

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-19609 - VARIANCE RELATED TO ZON-18923 AND VAR-18924 - PUBLIC HEARING - APPLICANT/OWNER: WAYWARD PROPERTIES, INC - Request for a Variance TO ALLOW A 50 FOOT LOT WIDTH WHERE 60 FEET IS THE MINIMUM LOT WIDTH REQUIRED, A FOUR-FOOT SIDE YARD SETBACK WHERE FIVE FEET IS THE MINIMUM REQUIRED, AND A 17 FOOT FRONT YARD SETBACK WHERE 20 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED TWO STORY, 3,218 SQUARE-FOOT OFFICE BUILDING on 0.16 acres at 514 South Seventh Street (APN 139-34-710-024), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking) Zone], Ward 3 (Reese).

C.C.: 04/04/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letter from Marlene Walshin

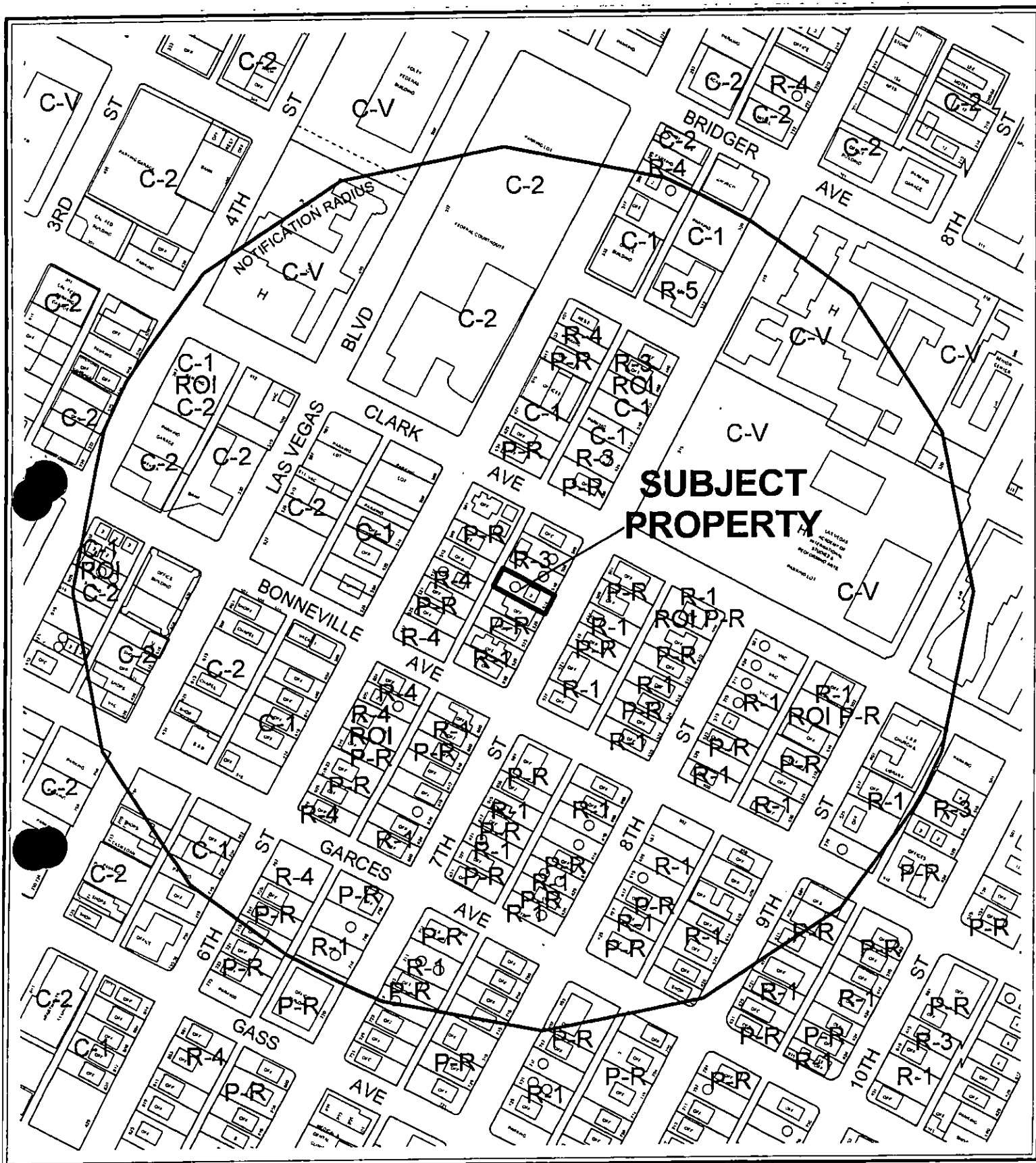
MOTION:

