

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 7, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE

VAR-17871 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DEJA VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND JEAN M. GRANT - Request for a Variance TO ALLOW A PROPOSED 80-FOOT DOUBLE FACE 2,470 SQUARE-FOOT FREESTANDING SIGN WHERE 720 SQUARE FEET IS THE MAXIMUM ALLOWED on 2.46 acres at 1508 Western Avenue (APN 162-04-602-010), M (Industrial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to conditions.

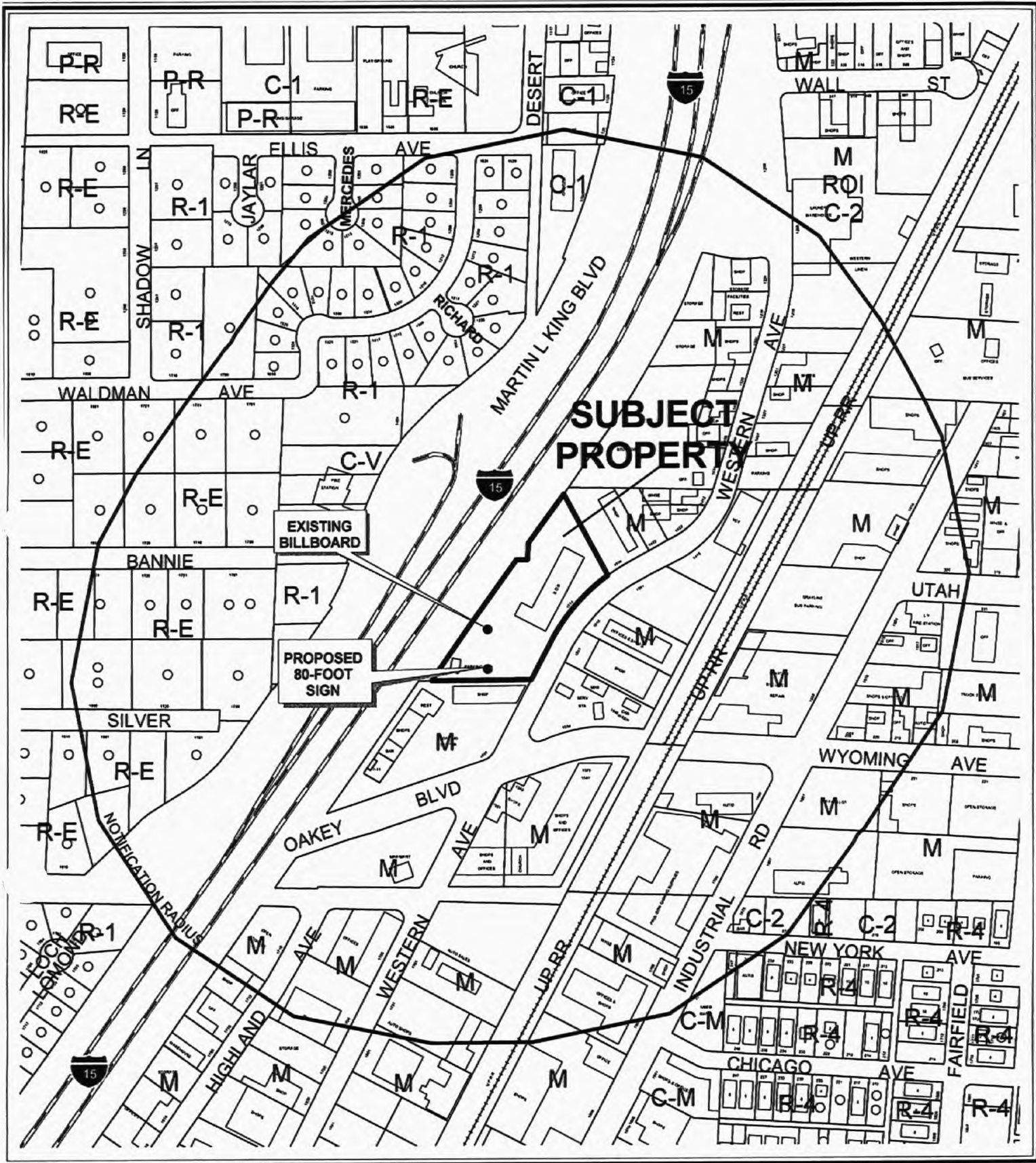
BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Protest letter by Stephen Grogan
5. Protest email from Michael Kiger
6. Justification letter
7. Submitted after final agenda – Abeyance request by Attorney Jay Brown
8. Backup referenced from the 12-21-06 Planning Commission Meeting Item 35

Motion made by GARY REESE to Hold in Abeyance Items 105-109, Items 123 and 124 to 3/21/2007; Items 127-129 to 4/4/2007; Item 85 to 9/5/2007; and accept the WITHDRAWAL WITHOUT PREJUDICE of Item 110

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

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



CASE: VAR-17871

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 7, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - VAR-17871 - APPLICANT: DÉJÀ VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND JEAN M. GRANT

THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 21, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-17312) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The application is a request for a Variance to allow a proposed 80-foot high double face 1,235 square-foot freestanding sign where 720 square feet is the maximum allowed on a 2.46 acre site located at 1508 Western Avenue, east of the Interstate 15 corridor and Western Avenue.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/06	The Planning Commission recommended approval of companion item SDR-17312 concurrently with this application. The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #35/ja).
<i>Pre-Application Meeting</i>	
09/20/06	A Pre-application meeting was held with the applicant. The applicant was informed of the Title 19 – Section 19.14.060 sign regulations related to sign quantity, area, height, setbacks, and separation.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not held for this type of application nor is one required.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.46 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Adult Entertainment	LI/R – Light Industrial/Research	M (Industrial)
North	Commercial Industrial	C (Commercial)	M (Industrial)
South	Commercial Industrial	C (Commercial)	M (Industrial)
East	Commercial Industrial	C (Commercial) LI/R (Light Industrial/Research	M (Industrial)
West	Commercial Industrial	C (Commercial)	M (Industrial)

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

DEVELOPMENT STANDARDS

Freestanding Signs: [type in sign reference]				
Standards	Ratio	Allowed	Provided	Compliance
Maximum Number	1 sign / 200 Lineal feet of Street frontage	1 sign	1 sign	Y
Maximum Area	2 SF of sign area /lineal foot of Street frontage	720 SF	1,235 SF	N
Maximum Height	40 Feet (maximum 30-feet above nearest elevated freeway near proposed freestanding sign)		80 Feet	Y
Minimum Setback	5 Feet		5 Feet	Y
Illumination	200 feet from single- family residential		N/A	N/A

ANALYSIS

The project requests a Variance to allow for an 80-foot freestanding sign with a 1,235 square foot sign face where 720 square feet is the maximum allowed per Title 19 Sign Standards.

- **General Plan/Zoning**

The General Plan land use category for the project site is LI/R (Light Industrial/Research) and is situated within a designated revitalization area. Additionally, the site is within the M (Industrial) zone and freestanding signage is permitted within this zone classification.

- Site Plan

The project would involve installation of one 80-foot tall freestanding sign located near the southern property line. Title 19 Sign Standards limits the maximum number of signs to 1 sign for every 200 lineal feet of street frontage. The eastern property line fronting Western Avenue contains 360 lineal feet therefore 1 sign is the maximum permitted for this site.

- Elevations

The freestanding sign would be a double faced illuminated pylon display installed within an existing surface parking lot of a sexually oriented business. Title 19 Sign Standards limits the total maximum area of freestanding signage to no greater than 2 square feet of sign area for each lineal foot of street frontage. The street frontage for the subject parcel is 360 lineal feet and as such the sign face is limited to 720 square feet.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship with the excessive design of the proposed sign face. A reduced project alternative that meets or exceeds the applicable Title 19 sign face threshold (at or below 720 square feet) would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances. Staff recommends denial of the Variance request.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 111 by City Clerk

APPROVALS 0

PROTESTS 2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-17871** APN: 162-046-020-10

Name of Property Owner: Arthur & Jean Grant

Name of Applicant: Deja Vu's Little Darlings

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

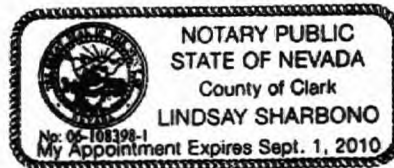
Signature of Property Owner: Jean M. Grant

Print Name: JEAN M. GRANT

Subscribed and sworn before me

This 26th day of October, 2006

Lindsay Sharbano
Notary Public in and for said County and State



34'-0"

32'-2"

VIDEO

8'-0"

AS PER
REQ'D.

PS 23MM 224 X 418 MATRIX
17" 10" X 32" 2" PRO-STAR
VIDEO.

- PYLON COVER
METAL SAND FINISH TEX-COTE
POLE COVER AND CAPS PTD TO
MATCH #230-78 VIVID ROSE.
SMOOTH PAINT STRIPE DOWN
THE CENTER WHITE.

VAR-17871
12/21/06 PC

1/8" = 1'-0"

OCT

100

[illegible]

PRN AND	10366a
DATE	02-08-2006
REFERENCE	DERRICK
SALE'S	SHOCK
PRN NUMBER	LD101664.CDR
MOBILE	

THIS AD WORK WAS PREPARED BY ADO AS THE PROPERTY OF VISION SIGN INC. ANY UNAUTHORIZED USE OF SUCH IN WHOLE OR PART IS PROHIBITED

These data are prepared and submitted by the contractor as an appendix to Pages 417-180. See work order contract for more details.
Submitted under NMS 634
NMS C-00417PAC TCM/LC/EHSE # 412796

Jab's 5 Freedom Ave
Los Angeles, CA 90011
Phone: (310) 895-2474



PYLON SIGN

80' FREEWAY

1514 WESTERN AVE

Training

Don't

Little

Scotch 80's Home Owners Association

2121 Silver Avenue
Las Vegas, NV 89102

Monday, January 19, 1007

Dear Mayor and Council Members,

Our association is opposed to the proposed new signage for the 'Little Darlings' establishment.

We have gone on record of being opposed to signage that may environmentally impact on a neighborhoods esthetics.

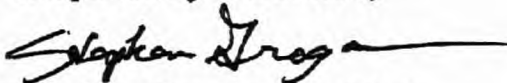
It is our understanding that this sign may be viewed by residents in the Scotch 80's neighborhood. We find this totally unacceptable.

We have seen no engineering that provides a 'cast off' impact to surrounding businesses and neighborhoods. This should be provided by the applicant before this matter is further considered.

Again, we ask this issue to be tabled or to be removed from consideration.

Thank you.

Respectfully submitted,



Stephen Grogan, President
Scotch 80's Home Owners Association
759-0001

Protest

RECEIVED
CITY CLERK
2007 JAN 16 P 4: 58

Date 1/16/07 Item # 128

Kimberly Reid

From: mkiger@tmi-group.com
Sent: Monday, February 05, 2007 8:52 AM
To: councilwoman-ltarkanian@LasVegasNevada.gov
Subject: Internet Submission - Little Darlings Signage

Citizen Name: Michael Kiger

Email: mkiger@tmi-group.com

Comments: Dear Ms. Tarkanian,

Please limit the size of the requested new sign for the Little Darlings club. We do not need to see more X-rated advertisement from the freeway. It is difficult to shield the children from such advertisement.

Thank you.

Date: 2/5/2007 8:52:13 AM

Regarding items # 104 + # 105
VAR 17871 / SDR 17312
ON THE FEBRUARY 7, 2007
AGENDA

Protest

RECEIVED
CITY CLERK
2007 FEB - 6 P 1:21

2/6/07 Item #104-105

LAW OFFICE

Jay H. Brown, Ltd.

A PROFESSIONAL CORPORATION
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jay@jhbrownltd.com

November 16, 2006

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

Re: Justification Letter
SDR-17312
VAR-17871

Gentlemen:

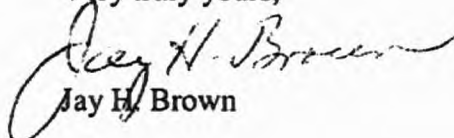
Application SDR-17312 is for a site design review of Déjà vu's Little Darlings' free-standing pole sign, an allowed used in the current M zoning. The freestanding sign is aesthetically pleasing to the eye and meets the design standards set forth in the city code, and is consistent with other signs in the area.

A variance is required to allow the increase in the height of the sign to 80 feet and increase the size of the face of the sign from the allowed 760 sq. ft. to 1,235 sq. ft. for the following reasons:

1. The location of the sign is within 200 feet of I-15.
2. I-15 is elevated approximately 50 ft. and the sign would not be visible unless it was raised to 80 ft.
3. The face of the sign needs to be much larger than the 760 sq. ft. allowed by code in order for it to be spatially appealing while being viewed from I-15.
4. The sign is located on an irregular shaped parcel, which limits the visibility of signage on the property.

We respectfully request that our application for the variance in the height and size of the freestanding sign be approved.

Very truly yours,


Jay H. Brown

JHB:cc

RECEIVED

NOV 20 2006

RECEIVED
CITY CLERK

2007 MAR -7 A 8:02

LAW OFFICE

*Jay H. Brown, Ltd.*A PROFESSIONAL CORPORATION
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jay@jhbrownltd.com

March 6, 2007

VIA FACSIMILE TO: 382-4803

City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101
Attn: Barbara Jo Ronemus
City ClerkRe: City Council Agenda of March 7, 2007
Item No. 110 - VAR-17871
Déjà vu's Little Darlings

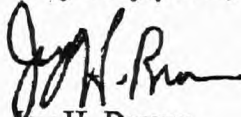
Dear Ms. Ronemus:

Please be advised that I represent the applicant in the above referenced matter.

I respectfully request that VAR-17871 be withdrawn.

Thank you for your cooperation.

Very truly yours,


Jay H. Brown

JHB:cc

Submitted after final agenda

Date 03-07-07 Item #110

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

December 11, 2006

City of Las Vegas Planning Commission
City Council Chambers
400 Stewart Avenue
Las Vegas, NV 89101

In re: **Objections to SDR-17312 and VAR-17871**

Dear City Commissioners:

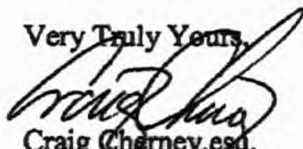
I would like to tender a formal **objection** to the aforementioned matters on behalf of myself and my wife Aubree Cherney. We reside at 1720 Bannie Avenue, in the Scotch 80's Neighborhood which lies directly west of the proposed signage.

While every business is entitled to signage, the enormous size of the proposed "Little Darlings" sign is completely unacceptable.

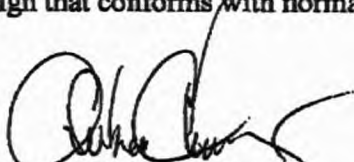
While our neighborhood lies next to these kinds of businesses, I don't believe it's fair that a new sign, which will become an ENORMOUS BEACON to all passers-by for this Little Darlings establishment would benefit the city, its residents, or people like us who will live under the shadow of this signage.

Please compel the applicant to build a sign that conforms with normal city code.

Very Truly Yours,



Craig Cherney, esq.
1720 Bannie Ave
Las Vegas, NV 89102



Aubree Cherney, esq.
1720 Bannie Ave
Las Vegas, NV 89102

Renee Poole
Not Just Antiques Mart
1422 Western Avenue
Las Vegas, NV 89102

December 15, 2006

RE: SDR-17312 AND VAR-17871 Little Darlings Déjà vu's Sign Applications

Dear Council:

I am OPPOSED to both of these plans passing. I have property adjacent to this address, which is a retail establishment. The neighborhood has long been known for its nudey bars. And many who live in Las Vegas and tourists, do not travel in this neighborhood because of the reputation that it has gotten. Western Avenue and the adjacent neighborhood is just beginning to see the arrival of new retail businesses, art galleries, and building promotions.

I think a sign of that size will mislead passer-bys; especially those on the freeway, and will discourage potential customers from seeking our retail businesses. Although, I am not in opposition to this type of business, I don't feel that the promotion of this with a 80 foot sign is necessary, and may actually hurt the small businesses that are in this area.

I am hopeful that you will vote no on this matter.

Renee Poole

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 7, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-17871

SDR-17312 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: DÉJÀ VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND JEAN M. GRANT - Request for a Site Development Plan Review FOR A PROPOSED 80-FOOT HIGH FREESTANDING SIGN on 2.46 acres at 1508 Western Avenue (APN 162-04-602-010), M (Industrial) Zone, Ward 3 (Reese). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

1

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda - Revised plan by staff
6. Backup referenced from the 12-21-06 Planning Commission Meeting Item 36

Motion made by GARY REESE to Approve Subject to Conditions and amending Conditions 2 and 4 as read for the record:

2. All development shall be in conformance with the site plan, and sign elevations date stamped 3/6/07, except as amended by conditions herein.
4. The proposed freestanding sign shall not be located within the public right-of-way or interfere with Site Visibility Restriction Zones. The sign base shall not be located within existing or proposed public sewer or drainage easements.

Passed For: 4; Against: 1; Abstain: 1; Did Not Vote: 0; Excused: 0

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

CITY COUNCIL MEETING OF: MARCH 7, 2007

NOTE: MAYOR GOODMAN abstained because he has a partnership relationship with ATTORNEY JAY BROWN on property located on West Charleston Boulevard.

Minutes:

MAYOR PRO TEM REESE declared the Public Hearing open.

ATTORNEY JAY BROWN, 520 South 4th Street, and DARRELL SHOCK, Vision Sign, Inc., 3625 South Polaris Avenue, appeared on behalf of the applicant. MR. SHOCK clarified that the sign will not be more than 720 square feet. The related Variance was withdrawn.

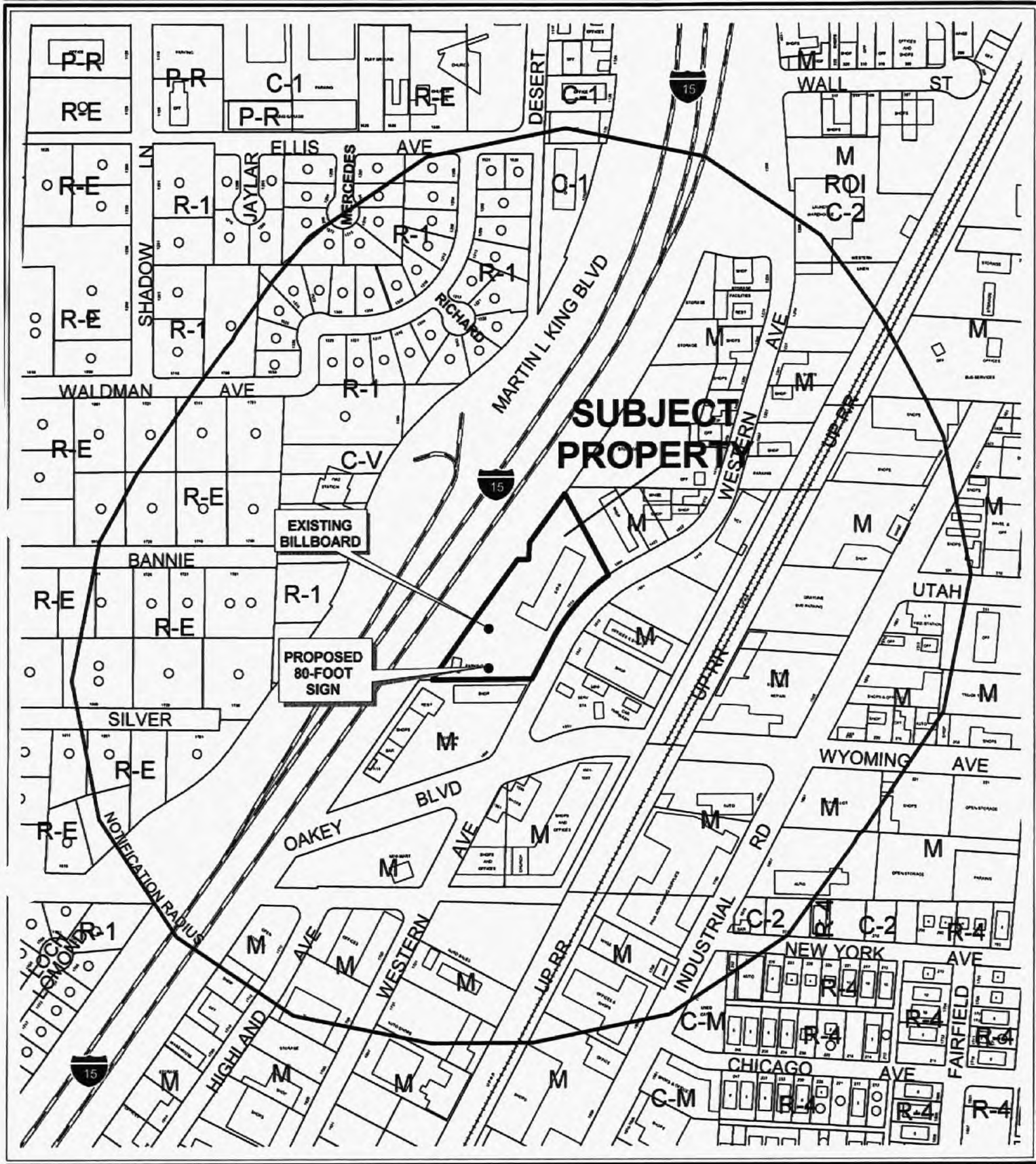
MAYOR PRO TEM REESE indicated he visited the site and believes that area residents will only be able to see a small portion of the sign.

TED RUSSELL, Las Vegas resident, appeared in support.

MARGO WHEELER, Director of Planning and Development Department, recommended that Conditions 2 and 4 be amended. ATTORNEY BROWN agreed to the amendments.

COUNCILWOMAN TARKANIAN was appreciative for the reduction of the sign, but many residents still feel the sign is too large; therefore, she could not support the motion.

MAYOR PRO TEM REESE declared the Public Hearing closed.



CASE: **SDR-17312**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 7, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - SDR-17312 - APPLICANT: DÉJÀ VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND JEAN M. GRANT

THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 21, 2007 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan, and sign elevations date stamped 10/3/06, except as amended by conditions herein.
3. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

4. The proposed freestanding sign shall not be located within the public right-of-way or interfere with Site Visibility Restriction Zones. The billboard base shall not be located within existing or proposed public sewer or drainage easements.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Site Development Plan Review for a proposed 80-foot high 2,470 square-foot freestanding sign on 2.46 acres at 1508 Western Avenue, between Interstate 15 and Western Avenue. A companion Variance (VAR-17871) shall be considered with this application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/06	The Planning Commission recommended approval of companion item VAR-17871 concurrently with this application. The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #36/ja).
<i>Pre-Application Meeting</i>	
09/20/06	A Pre-application meeting was held with the applicant. The applicant was informed of the Title 19 – Section 19.14.060 sign regulations related to sign quantity, area, height, setbacks, and separation.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not held for this type of application nor is one required.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.46 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Sexually Oriented Business	LI/R (Light Industrial/Research)	M (Industrial)
North	Commercial Industrial	C (Commercial)	M (Industrial)
South	Commercial Industrial	C (Commercial)	M (Industrial)
East	Commercial Industrial	C (Commercial) and LI/R (Light Industrial/Research)	M (Industrial)
West	Commercial Industrial	C (Commercial)	M (Industrial)

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

DEVELOPMENT STANDARDS

Freestanding Signs: [type in sign reference]				
Standards	Ratio	Allowed	Provided	Compliance
Maximum Number	1 sign / 200 Lineal feet of Street frontage	1 sign	1 sign	Y
Maximum Area	2 SF of sign area /lineal foot of Street frontage	720 SF	2,470 SF	N
Maximum Height	40 Feet (maximum 30-feet above nearest elevated freeway near proposed freestanding sign)		80 Feet (I-15 Highway is elevated 50- feet above project site)	Y
Minimum Setback	5 Feet		5 Feet	Y
Illumination	200 feet from single- family residential		N/A	N/A

ANALYSIS

The project request is for the removal of an existing 55-foot tall double face freestanding sign with electric matrix display and construction of a new double face freestanding 80-foot high illumination and pylon sign with video display. The new sign will serve to advertise the location of a sexually oriented business at the subject property.

Development surrounding the project site includes commercial and light industrial uses to the south, east, and north, and Interstate Highway 15 (I-15) to the west. Other existing signage on-site includes an 85-foot tall double face approximately 20-feet by 40-feet commercial billboard near the southwest corner of the property; and illuminated wall, roof, and awning signage.

- General Plan/Zoning

The General Plan land use category for the project site is LI/R (Light Industrial/Research) and is situated within a designated revitalization area. Additionally, the site is within the M (Industrial) zone and freestanding signage is permitted within this zone classification.

- Site Plan

The freestanding sign will be located within a paved surface parking lot near the southern property line and within 100 feet of the Interstate 15 (I-15) corridor. An approximately 85 foot tall billboard located east of the I-15 highway and west of the proposed sign location exists on the project site. The proposed sign will be installed more than 100 feet (measured on center) from the billboard as required per Title 19 signage distance separation requirements. All other existing signage for the sexually oriented business was reviewed for conformance to current Title 19 Sign Standards. Scaled plans of all existing signage was requested of the applicant by Planning staff however a complete set of drawings was not submitted for review. Staff estimated that current signage complies with Title 19 sign standards.

- Sign Elevation

The sign would be a freestanding illuminated display constructed of metal and with pylon cover featuring neon and incandescent lighting, video screen, and open pan channel lettering. The sign will be 80-feet high installed approximately 100 feet east of an elevated state public right-of-way. Which (I-15) rises approximately 50-feet above the adjacent surface parking lot. Title 19 – Section 19.14 Sign Standards permits the construction of freestanding signage within 200 feet of the right-of-way line of an elevated freeway or highway to which it is oriented, and may be erected up to 30 feet above the elevation of an elevated freeway or highway nearest the sign.

FINDINGS

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

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

The proposed sign is a permitted use within the industrial zone district.

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

The proposed sign is consistent with the General Plan land use and Title 19 Sign Standards.

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

The project will not adversely affect street operations on Western Avenue.

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

The sign structure is designed to complement the existing sexually oriented business and will utilize materials that will provide structural stability.

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

The architectural design of the structure will blend well with the exterior building design as well as with surrounding uses by utilizing modern design elements.

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

Implementation of the proposed project will not result in substantial risk to human health and public safety.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 111 by Planning and Development Dept

APPROVALS 0

PROTESTS 2



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-17312** APN: 162-046-020-10

Name of Property Owner: Arthur & Jean Grant

Name of Applicant: Deja Vu's Little Darlings

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

☐ Yes

☒ No

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

City Official: N/A

Partner(s): _____

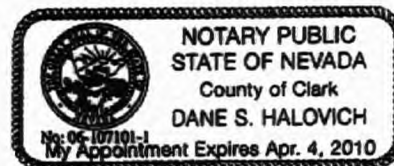
APN _____

Signature of Property Owner: Jean Grant

Print Name: JEAN GRANT

Subscribed and sworn before me

This 01 day of AUGUST, 2006
[Signature]
Notary Public in and for said County and State



I-15

SITE PLAN

1"=60'



WESTERN AVE

**EXISTING SIGN
TO BE REMOVED**



AERIAL VIEW N.T.S.

RECEIVED
OCT 03 2006

Little Darlings

1514 WESTERN AVE

SITE PALN

VISION SIGN

3625 S. Polaris Ave. Las Vegas, Nevada 89103
Phone: (702) 895-7474

These plans are prepared and submitted by the contractor as an exemption to NRS 623.330 for work under contractor license category authorized under NRS 624.

NV CONTRACTOR LICENSE #42776

THIS ARTWORK WAS PREPARED BY AND IS THE PROPERTY OF VISION SIGN, INC. ANY UNAUTHORIZED USE OF SAME IN WHOLE OR PART IS PROHIBITED.

JOB NO	10366a
DATE	02-08-2006
DRIVER	DERRICK
SALES	SHOCK
PLANT	LD10366a CDF
NO. OF	

REVISIONS MADE	
04-28-06 DN	ADJUST SIZES OF SIGN
	& LED UNIT

SITE

SDR-17312

12/21/06 PC

TOTAL SQ. FT.
1235 SQ. FT.

RAC-WAY
REAR FACE WAY W/ CHANE
ING INDEPENDENT LAMPS
600W 25WATT CLEAR
LAMP

FLEX FACE CABINET
METAL CABINET & RETAINERS
PAINTED WHITE - WHITE FLEX
FACE w/ GRAPHICS APPLIED.
1000W 25WATT FLUORESCENT
LAMP AS REQ'D

AS PER
REQ'D

METAL CABINET
SANDONSHITE CO-PAINT
1000W 25WATT FLUORESCENT
LAMP IN CABINET TO BE
REPLACED w/ 600W

SCROLL
PANT WHITE W/ ROSE
WHITE NEON LIGHT

LITTLE DARLINGS
OPEN PAN CHANNEL LYRS.
PAINT WHITE INSIDE & PAINT
OUTSIDE RETURN WHITE w/
DIP IN NEON LIGHT

TOTALLY NUDE
OPEN PAN CHANNEL LYRS.
PAINT TO MATCH #230-182 BLUE
VINYL INSIDE & PAINT OUTSIDE
RETURN WHITE w/ DIP CLEAR BLUE
NEON LIGHT

1000W 25WATT FLUORESCENT
LAMP IN CABINET

1000W 25WATT FLUORESCENT
LAMP IN CABINET

Little
Darlings
TOTALLY NUDE



575 SQ. FT.

EXPOSE CLEAR BLUE NEON
STEADY BURN.

PYLON COVER
METAL SAND FINISH TEX-COTE
POLE COVER AND CAPS PTD TO
MATCH #230-78 VIVID ROSE.
SMOOTH PAINT STRIPE DOWN
THE CENTER WHITE.

RECEIVED
OCT 03 2006

1/8" = 1'-0"
D/F ILLUMINATED PYLON DISPLAY (1) REQ'D.

12/21/06 PC

SDR-17312

001

REVISION	DATE	BY	DESCRIPTION
01	03-08-2006	DEB	REVISION
02	03-08-2006	DEB	REVISION
03	03-08-2006	DEB	REVISION
04	03-08-2006	DEB	REVISION
05	03-08-2006	DEB	REVISION
06	03-08-2006	DEB	REVISION
07	03-08-2006	DEB	REVISION
08	03-08-2006	DEB	REVISION
09	03-08-2006	DEB	REVISION
10	03-08-2006	DEB	REVISION
11	03-08-2006	DEB	REVISION
12	03-08-2006	DEB	REVISION
13	03-08-2006	DEB	REVISION
14	03-08-2006	DEB	REVISION
15	03-08-2006	DEB	REVISION
16	03-08-2006	DEB	REVISION
17	03-08-2006	DEB	REVISION
18	03-08-2006	DEB	REVISION
19	03-08-2006	DEB	REVISION
20	03-08-2006	DEB	REVISION

THE LANTERN HAS BEEN DESIGNED BY AND IS THE PROPERTY
OF VISION SIGN. IT IS NOT TO BE REPRODUCED OR USED IN ANY
MANNER WITHOUT THE WRITTEN PERMISSION OF VISION SIGN.

VISION SIGN
2425 S. PULASKI AVE. SAN ANTONIO, TEXAS 78205
PHONE: (214) 995-7474
FAX: (214) 995-7475
WWW.VISIONSIGN.COM

Little
Darlings
1514 WESTERN AVE
80' FREEWAY
PYLON SIGN



VAR-17871 & SDR-17312 - APPLICANT: DEJA VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND
JEAN M. GRANT
1508 WESTERN AVENUE
DECEMBER 21, 2006 PLANNING COMMISSION

11/28/06



VAR-17871 & SDR-17312 - APPLICANT: DEJA VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND
JEAN M. GRANT
1508 WESTERN AVENUE
DECEMBER 21, 2006 PLANNING COMMISSION

11/28/06



VAR-17871 & SDR-17312 - APPLICANT: DEJA VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND
JEAN M. GRANT
1508 WESTERN AVENUE
DECEMBER 21, 2006 PLANNING COMMISSION

11/28/06



VAR-17871 & SDR-17312 - APPLICANT: DEJA VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND
JEAN M. GRANT
1508 WESTERN AVENUE
DECEMBER 21, 2006 PLANNING COMMISSION

11/28/06



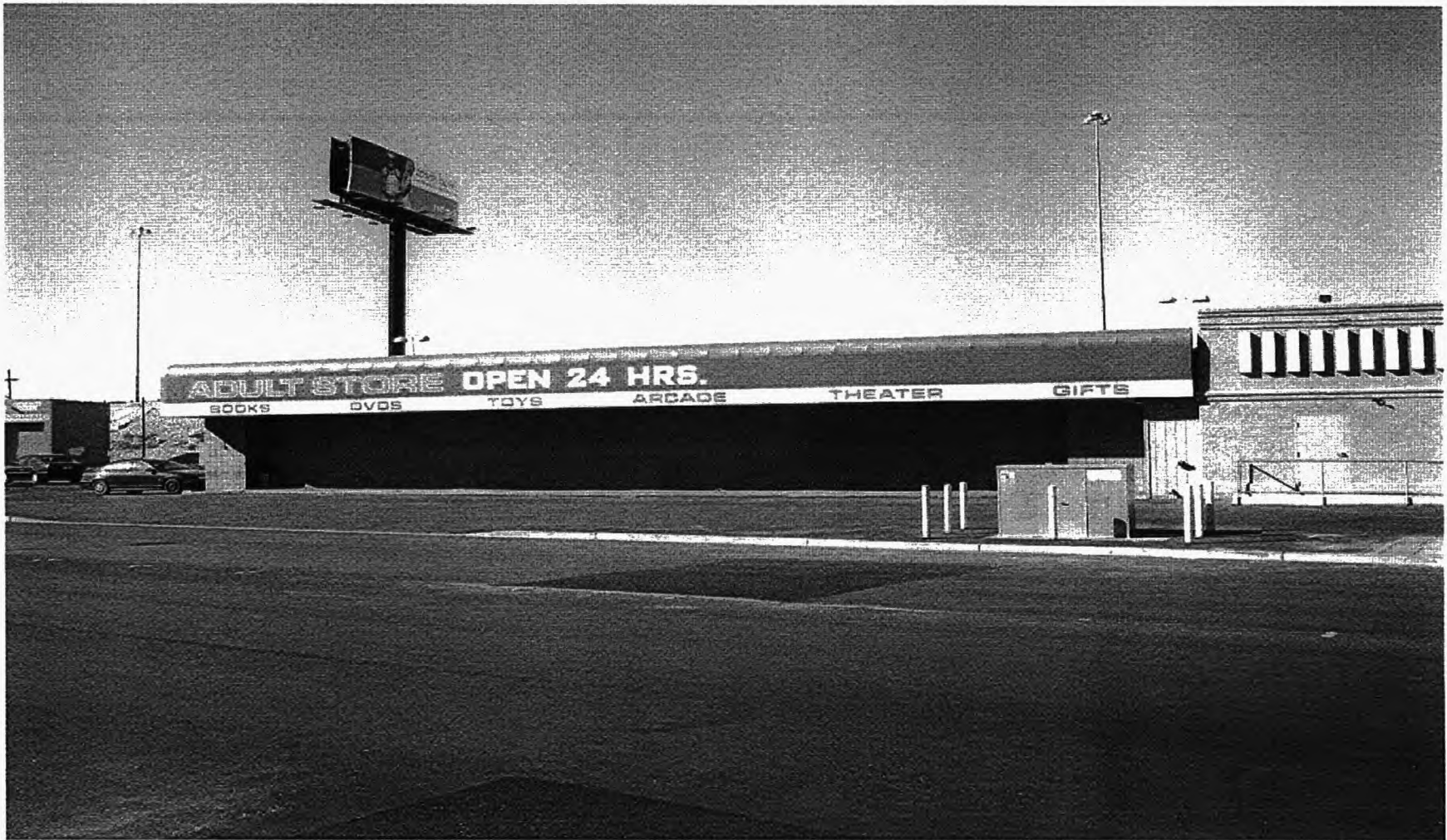
VAR-17871 & SDR-17312 - APPLICANT: DEJA VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND
JEAN M. GRANT
1508 WESTERN AVENUE
DECEMBER 21, 2006 PLANNING COMMISSION

11/28/06



VAR-17871 & SDR-17312 - APPLICANT: DEJA VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND
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11/28/06



VAR-17871 & SDR-17312 - APPLICANT: DEJA VU'S LITTLE DARLINGS - OWNER: ARTHUR G. AND
JEAN M. GRANT
1508 WESTERN AVENUE
DECEMBER 21, 2006 PLANNING COMMISSION

11/28/06

LAW OFFICE

Jay H. Brown, Ltd.

A PROFESSIONAL CORPORATION
520 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101

TELEPHONE (702) 384-5563
FACSIMILE (702) 385-1023
EMAIL: jay@jhbrownltd.com

November 16, 2006

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

Re: Justification Letter
SDR-17312
VAR-17871

Gentlemen:

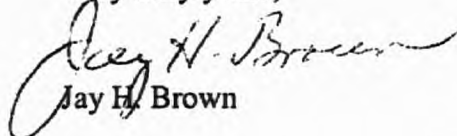
Application SDR-17312 is for a site design review of Déjà vu's Little Darlings' free-standing pole sign, an allowed use in the current M zoning. The freestanding sign is aesthetically pleasing to the eye and meets the design standards set forth in the city code, and is consistent with other signs in the area.

A variance is required to allow the increase in the height of the sign to 80 feet and increase the size of the face of the sign from the allowed 760 sq. ft. to 1,235 sq. ft. for the following reasons:

1. The location of the sign is within 200 feet of I-15.
2. I-15 is elevated approximately 50 ft. and the sign would not be visible unless it was raised to 80 ft.
3. The face of the sign needs to be much larger than the 760 sq. ft. allowed by code in order for it to be spatially appealing while being viewed from I-15.
4. The sign is located on an irregular shaped parcel, which limits the visibility of signage on the property.

We respectfully request that our application for the variance in the height and size of the freestanding sign be approved.

Very truly yours,


Jay H. Brown

JHB:cc

RECEIVED

NOV 20 2006

3/6/07 #111



(1) REQ'D.

[illegible]

Little Darlings
1514 WESTERN AVE
80' FREEWAY
PYLON SIGN
OPT 1

-SDR-17312 03-07-07 CC

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

December 11, 2006

City of Las Vegas Planning Commission
City Council Chambers
400 Stewart Avenue
Las Vegas, NV 89101

In re: **Objections to SDR-17312 and VAR-17871**

Dear City Commissioners:

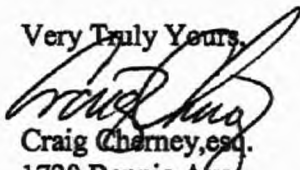
I would like to tender a formal **objection** to the aforementioned matters on behalf of myself and my wife Aubree Cherney. We reside at 1720 Bannie Avenue, in the Scotch 80's Neighborhood which lies directly west of the proposed signage.

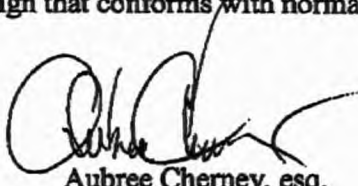
While every business is entitled to signage, the enormous size of the proposed "Little Darlings" sign is completely unacceptable.

While our neighborhood lies next to these kinds of businesses, I don't believe it's fair that a new sign, which will become an ENORMOUS BEACON to all passers-by for this Little Darlings establishment would benefit the city, its residents, or people like us who will live under the shadow of this signage.

Please compel the applicant to build a sign that conforms with normal city code.

Very Truly Yours,


Craig Cherney, esq.
1720 Bannie Ave
Las Vegas, NV 89102


Aubree Cherney, esq.
1720 Bannie Ave
Las Vegas, NV 89102

Renee Poole
Not Just Antiques Mart
1422 Western Avenue
Las Vegas, NV 89102

December 15, 2006

RE: SDR-17312 AND VAR-17871 Little Darlings Déjà vu's Sign Applications

Dear Council:

I am OPPOSED to both of these plans passing. I have property adjacent to this address, which is a retail establishment. The neighborhood has long been known for its nudey bars, And many who live in Las Vegas and tourists, do not travel in this neighborhood because of the reputation that it has gotten. Western Avenue and the adjacent neighborhood is just beginning to see the arrival of new retail businesses, art galleries, and building promotions.

I think a sign of that size will mislead passer-bys; especially those on the freeway, and will discourage potential customers from seeking our retail businesses. Although, I am not in opposition to this type of business, I don't feel that the promotion of this with a 80 foot sign is necessary, and may actually hurt the small businesses that are in this area.

I am hopeful that you will vote no on this matter.

Renee Poole

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 7, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE

VAR-18312 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: T-MOBILE USA, INC - OWNER: INTERNATIONAL CHURCH OF THE FOURSQUARE GOSPEL - Request for a Variance TO ALLOW A PROPOSED 80-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN TO BE A MINIMUM 184 FEET FROM RESIDENTIAL PROPERTY WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A SETBACK OF 240 FEET on 1.75 acres adjacent to the south side of Alexander Road, approximately 650 feet east of Cimarron Road (APN 138-09-501-003), C-V (Civic) Zone, Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

20

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Revised plans submitted 01-25-07
6. Backup referenced from the 01-11-07 Planning Commission Meeting Item 28

Motion made by LARRY BROWN to Withdraw without Prejudice

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

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

Minutes:

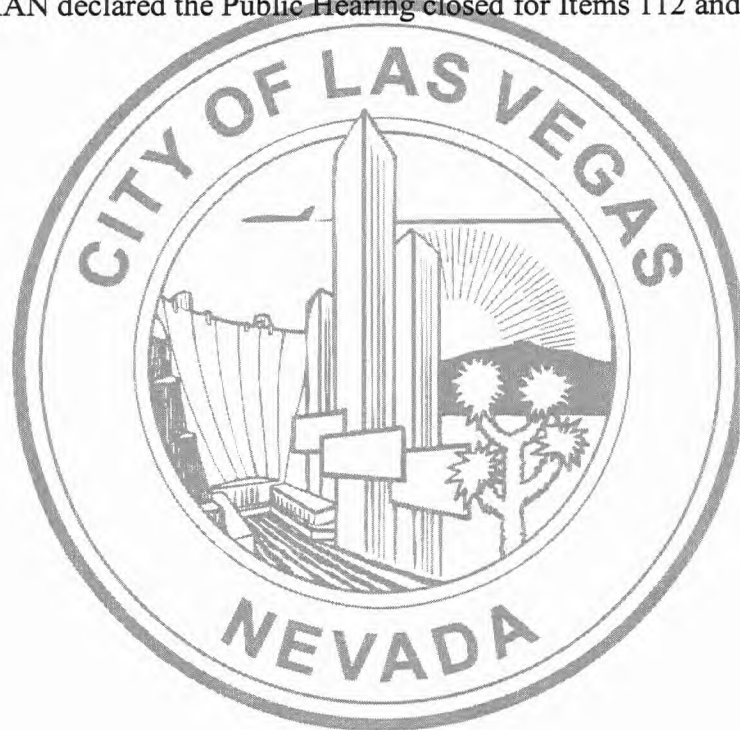
MAYOR GOODMAN declared the Public Hearing open for Items 112 and 113.

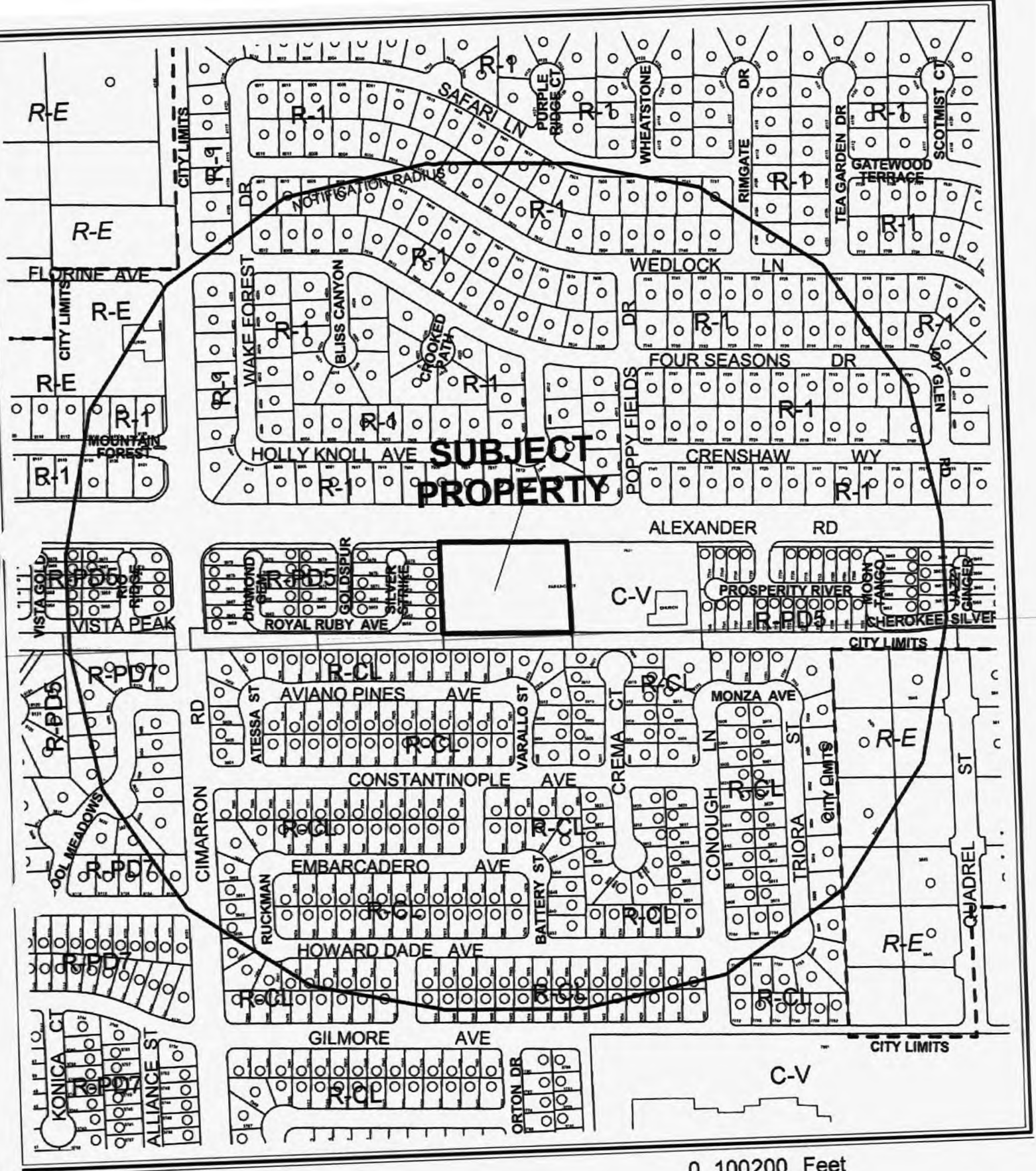
CITY COUNCIL MEETING OF: MARCH 7, 2007

CHRIS WENER, Spectrum Engineering, 7351 West Charleston Boulevard, asked to withdraw without prejudice the Variance, as it is no longer required. The site plan was revised to reduce the sign's height.

COUNCILMAN BROWN stated the sign was reduced from 80 to 60 feet, reduced the circumference and tied it in with a parking lot light. He was going to move forward with this item, but it was brought to the Council's attention that an agreement was made between the church and neighborhood. Anything other than a church building placed on site cannot exceed the height of the church. There is no reference in the original conditions to this effect. In fairness to the applicant and the neighborhood, COUNCILMAN BROWN asked to hold the item in abeyance to confirm if there was an agreement.

MAYOR GOODMAN declared the Public Hearing closed for Items 112 and Item 113.





0 100200 Feet

CASE: **VAR-18312**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)





CASE: **VAR-18312**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 100200 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 7, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-18312 - APPLICANT: T-MOBILE USA, INC - OWNER:
INTERNATIONAL CHURCH OF THE FOURSQUARE GOSPEL**

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

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-18314) 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.
3. The approval of the Variance is for a wireless communication facility, stealth design, to not exceed a height of 60 feet.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow a wireless communications facility, stealth design, to have a minimum residential adjacency of 184 feet from the rear property line where a 240-foot minimum setback is required.

A companion Special Use Permit has been filed with this application as the proposal does not meet the minimum conditions for a wireless communications facility, stealth design.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/15/95	The City Council approved a General Plan Amendment (GPA-41-95) from L (Low Density Residential) and ML (Medium-Low Density Residential) to PF (Public Facility). The application expired.
11/15/95	The City Council approved a Rezoning (Z-74-95) from N-U (Non-Urban) to C-V (Civic) This application expired November 15, 1996.
5/26/98	The City Council approved a General Plan Amendment (GPA-8-98) from L (Low Density Residential) to PF (Public Facility). Planning Commission and Staff recommended approval.
5/26/98	The City Council approved the request for a Rezoning (Z-20-98) on property located on the south side of Alexander Road, approximately 680 feet east of Cimarron Road from U (Undeveloped) Zone. Planning Commission and Staff recommended approval. Planning Commission and Staff recommended approval.
01/11/07	The Planning Commission recommended approval of companion item SUP-18314 concurrently with this application. The Planning Commission voted 6-1/sd to recommend APPROVAL (PC Agenda Item #28/mh).
<i>Related Building Permits/Business Licenses</i>	
NA	NA
<i>Pre-Application Meeting</i>	
11/06/06	Staff explained the requirements for this application as a Special Use Permit is required in addition to a Variance from Title 19.08 residential adjacency standards.
<i>Neighborhood Meeting</i>	
NA	A neighborhood meeting was not held nor was one required.
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.75 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Church Parking Lot	P-F (Public Facilities)	C-V (Civic) Zone
North	Single Family Dwellings	L (Low Density)	R-1 (Single Family Residential) Zone
South	Single Family Dwellings	ML (Low Density)	R-CL (Residential-Compact Lot) Zone
East	Single Family Dwellings	L (Low Density)	R-PD5 (Residential-Planned Development, 5 Units per Acre) Zone
West	Single Family Dwellings	L (Low Density)	R-PD5 (Residential-Planned Development, 5 Units per Acre) Zone

<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			
C-V Civic District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

C-V Civic District:

The existing parking lot and neighboring church are in compliance with the acceptable uses for the C-V Civic Zoned District. A wireless communications facility, stealth design, is a permitted use upon meeting the minimum conditions as listed by Title 19.04. Since this proposal does not meet the conditions for the residential adjacency setback, a Variance and Special Use Permit have been filed.

Trails:

A Multi-use Transportation Trail aligned with Alexander Road runs adjacent to the northern perimeter of the subject property. A wireless communications facility, stealth design will have little anticipated affect on the existing trail alignment.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.060, the following standards apply:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	240 Feet	184 feet	N*
Adjacent development matching setback	10 Feet	184 feet	Y

ANALYSIS

The existing church is a permitted use in the C-V zoning district. The cell tower is a permitted use upon either an administrative approval or approval of a Special Use Permit. Because of the adjacent residential development and non-compliance with the residential adjacency standards, this proposed tower location was deemed to be unsuitable for an administrative approval, and the applicant was directed to file a Special Use Permit application and a Variance application related to residential adjacency.

The proposed stealth antenna is located on the southwest portion of the subject C-V zoned parcel. It is a "street lamp" design at a height of 80 feet to the top of the antenna. Title 19.08.060 states that a Wireless Communication Facility, Stealth Design, be separated from residential uses by proximity slope of 3:1. This requires the proposed 80-foot antennae to be located 240 feet from the adjoining R-1 (Single Family Residence) property. The submitted site plan indicates that a minimum setback of 184 feet is provided. This use is not compatible with the C-V and the single-family residential developments in the surrounding area; therefore, denial is recommended.

The parking lot lighting is shown on the provided elevations to be at 40 feet in height. Although the lighting appears to utilize downward-directed lights, the height of the light poles exceeds the 30-foot height limitation and is double the 20-foot height recommendation as established in Title 19.08.050(E)5e. Parking lot lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has not created a self-imposed hardship by proposing an 80-foot tall wireless communication facility adjacent to single family residences. Alternative site selection or reduced antenna height 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

5

ASSEMBLY DISTRICT 37

SENATE DISTRICT 6

NOTICES MAILED 500 by City Clerk

APPROVALS 0

PROTESTS 20



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-18312** APN: 138-09-501-003

Name of Property Owner: Foursquare Gospel Church

Name of Applicant: T-Mobile

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 ~~95-1684062~~

Signature of Property Owner: _____

Jeffrey L. Bird, Chief Financial Officer

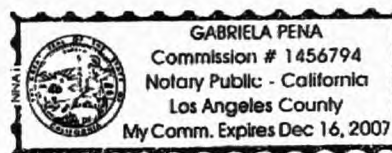
Witnessed By: _____

Tim J. Baskin, Asst. Secretary

Subscribed and sworn before me, by Jeffrey L. Bird and Tim J. Baskin, who are personally known to me.

This 21 day of August, 2006

Notary Public in and for said County and State





T-Mobile®

7801 W. ALEXANDER ROAD
LAS VEGAS, NEVADA 89129

PROJECT DESCRIPTION



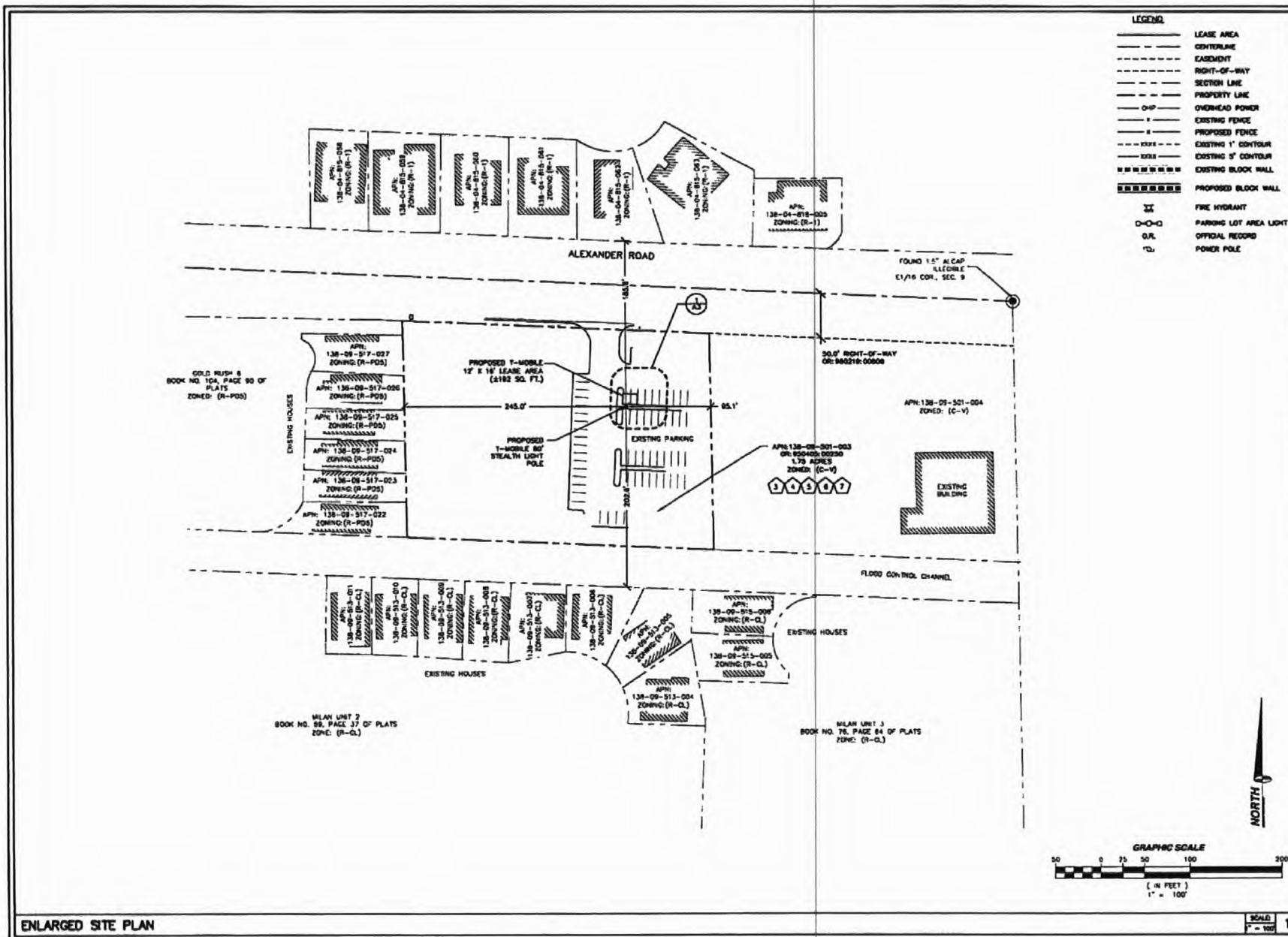
PROJECT SUMMARY

CODE COMPLIANCE

PROJECT TEAM

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





COMPASSPOINT
T-Mobile
 475 S. MARY ST., STE. 100
 LAS VEGAS, NV 89101

PROJECT INFORMATION:
ALEXANDER & CIMARRON
VG08392-A
 7801 W. ALEXANDER ROAD
 LAS VEGAS, NEVADA 89129

CURRENT ISSUE DATE:
 1/23/07

ISSUED FOR:
ZONING

REV. DATE DESCRIPTION BY:

REV.	DATE	DESCRIPTION	BY
1	1/23/07	ZONING REVISIONS	B.M.
2	08/24/06	100% ZONING	J.C.
3	08/14/06	BOX ZONING	J.C.

PLANS PREPARED BY:
SPECTRUM
 SURVEYING & ENGINEERING
 7301 W. CHARLESTON BLVD., SUITE 120
 LAS VEGAS, NEVADA 89117
 PH. (702) 387-7705
 FAX (702) 387-8733

DRAWN BY: C.K. **APV:** M. DEVALU/C. WENGER

UCC/SURE:

SHEET TITLE:
 ENLARGED SITE PLAN

SHEET NUMBER: A2 **REVISION:** 2

VG08392-A

VAR-18312 SUP-18314 02-07-07 CC



ANTENNA SECTION	ANTENNA MAKE/MODEL	COAXIAL CABLE LENGTH	CABLE SIZE	TMA	RAD CENTER	TOP JUMPER LENGTH	BOTTOM JUMPER LENGTH	COMMENTS
SECTION A	DRS-10-000PL30	100' X 2	7/8" COAX	2	57.5'	5'	6' (10' MAX)	-
SECTION B	DRS-10-000PL30	100' X 2	7/8" COAX	2	57.5'	5'	6' (10' MAX)	-
SECTION C	DRS-10-000PL30	100' X 2	7/8" COAX	2	57.5'	5'	6' (10' MAX)	-
GPS	N/A	TRUE POSITION	30' X 1	1/2" COAX	-	N/A	N/A	-
LAM	N/A	TRUE POSITION	N/A	N/A	-	N/A	N/A	-

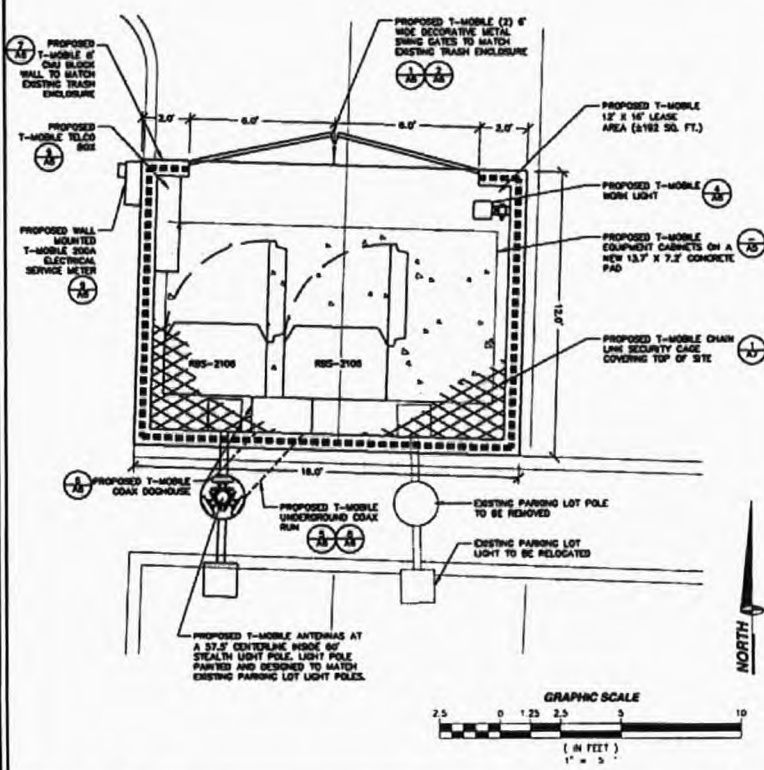
NOTE: CONTRACTOR TO FIELD VERIFY CABLE LENGTHS PRIOR TO ORDERING, FABRICATION, OR INSTALLATION OF CABLES.

