMPLIN
PRESIDENT

3455 Cliff Shadows Pkwy, Suite 220
Las Vegas, NV 89129

☎ 702 395 3154

☎ 702 242 8414

✉ info@quadplan.com

www.quadplan.com

RECEIVED

MOD-19114
02/22/07 PC

JAN 09 2007

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: FEBRUARY 22, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

ZON-18208 - REZONING - PUBLIC HEARING - APPLICANT: FLETCHER JONES MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-2 (GENERAL COMMERCIAL) on a one-acre portion of 9.34 acres at 400 South Decatur Boulevard (APN 138-36-601-002), Ward 1 (Tarkanian).

C.C.: 03/21/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letter
6. Submitted after final agenda –Protest letter and letter retracting protest by Albert Cohen for Items 20-23

MOTION:

TROWBRIDGE – DENIED – Motion carried with GOYNES voting NO, STEINMAN excused and TRUESDELL abstaining because the matter is represented by the Jones Vargas firm

To be heard by the City Council on 3/21/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open for Item 20 [ZON-18208], Item 21 [VAR-18210], Item 22 [SUP-19129] and Item 23 [SDR-18206].

FLINN FAGG, Planning Manager, stated that although the rezoning application is consistent with the General Plan, there are issues relative to the scale of development and its impact on abutting properties. The application does not meet the minimum

PLANNING COMMISSION MEETING OF FEBRUARY 22, 2007
Department of Planning and Development
Item 20 – ZON-18208

MINUTES – Continued:

standards for approval of the Variance nor the Special Use Permit. Due to the fact that the buffering requirements would not be met in addition to the scale of the development and its impact to abutting residences, he recommended denial of all of the applications.

KATIE FELLOWS, 3773 Howard Hughes Parkway, appeared on behalf of the applicant and noted that the site has acquired four additional parcels expanding the existing auto service facility by 123,000 square feet. She explained the reason for the zone change is due to a split parcel predominantly zoned General Commercial (C-2) and the request would ALLOW THE PARCEL TO conform to the General Plan.

The existing auto service facility would be operated in conjunction with the existing car dealership. The Special Use Permit is justified as the use is continuous with the same use. Although the parking Variance appears as a large reduction, the new facility is on a different parcel and if parking were calculated over the entire dealership 310 spaces would be required where 509 are provided. ATTORNEY FELLOWS confirmed that a 29-foot drive isle connects the subject site to the dealership.

ATTORNEY FELLOWS noted that the proposal would aesthetically improve the site as the ultimate goal is to remap the five parcels into one parcel; however, she expressed understanding of the need to obtain a General Plan Amendment to achieve that goal. She acknowledged that the sole person in opposition is now supportive of the project so long as he remains in touch about the status of the project.

COMMISSIONER TROWBRIDGE requested clarification about the site's circulation in relation to the existing parcels and expressed concern for the wall to be located near the parking area. ATTORNEY FELLOWS reiterated the intent and access points for the entire facility, was unable to comment on neither the engineering nor the grading plans, but confirmed that the retaining wall would not hinder a driver's sight as it would vary according to the grade.

COMMISSIONER GOYNES inquired if the grading on the site would create a visibility issue relative to the topography of the site and MR. FAGG confirmed that staff would review those concerns when the civil plans are submitted for development. ATTORNEY FELLOWS added that there is parking available on Meadows Lane and volunteered to consider landscaping in that area if so desired to screen the area from Meadows Lane.

COMMISSIONER DUNNAM pointed out concern for the lack of landscape on the south and east property lines since a one-foot buffer is presented along the north property line where 15 feet are required. In response, ATTORNEY FELLOWS stated that the south property line borders the

PLANNING COMMISSION MEETING OF FEBRUARY 22, 2007
Department of Planning and Development
Item 20 – ZON-18208

MINUTES – Continued:

existing collision center and the east property line borders the back of a commercial center visible to only service personnel and delivery trucks. COMMISSIONER DUNNAM expressed that there is no benefit in a large amount of asphalt since our desert climate is in need of shaded areas.