GOYNES – TABLE Item 4 [SDR-19357]; HOLD IN ABEYANCE Item 1 [ANX-19110], Item 20 [WVR-19784], Item 21 [SUP-19359], Item 22 [SDR-19363], Item 28 [SDR-19352] and Item 29 [TXT-19240] to 3/22/2007; and HOLD IN ABEYANCE Item 12 [GPA-19066], Item 13 [ZON-18923], Item 14 [VAR-18924], Item 15 [VAR-19609] and Item 16 [SDR-18925] to 4/12/2007 – UNANIMOUS

MINUTES:

See Item 13 for related discussion and backup.

(6:02 – 6:06)



CASE: **VAR-19609**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)



PROPOSED ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 8, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-19609 - APPLICANT/OWNER: WAYWARD
PROPERTIES, INC

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-18923) and Site Development Plan Review (SDR-18925) 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.

VAR-19609 - Staff Report Page One
March 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow a 50-foot lot width where 60 feet is the minimum lot width required, a four-foot yard side yard setback where five feet is the minimum required, and a 17-foot front yard setback where 20 feet is the minimum required for a proposed two-story, 3,284 square-foot office building on 0.16 acres at 514 South Seventh Street.

Although the proposed use would be compatible with others in the immediate area, the multiple deviations from standards indicate that the applicant is intending to overbuild the site. Therefore, denial is recommended.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
Month/date/year	Action
03/08/07	Companion items for a Rezoning (ZON-18923), a Site Development Plan Review (SDR-18925) and a Variance (VAR-18924) will be heard concurrently with this item.
Pre-Application Meeting	
12/05/06	A pre-application meeting was held. Title 19 Landscaping and Parking standards were discussed. It was noted by Public Works that parking spaces cannot back directly onto a public street. In addition, submittal requirements for a variance, site development review and rezoning were discussed.
Neighborhood Meeting	
A neighborhood meeting was not held, nor was one required.	

Details of Application Request	
Site Area	
Net Acres	0.16

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Duplex	MXU (Mixed Use)	R-1 (Single Family Residential)
North	Apartment	MXU (Mixed Use)	R-3 (Medium Density Residential)
South	Office	MXU (Mixed Use)	P-R (Professional Office and Parking)

VAR-19609 - Staff Report Page Two
 March 8, 2007 - Planning Commission Meeting

East	Office	MXU (Mixed Use)	R-1 (Single Family Residential)
West	Office	MXU (Mixed Use)	P-R (Professional Office and Parking)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	60 Feet	50 Feet	N*
Min. Setbacks			
• Front	20 Feet	17 Feet	N*
• Side	5 Feet	4 Feet	N*
• Corner	15 Feet	NA	NA
• Rear	15 Feet	79 Feet	Y
Max. Lot Coverage	50%	24%	Y
Max. Building Height	2 stories or 35 Feet	32 Feet	Y
Trash Enclosure	Yes	Curb	Y
Mech. Equipment	Yes	Yes	Y

** A Variance (VAR-19609) application is required.*

VAR-19609 - Staff Report Page Three
March 8, 2007 - Planning Commission Meeting

Pursuant Title 19.12, the following landscape standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/ 6 Spaces	2 Trees	Zero Trees	N*
Buffer: Min. Trees (South, East, West)	1 Tree/ 30 Linear Feet	9 Trees	5 Trees	N*
Buffer: Min. Trees (North)	1 Tree/ 20 Linear Feet	8 Trees	7 Trees	N*
TOTAL		19 Trees	12 Trees	N*
Min. Zone Width (Right-of-Way)	15 Feet		15 Feet	Y
Min. Zone Width (Interior-north)	8 Feet		4 Feet	N*
(Interior-south)	8 Feet		Zero Feet	N*
Wall Height	8 Feet		NA	NA