EQUIPMENT	QUANTITY	EQUIPMENT CABINETS MAKE/MODEL	LATITUDE	LONGITUDE	LATITUDE	LONGITUDE	GROUND LEVEL	COMMENTS
ENCLOSURE	2	RSS-2108 (OUTDOOR)	N/A	N/A	N/A	N/A	2381	-

ANTENNA LAYOUT

ANTENNA, CABLE AND EQUIPMENT SCHEDULE

2

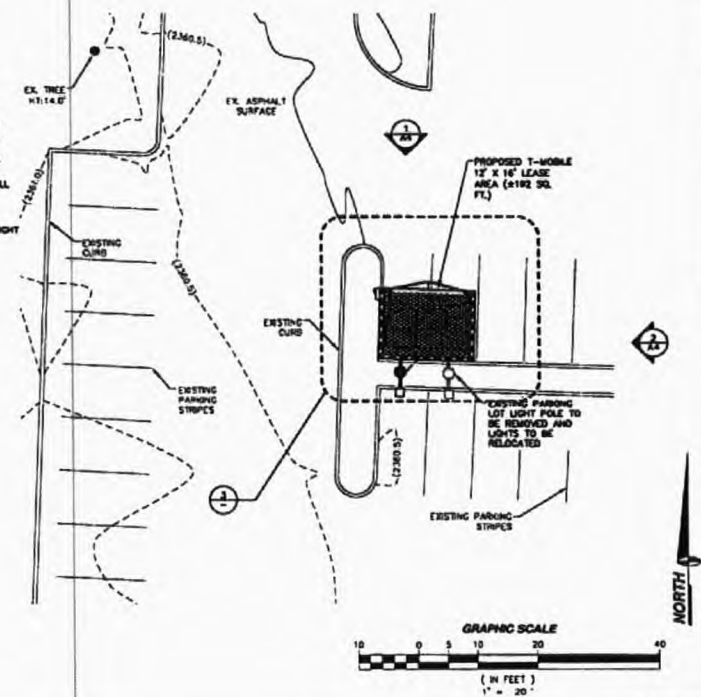


ENLARGED SITE DETAIL

3 SITE DETAIL

LEGEND

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



POINT-TO-POINT
T-Mobile
 475 S. RIV. ST., STE. 10
 LAS VEGAS, NV 89107

PROJECT INFORMATION:
 ALEXANDER &
 CIMARRON
 VG08392-A
 7801 W. ALEXANDER ROAD
 LAS VEGAS, NEVADA 89129

CURRENT ISSUE DATE:
 1/23/07

ISSUED FOR:
 ZONING

REV.: DATE: DESCRIPTION: BY:

1/23/07	ZONING REVISIONS	S.M.
06/24/06	100K ZONING	J.C.
06/14/06	90K ZONING	J.C.

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

DRAWN BY: C.M. APV:
 A. CORTEZ M. CEFALLI C. WEDER

LICENSURE:

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

SHEET NUMBER: REVISION:

A3 **2**
 VG08392-A



PROJECT INFORMATION:
ALEXANDER & CIMARRON
 VG08392-A
 7801 W. ALEXANDER ROAD
 LAS VEGAS, NEVADA 89129

CURRENT ISSUE DATE:
1/23/07

ISSUED FOR:
ZONING

REV.	DATE	DESCRIPTION	BY
1	1/23/07	ZONING REVISIONS	B.M.
2	02/24/08	100% ZONING	J.C.
3	08/14/08	90% ZONING	J.C.

PLANS PREPARED BY:
SPECTRUM
 SURVEYING & ENGINEERING
 7351 W. CHARLESTON BLVD., SUITE 120
 LAS VEGAS, NEVADA 89117
 PH: (702) 387-7705
 FAX: (702) 387-8733

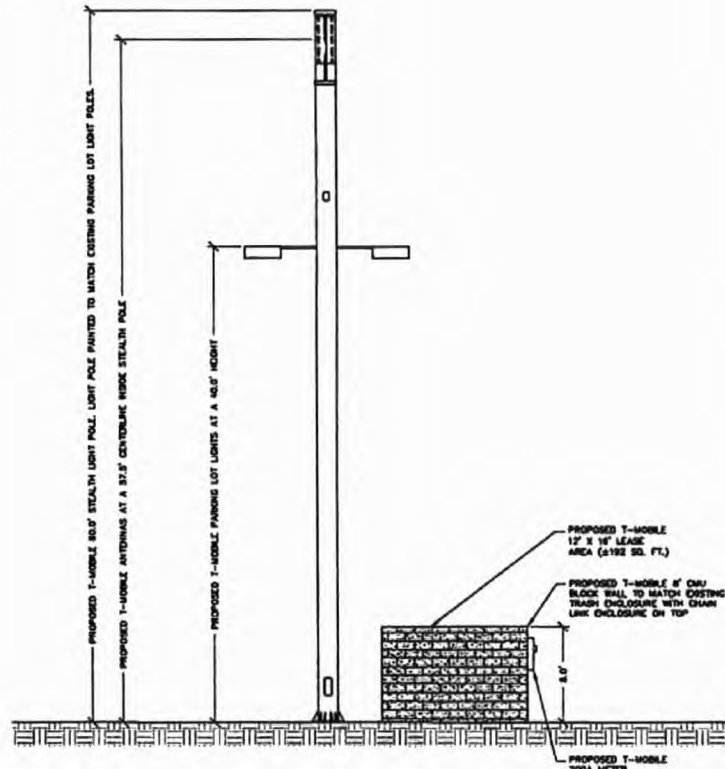
DRAWN BY: CHK. APV.
A. CORTEZ M. CEFALU C. WOHLE

LICENSURE:

SHEET TITLE:
ELEVATIONS

SHEET NUMBER: REVISION:

A4 **2**
 VG08392-A

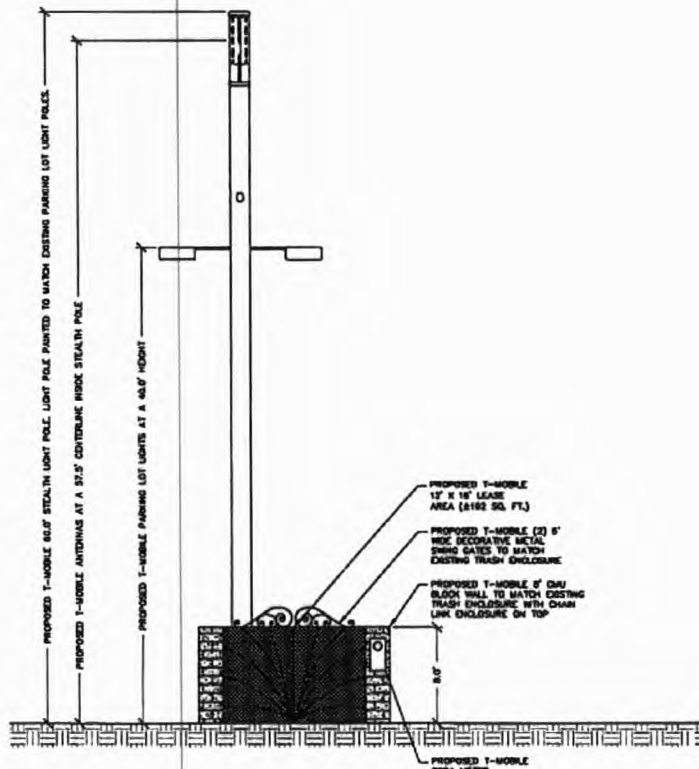


EAST ELEVATION

SCALE: 1" = 10'

2

NORTH ELEVATION



SCALE: 1" = 10'

1



7351 W. Charleston Blvd., Suite 120
Las Vegas, NV 89117
Phone: 702.367.7705
Fax: 702.367.8733

October 19th, 2006

Ben Sticka, Planner II
City of Las Vegas
Planning & Development
731 S. Fourth Street
Las Vegas, Nevada 89101-6706

Reference: VG08392 Alexander & Cimarron / T-Mobile
Justification Letter for being surrounded by a residential neighborhood
Proposed Communication Facility
7801 W. Alexander Road, APN # 138-09-501-003

Spectrum Surveying & Engineering on behalf of T-Mobile is proposing a stealth (parking light pole) wireless facility to be located on the property located at 7801 West Alexander Road, APN # 138-09-501-003. This parcel is currently zoned C-V, Civic District use and is 1.75 acres that is surrounded by residential zoned properties. As code permits, a Civic District zoned parcel is a permitted use for a communications facility, and with the proposed height and location of this parking light pole, it meets the 2:1 ratio of residential setbacks.

The proposed project includes the installation of a new 80' Stealth Parking Light Pole, antennas concealed within the pole, and the installation of outdoor equipment cabinets at base enclosed in a block walled compound to match existing trash enclosures on the property.

By placing a communications facility on this parcel and within this area, it will provide the necessary cellular coverage in this "dead" pocket. Without the tower at this location, T-Mobile's customers will continue to suffer with poor coverage.

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

The approval of this project is consistent with the zoning code and requests upon waiver for being surrounded by a residential neighborhood. In addition, this project will not be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood, or injurious to property, resources, or improvements in the vicinity, nor will create any additional impact to the traffic system in the area.

Should you have any additional question or concerns please do not hesitate to call me at 702-367-7705 ext. 248.

Sincerely,
Spectrum Surveying and Engineering

Tiffany Chimaroke
Project Manager

VAR-18312
SUP-18314
01/11/07 PC



7801 W. ALEXANDER ROAD
LAS VEGAS, NEVADA 89129

VAR-18312 SUP-18314 02-07-07 CC

LEGAL DESCRIPTION

THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN A GRANT, BARGAIN & SALE DEED RECORDED APRIL 5, 1980 IN BOOK 85405 AS INSTRUMENT NO. 00550 IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA; LYING WITHIN THE NORTHWEST QUARTER (NW1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 8, TOWNSHIP 20 SOUTH, RANGE 60 EAST, N.E.M.

BASE OF BEARINGS

SOUTH 87°34'57" EAST, BEING THE NORTH LINE OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 8, TOWNSHIP 20 SOUTH, RANGE 60 EAST, N.E.M. AS SHOWN BY MAP THEREOF ON FILE IN FILE 154, PAGE 90 OF PLATS IN CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA.

REFERENCE

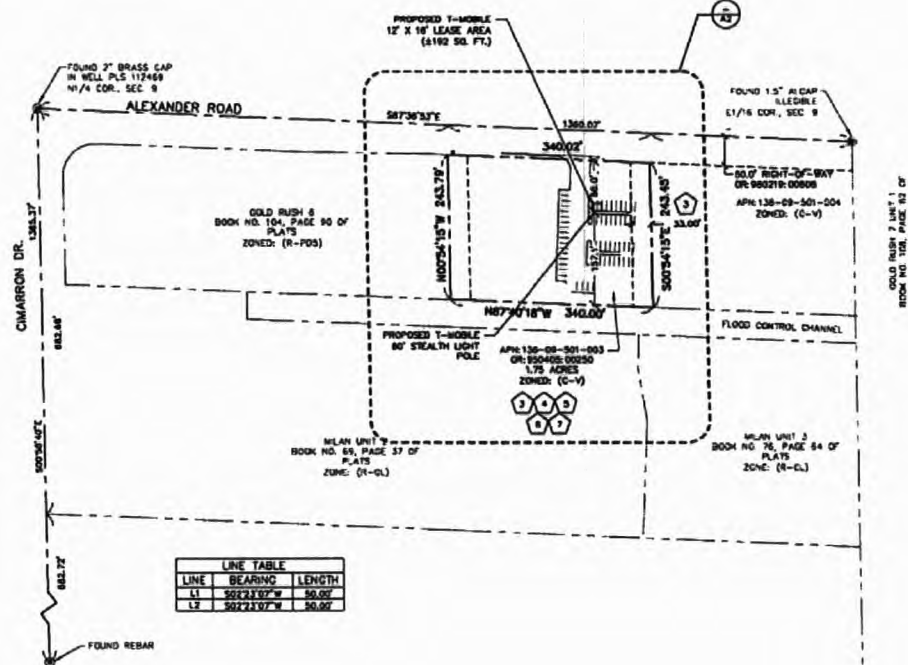
CITY OF LAS VEGAS VERTICAL CONTROL, NO. 81504104, BEING A RIVET AND PLATE IN TOP OF CURB AT NORTHEAST CORNER OF ALEXANDER AND CIMARRON.

ELEVATION: 2369.74 FEET (NAVD 1988)
732.908 METERS (NAVD 1988)

NOTES & TITLE REPORT EXCEPTIONS

ONLY THOSE EXCEPTION LISTED IN TITLE REPORT NO. 06-08-0876-1000, DATED MAY 8, 2006, PREPARED BY NEVADA TITLE COMPANY, WHICH ARE NOT SOLELY PHYSICAL IN NATURE AND WHICH REFERENCE A DOCUMENT CONTAINING A SUFFICIENT LEGAL DESCRIPTION OF AREAS AFFECTED BY SAID DOCUMENT WERE CONSIDERED FOR THIS SURVEY AND RE-LISTED BELOW. ITEM NUMBERS CORRESPOND TO ITEM NUMBERS IN SAID TITLE REPORT.

1. RESERVATION AND EASEMENTS, FROM USA, OR 200-228408, AFFECTS ENTIRE SUBJECT PROPERTY.
2. OLV, FOR GRANTOR'S NO. 2887, OR 850511-00053, AFFECTS ENTIRE SUBJECT PROPERTY.
3. HPC, FOR ELECTRICAL LINES, OR 800819-00736, AFFECTS ENTIRE SUBJECT PROPERTY EXCEPTING BUILDING OUTLINES.
4. KPSG, FOR DEED OF TRUST, OR 20040828-02911, AFFECTS ENTIRE SUBJECT PROPERTY.
5. KPSG, FOR ASSIGNMENT OF RENTS, OR 20040828-02912, AFFECTS ENTIRE SUBJECT PROPERTY.



LINE	BEARING	LENGTH
L1	S82°23'07\"	50.00'
L2	S02°23'07\"	50.00'

LEGEND

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

Mobile
475 S. MAIN ST., STE. 20
LAS VEGAS, NV 89107

ALEXANDER & CIMARRON
VG08392-A
7801 W. ALEXANDER ROAD
LAS VEGAS, NEVADA 89129

CURRENT ISSUE DATE:
1/23/07

ISSUED FOR:
ZONING

REV.	DATE	DESCRIPTION	BY
1	1/23/07	ZONING REVISIONS	B.M.
2	01/24/08	100% ZONING	J.C.
3	08/14/08	80% ZONING	J.C.

PLANS PREPARED BY:
SPECTRUM
SURVEYING & ENGINEERING
7351 W. CHARLESTON BLVD., SUITE 130
LAS VEGAS, NEVADA 89117
PH. (702) 387-7705
FAX (702) 387-8733

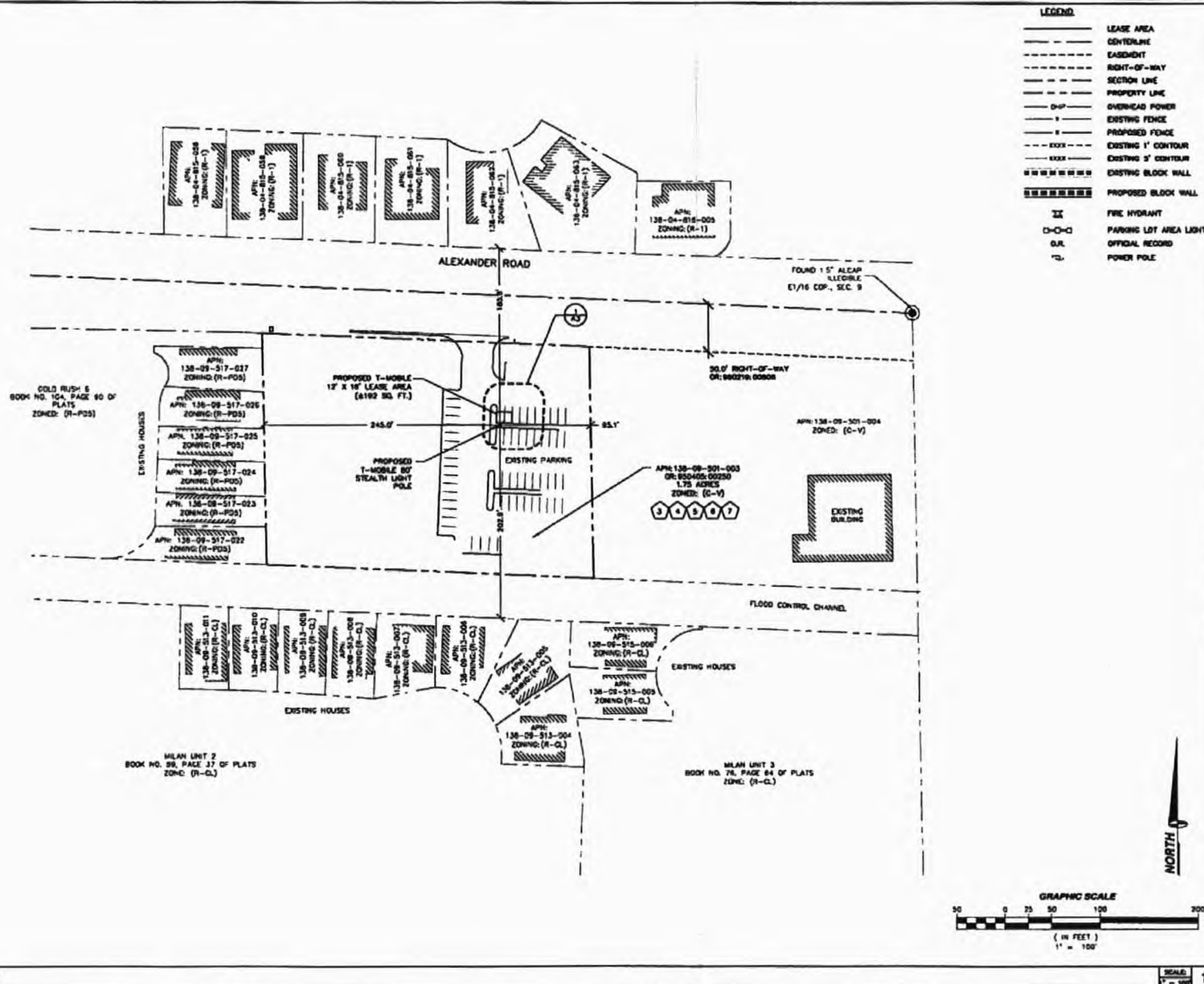
DRAWN BY: J. CORTES
APV: M. DEPALU
LICENSURE: C. WENNER

RECEIVED
JAN 25 2007

SHEET TITLE:
SITE PLAN

SHEET NUMBER: **A1** REVISION: **2**
VG08392-A

VAR-18312 SUP-18314 02-07-07 CC



VAR-18312 SUP-18314 02-07-07 CC



ANTENNA SECTOR	AZIMUTH	ANTENNA MAKE/MODEL	COAXIAL CABLE LENGTH	CABLE SIZE	TMA	RAD CENTER	TOP JAMPER LENGTH	BOTTOM JAMPER LENGTH	COMMENTS
SECTOR A	0°	DRES-18-000PL30	100' X 2	7/8" COAX	2	57.5'	5'	8' (10' MAX)	-
SECTOR B	125°	DRES-18-000PL30	100' X 2	7/8" COAX	2	57.5'	5'	8' (10' MAX)	-
SECTOR C	240°	DRES-18-000PL30	100' X 2	7/8" COAX	2	57.5'	5'	8' (10' MAX)	-
OPS	N/A	TRUE POSITION	30' X 1	1/2" COAX	-	-	N/A	N/A	-
LMU	N/A	TRUE POSITION	N/A	N/A	-	-	N/A	N/A	-

NOTE: CONTRACTOR TO FIELD VERIFY CABLE LENGTHS PRIOR TO ORDERING, FABRICATING, OR INSTALLATION OF CABLES.

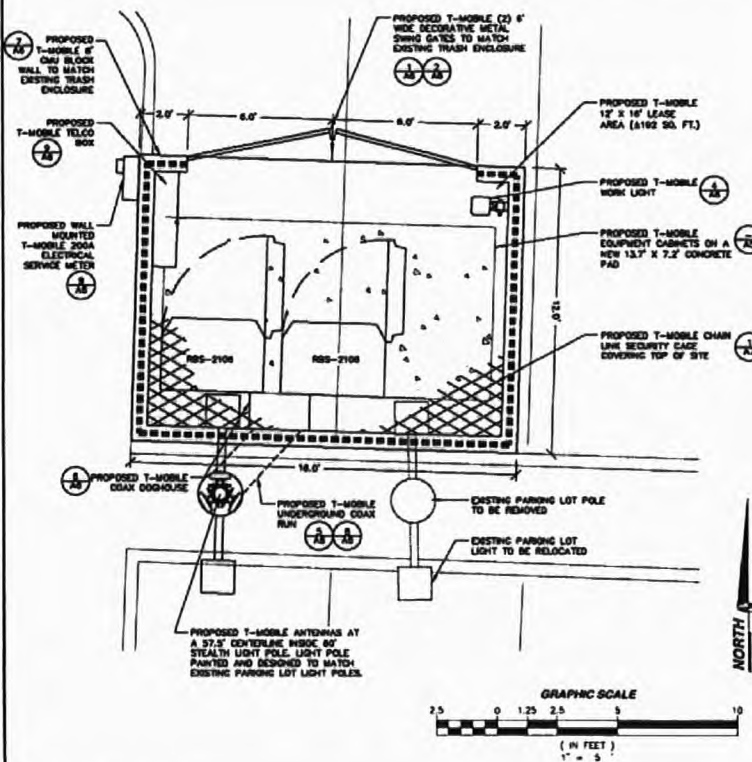
EQUIPMENT	QUANTITY	EQUIPMENT MAKE/MODEL	LATITUDE	LONGITUDE	LATITUDE	LONGITUDE	GROUND LEVEL	COMMENTS
PRECISION	2	RSS-2108 (OUTDOOR)	N/A	N/A	N/A	N/A	2381	-

ANTENNA LAYOUT

SCALE: NONE

4 ANTENNA, CABLE AND EQUIPMENT SCHEDULE

SCALE: NONE



ENLARGED SITE DETAIL

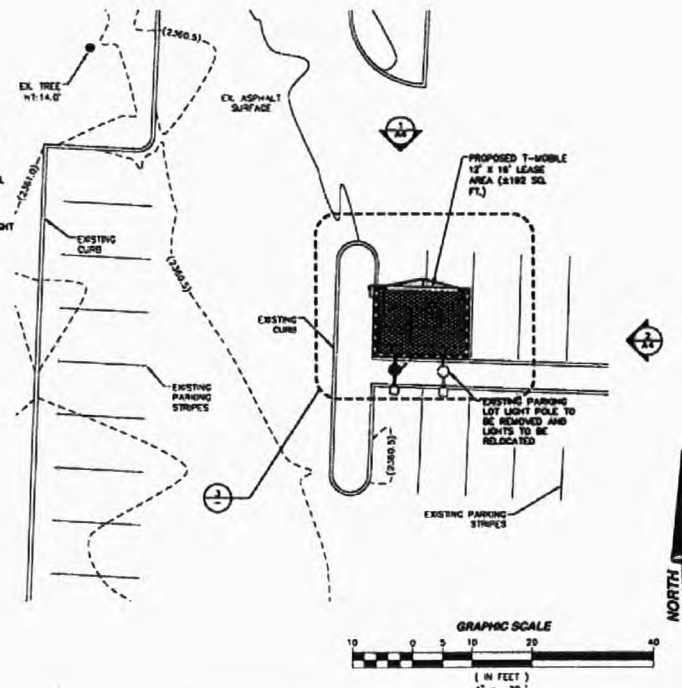
SCALE: 1" = 5'

3 SITE DETAIL

SCALE: 1" = 20'

LEGEND

- LEASE AREA
- CENTERLINE
- CASHEMENT
- RIGHT-OF-WAY
- PROPERTY LINE
- OVERHEAD POWER
- EXISTING FENCE
- PROPOSED FENCE
- EXISTING 1" CONTOUR
- EXISTING 5' CONTOUR
- EXISTING BLOCK WALL
- PROPOSED BLOCK WALL
- FIRE HYDRANT
- PARKING LOT AREA LIGHT
- OFFICIAL RECORD
- POWER POLE



T-Mobile
475 S. RILEY PL., STE. 101
LAS VEGAS, NV 89147

PROJECT INFORMATION:
ALEXANDER & CIMARRON
VG08392-A
7801 W. ALEXANDER ROAD
LAS VEGAS, NEVADA 89129

CURRENT ISSUE DATE:
1/23/07

ISSUED FOR:
ZONING

REV. DATE DESCRIPTION BY:

1/23/07	ZONING REVISIONS	B.M.
08/24/06	100% ZONING	A.C.
08/14/06	FOR ZONING	A.C.

PLANS PREPARED BY:
SPECTRUM
SURVEYING & ENGINEERING
7351 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH (702) 367-7705
FAX (702) 367-6733

DRAWN BY: J. CORTIZ
M. DEVALLO
C. WENNER

LICENSURE:

RECEIVED
JAN 25 2007

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

SHEET NUMBER: **A3** REVISION: **2**
VG08392-A



PROJECT INFORMATION:
ALEXANDER & CIMARRON
VG08392-A
 7801 W. ALEXANDER ROAD
 LAS VEGAS, NEVADA 89129
CURRENT ISSUE DATE:
 1/25/07
ISSUED FOR:
ZONING
REV. DATE DESCRIPTION BY:

1/23/07	ZONING REVISIONS	B.M.
1/23/07	ZONING REVISIONS	B.M.
08/24/06	100% ZONING	J.C.
08/14/06	60% ZONING	J.C.

PLANS PREPARED BY:

SURVEYING & ENGINEERING
 7331 N. CHARLESTON BLVD., SUITE 120
 LAS VEGAS, NEVADA 89117
 PH. (702) 367-7705
 FAX (702) 367-8733
DRAWN BY: C.M. **APV:**
 J. CORTEZ M. DEVALU C. WENNER
LICENSE:

RECEIVED

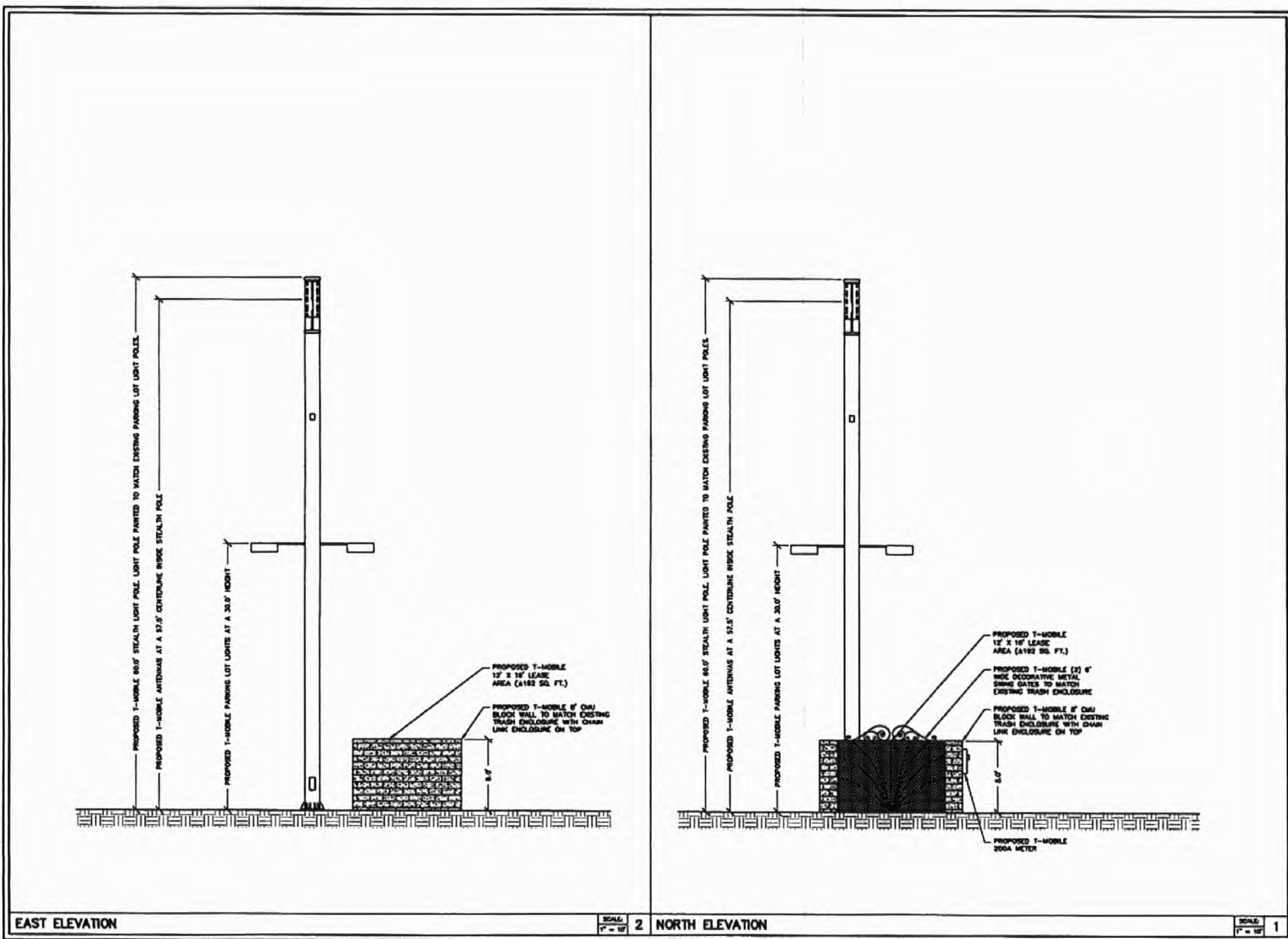
JAN 25 2007

SHEET TITLE:
ELEVATIONS
SHEET NUMBER: **REVISION:**

A4

3

 VG08392-A



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

Dorothy Marsili

From: Carmel Viado
Sent: Wednesday, January 10, 2007 4:06 PM
To: Dorothy Marsili
Subject: FW: VAR-18312 & SUP-18314 - objection to wireless cell phone tower

Just wanted to make sure you received this protest on VAR-18312 and SUP-18314. Thanks and have a great afternoon. ☺

Carmel Viado

From: Roni Ronemus
Sent: Wednesday, January 10, 2007 3:55 PM
To: Laurie Kruse
Cc: Larry Brown - Councilman; Darcy Hayes; Margo Wheeler; Carmel Viado; Ydo Yturralde
Subject: RE: VAR-18312 & SUP-18314 - objection to wireless cell phone tower

Thank you Laurie. I'm forwarding this to Margo for her information along with Cari and Ydo from my staff.

From: Laurie Kruse
Sent: Wednesday, January 10, 2007 3:18 PM
To: Roni Ronemus
Cc: Larry Brown - Councilman; Darcy Hayes
Subject: FW: VAR-18312 & SUP-18314 - objection to wireless cell phone tower
Importance: High

Good Afternoon Roni –

This is an item on PC tomorrow night. She said that she has quite a few neighbors that may be sending in protest letters, and I will forward a copy to your office as I receive them.
 Thank you, and I hope you have a great evening.
 Laurie

Laurie Kruse, Sr. Executive Assistant to Councilman Larry Brown
 City of Las Vegas Mayor & Council Office
 400 Stewart Avenue, Las Vegas, NV 89101
 702-229-6405/O 702-464-2683/Fax

From: Denise R Duarte [mailto:duarte_denise@cox.net]
Sent: Wednesday, January 10, 2007 1:46 PM
To: dwsteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: VAR-18312 & SUP-18314 - objection to wireless cell phone tower
Importance: High

I strongly urge you to vote NO on VAR-18312 & SUP-18314. This cell phone tower will be an eyesore for our neighborhood. We already have the flood channel to contend with, but at least that does not tower over our homes. If this cell phone tower is installed, at 80 feet, my neighborhood will resemble a urban area. It is my understanding that it will simply be painted brown with nothing to hide it. Even if it was a palm tree, it would still be an eyesore. I will not be able to ignore this tower since it will be visable from any of my windows in the back of my house and from my back yard.

1/10/2007

I am also concerned regarding the health impacts on this transmission tower. This is a neighborhood filled with children.

Please vote no.

Denise R. Duarte

7920 Aviano Pines Avenue

phone: 372-3755

p.s. my wireless carrier is T-Mobile, but I still do not want this tower.

1/10/2007

ITEM # 287
CASE # 18314
PC MTG 1-11-07

Dorothy Marsili

From: Carmel Viado
Sent: Thursday, January 11, 2007 11:55 AM
To: Dorothy Marsili
Subject: FW: VAR-18312 & SUP-18314

Carmel Viado

From: Laurie Kruse
Sent: Thursday, January 11, 2007 11:54 AM
To: 'Bill vogel'
Subject: RE: VAR-18312 & SUP-18314

Bill -

Thank you for your protest letter, and I will see that it is forwarded to the appropriate staff.

I hope you have a great day.

Laurie Kruse

Laurie Kruse, Sr. Executive Assistant to Councilman Larry Brown
City of Las Vegas Mayor & Council Office
400 Stewart Avenue, Las Vegas, NV 89101
702-229-6405/O 702-464-2683/Fax

From: Bill vogel [mailto:bvogel144@cox.net]
Sent: Wednesday, January 10, 2007 6:01 PM
To: dwsteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: VAR-18312 & SUP-18314

This email is to inform you that I object to VAR- 18312 & SUP- 18314 and I additionally request that this objection be included in the records. Thank You

William A. Vogel & Hortensia Vogel
3901 Conough Lane
Las Vegas, NV. 89129
702 202-3345

ITEM # 28 + 29
CASE # VAR 18312 + SUP 18314
PC MTG 1 11 07

1/11/2007

P

Dorothy Marsili

From: Ydo Yturralde
Sent: Thursday, January 11, 2007 12:31 PM
To: Dorothy Marsili
Subject: FW: objection to VAR-18312 and SUP-18314

Ydoleena Y.

From: Laurie Kruse
Sent: Thursday, January 11, 2007 12:12 PM
To: 'Jeremy Olson'
Subject: RE: objection to VAR-18312 and SUP-18314

Jeremy –
Thank you for your protest letter, and I will see that it is forwarded to the appropriate staff.
Laurie Kruse

Laurie Kruse, Sr. Executive Assistant to Councilman Larry Brown
City of Las Vegas Mayor & Council Office
400 Stewart Avenue, Las Vegas, NV 89101
702-229-6405/0 702-464-2683/Fax

From: Jeremy Olson [mailto:jeremy@lvpos.com]
Sent: Wednesday, January 10, 2007 9:56 PM
To: dwsteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: objection to VAR-18312 and SUP-18314

I object to VAR-18312 and SUP-18314. Please include my objections in the record.

Thanks,

Jeremy Olson
7901 Aviano Pines
Las Vegas, NV 89129
702-281-5754

ITEM # 20 + 29
CASE # VAR-18312 + SUP-18314
PC MTG 1-11-07

1/11/2007

P

Dorothy Marsili

From: Carmel Viado
Sent: Thursday, January 11, 2007 11:55 AM
To: Dorothy Marsili
Subject: FW: VAR-18312 and SUP 18314

Carmel Viado

From: Laurie Kruse
Sent: Thursday, January 11, 2007 11:53 AM
To: 'Pamela Tette'
Subject: RE: VAR-18312 and SUP 18314

Pamela -

Thank you for your protest letter, and I will see that it is forwarded to the appropriate staff.

I hope you have a great day.

Laurie Kruse

Laurie Kruse, Sr. Executive Assistant to Councilman Larry Brown
 City of Las Vegas Mayor & Council Office
 400 Stewart Avenue, Las Vegas, NV 89101
 702-229-6405/O 702-464-2683/Fax

From: Pamela Tette [mailto:ptette@cox.net]
Sent: Wednesday, January 10, 2007 5:50 PM
To: dwsteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: VAR-18312 and SUP 18314

As a taxpayer and voter in the City of Las Vegas, I would like to voice my objections for VAR-18312 and SUP-18314, which calls for a cell tower to be erected virtually in my back yard. I am sure there is another, less inhabited area in which to locate this structure other than where it is being planned.

I wish to voice my objections to this being done, and I wish my objections and comments to be included in the record.

1/11/2007

ITEM # 25 * 27
 CASE # VAR 18312 + SUP 18314
 PC MTG 1-11-07

P

Dorothy Marsili

From: Carmel Viado
Sent: Thursday, January 11, 2007 11:55 AM
To: Dorothy Marsili
Subject: FW: Objection to the Proposed Cell Tower

Carmel Viado

From: Laurie Kruse
Sent: Thursday, January 11, 2007 11:52 AM
To: 'xbestgirl4ux@yahoo.com'
Subject: FW: Objection to the Proposed Cell Tower

Christy -
 Thank you for your e-mail. I will forward it to the appropriate staff for the Planning Commission meeting.
 I hope you have a great day.
 Laurie Kruse

Laurie Kruse, Sr. Executive Assistant to Councilman Larry Brown
 City of Las Vegas Mayor & Council Office
 400 Stewart Avenue, Las Vegas, NV 89101
 702-229-6405/O 702-464-2683/Fax

From: christy perez [mailto:xbestgirl4ux@yahoo.com]
Sent: Wednesday, January 10, 2007 5:36 PM
To: dwsteinman@aol.com
Cc: lori
Subject: Objection to the Proposed Cell Tower

To Whom It May Concern:

I am writing to voice my STRONG objection to the proposed cell tower for the parking lot of the 4-Square Gospel Church on Alexander. I live right behind the gravel parking lot on Aviano Pines in a two-story home that looks across that gravel lot towards the mountains to the North.

I am sickened to think that my view (and home value) will plummet because of the eyesore of an 80 ft. tower in the middle of a residential neighborhood. I am also very worried about the health of all residents because of the numerous studies regarding cell waves and health risks of living close to cell towers.

This must be stopped. It is hard enough to have nice neighborhoods with all of the cinder block walls and not much to look at outside your window but at least we have some mountains out our North windows, not to mention trying to sell my home with an ugly 80 ft. tower in your backyard.

Stop the Madness !
 Sincerely,
 Christy Perez
 7908 Aviano Pines Ave.

1/11/2007

ITEM # 28 + 29
 CASE # VAC-18312 & SUP 12314
 PC MTG 1-11-07

P

Dorothy Marsili

From: Carmel Viado
Sent: Thursday, January 11, 2007 11:47 AM
To: Dorothy Marsili
Subject: FW: cell phone tower VAR-18312 and SUP-18314

More info on the email protest. ☺

Carmel Viado

From: Laurie Kruse
Sent: Thursday, January 11, 2007 11:46 AM
To: 'marlene adrian'
Subject: RE: cell phone tower VAR-18312 and SUP-18314

Good Morning Marlene –
 Just confirming that we receiving your address and phone number which will be added to the record.
 Have a great day.
 Laurie Kruse

Laurie Kruse, Sr. Executive Assistant to Councilman Larry Brown
 City of Las Vegas Mayor & Council Office
 400 Stewart Avenue, Las Vegas, NV 89101
 702-229-6405/O 702-464-2683/Fax

From: marlene adrian [mailto:adrianmj@cox.net]
Sent: Wednesday, January 10, 2007 4:13 PM
To: dwsteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: cell phone tower VAR-18312 and SUP-18314

I forgot to include my address and telephone with my objection to the cell phone tower mentioned as follows:
 I am opposed to VAR-18312 and SUP-18314. The proposed placement of a cell phone tower in the Foursquare Gospel Parking Lot is unacceptable. A cell phone tower should not be placed in our neighborhood because of aesthetic reasons and because of the possible radiation effects to the residents and to the proximity of the nearby schools. Conclusions of some studies are that there are dangers from cell phone tower radiation.
 Marlene Adrian.
 7920 Aviano Pines Avenue
 655.2146

1/11/2007

ITEM # 23 " 29
 CASE # VAR-18312 & SUP 18314
 PC MTG 111-07

P

Dorothy Marsili

From: Ydo Yturralde
Sent: Thursday, January 11, 2007 12:52 PM
To: Dorothy Marsili
Subject: FW: VAR-18312 and SUP-18314

Ydoleena Y.

From: Laurie Kruse
Sent: Thursday, January 11, 2007 12:51 PM
To: 'Nick Sagnelli'
Subject: RE: VAR-18312 and SUP-18314

Nick –
 Thank you for your protest letter, and I will see that it is forwarded to the appropriate staff.
 Laurie Kruse

Laurie Kruse, Sr. Executive Assistant to Councilman Larry Brown
 City of Las Vegas Mayor & Council Office
 400 Stewart Avenue, Las Vegas, NV 89101
 702-229-5405/0 702-464-2683/Fax

From: Nick Sagnelli [mailto:sagnet8@cox.net]
Sent: Wednesday, January 10, 2007 5:44 PM
To: dwsteinmam@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: VAR-18312 and SUP-18314

Ladies and Gentleman,

My home, just across the wash from the proposed cell tower installation is unacceptable. My family And I are located at 7876 Aviano Pines Ave directly across the wash from the church parking lot.

My daughter, Julia, who is six years old, sleeps in a bedroom in the north side of our home on the Second floor and this tower would be approximately ninety feet to the north of her room.

When we bought our home in 1997 and watched it being built, we could see nothing but mountains, Now, there are nothing but homes everywhere, Alexander Rd. is a speedway for high powered cars And motorcycles. At least once a week there is a Metropolitan Police Department helicopter flying Overhead, with it's bright spot light aglow searching for some undesirable. It's become a toilet.

Now, a cell phone tower is a proposal of installation on land which was supposed to house a beautiful Church. During the last few years, I've had to write letters to the existing building which identifies itself As a church and complain about numerous offenses.

1. They have allowed trailer homes park on their property, for cash consideration I'm sure.
2. They have had classic car displays on their property, for cash consideration I'm sure.
3. They have stored huge amounts of trash, which was unacceptable to Republic Services to pick up and remained until I wrote to them.

1/11/2007

4. Numerous Fourth of July fireworks displays during the course of my daughters infant years
And experiencing unpleasanties due to the disrespectful crowds which gathered behind our home.

I am completely disgusted with the way this church has handled their affairs with their property. Now they Are willing to allow the installation of a cell tower, for cash considerations I'm sure, but completely oblivious To the "Radiation" which will be brought to the location right directly behind my home.

I DO NOT WANT THIS TOWER TO BE INSTALLED NOW OR EVER!

Nick Sagnelli
saguel8@cox.net

ITEM # 28-29
CASE # VR-8312 + SWP 18314
PC MTG 1-11-07

1/11/2007

P

Dorothy Marsili

From: Laurie Kruse
Sent: Thursday, January 11, 2007 12:13 PM
To: 'Jeremy Olson'
Subject: RE: Kim Andersons' objection to VAR-18312 and SUP-18314

Kim –

Thank you for your protest letter, and I will see that it is forwarded to the appropriate staff.
Laurie Kruse

Laurie Kruse, Sr. Executive Assistant to Councilman Larry Brown
City of Las Vegas Mayor & Council Office
400 Stewart Avenue, Las Vegas, NV 89101
702-229-6405/O 702-454-2683/Fax

From: Jeremy Olson [mailto:jeremy@lvpos.com]
Sent: Wednesday, January 10, 2007 9:59 PM
To: dwsteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: Kim Andersons' objection to VAR-18312 and SUP-18314

I object to VAR-18312 and SUP-18314. Please note my objection in the record.

Kim Anderson
7901 Aviano Pines
Las Vegas, NV 89129
702-858-3574

1/11/2007

ITEM # 28 + 29
CASE # _____
PC MTG 1.11.07

2

Dorothy Marsili

From: Laurie Kruse
Sent: Thursday, January 11, 2007 12:14 PM
To: 'Aneeta764@aol.com'
Subject: RE: VAR-18312 & SUP-18314

Anita –

Thank you for your protest letter, and I will see that it is forwarded to the appropriate staff.
Laurie Kruse

Laurie Kruse, Sr. Executive Assistant to Councilman Larry Brown
City of Las Vegas Mayor & Council Office
400 Stewart Avenue, Las Vegas, NV 89101
702-229-6405/D 702-464-2683/Fax

From: Aneeta764@aol.com [mailto:Aneeta764@aol.com]
Sent: Wednesday, January 10, 2007 11:11 PM
To: lkruse@lasvegasnevada.gov
Subject: VAR-18312 & SUP-18314

To whom it may concern, I am writing in regards to the 80 foot tall communications facility. I feel it would be an eye sore for me everytime I look out my windows. My objection to this variance is strong. I feel it would effect my property value. I say NO!

Please include my comments and objections for the record for VAR-18312 & SUP -18314.

Thank You,
Anita Handley
7764 Monza Ave.
LV,NV.89129

1/11/2007

ITEM # 28 * 29
CASE # _____
PC MTG 1-11-07

P

Dorothy Marsili

From: Carmel Viado
Sent: Thursday, January 11, 2007 1:58 PM
To: Dorothy Marsili
Subject: FW: 80ft. Wireless Tower

Carmel Viado

From: Laurie Kruse
Sent: Thursday, January 11, 2007 1:58 PM
To: 'hairbykar1@aol.com'
Subject: RE: 80ft. Wireless Tower

Karin –
 Thank you for your protest letter, and I will see that it is forwarded to the appropriate staff.
 Laurie Kruse

Laurie Kruse, Sr. Executive Assistant to Councilman Larry Brown
 City of Las Vegas Mayor & Council Office
 400 Stewart Avenue, Las Vegas, NV 89101
 702-229-6405/O 702-464-2683/Fax

From: hairbykar1@aol.com [mailto:hairbykar1@aol.com]
Sent: Wednesday, January 10, 2007 8:19 PM
To: DWSteinman@aol.com
Cc: LKRUSE@lasvegasnevada.gov; hairbykar1@aol.com
Subject: 80ft. Wireless Tower

Variance#18312, SUP#18314

To Whom it

may concern; This email is to OBJECT!!!! to the proposed 80ft. wireless tower to be built on the property on the other side of the water retention basin which is behind my home.

I believe that the dialogue of communication of this proposal has a horrific edge not only of it's possible existence but the timing of the distribution. Most of us let's face it ,are recovering from the holiday's and the probability of paper work being lost in the shuffel of preparing to get back to the norm,I feel that most residents in our area will forget of this issue.

I'am concerned on many levels, first and foremost, health issues, -depreciation of my home,visual objection and many other concerns. Perhaps if this is passed what will this mean for the future of the property surrounding this neighborhood??

There is the land just west of us (THE 215 highway) that has room more appropriate for this tower, I'am sure and pray that there are other location's that are more just for this tower. I hope that this email will be taken in consideration for my objection of the wireless tower location proposal.

Sincerely; Mrs. Karin

Keplinger

7916 Aviano Pines

Ave.,Las Vegas,NV 89129 (Variance #18312-SUP#18314)

ITEM # 23 + 24
 CASE # _____
 PC MTG 1-11-07

1/11/2007

2

Telephone Protest/ Approval Log

Meeting Date: 1/11/07

Case Number: VAR1B312

Date: 1/9/07
Name: Harry Fuerey
Address: 8004 Holly Knoll Ave
Phone: _____
☒ PROTEST ☐ APPROVE

Date: 1/9/07
Name: Bon Clo
Address: 1741 Crenshaw Wy.
Phone: 656-7213
☒ PROTEST ☐ APPROVE

Date: 1/9/07
Name: Anthony Bruges
Address: 4009 Poppy Fields Dr.
Phone: 655-4547
☒ PROTEST ☐ APPROVE

Date: 1/9/07
Name: Susan King
Address: 4113 Wheatstone Ct.
Phone: 645-8574
☒ PROTEST ☐ APPROVE

Date: 1/10/07
Name: Keith Chausse
Address: 4117 Wheatstone Court
Phone: 656-3129
☒ PROTEST ☐ APPROVE

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

ITEM # 28
CASE # VAR1B312
PC MTG 1-11-07

5P

Laurie Kruse

From: Patrick E. Jensen [jensepe@interact.ccsd.net]
Sent: Thursday, January 11, 2007 1:23 PM
To: dwsteinman@aol.com; lkruse@lasvegasnevada.gov
Subject: Objection to Cell Tower on Alexander (VAR-18312 & SUP-18314)

Dear Planning Commission:

The residents of Aviano Pines Ave. are undeniably opposed to this 80 ft. tower that is proposed for this residential community.

The church kept it's structure low and thus, not an eyesore for the residences surrounding the church area.

An 80 ft. commercial cell tower is utterly absurd to be placed in this area.

It will decrease home values, ruin the only decent view we have from our homes and, pose health risks from the emission of signals.

Let's stop this ludicrous proposal before it goes any further.

It's hard enough having decent aesthetics in our communities without something as atrocious as this. 80 feet?! You have to be kidding.

Keep commercial ventures in commercial districts.

W. Alexander in this area is NOT a commercial district !

Sincerely,

P. Jensen

7809 Aviano Pines Ave.

89129. phone: 575-2073, 258-1122

Laurie Kruse

From: Just Me [bigfatmink@yahoo.com]
Sent: Wednesday, January 10, 2007 5:52 PM
To: dwsteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: Objection to VAR-18312 & SUP-18314 (Cell Tower on W. Alexander)

To Whom It May Concern:

I am voicing my objection to the proposed cell towers to be placed on W. Alexander at the Foursquare Gospel Church parking lot. I am livid to think that this may take place. This will de-value my already decreasing home value and totally ruin the only view we have out our windows (we have a 2-story home on Aviano Pines right behind the gravel parking lot). There is also evidence of *serious* health risks from being so close to towers that emit electronic signals (that have been downplayed by corporations).

I hope this proposal is stopped before it ever gets to the City Council.
This is a neighborhood with a nice small church...not a commercial district.

This must be stopped!
Sincerely,
Leslie Negron-Perez
Aviano Pines Ave.

Do You Yahoo!?
Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

Laurie Kruse

From: hairbykar1@aol.com
Sent: Wednesday, January 10, 2007 8:19 PM
To: DWSteinman@aol.com
Cc: LKRUSE@lasvegasnevada.gov; hairbykar1@aol.com
Subject: 80ft. Wireless Tower

Variance#18312, SUP#18314To Whom it may concern:

This email is to OBJECT!!!! to the proposed 80ft. wireless tower to be built on the property on the other side of the water retention basin which is behind my home. I believe that the dialogue of communication of this proposal has a horrific edge not only of it's possible existence but the timing of the distribution. Most of us let's face it ,are recovering from the holiday's and the probability of paper work being lost in the shuffel of preparing to get back to the norm.I feel that most residents in our area will forget of this issue.

I'am concerned on many levels, first and foremost, health issues, -depreciation of my home,visual objection and many other concerns. Perhaps if this is passed what will this mean for the future of the property surrounding this neighborhood?? There is the land just west of us (THE 215 highway) that has room more appropriate for this tower, I'am sure and pray that there are other location's that are more just for this tower. I hope that this email will be taken in consideration for my objection of the wireless tower location proposal.

Sincerely: Mrs. Karin

Kepfinger
Vegas,NV 89129 (Variance #18312-SUP#18314)

7916 Aviano Pines Ave.,Las

1/11/2007

Laurie Kruse

From: DarbieAnna@aol.com
Sent: Wednesday, January 10, 2007 11:19 PM
To: DWSteinman@aol.com; lkruse@lasvegasnevada.gov
Subject: 80 foot cell phone tower

Although I can appreciate your dedication to how you feel regarding this cell phone tower being installed. In addition to the time you invested in going door to door and taping notes to homeowner's doors. I feel it is important that you hear both sides of the issue.

I have been a homeowner in this neighborhood for 3 years and in that time I have never been able to carry a conversation on my cell phone in my home. In addition to the frustration and added costs for having to use my land phone for all long distances calls is a very challenging problem.

I encourage the new cell tower and look forward to moving forward in the future. In addition I wish you well with your passion and hope there is a happy medium for all parties involved.

Sincerely,

A Homeowner

Laurie Kruse

From: OmnipresntG@aol.com
Sent: Wednesday, January 10, 2007 11:57 PM
To: DWSteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: cell tower VAR-18312 and SUP218314 OBJECTION

As a property owner for 10 year's in this location i am stongly opposed to the building of an 80 foot eyesore in my own backyard, i want to voice my stong object- ion to VAR-18312 and SUP18314 .

My wife and myself are long time register and active voters as are many of or friends, family, and congercation that reside in this vacinity and there is no need for a nother cell tower in this residential family area

I would like for my objection to be included in the record

Thank you
GREG HANDLEY
7764 monza ave

1/11/2007

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 7, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:****SPECIAL USE PERMIT RELATED TO VAR-18312**

SUP-18314 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: T-MOBILE USA, INC - OWNER: INTERNATIONAL CHURCH OF THE FOURSQUARE GOSPEL - Request for a Special Use Permit FOR A PROPOSED 80-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN on 1.75 acres adjacent to the south side of Alexander Road, approximately 650 feet east of Cimarron Road (APN 138-09-501-003), C-V (Civic) Zone, Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****21****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Revised plans submitted 01-25-07
6. Backup referenced from the 01-11-07 Planning Commission Meeting Item 29

Motion made by LARRY BROWN to Hold in Abeyance to 3/21/2007

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

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

Minutes:

See Item 112 for related discussion.

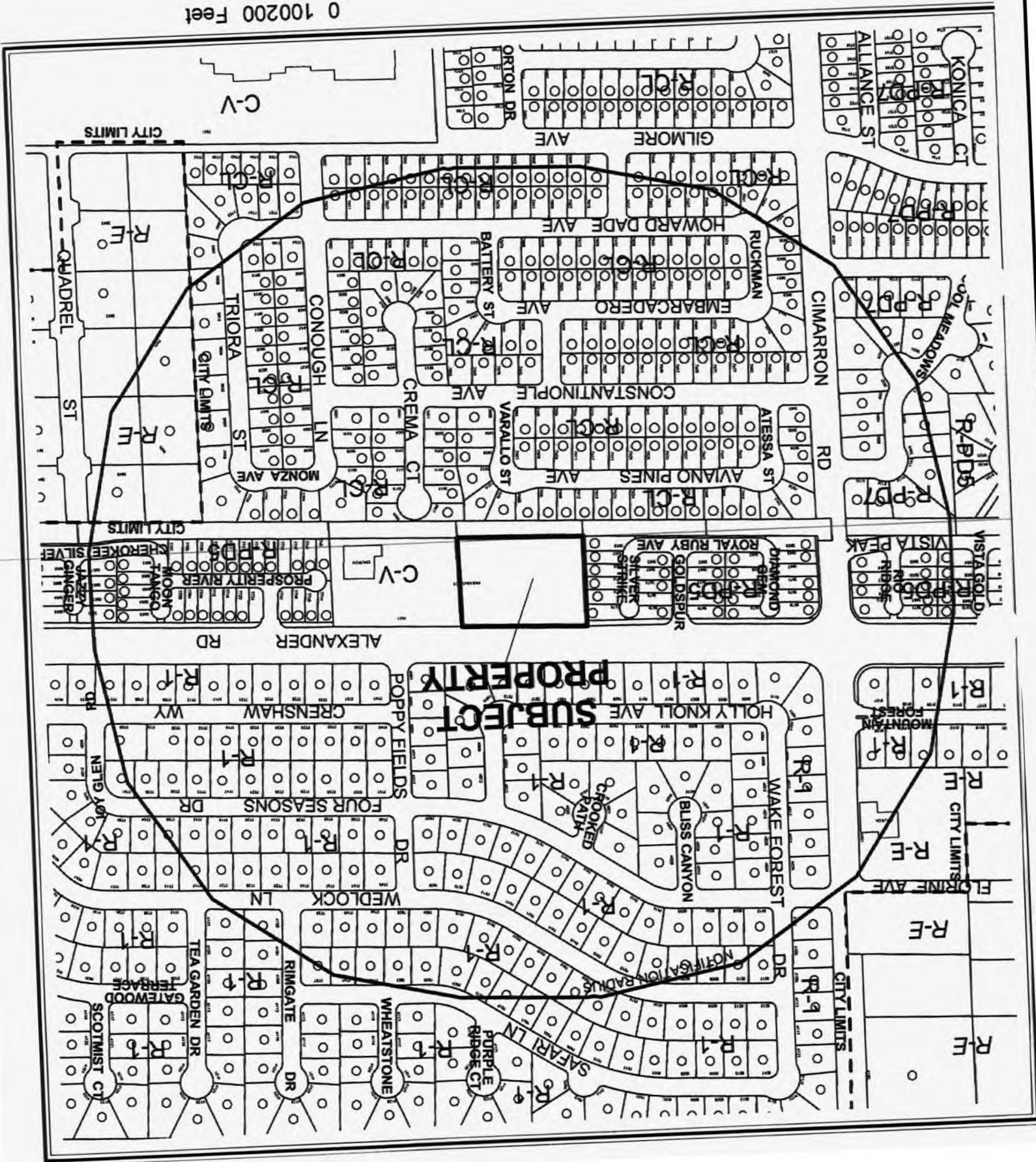


ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

RADIUS: 1000 FT

CASE: SUP-18314

0 100200 Feet





CASE: **SUP-18314**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 100200 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 7, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - SUP-18314 - APPLICANT: T-MOBILE USA, INC - OWNER: INTERNATIONAL CHURCH OF THE FOURSQUARE GOSPEL

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

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Rezoning Z-20-98 and Site Development Plan Review Z-20-98(1) if approved.
2. Approval of and conformance to the Conditions of Approval for Variance (VAR-18312) 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 structure on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. The communications monopole and its associated equipment and facility shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the communications monopole and its associated equipment and facility.
5. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.
7. The Use Permit reduced to 60-foot height, wireless communications facility.
8. The facility shall be in the location of the northwest light standard in the existing parking facility with lights being at the vertical height equal to those of the existing lights and shielded.

Public Works

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow a Wireless Communications Facility, Stealth design on 1.75 acres adjacent to the south side of Alexander Road, approximately 650 feet east of Cimarron Road. The applicant seeks to install an 80-foot tall antenna outfitted with a "street-light" stealth design adjacent to the western edge of the existing church parking lot on the vacant portion of the western parcel 138-09-501-003.

A companion Variance has been filed as the antenna does not meet the minimum residential adjacency of 184 feet from the rear property line where 240 feet is required.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/15/95	The City Council approved a General Plan Amendment (GPA-41-95) from L (Low Density Residential) and ML (Medium-Low Density Residential) to PF (Public Facility). The application expired.
11/15/95	The City Council approved a Rezoning (Z-74-95) from N-U (Non-Urban) to C-V (Civic) This application expired November 15, 1996.
5/26/98	The City Council approved a General Plan Amendment (GPA-8-98) from L (Low Density Residential) to PF (Public Facility). Planning Commission and Staff recommended approval.
5/26/98	The City Council approved the request for a Rezoning (Z-20-98) on property located on the south side of Alexander Road, approximately 680 feet east of Cimarron Road from U (Undeveloped) Zone. Planning Commission and Staff recommended approval. Planning Commission and Staff recommended approval.
01/11/07	The Planning Commission recommended approval of companion item VAR-18312 concurrently with this application. The Planning Commission voted 6-1/sd to recommend APPROVAL (PC Agenda Item #29/mh).
<i>Related Building Permits/Business Licenses</i>	
NA	NA
<i>Pre-Application Meeting</i>	
11/06/06	Staff explained the requirements for this application as a Special Use Permit is required in addition to a Variance from Title 19.08 residential adjacency standards.
<i>Neighborhood Meeting</i>	
NA	A neighborhood meeting was not held nor was one required.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.75 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Church Parking Lot	P-F (Public Facilities)	C-V (Civic) Zone
North	Single Family Dwellings	L (Low Density)	R-1 (Single Family Residential) Zone
South	Single Family Dwellings	ML (Low Density)	R-CL (Residential-Compact Lot) Zone
East	Single Family Dwellings	L (Low Density)	R-PD5 (Residential-Planned Development, 5 Units per Acre) Zone
West	Single Family Dwellings	L (Low Density)	R-PD5 (Residential-Planned Development, 5 Units per Acre) Zone

<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			
C-V Civic District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

C-V Civic District:

The existing parking lot and neighboring church are in compliance with the acceptable uses for the C-V Civic Zoned District. A wireless communications facility, stealth design, is a permitted use upon meeting the minimum conditions as listed by Title 19.04. Since this proposal does not meet the conditions for the residential adjacency setback, a Variance and Special Use Permit have been filed.

Trails:

A Multi-use Transportation Trail aligned with Alexander Road runs adjacent to the northern perimeter of the subject property. A wireless communications facility, stealth design will have little anticipated affect on the existing trail alignment.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.060, the following standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	240 Feet	184 feet	N*
Adjacent development matching setback	10 Feet	184 feet	Y

* A companion Variance (VAR-18312) has been filed due to the residential adjacency standard not being met.

ANALYSIS

- **General**

The proposed stealth antenna is located on the southwest portion of the subject C-V zoned parcel. It is a "street lamp" design with a total height of 80 feet. Title 19.08.060 states that a Wireless Communication Facility, Stealth Design, be separated from residential uses by the proximity slope of 3:1. This requires the proposed 80-foot antennae to be located 240 feet from the adjoining R-1 (Single Family Residence) property. The submitted site plan indicates that a setback of a minimum 184 feet is provided. This use is not compatible with the C-V and R-1 developments in the surrounding area; therefore, denial is recommended.

The parking lot lighting is shown on the provided elevations to be at 40 feet in height. Although the lighting appears to utilize downward-directed lights, the height of the light poles exceeds the 30-foot height limitation and is double the 20-foot height recommendation as established in Title 19.08.050(E)5e. Parking lot lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

- **Use**

The existing church is a permitted use in the C-V zoning district. The cell tower is a permitted use upon either an administrative approval or approval of a Special Use Permit. Because of the adjacent residential development and non-compliance with the residential adjacency standards, this proposed tower location was deemed to be unsuitable for an administrative approval, and the applicant was directed to file a Special Use Permit application and a Variance application related to residential adjacency.

- **Conditions**

Per Title 19.04.040 Conditional Uses, the following conditions must be met for the administrative approval of a Wireless Communication Facility, Stealth Design [all districts]:

(1) The applicant must submit to the Department, for administrative review and approval, a site plan and an elevation drawing. The Director shall review the documents to determine if the proposed facility conforms to the conditions listed below for this use. If the Director, in his discretion:

(a) Approves the proposed facility to proceed as a conditional use, the Director shall provide written notice of approval to the applicant, with a copy to the office of the City Council. Within ten days after the notice is mailed or delivered, the applicant may proceed to apply for building permits, unless a member of the City Council files with the Director a written request for the Council to review the approval. If such request to review is filed, the application must first be reviewed and approved by the Council.

(b) Determines that the proposed facility does not conform to the conditions listed below, a Special Use Permit will be required for the use. Any determination by the Director that a Special Use Permit will be required is not subject to appeal.

(2) No residential use may exist on the property.