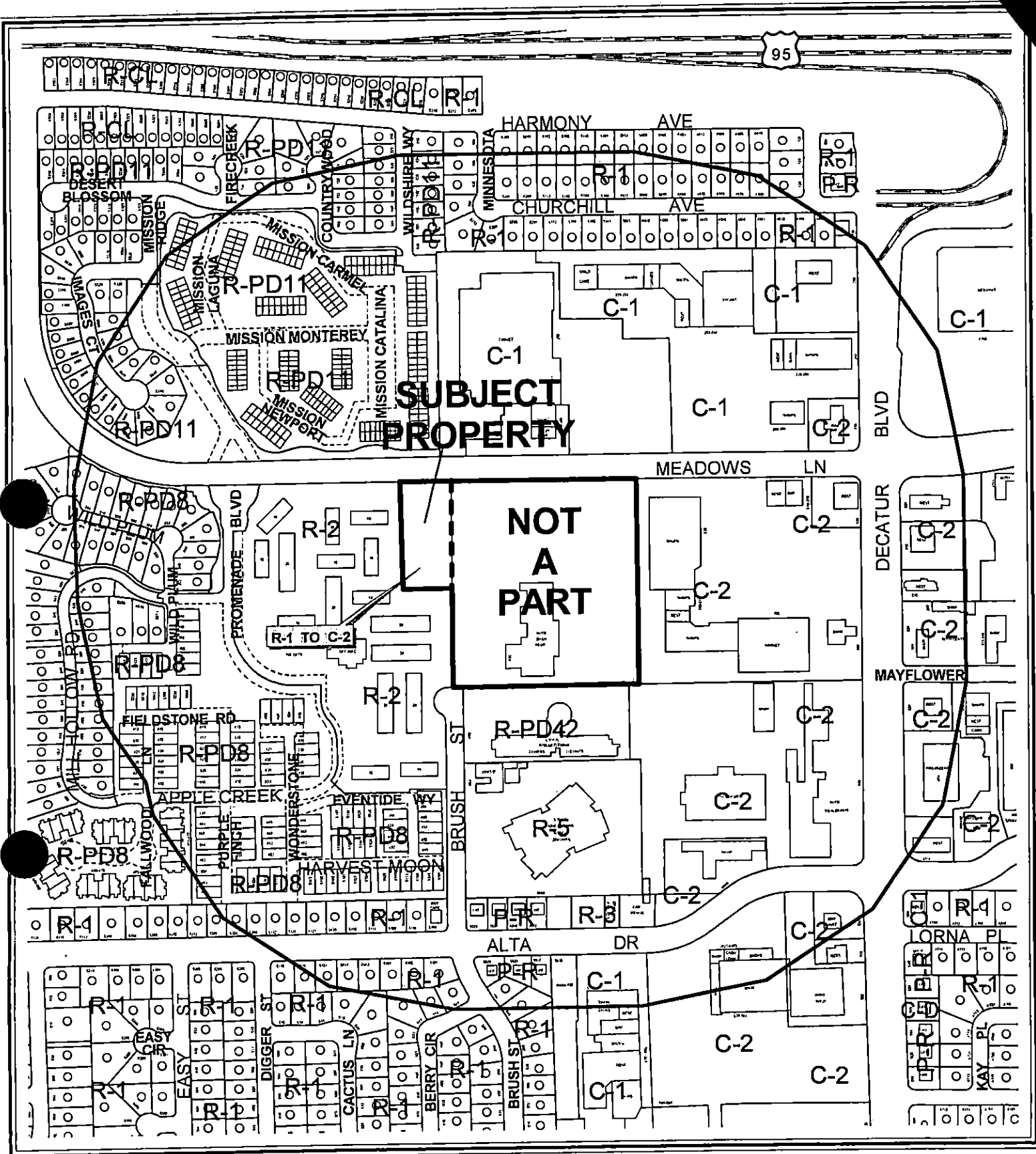
COMMISSIONER EVANS concurred with COMMISSIONER DUNNAM'S opposing comments, noting it is the burden of the applicant to convince the Commission of a justifiable reason to see beyond staff's recommendation of denial. COMMISSIONER GOYNES expressed understanding for the choice not to landscape an area that is not visible to the general public and that could potentially be ruined by those accessing that area.