**Waivers from Title 19.12.040A and 19.12.040B Landscape, Wall and Buffer Standards and a Title 19.10.010 J11 Parking, Loading, and Traffic Standards have been requested by the applicant.*

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross/Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Office	3,284 GF	1 per 300 SF	10	1	6	1	N*
TOTAL			11	1	7	1	
Percent Deviation					36%		N*

A Variance (VAR-18924) application is required

Waivers		
Request	Requirement	Staff Recommendation
Zero Parking Lot Landscape Fingers	1 per 6 parking spaces	Denial
A Waiver to allow a perimeter landscape buffer width of four feet on the north and zero feet on south property lines where eight feet is the minimum required.	8 feet	Denial

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March 8, 2007 - Planning Commission Meeting

ANALYSIS

The applicant proposes to demolish an existing historic structure and construct a two-story, 3,218 square-foot office building. As shown on the site plan, the configuration of the proposed building will require a Variance (VAR-19609) to allow the building to be four feet from the north property line where five feet is the minimum side-yard setback required and 17 feet from the east property line where 20 feet is the minimum front yard setback required.

In conjunction with this proposal, a companion Rezoning (ZON-18923) has been requested to changed the zoning for the parcel from R-1 (Single-Family Residential) to P-R (Professional Office and Parking). The lot width requirement for a P-R (Professional Office and Parking) is 60 feet. The lot-width of the parcel is 50 feet; therefore, the applicant is requesting a Variance to allow a 50-foot lot width where 60 feet is the minimum lot width required.

In addition, the applicant has requested a Variance (VAR-17741) to allow seven parking spaces on this site where 11 are required. Because the site plan could be redesigned to include a less-intense use which would allow compliance with the city's setback standards, staff is recommending denial of these setback variances.

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."

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 19

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 162 (Mailed with ZON-18923, VAR-18924 and SDR-18925)

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-19609** APN: 139-34-710-024

Name of Property Owner: Wayward Properties, Inc.

Name of Applicant: Wayward Properties, Inc.

Name of Representative: Bradley Hofland, President

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

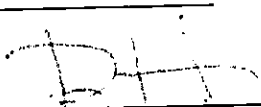
☒ No

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): _____

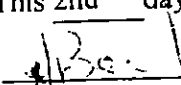
APN: _____

Signature of Property Owner: 