(3) The design must conform to the definition of the term "Wireless Communication Facility, Stealth Design," as set forth in Section 19.20.020 and as determined by the Director.

(4) Within an area designated as a Historic Preservation District, the proposed facility must first be reviewed by the Historic Preservation Commission before the Director considers granting approval as a conditional use.

(5) The design and location of the proposed facility must be deemed by the Director to be compatible with surrounding uses, and the facility must include appropriate screening and landscaping to ensure such compatibility.

(6) The frequencies used by the communication provider shall be in conformance with Federal Communications Commission standards, as certified by a competent professional (such as a radio frequency engineer).

Because the applicant has not satisfactorily met condition 1b, a Special Use Permit and companion Variance has been requested.

FINDINGS

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

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

In regard to “1”:

Although the proposed tower is a “stealth-designed” light pole, the 80-foot height greatly hinders its compatibility with the adjacent existing residential development. In addition, the 40-foot parking lot light pole heights do not comply with the 30-foot maximum light pole height as listed in Title 19.08.050

In regard to “2”:

The site is developed as a church and parking lot with remaining undeveloped area. Although the antenna and associated equipment is located on the vacant portion of the site and is suitable for the placement of a wireless communication facility the proposal, as shown, does not meet the 3:1 residential adjacency standards. Therefore, denial is recommended.

In regard to “3”:

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

In regard to “4”:

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

In regard to “5”:

The proposed use does not meet all of the applicable conditions as listed in Title 19.04.

PLANNING COMMISSION ACTION

Conditions 7 and 8 were added by the Planning Commission.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

ASSEMBLY DISTRICT 37

SENATE DISTRICT 6

NOTICES MAILED 500 by City Clerk

APPROVALS 0

PROTESTS 21



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SUP-18314

Case Number: SUP-18314 APN: 138-09-501-003

Name of Property Owner: Foursquare Gospel Church

Name of Applicant: T-Mobile

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 95-1684062

Signature of Property Owner: _____

Jeffrey L. Bird, Chief Financial Officer

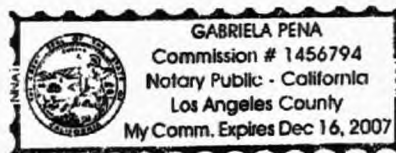
Witnessed By: _____

Tim J. Baskin, Asst. Secretary

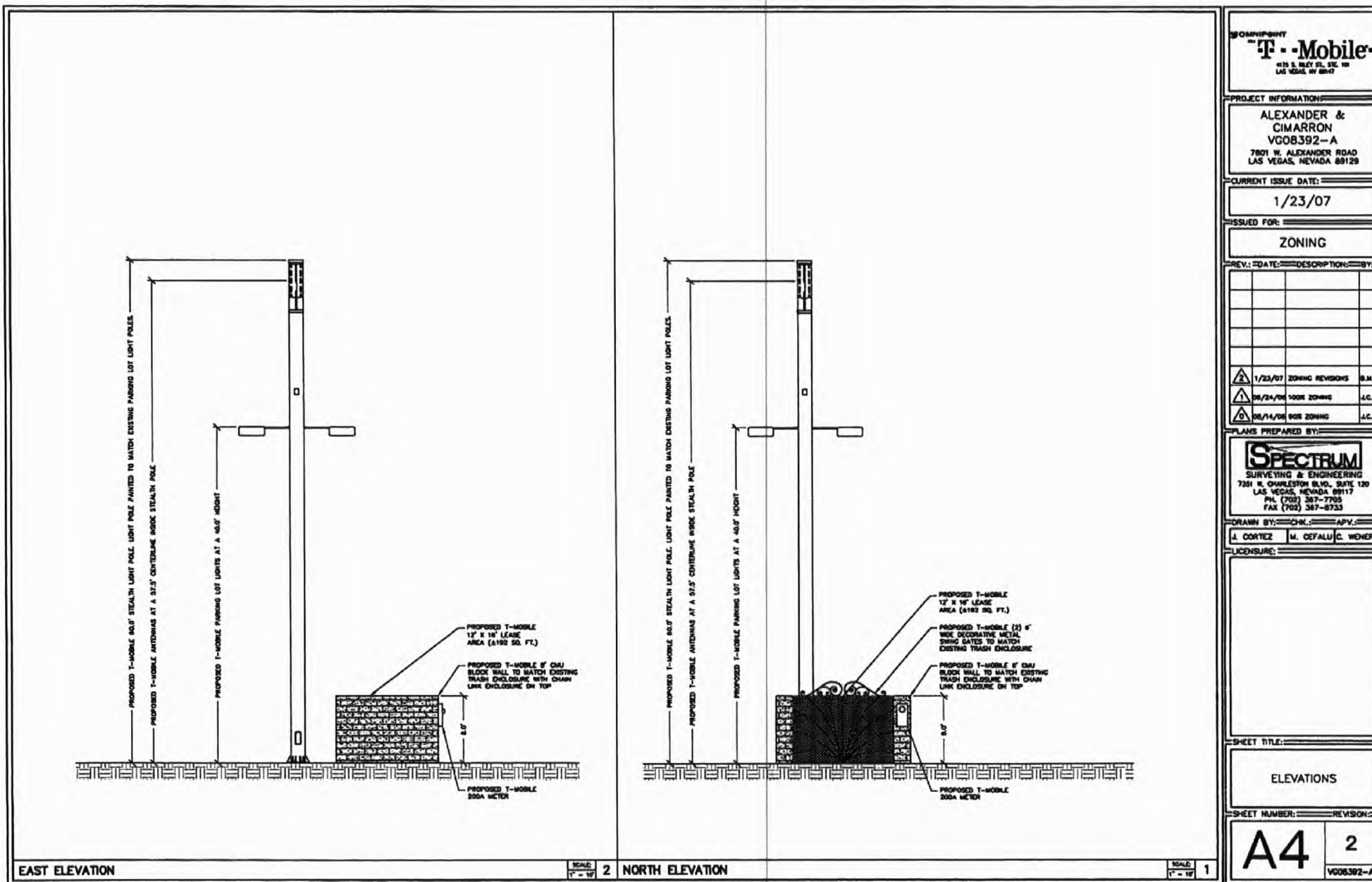
Subscribed and sworn before me, by Jeffrey L. Bird and Tim J. Baskin, who are personally known to me.

This 21 day of August, 2006

Notary Public in and for said County and State







VAR-18312 SUP-18314 02-07-07 CC

EAST VIEW BEFORE T-MOBILE INSTALLATION



**T-MOBILE SITE VG08392 – Alexander & Cimarron
7801 W. Alexander Rd.**

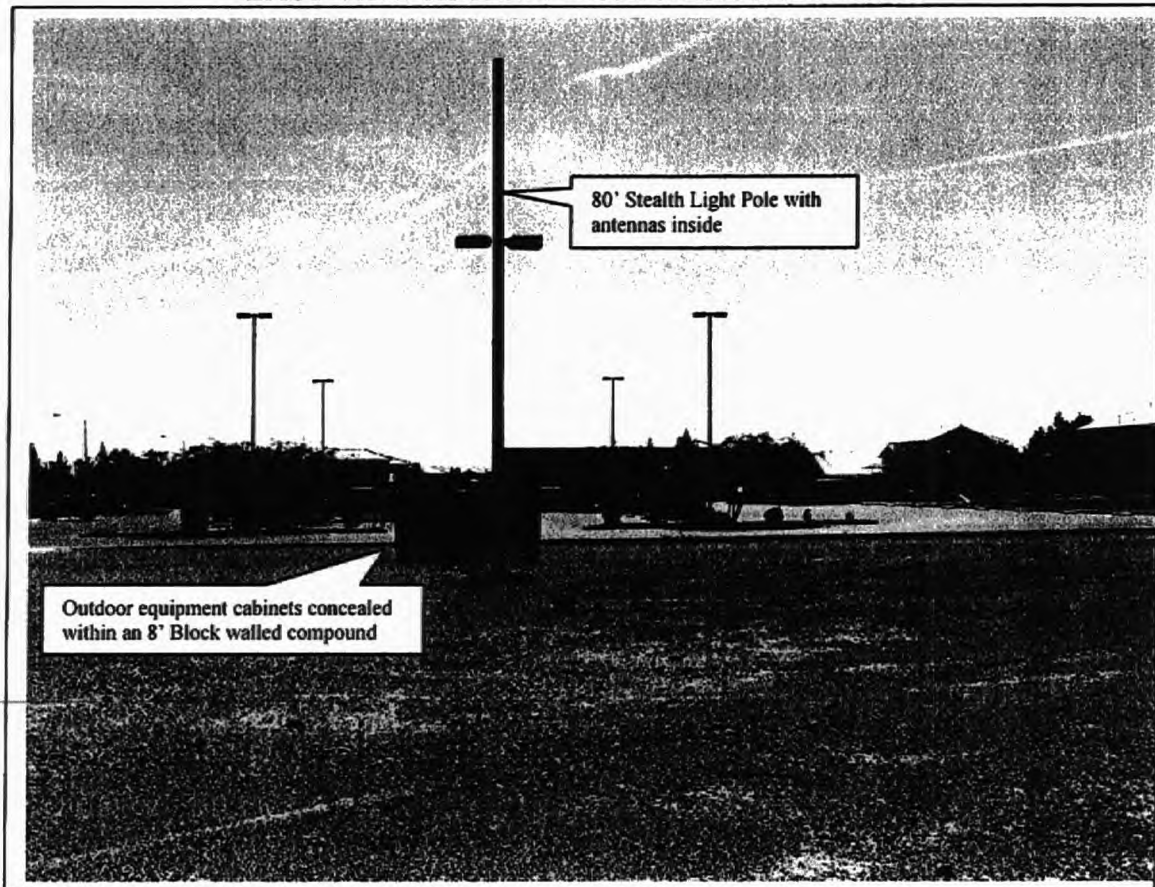
RECEIVED
NOV 27 2006

**VAR-18312
SUP-18314
01/11/07 PC**



7351 W. Charleston Blvd., Ste 120
Las Vegas, Nevada 89117, o-702.367.7705, f-702.367.8733

EAST VIEW AFTER T-MOBILE INSTALLATION

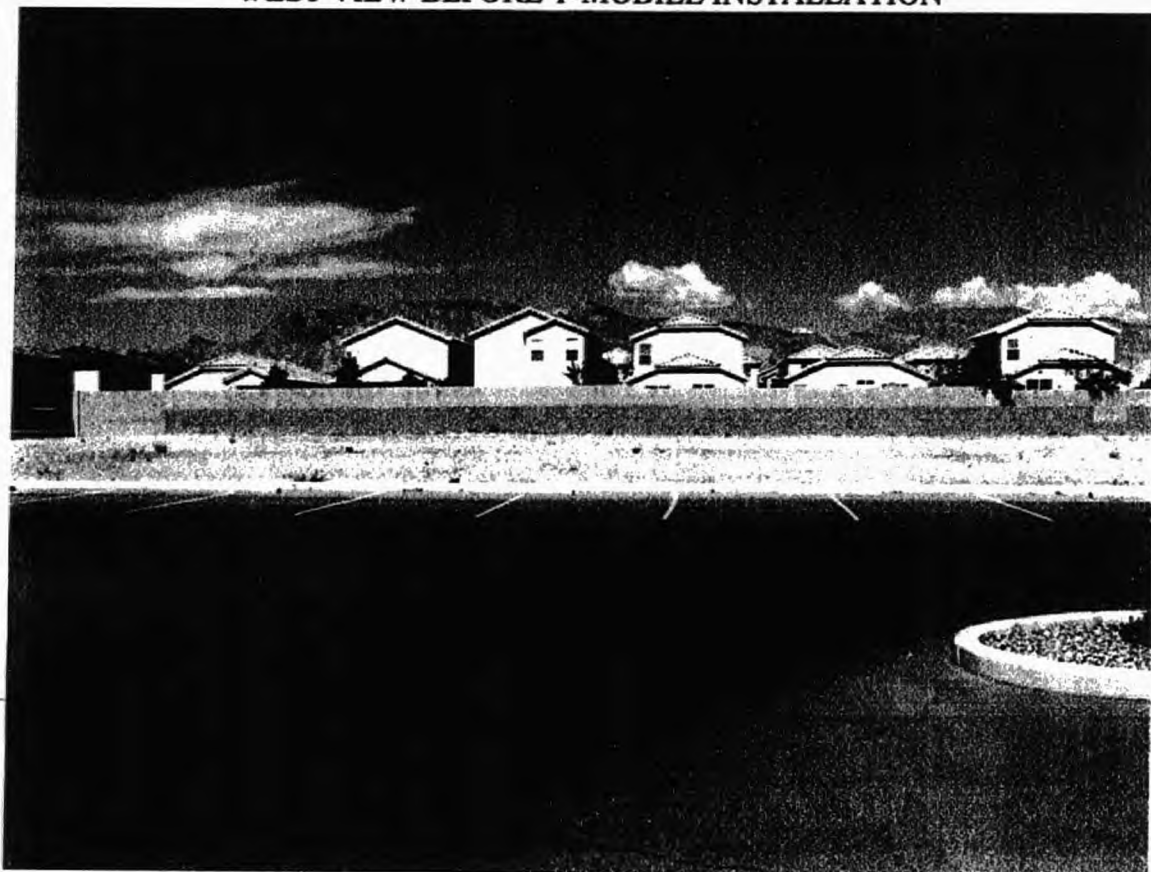


**T-MOBILE SITE VG08392 – Alexander & Cimarron
7801 W. Alexander Rd.**

RECEIVED
NOV 27 2006

**VAR-18312
SUP-18314
01/11/07 PC**

WEST VIEW BEFORE T-MOBILE INSTALLATION



**T-MOBILE SITE VG08392 – Alexander & Cimarron
7801 W. Alexander Rd.**

RECEIVED
NOV 27 2006

**VAR-18312
SUP-18314
01/11/07 PC**

WEST VIEW AFTER T-MOBILE INSTALLATION



T-MOBILE SITE VG083952 – Alexander & Cimarron
7801 W. Alexander Rd.

RECEIVED
NOV 27 2006

VAR-18312
SUP-18314
01/11/07 PC



7351 W. Charleston Blvd., Ste 120
Las Vegas, Nevada 89117, o-702.367.7705, f-702.367.8733



VAR-18312 AND SUP-18314 - APPLICANT: T-MOBILE USA, INC - OWNER: INTERNATIONAL
CHURCH OF THE FOURSQUARE GOSPEL
ADJACENT TO THE SOUTH SIDE OF ALEXANDER ROAD, APPROXIMATELY 650 FEET EAST OF
CIMARRON ROAD
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



VAR-18312 AND SUP-18314 - APPLICANT: T-MOBILE USA, INC - OWNER: INTERNATIONAL
CHURCH OF THE FOURSQUARE GOSPEL
ADJACENT TO THE SOUTH SIDE OF ALEXANDER ROAD, APPROXIMATELY 650 FEET EAST OF
CIMARRON ROAD
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



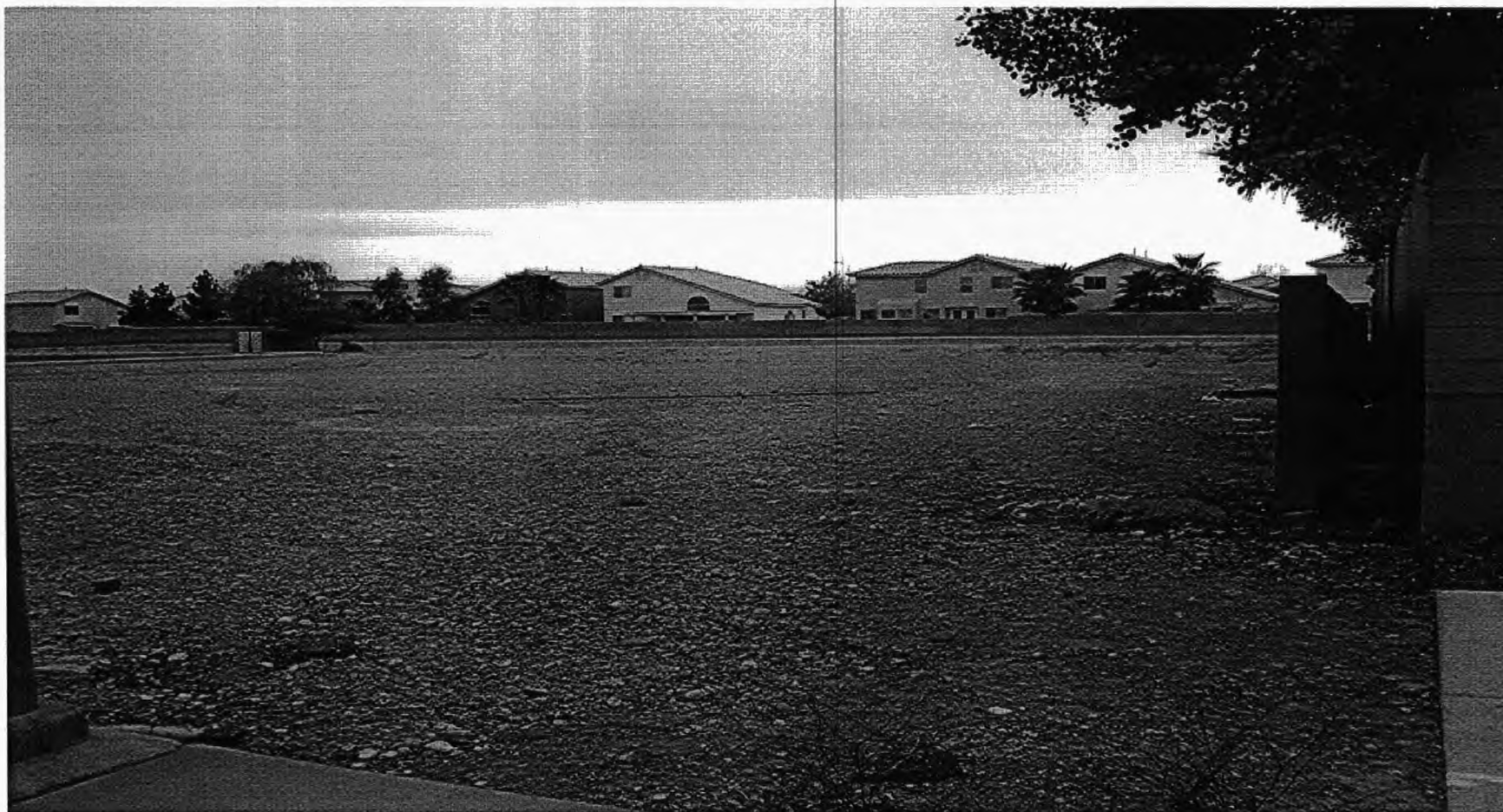
VAR-18312 AND SUP-18314 - APPLICANT: T-MOBILE USA, INC - OWNER: INTERNATIONAL
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JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



VAR-18312 AND SUP-18314 - APPLICANT: T-MOBILE USA, INC - OWNER: INTERNATIONAL
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JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



VAR-18312 AND SUP-18314 - APPLICANT: T-MOBILE USA, INC - OWNER: INTERNATIONAL
CHURCH OF THE FOURSQUARE GOSPEL
ADJACENT TO THE SOUTH SIDE OF ALEXANDER ROAD, APPROXIMATELY 650 FEET EAST OF
CIMARRON ROAD
JANUARY 11, 2007 PLANNING COMMISSION

12/12/06



7351 W. Charleston Blvd., Suite 120
Las Vegas, NV 89117
Phone: 702.367.7705
Fax: 702.367.8733

October 19th, 2006

Ben Sticka, Planner II
City of Las Vegas
Planning & Development
731 S. Fourth Street
Las Vegas, Nevada 89101-6706

Reference: VG08392 Alexander & Cimarron / T-Mobile
Justification Letter for being surrounded by a residential neighborhood
Proposed Communication Facility
7801 W. Alexander Road, APN # 138-09-501-003

Spectrum Surveying & Engineering on behalf of T-Mobile is proposing a stealth (parking light pole) wireless facility to be located on the property located at 7801 West Alexander Road, APN # 138-09-501-003. This parcel is currently zoned C-V, Civic District use and is 1.75 acres that is surrounded by residential zoned properties. As code permits, a Civic District zoned parcel is a permitted use for a communications facility, and with the proposed height and location of this parking light pole, it meets the 2:1 ratio of residential setbacks.

The proposed project includes the installation of a new 80' Stealth Parking Light Pole, antennas concealed within the pole, and the installation of outdoor equipment cabinets at base enclosed in a block walled compound to match existing trash enclosures on the property.

By placing a communications facility on this parcel and within this area, it will provide the necessary cellular coverage in this "dead" pocket. Without the tower at this location, T-Mobile's customers will continue to suffer with poor coverage.

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

The approval of this project is consistent with the zoning code and requests upon waiver for being surrounded by a residential neighborhood. In addition, this project will not be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood, or injurious to property, resources, or improvements in the vicinity, nor will create any additional impact to the traffic system in the area.

Should you have any additional question or concerns please do not hesitate to call me at 702-367-7705 ext. 248.

Sincerely,
Spectrum Surveying and Engineering

Tiffany Chimaroke
Project Manager

VAR-18312
SUP-18314
01/11/07 PC



VAR-18312 SUP-18314 02-07-07 CC

THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN A GRANT, BARGAIN & SALE DEED RECORDED APRIL 5, 1993 IN BOOK 950405 AS INSTRUMENT NO. 00250 IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA; LYING WITHIN THE NORTHWEST QUARTER (NW1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 8, TOWNSHIP 20 SOUTH, RANGE 60 EAST, N.D.M.

SOUTH 87°30'33" EAST, BEING THE NORTH LINE OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 9, TOWNSHIP 20 SOUTH, RANGE 80 EAST, W.D.M. AS SHOWN BY MAP THEREOF ON FILE IN FILE 104, PAGE 90 OF PLATS IN CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA.

CITY OF LAS VEGAS VERTICAL CONTROL NO. 8LY00434.
BEING A RIVET AND PLATE IN TOP OF CURB AT NORTHEAST CORNER
OF ALEXANDER AND CHARLTON

ELEVATION:	2369.74 FEET (MAYO 1988)
	732.298 METERS (MAYO 1988)

ONLY THOSE EXCEPTION LISTED IN TITLE REPORT NO. 08-05-0878-SAC, DATED MAY 6, 2006, PREPARED BY NEVADA TITLE COMPANY, WHICH ARE NOT SOLELY FINANCIAL IN NATURE AND WHICH REFERENCE A DOCUMENT CONTAINING A SUFFICIENT LEGAL DESCRIPTION OF AREAS AFFECTED BY SAID DOCUMENT WERE CONSIDERED FOR THIS SURVEY AND RE-LISTED BELOW. ITEM NUMBERS CORRESPOND TO ITEM NUMBERS IN SAID TITLE REPORT.

- 3 RESERVATION AND EASEMENTS, FROM USA, OR 260 228408.
AFFECTS ENTIRE SUBJECT PROPERTY.
- 6 CLY. FOR ORDINANCE NO.387. OR 5502111 00953. AFFECTS
ENTIRE SUBJECT PROPERTY.
- 9 WFC. FOR ELECTRICAL LINES, OR 90010 00726. AFFECTS ENTIRE
SUBJECT PROPERTY EXCEPT BUILDING OUTLINE.
- 8 KFSG. FOR DEED OF TRUST, OR 20040828 02911. AFFECTS
ENTIRE SUBJECT PROPERTY.
- 7 KFSG. FOR ASSIGNMENT OF RENTS, OR 20040828 02912.
AFFECTS ENTIRE SUBJECT PROPERTY.



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

OMNIPONT
T-Mobile
4175 S. RILEY ST., STE. 101
LAS VEGAS, NV 89147

**ALEXANDER &
CIMARRON
VG08392-A**
7801 W. ALEXANDER ROAD
LAS VEGAS, NEVADA 89129

1/23/07

ZONING

REV: DATE: DESCRIPTION: BY:

[illegible]

PLANS PREPARED BY:

SPECTRUM
SURVEYING & ENGINEERING
7351 N. CHARLESTON BLVD., SUITE
LAS VEGAS, NEVADA 89117
PH. (702) 367-7705

DRAWN BY: CHK.: APV.:
J. CORTEZ M. CEFALU C. WENER
LICENSURE:

RECEIVED
JAN 25 2007

SHEET TITLE

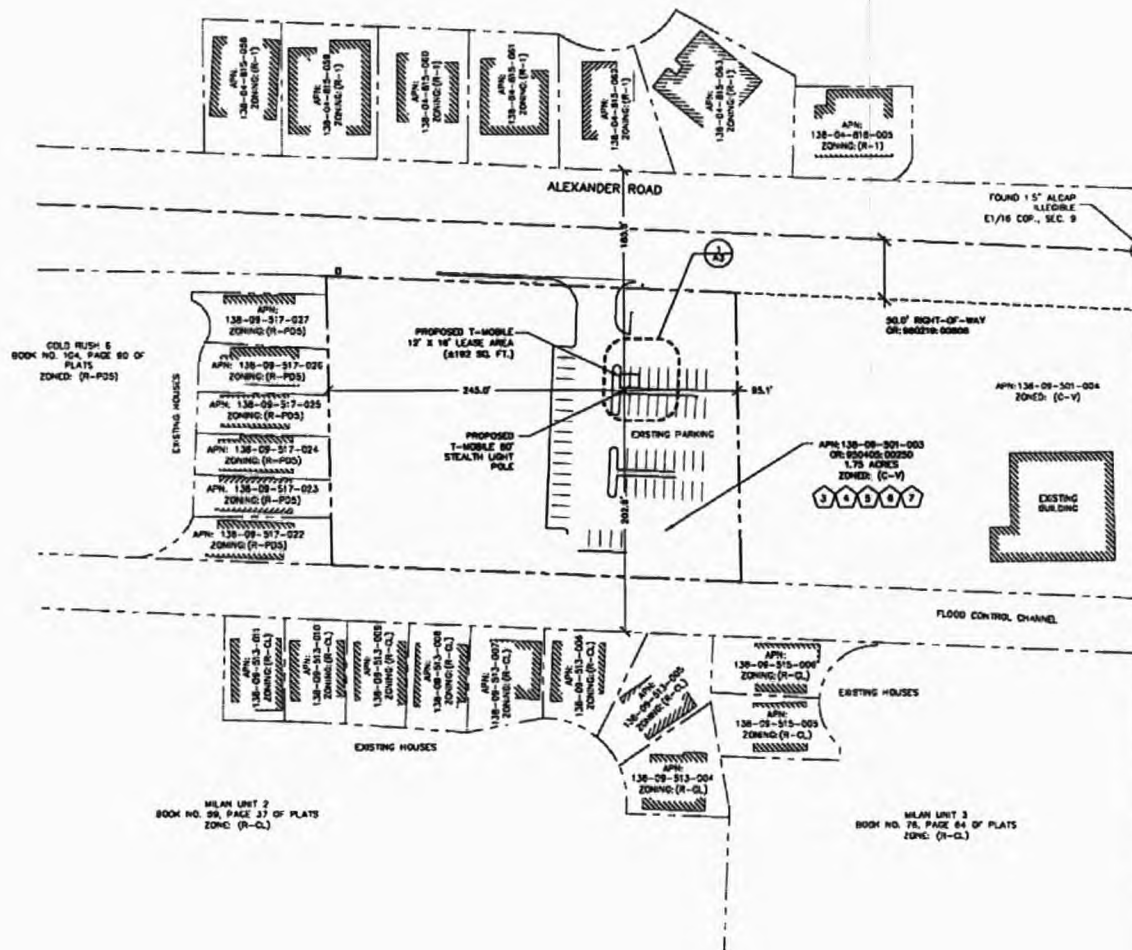
SITE PLAN

SHEET NUMBER: _____ REVISION: _____

A1	2
----	---

SITE PLAN

SCALE:
1" = 200'



LEGEND

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

XX

CH-CH

GR

TD

FOUND 1" ALCAP

11/16 COP., SEC. 9

36.0' RIGHT-OF-WAY

OR: 36.0' R/W

APN: 138-09-501-004

ZONED: (C-V)

APN: 138-09-501-003

OR: 138-09-501-003

1.75 ACRES

ZONED: (C-V)

EXISTING SURCH

FLOOD CONTROL CHANNEL

EXISTING HOUSES

EXISTING HOUSES

EXISTING HOUSES

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COMPONENT
T-Mobile
475 S. RILEY ST., STE. 101
LAS VEGAS, NV 89107

PROJECT INFORMATION
ALEXANDER &
CIMARRON
VG08392-A
7801 W. ALEXANDER ROAD
LAS VEGAS, NEVADA 89129

CURRENT ISSUE DATE:
1/23/07

ISSUED FOR:
ZONING

REV.	DATE	DESCRIPTION	BY
1	1/23/07	ZONING REVISIONS	B.M.
2	08/24/06	100% ZONING	J.C.
3	08/14/06	100% ZONING	J.C.

PREPARED BY:
SPECTRUM
SURVEYING & ENGINEERING
7251 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH: (702) 387-7755
FAX: (702) 387-8733

DRAWN BY: CHK. APV.
J. CORTES M. CEFALU C. WENNER

LICENSE:

RECEIVED
JAN 25 2007

ENLARGED SITE PLAN

SHEET NUMBER: REVISION

A2 2
VG08392-A

ENLARGED SITE PLAN

SCALE
1" = 100'

VAR-18312 SUP-18314 02-07-07 CC



ANTENNA SECTION	AZIMUTH	ANTENNA MAKE/MODEL	COAXIAL CABLE LENGTH	CABLE SIZE	RFA	RAD CENTER	TOP JUMPER LENGTH	BOTTOM JUMPER LENGTH	COMMENTS
SECTION A	0°	DRS-18-000PL20	100' X 2	7/8" COAX	2	57.5'	5'	6' (10' MAX)	-
SECTION B	120°	DRS-18-000PL20	100' X 2	7/8" COAX	2	57.5'	5'	6' (10' MAX)	-
SECTION C	240°	DRS-18-000PL20	100' X 2	7/8" COAX	2	57.5'	5'	6' (10' MAX)	-
OPS	N/A	TRUE POSITION	30' X 1	1/2" COAX	-	-	N/A	N/A	-
LMU	N/A	TRUE POSITION	N/A	N/A	-	-	N/A	N/A	-

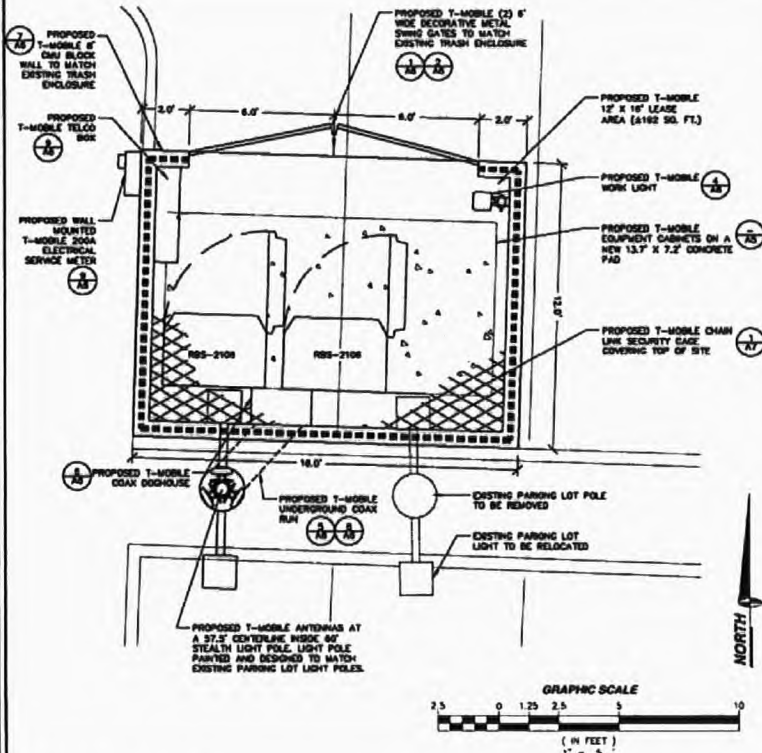
NOTE: CONTRACTOR TO FIELD VERIFY CABLE LENGTHS PRIOR TO ORDERING, FABRICATING, OR INSTALLATION OF CABLES.

EQUIPMENT	QUANTITY	EQUIPMENT CABINETS MAKE/MODEL	LATITUDE	LONGITUDE	LATITUDE	LONGITUDE	GROUND LEVEL	COMMENTS
DRS-18	2	DRS-18-000PL20 (OUTDOOR)	N/A	N/A	N/A	N/A	2381	-

ANTENNA LAYOUT

4 ANTENNA, CABLE AND EQUIPMENT SCHEDULE

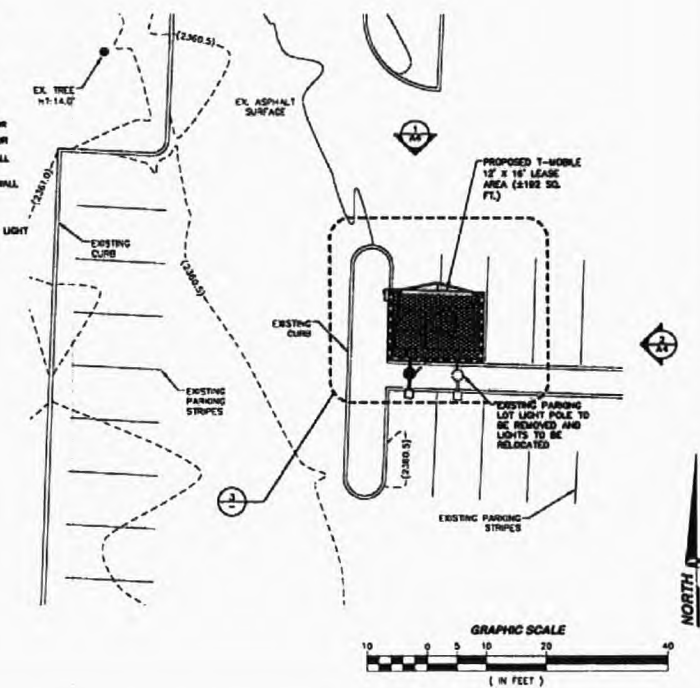
2



ENLARGED SITE DETAIL

3

SITE DETAIL



1

475 S. RILEY BL. STE. 100
LAS VEGAS, NV 89107

PROJECT INFORMATION:

ALEXANDER & CIMARRON
VG08392-A
7801 N. ALEXANDER ROAD
LAS VEGAS, NEVADA 89129

CURRENT ISSUE DATE:

1/23/07

ISSUED FOR:

ZONING

REV. DATE DESCRIPTION BY:

1/23/07	ZONING REVISIONS	B.A.
08/24/06	100% ZONING	J.C.
08/14/06	100% ZONING	J.C.

PLANS PREPARED BY:

SPECTRUM
SURVEYING & ENGINEERING
7351 N. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH. (702) 387-7705
FAX (702) 387-8733

DRAWN BY: CHK. APV.

A. CORTEZ M. CEFALI C. WENNER

LICENSURE:

RECEIVED
JAN 25 2007

SHEET TITLE:

SITE DETAIL, ANTENNA & CABLE SCHEDULE AND ANTENNA LAYOUT

SHEET NUMBER: REVISION:

A3 2
VG08392-A

700 S. GILBERT ST. STE. 101
LAS VEGAS, NV 89107

PROJECT INFORMATION:

ALEXANDER & CIMARRON
VG08392-A
7801 W. ALEXANDER ROAD
LAS VEGAS, NEVADA 89129

CURRENT ISSUE DATE:
1/25/07

ISSUED FOR:

ZONING

REV.: DATE: DESCRIPTION: BY:

1/25/07	ZONING REVISIONS	S.M.
1/23/07	ZONING REVISIONS	S.M.
09/24/06	100% ZONING	J.C.
08/14/06	90% ZONING	J.C.

PLANS PREPARED BY:

SURVEYING & ENGINEERING
7331 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH. (702) 367-7705
FAX (702) 367-8733

DRAWN BY: CHK. APV.
A. CORTES M. CEFALU C. WENER

ENCLOSURE:

RECEIVED

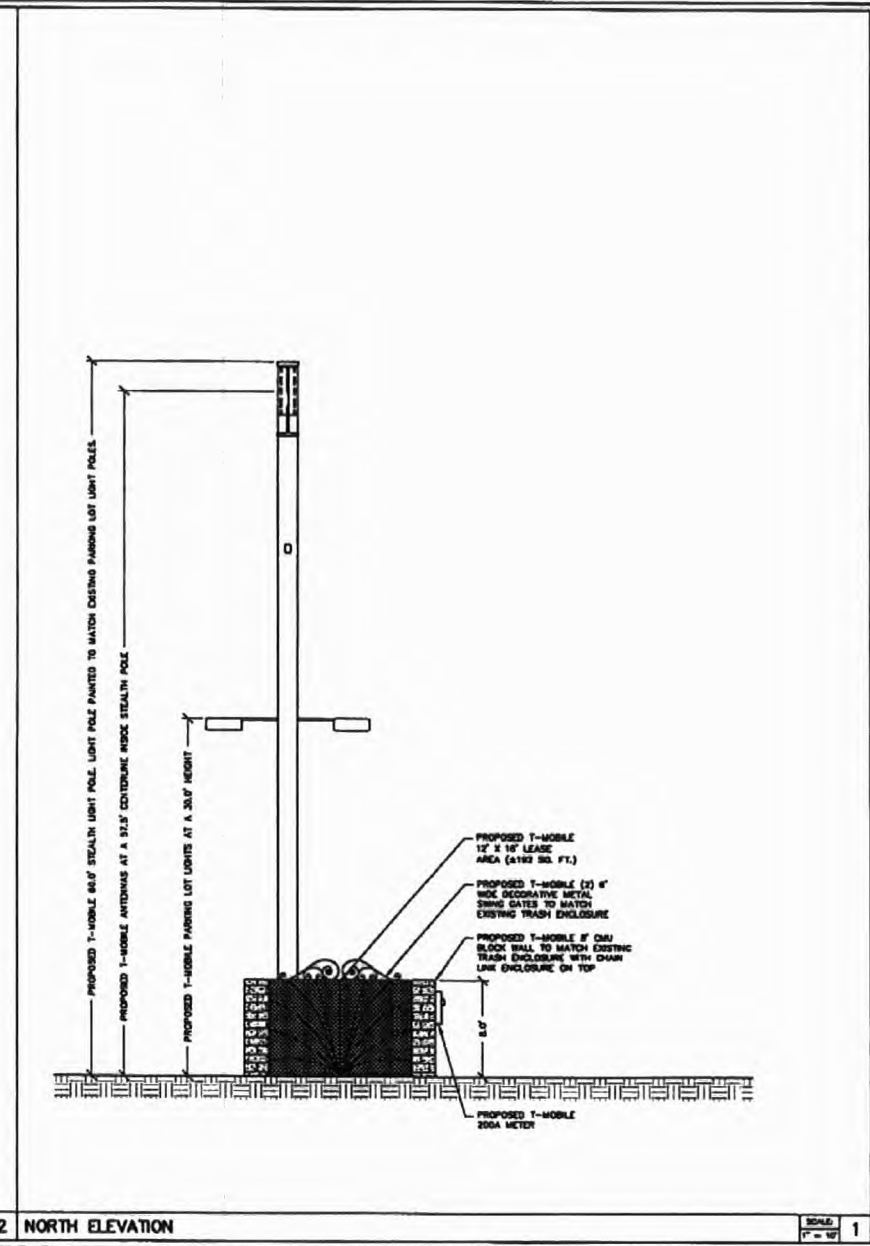
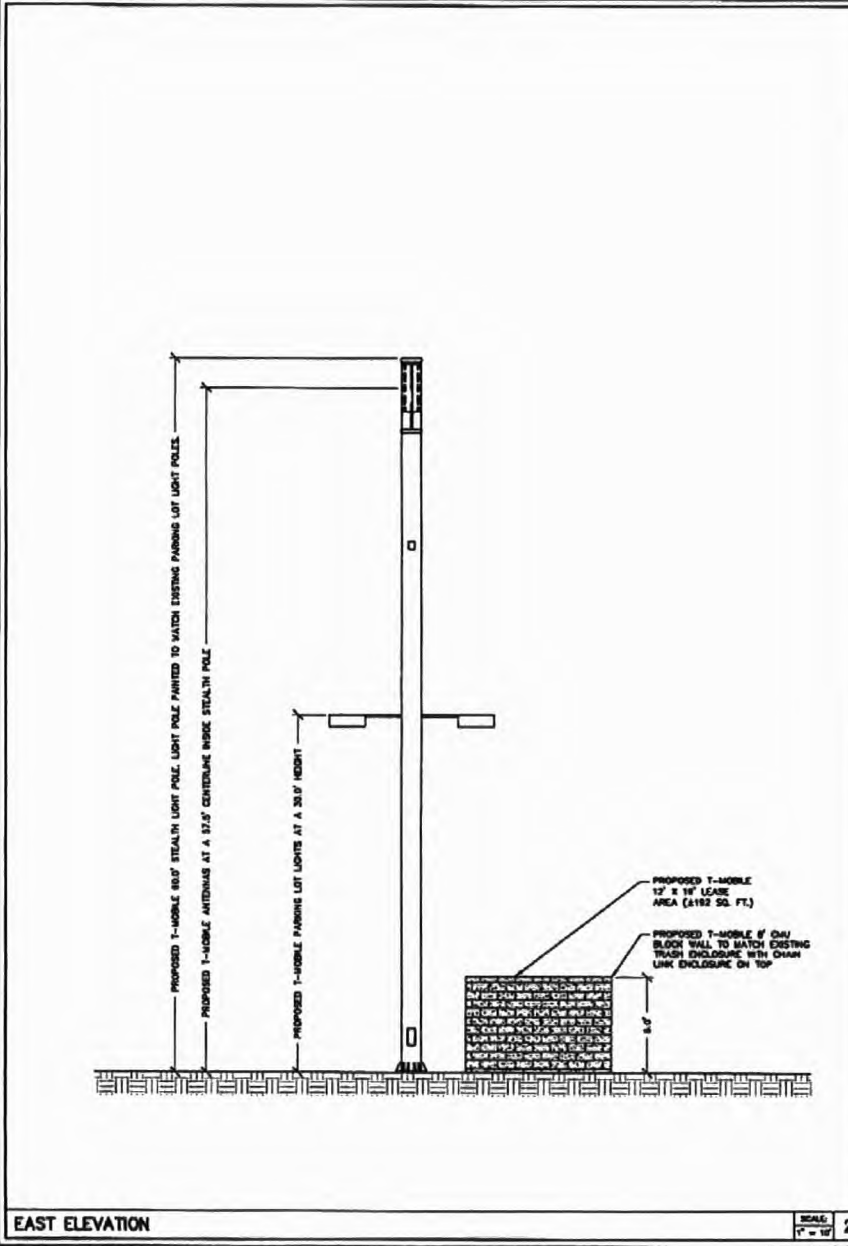
JAN 25 2007

SHEET TITLE:

ELEVATIONS

SHEET NUMBER: **A4** REVISION: **3**

VG08392-A



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

Dorothy Marsili

From: Carmel Viado
Sent: Wednesday, January 10, 2007 4:06 PM
To: Dorothy Marsili
Subject: FW: VAR-18312 & SUP-18314 - objection to wireless cell phone tower

Just wanted to make sure you received this protest on VAR-18312 and SUP-18314. Thanks and have a great afternoon. ☺

Carmel Viado

From: Roni Ronemus
Sent: Wednesday, January 10, 2007 3:55 PM
To: Laurie Kruse
Cc: Larry Brown - Councilman; Darcy Hayes; Margo Wheeler; Carmel Viado; Ydo Yturralde
Subject: RE: VAR-18312 & SUP-18314 - objection to wireless cell phone tower

Thank you Laurie. I'm forwarding this to Margo for her information along with Cari and Ydo from my staff.

From: Laurie Kruse
Sent: Wednesday, January 10, 2007 3:18 PM
To: Roni Ronemus
Cc: Larry Brown - Councilman; Darcy Hayes
Subject: FW: VAR-18312 & SUP-18314 - objection to wireless cell phone tower
Importance: High

Good Afternoon Roni –

This is an item on PC tomorrow night. She said that she has quite a few neighbors that may be sending in protest letters, and I will forward a copy to your office as I receive them.
 Thank you, and I hope you have a great evening.
 Laurie

Laurie Kruse, Sr. Executive Assistant to Councilman Larry Brown
 City of Las Vegas Mayor & Council Office
 430 Stewart Avenue, Las Vegas, NV 89101
 702-229-6405/O 702-464-2683/Fax

From: Denise R Duarte [mailto:duarte_denise@cox.net]
Sent: Wednesday, January 10, 2007 1:46 PM
To: dwsteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: VAR-18312 & SUP-18314 - objection to wireless cell phone tower
Importance: High

I strongly urge you to vote NO on VAR-18312 & SUP-18314. This cell phone tower will be an eyesore for our neighborhood. We already have the flood channel to contend with, but at least that does not tower over our homes. If this cell phone tower is installed, at 80 feet, my neighborhood will resemble a urban area. It is my understanding that it will simply be painted brown with nothing to hide it. Even if it was a palm tree, it would still be an eyesore. I will not be able to ignore this tower since it will be visable from any of my windows in the back of my house and from my back yard.

I am also concerned regarding the health impacts on this transmission tower. This is a neighborhood filled with children.

Please vote no.

Denise R. Duarte

7920 Aviano Pines Avenue

phone: 372-3755

p.s. my wireless carrier is T-Mobile, but I still do not want this tower.

1/10/2007

ITEM # 287
CASE # 18314
PC MTG 1-11-07 18314 P

Dorothy Marsili

From: Carmel Viado
Sent: Thursday, January 11, 2007 11:55 AM
To: Dorothy Marsili
Subject: FW: VAR-18312 & SUP-18314

Carmel Viado

From: Laurie Kruse
Sent: Thursday, January 11, 2007 11:54 AM
To: 'Bill vogel'
Subject: RE: VAR-18312 & SUP-18314

Bill –

Thank you for your protest letter, and I will see that it is forwarded to the appropriate staff.

I hope you have a great day.

Laurie Kruse

Laurie Kruse Sr. Executive Assistant to Councilman Larry Brown
 City of Las Vegas Mayor & Council Office
 400 Stewart Avenue, Las Vegas, NV 89101
 702-729-8450 702-464-2683 Fax

From: Bill vogel [mailto:bvogel144@cox.net]
Sent: Wednesday, January 10, 2007 6:01 PM
To: dwsteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: VAR-18312 & SUP-18314

This email is to inform you that I object to VAR- 18312 & SUP- 18314 and I additionally request that this objection be included in the records. Thank You

William A. Vogel & Hortensia Vogel
 3901 Conough Lane
 Las Vegas, NV. 89129
 702 202-3345

1/11/2007

ITEM # 28 + 29
 CASE # VAR 18312 + SUP 18314
 PC MTG 1 11 07

P

Dorothy Marsili

From: Ydo Yturralde
Sent: Thursday, January 11, 2007 12:31 PM
To: Dorothy Marsili
Subject: FW: objection to VAR-18312 and SUP-18314

Ydoleena Y.

From: Laurie Kruse
Sent: Thursday, January 11, 2007 12:12 PM
To: 'Jeremy Olson'
Subject: RE: objection to VAR-18312 and SUP-18314

Jeremy –
 Thank you for your protest letter, and I will see that it is forwarded to the appropriate staff.
 Laurie Kruse

Laurie Kruse Sr. Executive Assistant to Councilman Larry Brown
 City of Las Vegas Mayor & Council Office
 400 Stewart Avenue Las Vegas, NV 89101
 702-224-5405/0 702-464-2683/fax

From: Jeremy Olson [mailto:jeremy@lvpos.com]
Sent: Wednesday, January 10, 2007 9:56 PM
To: dwsteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: objection to VAR-18312 and SUP-18314

I object to VAR-18312 and SUP-18314. Please include my objections in the record.

Thanks,

Jeremy Olson
 7901 Aviano Pines
 Las Vegas, NV 89129
 702-281-5754

ITEM # 23 + 29
 CASE # VAR 18312 + SUP 18314
 PC MTG 1-11-07

1/11/2007

8

Dorothy Marsili

From: Carmel Viado
Sent: Thursday, January 11, 2007 11:55 AM
To: Dorothy Marsili
Subject: FW: VAR-18312 and SUP 18314

Carmel Viado

From: Laurie Kruse
Sent: Thursday, January 11, 2007 11:53 AM
To: 'Pamela Tette'
Subject: RE: VAR-18312 and SUP 18314

Pamela –

Thank you for your protest letter, and I will see that it is forwarded to the appropriate staff.

I hope you have a great day.

Laurie Kruse

Laurie Kruse, Sr. Executive Assistant to Councilman Larry Brown
 City of Las Vegas Mayor & Council Office
 400 Stewart Avenue, Las Vegas, NV 89101
 702-225-6405/O 702-464-2683/Fax

From: Pamela Tette [mailto:ptette@cox.net]
Sent: Wednesday, January 10, 2007 5:50 PM
To: dwsteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: VAR-18312 and SUP 18314

As a taxpayer and voter in the City of Las Vegas, I would like to voice my objections for VAR-18312 and SUP-18314, which calls for a cell tower to be erected virtually in my back yard. I am sure there is another, less inhabited area in which to locate this structure other than where it is being planned.

I wish to voice my objections to this being done, and I wish my objections and comments to be included in the record.

1/11/2007

ITEM # 25 * 27
 CASE # VNS 18312 + SW? 1534
 PC MTG 1-11-07

P

Dorothy Marsili

From: Carmel Viado
Sent: Thursday, January 11, 2007 11:55 AM
To: Dorothy Marsili
Subject: FW: Objection to the Proposed Cell Tower

Carmel Viado

From: Laurie Kruse
Sent: Thursday, January 11, 2007 11:52 AM
To: 'xbestgirl4ux@yahoo.com'
Subject: FW: Objection to the Proposed Cell Tower

Christy -
 Thank you for your e-mail. I will forward it to the appropriate staff for the Planning Commission meeting.
 I hope you have a great day.
 Laurie Kruse

Laurie Kruse, Sr. Executive Assistant to Councilman Larry Brown
 City of Las Vegas Mayor & Council Office
 450 Stewart Avenue, Las Vegas, NV 89101
 702-229-6405/702-464-2683/fax

From: christy perez [mailto:xbestgirl4ux@yahoo.com]
Sent: Wednesday, January 10, 2007 5:36 PM
To: dwsteinman@aol.com
Cc: lori
Subject: Objection to the Proposed Cell Tower

To Whom It May Concern:

I am writing to voice my STRONG objection to the proposed cell tower for the parking lot of the 4-Square Gospel Church on Alexander. I live right behind the gravel parking lot on Aviano Pines in a two-story home that looks across that gravel lot towards the mountains to the North.

I am sickened to think that my view (and home value) will plummet because of the eyesore of an 80 ft. tower in the middle of a residential neighborhood. I am also very worried about the health of all residents because of the numerous studies regarding cell waves and health risks of living close to cell towers.

This must be stopped. It is hard enough to have nice neighborhoods with all of the cinder block walls and not much to look at outside your window but at least we have some mountains out our North windows, not to mention trying to sell my home with an ugly 80 ft. tower in your backyard.

Stop the Madness!
 Sincerely,
 Christy Perez
 7908 Aviano Pines Ave.

ITEM # 25 + 29
 CASE # 18312 + 5112 1314
 PC MTG 1-11-07

1/11/2007

P

Dorothy Marsili

From: Carmel Viado
Sent: Thursday, January 11, 2007 11:47 AM
To: Dorothy Marsili
Subject: FW: cell phone tower VAR-18312 and SUP-18314

More info on the email protest. ☺

Carmel Viado

From: Laurie Kruse
Sent: Thursday, January 11, 2007 11:46 AM
To: 'marlene adrian'
Subject: RE: cell phone tower VAR-18312 and SUP-18314

Good Morning Marlene –
 Just confirming that we receiving your address and phone number which will be added to the record.
 Have a great day.
 Laurie Kruse

Laurie Kruse, Sr. Executive Assistant to Councilman Larry Brown
 City of Las Vegas Mayor & Council Office
 400 Stewart Avenue, Las Vegas, NV 89101
 702-229-5405/O 702-464-2683/Fax

From: marlene adrian [mailto:adrianmj@cox.net]
Sent: Wednesday, January 10, 2007 4:13 PM
To: dwsteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: cell phone tower VAR-18312 and SUP-18314

I forgot to include my address and telephone with my objection to the cell phone tower mentioned as follows:
 I am opposed to VAR-18312 and SUP-18314. The proposed placement of a cell phone tower in the Foursquare Gospel Parking Lot is unacceptable. A cell phone tower should not be placed in our neighborhood because of aesthetic reasons and because of the possible radiation effects to the residents and to the proximity of the nearby schools. Conclusions of some studies are that there are dangers from cell phone tower radiation.
 Marlene Adrian.
 7920 Aviano Pines Avenue
 655.2146

1/11/2007

ITEM # 23 " 29
 CASE # VAR-18312 & SUP 18314
 PC MTG 111 G7

P

Dorothy Marsili

From: Ydo Ylurralde
Sent: Thursday, January 11, 2007 12:52 PM
To: Dorothy Marsili
Subject: FW: VAR-18312 and SUP-18314

Ydoleena Y.

From: Laurie Kruse
Sent: Thursday, January 11, 2007 12:51 PM
To: 'Nick Sagnelli'
Subject: RE: VAR-18312 and SUP-18314

Nick –
 Thank you for your protest letter, and I will see that it is forwarded to the appropriate staff.
 Laurie Kruse

Laurie Kruse, Sr. Executive Assistant to Councilman Larry Brown
 City of Las Vegas Mayor & Council Office
 400 Stewart Avenue, Las Vegas, NV 89101
 702-229-5405/O 702-464-2683/Fax

From: Nick Sagnelli [mailto:sagnel8@cox.net]
Sent: Wednesday, January 10, 2007 5:44 PM
To: dwsteinmam@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: VAR-18312 and SUP-18314

Ladies and Gentleman,

My home, just across the wash from the proposed cell tower installation is unacceptable. My family And I are located at 7876 Aviano Pines Ave directly across the wash from the church parking lot.

My daughter, Julia, who is six years old, sleeps in a bedroom in the north side of our home on the Second floor and this tower would be approximately ninety feet to the north of her room.

When we bought our home in 1997 and watched it being built, we could see nothing but mountains. Now, there are nothing but homes everywhere, Alexander Rd. is a speedway for high powered cars And motorcycles. At least once a week there is a Metropolitan Police Department helicopter flying Overhead, with it's bright spot light aglow searching for some undesirable. It's become a toilet.

Now, a cell phone tower is a proposal of installation on land which was supposed to house a beautiful Church. During the last few years, I've had to write letters to the existing building which identifies itself As a church and complain about numerous offenses.

1. They have allowed trailer homes park on their property, for cash consideration I'm sure.
2. They have had classic car displays on their property, for cash consideration I'm sure.
3. They have stored huge amounts of trash, which was unacceptable to Republic Services to pick up and remained until I wrote to them.

1/11/2007

4. Numerous Fourth of July fireworks displays during the course of my daughters infant years
And experiencing unpleasantries due to the disrespectful crowds which gathered behind our
home.

I am completely disgusted with the way this church has handled their affairs with their property. Now they
Are willing to allow the installation of a cell tower, for cash considerations I'm sure, but completely oblivious
To the "Radiation" which will be brought to the location right directly behind my home.

I DO NOT WANT THIS TOWER TO BE INSTALLED NOW OR EVER!

Nick Sagnelli
saguel8@cox.net

1/11/2007

ITEM # 28-29
CASE # V.218312 + SWP 18314
PC MTG 1-11-07

P

Dorothy Marsili

From: Laurie Kruse
Sent: Thursday, January 11, 2007 12:13 PM
To: 'Jeremy Olson'
Subject: RE: Kim Andersons' objection to VAR-18312 and SUP-18314

Kim -

Thank you for your protest letter, and I will see that it is forwarded to the appropriate staff.
Laurie Kruse

Laurie Kruse Sr. Executive Assistant to Councilman Larry Brown
City of Las Vegas Mayor & Council Office
400 Stewart Avenue, Las Vegas, NV 89101
702-229-6405/O 702-464-2583/Fax

From: Jeremy Olson [mailto:jeremy@lvpos.com]
Sent: Wednesday, January 10, 2007 9:59 PM
To: dwsteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: Kim Andersons' objection to VAR-18312 and SUP-18314

I object to VAR-18312 and SUP-18314. Please note my objection in the record.

Kim Anderson
7901 Aviano Pines
Las Vegas, NV 89129
702-858-3574

1/11/2007

ITEM # 28 + 29
CASE # _____
PC MTG 1 11 07

2

Dorothy Marsili

From: Laurie Kruse
Sent: Thursday, January 11, 2007 12:14 PM
To: 'Aneeta764@aol.com'
Subject: RE: VAR-18312 & SUP-18314

Anita -

Thank you for your protest letter, and I will see that it is forwarded to the appropriate staff.
 Laurie Kruse

Laurie Kruse, Sr. Executive Assistant to Councilman Larry Brown
 City of Las Vegas Mayor & Council Office
 400 Stewart Avenue, Las Vegas, NV 89101
 702-229-6405/0 702-454-2683/Fax

From: Aneeta764@aol.com [mailto:Aneeta764@aol.com]
Sent: Wednesday, January 10, 2007 11:11 PM
To: lkruse@lasvegasnevada.gov
Subject: VAR-18312 & SUP-18314

To whom it may concern, I am writing in regards to the 80 foot tall communications facility. I feel it would be an eye sore for me everytime I look out my windows. My objection to this variance is strong. I feel it would effect my property value. I say NO!

Please include my comments and objections for the record for VAR-18312 & SUP -18314.

Thank You,
 Anita Handley
 7764 Monza Ave.
 LV,NV.89129

ITEM # 28 + 29
 CASE # _____
 PC MTG 1-11-07

1/11/2007

P

Dorothy Marsili

From: Carmel Viado
Sent: Thursday, January 11, 2007 1:58 PM
To: Dorothy Marsili
Subject: FW: 80ft. Wireless Tower

Carmel Viado

From: Laurie Kruse
Sent: Thursday, January 11, 2007 1:58 PM
To: 'hairbykar1@aol.com'
Subject: RE: 80ft. Wireless Tower

Karin –
 Thank you for your protest letter, and I will see that it is forwarded to the appropriate staff.
 Laurie Kruse

Laurie Kruse, Sr. Executive Assistant to Councilman Larry Brown
 City of Las Vegas Mayor & Council Office
 400 Stewart Avenue, Las Vegas, NV 89101
 702-229-6405/O 702-464-2683/Fax

From: hairbykar1@aol.com [mailto:hairbykar1@aol.com]
Sent: Wednesday, January 10, 2007 8:19 PM
To: DWSteinman@aol.com
Cc: LKRUSE@lasvegasnevada.gov; hairbykar1@aol.com
Subject: 80ft. Wireless Tower

Variance#18312, SUP#18314

To Whom it

may concern; This email is to **OBJECT!!!!** to the proposed 80ft. wireless tower to be built on the property on the other side of the water retention basin which is behind my home.

I believe that the dialogue of communication of this proposal has a horrific edge not only of it's possible existence but the timing of the distribution. Most of us let's face it, are recovering from the holiday's and the probability of paper work being lost in the shuffle of preparing to get back to the norm, I feel that most residents in our area will forget of this issue.

I am concerned on many levels, first and foremost, health issues, -depreciation of my home, visual objection and many other concerns. Perhaps if this is passed what will this mean for the future of the property surrounding this neighborhood??

There is the land just west of us (THE 215 highway) that has room more appropriate for this tower, I am sure and pray that there are other location's that are more just for this tower. I hope that this email will be taken in consideration for my objection of the wireless tower location proposal.

Sincerely; Mrs. Karin

Keplinger

7916 Aviano Pines

Ave., Las Vegas, NV 89129 (Variance #18312-SUP#18314)

ITEM # 23 & 24
 CASE # _____
 PC MTG 1-11-07

1/11/2007

P

Telephone Protest/ Approval Log

Meeting Date: 1/11/07

Case Number: SUP-18314

Date: 1/9/07
Name: Harry Fuerey
Address: 8004 Holly Knoll Ave.
Phone: _____
☒ PROTEST ☐ APPROVE

Date: 1/9/07
Name: Ron Cokley
Address: 1741 Crenshaw Wy
Phone: 656 - 7213
☒ PROTEST ☐ APPROVE

Date: 1/9/07
Name: Anthony Bruges
Address: 4009 Poppy Fields Dr.
Phone: 655 - 4547
☒ PROTEST ☐ APPROVE

Date: 1/9/07
Name: Susan King
Address: 4113 Wheat Stone
Phone: 645 - 8574
☒ PROTEST ☐ APPROVE

Date: 1/10/07
Name: Paul Veright
Address: 8016 Wedlock Ln.
Phone: 655 - 4361
☒ PROTEST ☐ APPROVE

Date: 1/10/07
Name: Keith Chawse
Address: 4117 Wheat Stone Court
Phone: 656 - 3129
☒ PROTEST ☐ APPROVE

ITEM # 24
CASE # SUP 18314
PC MTG 1/10/07

66P

Laurie Kruse

From: Patrick E. Jensen [jensepe@interact.ccsd.net]
Sent: Thursday, January 11, 2007 1:23 PM
To: dwsteinman@aol.com; lkruse@lasvegasnevada.gov
Subject: Objection to Cell Tower on Alexander (VAR-18312 & SUP-18314)

Dear Planning Commission:

The residents of Aviano Pines Ave. are undeniably opposed to this 80 ft. tower that is proposed for this residential community.

The church kept it's structure low and thus, not an eyesore for the residences surrounding the church area.

An 80 ft. commercial cell tower is utterly absurd to be placed in this area.

It will decrease home values, ruin the only decent view we have from our homes and, pose health risks from the emission of signals.

Let's stop this ludicrous proposal before it goes any further.

It's hard enough having decent aesthetics in our communities without something as atrocious as this. 80 feet?! You have to be kidding.