CHAIRMAN DAVENPORT concurred that the proposal is far too unreasonable and he suggested returning with a plan that can better suit nearby residents.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(7:15 – 7:37)

1-2733

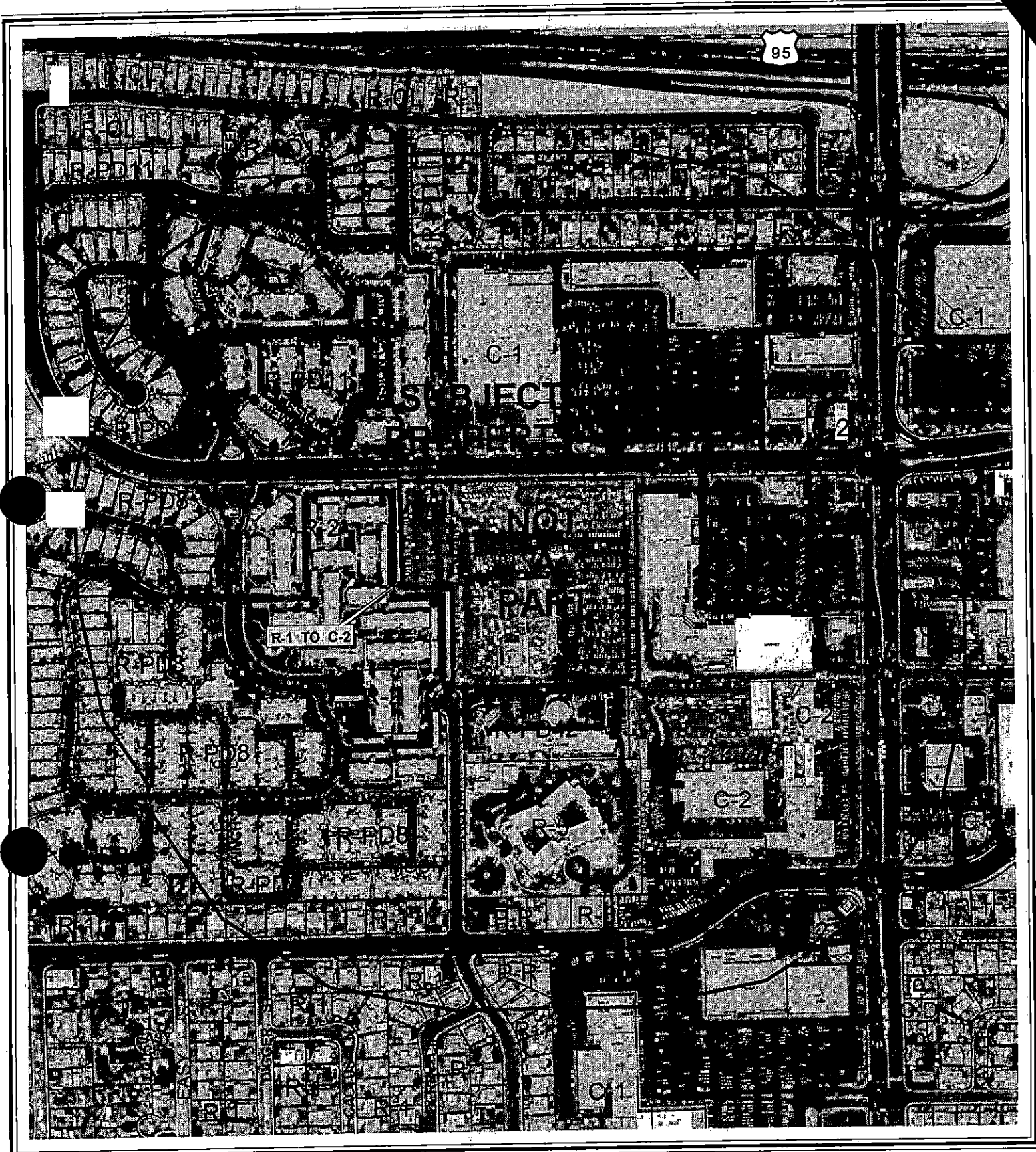


CASE: ZON-18208

RADIUS: 1000 FT

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

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



CASE: **ZON-18208**

RADIUS: 1000 FT

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

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

*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: FEBRUARY 22, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ZON-18208 - APPLICANT: FLETCHER JONES
MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST**