Print Name: Bradley Hofland, President

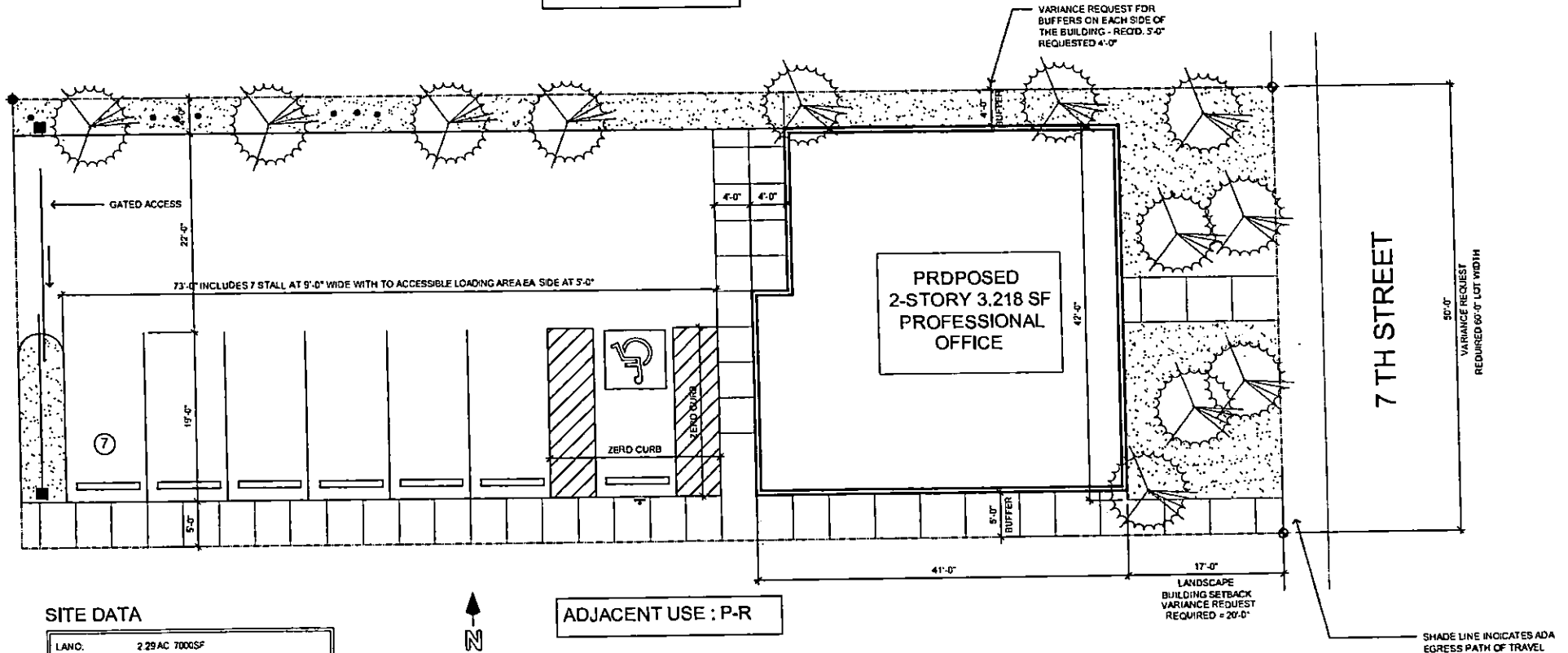
Subscribed and sworn before me

This 2nd day of February, 2007


Notary Public in and for said County and State

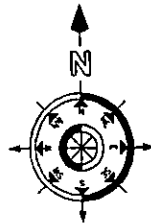
20' WIDE ALLEY ACCESS

ADJACENT USE : R-3



SITE DATA

LAND:	2.29 AC 7000SF
BLDG:	3218 SF, 2-STORY (1609 SF FOOTPRINT)
LAND/BLDG:	2.11/1000 COVERAGE 46%
PARKING:	
REQUIRED:	1/500 per CLV Zoning Ordinance 19.10 3218/500 = 10.72 = 11 SPACES REQ'D.
PROVIDED:	7 SPACES INCL (1) ACCESSIBLE SPACE



ADJACENT USE : P-R

A PROPOSED PROFESSIONAL OFFICE BUILDING (APN # 139-34-71-0024)
1/16"=1'-0"

WAYWARD **P**ROPERTIES

514 SOUTH SEVENTH STREET, LAS VEGAS, NV

RECEIVED
FEB 05 2007

ZON-18923
VAR-19609
REVISED

VAR-18924
SDR-18925
03/08/07 PC

WAYWARD PROPERTIES

4495 SOUTH PECOS ROAD
LAS VEGAS, NEVADA 89121
(702) 895-6760
FACSIMILE: (702) 731-6923

January 31, 2007

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

RE: Justification Letter - APN# 139-34-71-0024

To Whom It May Concern:

The proposed development on a property located about the streets of Clark and 7th in the downtown sector of the City of Las Vegas, is currently zoned "R-1". We respectfully request the zoning to be amended to allow a development that will utilize a "Professional Office use". (*P-R per title 19 CLV Zoning Code*)

Although the property is not located in the overlay district, the property is located approximately 200 feet from the overlay district. The proposed development conforms with the general intent and use of the redevelopment area as it will be accessible for pedestrian walkways and parking garages located in the surrounding area. The proposed development places the entire parking area in the rear of the building in place of the current additional access parking which is located in front of the building. The placement of parking in the rear of the building, will create at least one to two additional curb parking spaces for general use in front of the building.

Included in the proposed development will be Law Offices / Professional Offices. The operational hours of this building will be 8am - 5pm. There are 7 parking stalls provided on-site including 1 accessible stall for this proposed use.

Other recently approved conversions to P-R in the area are as follows:

1. 611 S. 6th Street, VAR-12265, parking Variance approved to allow 18 stalls where 19 were required (6/7/6 City Council).
2. 500 S. 8th St, VAR-6030, parking Variance approved to allow 14 stalls where 18 were required (4/6/5 City Council).
3. 504 S. 9th Street, VAR-10432, parking Variance approved to allow 6 stalls where 7 were required (2/15/6 City Council).