Keep commercial ventures in commercial districts.

W. Alexander in this area is NOT a commercial district !

Sincerely,

P. Jensen

7809 Aviano Pines Ave.

89129. phone: 576-2073, 258-1122

Laurie Kruse

From: Just Me [bigfatmink@yahoo.com]
Sent: Wednesday, January 10, 2007 5:52 PM
To: dwsteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: Objection to VAR-18312 & SUP-18314 (Cell Tower on W. Alexander)

To Whom It May Concern:

I am voicing my objection to the proposed cell towers to be placed on W. Alexander at the Foursquare Gospel Church parking lot. I am livid to think that this may take place. This will de-value my already decreasing home value and totally ruin the only view we have out our windows (we have a 2-story home on Aviano Pines right behind the gravel parking lot). There is also evidence of *serious* health risks from being so close to towers that emit electronic signals (that have been downplayed by corporations).

I hope this proposal is stopped before it ever gets to the City Council.
This is a neighborhood with a nice small church...not a commercial district.

This must be stopped!
Sincerely,
Leslie Negron-Perez
Aviano Pines Ave.

Do You Yahoo!?
Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

1/11/2007

Laurie Kruse

From: hairbykar1@aol.com
Sent: Wednesday, January 10, 2007 8:19 PM
To: DWSteinman@aol.com
Cc: LKRUSE@lasvegasnevada.gov; hairbykar1@aol.com
Subject: 80ft. Wireless Tower

Variance#18312, SUP#18314

To Whom it may concern:

This email is to OBJECT!!!! to the proposed 80ft. wireless tower to be built on the property on the other side of the water retention basin which is behind my home. I believe that the dialogue of communication of this proposal has a horrific edge not only of it's possible existence but the timing of the distribution. Most of us let's face it .are recovering from the holiday's and the probability of paper work being lost in the shuffle of preparing to get back to the norm.I feel that most residents in our area will forget of this issue.

I'am concerned on many levels, first and foremost, health issues, -depreciation of my home,visual objection and many other concerns. Perhaps if this is passed what will this mean for the future of the property surrounding this neighborhood??

There is the land just west of us (THE 215 highway) that has room more appropriate for this tower. I'am sure and pray that there are other location's that are more just for this tower. I hope that this email will be taken in consideration for my objection of the wireless tower location proposal.

Keplinger

Sincerely: Mrs. Karin

Vegas,NV 89129 (Variance #18312-SUP#18314)

7916 Aviano Pines Ave.,Las

Laurie Kruse

From: DarbieAnna@aol.com
Sent: Wednesday, January 10, 2007 11:19 PM
To: DWSteinman@aol.com; lkruse@lasvegasnevada.gov
Subject: 80 foot cell phone tower

Although I can appreciate your dedication to how you feel regarding this cell phone tower being installed. In addition to the time you invested in going door to door and taping notes to homeowner's doors. I feel it is important that you hear both sides of the issue.

I have been a homeowner in this neighborhood for 3 years and in that time I have never been able to carry a conversation on my cell phone in my home. In addition to the frustration and added costs for having to use my land phone for all long distances calls is a very challenging problem.

I encourage the new cell tower and look forward to moving forward in the future. In addition I wish you well with your passion and hope there is a happy medium for all parties involved.

Sincerely,

A Homeowner

Laurie Kruse

From: OmnipresntG@aol.com
Sent: Wednesday, January 10, 2007 11:57 PM
To: DWSteinman@aol.com
Cc: lkruse@lasvegasnevada.gov
Subject: cell tower VAR-18312 and SUP218314 OBJECTION

As a property owner for 10 year's in this location i am stongly opposed to the building of an 80 foot eyesore in my own backyard, i want to voice my stong object- ion to VAR-18312 and SUP18314 . My wife and myself are long time register and active voters as are many of or friends, family, and congercation that reside in this vacinity and there is no need for a nother cell tower in this residential family area

I would like for my objection to be included in the record

Thank you
GREG HANDLEY
7764 monza ave

1/11/2007

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 7, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:****SPECIAL USE PERMIT**

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

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.**

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:**Planning Commission Mtg.**

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

Motion made by GARY REESE to Hold in Abeyance to 3/21/2007

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

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

Minutes:

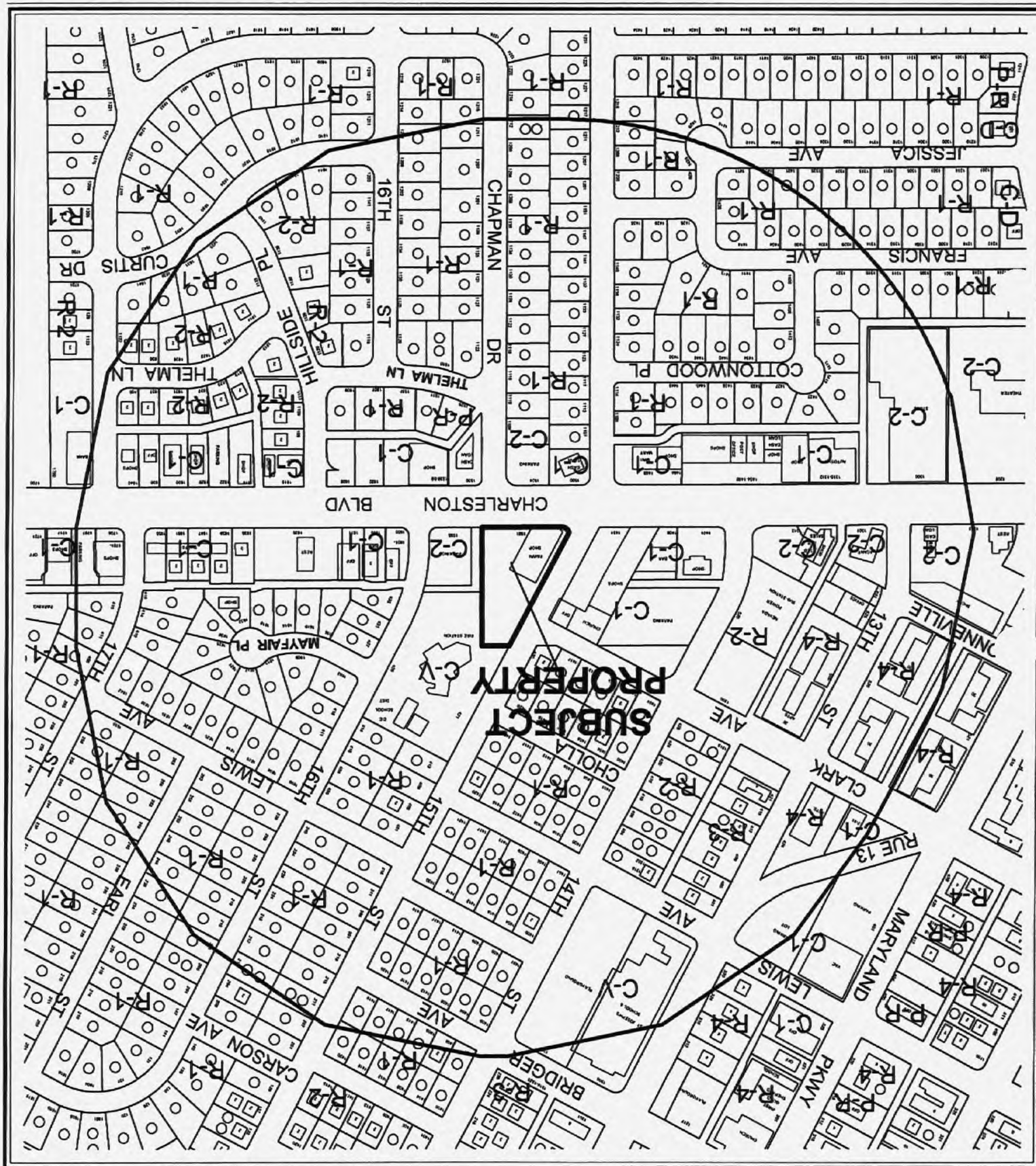
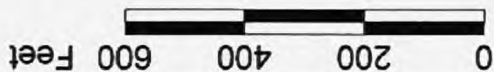
MAYOR GOODMAN declared the Public Hearing open.

CHRIS WENER, Spectrum Engineering, 7351 West Charleston Boulevard, appeared on behalf of the applicant.

COUNCILMAN REESE stated he received a call from the fire department indicating there could be a problem with frequency with the proposed stealth tower. They have asked to meet with the

RADIUS: 1000 FT

CASE: SUP-18655





AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 7, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

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

THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 21, 2007 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILMAN REESE.

**** CONDITIONS ****

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

Planning and Development

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

Public Works

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

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

BACKGROUND INFORMATION

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

Details of Application Request	
Site Area	
Net Acres	1.0

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

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

DEVELOPMENT STANDARDS

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

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

ANALYSIS

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

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

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

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

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

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

Conditions

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

1. The applicant must submit to the Department, for administrative review and approval, a site plan and an elevation drawing. The Director shall review the documents to determine if the proposed facility conforms to the conditions listed below for this use. If the Director, in his discretion:

- a. Approves the proposed facility to proceed as a conditional use, the Director shall provide written notice of approval to the applicant, with a copy to the office of the City Council. Within ten days after the notice is mailed or delivered, the applicant may proceed to apply for building permits, unless a member of the City Council files with the Director a written request for the Council to review the approval. If such a request to review is filed, the application must first be reviewed and approved by the Council.
- b. Determines that the proposed facility does not conform to the conditions listed below, a Special Use Permit will be required for the use. Any determination by the Director that a Special Use Permit will be required is no subject to appeal.

2. No residential use may exist on the property.

3. The design must conform to the definition of the term "Wireless Communications Facility, Stealth Design," as set forth in Section 19.20.020 and as determined by the Director.

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

FINDINGS

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

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 315 by City Clerk

APPROVALS 0

PROTESTS 0



T-Mobile

CHAPMAN DR. AND THELMA LN.
VG08659-A

1501 E. CHARLESTON BLVD.
LAS VEGAS, NEVADA 89101

THE PROPOSED PROJECT INCLUDES

- INSTALLATION OF WIRELESS ANTENNAS ON A 75' MONOPOLM WITH ANTENNAS AT A 74' CENTERLINE (PROVIDES NOT TO EXCEED 80')
- INSTALLATION OF (4) OUTDOOR EQUIPMENT CABINETS ON A CONCRETE PAD
- INSTALLATION OF ONE OPS ANTENNA
- COAXIAL CABLE RUNS FROM RADIOS TO ANTENNAS
- NEW TELEPHONE CONDUIT RUN TO CABINETS
- NEW 200A DEDICATED ELECTRICAL SERVICE TO METER
- INSTALLATION 8' BLOCK WALL WITH CHAIN LINK GATE ATTACHED TO BLOCK WALL
- INSTALLATION OF (2) 6' WIDE SOLID METAL SWING GATES

PROJECT DESCRIPTION

APPLICANT/ESSEE

T-MOBILE
4175 S. RILEY ST., STE. 101
LAS VEGAS, NEVADA 89147

CONTACTS
CHAD GADUUST
CONSTRUCTION PROJECT MANAGER
(702) 595-9406

PROPERTY INFORMATION

OWNER: BERKE ENTERPRISES LTD.
11027 SUNSET BOULEVARD
LOS ANGELES, CALIFORNIA
90049-3224

CONTACT: BARBARA LAMBLEY
PHONE: (313) 314-3400

AREA OF CONSTRUCTION: 407.39 SQ. FT.

OCCUPANCY TYPE: S-2
CONSTRUCTION TYPE: V-B
CURRENT ZONING: LIMITED COMMERCIAL DISTRICT (C-1)
JURISDICTION: CITY OF LAS VEGAS
LATITUDE: N 36° 09' 34.2"
LONGITUDE: W 115° 07' 54.7"
ELEVATION: 1848 FEET (NAVD 1988)
ZONING APPLICATION #: T.B.D.
A.P.N.: 128-35-402-001
HANDICAP REQUIREMENTS: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS NOT REQUIRED.

PROJECT INFORMATION

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

PROJECT SUMMARY

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

1. INTERNATIONAL BUILDING CODE 2003 W/STATE AMENDMENTS
2. UNIFORM MECHANICAL CODE 2000
3. ANSI/ISA-227-1 LIFE SAFETY CODE
4. NFPA-101-1995
5. UNIFORM PLUMBING CODE 2000
6. NATIONAL ELECTRIC CODE 2002
7. LOCAL BUILDING CODE(S)
8. CITY AND/OR COUNTY ORDINANCES

CODE COMPLIANCE

CIVIL ENGINEER

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

STRUCTURAL ENGINEER

T.B.D.

ELECTRICAL ENGINEER

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

SURVEYOR

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

PROJECT TEAM

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

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

OMNIPONT
T-Mobile
4175 S. RILEY ST., STE. 101
LAS VEGAS, NV 89147

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

CURRENT ISSUE DATE
11/08/06

ISSUED FOR
ZONING

REV.	DATE	DESCRIPTION	BY
1	11/08/06	ZONING TO HIG	TO C
2	09/26/06	ZONING REVISIONS	D.S.
3	09/12/06	RE-USED ZONING	J.E.
4	08/30/06	100% ZONING	J.E.
5	06/02/06	90% ZONING	B.I.

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

DRAWN BY: CHM. APV
B. LANGSTON W. CEFALU, C. WENNER

LICENSURE

SHEET TITLE
TITLE SHEET

SHEET NUMBER
T1

REVISION
4
VG08659-A

SUP-18655
01/25/07 PC

RECEIVED
2006

THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN A GRANT, BARGAIN & SALE DEED RECORDED JUNE 4, 2001 IN BOOK 20010604 AS INSTRUMENT NO. 01587 IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA, LYING WITHIN SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 35, TOWNSHIP 20 SOUTH, RANGE 61 EAST, N30W

BASIS OF BEARINGS

SOUTH BY 51°14' EAST, BEING THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 35 AS SHOWN BY MAP THEREOF ON FILE 67, PAGE 74 OF SURVEYS IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA

BENCHMARK

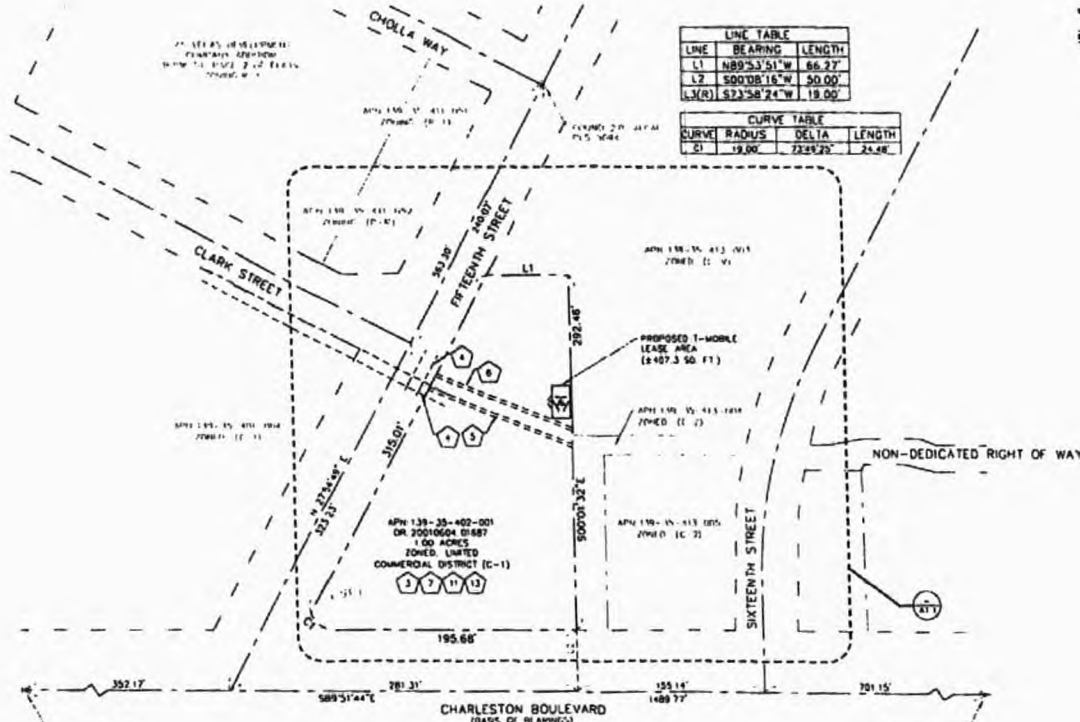
CITY OF LAS VEGAS VERTICAL CONTROL, NO. 1279 BEING A NINETEEN AND PLATE IN TOP OF CURB AT NORTHEAST CORNER OF CHARLESTON AND 15TH STREET

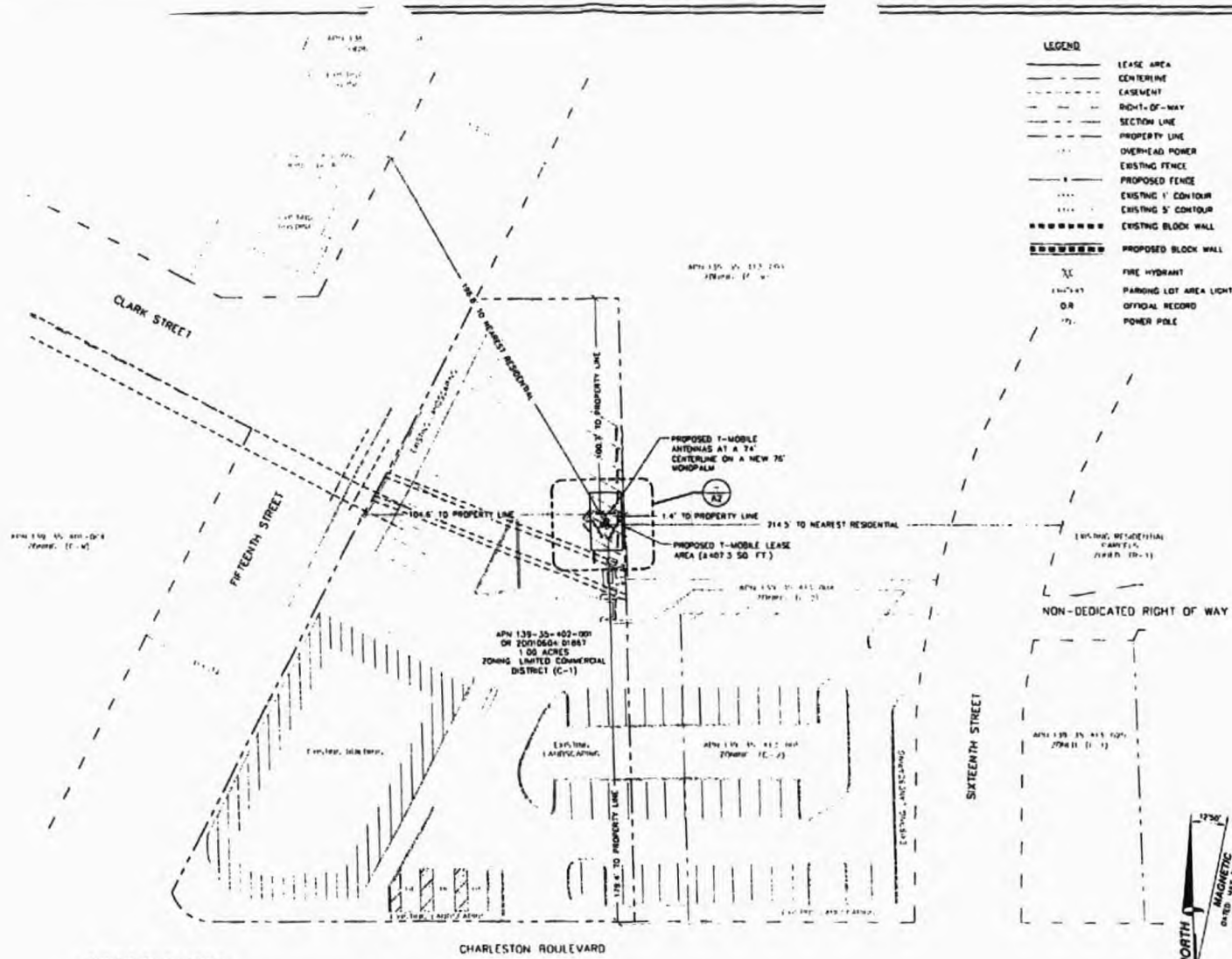
ELEVATION 1950.05 FEET (NAVD 1988)
394.375 METERS (NAVD 1988)

NOTES & TITLE REPORT EXCEPTIONS

ONLY THOSE EXCEPTION LISTED IN TITLE REPORT NO. 08-18013-1, DATED MAY 8, 2008, PREPARED BY NEVADA TITLE COMPANY, WHICH ARE NOT SOLELY FINANCIAL IN NATURE AND WHICH REFERENCE A DOCUMENT CONTAINING A SUFFICIENT LEGAL DESCRIPTION OF AREAS AFFECTED BY SAID DOCUMENT WERE CONSIDERED FOR THIS SURVEY AND RE-LISTED BELOW. ITEM NUMBERS CORRESPOND TO ITEM NUMBERS IN SAID TITLE REPORT.

1. RESERVATION AND EASEMENTS FROM STATE OF NEVADA OR 159.832 AFFECTS ENTIRE SUBJECT PROPERTY
2. SHIC FOR COMMUNICATION LINES, OR 23.144 215460 AFFECTS PORTION OF SUBJECT PROPERTY AS SHOWN HEREON
3. SHIC FOR POWER LINES, OR 720 185275, AFFECTS PORTION OF SUBJECT PROPERTY AS SHOWN HEREON
4. EIC FOR COMMUNICATION LINES, OR 1349 1308362, AFFECTS PORTION OF SUBJECTS PROPERTY AS SHOWN HEREON
5. CLW FOR DOWNTOWN DEVELOPMENT AREA, OR 880311 007777 AFFECTS ENTIRE SUBJECT PROPERTY
6. BE ASSIGNMENT OF RENT AND LEASES, OR 20010406 01209, AFFECTS PORTION OF SUBJECT PROPERTY AS SHOWN HEREON
7. BE FOR UNRECORDED LEASE, OR 20010411 01027 AFFECTS PORTION OF SUBJECT PROPERTY AS SHOWN HEREON





PARKING CALCULATIONS

REQUIRED PARKING	42 SPACES (12 PAWN SEE PERMIT 11-15-98)
PARKING PROVIDED	67 SPACES (64 STANDARD, 3 HANDICAPPED)
T-MOBILE LEASE AREA	4 SPACES
TOTAL REMAINING	63 SPACES (60 STANDARD, 3 HANDICAPPED)

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

PROJECT INFORMATION

T-Mobile

1501 E. CHARLESTON BLVD
LAS VEGAS, NEVADA 89101

PROJECT INFORMATION

**CHAPMAN DR. AND
THELMA LN.
VG08659-A**

1501 E. CHARLESTON BLVD
LAS VEGAS, NEVADA 89101

CURRENT ISSUE DATE

11/08/06

ISSUED FOR

ZONING

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

PLANS PREPARED BY

SPECTRUM
SURVEYING & ENGINEERING
2301 W. CHARLESTON BLVD. SUITE 170
LAS VEGAS, NEVADA 89117
PH (702) 367-7705
FAX (702) 367-8733

DRAWN BY CHK **APV**
B. LANGSTON M. CEFALU C. WENER

LICENSURE

SHEET TITLE

ENLARGED SITE PLAN

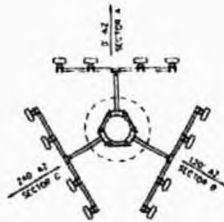
SHEET NUMBER **REVISION**

A1.1 **4**

ENLARGED SITE PLAN

SUP-18655
01/25/07 PC

RECEIVED
DEC 11 2006



ANTENNA LAYOUT

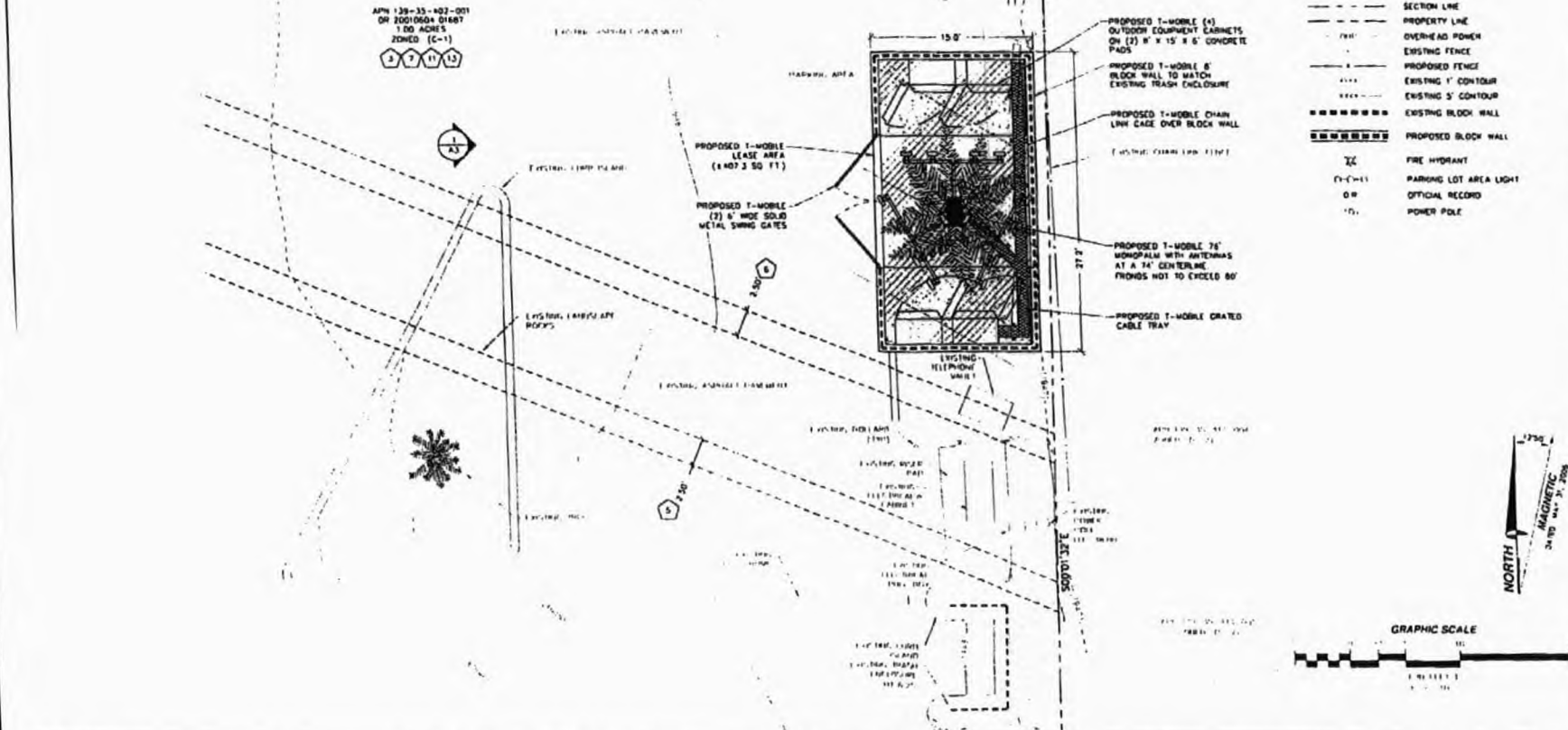
3 ANTENNA AND CABLE SCHEDULE

2

ANTENNA SECTION	ANTENNA MAKE/MODEL	COAXIAL CABLE LENGTH	CABLE SIZE	RAS CENTER	TOP JUMPER LENGTH	BOTTOM JUMPER LENGTH	COMMENTS
SECTION A	DRS-18XNDP	80' X 8	1/8" COAX	74'	5'	6' (10' MAX)	
SECTION B	DRS-18XNDP	80' X 8	1/8" COAX	74'	5'	6' (10' MAX)	
SECTION C	DRS-18XNDP	80' X 8	1/8" COAX	74'	5'	6' (10' MAX)	
GPS	MOTOROLA GPS	30' X 1	1/8" COAX		N/A	N/A	
LMU	N/A	N/A	N/A		N/A	N/A	

EQUIPMENT	QUANTITY	MAKE/MODEL	LATITUDE (NAD83)	LONGITUDE (NAD83)	LATITUDE (WGS84)	LONGITUDE (WGS84)	GROUND LEVEL (AMSL)	COMMENTS
ERISSON	1	RBS-2106 (OUTDOOR)	N/A	N/A	N/A	N/A	N/A	

NOTE: CONTRACTOR TO FIELD VERIFY CABLE LENGTHS PRIOR TO ORDERING, FABRICATING, OR INSTALLATION OF CABLES.



SITE DETAIL

SPONSOR
T-Mobile
415 S. MEXICO ST., SUITE 100
LAS VEGAS, NV 89101

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

CURRENT ISSUE DATE
11/08/06

ISSUED FOR:
ZONING

REV.	DATE	DESCRIPTION	BY
1	09/12/06	REVISED ZONING	J.E.
2	06/20/06	100% ZONING	J.E.
3	06/02/06	90% ZONING	J.E.

PLANS PREPARED BY
SPECTRUM
SURVEYING & ENGINEERING
7354 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH: (702) 367-7705
FAX: (702) 367-8733

DRAWN BY: CHK. APV:
B. LANGSTON M. CEPALU C. WENER

ENCLOSURE

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

SHEET NUMBER
A2

REVISION
2

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

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DEC 11 2006

RECEIVED
DEC 11 2006



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

12/26/06



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

12/26/06



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

December 11, 2006

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

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

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

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

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

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

Best regards,
Spectrum Surveying & Engineering

A handwritten signature in black ink, appearing to read 'Margaret Gefalu', is written over a horizontal line.

Margaret Gefalu
Director of Wireless Services

RECEIVED
DEC 11 2006

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

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

01/19/2007 14:45

7023857268

PLANNING & DEVELOPMT

PAGE 02/10

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

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

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

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

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

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

Justin Heather 1/22/07
Signature Date

Kirtus Keater
Please Print Name

Spectrum Surveying & Engineering
Company Name

Sincerely,

**Douglas J. Rankin, AJCP
Current Planning Manager**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 7, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:****SPECIAL USE PERMIT**

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

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.**

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:**Planning Commission Mtg.**

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

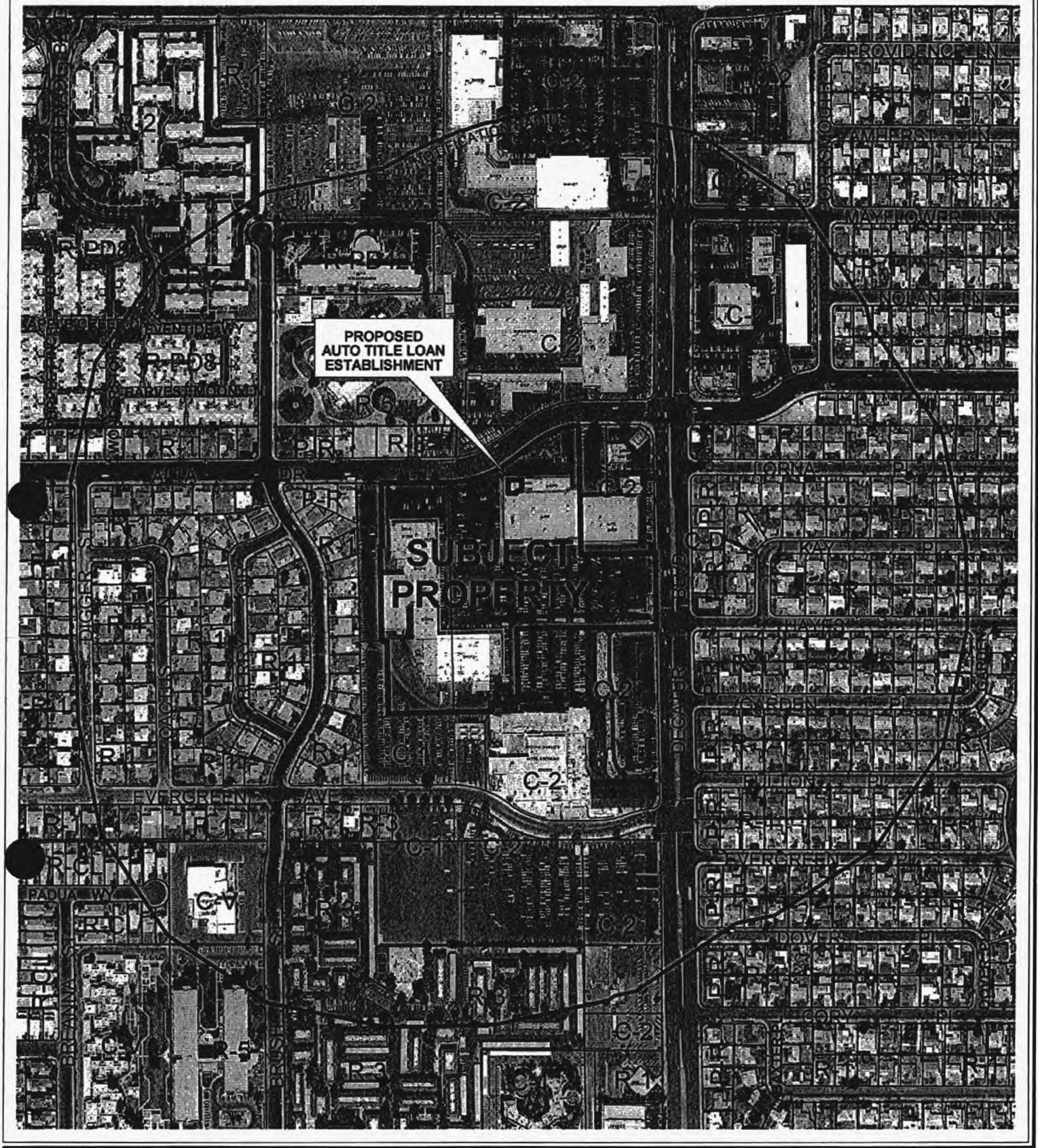
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Letter from Becker Enterprises

Motion made by LOIS TARKANIAN to Approve Subject to Conditions and adding the following condition as read for the record:

A. The non-conforming use to conduct financial institution specified payday loans, check cashing activities at 4921 Alta Drive shall be immediately expunged upon the City Council's approval of SUP-18685 at 4923 Alta Drive. The 180 days discontinuation of use pursuant to LVMC19.16.030.83 is waived in accordance with the acquiescence of the applicant and owner of the property.

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





CASE: **SUP-18685**

RADIUS: 1000 FT

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

0 400 800 Feet





SUP-18685

Financial Institution

Financial Business Locations

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

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



0 300 600 1,200 Feet

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 7, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

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

THIS ITEM WAS HELD IN ABEYANCE FROM THE FEBRUARY 21, 2007 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILWOMAN TARKANIAN.

**** CONDITIONS ****

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

Planning and Development

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

BACKGROUND INFORMATION

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

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

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

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

in accordance with Rule 15.16, the following parking standards apply:

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

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

ANALYSIS

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

- **General Plan and Zoning**

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

- **Floor Plan**

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

- **Parking**

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

- **Distance Separation**

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

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

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 435 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

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

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

Name of Applicant: Vegas Cash

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

Yes ☒ No ☐

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

City Official: //

Partner(s): _____

APN: _____

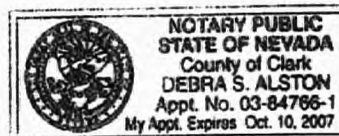
Signature of Property Owner: _____

Print Name: Ernest A. Becker, Jr.

Subscribed and sworn before me

This 27th day of November, 2006

Notary Public in and for said County and State



3. LAMINATE EXISTING 2x4 S4 EACH
 3. SPLITTER POST (IN EXISTING POST)
 4. 50 AMP 250 VAC 1-PH 3-WIRE TO EACH
 5. 200 AMP LOAD CENTER
 3 @ 4 IN 200000
 EXISTING 50 OH

ELECTRICAL NOTES

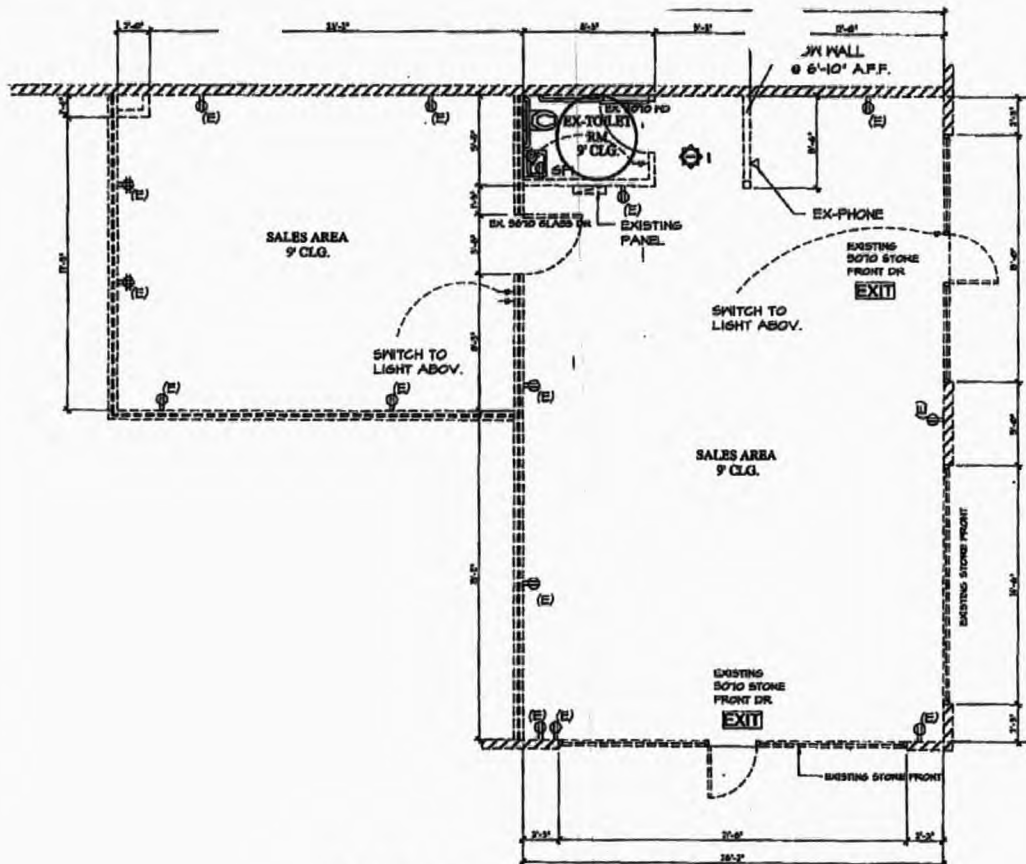
1. ALL EXISTING ELECTRICAL, FUSE BOXES AND PLUGS TO REMAIN UNLESS OTHERWISE NOTED. ADDITIONAL CIRCUITS AND TUBES ARE SHOWN.
2. ALL ELECTRICAL MATERIALS AND INSTALLATION SHALL BE IN COMPLIANCE WITH THE NATIONAL ELECTRICAL CODE LATEST EDITION AND ALL STATE LOCAL REQUIREMENTS.
3. THE ELECTRICAL CONTRACTOR SHALL RESPONSIBLE FOR THE ELECTRICAL REQUIREMENTS OF THE ACTUAL EQUIPMENT TO BE INSTALLED AND SHALL UP-DATE ANY OWNERS PROVIDED PANELS AND DISCONNECTS AS REQUIRED FOR RELIABLE OPERATION.
4. SMOKE DETECTORS SHALL BE PROVIDED AND INSTALLED PER LOCAL CODE.

WALLS LEGEND

EXISTING BUILDING SHELL
 EX-NEW DEMISING WALL - 6" 20 GA. METAL STUDS @ 16" O.C. WITH R14 BATT INSULATION AND 5/8" TYPE "X" GYPS. BD. (FLOOR TO UNDERSIDE OF ROOF DECK/CURRENT TENANT SIDE ONLY)

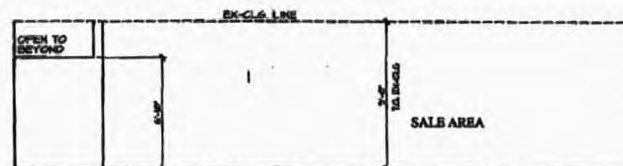
EXISTING WALL

- NOTES:**
1. AT FRONT DOOR PROVIDE LABEL ON DOOR HEAD STATING: "THIS DOOR IS TO REMAIN UNLOCKED DURING BUSINESS HOURS"
 2. ALL EXIT DOORS SHALL BE OPERABLE FROM THE INSIDE WITHOUT THE USE OF A KEY OR ANY SPECIAL KNOWLEDGE OR EFFORT. ALL THRESHOLDS SHALL MEET ACCESSIBILITY CODE REQUIREMENTS.
 3. TOILET ROOM SHALL HAVE NON-ABSORBENT FLOOR AND 6" HIGH BASE. ALL WALLS WITHIN 3 FEET OF A WATER CLOSET SHALL HAVE FIBERGLASS BOARD AND NON-ABSORBENT SURFACE TO HEIGHT OF 4 FEET, PER CURRENT IBC.
 4. FULL HEIGHT POST - FLOOR TO CEILING



EXISTING FLOOR PLAN

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



"1" INTERIOR ELEVATION

SUP-18685
 01/25/07 PC

RECEIVED
 DEC 12 2006

VEGAS CASH
 4923 ALTA DR.
 LAS VEGAS, NEVADA

DATE	DESIGNED BY	CHECKED BY	DATE
01/25/07	PC	PC	01/25/07
REVISION			
SHEET TITLE: EX-FLOOR PLAN (AS-BUILT) AND EX-ELECTRICAL PLAN			

TI-1



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

12/26/06



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

12/26/06



February 5, 2007

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

Via facsimile: 385-7268

Re: 4921 Alta Drive, Las Vegas NV
Special Use

Dear Doug:

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

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

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

Yours truly,

BECKER INVESTMENT CO.
LIMITED PARTNERSHIP

Ernest A. Becker, Jr.
Agent

Submitted and filed

Date 02-15-07 Item #134

SUP-18685
02-21-07 CC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 7, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

GENERAL PLAN AMENDMENT

GPA-16294 - PUBLIC HEARING - APPLICANT/OWNER: JOHN HERNANDEZ - Request to Amend a portion of the Southeast Sector Plan of the Master Plan FROM: L (LOW DENSITY RESIDENTIAL) TO: O (OFFICE) on 0.17 acres at 410 Spencer Street (APN 139-35-413-125), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 02-08-07 Planning Commission Meeting Item 21

Motion made by GARY REESE to Withdraw without Prejudice Items 116-118

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

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

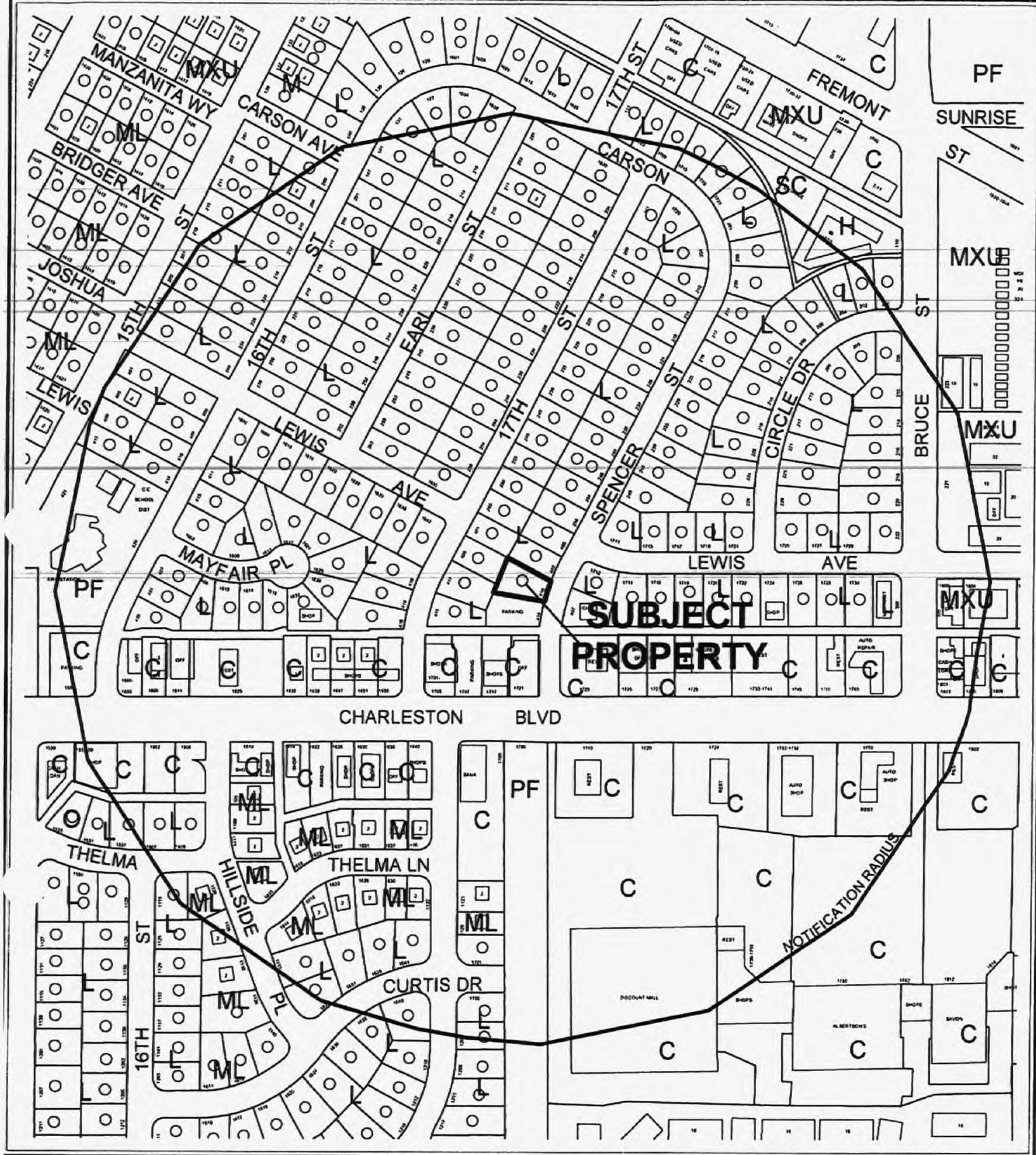
Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 116-118.

KRISTEN NEUMAN, Aptus Architecture, asked that all the items be withdrawn without prejudice at the owner's request. She verified with COUNCILMAN REESE that the applicant recognized the fact that the request for office use is not appropriate for this location, and COUNCILMAN REESE would only support residential at this location.

ATTORNEY PHIL DABNEY, Board of Director at the Nevada Treatment Center, stated he opposes to office and this area should only be residential.

MAYOR GOODMAN declared the Public Hearing closed for Items 116-118.



CASE: GPA-16294

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

L (LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

O (OFFICE)



CASE: GPA-16294

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

L (LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

O (OFFICE)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 7, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-16294 - APPLICANT/OWNER: JOHN HERNANDEZ

**** CONDITIONS ****

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to amend a portion of the Southeast Sector Plan of the Master Plan from L (Low Density Residential) to O (Office) on 0.17 acres at 410 Spencer Street.

This proposed project calls for the conversion of a residence to an office. Companion requests for a Rezoning (ZON-16296), Variance (VAR-16298) and a Site Development Plan Review (SDR-16292) will be heard concurrently with this item.

The proposed General Plan Amendment is deemed incompatible with the area. The proposed development does not conform to the intent of this neighborhood. Therefore, it is not deemed necessary to amend the General Plan to accommodate this development and denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/08/07	The Planning Commission recommended denial of companion item ZON-16296 and SDR-16292 concurrently with this application. The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #21/jm).
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses that pertain to this site.	
<i>Pre-Application Meeting</i>	
Month/date/year	Description
08/02/06	A pre-application meeting was held with the applicant. The applicant was informed that their request to convert their house into an office would require a Site Development Plan Review, a Rezoning, a Variance, and General Plan Amendment. The applicant was also informed that if they were to utilize the parking lot to the south, they would need a shared parking agreement.
<i>Neighborhood Meeting</i>	
Month/date/year	Description
09/14/06	The Neighborhood Meeting was held at 6:00 pm at the East Las Vegas Community Center. One resident attended the meeting. The resident was concerned with the site only providing one parking space. The applicant is working with the adjacent owner to allow access to the rear property.

Details of Application Request	
Site Area	
Net Acres	0.17

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
North	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Parking Lot	L (Low Density Residential)	R-4 (High Density Residential)
East	Existing Church	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)

Special Districts/Zones	Yes	No	Compliance
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

ANALYSIS

This proposed project calls for the conversion of a residence to an office. The project is located on Spencer Street, approximately 220 feet north of Charleston Boulevard, surrounded by single-family residential to the north and west, a church to the east and a parking lot to the south.

The subject property is designated as L (Low Density Residential) under the Southeast Sector Plan of the General Plan. The L (Low Density Residential) category permits a density range of single-family detached homes, including compact lots and zero lot lines; mobile home parks and two-family dwellings. The conversion to an office use that the applicant is requesting does not agree with the Planned Land Use and; therefore, needs a General Plan Amendment (GPA-16294) to O (Office) and Rezoning (ZON-14340) to P-R (Professional Office and Parking) to be consistent.

The O (Office) category provides for small lot office conversions as a transition, along Primary and Secondary streets, from residential to commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations.

FINDINGS

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

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

In regard to "1":

The proposed General Plan Amendment is not compatible with surrounding land use designations. There are no Office land-use designations in the vicinity. This is primarily a residential neighborhood with a parking lot to the south of the property. Commercial land uses exist a block away, south along Charleston Boulevard. The proposed office is not compatible with the neighborhood.

In regard to "2":

The applicant has requested a Rezoning (ZON-15233) from R-1 (Single Family Residential) District to a P-R (Professional Office and Parking) District. There is no P-R (Professional Offices and Parking) in the vicinity and this Rezoning request is inappropriate based on the context. The proposed use, as an office complex, is not compatible with the surrounding area, which is primarily residential.

In regard to "3":

The proposed office would be serviced by Spencer Street, a local street. This should provide adequate access for the development.

In regard to "4":

The proposed development is not affected by any other plans or policies.

PLANNING COMMISSION ACTION

There were two speakers in opposition at the Planning Commission Meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 272 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-16294** APN: 139.35.413.125

Name of Property Owner: _____

Name of Applicant: John Hernandez

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

☐ Yes☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: [Signature]Print Name: John HERNANDEZ

Subscribed and sworn before me

This 16th day of August, 2006Lorna L. Hunt
Notary Public in and for said County and StateMy Commission Expires
10/23/10



GENERAL PLAN AMENDMENT

Location Map



Vicinity Map



Site Zoning & Data

SITE DATA

PARCEL NUMBER	130-35-413-124
JURISDICTION	CITY OF LAS VEGAS 8811
EXISTING GENERAL PLAN	L. 100
EXISTING ZONING	OFFICE
PROPOSED ZONING	R-1
SITE AREA	4.3451 ACRES
STREETS	W. 100
FRONT	100
REAR	100
MAX HEIGHT & STORES	30
ACTUAL HEIGHT & STORES	15.0 + STORE
LOT COVERAGE ALLOWED	40%
ACTUAL LOT COVERAGE	13.7%
BUILDING AREA	
EXISTING OFFICE	1,041.5 SF
TOTAL SF	1,041.5 SF
PARKING AREA	
TOTAL PARKING REQUIRED	1,041.5 SF
OFFICE	1,041.5 SF
LANDSCAPE BUFFER	15'
HEIGHT OF BARRIER	15'
HEIGHT OF BARRIER	15'
HEIGHT OF BARRIER	15'

410 Spencer Street
Site Development Review
410 Spencer Street
Las Vegas, Nevada 89101

APTUS Architecture

1300 South Main Street
Suite 200
Las Vegas, Nevada 89104
P 702.891.1200
F 702.891.1211
info@aptusarchitecture.com

APTUS PROJECT NO. 06.093

ARCHITECT

ENGINEER

NOTES

COPYRIGHT 2006 BY APTUS ARCHITECTURE

City of Las Vegas 8.22.06

NO. DESCRIPTION DATE

ISSUED

TITLE
GENERAL PLAN
AMENDMENT

RECEIVED

AUG 25 2006

GPA-16294
10/19/06 PC

January 9, 2007

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

RE: APN: 139-35-413-125
Subject: A. General Plan Amendment
B. Zoning Change
C. Site Development Review

Dear Sirs:

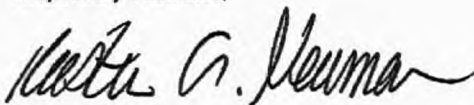
The intended use for the property on Spencer Street just north of Charleston is Office Space.

This property currently has a General Plan designation of "L" and a zoning designation of "R-1". We are requesting a general plan amendment to "O" and a zone change to "P-R" for this parcel. This project consists of an existing home that will be converted to an office, which is typical for properties along Charleston and in the surrounding area. We feel this general plan amendment and zone change would be of similar use to that which is currently in the area.

The revised structure is approximately 859 sf and is one story in height. We are proposing to remove the area of the residence on the south side that once was the garage. Four parking spaces will be provided as well as a van accessible space. We will also add landscaping along Spencer as required by Title 19. We are requesting a landscape waiver along the north, west and south property lines due to the site configuration and the location of the existing structure. This project will provide a place of business and opportunity for people to work closer to their own homes which would reduce the need for time consuming commutes.

Please consider this General Plan Amendment, rezoning and site development review request as a positive impact on the City of Las Vegas and the surrounding neighborhood.

Respectfully Submitted,



Kristen G. Neuman, AIA for John Hernandez
APTUS Architecture

GPA-16294 ZON-16296
SDR-16292
02/08/07 PC

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

HOLLAND & HART



Philip J. Dabney
Phone (702) 669-4600
Fax (702) 669-4650
pjdabney@hollandhart.com

February 8, 2007

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

Re: Objection to Applications for John Hernandez for Rezoning, Site Development
Plan Review and General Plan Amendment, Items ZON-16296, SDR-16292, and
GPA-16294 -- On Calendar for Planning Commission Hearing on
February 8, 2007

Dear Mr. Korkosz:

I am writing on behalf of Nevada Treatment Center to again voice objection over the applications of John Hernandez described above. This matter previously was before the Commission on November 2, 2006, when it was tabled.

Enclosed with this letter is a copy of the letter from Julia Payne, CEO of Nevada Treatment Center, which sets forth the nature and extent of the Center's objections to the applications of Mr. Hernandez. Nothing has changed since November 2, 2006, to change or lessen the extent of the objections set forth by Ms. Payne in her letter to the Commission.

Ms. Payne and I will appear at the hearing on February 8th to offer any additional comments necessary. Thank you for your consideration.

Very truly yours,

Holland & Hart LLP

Philip J. Dabney, Esq.

PJD:ns

cc: Ms. Julia Payne
3665408_1.DOC

ITEM # 21, 22, 23
CASE # See above
PC MTG 2.8.07

Holland & Hart LLP

Phone (702) 669-4600 Fax (702) 669-4650 www.hollandhart.com

3763 Howard Hughes Parkway Suite 300 Las Vegas, Nevada 89169

Denver Aspen Boulder Colorado Springs Denver Tech Center Billings Boise Cheyenne Jackson Hole Las Vegas Salt Lake City Santa Fe Washington, D.C. ☐



NEVADA TREATMENT CENTER

October 26, 2006

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

SENT VIA: U.S. Mail - Certified/Return Receipt Request

RE: SDR-16292
APPLICANT/OWNER: JOHN HERNANDEZ - REQUEST FOR A SITE DEVELOPMENT PLAN REVIEW FOR THE PROPOSED CONVERSION OF A SINGLE-FAMILY RESIDENCE TO AN OFFICE AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFERING REQUIREMENTS ON 0.17 ACRES AT 410 SPENCER STREET (APN 139-35-413-125), R-1 (SINGLE FAMILY RESIDENTIAL) ZONE {PROPOSED: P-R (PROFESSIONAL OFFICE AND PARKING) ZONE}, WARD 3 (REESE).

To Whom It May Concern:

My name is Julia A. Payne, CEO, Nevada Treatment Center, and representative of the property owned by the corporation of the same. I am hereby submitting this letter in protest of the above referenced. Our property, a parking lot, located at 414 Spencer Street, is adjacent to the property as described in SDR-16292.

A representative from our Board of Trustees' has reviewed the site plan map and a section of our property would be affected by this request. (See attachment A.)

On another note, we are also concerned about the use of the property being considered for commercial rezoning. As owners of the lot and building located at 1721 East Charleston Blvd., we have witnessed a tremendous increase in crime within the area over the past several months. The idea of a commercial business being left vacant during evening hours is not appealing to us. As an example, on Thursday, October 12, 2006, one of our surveillance system cameras (prior to being vandalized) recorded vehicle(s) being taken to the rear of Mr. Hernandez's property. We reported the observations to the police who in turn located the owner of two (2) stolen vehicles left on Mr. Hernandez's property.

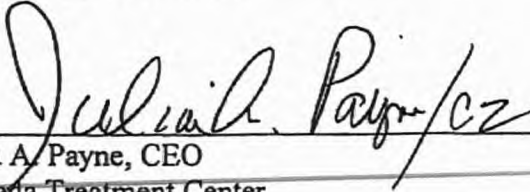
Planning and Development Department

RE: SDR-16292

Page Two

These are our concerns and we would appreciate the Board's consideration when reviewing and deciding the outcome of the request(s) attached to 410 Spencer Street property.

Respectfully submitted,

A handwritten signature in cursive script, reading "Julia A. Payne/cz", written over a horizontal line.

Julia A. Payne, CEO
Nevada Treatment Center

10-26-06

Date

JAP:cz

cc: Tina Walls, Esq.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 7, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REZONING RELATED TO GPA-16294

ZON-16296 - PUBLIC HEARING - APPLICANT/OWNER: JOHN HERNANDEZ - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: P-R (PROFESSIONAL OFFICE AND PARKING) on 0.17 acres at 410 Spencer Street (APN 139-35-413-125), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 02-08-07 Planning Commission Meeting Item 22

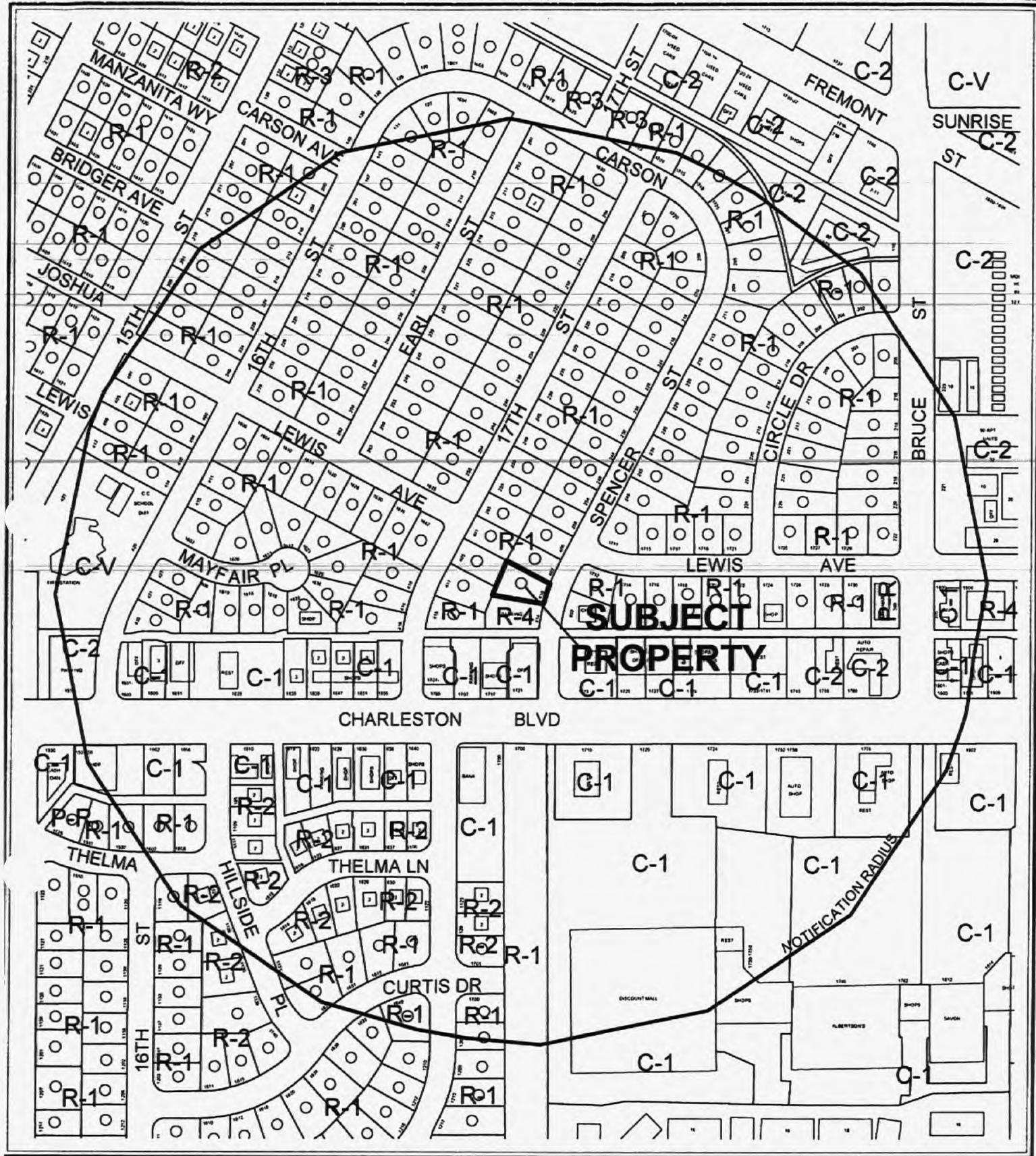
Motion made by GARY REESE to Withdraw without Prejudice Items 116-118

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

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

Minutes:

See Item 116 for related discussion.