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

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-18206) 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 and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
4. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights of way are not required and Traffic Control devices are or may be proposed at this site outside of the public right of way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

ZON-18208 - Conditions Page Two
February 22, 2007 - Planning Commission Meeting

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

ZON-18208 - Staff Report Page One
February 22, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Rezoning from R-1 (Single Family Residential) to C-2 (General Commercial) on a one-acre portion of a 9.34 acre parcel located at 400 South Decatur Boulevard, south of Meadows Lane. Staff recommends denial as the change in zone and proposed development and use of the site do not meet minimum Title 19 Commercial Development Standards.

Planning staff considers the proposed expansion as inappropriate for this area of the city. The project site is directly west of existing senior/retirement multi-family residential development to the west and within a one half mile radius of single family dwellings northwest along Meadows Lane. The project design does not meet the urban design standards of Title 19.08.050. The bulk and scale of the structure is more suitable within an industrial zoned area of the city. Furthermore, significant average daily vehicle trips will result with implementation of the project. Staff recommends denial of the request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/01/94	The City Council accepted at the request of the applicant, a Withdrawal without Prejudice a request (Z-0030-74 (6)) for a Review of Condition to allow commercial access onto Brush Street on property located on the south side of Meadows Lane approximately 650 feet west of Decatur Boulevard.
04/16/86	The City Council considered and approved the Plot Plan Review for the Meadows School expansion. The Planning Commission and staff recommended approval. The Meadows School ceased operations at this location in June 1988.
03/20/85	The City Council considered and approved the Plot Plan Review for the Meadows School Project. The Planning Commission and staff recommended approval. The Planning Commission and staff recommended approval.
05/16/84	The City Council considered and approved the Plot Plan Review (Z-30-74) to operate a private elementary school on property located approximately 600 feet west of Decatur Boulevard. The Planning Commission and staff recommended approval.
11/3/76	The Board of City Commissioners considered and approved a request for a Plot Plan Review (Z-30-74) for a body shop and paint room at 444 South Decatur Boulevard. The Planning Commission and staff recommended approval.

ZON-18208 - Staff Report Page Two
February 22, 2007 - Planning Commission Meeting

08/01/74	The Board of City Commissioners considered and approved a request for Reclassification of Property (Z-30-74) located south of the westerly prolongation of Michael Way. The Planning Commission and staff recommended approval.
Related Building Permits/Business Licenses	
None	
Pre-Application Meeting	
01/09/07	A Pre-application was held with the applicant. Planning staff advised the applicant of the requirement for a Site Development Plan Review and Development Impact Notice and Assessment (DINA) application.
Neighborhood Meeting	
A neighborhood meeting is not required for this type of application nor was one held.	

Details of Application Request	
Site Area	
Gross Acres	9.34 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Automotive	GC (General Commercial)	Split Zoned: C-2 (General Commercial) R-1 (Single Family Residential)
North	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
South	Residential	H (High Density Residential)	R-PD42 (Residential Planned Development – 24 Units Per Acre)
East	Commercial	SC (Service Commercial)	C-2 (General Commercial)
West	Residential	MLA (Medium Low Attached Residential)	R-2 (Medium-Low Density Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	Y
Special Districts/Zones	Yes	No	Compliance
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 (DINA)	X		Y*
Project of Regional Significance		X	Y

JA

ZON-18208 - Staff Report Page Three
February 22, 2007 - Planning Commission Meeting

* In accordance with Ordinance No. 5227 a DINA was prepared for the project to address the potential increase in Average Daily Trips (ADT) that may result with implementation of the proposed rezone and commercial development.