We respectfully request three (3) variances for this site.

1. The lot width requirement for this use is 60'-0". We request a variance to 50'-0"
2. The side-yard requirement is 5'-0". We request a reduction to 4'-0".
3. The building setback (front yard) requirement is 20'-0" we request 17'-0".

Proper drainage, and fire exiting and access are accounted for on-site. There is ample landscaping (desert motif) conforming to the standard set forth in the *City of Las Vegas Zoning Code Title 19*. Parking stalls are the required dimensions of 9'-0" wide by 19'-0" deep. There is one accessible parking stall on site with a 5'-0" loading/off-loading striped area on each side. Please see attached site plan for more information.

We feel this establishment will not adversely affect any of the surrounding infrastructure and will architecturally enhance the neighborhood. The structure itself will emulate a "modern office" motif. We will use a combination of materials aesthetically comparable to other modern office properties in the area.

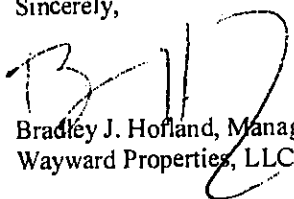
VAR-19609
03/08/07 PC

January 31, 2007
City of Las Vegas - Planning & Deveopment
Page 2 of 2

Wayward Properties, LLC feels that the building will contribute to the re-vitalization movement in the downtown sector and increase value to the surrounding area.

If there are any questions, feel free to contact our office at 702.895.6760.

Sincerely,



Bradley J. Hofland, Managing Member
Wayward Properties, LLC.

VAR-19609
03/08/07 PC

5 pages.

MARLENE WALSHIN
2812 Botticelli Dr., Henderson, NV 89052
702-897-8255; fax 702-897-8655; cell 702-274-3866
email: mjwalshin@yahoo.com

February 26, 2007

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

Re: Attached Notices

Meeting March 8, 2007

I own the property at 520 South Seventh Street, just south and adjacent to 514 South Seventh Street.

APPROVAL: ZON-18923 – Rezone to Professional

I approve of this request for rezoning.

OBJECTION: VAR-18924 – Variance to allow seven parking spaces instead of 11

I OBJECT to this variance as I feel it would result in more cars using the free parking on both sides of the street along Seventh. Right now, the street parking is needed for the clients who come to the offices along that street. I have the same-sized lot as 514 and I have two structures on my property with approximately a 2,325 footprint and I have room for 11 parking spaces on my property, so I believe there should be room at 514 for 11 parking spaces. (A further problem is now being caused by the Traffic Department as they have marked the street and allow only one vehicle to park in front of each property where two could actually be parking without any problem.)

OBJECTION: SDR-18925 – Waiver of an eight foot landscape buffer on north and south side of building

I OBJECT to this waiver of zero feet on SOUTH PROPERTY LINE as my property is just south of 514 and I feel a zero foot buffer does not allow enough room between my building on my property and the building being proposed. If the 3,218 square foot building being proposed will have a 1,609 footprint, there should be enough square feet remaining on the lot that the waiver will not be necessary.

OBJECTION: VAR-19609 - Variance for a 50 ft lot width, 4-ft and 17-ft setback

I OBJECT to the 4-foot side setback where 5-feet is required, and I OBJECT to a 17-foot setback where 20 feet is required. I feel the existing structures and any new structures along Seventh Street will be enhanced by maintaining the existing 5-foot and 20-foot setbacks. I feel the goal of the City Council should be to maintain the integrity of Seventh Street as it is now. The lot at 514 South Seventh should be adequate to allow for the 3,218 square foot building being proposed without the necessity of the variances.

I have enclosed copies of your notices for your reference.

Please contact me with any

Marlene Walshin

ITEM #

13-16

CASE # See above

PC MTG 3-8-07 RC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-18925 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-18923, VAR-18924 AND VAR-19609 - PUBLIC HEARING - APPLICANT/OWNER: WAYWARD PROPERTIES, INC - Request for a Site Development Plan Review FOR A TWO-STORY, 3,218 SQUARE FOOT PROFESSIONAL OFFICE BUILDING WITH WAIVERS TO ALLOW PERIMETER LANDSCAPE BUFFER WIDTHS OF FOUR FEET ON THE NORTH AND ZERO FEET ON SOUTH PROPERTY LINES WHERE EIGHT FEET IS THE MINIMUM REQUIRED on 0.16 acres at 514 South Seventh Street (APN 139-34-710-024), R-1 (Single Family Residential) Zone [PROPOSED: P-R (Professional Office and Parking) Zone], Ward 3 (Reese).