CASE: **ZON-16296**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: O (OFFICE)

0 200 400 Feet





CASE: ZON-16296

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: O (OFFICE)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 7, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-16296 - APPLICANT/OWNER: JOHN HERNANDEZ

**** CONDITIONS ****

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

Planning and Development

1. A General Plan Amendment (GPA-16294) to an O (Office) Land Use Designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit is hereby granted.
3. A Site Development Plan Review (SDR-16292) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Coordinate with the Land Development section of the Department of Public Works to determine what improvements are substandard.
5. Landscape and maintain all unimproved rights-of-way, if any, on Spencer Street adjacent to this site concurrent with development.
6. Submit an Encroachment Agreement for all landscaping, if any, located in the Spencer Street public right-of-way adjacent to this site prior to the issuance of a business license.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from R-1 (Single Family Residential) to P-R (Professional Office and Parking) on 0.17 acres at 410 Spencer Street.

The proposed Rezoning to a P-R (Professional Office and Parking) District is not compatible with the surrounding area. This request is inappropriate to its context as it would permit a use that otherwise would not be compatible with the surrounding area. As this request is not compatible with the neighborhood denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/08/07	The Planning Commission recommended denial of companion item GPA-16294 and SDR-16292 concurrently with this application. The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #22/jm).
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses that pertain to this site.	
<i>Pre-Application Meeting</i>	
Month/date/year	Description
08/02/06	A pre-application meeting was held with the applicant. The applicant was informed that their request to convert their house into an office would require a Site Development Plan Review, a Rezoning, a Variance, and General Plan Amendment. The applicant was also informed that if they were to utilize the parking lot to the south, they would need a shared parking agreement.
<i>Neighborhood Meeting</i>	
Month/date/year	Description
09/14/06	The Neighborhood Meeting was held at 6:00 pm at the East Las Vegas Community Center. One resident attended the meeting. The resident was concerned with the site only providing one parking space. The applicant is working with the adjacent owner to allow access to the rear property.

Details of Application Request	
Site Area	
Net Acres	0.17

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
North	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Parking Lot	L (Low Density Residential)	R-4 (High Density Residential)
East	Existing Church	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)

Special Districts/Zones	Yes	No	Compliance
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

DEVELOPMENT STANDARDS

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	60 Feet	62 Feet	Y
Min. Setbacks			Y
• Front	20 Feet	26.5 Feet	
• Side (north)	5 Feet	8.5 Feet	
• Side (south)	5 Feet	14.5 Feet	
• Rear	15 Feet	60.5 Feet	
Max. Lot Coverage	50%	11.6 %	Y
Max. Building Height	2 Stories or 35 Feet	15 Feet	Y
Trash Enclosure	No	Access off street	Y
Mech. Equipment	Screened	Screened	Y

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces	NA	NA	Y
Buffer: Min. Trees	1 Tree/20 Linear Feet	16 Trees	19 Trees	Y
TOTAL				Y
Min. Zone Width (adjacent to ROW)	15 Feet		15 Feet	Y
Min. Zone Width (side property line)	8 Feet		Zero Feet	N*
Min. Zone Width (rear property line)	8 Feet		3 Feet	N*
Wall Height	8 Feet		Existing 8 Feet	Y

*A waiver of perimeter landscape buffer has been requested.

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	859 SF	1 per 300	3	1	4	1	Y
SubTotal			3	1	4	1	
TOTAL			3		5		Y

Waivers		
Request	Requirement	Staff Recommendation
Waivers to allow perimeter landscape buffer widths of zero feet in the side yard and three-feet in the rear yard where eight feet is the minimum required.	Per 19.12.040 – A perimeter buffer zone consisting of landscape planting and screening shall be provided adjacent to all street right-of-way and property lines.	Denial

ANALYSIS

The applicant has requested a Rezoning (ZON-15233) from R-1 (Single Density Residential) District to a P-R (Professional Office and Parking) District. There is no P-R in the vicinity and this Rezoning request is considered inappropriate based on its context. The proposed use as an office is not compatible with the surrounding area, which is primarily residential.

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 current General Plan designation on the site is L (Low Density Residential). The majority of the surrounding area is L (Low Density Residential). The addition of an Office designation to this site would be out of character with the area and contrary to 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."

There is no P-R (Professional Office and Parking) in the vicinity and this Rezoning request is considered inappropriate based on context. The proposed use as an office is not compatible with the surrounding area, which is primarily residential.

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

The proposed use as an office is not compatible with surrounding development. In addition to this Rezoning request, the proposed development requires a General Plan Amendment and Waivers of landscaping standards. Due to the incompatibility with surrounding land uses and several deviations from standards, denial of this request is recommended.

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 proposed office would be serviced by Spencer Street, a local street. In the pre-application meeting, the applicant intimated that they were going to acquire a shared parking agreement with the owner of the parking lot to gain access through that lot. However, no parking agreement was submitted as part of this application.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 272 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-16296** APN: **139.35.413.125**

Name of Property Owner: _____

Name of Applicant: **John Hernandez**

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

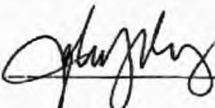
☒ No

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): _____

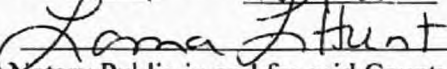
APN: _____

Signature of Property Owner: 

Print Name: **John Hernandez**

Subscribed and sworn before me

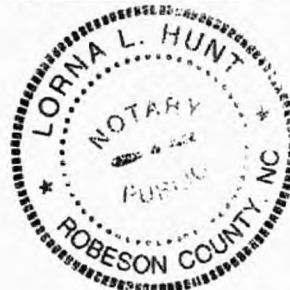
This **16th** day of **August**, 20**06**

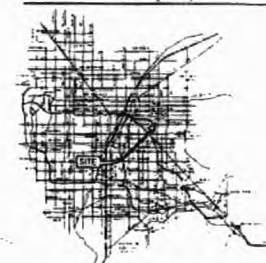
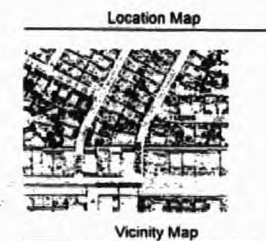
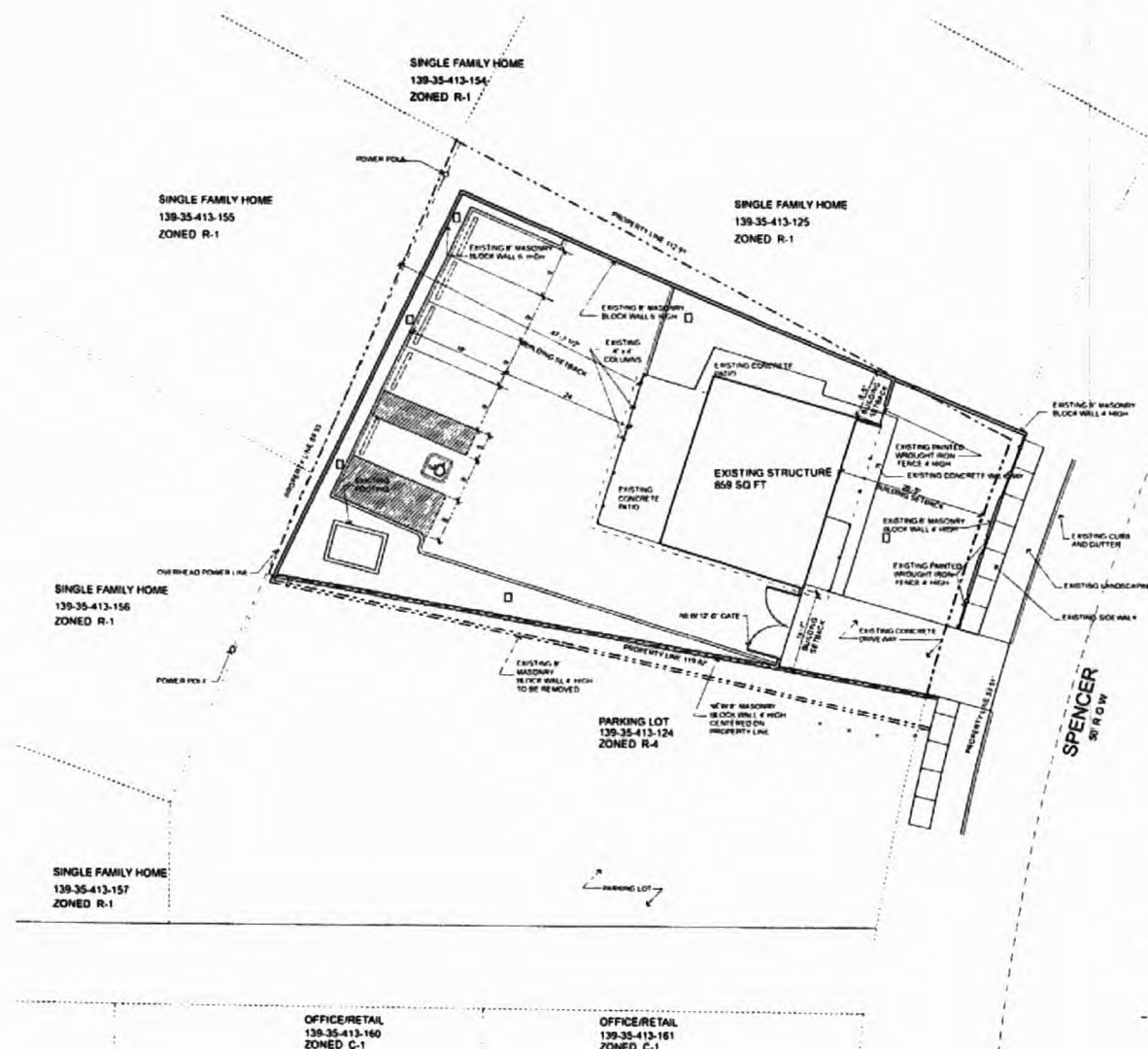

Notary Public in and for said County and State

My Commission Expires

Revised 12-03-04

10/23/10





Site Zoning & Data

SITE DATA		
PARCEL NUMBER	139-35-413-125	
JURISDICTION	CITY OF LAS VEGAS, NV-81	
EXISTING ZONING	1. LOW	
PROPOSED ZONING	12. OFFICE	
SITE AREA	7,628 S.F.	0.17 ACRES
SETBACKS (BUILDING)		
FRONT	20'	PROVIDED
REAR	11'	5' 10" R.S.
MAX HEIGHT & STOREYS		
ACTUAL HEIGHT & STOREYS	15' 0"	1 STORY
LOT COVERAGE ALLOWED	50%	
ACTUAL LOT COVERAGE	11.7%	
BUILDING AREA		
EXISTING OFFICE	859 S.F.	
TOTAL SF	859 S.F.	
PARKING AREA		
TOTAL PARKING REQUIRED	609 @ 1,200 S.F.	
STANDARD PARKING PROVIDED	4	
MINIMUM ACCESSIBLE	1	
TOTAL PARKING PROVIDED	5	
LANDSCAPE BUFFERS (OWNER REQUESTED)		
RIGHT OF WAY BUFFER	5' 0"	
ADJACENT SIDE	5' 0"	

SITE PLAN

GPA-16294 ZON-16296
SDR-16292 REVISED
02/08/07 PC

RECEIVED
DEC 21 2006

410 Spencer Street
Site Development Review
410 Spencer Street
Las Vegas, Nevada 89101

APTUS Architecture

1200 South Main Street
Suite 200
Las Vegas, Nevada 89104
P 702.899.1200
F 702.899.1211
info@aptusarch.com

APTUS PROJECT NO. 06.093
ARCHITECT

ENGINEER

NOTES

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2 City of Las Vegas 12-08-06
1208 LUP R2 Submittal
1 City of Las Vegas 8-22-06
108 LUP R2 Submittal
NO DISCREPANCY ONLY

ISSUED
TITLE
SITE PLAN

DRAWING NO.
AS100
410 Spencer Street

January 9, 2007

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

RE: APN: 139-35-413-125
Subject: A. General Plan Amendment
B. Zoning Change
C. Site Development Review

Dear Sirs:

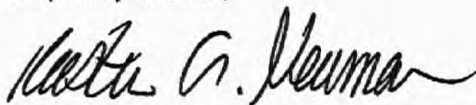
The intended use for the property on Spencer Street just north of Charleston is Office Space.

This property currently has a General Plan designation of "L" and a zoning designation of "R-1". We are requesting a general plan amendment to "O" and a zone change to "P-R" for this parcel. This project consists of an existing home that will be converted to an office, which is typical for properties along Charleston and in the surrounding area. We feel this general plan amendment and zone change would be of similar use to that which is currently in the area.

The revised structure is approximately 859 sf and is one story in height. We are proposing to remove the area of the residence on the south side that once was the garage. Four parking spaces will be provided as well as a van accessible space. We will also add landscaping along Spencer as required by Title 19. We are requesting a landscape waiver along the north, west and south property lines due to the site configuration and the location of the existing structure. This project will provide a place of business and opportunity for people to work closer to their own homes which would reduce the need for time consuming commutes.

Please consider this General Plan Amendment, rezoning and site development review request as a positive impact on the City of Las Vegas and the surrounding neighborhood.

Respectfully Submitted,



Kristen G. Neuman, AIA for John Hernandez
APTUS Architecture

GPA-16294 ZON-16296
SDR-16292
02/08/07 PC

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

HOLLAND & HART



Philip J. Dabney
Phone (702) 669-4600
Fax (702) 669-4650
pjdabney@hollandhart.com

February 8, 2007

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

Re: Objection to Applications for John Hernandez for Rezoning, Site Development
Plan Review and General Plan Amendment, Items ZON-16296, SDR-16292, and
GPA-16294 -- On Calendar for Planning Commission Hearing on
February 8, 2007

Dear Mr. Korkosz:

I am writing on behalf of Nevada Treatment Center to again voice objection over the applications of John Hernandez described above. This matter previously was before the Commission on November 2, 2006, when it was tabled.

Enclosed with this letter is a copy of the letter from Julia Payne, CEO of Nevada Treatment Center, which sets forth the nature and extent of the Center's objections to the applications of Mr. Hernandez. Nothing has changed since November 2, 2006, to change or lessen the extent of the objections set forth by Ms. Payne in her letter to the Commission.

Ms. Payne and I will appear at the hearing on February 8th to offer any additional comments necessary. Thank you for your consideration.

Very truly yours,

Holland & Hart LLP

Philip J. Dabney, Esq.

PJD:ns

cc: Ms. Julia Payne
3665408_1.DOC

ITEM # 21, 22, 23
CASE # See above
PC MTG 2.8.07

Holland & Hart LLP

Phone (702) 669-4600 Fax (702) 669-4650 www.hollandhart.com

3763 Howard Hughes Parkway Suite 300 Las Vegas, Nevada 89169

Denver Aspen Boulder Colorado Springs Denver Tech Center Billings Boise Cheyenne Jackson Hole Las Vegas Salt Lake City Santa Fe Washington, D.C.



NEVADA TREATMENT CENTER

October 26, 2006

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

SENT VIA: U.S. Mail - Certified/Return Receipt Request

RE: SDR-16292
APPLICANT/OWNER: JOHN HERNANDEZ - REQUEST FOR A SITE DEVELOPMENT PLAN REVIEW FOR THE PROPOSED CONVERSION OF A SINGLE-FAMILY RESIDENCE TO AN OFFICE AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFERING REQUIREMENTS ON 0.17 ACRES AT 410 SPENCER STREET (APN 139-35-413-125), R-1 (SINGLE FAMILY RESIDENTIAL) ZONE {PROPOSED: P-R (PROFESSIONAL OFFICE AND PARKING) ZONE}, WARD 3 (REESE).

To Whom It May Concern:

My name is Julia A. Payne, CEO, Nevada Treatment Center, and representative of the property owned by the corporation of the same. I am hereby submitting this letter in protest of the above referenced. Our property, a parking lot, located at 414 Spencer Street, is adjacent to the property as described in SDR-16292.

A representative from our Board of Trustees' has reviewed the site plan map and a section of our property would be affected by this request. (See attachment A.)

On another note, we are also concerned about the use of the property being considered for commercial rezoning. As owners of the lot and building located at 1721 East Charleston Blvd., we have witnessed a tremendous increase in crime within the area over the past several months. The idea of a commercial business being left vacant during evening hours is not appealing to us. As an example, on Thursday, October 12, 2006, one of our surveillance system cameras (prior to being vandalized) recorded vehicle(s) being taken to the rear of Mr. Hernandez's property. We reported the observations to the police who in turn located the owner of two (2) stolen vehicles left on Mr. Hernandez's property.

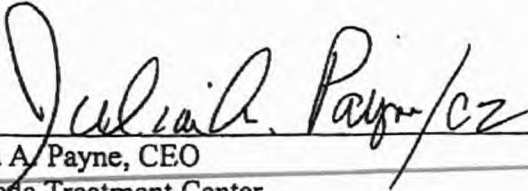
Planning and Development Department

RE: SDR-16292

Page Two

These are our concerns and we would appreciate the Board's consideration when reviewing and deciding the outcome of the request(s) attached to 410 Spencer Street property.

Respectfully submitted,

A handwritten signature in cursive script, reading "Julia A. Payne/cz", written over a horizontal line.

Julia A. Payne, CEO
Nevada Treatment Center

10-26-06

Date

JAP:cz

cc: Tina Walls, Esq.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 7, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-16294 AND ZON-16296

SDR-16292 - PUBLIC HEARING - APPLICANT/OWNER: JOHN HERNANDEZ - Request for a Site Development Plan Review FOR THE PROPOSED CONVERSION OF A SINGLE-FAMILY RESIDENCE TO AN OFFICE AND A WAIVER TO ALLOW NO PERIMETER LANDSCAPE BUFFER IN THE FRONT YARD WHERE A 15-FOOT LANDSCAPE BUFFER IS THE MINIMUM REQUIRED, TO ALLOW NO PERIMETER LANDSCAPE BUFFER IN THE SIDE YARD WHERE AN EIGHT-FOOT LANDSCAPE BUFFER IS THE MINIMUM REQUIRED, AND TO ALLOW A TWO-FOOT LANDSCAPE BUFFER IN THE REAR YARD WHERE EIGHT FEET IS THE MINIMUM REQUIRED on 0.17 acres at 410 Spencer Street (APN 139-35-413-125), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking) Zone], Ward 3 (Reese). NOTE: THIS IS AMENDED TO ALLOW NO PERIMETER LANDSCAPE BUFFER IN A PORTION OF THE SIDE YARD WHERE AN EIGHT-FOOT LANDSCAPE BUFFER IS THE MINIMUM REQUIRED AND TO ALLOW A THREE-FOOT LANDSCAPE BUFFER IN THE REAR YARD WHERE EIGHT FEET IS THE MINIMUM REQUIRED. The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 02-08-07 Planning Commission Meeting Item 23

Motion made by GARY REESE to Withdraw without Prejudice Items 116-118

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

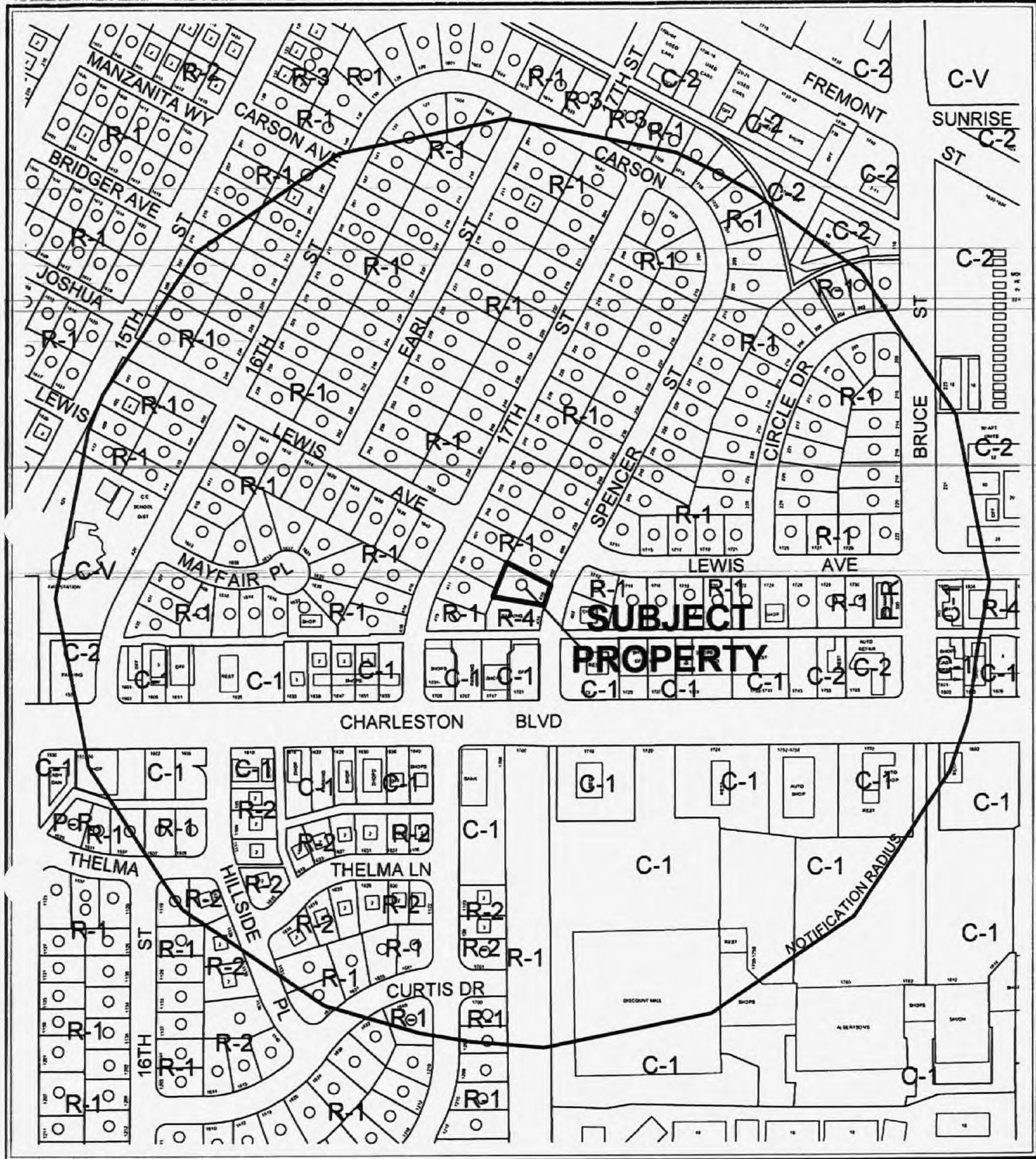
LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

CITY COUNCIL MEETING OF: MARCH 7, 2007

Minutes:

See Item 116 for related discussion.





CASE: SDR-16292

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: O (OFFICE)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 7, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-16292 - APPLICANT/OWNER: JOHN HERNANDEZ

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (ZON-16296), Variance (VAR-16298, and General Plan Amendment (GPA-16294) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan date stamped 12/21/06, landscape plan date stamped 01/04/07, floor plans date stamped 12/21/06 and building elevations date stamped 08/25/06, except as amended by conditions herein.
4. A Waiver from Title 19.12.040 Perimeter Landscape Buffering is hereby approved, to allow no perimeter landscape buffer in the side yard and to allow three feet of perimeter landscape buffer in the rear yard. Perimeter landscape buffers shall be in conformance with the landscape plan date stamped 1/4/07.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
14. Site development to comply with all applicable conditions of approval for ZON-16296 and all other site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for the proposed conversion of a single-family residence to an office on 0.17 acres at 410 Spencer Street.

This conversion of a residence to an office has several deviations from standards, requiring a Rezoning (ZON-16296), and a General Plan Amendment (GPA-16294). The rezoning to a P-R (Professional Office and Parking) District is considered inappropriate based on the context and is not supported. The applicant has requested a Waiver to allow no perimeter landscape buffer in the side yard and three feet of perimeter landscape buffer in the rear yard where eight feet is required by Title 19.12. While redevelopment in this area of the city is encouraged, a use of a less intense nature is desired. The project calls for too many deviations from standards; therefore, denial of this application is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/08/07	The Planning Commission recommended denial of companion item GPA-16294 and ZON-16296 concurrently with this application. The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #23/jm).
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses that pertain to this site.	
<i>Pre-Application Meeting</i>	
Month/date/year	Description
08/02/06	A pre-application meeting was held with the applicant. The applicant was informed that their request to convert their house into an office would require a Site Development Plan Review, a Rezoning, a Variance, and General Plan Amendment. The applicant was also informed that if they were to utilize the parking lot to the south, they would need a shared parking agreement.
<i>Neighborhood Meeting</i>	
Month/date/year	Description
09/14/06	The Neighborhood Meeting was held at 6:00 pm at the East Las Vegas Community Center. One resident attended the meeting. The resident was concerned with the site only providing one parking space. The applicant is working with the adjacent owner to allow access to the rear property.

Details of Application Request	
Site Area	
Net Acres	0.17

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
North	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Parking Lot	L (Low Density Residential)	R-4 (High Density Residential)
East	Existing Church	L (Low Density Residential)	R-1 (Single Family Residential)
West	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)

Special Districts/Zones	Yes	No	Compliance
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

DEVELOPMENT STANDARDS

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	N/A	N/A
Min. Lot Width	60 Feet	62 Feet	Y
Min. Setbacks • Front • Side (north) • Side (south) • Rear	20 Feet 5 Feet 5 Feet 15 Feet	26.5 Feet 8.5 Feet 14.5 Feet 60.5 Feet	Y
Max. Lot Coverage	50%	11.6 %	Y
Max. Building Height	2 Stories or 35 Feet	15 Feet	Y
Trash Enclosure	No	Access off street	Y
Mech. Equipment	Screened	Screened	Y

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces	NA	NA	Y
Buffer: Min. Trees	1 Tree/20 Linear Feet	16 Trees	19 Trees	Y
TOTAL				Y
Min. Zone Width (adjacent to ROW)	15 Feet		15 Feet	Y
Min. Zone Width (side property line)	8 Feet		Zero Feet	N*
Min. Zone Width (rear property line)	8 Feet		3 Feet	N*
Wall Height	8 Feet		Existing 8 Feet	Y

*A waiver of perimeter landscape buffer has been requested.

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	859 SF	1 per 300	3	1	4	1	Y
SubTotal			3	1	4	1	
TOTAL			3		5		Y

Waivers		
Request	Requirement	Staff Recommendation
Waivers to allow perimeter landscape buffer widths of zero feet in the side yard and three-feet in the rear yard where eight feet is the minimum required.	Per 19.12.040 – A perimeter buffer zone consisting of landscape planting and screening shall be provided adjacent to all street right-of-way and property lines.	Denial

ANALYSIS

This proposed project calls for the conversion of a residence to an office. The project is located on Spencer Street, approximately 220 feet north of Charleston Boulevard, surrounded by single-family residential to the north and west, a church to the east and a parking lot to the south.

The plans show an 859 square foot single-family home on a 7,638 square foot, R-1 (Single Family Residential) zoned lot. This home was constructed in 1942 and from the photographs provided appears to have none to little landscaping in the front or back. The proposed development does not intend to change the exterior of the building. Although to permit access to the rear of the lot for future parking, the applicant proposes to remove 184 square feet off the existing 1,043 square-foot structure. The site plan shows five parking spaces, including a handicap space, in the back of the lot where three is required by Title 19.10.

The applicant has requested a Waiver to allow no perimeter landscape buffer in the side yard and three feet of perimeter landscape buffer in the rear yard where eight feet is required by Title 19.12.

FINDINGS

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

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

The proposed development does not intend to change the exterior of the building. To permit access to the rear of the lot for future parking, the applicant proposes to remove 184 square feet off the existing 1,043 square-foot structure. There are no Office land-use designations in the vicinity. This is primarily a residential neighborhood with a parking lot to the south of the property. Commercial land uses exists a block away, south along Charleston Boulevard. The proposed office is not compatible with the neighborhood.

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

The proposed development does not meet the perimeter landscape buffer requirements. The applicant has requested a waiver to mitigate these deviations from the standards. The large number of deviations is an indication that the development is too intense for this location; therefore, the denial of this request is recommended.

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

The proposed office would be serviced by Spencer Street, a local street. In addition, Public Works would always prefer to see adjacent property owners work together to present multi-lot conversions with common access drives and common parking areas wherever possible.

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

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

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

Elevations and design characteristics are consistent with the single-family residences in the area; however, no structural improvements are being made to this building to improve its character. Additionally, the applicant is proposing to waive a portion of the landscaping requirements

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

The site will be subject to inspections and state licensing requirements and will not endanger the public health or compromise the general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

15

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 272 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-16292** APN: 139.35.413.125

Name of Property Owner: _____

Name of Applicant: John Hernandez

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?

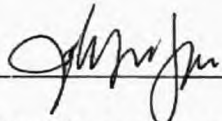
☐ Yes☒ No

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: John Hernandez

Subscribed and sworn before me

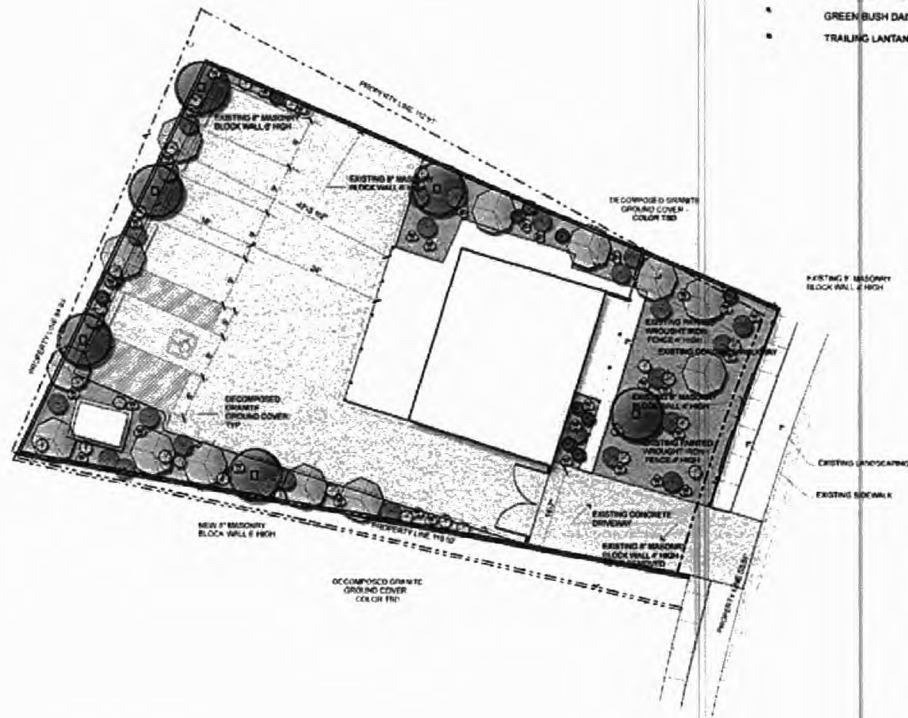
This 16th day of August, 20 06
Lorna L. Hunt
Notary Public in and for said County and State

My Commission Expires
10/23/10

Revised 12-03-04



E:\depot\Application Packet\Statement of Financial Interest.pdf



Landscape Schedule				
SYMBOL	COMMON NAME	BOTANICAL NAME	SIZE	QTY
	MONDEUL PINE	pinus mondeulii	24" Box	12
	CHILEAN MESQUITE	prosopis chilensis	24" Box	6
	DESERT CASSIA	cassia nemoralis	10 gal	27
	MOUNTAIN MARIGOLD	tagetes tenuifolia	1 gal	35
	GREEN BUSH DASY	euryops pectinatus v. viridis	5 gal	25
	TRAILING LANTANA	lantana montevidensis	5 gal	10

Landscape Plan



SDR-16292
REVISED
02/08/07 PC

RECEIVED
DEC 21 2006

410 Spencer Street
Site Development Review
410 Spencer Street
Las Vegas, Nevada 89101

APTUS Architecture

1200 South 4th Street
Suite 200
Las Vegas, Nevada 89104
P 702.891.1200
F 702.891.1215
info@aptusarch.com aptusarch.com

APRIL PROJECT NO. 06.093
ARCHITECT

ENGINEER

NOTES

COPYRIGHT 2006 BY APTUS ARCHITECTURE

2 City of Las Vegas \$12,000
VLR 500002 Submittal Fee
1 City of Las Vegas \$4,000
VLR 500002 Submittal Fee
N/A DISCA 10110 % 2007

ISSUED
TITLE
LANDSCAPE PLAN

DRAWING NO.
L100
400 Spencer Street



FRONT OF BUILDING - EAST



FRONT OF BUILDING - EAST



DRIVEWAY SIDE - SOUTH



BACK OF BUILDING - WEST



BACK OF BUILDING - WEST



SIDE OF BUILDING - NORTH

410 Spencer Street
City Development Review
410 Spencer Street
Las Vegas, Nevada 89101

APTUS Architecture

2000 South Main Street
Suite 200
Las Vegas, Nevada 89106
P 702.839.1100
F 702.839.1111
info@aptusarch.com aptusarch.com

APTUS PROJECT NO. 06 093
ARCHITECT

DRAWN

NOTES

COPYRIGHT 2006 © BY APTUS ARCHITECTURE

1. City of Las Vegas 9/22/06

NO. DESCRIPTION DATE

ISSUED

TITLE
BUILDING
ELEVATIONS

RECEIVED

DRAWING NO.

A200

SDR-16292
10/19/06 PC



FLOOR PLAN



RECEIVED
DEC 21 2006

SDR-16292
REVISED
02/08/07 PC

410 Spencer Street
Site Development Review
410 Spencer Street
Las Vegas, Nevada 89101

APTUS Architecture

1200 South Main Street
Suite 200
Las Vegas, NV 89101
P 702.251.1234
F 702.251.1235
info@aptusarchitecture.com

APTUS PROJECT NO: 06.093
DATE: 02/08/07

REVISION

DATE

REVISION

REVISION

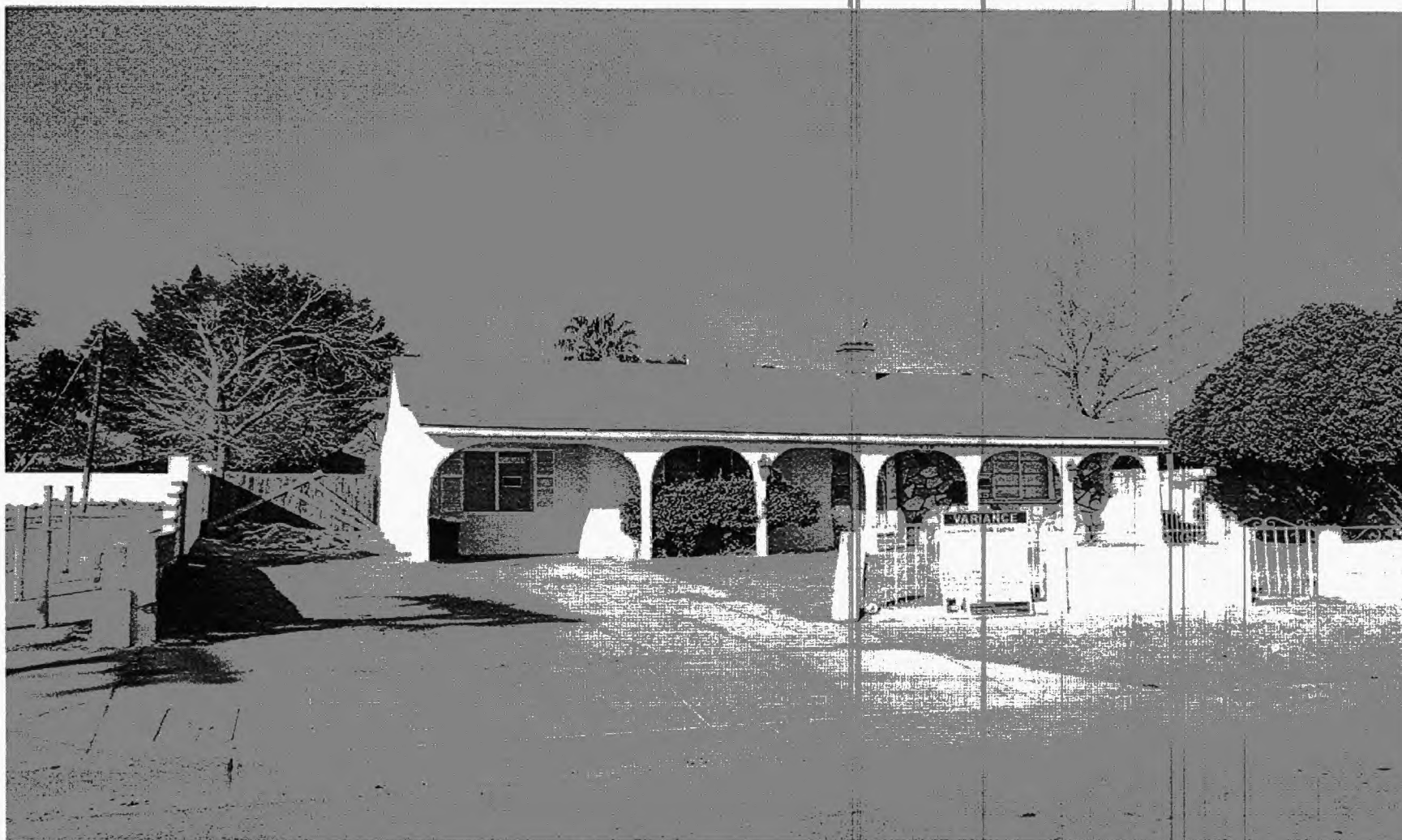
ISSUED

FLOOR PLAN

DRAWING NO:
A100
410 Spencer Street

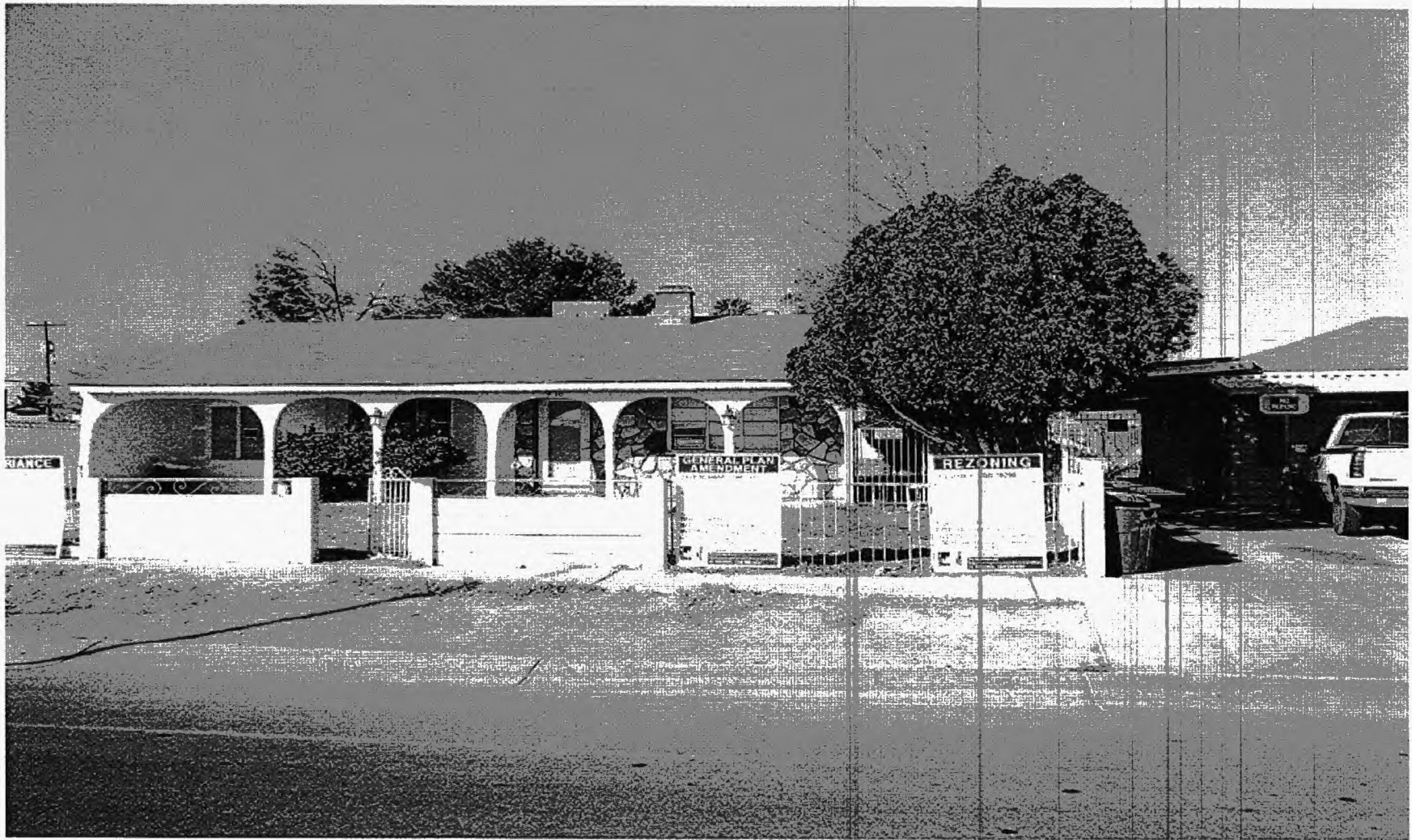
SDR 16292				
John Hernandez				
410 Spencer				
Proposed 0.859 thousand square foot office conversion.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	0.859	11.01	9
AM Peak Hour			1.55	1
PM Peak Hour			1.49	1
(heaviest 60 minutes)				
Previous Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DWELL]	1	9.57	10
AM Peak Hour			0.75	1
PM Peak Hour			1.01	1
(heaviest 60 minutes)				
Net Change	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	GENERAL OFFICE BUILDING [1000 SF]	0.859		-1
AM Peak Hour				0
PM Peak Hour				0
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Spencer Street				
Average Daily Traffic (ADT)	113			
PM Peak Hour	9			
(heaviest 60 minutes)				
Charleston Boulevard				
Average Daily Traffic (ADT)	36,606			
PM Peak Hour	2,928			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			

	Capacity			
Spencer Street	3,000			
Charleston Boulevard	51,700			
This project will add no significant traffic on Spencer or Charleston.				
Volumes are not expected to increase on these streets.				
Spencer is at about 4 percent of capacity for a street with individual				
driveways on it, and Charleston is at about 71 percent of capacity.				
Note that this report assumes all traffic from this development uses all named streets.				



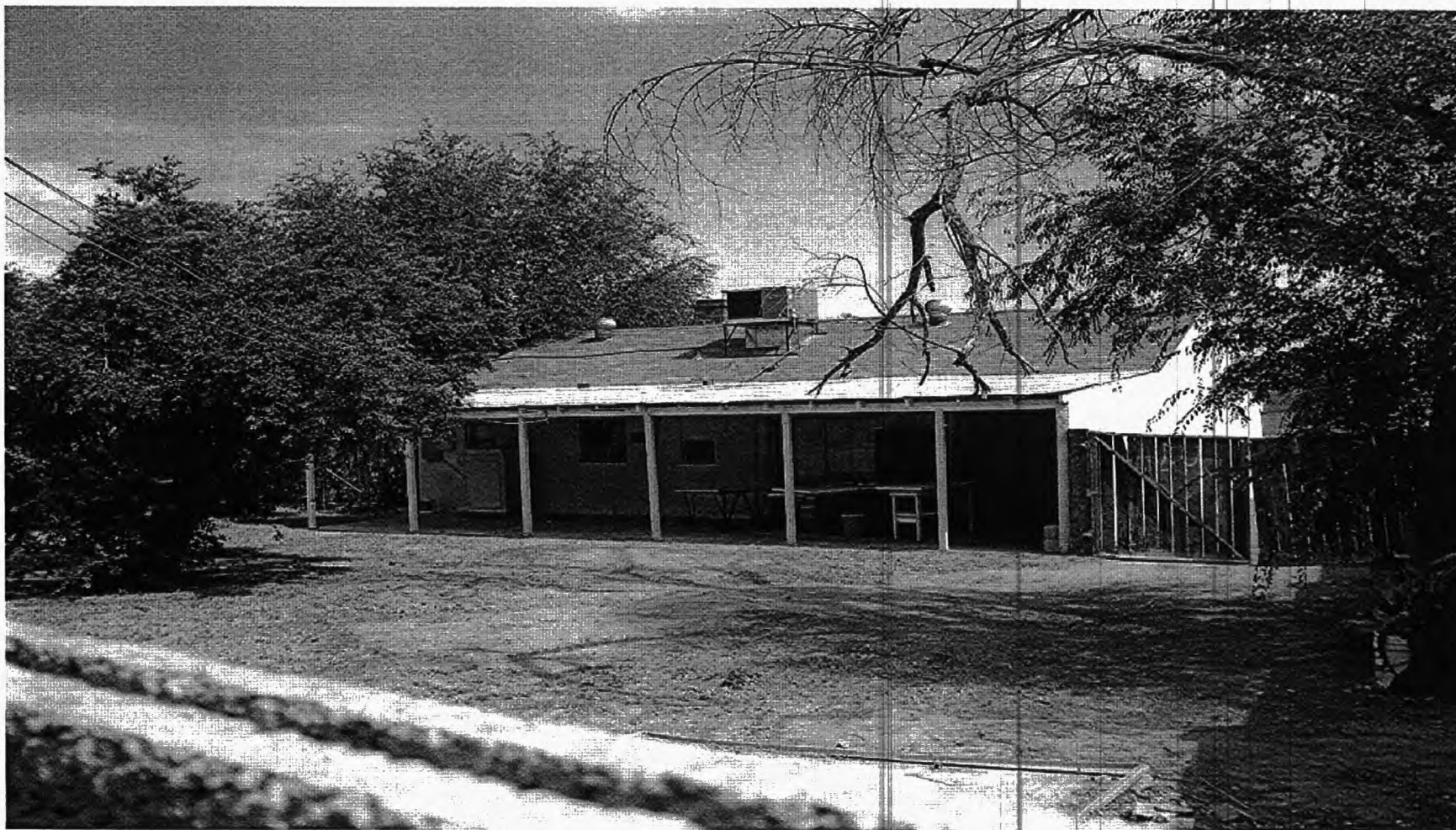
GPA-16294, ZON-16296 & SDR-16292 - APPLICANT/OWNER: JOHN HERNANDEZ
410 SPENCER STREET
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/06



GPA-16294, ZON-16296 & SDR-16292 - APPLICANT/OWNER: JOHN HERNANDEZ
410 SPENCER STREET
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/06



GPA-16294, ZON-16296 & SDR-16292 - APPLICANT/OWNER: JOHN HERNANDEZ
410 SPENCER STREET
FEBRUARY 8, 2007 PLANNING COMMISSION

09/26/06



GPA-16294, ZON-16296 & SDR-16292 - APPLICANT/OWNER: JOHN HERNANDEZ
410 SPENCER STREET
FEBRUARY 8, 2007 PLANNING COMMISSION

09/26/06

January 9, 2007

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

RE: APN: 139-35-413-125
Subject: A. General Plan Amendment
B. Zoning Change
C. Site Development Review

Dear Sirs:

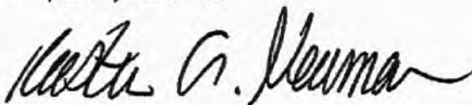
The intended use for the property on Spencer Street just north of Charleston is Office Space.

This property currently has a General Plan designation of "L" and a zoning designation of "R-1". We are requesting a general plan amendment to "O" and a zone change to "P-R" for this parcel. This project consists of an existing home that will be converted to an office, which is typical for properties along Charleston and in the surrounding area. We feel this general plan amendment and zone change would be of similar use to that which is currently in the area.

The revised structure is approximately 859 sf and is one story in height. We are proposing to remove the area of the residence on the south side that once was the garage. Four parking spaces will be provided as well as a van accessible space. We will also add landscaping along Spencer as required by Title 19. We are requesting a landscape waiver along the north, west and south property lines due to the site configuration and the location of the existing structure. This project will provide a place of business and opportunity for people to work closer to their own homes which would reduce the need for time consuming commutes.

Please consider this General Plan Amendment, rezoning and site development review request as a positive impact on the City of Las Vegas and the surrounding neighborhood.

Respectfully Submitted,



Kristen G. Neuman, AIA for John Hernandez
APTUS Architecture

GPA-16294 ZON-16296
SDR-16292
02/08/07 PC

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

HOLLAND & HART



Philip J. Dabney
Phone (702) 669-4600
Fax (702) 669-4650
pjdabney@hollandhart.com

February 8, 2007

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

Re: Objection to Applications for John Hernandez for Rezoning, Site Development
Plan Review and General Plan Amendment, Items ZON-16296, SDR-16292, and
GPA-16294 -- On Calendar for Planning Commission Hearing on
February 8, 2007

Dear Mr. Korkosz:

I am writing on behalf of Nevada Treatment Center to again voice objection over the applications of John Hernandez described above. This matter previously was before the Commission on November 2, 2006, when it was tabled.

Enclosed with this letter is a copy of the letter from Julia Payne, CEO of Nevada Treatment Center, which sets forth the nature and extent of the Center's objections to the applications of Mr. Hernandez. Nothing has changed since November 2, 2006, to change or lessen the extent of the objections set forth by Ms. Payne in her letter to the Commission.

Ms. Payne and I will appear at the hearing on February 8th to offer any additional comments necessary. Thank you for your consideration.

Very truly yours,

Holland & Hart LLP

Philip J. Dabney, Esq.

PJD:ns

cc: Ms. Julia Payne
3665408_1.DOC

ITEM # 21 22 23
CASE # See above
PC MTG 2.8.07

Holland & Hart LLP

Phone (702) 669-4600 Fax (702) 669-4650 www.hollandhart.com

3763 Howard Hughes Parkway Suite 300 Las Vegas, Nevada 89169

Denver Aspen Boulder Colorado Springs Denver Tech Center Billings Boise Cheyenne Jackson Hole Las Vegas Salt Lake City Santa Fe Washington, D.C.



NEVADA TREATMENT CENTER

October 26, 2006

Planning and Development Department SENT VIA: U.S. Mail - Certified/Return Receipt Request
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

RE: SDR-16292
APPLICANT/OWNER: JOHN HERNANDEZ - REQUEST FOR A SITE DEVELOPMENT PLAN REVIEW FOR THE PROPOSED CONVERSION OF A SINGLE-FAMILY RESIDENCE TO AN OFFICE AND A WAIVER OF THE PERIMETER LANDSCAPE BUFFERING REQUIREMENTS ON 0.17 ACRES AT 410 SPENCER STREET (APN 139-35-413-125), R-1 (SINGLE FAMILY RESIDENTIAL) ZONE {PROPOSED: P-R (PROFESSIONAL OFFICE AND PARKING) ZONE}, WARD 3 (REESE).

To Whom It May Concern:

My name is Julia A. Payne, CEO, Nevada Treatment Center, and representative of the property owned by the corporation of the same. I am hereby submitting this letter in protest of the above referenced. Our property, a parking lot, located at 414 Spencer Street, is adjacent to the property as described in SDR-16292.

A representative from our Board of Trustees' has reviewed the site plan map and a section of our property would be affected by this request. (See attachment A.)

On another note, we are also concerned about the use of the property being considered for commercial rezoning. As owners of the lot and building located at 1721 East Charleston Blvd., we have witnessed a tremendous increase in crime within the area over the past several months. The idea of a commercial business being left vacant during evening hours is not appealing to us. As an example, on Thursday, October 12, 2006, one of our surveillance system cameras (prior to being vandalized) recorded vehicle(s) being taken to the rear of Mr. Hernandez's property. We reported the observations to the police who in turn located the owner of two (2) stolen vehicles left on Mr. Hernandez's property.

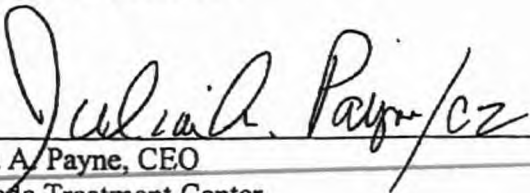
Planning and Development Department

RE: SDR-16292

Page Two

These are our concerns and we would appreciate the Board's consideration when reviewing and deciding the outcome of the request(s) attached to 410 Spencer Street property.

Respectfully submitted,

Handwritten signature of Julia A. Payne in cursive script, followed by the initials "/cz".

Julia A. Payne, CEO
Nevada Treatment Center

10-26-06

Date

JAP:cz

cc: Tina Walls, Esq.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 7, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**
REZONING

ZON-17693 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: SHARON TURBIVILLE, DELMAR DINKINS, AND TERRY & KATHRYN KARAS - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE) on 7.27 acres adjacent to the northeast and southeast corners of Bradley Road and Solar Avenue (APNs 125-13-801-005, 125-13-801-006, and 125-13-802-001), Ward 6 (Ross). NOTE: This application is for RPD-5 (Residential Planned Development - 5 Units per Acre). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.**

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:**Planning Commission Mtg.**

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda - Revised Site Plan and Justification Letter
6. Backup referenced from 02-08-07 Planning Commission Meeting Item 8

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

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

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

NOTE: Although the video shows COUNCILMAN REESE not voting, subsequent to the meeting he asked that an affirmative vote be shown.

CITY COUNCIL MEETING OF: MARCH 7, 2007

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 119 and 120.

ATTORNEY STEPHANIE ALLEN, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. The seven-acre site is located in the northwest. The entire area is master planned for low density. Originally the application was for an R-PD8, but was reduced to R-PD5. The 40-lot development has a density of 5.49 units. The applicant has agreed to a number of conditions, in particular to mitigate concerns from the residents to the south. She read the conditions that were added at the Planning Commission meeting.

COUNCILMAN ROSS verified with ATTORNEY ALLEN that Lots 1 and 2 will be single story. He stressed how important this particular area is to ranchers. The disclosure to homebuyers is important because this is an equestrian area and they want to continue that lifestyle. He also indicated that COMMISSIONER DUNNAMS' concerns about the open space have been addressed.

BRENT CONRAD, 5336 Elkhorn Road, stated that ATTORNEY ALLEN worked well with the residents. His only concern is Lot 21 is still a two-story; it looks directly into an existing backyard with a pool. COUNCILMAN ROSS pointed out that matching existing density was a challenge.

COUNCILMAN ROSS commented that the play area has been addressed. The eight-foot wall around the perimeter is very important. Discussion was held about a crash gate, but in talking with Public Works staff, COUNCILMAN ROSS is concerned about delivery trucks safely backing out of the neighborhood. He directed ATTORNEY ALLEN to work with Public Works to mitigate that safety issue.

MARGO WHEELER, Director of Planning and Development Department, read amendments to Conditions 3, 15 and 16 of Item 120.

COUNCILMAN ROSS asked ATTORNEY ALLEN if a one-story home will work on Lot 21. ATTORNEY ALLEN replied that the one-story will not fit on the lot because of the width of the lot, which is why the open space was created on the northwest corner. Therefore, it was decided to have a two-story unit on Lot 21.

MAYOR GOODMAN declared the Public Hearing closed for Items 119 and 120.



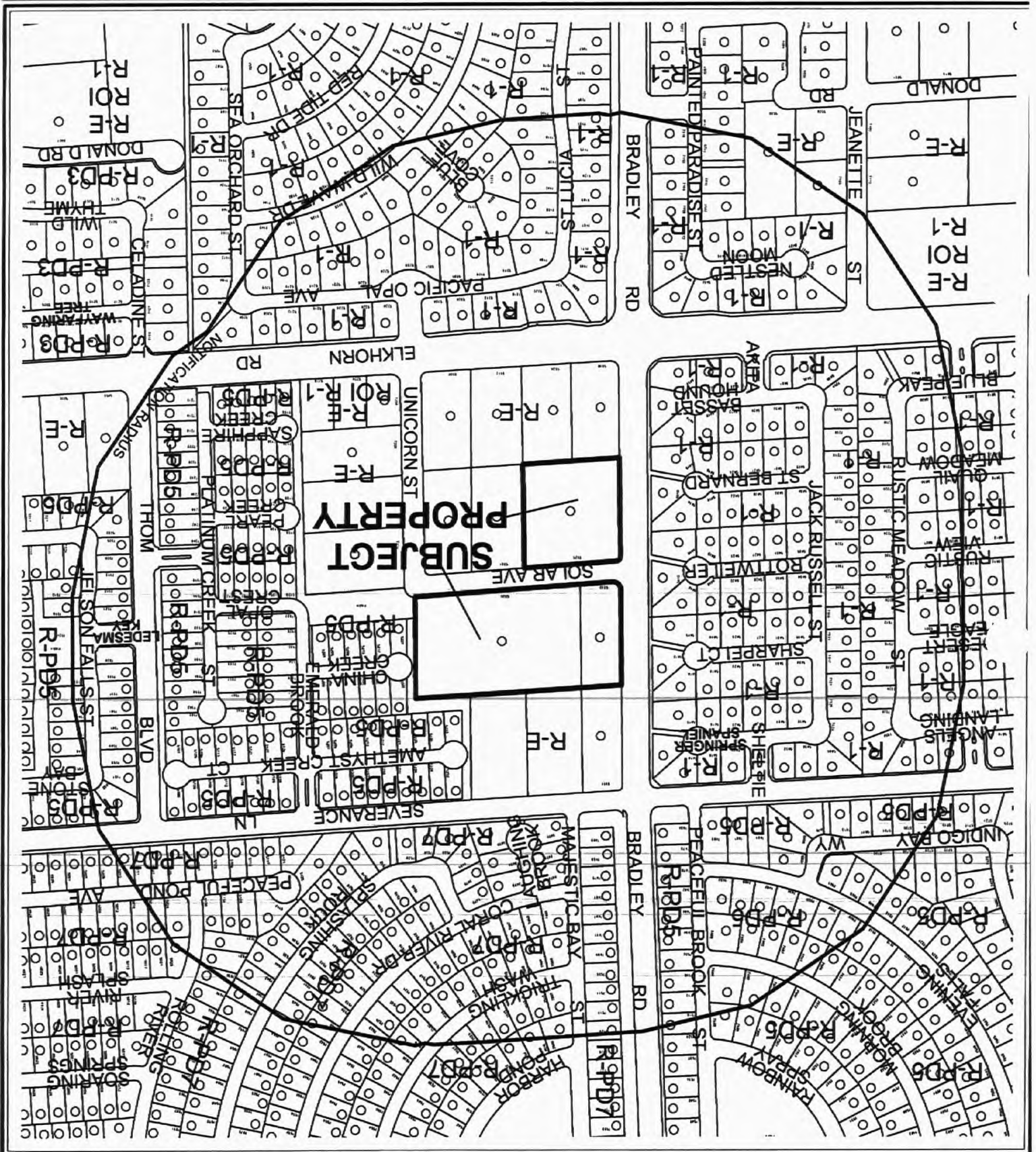
PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)

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

RADIUS: 1000 FT

CASE: ZON-17693

0 200 400 Feet





CASE: ZON-17693

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 7, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-17693 - APPLICANT: RICHMOND AMERICAN HOMES -
OWNERS: SHARON TURBIVILLE, DELMAR DINKINS, AND TERRY & KATHRYN
KARAS**

**** CONDITIONS ****

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

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-17694) 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.
3. The approval shall be for an R-PD5 with a maximum of 40 lots.

Public Works

4. Coordinate with the City Surveyor to determine if mapping this site as a Merger and Resubdivision is appropriate; comply with the recommendations of the City Surveyor.
5. Dedicate an additional 5 feet of right-of-way for a total radius of 20 feet on the northeast and southeast corners of Bradley Road and Solar Avenue.
6. Construct half-street improvements on Bradley Road and half street and full width street improvements as appropriate on Solar Avenue, including transition paving, adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

7. A minimum of two lanes of asphalt pavement on the major access streets adjacent to this site, and a working sanitary sewer connection shall be in place prior to final inspection of any units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed within 24 months of approval of construction drawings. No partial bond releases will be allowed until all perimeter roadway improvements are in place.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a rezoning from R-E (Residence Estates) to R-PD6 (Residential Planned Development - 6 Units Per Acre) on 7.27 acres adjacent to the northeast and southeast corners of Bradley Road and Solar Avenue. A related Site Development Plan Review (SDR-17694) will also be considered on this agenda.

The density of development that would be permitted by the proposed R-PD6 (Residential Planned Development - 6 Units Per Acre) is out of character with adjacent development and the property would be best used for development that is more compatible with nearby subdivisions.

BACKGROUND INFORMATION

<i>Pre-Application Meeting</i>	
10/04/06	Bradley Road Equestrian Trail and open space requirements discussed.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this type of application.

<i>Previous city action</i>	
02/08/07	The Planning Commission recommended approval of companion item SDR-17694 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #8/ar).

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	7.27 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Three single family dwellings	ML (Medium-Low Density Residential)	R-E (Residence Estates)
North	One single family dwelling, two vacant lots	ML (Medium-Low Density Residential)	R-E (Residence Estates)
South	Two single family dwellings	ML (Medium-Low Density Residential)	R-E (Residence Estates)

East	Single family dwellings	ML (Medium-Low Density Residential)	R-PD5 (Residential Planned Development – 5 Units Per Acre)
West	Single family dwellings	L (Low Density Residential)	R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	
Trails	X		Y
Rural Preservation Overlay District		X	

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	2 du/ac	16	R-PD6	6.49 du/ac – 47 units	ML	8.49 du/ac 61 units for this site

Per 19.06 Open Space

<i>Total Acreage</i>	<i>Density</i>	<i>Provided</i>		<i>Required</i>		<i>Compliance</i>
		<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
7.27 acres	5.5 du/ac	10.6 %	33,706 sf	9 %	28,739 sf	Y

ANALYSIS

Pursuant to Title 19.06; The R-PD District is intended to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic, and homogeneity of land use patterns. As with previous versions of this Title, the R-PD District represents an exercise of the City Council's general zoning power as set forth in NRS Chapter 278. The density allowed in the R-PD District shall be reflected by a numerical designation for that district. The minimum site area that is eligible for rezoning to the R-PD zoning district is five acres. The applicant is seeking a change to an R-PD6 (Residential Planned Development - 6 Units Per Acre) zone.