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	NA	Y
Min. Lot Width	100 lineal feet	680 lineal feet	Y
Min. Setbacks			Y
• Front	20	27	
• Side	10	38	
• Corner	15	115	
• Rear	20	55	
Min. Distance Between Buildings	NA	NA	Y
Max. Lot Coverage	50 percent	38 percent	Y
Max. Building Height	NA	26 feet	Y
Trash Enclosure	Yes	Yes	Y
Mech. Equipment	Screened	Screened	Y

ANALYSIS

The subject 9.34 property is split zoned with the majority of the site classified as C-2 (General Commercial) and the remaining approximately one acre portion delineated as R-1 (Single-Family Residential) along the west and northwest property lines. The proposed zone change to C-2 (General Commercial) will be consistent with the zoning for the greater part of the project site and the underlying General Plan land use.

FINDINGS

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

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

The proposed C-2 (General Commercial) zone is consistent with the underlying GC (General Commercial) land use designation of the General Plan. The project design, bulk and scale, and minimal landscaping are inconsistent with Title 19. Additionally, vehicle trips anticipated to be generated with this proposal may adversely impact the surrounding street network. The proposal is more suitable within an area designated for industrial uses.

ZON-18208 - Staff Report Page Four
February 22, 2007 - Planning Commission Meeting

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.”**

Existing zones surrounding the project site include R-2 (Medium-Low Density Residential), R-PD11 (Residential Planned Development – 11 Units Per Acre) and C-1 (Limited Commercial). The proposed C-2 (General Commercial) district would allow uses that are considered undesirable in this area and incompatible with development in the area.

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

As designed the proposed project is more intense than other existing and proposed development in the area. Furthermore, numerous Waivers and a Variance are requested. As such, the project is considered inappropriate for this 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.”**

Access to the project site is adequate along Meadows Lane. However, the project will result in the generation of 4,100 Average Daily Trips (ADT) and which may negatively impact street and intersection operations along Meadows Lane and South Decatur Boulevard.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

ASSEMBLY DISTRICT 3

SENATE DISTRICT 3

NOTICES MAILED 298 [Mailed VAR-18210, SUP-19129 & SDR-18206]

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-18208** APN: 138-36-601-002

Name of Property Owner: Fletcher Jones, Sr. Trust

Name of Applicant: Fletcher Jones Management Group, Inc.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: _____

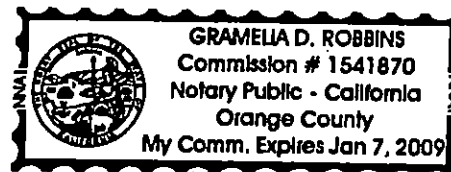
Print Name: Fletcher Jones, Jr.

Subscribed and sworn before me

This 2nd day of Nov., 2006

Orange Co., CA.
Notary Public in and for said County and State

Gramelia D. Robbins



JONES VARGAS

ATTORNEYS AT LAW
3773 HOWARD HUGHES PARKWAY
THIRD FLOOR SOUTH
LAS VEGAS, NEVADA 89189

TEL (702) 862-3300 FAX (702) 734-2722

WWW.JONESVARGAS.COM

HERBERT M. JONES
MELVIN D. CLOSE, JR.
JOSEPH W. BROWN
ALBERT F. PAGNI
JOHN P. SANDE, III
WILLIAM J. RAGGIO
GARY R. GOODHEART
MICHAEL E. BUCKLEY
RICHARD F. JOST
JANET L. CHUBB
DOUGLAS M. COHEN
KIRK B. LENHARD
KEYIN R. STOLWORTHY
JAMES L. WADHAMS
JODI R. GOODHEART
PAUL A. LEMCKE

PHILIP M. BALLIF
MICHAEL G. ALONSO
ANN MORGAN
R. DOUGLAS KURDZIEL
KRIS T. BALLARD
CRAIG H. NORVILLE
WILLIAM C. DAVIS, JR.
KARL L. NIELSON
PATRICK A. ROSE
PATRICK J. SHEEHAN
TONY F. SANCHEZ III
CLARK V. VELLIS
JOHN P. DESMOND
SCOTT M. SCHDENWALD
CONSTANCE L. AKRIDGE
EDWARD M. GARCIA