C.C.: 04/04/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

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

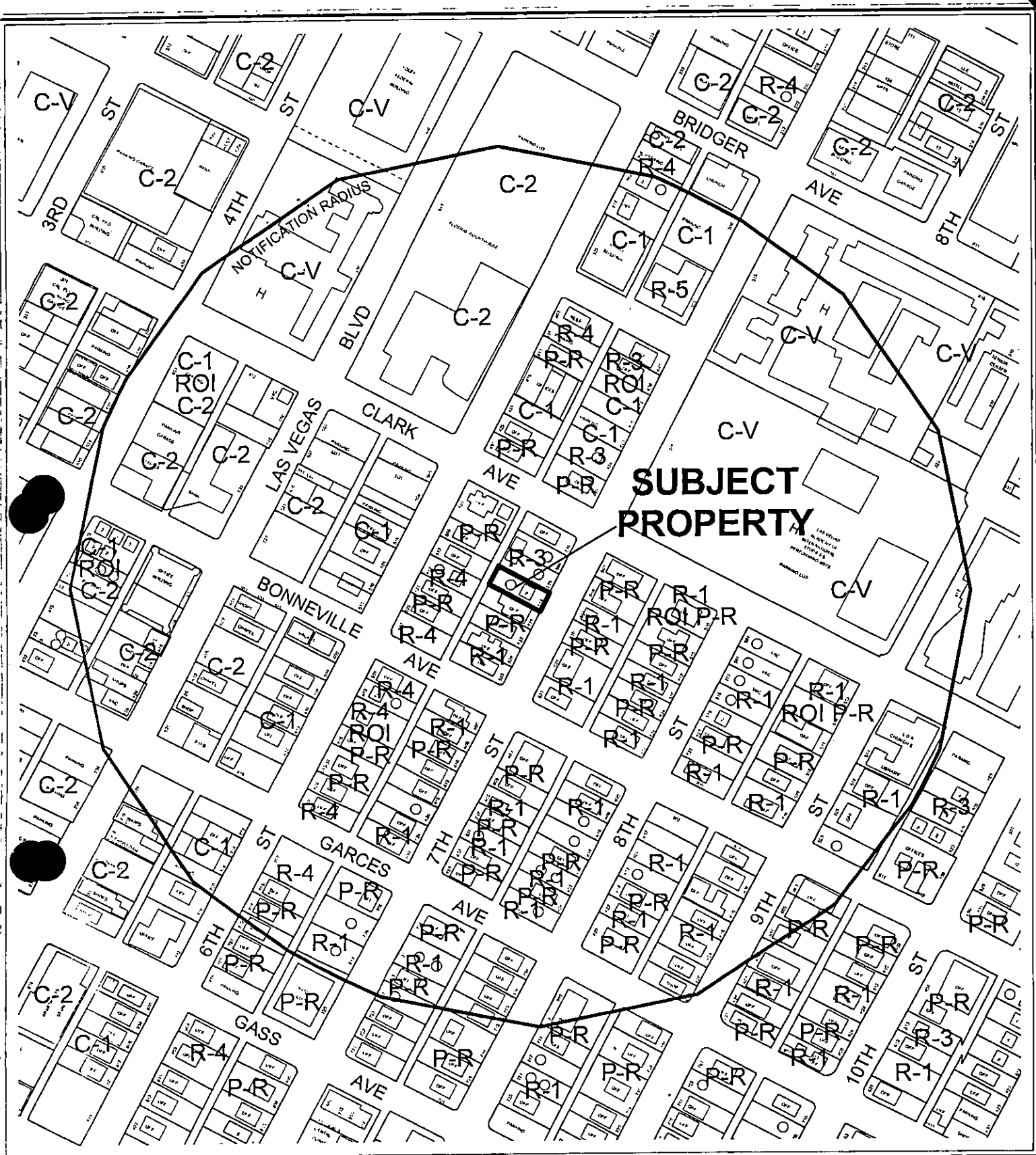
MOTION:

GOYNES – TABLE Item 4 [SDR-19357]; HOLD IN ABEYANCE Item 1 [ANX-19110], Item 20 [WVR-19784], Item 21 [SUP-19359], Item 22 [SDR-19363], Item 28 [SDR-19352] and Item 29 [TXT-19240] to 3/22/2007; and HOLD IN ABEYANCE Item 12 [GPA-19066], Item 13 [ZON-18923], Item 14 [VAR-18924], Item 15 [VAR-19609] and Item 16 [SDR-18925] to 4/12/2007 – UNANIMOUS

MINUTES:

See Item 13 for related discussion and backup.