This site is currently developed with three dwellings in an R-E (Residence Estates) zoning district. The applicant proposes to demolish those structures and redevelop the parcels with a 40-lot residential subdivision. The lot sizes range from 4,241 square feet to 7,193 square feet. Access to the subdivision will be provided by Bradley Road. Lots will front on one of three 39-foot wide private streets or on Solar Avenue, a 60-foot wide public right-of-way which bisects the site. As required by the Recreation Trails Element of the Master Plan, a 30-foot wide equestrian trail is shown along the west edge of the site, adjacent to Bradley Road. The elevations depict two-story stucco buildings with a maximum height of 30 feet.

Common lot areas with landscaping and walkways are proposed. However per Title 19.06.040 (G)(5); a sidewalk system shall be provided to connect all residential areas to required open space and common recreational facilities. Common lots A and B have no sidewalk to them making them inaccessible except from the private street.

The proposed change in density is significant, as the typical size of the lots that border the subject site to the east are 4,500 square feet, and the typical size of the lots on the west side of Bradley Road are 6,500 square feet.

FINDINGS

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

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

The subject proposal complies with the density requirements of the ML (Medium-Low Density Residential) land use designation. However, Program B1.4 of the Centennial Hills Sector Plan is intended to "Encourage the development of random vacant infill lots in substantially developed, single-family neighborhoods at densities similar to existing development. The densities proposed for the subject site are not similar to existing development and; therefore, do not comply with the intent of the Centennial Hills Sector Plan.

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

The proposed project calls for the development of a 40 lot dwelling subdivision with a proposed density of 5.5 units per acre in an area best suited for lower density residential use. The proposed project is out of character with adjacent development and the property would be best used for development that more closely matches the density of existing development. In addition the project does not meet the standards of Title 19.06.04 (G) (6) for open space. Therefore, denial of this request is recommended.

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

While the growth that the city of Las Vegas faces indicates the need for this type of development, staff finds that the location of such a development would be better suited for an area currently zoned for medium to high density residential uses.

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

The site will receive adequate access from Bradley Road, an 80-foot wide local street.

PLANNING COMMISSION ACTION

There were two speakers with comments and concerns regarding the project.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

6

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 521 by Planning Department

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-17693** APN: **125-13-801-006**

Name of Property Owner: **Sharon Turbiville**

Name of Applicant: **Richmond American Homes**

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

☐ Yes

☒ 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: _____

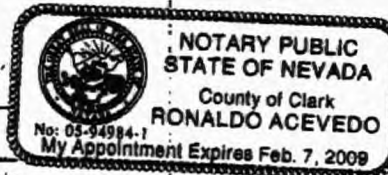
Signature of Property Owner: *Sharon Turbiville*

Print Name: Sharon Turbiville

Subscribed and sworn before me

This 2nd day of October, 2006
Ronald Acevedo

Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-17693** APN: **125-13-801-005**

Name of Property Owner: **Delmar Dinkins**

Name of Applicant: **Richmond American Homes**

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

☐ Yes

☒ 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): _____

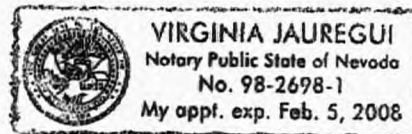
APN: _____

Signature of Property Owner: *Delmar Dinkins*

Print Name: _____

Subscribed and sworn before me

This 28 day of September, 2006
Virginia Jauregui
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-17693** APN: 125-13-802-001
Name of Property Owner: Terry & Kathryn Karas
Name of Applicant: Richmond American Homes

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

☐ Yes

☒ 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: Terry Karas Kathryn Karas

Subscribed and sworn before me

This 2nd day of October 2006

Jana Shore
Notary Public in and for said County and State



ZON-17693 SDR-17694
 REVISÉD 02/08/07 PC

JAN 22 2007

RECEIVED

RICHMOND AMERICAN HOMES OF NEVADA, INC.
 BRADLEY / SOLAR
 SITE PLAN



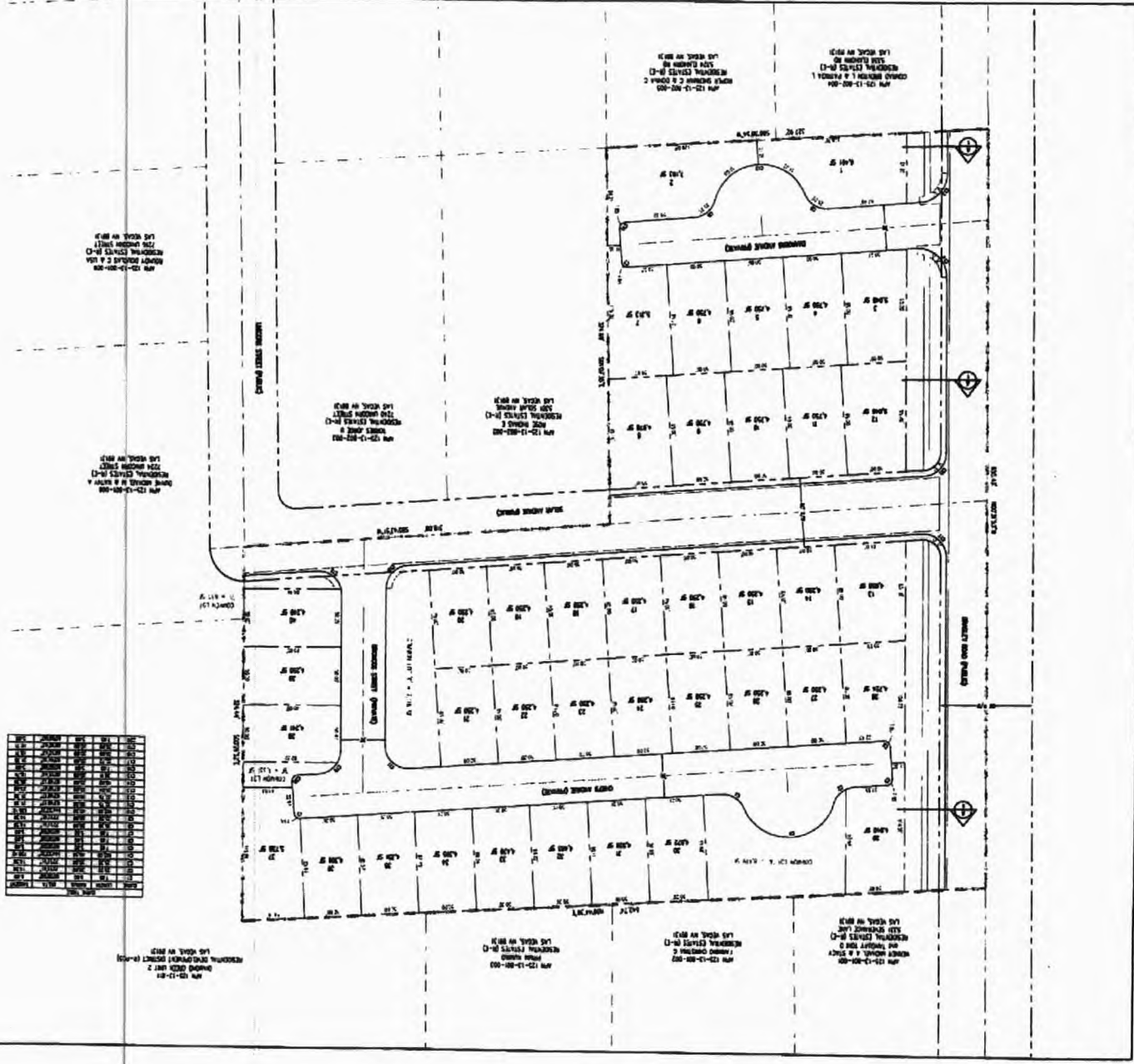
Triton
 Engineering
 1111 S. CENTRAL BLVD.
 LAS VEGAS, NEVADA 89102
 TEL: 702.734.1111
 FAX: 702.734.1112

DATE: 02/08/07
 DRAWN BY: [blank]
 CHECKED BY: [blank]
 SCALE: 1" = 40'

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	02/08/07
2	REVISION	
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NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	02/08/07
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99	REVISION	
100	REVISION	



1. The drawings are prepared by the engineer and are not to be used for any other purpose without the written consent of the engineer.

Triton

Engineering

January 19, 2007

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

Reference: Request for Re-zoning
Bradley / Solar
APN # 125-13-802-001; 125-13-801-005; 006
ZON# 17693

To Whom It May Concern:

On behalf of our client, Richmond American Homes, we respectfully submit this letter of justification for a Zone Change request for a proposed 40 lot single family project called "Bradley / Solar".

The applicant is requesting that the zoning on this parcel be changed from R-1 to RPD-6 for a proposed 40 lot single-family residential development on 7.27 acres (5.50 d/ua). Parcels adjacent to the proposed site have the following zoning:

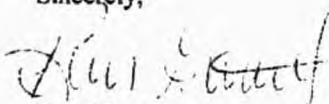
NE - R-E, R-PD5, R-PD7
NW - R-1, R-PD7, R-E
SE - R-1, R-PD3, R-E, R-PD5
SW - R-1, R-E

Richmond American Homes believes that requesting a RPD-6 zoning will compliment the area and would be consistent with the zoning that is currently surrounding the subject parcels.

We believe that the addition of single family homes at this location will increase traffic slightly, but any traffic concerns will be addressed either by submittal of a traffic study or through a traffic mitigation agreement.

Please place the attached request on the February 8, 2007 Planning Commission agenda. If you have any questions or require additional information, please contact me at 254-1480 (office) or 300-2912 (cell).

Sincerely,

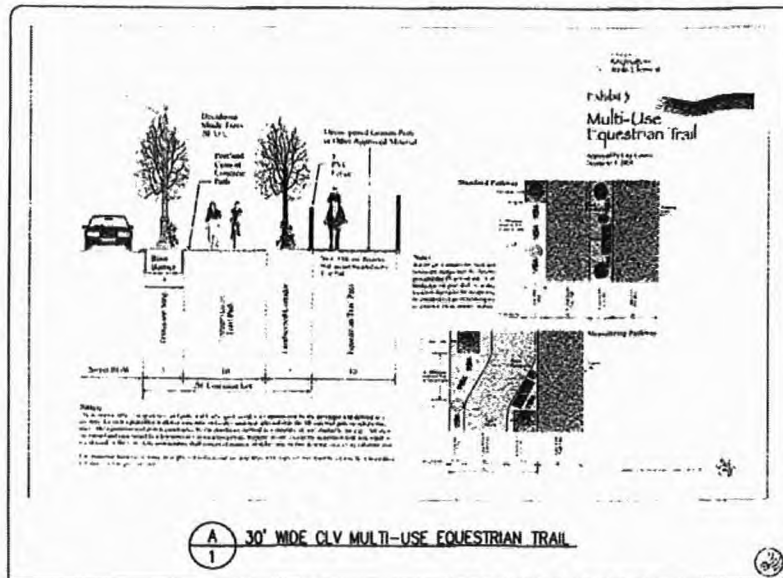


Kris Givant
Project Coordinator

ZON-17693 SDR-17694
REVISED 02/08/07 PC

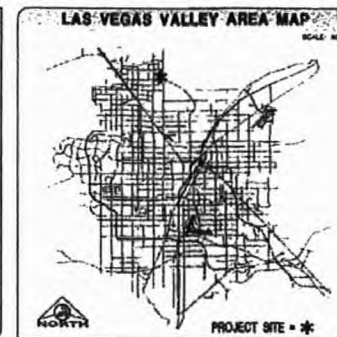
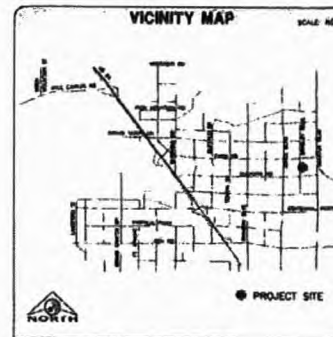
RECEIVED

JAN 21 2007



SITE PLAN OF BRADLEY / SOLAR

A PORTION OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$), OF SECTION 13,
TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY,
NEVADA.



LEGAL DESCRIPTION

THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF SECTION 13, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF SECTION 13, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF SECTION 13, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY, NEVADA.

ASSESSOR'S PARCEL NUMBER

130-13-001-000, 001
130-13-001-001

SHEET INDEX

1. COVER SHEET
2. SITE PLAN

SETBACK REQUIREMENTS

PRESENT ZONING	R-4
PROPOSED ZONING	SPD-S
TYPICAL LOT SIZE (SQ)	4,000 SF
FRONT TO BUILDING	10' MIN
FRONT TO BUILDING	10' MIN
BACK TO BUILDING ON ROOF EAVE	7' MIN
BACK TO BUILDING	10' MIN
REAR	10' MIN
REAR TO BUILDING	5' MIN

ENGINEER

TRITON ENGINEERING
1101 N. COMMERCE BLVD., SUITE B
LAS VEGAS, NV 89101
OFFICE: (702) 251-1400
FAX: (702) 251-1402

OWNERS

TRITON & SOUTHERN HOMES (130-13-001-001)
2500 SOLAR AVENUE
LAS VEGAS, NV 89101
BRADLEY / SOLAR (130-13-001-000)
LAS VEGAS, NV 89101
BRADLEY / SOLAR (130-13-001-000)
LAS VEGAS, NV 89101

DEVELOPER

RICHMOND AMERICAN HOMES OF NEVADA, INC.
2500 SOLAR AVENUE, SUITE 100
LAS VEGAS, NV 89101
OFFICE: (702) 251-1400

SURVEYOR

TRITON ENGINEERING
1101 N. COMMERCE BLVD., SUITE B
LAS VEGAS, NV 89101
OFFICE: (702) 251-1400
FAX: (702) 251-1402

BENCHMARK

CITY OF LAS VEGAS BENCH MARK AND BRASS PLATE IN MASONRY
PILLAR, NORTHWEST CORNER OF SUNSHINE ROAD AND TOWLEY
ROAD, STATION 3+00.00
ELEVATION: 3243.20 FEET (BAROMETRIC)
CLARK COUNTY METRIC CONTROL, 1985 BASED ON
NORTH AMERICAN DATUM, DATUM OF TIME DATUM 85.

BASIS OF BEARING

NORTH 89°10'15" EAST, BEARING THE BEARING OF THE
CENTERLINE OF SUNSHINE ROAD AS SHOWN ON THE
CLARK COUNTY METRIC CONTROL, 1985 BASED ON
NORTH AMERICAN DATUM, DATUM OF TIME DATUM 85.

COMMON LOT AREAS

COMMON LOT 'A'	4,471 SF
COMMON LOT 'B'	1,330 SF
COMMON LOT 'C'	11,379 SF
COMMON LOT 'D'	810 SF
COMMON LOT TOTAL	28,010 SF
NET AREA TOTAL	16,201 SF
NET AREA TO 1/2"	16,201 SF
TOTAL	28,211 SF

TYPICAL SETBACKS



LAND-USE TABULATION

LAND-USE DESIGNATION	AREA (ACRES)	PERCENTAGE OF TOTAL AREA
PROPOSED ZONING	4.4	15.6%
PROPOSED ZONING	1.3	4.6%
PROPOSED ZONING	11.4	40.8%
PROPOSED ZONING	0.8	2.8%
TOTAL	28.0	100.0%

Triton Engineering
1101 N. COMMERCE BLVD., SUITE B
LAS VEGAS, NV 89101
OFFICE: (702) 251-1400
FAX: (702) 251-1402

BRADLEY / SOLAR

COVER SHEET

RICHMOND AMERICAN HOMES OF NEVADA, INC.

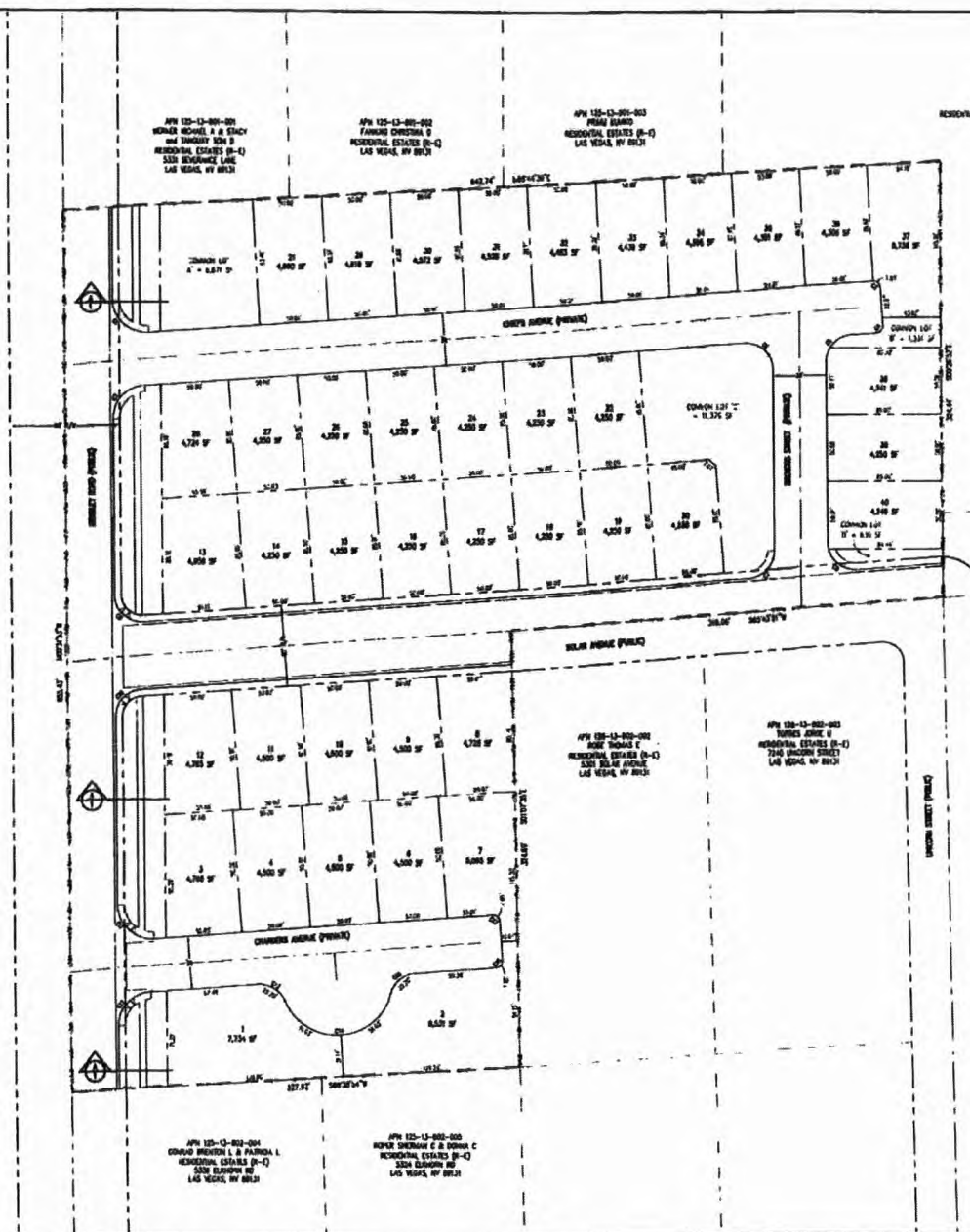
DATE: 3/5/07

ITEM: #119

ZON-17693

SDR-17694

03-07-07 CC



LOT	AREA	TYPE	SELL	BUY
1	1.00	RES	1.00	1.00
2	1.00	RES	1.00	1.00
3	1.00	RES	1.00	1.00
4	1.00	RES	1.00	1.00
5	1.00	RES	1.00	1.00
6	1.00	RES	1.00	1.00
7	1.00	RES	1.00	1.00
8	1.00	RES	1.00	1.00
9	1.00	RES	1.00	1.00
10	1.00	RES	1.00	1.00
11	1.00	RES	1.00	1.00
12	1.00	RES	1.00	1.00
13	1.00	RES	1.00	1.00
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97	1.00	RES	1.00	1.00
98	1.00	RES	1.00	1.00
99	1.00	RES	1.00	1.00
100	1.00	RES	1.00	1.00



REC
FEB 28 2007

APN 125-13-001-001
WILLIAM MICHAEL & STACY
RESIDENTIAL ESTATES (R-1)
LAS VEGAS, NV 89131

APN 125-13-002-002
FARMER CHRISTINA D
RESIDENTIAL ESTATES (R-1)
LAS VEGAS, NV 89131

APN 125-13-003-003
FRANK BARRO
RESIDENTIAL ESTATES (R-1)
LAS VEGAS, NV 89131

APN 125-13-004
BARROW CREEK UNIT 2
RESIDENTIAL RECREATION ESTATES (R-100)
LAS VEGAS, NV 89131

APN 125-13-001-002
DANIEL MICHAEL & KATHY A
RESIDENTIAL ESTATES (R-1)
7234 JACOB STREET
LAS VEGAS, NV 89131

APN 125-13-002-001
TOMMY JAMES H
RESIDENTIAL ESTATES (R-1)
7240 JACOB STREET
LAS VEGAS, NV 89131

APN 125-13-003-004
NORMAN MICHAEL C & DONNA C
RESIDENTIAL ESTATES (R-1)
3320 ELIZABETH AV
LAS VEGAS, NV 89131

APN 125-13-002-003
ROBERT MICHAEL C & DONNA C
RESIDENTIAL ESTATES (R-1)
3320 ELIZABETH AV
LAS VEGAS, NV 89131

Triton Engineering
3411 N. CHARLES BLVD.
LAS VEGAS, NEVADA 89144
TEL: (702) 254-1000
WWW.TRITON-ENG.COM

RICHMOND AMERICAN HOMES OF NEVADA, INC.
BRADLEY / SOLAR
SITE PLAN

SHEET 2
CLV DWG

ZON-17693
SDR-17694
03-07-07 CC

Triton

Engineering

February 26, 2007

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

**Reference: Request for Re-zoning
Bradley / Solar
APN # 125-13-802-001; 125-13-801-005; 006
ZON# 17693**

To Whom It May Concern:

On behalf of our client, Richmond American Homes, we respectfully submit this letter of justification for a Zone Change request for a proposed 40 lot single family project called "Bradley / Solar".

The applicant is requesting that the zoning on this parcel be changed from R-1 to RPD-5 for a proposed 40 lot single-family residential development on 7.28 acres (5.49 d/ua). Parcels adjacent to the proposed site have the following zoning:

NE - R-E, R-PD5, R-PD7
NW - R-1, R-PD7, R-E
SE - R-1, R-PD3, R-E, R-PD5
SW - R-1, R-E

Richmond American Homes believes that requesting a RPD-5 zoning will compliment the area and would be consistent with the zoning that is currently surrounding the subject parcels.

We believe that the addition of single family homes at this location will increase traffic slightly, but any traffic concerns will be addressed either by submittal of a traffic study or through a traffic mitigation agreement.

Please place the attached request on the March 7, 2007 City Council agenda. If you have any questions or require additional information, please contact me at 254-1480 (office) or 300-2912 (cell).

Sincerely,


Kris Givant
Project Coordinator

ZON-17693

03-07-07 CC

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

January 6, 2007

Dear Planning Commission:

Our names are Kathy and Mike Dunne and live at 7224 Unicorn St. in Las Vegas. We have watched our area grow from a rural to a residential planned development. Our little pocket of 1+ acre homes is being gobbled up by developers. We ask that you keep the homes to a minimum of three homes per acre for CASE: ZON-17693. If this development does go through, we request:

- the street be cut off at Unicorn and Solar
- no two story homes
- all homes enclosed in the subdivision – no front yards facing the street
- and of course, no more than three homes per acre.

Please drive by and notice that the front of our home faces a brick wall. This is due to Pulte Homes. The value of our home just keeps going down and down because of developers. When we first move into the area, every one had to be on an acre. We followed the rules. Now, no one is protecting us or the property around us.

Please consider our request.

Sincerely,

Kathy Dunne
Kathy Dunne

Jan. 6, 2007
Date

Mike Dunne
Mike Dunne

Jan 6, 2007
Date

ITEM # 12
CASE # ZON 17693
PC MTG 1/11/07

2

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 7, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-17693

SDR-17694 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: SHARON TURBIVILLE, DELMAR DINKINS, AND TERRY & KATHRYN KARAS - Request for a Site Development Plan Review FOR A 58 LOT SINGLE FAMILY DEVELOPMENT on 7.27 acres adjacent to the northeast and southeast corners of Bradley Road and Solar Avenue (APNs 125-13-801-005, 125-13-801-006, and 125-13-802-001), R-E (Residence Estates) Zone [PROPOSED: R-PD8 (Residential Planned Development - 8 Units Per Acre)], Ward 6 (Ross). NOTE: This application is for 40 units, RPD-5. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Revised Site Plan and Justification Letter by staff

Motion made by STEVEN D. ROSS to Approve Subject to Conditions , amending Conditions 3, 15 and 16 an adding the following condition as read for the record:

3. All development shall be in conformance with the site plan and landscape plan, date stamped 2/28/07 and building elevations date stamped 1/22/07 and 1/25/07, except as amended by conditions herein.

15. The southernmost two homes identified as Lots 1 and 2 on the 2/28/07 site plan shall be limited to one story in height.

16. Within the open space area there shall be developed tot lots.

CITY COUNCIL MEETING OF: MARCH 7, 2007

A. Minimum open space shall be 36,221 square feet. There shall be a maximum of 40 lots.

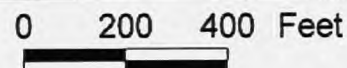
Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:

See Item 119 for related discussion.





R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 7, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-17694 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: SHARON TURBIVILLE, DELMAR DINKINS, AND TERRY & KATHRYN KARAS

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-17693) if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan, date stamped 1/22/07 and building elevations date stamped 1/22/07 and 1/25/07, except as amended by conditions herein.
4. The standards for this development shall indicate that building heights shall not exceed two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 10 feet to the front of the house, 18 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, 6 feet on the corner side, 10 feet in the rear for lots not on a cul-de-sac bulb, and 10 feet in the rear for lots on a cul-de-sac bulb.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

8. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.
13. There shall be a minimum 15 feet landscape setback on the southerly property line of the project.
14. The south and east property line, south of Solar Avenue, shall have walls of eight feet in height.
15. The southernmost two homes and the northwest home shall be limited to one story in height.
16. There shall be one consolidated open space area, minimum 33,706 square feet.
17. There shall be notification to the buyers that there shall be equestrian uses and other agricultural uses and lighting surrounding this property.
18. The private streets shall be stubbed for future street lighting.

Public Works

19. 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.
20. Landscape and maintain all unimproved right-of-way, if any, on Bradley Road adjacent to this site.

21. Submit an Encroachment Agreement for all landscaping, if any, located in the Bradley Road public right-of-way adjacent to this site prior to occupancy of this site.
22. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
23. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-17693 and all other applicable site-related actions.
24. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of 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.
25. Submit an application to the Land Development Section of the Department of Public Works for a Deviation from Standard Drawing No. 212 for the proposed private street cul-de-sac terminations. The Deviation shall be approved prior to submittal of a Tentative Map for this site; alternatively the site shall be designed to meet current City Standards.
26. Apply for speed humps on Solar Avenue for City approval.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a 40-lot, single-family development on 7.27 acres adjacent to the northeast and southeast corners of Bradley Road and Solar Avenue. A related rezoning (ZON-17693) will also be considered on this agenda.

The lots sizes and setbacks of the proposed project are out of character with adjacent development and the property would be best used for development similar to that which exists in the area.

BACKGROUND INFORMATION

<i>Pre-Application Meeting</i>	
10/04/06	Bradley Road Equestrian Trail and open space requirements discussed.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this type of application.
<i>Previous city action</i>	
02/08/07	The Planning Commission recommended approval of companion item ZON-17693 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #9/ar).

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	7.27 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Three single family dwellings	ML (Medium-Low Density Residential)	R-E (Residence Estates)
North	One single family dwelling, two vacant lots	ML (Medium-Low Density Residential)	R-E (Residence Estates)
South	Two single family dwellings	ML (Medium-Low Density Residential)	R-E (Residence Estates)

East	Single family dwellings	ML (Medium-Low Density Residential)	R-PD5 (Residential Planned Development – 5 Units Per Acre) R-E (Residence Estates)
West	Single family dwellings	ML (Low Density Residential)	R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	
Trails	X		Y
Rural Preservation Overlay District		X	

DEVELOPMENT STANDARDS

Per Title 19.06, the applicant proposes to establish the following development standards:

<i>Standard</i>	<i>Provided</i>
Min. Lot Size	3,000 square feet
Min. Lot Width	40 feet
Min. Setbacks • Front (building) • Front (garage) • Side • Corner • Rear (non cul-de-sac) • Rear (cul-de-sac)	• 10 feet • 5 feet or more than 18 feet • 5 feet • 6 feet • 10 feet • 10 feet
Max. Building Height	30 Feet

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-E	2 du/ac	16	R-PD6	6.49 du/ac – 47 units	ML	8.49 du/ac 61 units for this site

Per Title 19.12, the following standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Buffer: Min. Trees	1 Tree/30 Linear Feet along Bradley Road	23 Trees	26 Trees	Y
Min. Zone Width	6 Feet along Bradley Road		15 Feet – includes a portion of the Equestrian Trail	Y

Total Acreage	Density	Provided		Required		Compliance
		Percent	Area	Percent	Area	
7.27 acres	5.5 du/ac	10.6 %	33,706 sf	9 %	28,739 sf	Y

ANALYSIS

This site is currently developed with three dwellings in an R-E (Residence Estates) zoning district. The applicant proposes to demolish those structures and redevelop the parcels with a 40-lot residential subdivision. The lot sizes range from 4,241 square feet to 7,193 square feet. Access to the subdivision will be provided by Bradley Road. Lots will front on one of three 39-foot wide private streets or on Solar Avenue, a 60-foot wide public right-of-way which bisects the site. As required by the Recreation Trails Element of the Master Plan, a 30-foot wide equestrian trail is shown along the west edge of the site, adjacent to Bradley Road. The elevations depict two-story stucco buildings with a maximum height of 30 feet.

The applicant is seeking a change to an R-PD6 (Residential Planned Development - 6 Units Per Acre) zone. The R-PD District is intended to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic, and homogeneity of land use patterns.

Common lot areas with landscaping and walkways are proposed. However per Title 19.06.040 (G)(5); a sidewalk system shall be provided to connect all residential areas to required open space and common recreational facilities. Common lots A and B have no sidewalk to them making them inaccessible except from the private street.

The proposed change in density is significant, as the typical size of the lots that border the subject site to the east are 4,500 square feet, and the typical size of the lots on the west side of Bradley Road are 6,500 square feet.

Additionally, the minimum setback requirements (10 feet in the front, 10 feet in the rear and five feet in the side) for the proposed development are substantially less than what is required (20 feet front, 15 feet rear, 15 feet corner side, and five feet to the side) in the R-1 (Single Family Residential) district on the west side of Bradley Road and the setbacks (18 feet front, 10 feet rear, and 5 foot side) of the development to the east. This means that if approved the development would be more compact and would not be consistent with existing development in the area.

FINDINGS

The following findings must be made for a Site Development Plan Review:

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

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

In regard to “1”: The proposed development is not compatible with development in the area. The lot sizes and setbacks proposed as part of this development are significantly smaller than the adjacent single-family development.

In regard to “2”: The subject proposal complies with the density requirements of the ML (Medium Low Density Residential) land use designation. However, Program B1.4 of the Centennial Hills Sector Plan is intended to “Encourage the development of random vacant infill lots in substantially developed, single-family neighborhoods at densities similar to existing development. The densities proposed for the subject site are not similar to existing development and therefore do not comply with the intent of the Centennial Hills Sector Plan. In addition the project does not meet the standards of Title 19.06.04 (G) (6) for open space.

In regard to “3”: The site gains access from Bradley Road, an 80-foot wide local street. This street will provide adequate access to and from the subject property.

In regard to “4”: Building and landscape materials are appropriate for the area and the city of Las Vegas.

In regard to “5”: The elevation plans show two-story homes with a maximum height of approximately 30 feet. The floor plans depict three and four bedroom models. The design features are not unsightly nor are they undesirable; however, the development is considered out of character as the lot sizes and overall density of the project are not appropriate for this location.

In regard to “6”: The proposed development will not endanger the public health or the general welfare.

PLANNING COMMISSION ACTION

The Planning Commission added conditions 12 through 18. As of 02-19-07 the new landscape plan had not been submitted.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 521 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-17694** APN: **125-13-801-006**Name of Property Owner: **Sharon Turbiville**Name of Applicant: **Richmond American Homes**

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

☐ Yes☒ 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): _____

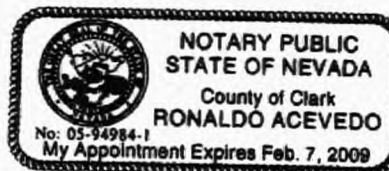
APN: _____

Signature of Property Owner: Sharon TurbivillePrint Name: Sharon Turbiville

Subscribed and sworn before me

This 2nd day of October, 2006

Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-17694** APN: 125-13-802-001
Name of Property Owner: Terry & Kathryn Karas
Name of Applicant: Richmond American Homes

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

☐ Yes

☒ 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: Terry Karas Kathryn Karas

Subscribed and sworn before me

This 2nd day of October, 2006

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





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SDR-17694

Case Number: _____ APN: 125-13-801-005

Name of Property Owner: Delmar Dinkins

Name of Applicant: Richmond American Homes

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

☐ Yes

☒ 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: _____

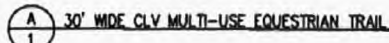
Subscribed and sworn before me

This 28 day of September, 2006
Virginia Jauregui
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

A PORTION OF THE SOUTHEAST QUARTER (SE¹), OF SECTION 13,
TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY,
NEVADA.



OWNERS

DEVELOPER

SURVEYOR

BENCHMARK

BASIS OF BEARING	
-------------------------	--

COMMON LOT AREAS

TYPICAL SETBACKS



ASSESSOR'S PARCEL NUMBER

SHEET INDEX

SETBACK REQUIREMENTS

PRESENT ZONING	R-1
PROPOSED ZONING	MAP-1
TRUCK, LOT SIZE (SF)	4,300 SF
FRONT TO BUILDING	12' MIN
FRONT TO GARAGE	12' MIN
SIDE TO BUILDING OR ROOF EAVE	7' MIN
SIDE ON CORNER	12' MIN
REAR	12' MIN
REAR TO PAVED	5' MIN

LEGAL DESCRIPTION

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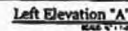
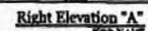
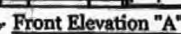
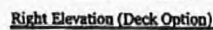
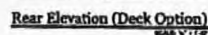
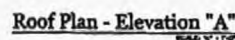
ZON-17693 SDR-17694
REVISED 02/08/07 PC

JAN 22 2007

Triton Engineering
 27001 15th Avenue, Suite 100
 Boulder, Colorado 80504
 Phone: (303) 440-1111
 Fax: (303) 440-1112
 E-mail: info@tritoneng.com
 Web: www.tritoneng.com

AMERICAN HOMES OF NEVADA, INC.

COVER SHEET

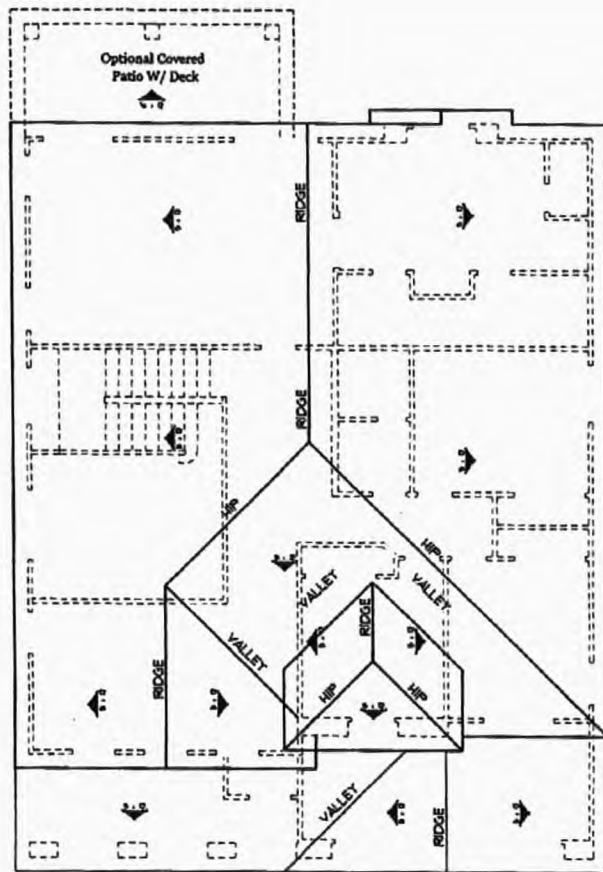


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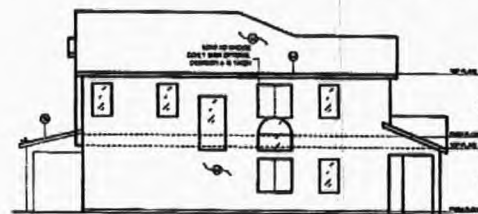
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REVISED 02/08/07 PC

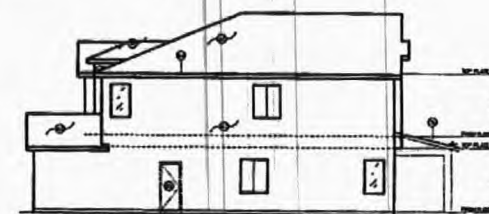
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Roof Plan - Elevation "B"



Left Elevation "B"

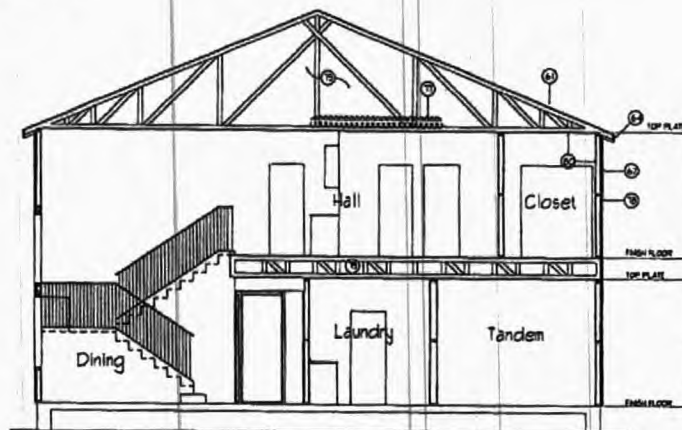


Right Elevation "B"



Front Elevation "B"

NOTE: WINDOW HEADERS SHALL BE 10" UNLESS NOTED OTHERWISE



Typical Section Cut

RICHMOND
AMERICAN HOMES
CLARK COUNTY, HENDERSON
LAS VEGAS, & NORTH LAS VEGAS

ROOF FRAMING, FRONT, REAR & SIDE
OF ELEVATION "B" / SECTION CUT

REV. 04/22/07

2781

Revision

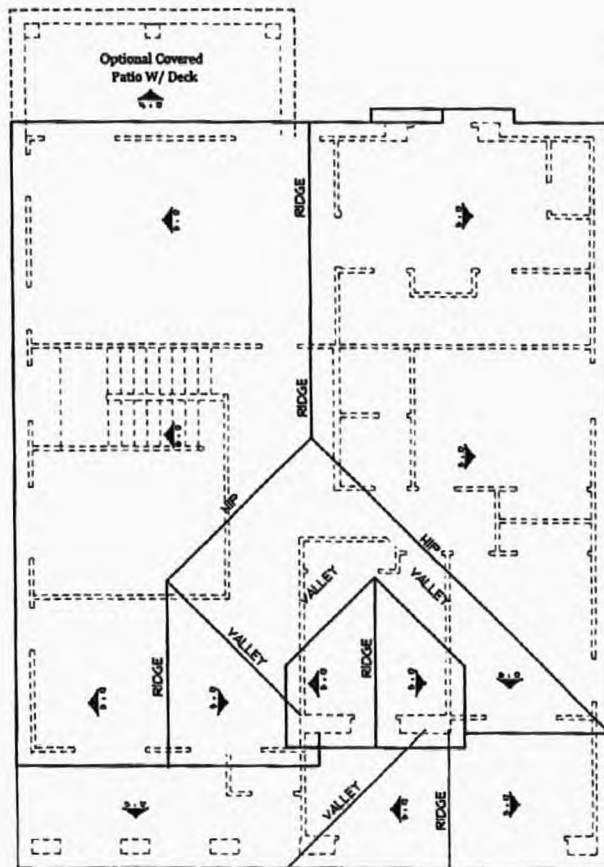
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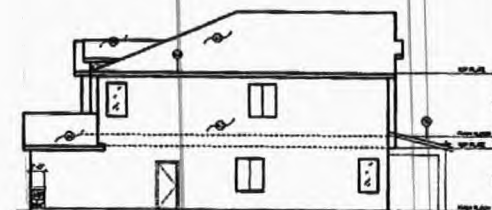
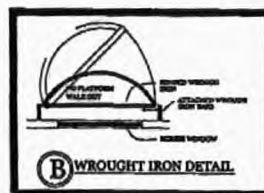
LAS VEGAS DIVISION
7230 West Peak, Suite 212
LAS VEGAS, NV 89128 (702) 510-5000

ZON-17693 SDR-17694
REVISED 02/08/07 PC

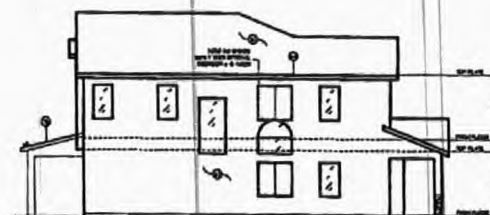
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JAN 22 2007



Roof Plan - Elevation "C"
SCALE 1/4" = 1'-0"



Right Elevation "C"
SCALE 1/4" = 1'-0"



Left Elevation "C"
SCALE 1/4" = 1'-0"

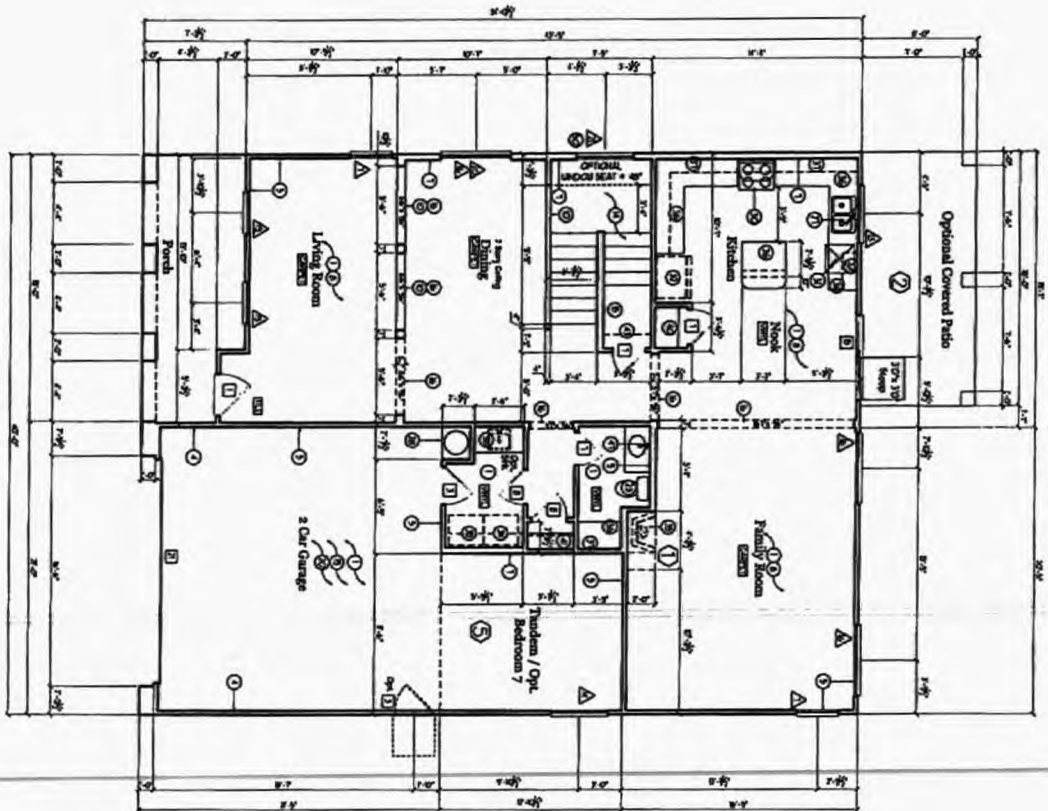
RICHMOND
AMERICAN ROOFERS
SINCE 1900
UNION INSURANCE
ERNEST J. BEAULIEU, JR.

LAS VEGAS DIVISION
7250 West Peak, Suite 212
LAS VEGAS, NV. 89128 (702) 240-5600

NO. 1000
DATE 01/22/07
BY 01/22/07
CHECKED 01/22/07
APPROVED 01/22/07
PROJECT 2781
SHEET 1 OF 1
A2.C

ZON-17693 SDR-17694
REVISED 02/08/07 PC

RECEIVED
JAN 22 2007



Optimum between 7 in. deep or 1 add-on Galvalume
6-1/2 x 4 x 12-24

1ST FLOOR PLAN
SCALE 1/8" = 1'-0"

ZON-17693 SDR-17694
REVISED 02/08/07 PC

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JAN 22 2007

JAN 22 2007

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FLOOR PLAN
(1st Floor)

RICMOND
AMERICAN HOMES
CLARK COUNTY, HENDERSON,
LAS VEGAS & NORTH LAS VEGAS

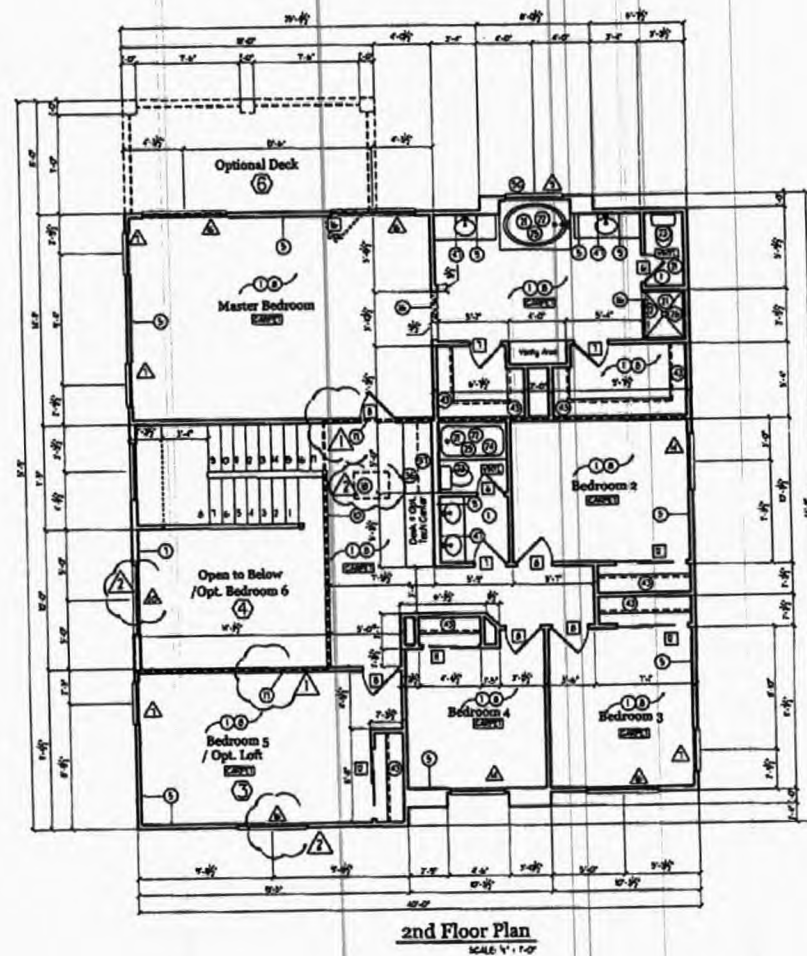
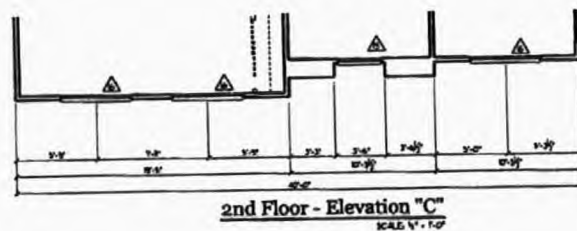
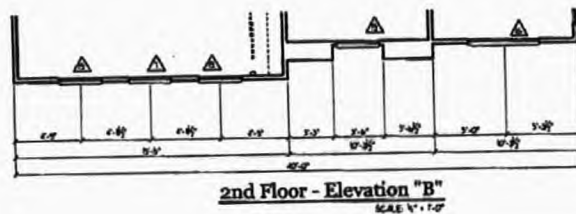
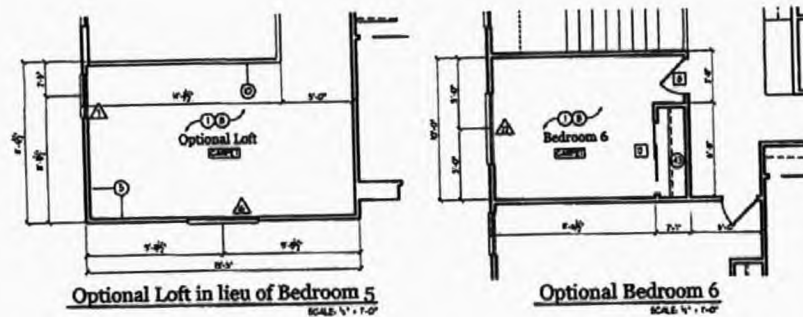
LAS VEGAS DIVISION

7250 West Peak, Suite 212
LAS VEGAS, NV. 89128 (702) 240-5600

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RICHMOND
ARCHITECTS
STATE CONTRACTORS LICENSE #00047
DIVISION PRESIDENT
BENJAMIN J. BRIDGES, JR.

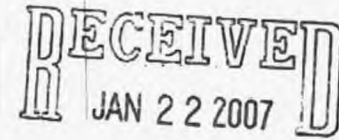
LAS VEGAS DIVISION
7050 West Peak, Suite 212
LAS VEGAS, NV 89128 (702) 240-5600

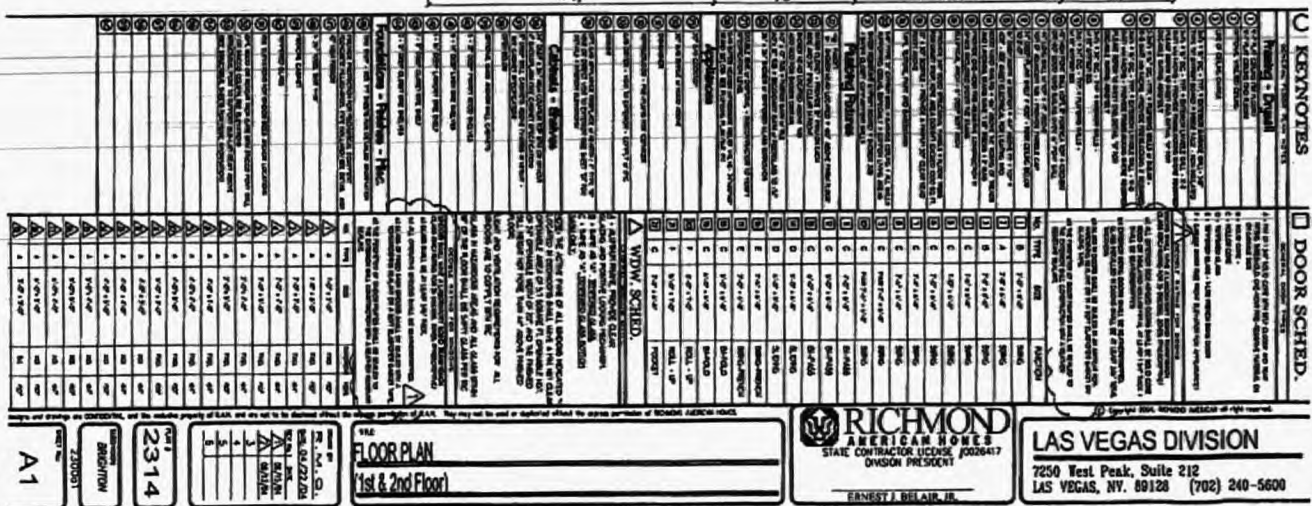
FLOOR PLAN
2nd Floor

2781
BRIGHTON
2700A12
A1.2

ZON-17693 SDR-17694
REVISED 02/08/07 PC

RECEIVED
JAN 22 2007





ZON-17693 SDR-17694
REVISED 02/08/07 PC

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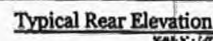
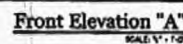
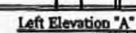
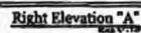
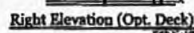
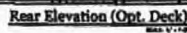
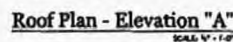
JAN 22 2007

RICHMOND
AMERICAN HOMES
STATE CONTRACTOR LICENSE #0028417
DIVISION PRESIDENT

ERNEST J. BELAIR, JR.

LAS VEGAS DIVISION

7250 West Peak, Suite 212
LAS VEGAS, NV. 89128 (702) 240-5600



- ☐
- VENT SCHED.