MARIA-NICOLLE BERINGER
WHITNEY D. BOCCHI
JENNIFER BEATTY BRINTON
LOUIS M. SUBALA III
ADAM K. BULT
DAVID A. CARROLL
TYRUS O. COBB
TRACY A. DIFILIPPO
ELIZABETH M. FIELDER
WILLIAM O. GREENLEE, JR.
RYAN W. HERRICK
BRIAN R. IRVINE
KIRK D. KAPLAN
BENJAMIN W. KENNEDY
CURT R. LEDFORD
DARREN J. LEMIEUX
DIANE J. MARKERT

LINDA P. MCKENZIE*
MATTHEW T. MILONE
CHRISTOPHER C. MDNEY
BINU G. PALAL**
TAMARA BEATTY PETERSDN
ALEX RAMIREZ
RICHARD A. RAWSON
MDLLY MALONE REZAC
JOHN P. SANDE, IV
BRETT J. SCOLARI
STEVEN G. SHEVORSKI
TIFFANY J. SWANIS
STACIE A. TRUESDELL
JESSE A. WADHAMS
CHRISTINA H. WANG
GORDON H. WARREN
ANDREW WDNG

CLIFFORD A. JONES (1912 - 2001)
GEOERGE L. VARGAS (1909 - 1985)
JOHN C. BARTLEY (1910 - 1982)
LOUIS MEAD DIXON (1919 - 1993)
GARY T. FOREMASTER (1953 - 1998)

ROBERT E. BRUCE
AMANDA J. COWLEY
ALAN B. HARKIN
DF COUNSEL

BRIAN J. MATTER
EXECUTIVE DIRECTOR

Writer's Direct Line
(702) 862-3342
E-Mail Address
struesdell@jonesvargas.com

November 7, 2006

HAND DELIVERED

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

RE: Justification Letter – Rezoning

Dear Planning and Development Department:

Enclosed is an application for a Rezoning of a portion of the approximately 9.34 acres located at 400 S. Decatur Blvd., south of Meadows Lane (APN 138-36-601-002) (the “**Property**”) submitted by Fletcher Jones Management Group, Inc. (the “**Applicant**”).

The Property is zoned C-2 (General Commercial) and R-1 (Single Family Resident District) and designated GC (General Commercial) under the General Plan. The Property is currently used as an automobile service facility which is operated in conjunction with the Bill Heard Dealership located adjacent to the Property. The Applicant requests to rezone the portion of the Property that is R-1 to C-2. Such a request is in conformance with the General Plan and the current use of the Property.

Thank you for your consideration of this request. Please contact me at (702) 863-3342 if you have any questions or comments.

Very truly yours,

JONES VARGAS

Stacie A. Truesdell

ST
Enclosures.

RENO OFFICE
100 WEST LIBERTY STREET, TWELFTH FLOOR, RENO, NEVADA 89504 TEL (775) 788-5000 FAX (775) 788-1177

*LICENSED IN ARIZONA ONLY
**LICENSED IN ILLINOIS AND WISCONSIN ONLY

ZON-18208 VAR-18210
SDR-18206 02/22/07 PC

Mr. & Mrs. Donald B. Gaines
P.O. Box 1106
Rancho Santa Fe, CA 92067
dbg@gainesinvestmenttrust.com
(858) 759-9221 phone

February 16, 2007

Andrew P. Reed, Planning Supervisor email: areed@lasvegasnevada.gov
Planning and Development Department
731 South Fourth Street
Las Vegas, Nevada 89101

Re: Site Development Plan Review SDR-18206
 Variance VAR-18210
 Special Use Permit SUP-19129
 Rezoning ZON-18208

Dear Mr. Reed,

As the owner of the directly adjacent property, we are strongly opposed to a zone change from R-1 to C-2. We are also opposed to any variance or special use permit etc. that may effect the quiet enjoyment of our property or the neighborhood in general.

Our property is a 304 unit senior apartment community know as, Country Club at the Meadows. All of our residents are 55+ with an average age of 70+.

Our community is behind security gates and is very low density. Those two factors contribute to our business success in that location. Virtually, all of our residents rent from us because of the ambiance of the grounds and the atmosphere of quiet peaceful surroundings.