(6:02 – 6:06)



**SUBJECT
PROPERTY**

0 400 800 Feet

CASE: **SDR-18925**

RADIUS: 1000 ft

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

PROPOSED ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: MARCH 8, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-18925 - APPLICANT/OWNER: WAYWARD PROPERTIES, INC**

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

1. Conformance to the conditions for Rezoning (ZON-18923), Variance (VAR-18924), and Variance (VAR-19609) 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 2/5/07 and building elevations date stamped 12/26/06, except as amended by conditions herein.
4. A Waiver from Title 19.12.040A is hereby approved, to allow a perimeter landscape buffer width of four feet on the north and zero feet on south property lines where eight feet is the minimum required.
5. A Waiver from Title 19.12.040B Landscape, Wall and Buffer Standards is hereby approved to allow 12 landscape buffer trees where 17 landscape buffer trees are required
6. A Waiver from Title 19.10.010 J11 Parking, Loading, and Traffic Standards is hereby approved, to allow zero parking lot fingers where two parking lot fingers are required.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.

SDR-18925 - Conditions Page Two
March 8, 2007 - Planning Commission Meeting

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

Public Works

15. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-18923 and all other subsequent site-related actions.

SDR-18925 - Staff Report Page One
March 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a two-story, 3,218 square-foot professional office building with a Waiver to allow a perimeter landscape buffer width of four feet on the north and zero feet on south property lines where eight feet is the minimum required on 0.16 acres at 514 South Seventh Street. Parking and setbacks do not meet requirements and two Variances (VAR-18924 and VAR-19609) have been requested. Access to the property is provided by an alley through to the west. Due to several requests for deviations from requirements, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
03/08/07	Companion items for a Rezoning (ZON-18923) and two Variances (VAR-18924 and VAR-19069) will be heard concurrently with this item.
<i>Pre-Application Meeting</i>	
12/05/06	A pre-application meeting was held. Title 19 Landscaping and Parking standards were discussed. It was noted by Public Works that parking spaces cannot back directly onto a public street. In addition, submittal requirements for a variance, site development review and rezoning were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not held, nor was one required.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.16

<i>Surrounding Property</i>	<i>Existing Land Use</i>	<i>Planned Land Use</i>	<i>Existing Zoning</i>
Subject Property	Duplex	MXU (Mixed Use)	R-1 (Single Family Residential)
North	Apartment	MXU (Mixed Use)	R-3 (Medium Density Residential)
South	Office	MXU (Mixed Use)	P-R (Professional Office and Parking)
East	Office	MXU (Mixed Use)	R-1 (Single Family Residential)
West	Office	MXU (Mixed Use)	P-R (Professional Office and Parking)

JM

SDR-18925 - Staff Report Page Two
March 8, 2007 - Planning Commission Meeting

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	60 Feet	50 Feet	N*
Min. Setbacks			
• Front	20 Feet	17 Feet	N*
• Side	5 Feet	4 Feet	N*
• Corner	15 Feet	NA	NA
• Rear	15 Feet	79 Feet	Y
Max. Lot Coverage	50%	24%	Y
Max. Building Height	2 stories or 35 Feet	32 Feet	Y
Trash Enclosure	Yes	Curb	Y
Mech. Equipment	Yes	Yes	Y

** A Variance (VAR-19609) application is required.*

Pursuant Title 19.12, the following landscape standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/ 6 Spaces	2 Trees	Zero Trees	N*
Buffer:				
Min. Trees (South, East, West)	1 Tree/ 30 Linear Feet	9 Trees	5 Trees	N*
Buffer:				
Min. Trees (North)	1 Tree/ 20 Linear Feet	8 Trees	7 Trees	N*
TOTAL		19 Trees	12 Trees	N*