OR REQUIRED ATTIC VENTILATION			
A	1/2"	B	1/2"
C	1/2"	D	1/2"
E	1/2"	F	1/2"
G	1/2"	H	1/2"
I	1/2"	J	1/2"
K	1/2"	L	1/2"
M	1/2"	N	1/2"
O	1/2"	P	1/2"
Q	1/2"	R	1/2"
S	1/2"	T	1/2"
U	1/2"	V	1/2"
W	1/2"	X	1/2"
Y	1/2"	Z	1/2"

1322
ROOF FRAMING, FRONT, REAR, &
SIDE ELEVATION "A"

R.M.O.	
DATE 04/23/04	
NO. IN	DATE
1	8/23/04
2	
3	
4	
5	
6	

2314

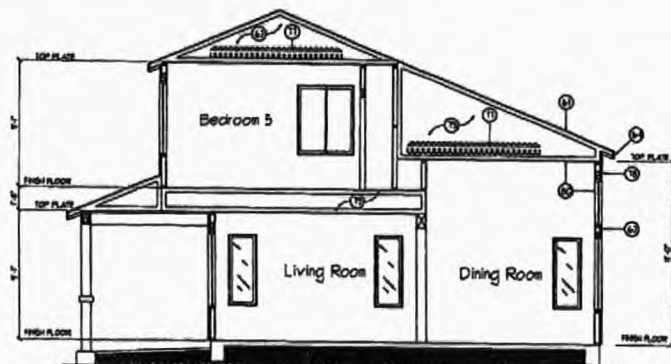
Salmon
Brighton

DATE

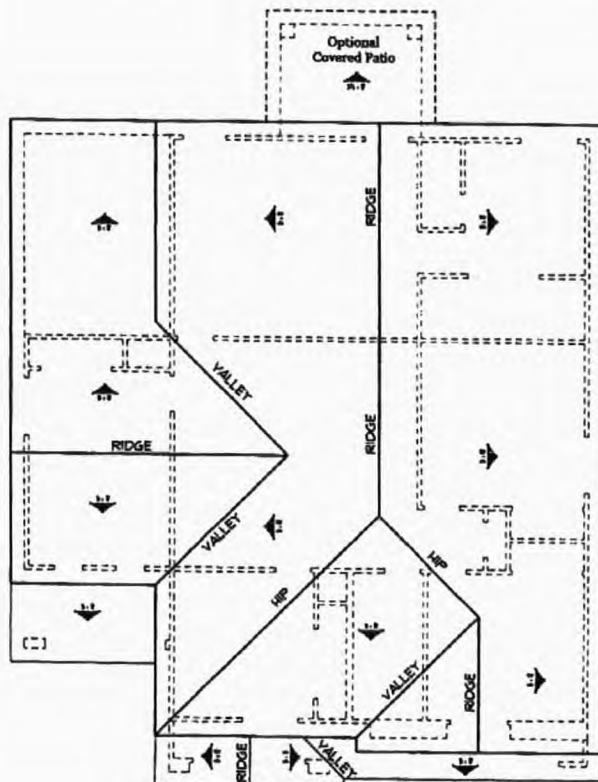
ZON-17693
REVISED

SDR-17694
02/08/07 PC

RECEIVED
JAN 22 2007



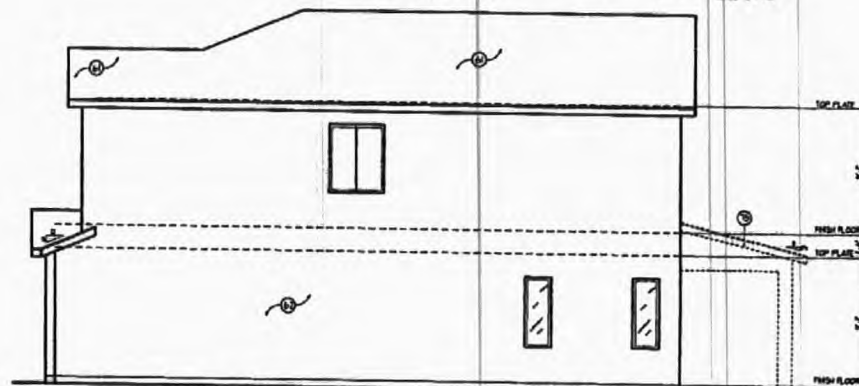
(A) Typical Section Cut
SCALE: 1/4" = 1'-0"



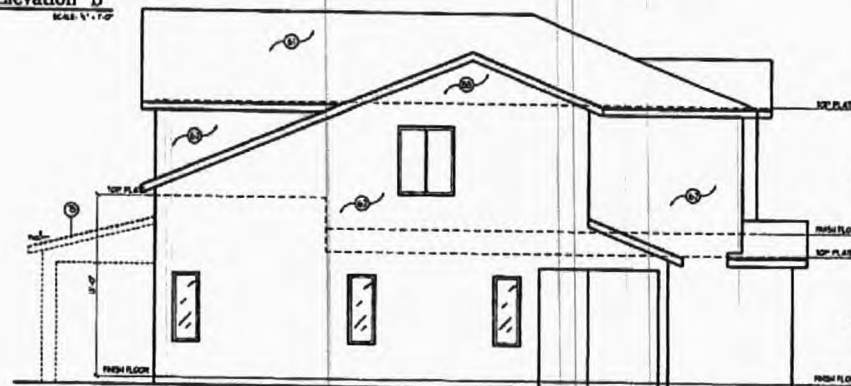
Roof Plan - Elevation "B"
SCALE: 1/4" = 1'-0"



Front Elevation "B"
SCALE: 1/4" = 1'-0"



Right Elevation "B"
SCALE: 1/4" = 1'-0"



Left Elevation "B"

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LAS VEGAS, NV 89128 (702) 240-5000

ROOF FRAMING, FRONT, REAR, &
SIDE ELEVATION "B"

NO.	DATE	BY	CHKD.
1	02/08/07	PC	
2			
3			
4			
5			

2314

Shighen

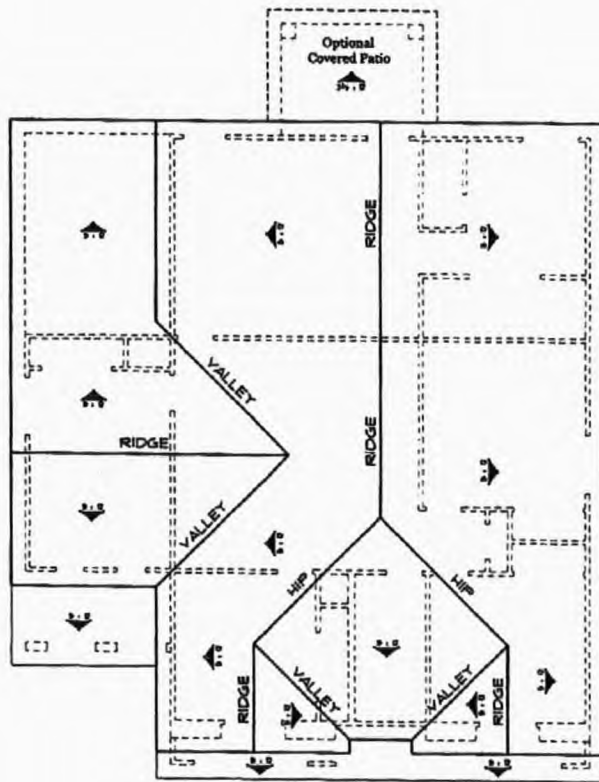
2/20/07

A2.B

ZON-17693
REVISED

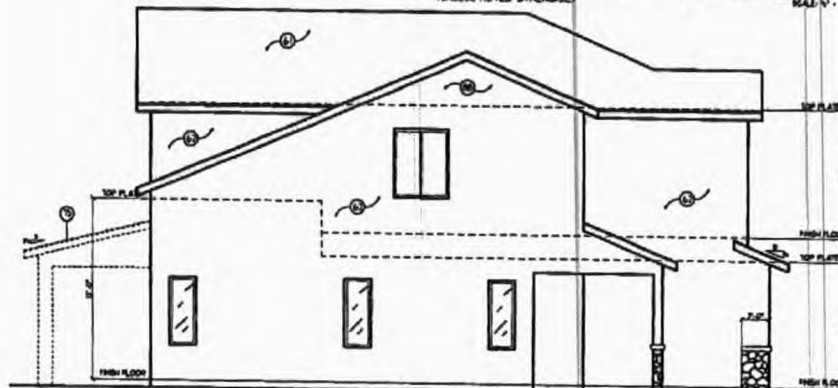
SDR-17694
02/08/07 PC

RECEIVED
JAN 22 2007



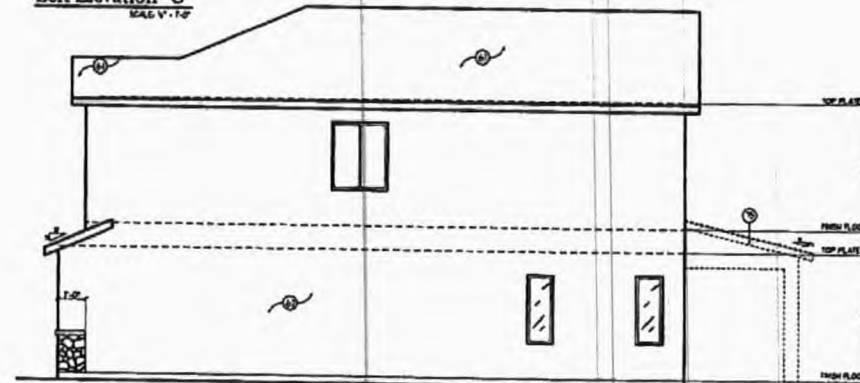
Roof Plan - Elevation "C"

SCALE V - 1/4"



Left Elevation "C"

SCALE V - 1/4"



Right Elevation "C"

SCALE V - 1/4"

ZON-17693
REVISED

SDR-17694
02/08/07 PC

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LAS VEGAS, NV 89126 (702) 240-5600

RICHMOND
A W A N C
CLARK COUNTY - HENDERSON
LAS VEGAS, NV - NORTH LAS VEGAS

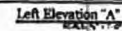
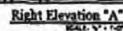
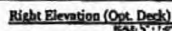
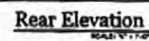
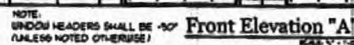
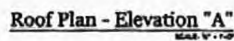
ROOF FRAMING, FRONT, REAR &
SIDE ELEVATION "C"

2314

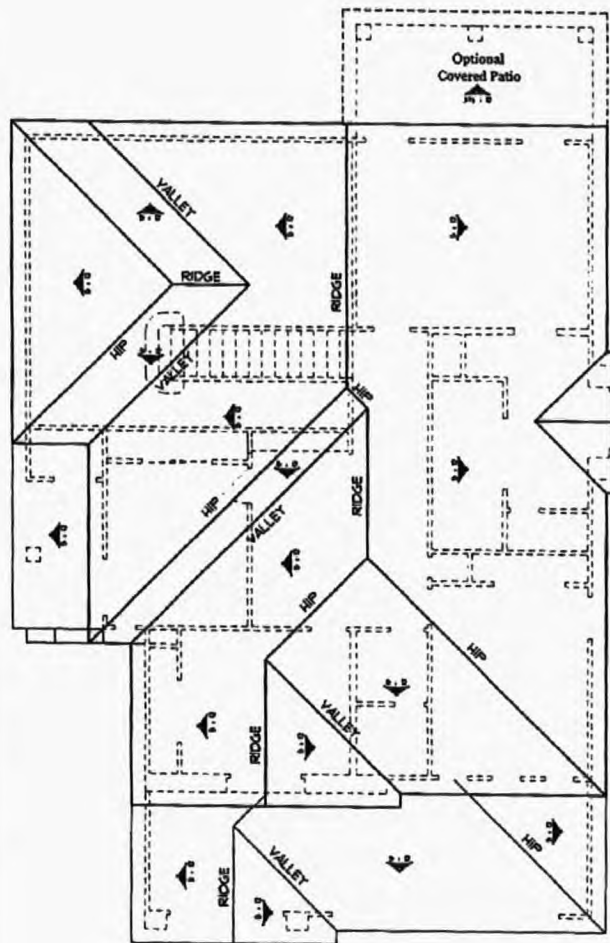
2314

2314

A2.C



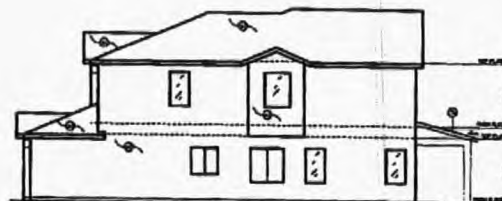
SDR-17694
02/08/07 PC



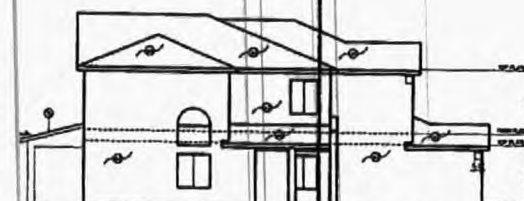
Roof Plan - Elevation "B"
SCALE: 1/4" = 1'-0"



NOTE:
WINDOW HEADERS SHALL BE #10
(UNLESS NOTED OTHERWISE)
Front Elevation "B"
SCALE: 1/4" = 1'-0"



Left Elevation "B"
SCALE: 1/4" = 1'-0"



Right Elevation "B"
SCALE: 1/4" = 1'-0"



Horizontal Section Cut
SCALE: 1/4" = 1'-0"

LAS VEGAS DIVISION
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AMERICAN HOMES
QUALITY CONSTRUCTION
LAS VEGAS - A DIVISION OF LAS VEGAS

ROOF FRAMING, FRONT, REAR, & SIDE
OF ELEVATION "B"

NO.	DATE	BY	CHKD.	APP.
1	02/08/07	PC		
2				
3				
4				
5				

2526

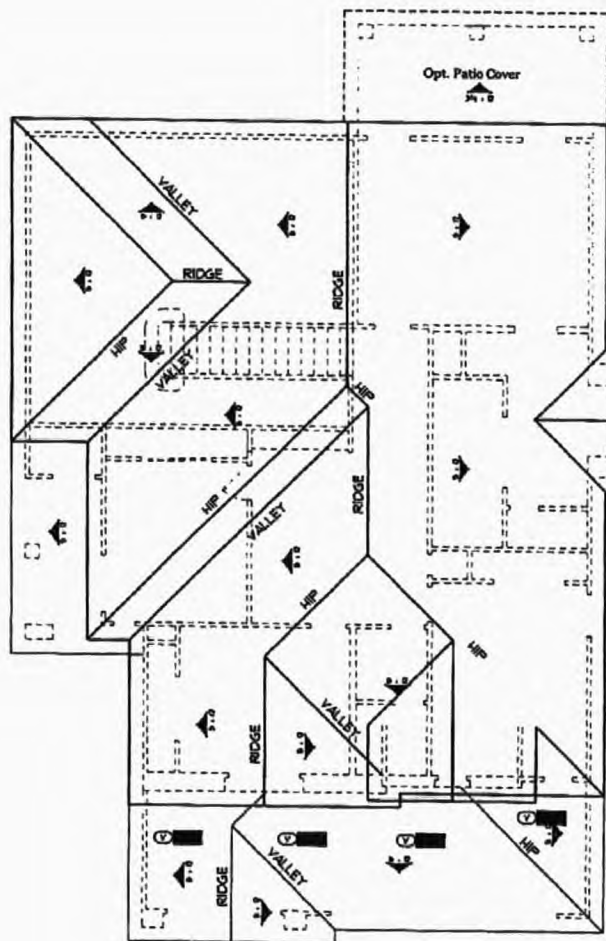
Shipton

A2.B

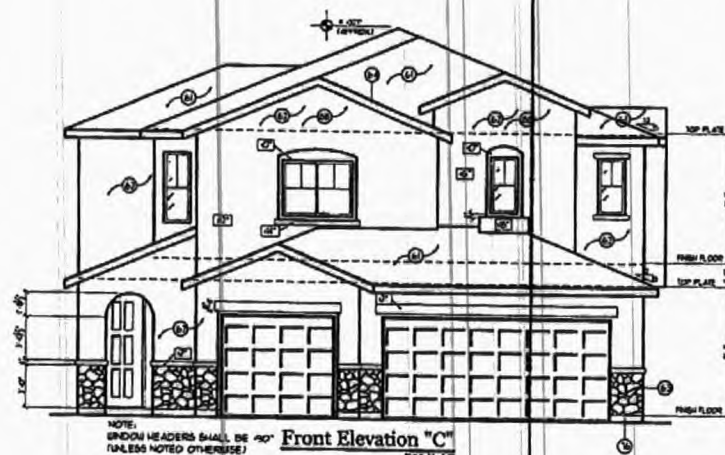
ZON-17693
REVISED

SDR-17694
02/08/07 PC

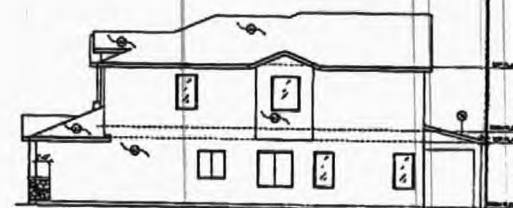
RECEIVED
JAN 22 2007



Roof Plan - Elevation "C"
SCALE 1/4" = 1'-0"



Front Elevation "C"
SCALE 1/4" = 1'-0"



Left Elevation "C"
SCALE 1/4" = 1'-0"



Right Elevation "C"
SCALE 1/4" = 1'-0"

ROOF FRAMING, FRONT, REAR, & SIDE
OF ELEVATION "C"

Drawn by
J. M. O.
10/10/07
10/10/07

Plan #
2526

Signature
2/20/07

Sheet No.
A2.C

LAS VEGAS DIVISION
7550 West Peak, Suite 212
LAS VEGAS, NV 89128 (702) 240-5800

RICHMOND
AMERICAN HOMES
CLARK COUNTY, HENDERSON,
LAS VEGAS & NORTH LAS VEGAS

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[illegible]

LAS VEGAS DIVISION
7250 West Peak, Suite 212
LAS VEGAS, NV. 89126 (702) 340-5400

RICHMOND
AMERICAN HOMES
STATE CONTRACT LICENSE #0026417
DIVISION PRESIDENT

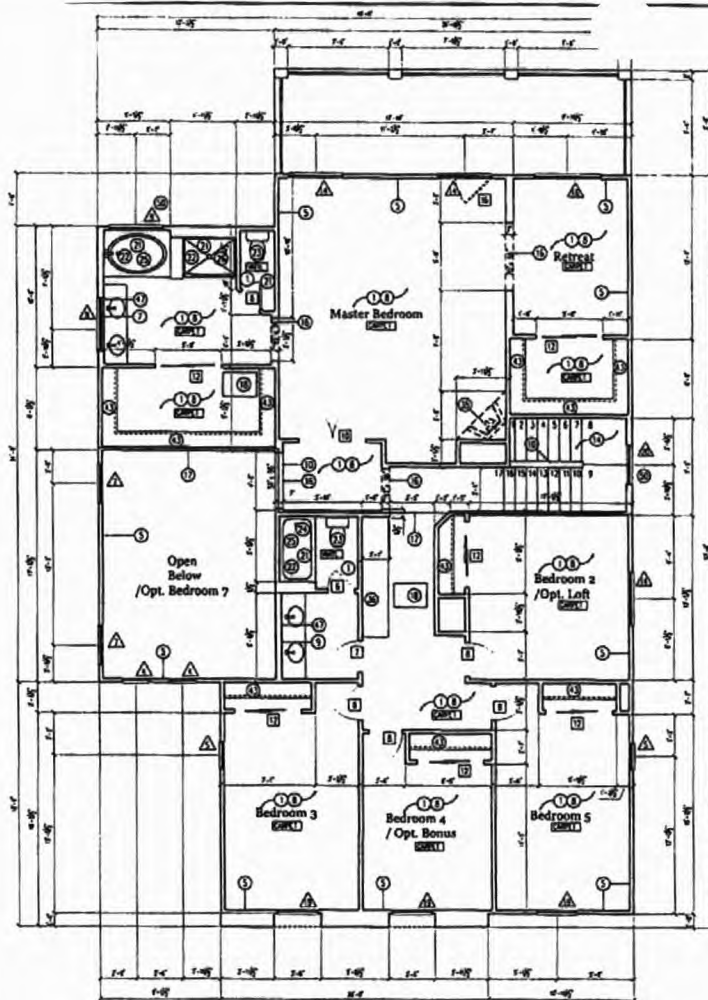
FLOOR PLAN
(1st Floor)

DATE	TIME
07/12/09	08:00
07/12/09	08:00
07/12/09	08:00
07/12/09	08:00
07/12/09	08:00

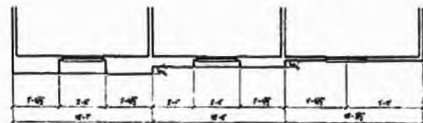
A1.0

RECEIVED
JAN 25 2007

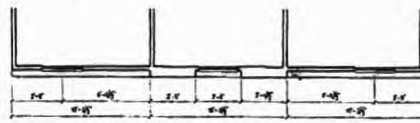
ZON-17693 SDR-17694
REVISED 02/08/07 PC



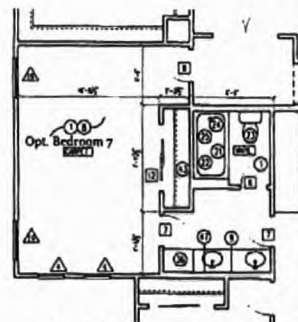
2nd Floor Plan - Elevation "A"



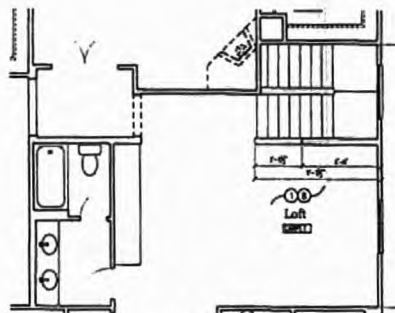
2nd Floor Plan - Elevation "B"



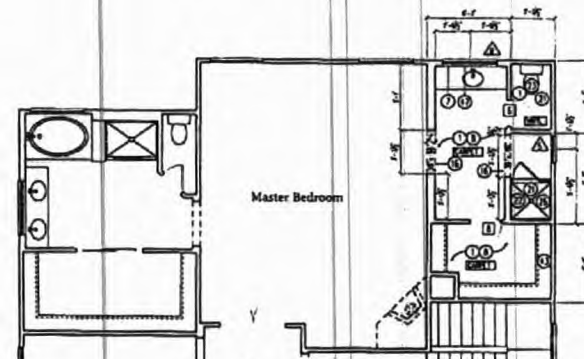
2nd Floor Plan - Elevation "C"



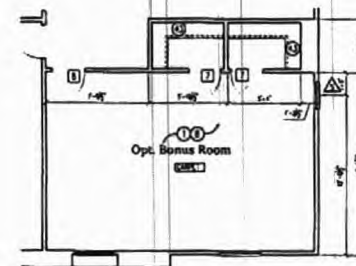
Opt. Bedroom 7 over Open Area



Opt. Loft in lieu of Bedroom 2



Opt. Dual Master Bath



Opt. Bonus Room in lieu of Bedroom 4 & 5

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

LAS VEGAS DIVISION
7250 West Pkwy, Suite 212
LAS VEGAS, NV 89128 (702) 546-5000

RICHMOND
AMERICAN HOMES
FOR ALL
SALE COORDINATOR
KIMBERLY J. BULLOCK, R.

FLOOR PLAN
2nd Floor

DATE: 02/22/06
BY: JLB
CHECKED: JLB
APPROVED: JLB

3241

SHADOW
BROOK
3241A12

A1.2

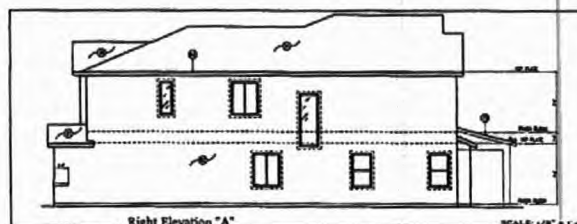
JAN 25 2007

ZON-17693 SDR-17694
REVISED 02/08/07 PC

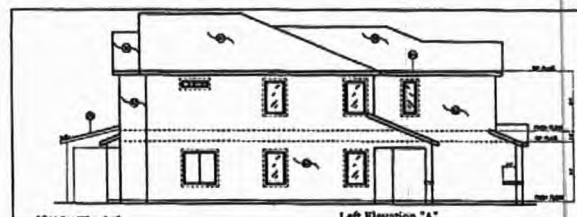
Roof Plan - Elevation "A"



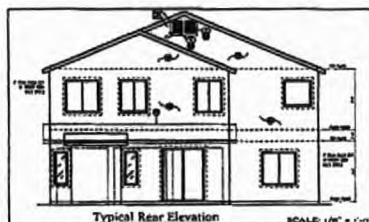
Front Elevation "A"



Right Elevation "A"



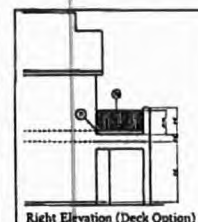
Left Elevation "A"



Typical Rear Elevation



Rear Elevation (Deck Option)



Right Elevation (Deck Option)

Q	KEYNOTES
---	----------

- | GENERAL DESIGN POINTS | |
|-----------------------|--------------------------------------|
| 1 | FORM APPLICATIONS SHALL COMPLY PER |
| 2 | WINDOW HEADERS SHALL BE 7'-6" |
| 3 | (UNLESS NOTED OTHERWISE) |
| 4 | SEE COVER SHEET FOR ATTC VENTILATION |
| 5 | CALCULATIONS |
| 6 | ALL WALLS SHALL BE CONCRETE |
| 7 | ALL DOORS SHALL BE CONCRETE |
| 8 | ALL FLOORS SHALL BE CONCRETE |
| 9 | ALL ROOFS SHALL BE CONCRETE |
| 10 | ALL ROOFS SHALL BE CONCRETE |
| 11 | ALL ROOFS SHALL BE CONCRETE |
| 12 | ALL ROOFS SHALL BE CONCRETE |
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| 99 | ALL ROOFS SHALL BE CONCRETE |
| 100 | ALL ROOFS SHALL BE CONCRETE |

☐ VENT SCHED

- | | | | |
|---|---------------|---------------|----------------|
| DURING THE WORKS | | | |
| 1. ROOF COVERING SHALL COMPLY PER ICE | | | |
| - SEE COVER SHEET FOR INFORMATION ON REQUIRED ATTIC VENTILATION | | | |
| 1. 1/2" x 6" | 2. 1" x 6" | 3. 1/2" x 6" | 4. 1/2" x 6" |
| 5. 1/2" x 6" | 6. 1/2" x 6" | 7. 1/2" x 6" | 8. 1/2" x 6" |
| 9. 1/2" x 6" | 10. 1/2" x 6" | 11. 1/2" x 6" | 12. 1/2" x 6" |
| 13. 1/2" x 6" | 14. 1/2" x 6" | 15. 1/2" x 6" | 16. 1/2" x 6" |
| 17. 1/2" x 6" | 18. 1/2" x 6" | 19. 1/2" x 6" | 20. 1/2" x 6" |
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| 37. 1/2" x 6" | 38. 1/2" x 6" | 39. 1/2" x 6" | 40. 1/2" x 6" |
| 41. 1/2" x 6" | 42. 1/2" x 6" | 43. 1/2" x 6" | 44. 1/2" x 6" |
| 45. 1/2" x 6" | 46. 1/2" x 6" | 47. 1/2" x 6" | 48. 1/2" x 6" |
| 49. 1/2" x 6" | 50. 1/2" x 6" | 51. 1/2" x 6" | 52. 1/2" x 6" |
| 53. 1/2" x 6" | 54. 1/2" x 6" | 55. 1/2" x 6" | 56. 1/2" x 6" |
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| 61. 1/2" x 6" | 62. 1/2" x 6" | 63. 1/2" x 6" | 64. 1/2" x 6" |
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| 77. 1/2" x 6" | 78. 1/2" x 6" | 79. 1/2" x 6" | 80. 1/2" x 6" |
| 81. 1/2" x 6" | 82. 1/2" x 6" | 83. 1/2" x 6" | 84. 1/2" x 6" |
| 85. 1/2" x 6" | 86. 1/2" x 6" | 87. 1/2" x 6" | 88. 1/2" x 6" |
| 89. 1/2" x 6" | 90. 1/2" x 6" | 91. 1/2" x 6" | 92. 1/2" x 6" |
| 93. 1/2" x 6" | 94. 1/2" x 6" | 95. 1/2" x 6" | 96. 1/2" x 6" |
| 97. 1/2" x 6" | 98. 1/2" x 6" | 99. 1/2" x 6" | 100. 1/2" x 6" |

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

LAS VEGAS DIVISION

7250 West Peak, Suite 212
LAS VEGAS, NV 89128 (702) 240-5600

RICHMOND
AMERICAN HOMES
CLASS CONSTRUCTION, L.P. 200-220-0001

THE
MOORE CRAFTING / FRONT REAR & SIDE

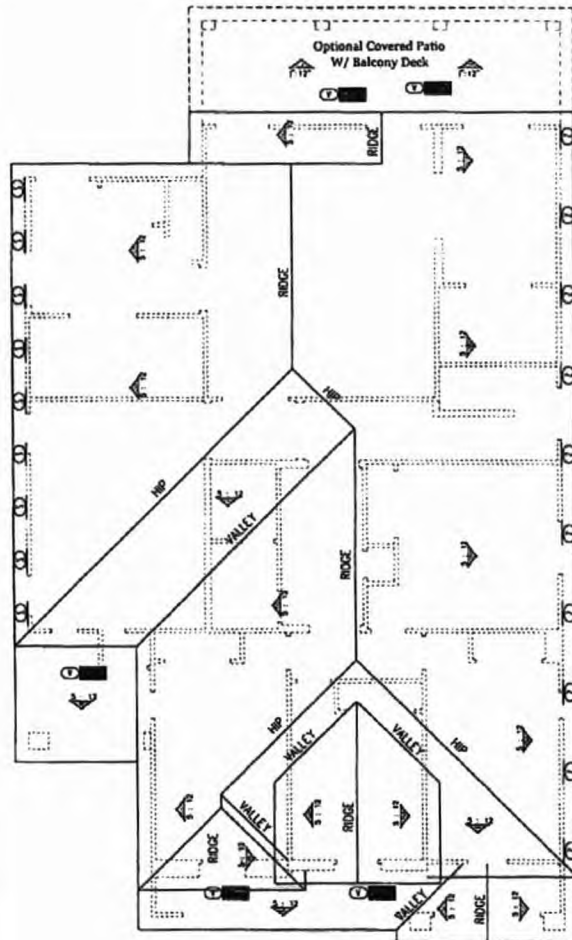
PLAN B
3241

**SHADOW
BROOK**

A2.A

DEC 25 2007

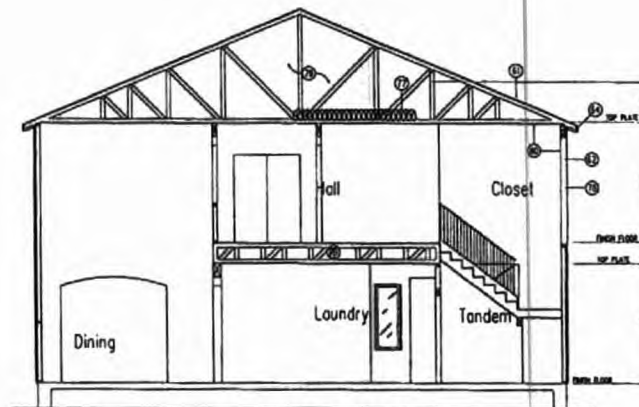
ZON-17693 SDR-17694
REVISED 02/08/07 PC



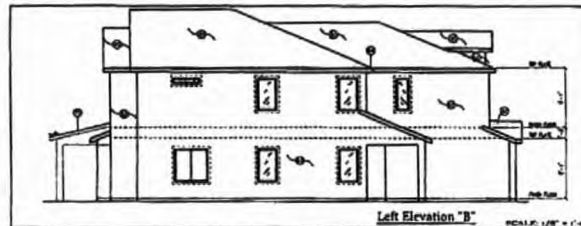
Roof Plan - Elevation "B"



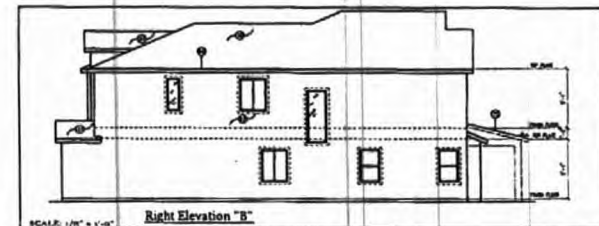
Front Elevation "B"



Typical Section Cut



Left Elevation "B"



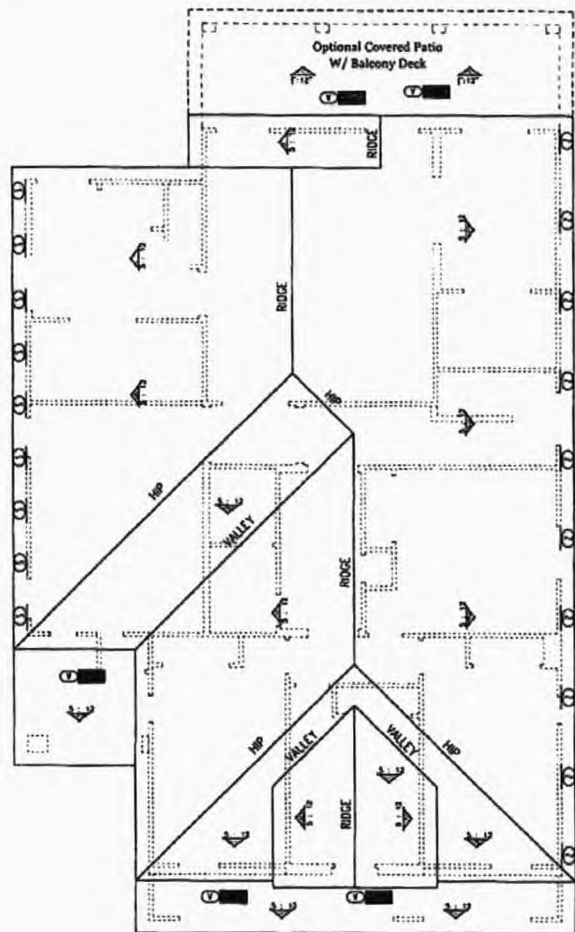
Right Elevation "B"

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

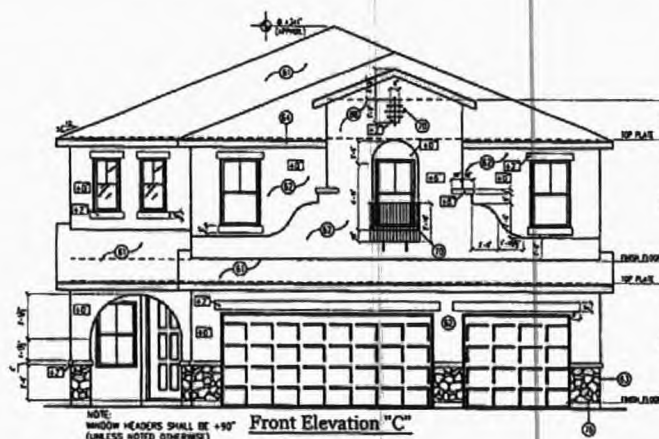
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JAN 25 2007

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REVISED 02/08/07 PC

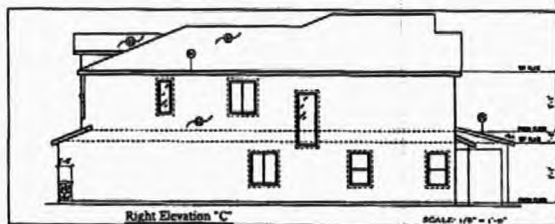
LAS VEGAS DIVISION 7250 West Peak Suite 212 LAS VEGAS, NV 89118 (702) 340-5660	
RICHMOND STATE CONSULTING & DESIGN DIVISION PRESENT — REQUEST FOR BIDDING —	
PROJECT: ROOF FRAMING / FRONT, REAR & SIDE OF ELEVATION "B" / SECTION CUT	
DATE: 01/23/07 BY: [Signature] CHECKED: [Signature] APPROVED: [Signature]	PLAN: 3241 SHEET: 3241A20 A2.B



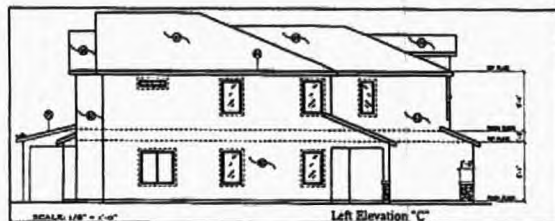
Roof Plan - Elevation "C"



Front Elevation "C"



Right Elevation "C"



Left Elevation "C"

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

RICHMOND
 STATE CONTRACTORS ASSOCIATION
 DIVISION PRESIDENT
 ERNEST J. BELLA, JR.

LAS VEGAS DIVISION
 7550 West Park, Suite 212
 LAS VEGAS, NV 89128 (702) 840-5600

ROOF FRAMING, FRONT, REAR & SIDE OF ELEVATION "C"

DATE: 02/22/07
 BY: [Signature]
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 APPROVED: [Signature]

Sheet No. **3241**

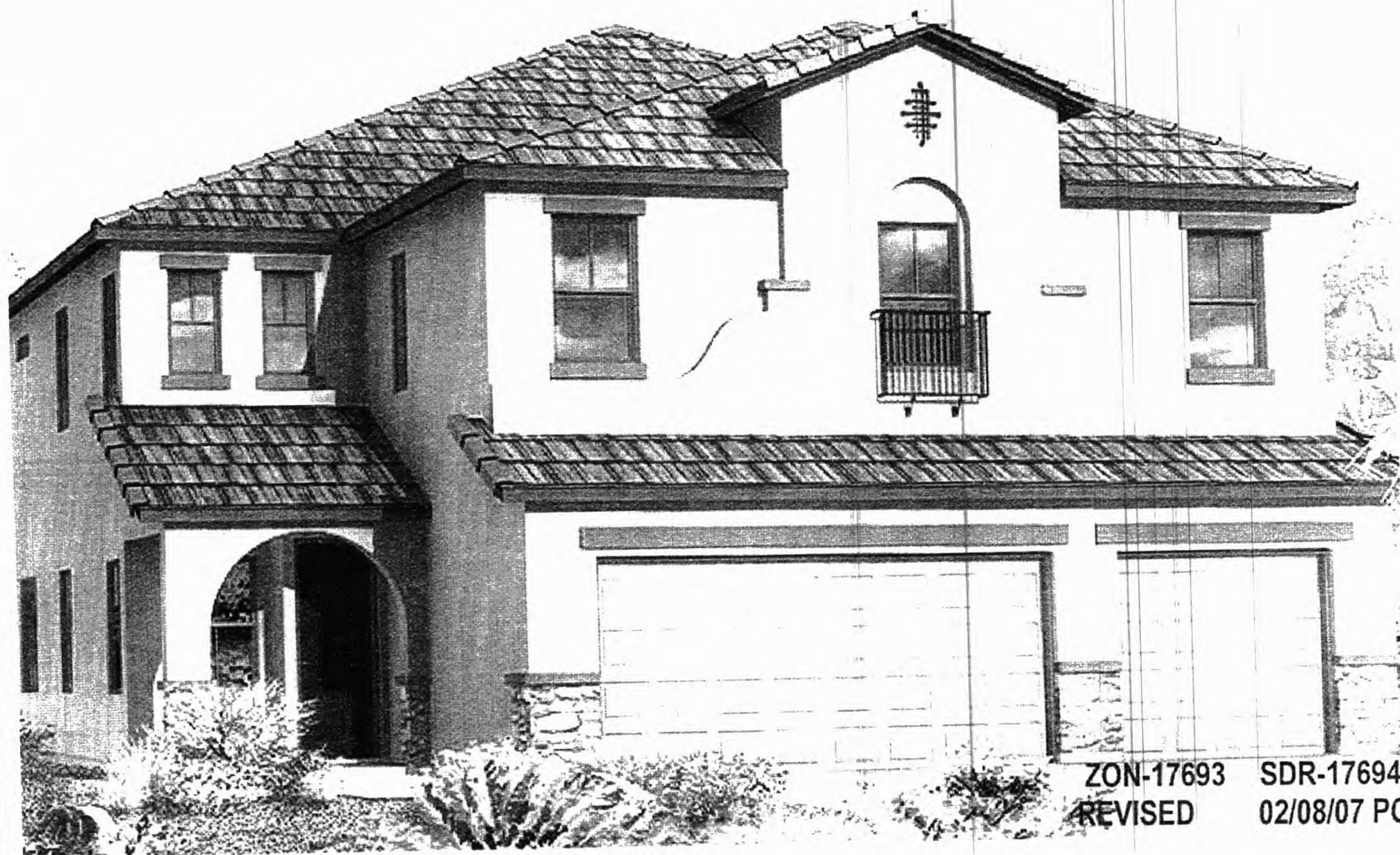
Project: **SHADOW BROOK 3241A2C**

Architect: **A2.C**

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 JAN 25 2007

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ZON-17693 SDR-17694
REVISED 02/08/07 PC

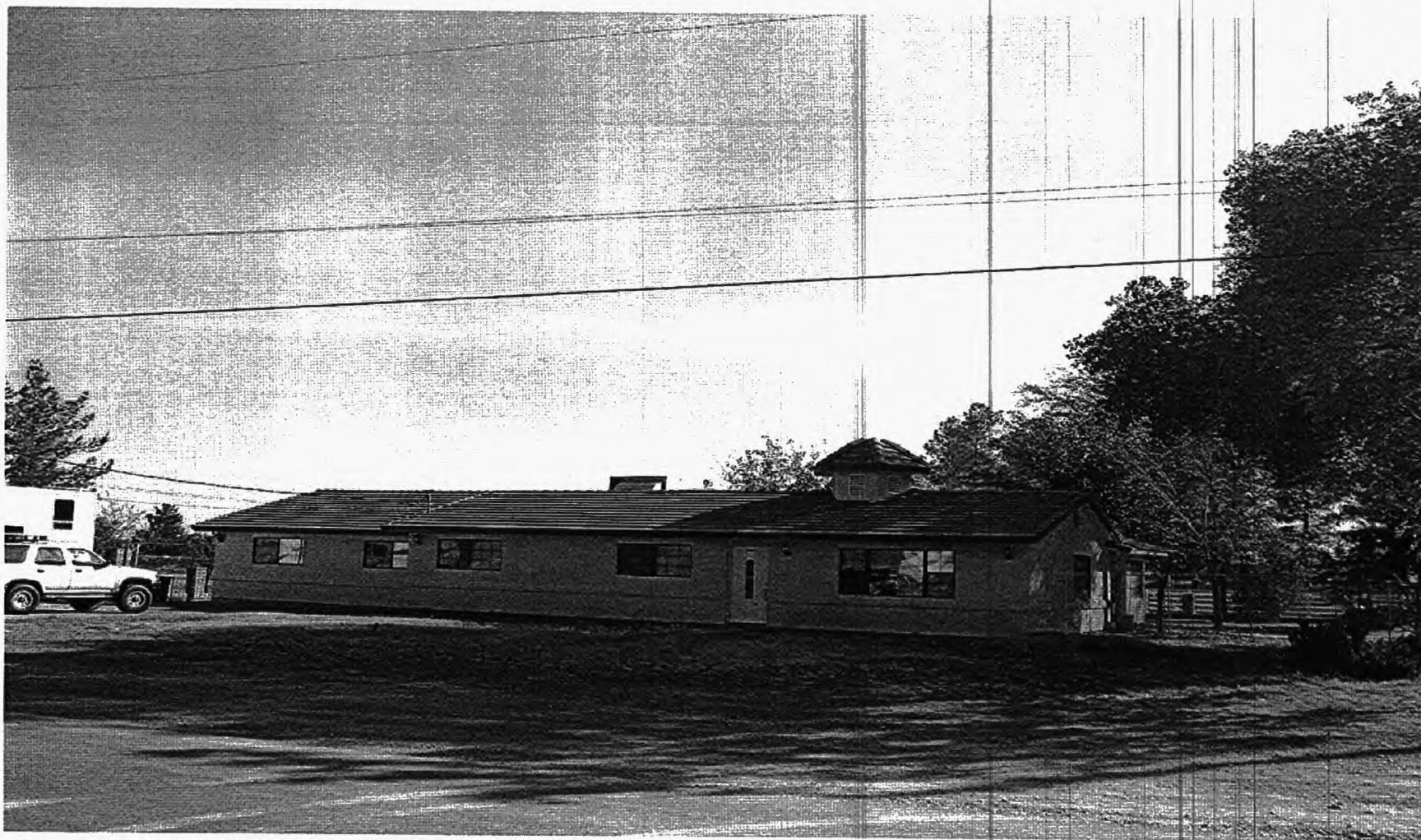
RECEIVED
JAN 22 2007

SDR 17693				
Sharon Turbiville, Delmar Dinkins and Terry & Kathryn Karas				
NE & SECs Solar & Bradley				
Proposed 59 unit single-family development.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DWELL]	59	9.57	565
AM Peak Hour			0.75	44
PM Peak Hour			1.01	60
(heaviest 60 minutes)				
Existing traffic on all nearby streets: No counts available for Solar or Unicorn				
Bradley Road				
Average Daily Traffic (ADT)	1,422			
PM Peak Hour	114			
(heaviest 60 minutes)				
Elkhorn Road				
Average Daily Traffic (ADT)	3,255			
PM Peak Hour	260			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
Adjacent street ADT				
Capacity				
Bradley Road	16200			
Elkhorn Road	31730			
This project will add approximately 565 trips per day on Bradley, Solar, Unicorn and Elkhorn. This will increase expected volumes by about 40 percent on Bradley				
and 17 percent on Elkhorn. Bradley is at about 9 percent of capacity and Elkhorn				
at about 10 percent of capacity. Counts are not available for Solar or Unicorn, but they are believed to be under capacity.				
Based on Peak Hour use, this development will add roughly 60 additional cars into the area; which works out to about one every minute.				
Note that this report assumes all traffic from this development uses all named streets.				



ZON-17693 AND SDR-17694 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: SHARON
TURBIVILLE, DELMAR DINKINS, AND TERRY & KATHRYN KARAS
ADJACENT TO THE NORTHEAST AND SOUTHEAST CORNER OF BRADLEY ROAD AND SOLAR AVENUE
FEBRUARY 8, 2007 PLANNING COMMISSION

11/06/06



ZON-17693 AND SDR-17694 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: SHARON
TURBIVILLE, DELMAR DINKINS, AND TERRY & KATHRYN KARAS
ADJACENT TO THE NORTHEAST AND SOUTHEAST CORNER OF BRADLEY ROAD AND SOLAR AVENUE
FEBRUARY 8, 2007 PLANNING COMMISSION

11/06/06

Triton

Engineering

January 19, 2007

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

**Reference: Request for Site Development Review
Bradley / Solar
APN # 125-13-801-001; 125-13-801-005; 006
SDR# 17694**

To Whom It May Concern:

On behalf of our client, Richmond American Homes, we respectfully submit this letter of justification for a Site Development Review request for a proposed 40 lot single family project called "Bradley / Solar".

The applicant is requesting a Site Development Review for a proposed 40 lot single-family residential development on 7.27 acres (5.50 u/ac). Parcels adjacent to the proposed site have the following land use and zoning:

NE - R-E, R-PD5, R-PD7
NW - R-1, R-PD7, R-E
SE - R-1, R-PD3, R-E, R-PD5
SW - R-1, R-E

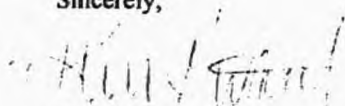
We are requesting the following setbacks for the RPD-6;

Typical Lot Size:	4,200 sq ft
Front to Building:	10' Minimum
Front to Garage:	18' plus Minimum
Side Yard to side of building or roof edge:	3' feet Minimum
Side on Corner to Side of building	10' feet Minimum
Rear Yard	10' feet Minimum

Richmond American Homes believes that requesting RPD-6 zoning will compliment the area and would provide affordable housing.

Please place the attached request on the February 8, 2007 Planning Commission agenda. If you have any questions or require additional information, please contact me at 254-1480 (office) or 300-2912 (cell).

Sincerely,


Kris Givant
Project Coordinator

**ZON-17693 SDR-17694
REVISED 02/08/07 PC**

RECEIVED

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

ZON-17693
SDR-17694
03-07-07 CC

DEC
FEB 28 2007

APR 12-12-00-000
RESEARCH, DEVELOPMENT & TEST
LAS VEGAS, NV 89101

APR 12-12-00-000
RESEARCH, DEVELOPMENT & TEST
LAS VEGAS, NV 89101

APR 12-12-00-000
RESEARCH, DEVELOPMENT & TEST
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LAS VEGAS, NV 89101

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RESEARCH, DEVELOPMENT & TEST
LAS VEGAS, NV 89101

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CLAY DUC 1

ROCKWELL AMERICAN HOMES OF NEVADA, INC.
BRANDY / SOLAR
SITE PLAN



Triton
Engineering
1000 S. Rainbow Blvd.
Suite 100, Las Vegas, NV 89116
Tel: (702) 734-1000
Fax: (702) 734-1001
www.tritoneng.com

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Triton

Engineering

February 26, 2007

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

**Reference: Request for Site Development Review
Bradley / Solar
APN # 125-13-801-001; 125-13-801-005; 006
SDR# 17694**

To Whom It May Concern:

On behalf of our client, Richmond American Homes, we respectfully submit this letter of justification for a Site Development Review request for a proposed 40 lot single family project called "Bradley / Solar".

The applicant is requesting a Site Development Review for a proposed 40 lot single-family residential development on 7.28 acres (5.49 u/ac). Parcels adjacent to the proposed site have the following land use and zoning:

NE - R-E, R-PD5, R-PD7
NW - R-1, R-PD7, R-E
SE - R-1, R-PD3, R-E, R-PD5
SW - R-1, R-E

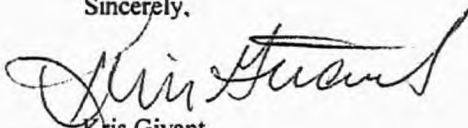
We are requesting the following setbacks for the RPD-5;

Typical Lot Size:	4,200 sq ft
Front to Building:	10' Minimum
Front to Garage:	18' plus Minimum
Side Yard to side of building or roof edge:	3' feet Minimum
Side on Corner to Side of building	10' feet Minimum
Rear Yard	10' feet Minimum

Richmond American Homes believes that requesting RPD-5 zoning will compliment the area and would provide affordable housing.

Please place the attached request on the March 7, 2007 City Council agenda. If you have any questions or require additional information, please contact me at 254-1480 (office) or 300-2912 (cell).

Sincerely,



Kris Givant
Project Coordinator

SDR-17694

03-07-07 CC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 7, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:****REZONING**

ZON-18196 - PUBLIC HEARING - APPLICANT/OWNER: BARBARA L. FARMANALI - Request for a Rezoning FROM R-E (RESIDENCE ESTATES) under Resolution of Intent to R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE) TO R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE) on 2.18 acres on the north side of the Centennial Parkway Alignment approximately 360 feet east of Leon Avenue (APN-125-24-404-007), Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.**

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:**Planning Commission Mtg.**

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

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

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 121 and 122.

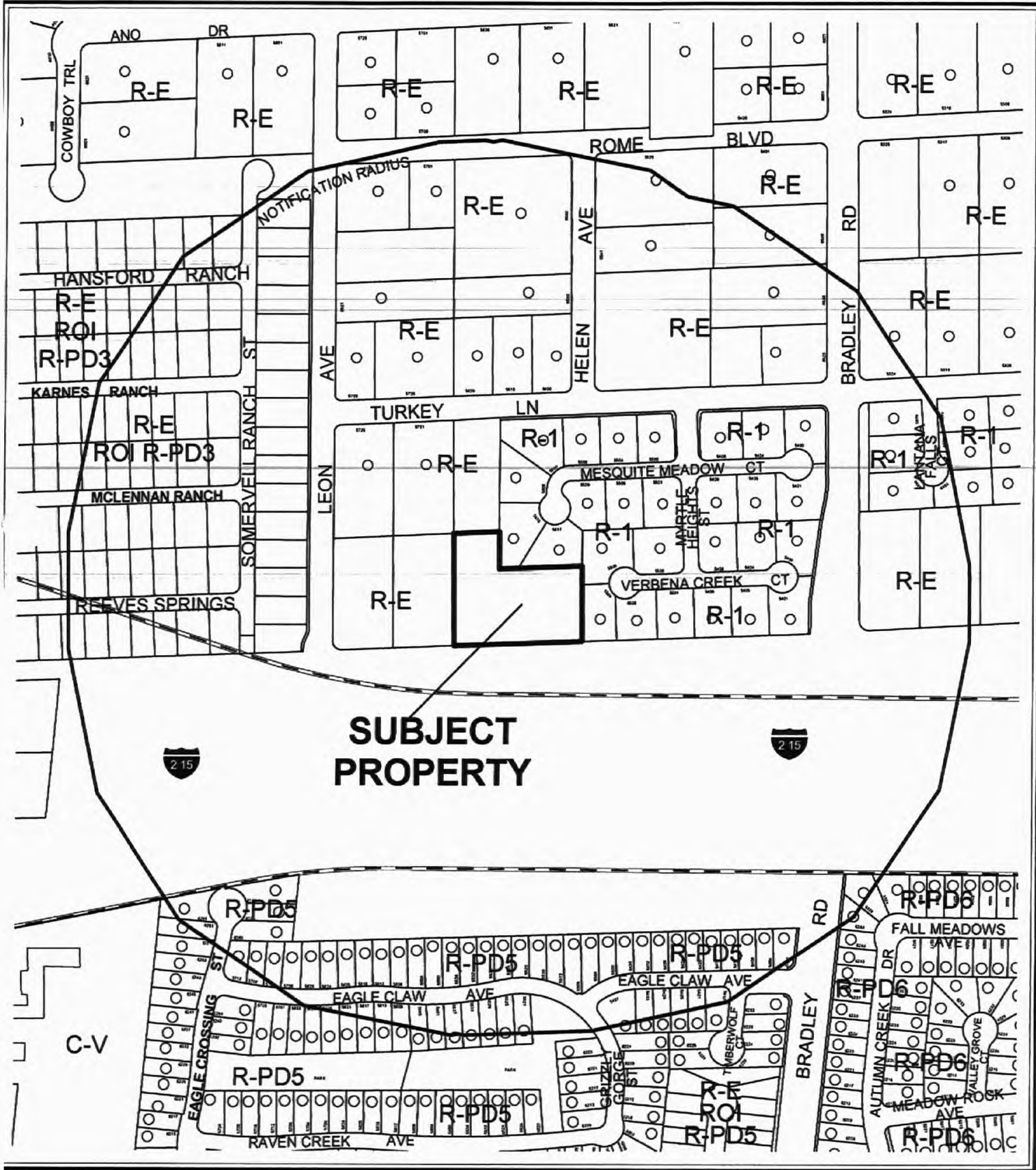
ROBERT CUNNINGHAM, Taney Engineering, 4445 South Jones Boulevard, appeared on behalf of the developer. The project was originally approved as an eight-lot subdivision single story development.

CITY COUNCIL MEETING OF: MARCH 7, 2007

COUNCILMAN ROSS thanked MR. CUNNINGHAM for working with the community and verified his concurrence with all conditions.

MAYOR GOODMAN declared the Public Hearing closed for Items 121 and 122.





CASE: ZON-18196

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

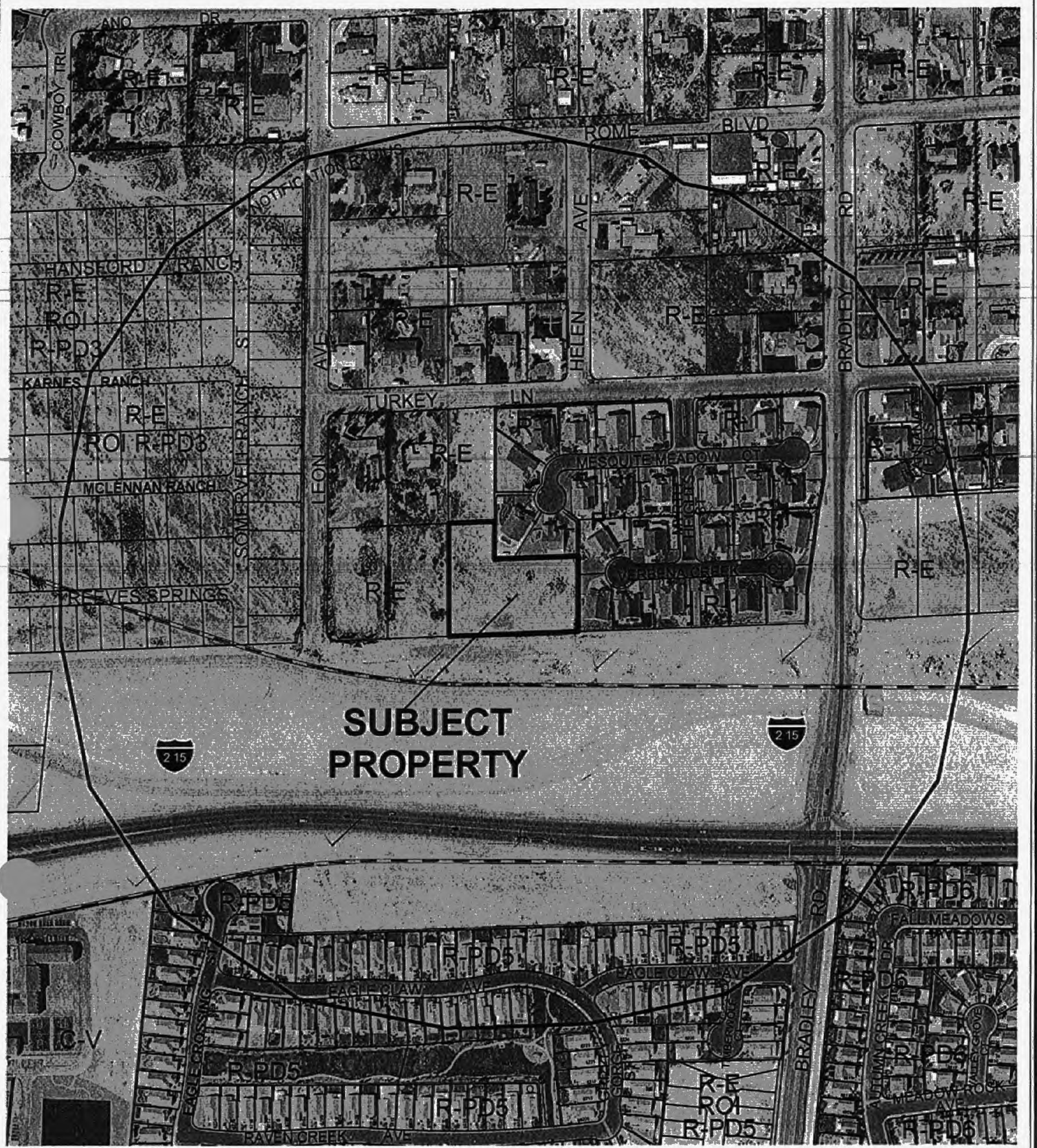
R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-PD4
(RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE)

0 300 600 Feet





CASE: ZON-18196

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-PD4
(RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 7, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-18196 - APPLICANT/OWNER: BARBARA L. FARMANALI

**** CONDITIONS ****

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

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-17727) 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.
3. Conformance to the conditions for Variance (VAR-6276), and Site Development Plan Review (SDR-17727), if approved.

Public Works

4. Construct rural street improvements on Centennial Parkway adjacent to this site concurrent with development of this site. Rural improvements shall be constructed within the existing 50-foot right-of-way and shall consist of a total width of 39-feet (34-feet of asphalt) and 30-inch rolled curb on both sides of the street. The exterior streetlighting will be stubbed out for later use, including all necessary underground conduit and pull boxes at each streetlight location, but the installation of the streetlights shall be deferred provided that the developer provide to the City such streetlights for the future installation; alternatively, monies in lieu of such streetlights, including bases, may be contributed to the City if allowed by the Department of Public Works. Sign and record a covenant running with the land for all urban improvements not constructed at this time on Centennial Parkway. Also, extend a minimum of two lanes of paving in the Centennial Parkway alignment westerly to tie into Leon Avenue.
5. Extend public sewer to the west edge of this site to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. 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.

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a rezoning from R-E (Residence Estates) under Resolution of Intent to R-PD4 (Residential Planned Development - 4 Units Per Acre) to R-PD4 (Residential Planned Development - 4 Units Per Acre) for an eight-lot, single-family subdivision on the north side of Centennial Parkway approximately 350 feet east of Leon Avenue. This proposal is related to Site Development Plan Review (SDR-17727).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/01/05	The City Council approved a Rezoning (ZON-6274) of the subject property to R-PD4 (Residential Planned Development – 4 units per acre) and a Variance (VAR-6276) in the minimum area for formation of a R-PD zoning district, and a Site Development Plan Review (SDR-6275) for an 8-lot single-family subdivision. A related Waiver to Title 18 Standards (WVR-6277) was withdrawn without prejudice. The Planning Commission recommended approval of all items, including the Waiver on 04/28/05. Staff recommended denial of all items.
01/11/07	The Planning Commission held in abeyance a Rezoning (ZON-18196) of the subject property to R-PD4 (Residential Planned Development – 4 units per acre) and a Site Development Plan Review (SDR-17727) for an 8-lot single-family subdivision.
01/25/07	The Planning Commission held in abeyance a Rezoning (ZON-18196) of the subject property to R-PD4 (Residential Planned Development – 4 units per acre) and a Site Development Plan Review (SDR-17727) for an 8-lot single-family subdivision.
02/08/07	The Planning Commission recommended approval of companion item SDR-17727 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #10/rl).
<i>Related Building Permits/Business Licenses</i>	
	No Building Permits or Business Licenses have been issued for the subject site.
<i>Pre-Application Meeting</i>	
10/05/06	A pre-application meeting was held to discuss the requirements for the Site Development Plan Review.
10/24/06	A pre-application meeting was held to discuss the requirements for the Rezoning.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application, nor was one held.

Details of Application Request				
Site Area				
Gross Acres	2.18			
Net Acres	1.74			
Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning	
Subject Property	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-PD4 (Residential Planned Development – 4 Units per Acre)	
North	Undeveloped, Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential) and R-E (Residence Estates)	
South	Undeveloped,	Right-of-way	Right-of-way	
East	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)	
West	Undeveloped	L (Low Density Residential)	R-E (Residence Estates)	
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

DEVELOPMENT STANDARDS

Per Title 19.06, the Development Standards for a Residential Planned Development are as provided in the Site Plan:

Standard	Provided
Min. Lot Size	5,580 Square Feet
Min. Lot Width	55 Feet
Min. Setbacks • Front • Side • Corner • Rear (lots 1-3) • Rear (lots 4-8)	18 Feet 3.5 Feet 3.5 Feet 5 Feet* 10 Feet
Max. Lot Coverage	50%
Max. Building Height	35 Feet/2-Stories

* The optional balcony, if built, on lots 1, 2, and 3 will be set back 5 feet from the rear property line. The rear wall of these houses, as well as the setback on all other lots will be 10 feet from the rear property line.

Per Title 19.08.060

Existing Zoning	Permitted Density	Units Allowed	Proposed Zoning	Permitted Density	General Plan	Permitted Density
R-E (Residence Estates)	2.8 du/acre 6 Units on subject site	6 Units	R-PD4 (Residential Planned Development – 4 Units per Acre)	4 du/acre 8 units on subject site	L (Low Density Residential)	5.49 du/acre 11 units on subject site

Per Title 19.12

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer: Min. Trees	1 Tree/30 Linear Feet	9 Trees	10 Trees	Y
Min. Zone Width	6 Feet		6 Feet	Y
Wall Height	6 – 8 Feet		6 Feet	Y

Open Space – R-PD only							
Total Acreage	Density	Required			Provided		Compliance
		Ratio	Percent	Area	Percent	Area	
2.18	4 du/acre	1.65	N/A*	N/A*	6.4%	4,824 SF	Y

*A Residential Planned Development of fewer than 12 units is not required to provide open space under the requirements of Title 19.06. However, at this density, if open space was required, the proposed subdivision would be subject to 6.1% or 4,630 square feet. The applicant provides 6.4% or 4,824 square feet of open space, more than would be required.

ANALYSIS

The subject site is designated L (Low Density Residential), on the Centennial Hills Interlocal Land Use Map of the General Plan. Residential development and related uses are allowed in this category up to 5.49 units per gross acre. The proposed development on this site will have a density of 3.67 units per gross acre in conformance to the L (Low Density Residential), designation.

The property is currently located in the R-E (Residence Estates) zoning district under a Resolution of Intent to R-PD4 (Residential Planned Development – 4 Units Per Acre). The Resolution of Intent is under approved Rezoning (ZON-6274) which was approved by the City Council in 2005 along with Variance (VAR-6276) to allow R-PD (Residential Planned Development) zoning on less than five acres, and a Site Development Plan Review (SDR-6275) for an eight-lot residential subdivision. The current application is a major modification of the previous approval. Under the new proposal, the applicant proposes slightly larger lot sizes, and less private roadway. The new request will also reduce the number of intersections between the interior roadway and Centennial Parkway from two to one. The site plan further indicates 4,284 square feet of open space, although no open space is required in an R-PD (Residential Planned Development) zone with fewer than 12 lots. The Variance (VAR-6276) remains current through 06/01/07; however, an Extension of Time will be necessary if the Variance is not exercised by that date. Further, as this modification is for a less intense use than what was previously submitted, staff recommends approval of this Rezoning and its companion application.

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 General Plan designates the subject property as L (Low Density Residential), which allows densities of up to 5.49 Units Per Acre. The proposed zoning district would allow a density of up to 4.49 Units Per Acre, in conformance to the existing L (Low Density Residential) designation; however the requested application seeks a density of 3.67 Units Per Acre, well within the limits of the zoning district and land use designation.

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

The proposed rezoning is compatible with surrounding land uses and zoning districts. Immediately surrounding the subject site are parcels that are designated in the R-E (Residence Estates) and R-1 (Single Family Residential) zones. However, nearby property to the west and south include R-PD3 (Residential Planned Development – 3 Units Per Acre), R-PD5 (Residential Planned Development – 5 Units Per Acre) and R-PD6 (Residential Planned Development – 6 Units Per Acre) zoning. The overall density is only slightly higher than the immediate surroundings and comparable to the overall development in its general area. The proposed two-story elevations have been previously approved for the subject site and are now on slightly larger lots.

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

This proposed Rezoning is appropriate as the proposed density on this site will not change from the previous approval, and there is a need for housing at this density in the Centennial Hills Sector.

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 property is served by Centennial Parkway, a 100-foot Primary Arterial on the Master Plan of Streets and Highways. Appropriate off-site improvements will be required with any proposed development of the site. Once completed, this roadway will be adequate to meet the demands of the proposed R-PD4 (Residential Planned Development – 4 Units Per Acre) zoning district.

PLANNING COMMISSION ACTION

There was one speaker at the Planning Commission Meeting in favor of the proposed project.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 128 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-18196** APN: 125-24-404-007Name of Property Owner: Barbara L. FarmanaliName of Applicant: Taney Engineering

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

☐ Yes☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: Barbara FarmanaliPrint Name: Barbara Farmanali

Subscribed and sworn before me

This 25 day of October, 2006Rachelle A. Juarez
Notary Public in and for said County and State



TANEY ENGINEERING

4445 S. JONES #1

LAS VEGAS, NEVADA 89103

TELEPHONE: (702) 362-8844

FAX: (702) 362-5233

January 5, 2007

City of Las Vegas

City Planning and Development Department

731 South Fourth Street

Las Vegas, NV 89101

Re: Site Development Review for Centennial and Leon

To Whom It May Concern:

On behalf of our client, National Homes Corporation, we are proposing an R-PD4 on approximately 2.18 gross acres that is currently zoned R-E. The project site is bounded by existing homes (R-E and R-1) on the north and east, a future home (R-E) west and Centennial Parkway on the south. The proposed subdivision consists of 8 lots with a gross density of 3.67 dwelling units per acre. The project site is proposed to have the following setbacks:

Front – 18-ft from back of curb

Side and Side Corner – 3.5-ft

Rear – 10-ft

Patio Cover (12-ft or less in Height) – 5-ft

Maximum Building Height is 35-ft

Minimum Lot Size 4200 SF

On lots 1, 2 and 3 along the east property line, Balcony/Deck is being proposed as an option on these footprints. Therefore, we are asking the setback to the rear property line for these **three (3)** lots to be 5-feet to accommodate the Balcony/Deck.

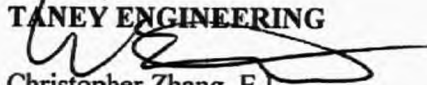
The proposed development will consist of all a mix of one and two story homes ranging in size from the mid 2,635-SF to the mid 5,503-SF size. All homes have a standard tow to three-car garage accessed from a 37-ft wide private street servicing the subdivision. Approximately 5,609 SF of open space has been provided, however is not required as the subdivision is less than 12 lots. Perimeter landscaping will be provided abutting Centennial Parkway in conformance with City of Las Vegas Standards.

Site Development Plan Review, SDR-6275, has also previously been filed for **this** project site. Please note that the setbacks, maximum building height and minimum lot size listed above correspond with the conditions listed for SDR-6275.

If you have any questions or need any additional information please do not hesitate **to** contact this office.

Sincerely,

TANEY ENGINEERING


Christopher Zhang, E.I.