When we bought our property about four years ago, one of our considerations for purchase was that certain parts of the adjacent property are R-1. This zoning is compatible with our property and does not pose any noise problems and other problems associated with commercial development.

There is no question that this proposed zone change etc. will impact our elderly residents negatively and that will cause us economic hardship on an operational level and will depress the value of our property.

Page 2 of 2
February 16, 2007
Andrew P. Reed, Planning Supervisor

We would be agreeable to arrange a site visit of our property with the members of the planning commission that have jurisdiction over this decision so that they can see the situation first hand. I am sure that the 500 or so residents that live at Country Club at the Meadows will feel the same way as we do when they are made aware of the proposed zone changes being considered on the adjacent property.

Please call us at the above phone number to discuss this issue further and please keep us in the loop as to all decision making on this issue.

Sincerely,

Don and Pam Gaines

Meadows Las Vegas LLC
Country Club at the Meadows
300 Promenade Blvd.
Las Vegas, NV 89107

*DECATUR CROSSING CENTER LLC
15490 Ventura Blvd., Ste. 200
Sherman Oaks, CA 91403
Tel: (818) 501-5500
Fax: (818) 501-7629
E-mail: Decaturcenterllc@aol.com*

February 21, 2007

Via Fax No. 702-385-7268 & Mail

Honorable Planning Commission
City of Las Vegas
731 S. Fourth Street
Las Vegas, NV 89101

Re.: Opposition to ZON-18208, VAR-18210, SUP- 19129 And SDR- 18206 -
proposed expansion of existing Body shop on Meadows Lane by Applicant Fletcher Jones
Management Group, Inc.

Dear Honorable Planning Commission Members:

We are the owners of the Target/Big Lots Anchored Shopping Center directly located across the street from the subject property.

First, we would like to inform you that we have never been contacted by the Applicant or any of their representatives to see if we have any questions or concerns with their proposed project across the street. We have seen the staff report for the first time only a few hours ago.

With All due respect, and with concerns similar in nature to those raised by your staff members in their staff report recommending a denial of the applications, we oppose the proposed zone change and other entitlements sought by this applicant for this property. The pending applications seek unreasonably necessary waivers for setbacks, screening, architectural compatibility, landscaping, traffic, visibility, and most importantly parking.

This project is simply too massive and it does not belong here in this location: And, in our opinion, it will substantially degrade and devalue the surrounding residential homes and Businesses. We are also concerned by the lack of an EIR adequately studying and assessing the potential project generated increases in noise, traffic, Air Quality, Hazardous material(handling & storage), potential for area Contamination and pollution, health , safety, crime and other effects on the property itself and the area surrounding it.

We would appreciate your denial of the project for reasons stated here to for and/or for those reasons stated in your own staff report recommending denial of the Various applications by this Applicant.

Sincerely,


Albert Cohen

Submitted after final agenda

Date 2/22/07 Item #20-23

20-23

DECATUR CROSSING CENTER LLC
15490 Ventura Blvd., Ste. 200
Sherman Oaks, CA 91403
Tel: (818) 501-5500
Fax: (818) 501-7629
E-mail: Decaturcenterllc@aol.com

February 22, 2007

Via Fax No. 702-385-7268 & Mail

R 702-474-0352

Honorable Planning Commission
City of Las Vegas
731 S. Fourth Street
Las Vegas, NV 89101

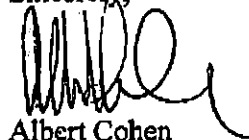
Re.: Opposition to ZON-18208, VAR-18210, SUP- 19129 And SDR- 18206 -
proposed expansion of existing Body shop on Meadows Lane by Applicant Fletcher Jones
Management Group, Inc.

Dear Honorable Planning Commission Members:

We would like to clarify our letter of yesterday that we will not be opposed to the construction of this project if it's reduced in size, architecturally enhanced, and the applicant can demonstrate to us that it will not negatively impact the surrounding properties and area.

Thanking you in advance for your attention to this matter..

Sincerely,



Albert Cohen