Project Manager

02/08/07 PC

ZON-18-196 SDR-17727

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 7, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-18196

SDR-17727 - PUBLIC HEARING - APPLICANT/OWNER: BARBARA L. FARMANALI - Request for a Site Development Plan Review FOR AN EIGHT-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 2.18 acres adjacent to the north side of Centennial Parkway, approximately 360 feet east of Leon Avenue (APN 125-24-404-007), R-E (Residence Estates) Zone under Resolution of Intent to R-PD4 (Residential Planned Development - 4 Units Per Acre) Zone, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

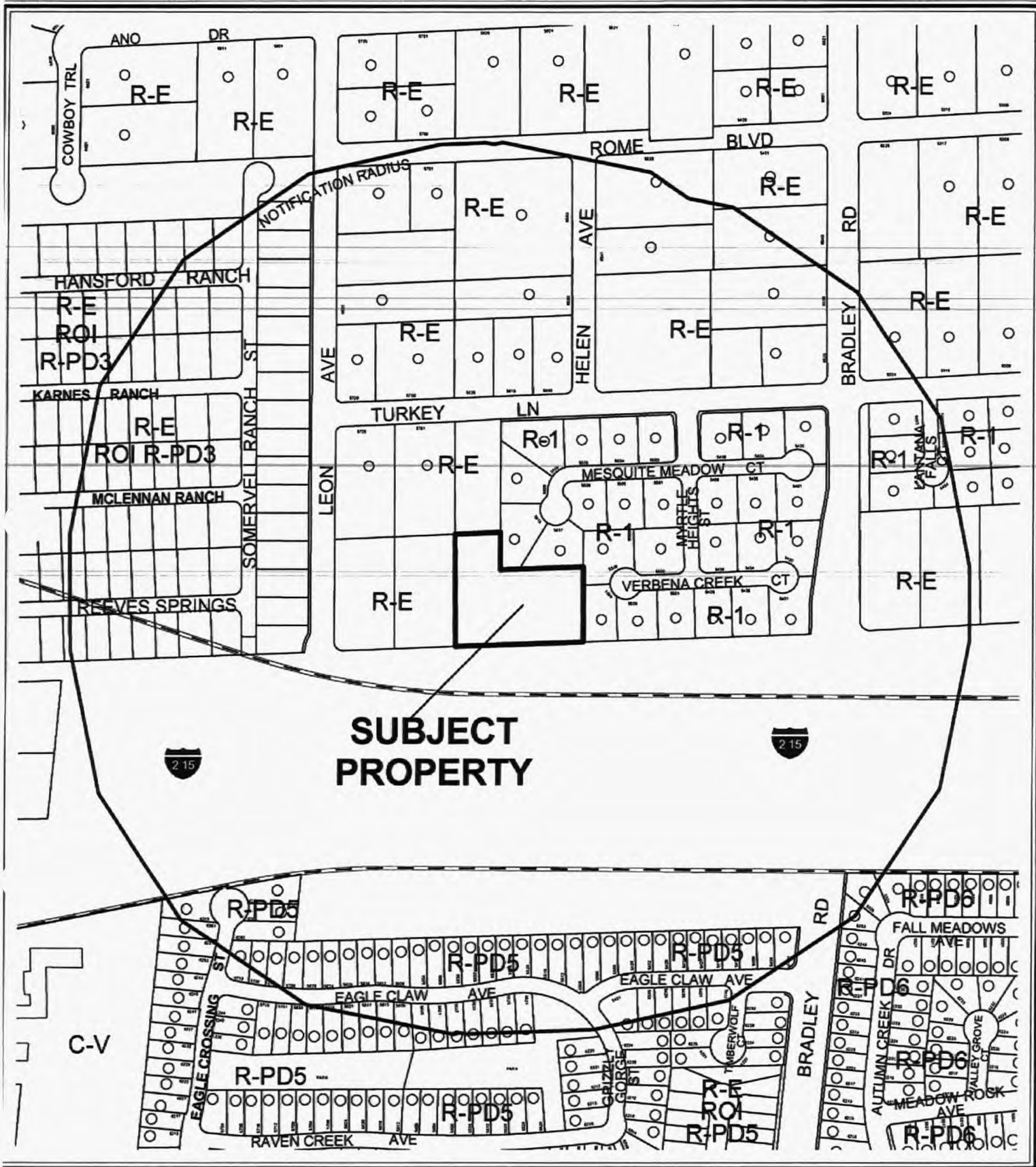
Motion made by STEVEN D. ROSS to Approve Subject to Conditions

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

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

Minutes:

See Item 121 for related discussion.



CASE: SDR-17727

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO R-PD4
(RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 7, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-17727 - APPLICANT/OWNER: BARBARA L. FARMANALI

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-18196) and Variance (VAR-6276), if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the landscape plan date stamped 10/24/06 and site plan and building plan dated 2/7/07, except as amended herein by condition.
4. The standards for this development shall include a minimum lot size of 6,616 square feet and a building height of not more than one story.
5. The setbacks for this development shall be a minimum of 18 feet to the front of the house, 18 feet to the front of the garage as measured from back of curb, three and a half feet on the side, three and a half feet on the corner side, and 10 feet in the rear.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
8. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.
13. Expunge ZON-6274 and SDR-6275.

Public Works

14. 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.
15. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
16. Site development to comply with all applicable conditions of approval for ZON-18196 and all other applicable site-related actions.
17. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
18. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that the proposed private street has been designed without a knuckle.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This proposal is a request for a Site Development Plan Review for an eight-lot single-family residential subdivision on 2.18 acres adjacent to the north side of Centennial Parkway, approximately 350 feet east of Leon Avenue. This is related to Rezoning (ZON-18196), and a previously approved Variance (VAR-6276) grants permission for a Residential Planned Development on less than five acres at the subject site.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/01/05	The City Council approved a Rezoning (ZON-6274) of the subject property to R-PD4 (Residential Planned Development – 4 units per acre) and a Variance (VAR-6276) in the minimum area for formation of a R-PD zoning district, and a Site Development Plan Review (SDR-6275) for an 8-lot single-family subdivision. A related Waiver to Title 18 Standards (WVR-6277) was withdrawn without prejudice. The Planning Commission recommended approval of all items, including the Waiver on 04/28/05. Staff recommended denial of all items.
01/11/07	The Planning Commission held in abeyance a Rezoning (ZON-18196) of the subject property to R-PD4 (Residential Planned Development – 4 Units Per Acre) and a Site Development Plan Review (SDR-17727) for an 8-lot single-family subdivision. Staff recommended approval of both items.
01/25/07	The Planning Commission held in abeyance a Rezoning (ZON-18196) of the subject property to R-PD4 (Residential Planned Development – 4 Units Per Acre) and a Site Development Plan Review (SDR-17727) for an 8-lot single-family subdivision. Staff recommended approval of both items.
02/08/07	The Planning Commission recommended approval of companion item ZON-18196 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #11/rl).
<i>Related Building Permits/Business Licenses</i>	
	No Building Permits or Business Licenses have been issued for the subject site.
<i>Pre-Application Meeting</i>	
10/05/06	A pre-application meeting was held to discuss the requirements for the Site Development Plan Review
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application, nor was one held.

Details of Application Request			
Site Area			
Gross Acres	2.18		
Net Acres	1.74		
Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-PD4 (Residential Planned Development – 4 Units Per Acre)
North	Undeveloped, Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential) and R-E (Residence Estates)
South	Undeveloped,	Right-of-way	Right-of-way
East	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
West	Undeveloped	L (Low Density Residential)	R-E (Residence Estates)

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

DEVELOPMENT STANDARDS

Per Title 19.06, the Development Standards for a Residential Planned Development are as provided in the Site Plan:

Standard	Provided
Min. Lot Size	5,580 Square Feet
Min. Lot Width	55 Feet
Min. Setbacks • Front • Side • Corner • Rear (lots 1-3) • Rear (lots 4-8)	18 Feet 3.5 Feet 3.5 Feet 5 Feet* 10 Feet
Max. Lot Coverage	50%
Max. Building Height	35 Feet/2-Stories

* The optional balcony, if built, on lots 1, 2, and 3 will be set back 5 feet from the rear property line. The rear wall of these houses, as well as the setback on all other lots will be 10 feet from the rear property line.

Per Title 19.08.060

Existing Zoning	Permitted Density	Units Allowed	Proposed Zoning	Permitted Density	General Plan	Permitted Density
R-E (Residence Estates)	2.8 du/acre 6 Units on subject site	6 Units	R-PD4 (Residential Planned Development – 4 Units per Acre)	4 du/acre 8 units on subject site	L (Low Density Residential)	5.49 du/acre 11 units on subject site

Per Title 19.12

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer: Min. Trees	1 Tree/30 Linear Feet	9 Trees	10 Trees	Y
Min. Zone Width	6 Feet		6 Feet	Y
Wall Height	6 – 8 Feet		6 Feet	Y

Open Space – R-PD only							
Total Acreage	Density	Required			Provided		Compliance
		Ratio	Percent	Area	Percent	Area	
2.18	4 du/acre	1.65	N/A*	N/A*	6.4%	4,824 SF	Y

*A Residential Planned Development of fewer than 12 units is not required to provide open space under the requirements of Title 19.06. However, at this density, if open space was required, the proposed subdivision would be subject to 6.1% or 4,630 square feet. The applicant provides 6.4% or 4,824 square feet of open space, more than would be required.

ANALYSIS

- Zoning

Property to the north and east of the subject property is zoned and developed for single-family residences and property to the west has a land use designation that permits up to 5.5 dwelling units per acre. The applicant proposes to develop the subject property with eight single-family residences on lots that would be approximately 5,580 to 7,782 square feet in size. The uses at this density are compatible to the adjoining properties.

- Site Plan

The applicant is proposing an eight-lot subdivision for single-family homes at a density of 3.67 dwelling units per gross acre. The lots proposed would be from 5,580 to 7,782 square feet in size. The interior street that serves the development is proposed to be a private 37-foot wide street that accesses Centennial Parkway.

Since the subject property is 2.18 acres in size, it is not large enough for the formation of a R-PD (Residential Planned Development) zoning district. The district requires a minimum of five acres for its formation; however, an approved Variance (VAR-6276) allows the requested R-PD (Residential Planned Development) zoning on the subject site.

- Waivers

No Waivers have been requested; however, as discussed above, a Variance (VAR-6276) has been approved for the formation of a R-PD (Residential Planned Development) zoning district on the subject site.

- Landscape Plan

The landscape plan shows perimeter landscaping along Centennial Parkway in compliance with the requirements of Title 19.12.

- Elevation

Plans for two-story homes were submitted with the application. The illustrations and conceptual floor plans appear to be harmonious and compatible with development in the area. On lots 1, 2, and 3 along the east property line, a balcony is available as an option on the building footprints. As a result, the rear setback will be five feet from the rear property line on these lots only. Lots 4 through 8 will be set back 10 feet from the rear property line.

- Floor Plan

Two floor plans were submitted with the application. The first home, including garage area, is a two-story, 3,181 square-foot home with a footprint of 67 feet by 40 feet, three bedrooms and a three car garage. The second is a two-story, 3,396 square-foot home with a footprint of 65 feet by 40 feet, five bedrooms and a two car garage, including one bedroom on the first floor. The floor plans are typical of homes of the size proposed.

FINDINGS

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;**

Property to the north and east of the subject property is zoned and developed for single-family residences and property to the west has a land use designation that permits up to 5.5 dwelling units per acre. The applicant proposes to develop the subject property with eight single-family residences on lots that would be approximately 5,580 to 7,782 square feet in size. The proposed single-family homes at this density are compatible to the adjoining properties.

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

The proposed development is consistent with the General Plan, Title 19 and other adopted City plans, policies and standards.

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

The subject property fronts on Centennial Parkway, which according to the Master Plan of Streets and Highways, is designed for a right-of-way width of 100 feet. At this location, the street will provide access to property only on the north side and should provide adequate access without negatively impacting adjacent roadways or neighborhood traffic.

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

Building and landscape materials are appropriate for the area.

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

Plans for two 2-story homes were submitted with the application. The homes range in size from a 3,181 square feet to 3,396 square feet. All homes have a standard two or three car garage.

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

Because the site would be subject to ongoing inspection, the public health, safety, and public welfare would not be compromised.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 128 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SDR-17727

Case Number: _____ APN: 125-24-404-007

Name of Property Owner: Barbara L. Farmanali

Name of Applicant: Taney Engineering

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN 125-24-404-007

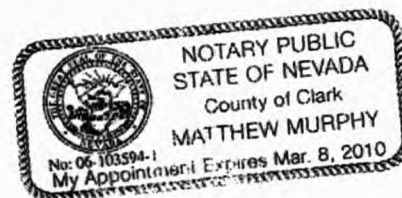
Signature of Property Owner: _____

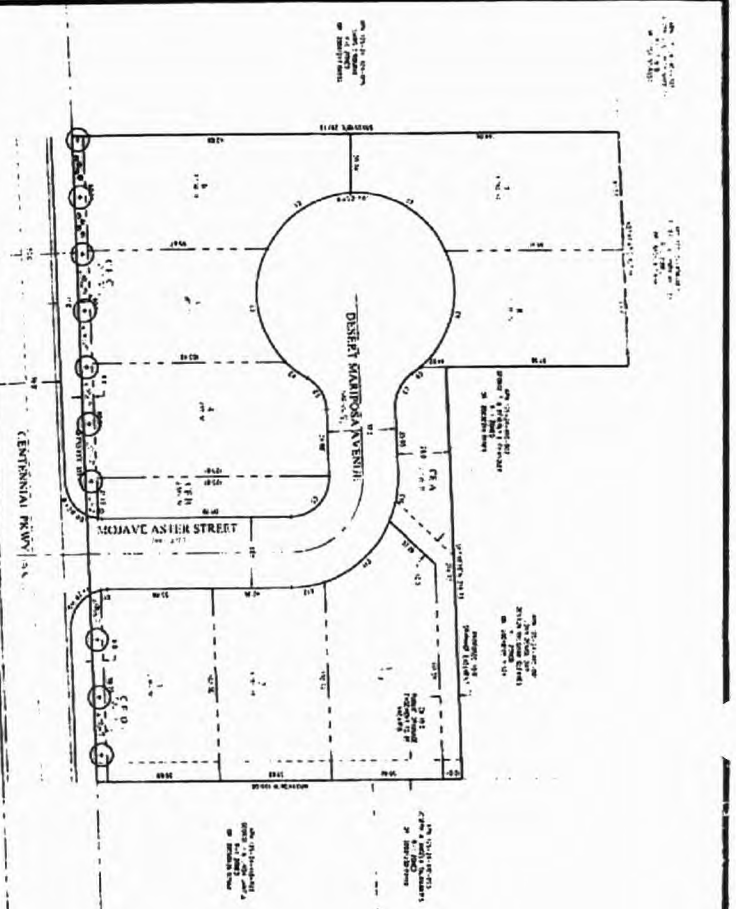
Print Name: Barbara Farmanali

Subscribed and sworn before me

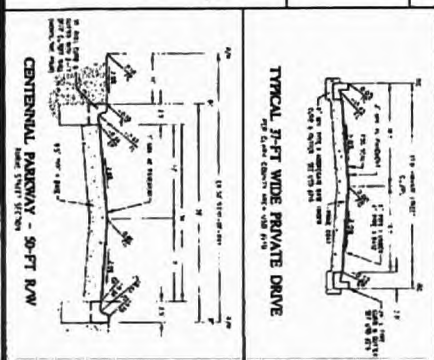
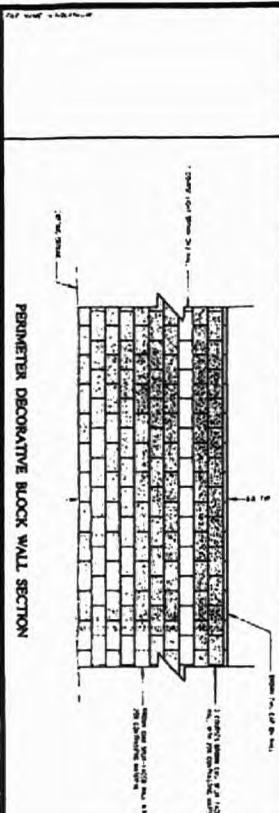
This 25 day of September 2006.

Matthew Murphy
Notary Public in and for said County and State





LANDSCAPING REQUIREMENTS					
TREE / PLANT SCHEDULE					
SYM	QTY	SIZE	SPACING	COMMON NAME	BOTANICAL NAME
○	PER PLAN	24" DIA	ON GRID	NO. 1000 (PAPER)	FRUIT PAPER
○	PER PLAN	1-1/2" DIA	N/A	NO. 1000 (PAPER)	FRUIT PAPER
○	PER PLAN	1-1/2" DIA	N/A	NO. 1000 (PAPER)	FRUIT PAPER



LEGAL DESCRIPTION

... (text) ...

BASIS OF BEARINGS

... (text) ...

BENCHMARK

... (text) ...

DEVELOPER

... (text) ...

OWNER

... (text) ...

CURVE DATA

STATION	CHORD BEARING	CHORD DIST.	ARC BEARING	ARC DIST.
1+00.00	N 0° 00' 00" E	100.00	0° 00' 00"	100.00
1+100.00	N 0° 00' 00" E	100.00	0° 00' 00"	100.00
1+200.00	N 0° 00' 00" E	100.00	0° 00' 00"	100.00
1+300.00	N 0° 00' 00" E	100.00	0° 00' 00"	100.00
1+400.00	N 0° 00' 00" E	100.00	0° 00' 00"	100.00
1+500.00	N 0° 00' 00" E	100.00	0° 00' 00"	100.00
1+600.00	N 0° 00' 00" E	100.00	0° 00' 00"	100.00
1+700.00	N 0° 00' 00" E	100.00	0° 00' 00"	100.00
1+800.00	N 0° 00' 00" E	100.00	0° 00' 00"	100.00
1+900.00	N 0° 00' 00" E	100.00	0° 00' 00"	100.00
2+000.00	N 0° 00' 00" E	100.00	0° 00' 00"	100.00

KEY MAP

... (text) ...

DEVELOPMENT STANDARDS

... (text) ...

UTILITY LOCATIONS

... (text) ...

SEWER CONTRIBUTION

... (text) ...

SITE INFORMATION

... (text) ...

GENERAL NOTES

... (text) ...

UTILITY COMPANIES SETBACKS

... (text) ...

SCALE

GRAPHIC SCALE

1" = 100'

LEGEND

... (text) ...

CENTENNIAL AND LEON A RESIDENTIAL SUBDIVISION

LANDSCAPE PLAN

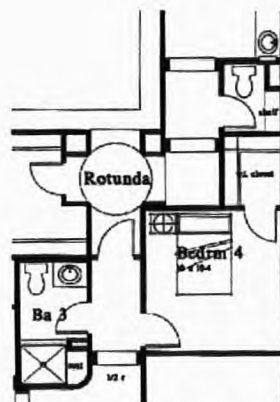
NATIONAL HOMES CORPORATION

TANNEY ENGINEERING

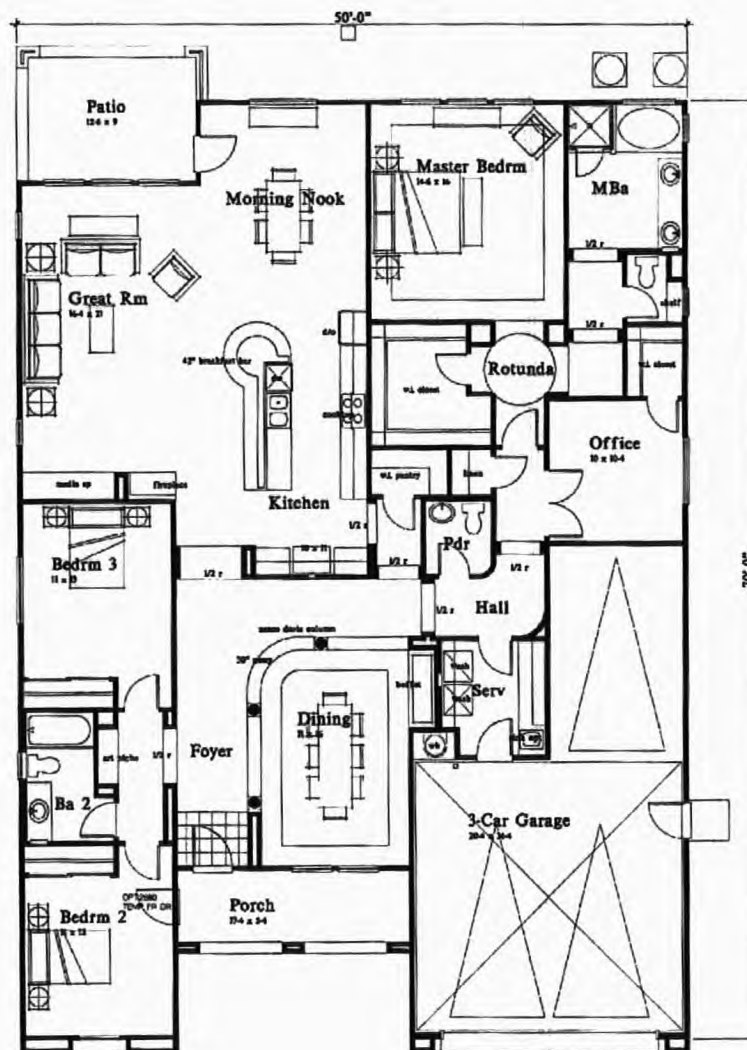
02/08/07 PC

SDR-17727

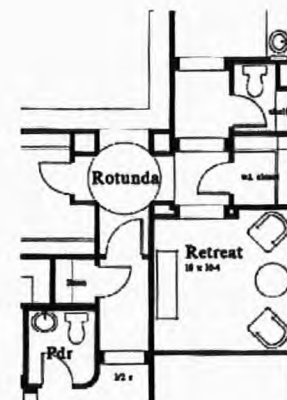
RECEIVED
OCT 24 2006



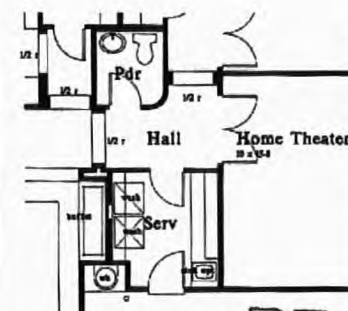
Bedroom 4/ Bath 3 Option



First Floor Plan 1
First Floor: 2,611 sqft Total: 2,611 sqft



Retreat Option



Home Theater Option
+108 sqft

RECEIVED
FEB 0 / 2007

National Homes Corp. Conceptual Floor Plan 1 - 2,611 sqft
Las Vegas, Nevada

2,779 sqft

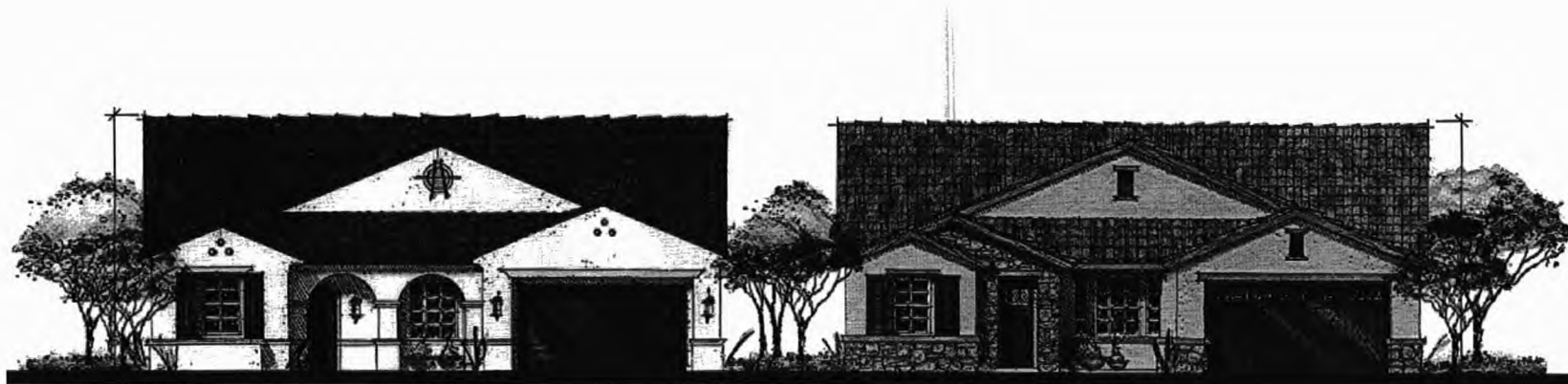
ZON-18196

REVISED

SDR-17727

02/08/07 PC

02/05/07
02/2007 2:11:43 PM



Plan
2611 A

Plan
2611 B

CONCEPTUAL STREET SCENE

Centennial / Leon

Las Vegas, Nevada

ZON-18196 SDR-17727
REVISED 02/08/07 PC

RECEIVED
FEB 07 2007



ZON-18196 AND SDR-17727 - APPLICANT/OWNER: BARBARA L. FARMANALI
NORTH SIDE OF THE CENTENNIAL PARKWAY ALIGNMENT APPROXIMATELY 360 FEET EAST OF LEON
AVENUE
FEBRUARY 8, 2007 PLANNING COMMISSION

12/08/06



ZON-18196 AND SDR-17727 - APPLICANT/OWNER: BARBARA L. FARMANALI
NORTH SIDE OF THE CENTENNIAL PARKWAY ALIGNMENT APPROXIMATELY 360 FEET EAST OF LEON
AVENUE
FEBRUARY 8, 2007 PLANNING COMMISSION

12/08/06



ZON-18196 AND SDR-17727 - APPLICANT/OWNER: BARBARA L. FARMANALI
NORTH SIDE OF THE CENTENNIAL PARKWAY ALIGNMENT APPROXIMATELY 360 FEET EAST OF LEON
AVENUE
FEBRUARY 8, 2007 PLANNING COMMISSION

12/08/06



TANEY ENGINEERING

4445 S. JONES #1

LAS VEGAS, NEVADA 89103

TELEPHONE: (702) 362-8844

FAX: (702) 362-5233

January 5, 2007

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

Re: Site Development Review for Centennial and Leon

To Whom It May Concern:

On behalf of our client, National Homes Corporation, we are proposing an R-PD4 on approximately 2.18 gross acres that is currently zoned R-E. The project site is bounded by existing homes (R-E and R-1) on the north and east, a future home (R-E) west and Centennial Parkway on the south. The proposed subdivision consists of 8 lots with a gross density of 3.67 dwelling units per acre. The project site is proposed to have the following setbacks:

Front – 18-ft from back of curb
Side and Side Corner – 3.5-ft
Rear – 10-ft
Patio Cover (12-ft or less in Height) – 5-ft
Maximum Building Height is 35-ft
Minimum Lot Size 4200 SF

On lots 1, 2 and 3 along the east property line, Balcony/Deck is being proposed as an option on these footprints. Therefore, we are asking the setback to the rear property line for these three (3) lots to be 5-feet to accommodate the Balcony/Deck.

The proposed development will consist of all a mix of one and two story homes ranging in size from the mid 2,635-SF to the mid 5,503-SF size. All homes have a standard tow to three-car garage accessed from a 37-ft wide private street servicing the subdivision. Approximately 5,609 SF of open space has been provided, however is not required as the subdivision is less than 12 lots. Perimeter landscaping will be provided abutting Centennial Parkway in conformance with City of Las Vegas Standards.

Site Development Plan Review, SDR-6275, has also previously been filed for this project site. Please note that the setbacks, maximum building height and minimum lot size listed above correspond with the conditions listed for SDR-6275.

If you have any questions or need any additional information please do not hesitate to contact this office.

Sincerely,
TANEY ENGINEERING


Christopher Zhang, E.I.
Project Manager

ZON-18196 SDR-17727
02/08/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MARCH 7, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE

VAR-18790 - PUBLIC HEARING - APPLICANT/OWNER: WENDELL D. AND LINDA G. GENTRY - Request for a Variance TO ALLOW A NON-HABITABLE ACCESSORY STRUCTURE TO BE 1,831 SQUARE FEET WHERE 1,148 SQUARE FEET IS THE MAXIMUM ALLOWED on 0.52 acres at 5306 Hickam Avenue (APN: 138-01-702-001), R-E (Residence Estates) Zone, Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

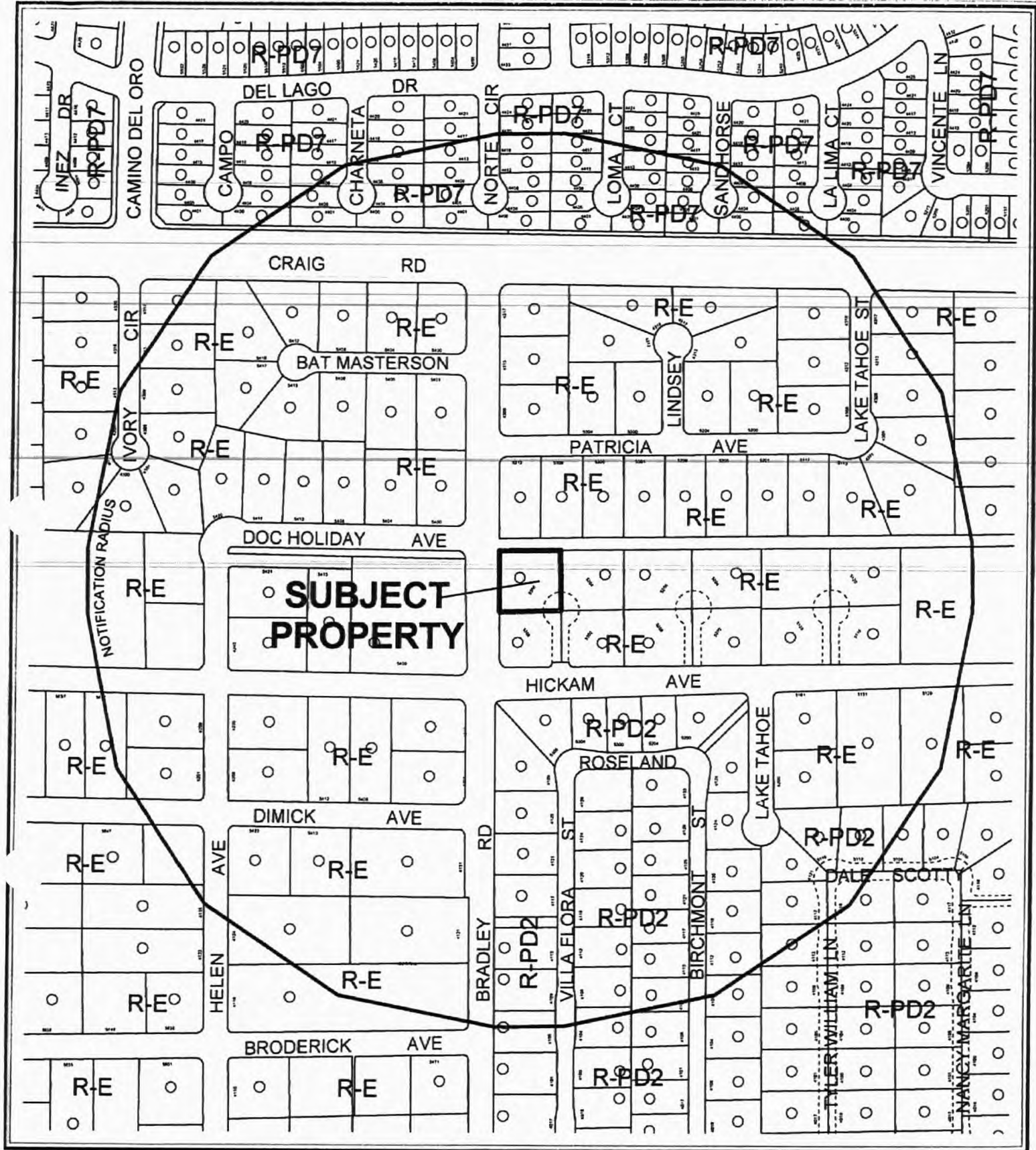
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 02-08-07 Planning Commission Meeting Item 24

Motion made by GARY REESE to Hold in Abeyance Items 105-109, Items 123 and 124 to 3/21/2007; Items 127-129 to 4/4/2007; Item 85 to 9/5/2007; and accept the WITHDRAWAL WITHOUT PREJUDICE of Item 110

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

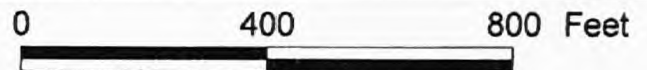
LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

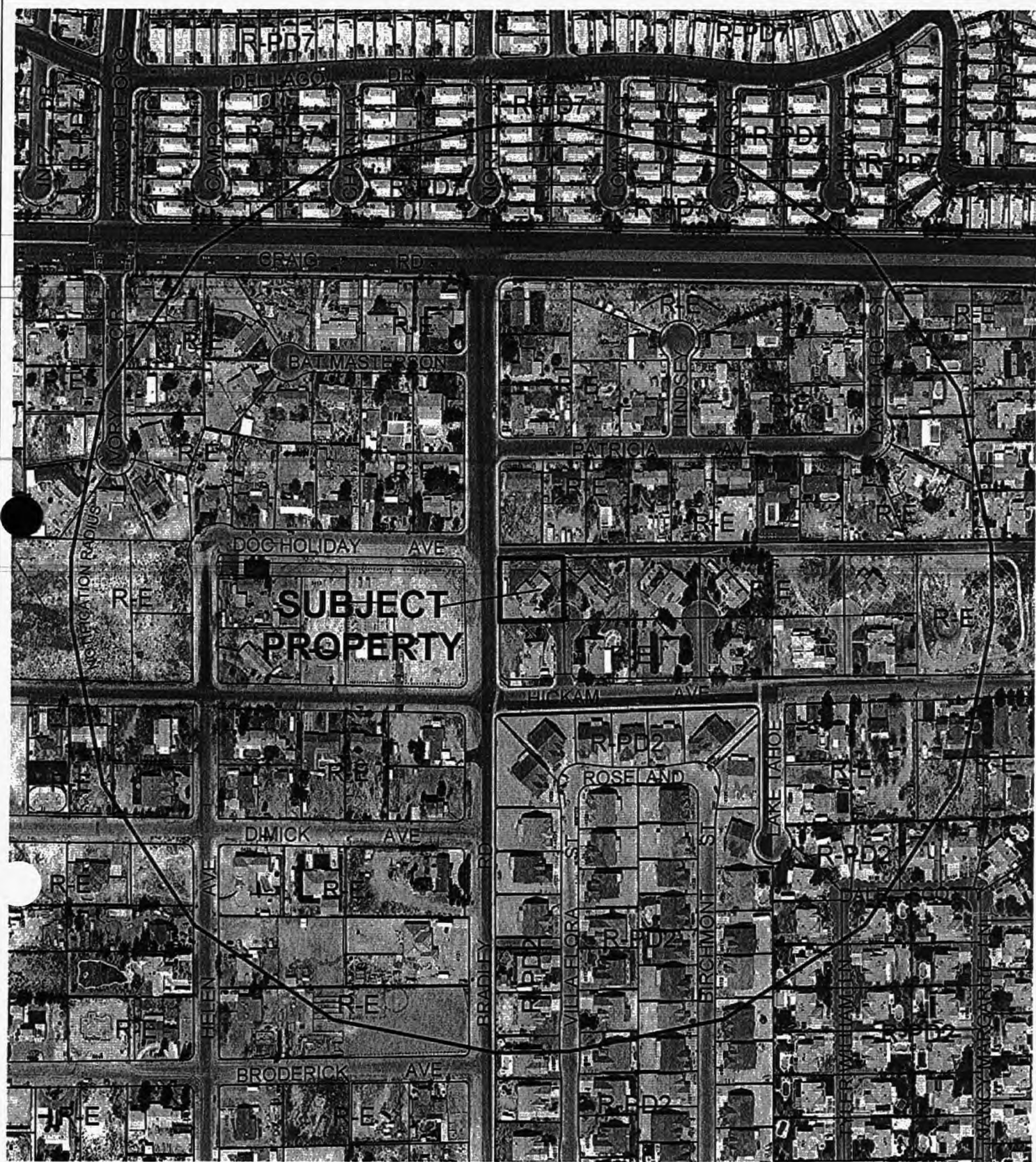


CASE: **VAR-18790**

RADIUS: 1000 FT

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





CASE: **VAR-18790**

RADIUS: 1000 FT

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

0 400 800 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 7, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-18790 - APPLICANT/OWNER: WENDELL D. AND LINDA G. GENTRY

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-18789) if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. If approved submit revised plans showing the required three-foot setback distance between the nearest portion of the non-habitable accessory structure and the south property line, while still maintaining a minimum 6-foot separation from the principal structure.
4. There will be a minimum five foot southerly setback.
5. The accessory structure is to be 1740.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow a 1,831 square foot, non-habitable, detached accessory structure to be larger than 50% of the primary structure. The existing single family dwelling is 2,296 square feet, which would allow a detached accessory structure to be a maximum of 1,148 square feet. The applicant is requesting an additional 683 square feet. The proposed accessory will consist of two spaces, 1,345 square feet to be used as a workshop and vehicle storage, the remaining 486 square feet will be a game room. No physical hardship was cited to justify this request.

A companion Special Use Permit has been filed with this application and will be heard concurrently with this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/08/07	The Planning Commission recommended approval of companion item SUP-18789 concurrently with this application. The Planning Commission voted 5-2/ds,se to recommend APPROVAL (PC Agenda Item #24/lhm).
<i>Related Building Permits/Business Licenses</i>	
1/3/1997	Building Permit for a single family home
<i>Pre-Application Meeting</i>	
11/27/06	A pre-application meeting was held to discuss the requirements of the Variance, siting options for an accessory structure on the subject site. Building Department talked about fire rating and lighting for shop area.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	.52

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Residential	DR(Desert Rural)	R-E(Residential Estates)
North	Residential	DR(Desert Rural)	R-E(Residential Estates)

South	Residential	DR(Desert Rural)	R-E(Residential Estates)
East	Residential	DR(Desert Rural)	R-E(Residential Estates)
West	Residential	DR(Desert Rural)	R-E(Residential Estates)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	NA

<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		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

A-O Airport Overlay District

A single family dwelling exists on the subject site, at a height of fifteen feet, ten inches. The proposed detached accessory structure will be constructed at a finished height of fourteen feet, ten inches and is not affected by the 105-foot height restriction.

Rural Preservation Overlay District

Density is not affected by this project and does not require application of the requirements of the Rural Preservation District.

As per 19.08

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	20,000 Square Feet	21,877	Y
Min. Lot Width	100 Feet	100 Feet	Y
Min. Distance Between Buildings	6 feet	6'9"	Y
Max. Lot Coverage	50%	19%	Y
Max. Building Height	2 Stories or 35 Feet	14'10"	Y

In the plans provided, the 3-foot setback on the south building side of the accessory structure has been taken from the face of building and does not account for the distance of the roof eaves. If approved, this application has been conditioned to require revised plans showing the required three-foot setback distance between the nearest portion of the non-habitable accessory structure and the south property line, while still maintaining a minimum 6-foot separation from the principal structure.

ANALYSIS

The existing home is located on an R-E lot with a lot size of 21,877 square feet. The applicant proposes to construct a detached accessory structure on the side yard of the existing 2,296 square foot single family residence. The allowable size of an accessory structure is 50% of the primary structure in this case the proposed accessory structure has been increased by 37% of that which is permitted by code. The maximum allowable size for an accessory structure on this property is 1,148 square feet. In order to provide a workshop, vehicle storage and a game room the structure is enlarged by an additional 683 square feet, which is an increase in size of 37%. While the proposed deviation from standards to allow a detached accessory structure to be 1,831 square-feet where 1,148 square feet is the maximum allowed, the deviation from standards is considered a self-imposed hardship.

The detached accessory structure as proposed is an attempt to overbuild the site, and staff cannot recommend approval for this application. The hardship is personal and self-created; 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."

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by building a non-habitable detached accessory structure which would exceed the maximum allowable square footage. Alternative is to reduce the size of the accessory structure by 683 square feet, which 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.

PLANNING COMMISSION ACTION

The Planning Commission added conditions 4 and 5. There was one speaker in opposition at the Planning Commission Meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 178 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-18790** APN: _____

Name of Property Owner: Wendell D. & Linda G. Gentry

Name of Applicant: Wendell D. Gentry

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 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: _____

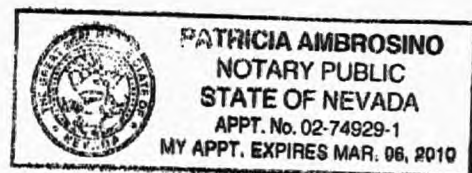
Signature of Property Owner: Wendell D. Gentry

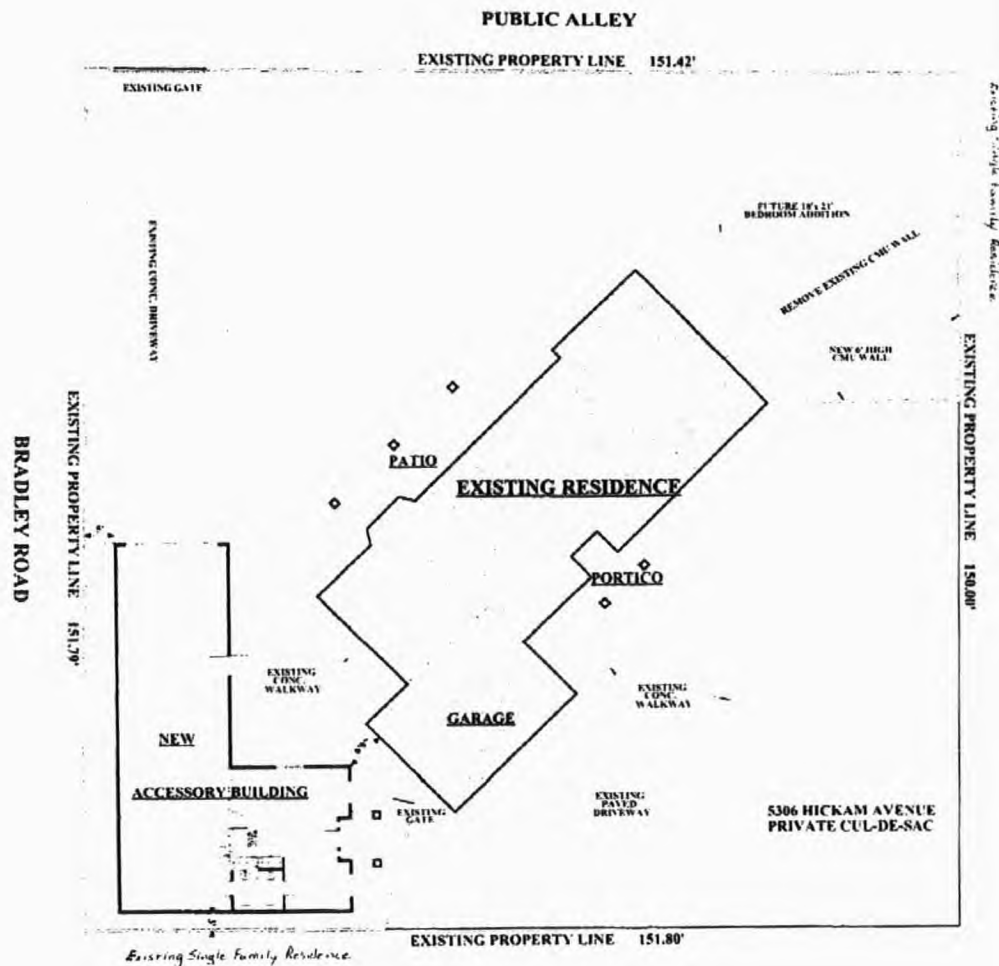
Print Name: Wendell D. Gentry

Subscribed and sworn before me

This 13 day of December, 2006

Patricia Ambrosino
Notary Public in and for said County and State





SITE PLAN
SCALE: 1" = 10'



NORTH

VAR-18790
SUP-18789
02/08/07 PC

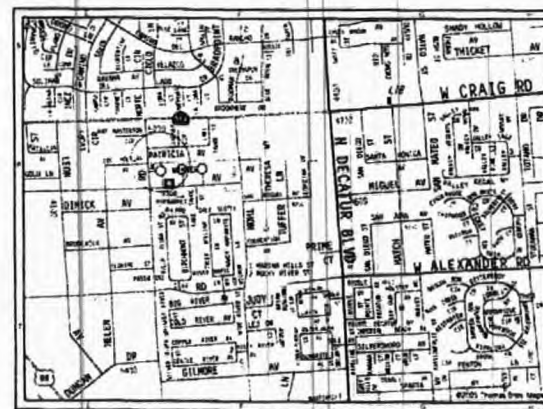
**GENTRY ACCESSORY BUILDING
GAME ROOM/RV STORAGE**

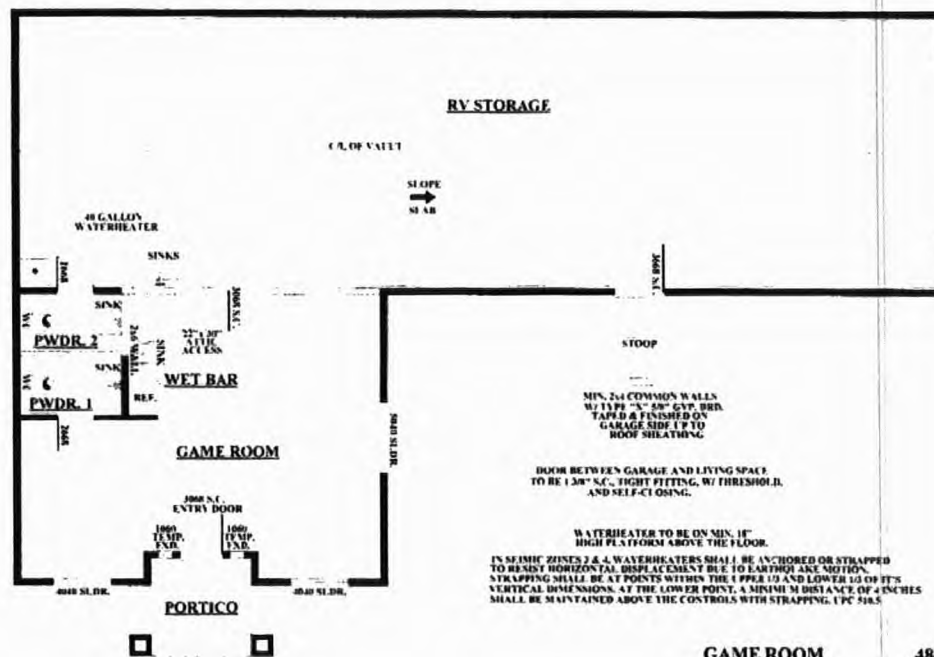
JURISDICTION - LAS VEGAS - 89130
ZONING CLASSIFICATION - RE
ACCESSORY STRUCTURE - NEW

PLAN INDEX	
SHEET	DESCRIPTION
ARCHITECTURAL	
A1	SITE PLAN
A2	EXTERIOR ELEVATIONS
A3	FLOOR PLAN
A4	DIMENSION PLAN
A5	ROOF PLAN/SECTIONS
ELECTRICAL	
E1	ELECTRICAL PLAN
MECHANICAL	
M1	MECHANICAL PLAN
PLUMBING	
P1	PLUMBING PLAN
STRUCTURAL	
S1	NOTES
S2	FOUNDATION PLAN
S3	ROOF FRAMING PLAN
S4	DETAILS
S5	DETAILS

THIS PROJECT SHALL COMPLY WITH THE 2003 IRC, IRC,
UPC AND UMC, 2002 NEC, & 2003 IECC AND ALL
SOUTHERN NEVADA CODE AMENDMENTS

RECEIVED
DEC 15 2006





GAME ROOM	486 S.F.
RV STORAGE	1345 S.F.
TOTAL	1831 S.F.

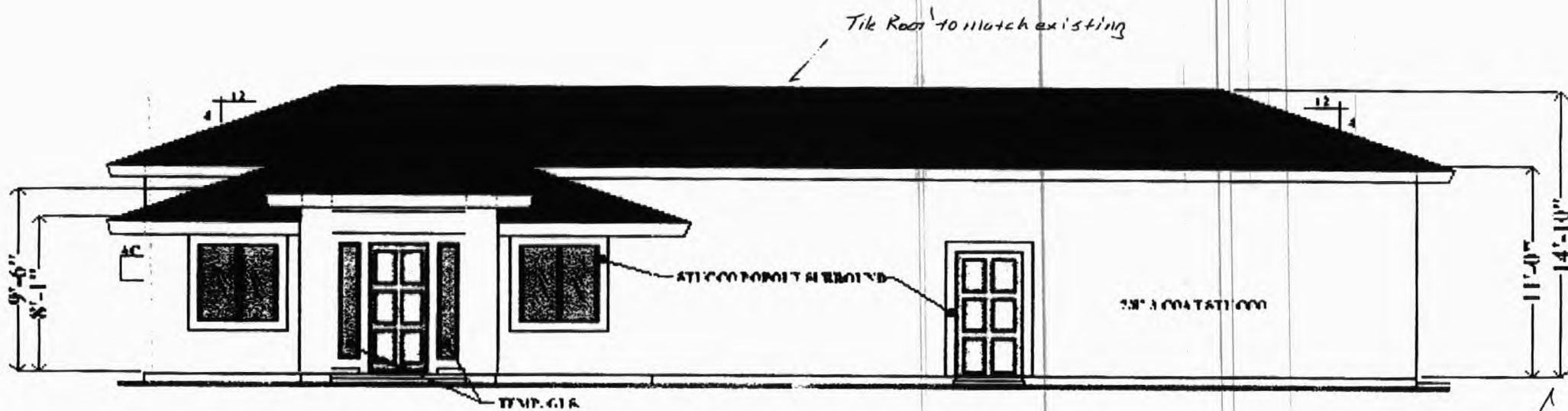
FLOOR PLAN
SCALE: 1/4" = 1' - 0"

VAR-18790
SUP-18789
02/08/07 PC

RECEIVED
DEC 15 2006

TABLE 1
CENTURY AT CUNNINGHAM BUILDING
GAME ROOM/RY STORAGE
104.0000
104.0000

TABLE 1
FLOOR PLAN
104.0000
104.0000



All Exterior Colors to match existing Structure

**PROPOSED STRUCTURE
FRONT ELEVATION**
SCALE: 3/16" = 1'-0"

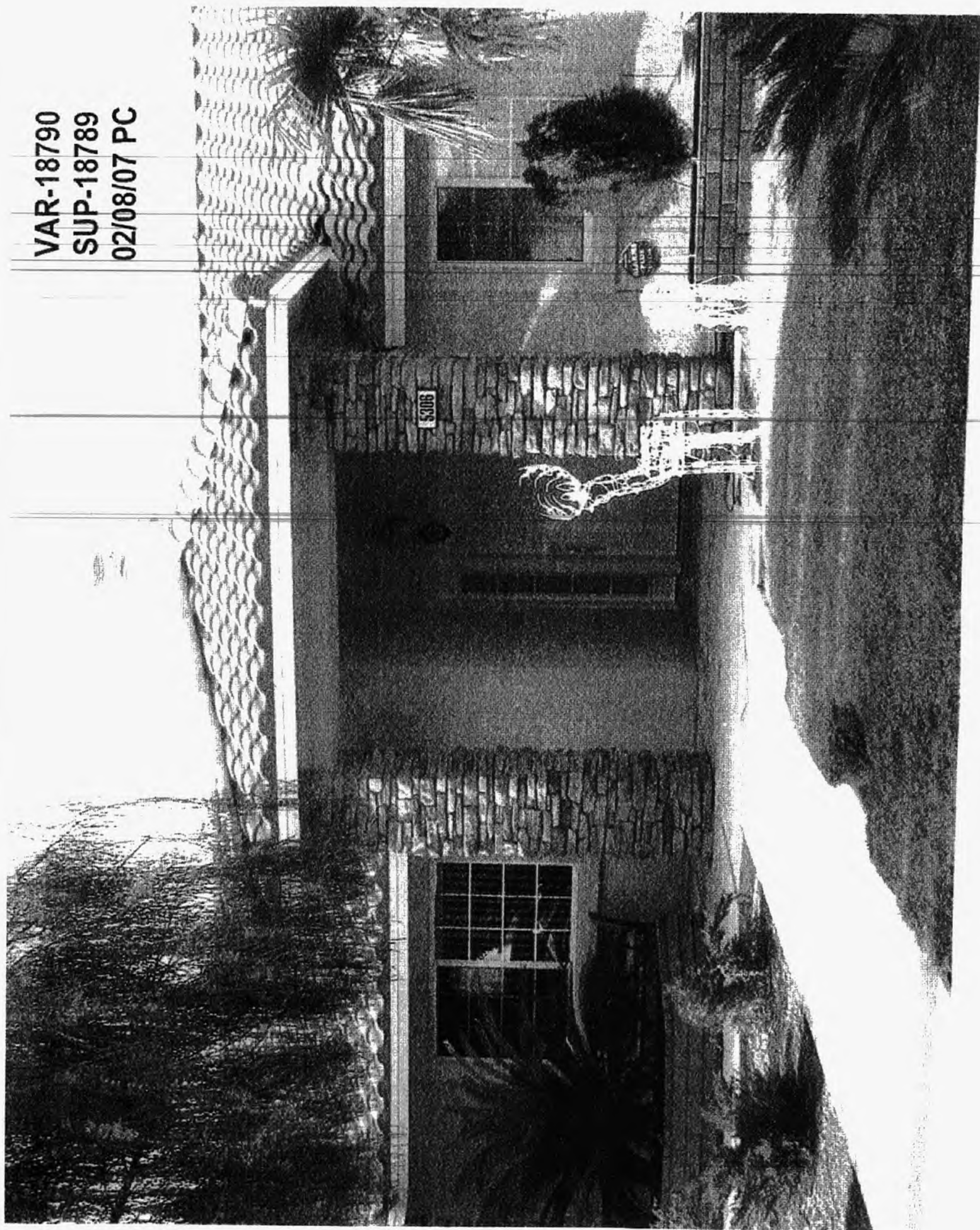
Special Note

*The height of the existing
Residential Structure at this
address is 15'-10"*

VAR-18790
SUP-18789
02/08/07 PC

RECEIVED
JAN 09 2007

VAR-18790
SUP-18789
02/08/07 PC



Wendell D. Gentry
5306 Hickam Ave.
Las Vegas, Nv. 89130

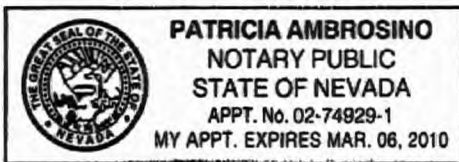
December 13, 2006

City of Las Vegas
Planning and Development

Re:
Letter of justification

In June of 2006 my wife and I sold our plumbing contracting business and retired. We purchased our home in this neighborhood 9 years ago with the intent to build the additional structure at retirement. I am building this shop so I can enjoy my hobbies, ATV's, motorcycles and old car restoration. We have a large family with several grand children that live very close by, so we also wanted addition space for a game room.

Thank You



Wendell D. Gentry
Wendell D. Gentry

State of Nevada
County of Clark

This Instrument was acknowledged before me

12/13/06 by Wendell Gentry
Date

VAR-18790
SUP-18789
02/08/07 PC

DEC 15 2006

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

January 4, 2007

To City of Las Vegas
Planning Commission

Re: 1830 Sq. ft. Accessory Building
Location - 5306 Hickam Ave.

I want to be on record, supporting the proposed 1830 Sq. ft. detached structure at 5306 Hickam Avenue. The Gentry's have shown us the plans of the proposed building structure and we find it to be very acceptable.

Thank you for allowing us to express our views in this process.



5304 Hickam Ave
Las Vegas, NV 89130

Submitted at Planning Commission

Date 2/8/07 Item: 24-25

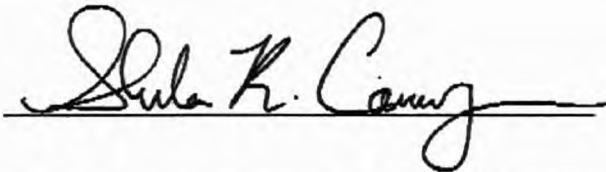
January 4, 2007

To City of Las Vegas
Planning Commission

Re: 1830 Sq. ft. Accessory Building
Location - 5306 Hickam Ave.

I want to be on record, supporting the proposed 1830 Sq. ft. detached structure at 5306 Hickam Avenue. The Gentry's have shown us the plans of the proposed building structure and we find it to be very acceptable.

Thank you for allowing us to express our views in this process.



5308 Hickam Ave. Las Vegas NV 89130

January 4, 2007

To City of Las Vegas
Planning Commission

Re: 1830 Sq. ft. Accessory Building
Location - 5306 Hickam Ave.

I want to be on record, supporting the proposed 1830 Sq. ft. detached structure at 5306 Hickam Avenue. The Gentry's have shown us the plans of the proposed building structure and we find it to be very acceptable.

Thank you for allowing us to express our views in this process.

JAMES MARK HANNAWAY

4211 BRADLEY RD. LV NV 89130

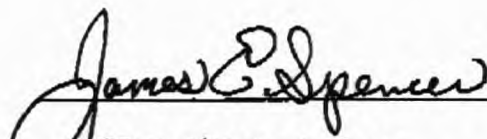
January 4, 2007

To City of Las Vegas
Planning Commission

Re: 1830 Sq. ft. Accessory Building
Location - 5306 Hickam Ave.

I want to be on record, supporting the proposed 1830 Sq. ft. detached structure at 5306 Hickam Avenue. The Gentry's have shown us the plans of the proposed building structure and we find it to be very acceptable.

Thank you for allowing us to express our views in this process.


5302 HICKAM AVE
LAS VEGAS, NV 89130

January 4, 2007

To City of Las Vegas
Planning Commission

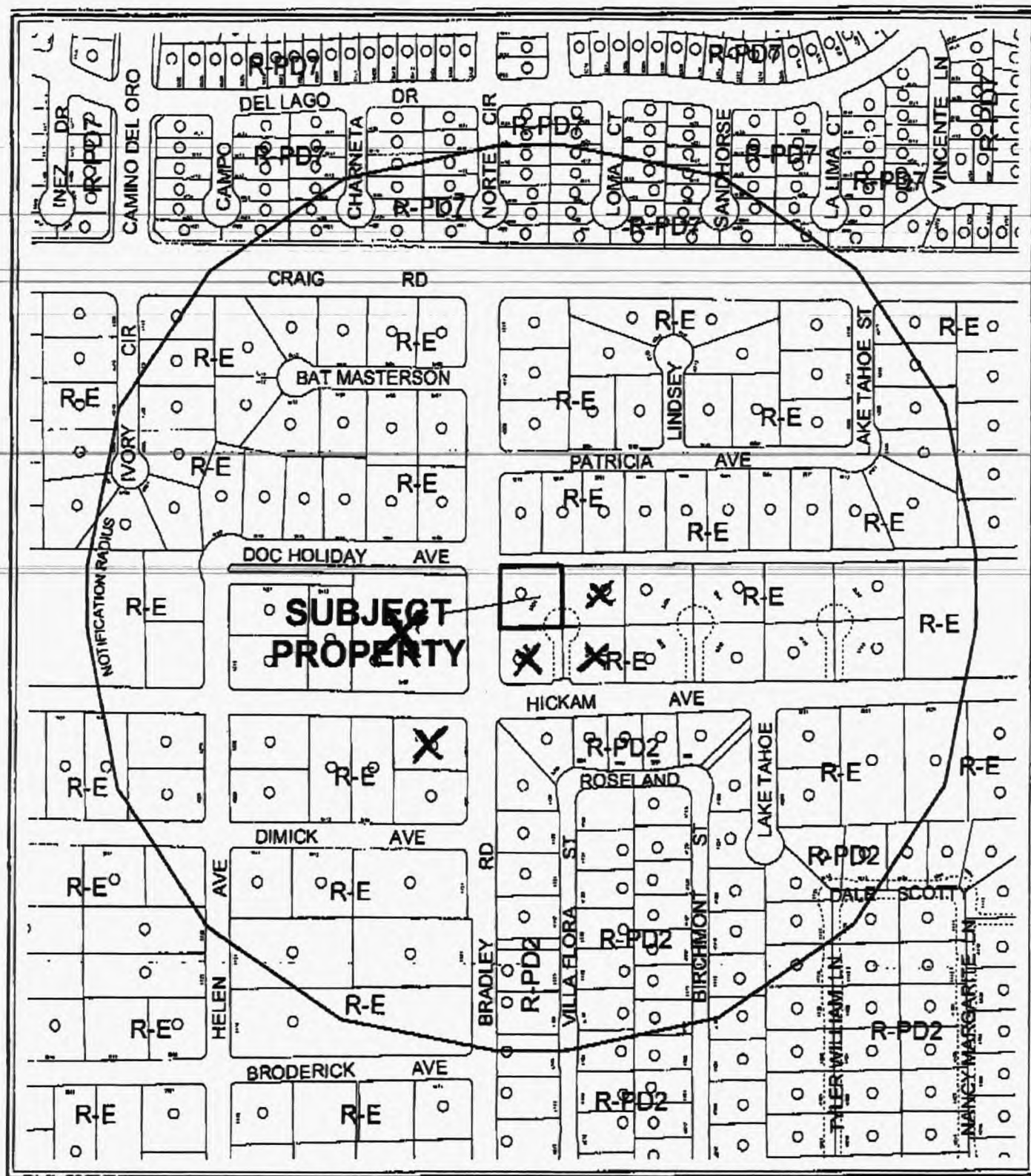
Re: 1830 Sq. ft. Accessory Building
Location - 5306 Hickam Ave.

I want to be on record, supporting the proposed 1830 Sq. ft. detached structure at 5306 Hickam Avenue. The Gentry's have shown us the plans of the proposed building structure and we find it to be very acceptable.

Thank you for allowing us to express our views in this process.

D. L. Young

5409 Hickam Ave. L.V. 89130



CASE: VAR-18790

RADIUS: 1000 FT

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