SDR-18925 - Staff Report Page Three
March 8, 2007 - Planning Commission Meeting

Min. Zone Width (Right-of-Way)	15 Feet	15 Feet	Y
Min. Zone Width (Interior-north)	8 Feet	4 Feet	N*
(Interior-south)	8 Feet	Zero Feet	N*
Wall Height	8 Feet	NA	NA

** Waivers from Title 19.12.040A and 19.12.040B Landscape, Wall and Buffer Standards and a Title 19.10.010 J11 Parking, Loading, and Traffic Standards have been requested by the applicant.*

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 Regular	Handi-capped	Parking Regular	Handi-capped	
Office	3,284 GF	1 per 300 SF	10	1	6	1	N*
TOTAL			11	1	7	1	
Percent Deviation					36%		N*

A Variance (VAR-18924) application is required

Waivers		
Request	Requirement	Staff Recommendation
Zero Parking Lot Landscape Fingers	1 per 6 parking spaces	Denial
A Waiver to allow a perimeter landscape buffer width of four feet on the north and zero feet on south property lines where eight feet is the minimum required.	8 feet	Denial

ANALYSIS

- Zoning**

The applicant is requesting a Rezoning from R-1 (Single Family Residential) to a P-R (Professional Office and Parking) District. As the proposed development does not meet the lot width requirement for a P-R (Professional Office and Parking) District, a companion Variance (VAR-19609) has been requested.

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March 8, 2007 - Planning Commission Meeting

- **Site Plan**

The applicant is proposing to demolish the existing historic building built in 1932, replacing it with a two-story, 3,218 square-foot office building. The parking is in the rear of the site, gaining access from an alley way to the west of the parcel with access to Clark Avenue to the north and Bonneville Avenue to the south. As designed, the project requires several deviations from standards, including landscape waivers for the perimeter buffer width and landscape fingers in the parking lot area. Additionally, two Variances (VAR-19609 & VAR-18924) have been requested for setback requirements and parking respectively. These deviations from standards indicate that the applicant is intending to overbuild the site.

- **Waivers**

The applicant is requesting a Waiver to allow a perimeter landscape buffer width of four feet on the north and zero feet on south property lines where eight feet is the minimum required. In addition, the applicant is requesting a Waiver to provide zero parking lot landscape fingers in the parking area. These Waivers cannot be supported as the applicant is attempting to overbuild the site.

- **Landscape Plan**

Several Title 19 standards cannot be met as a result of the size of the building and the configuration of parking areas. Parking with access from the alley to the west eliminates the possibility of providing landscaping along this edge of the property. The landscape plan shows many deficiencies. The site is deficient in landscape buffer width requirements on the north and south property lines. In addition, the site is deficient in parking lot landscape fingers. Waivers have been requested on both items.

- **Elevation**

Elevations depict a two-story building. The height of the two-story buildings is approximately 32 feet. Building materials are per City of Las Vegas requirements.

- **Floor Plan**

The Floor plan depicts a two-story office building with access to the east of the building on 7th Street and at the rear of the building.

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March 8, 2007 - Planning Commission Meeting

- Historic Preservation

Background

The subject site includes one parcel within the Las Vegas High School Historic District, which is listed on the National Register of Historic Places. The National Register is the United States' official list of historic places worthy of preservation because they are historically, architecturally, or archeologically significant. The National Register listing recognizes the significance of properties and districts within a community, and provides a limited degree of protection from the effects of federally funded, licensed, or permitted activities.

Properties listed on the National Register do not fall under the jurisdiction of the city of Las Vegas Historic Preservation Commission (HPC) design review process whereby the HPC approves or disapproves major changes that are planned for the district. However, because the district is listed on the National Register, the Planning and Development Department has worked with the HPC to identify the significant architectural and streetscape elements that define the unique character of the district. The typical character-defining elements include one-story, residential homes built from the early 1930s through the 1940s. The styles of the original homes are typically early Revival styles such as Tudor, Spanish and Colonial, and several Ranch style examples.

The Las Vegas High School Historic District was surveyed in 1987. The survey was funded by a grant from the National Park Service, and completed by Dorothy Wright for the Nevada State Museum and Historical Society.

Historic Significance

514 S. Seventh Street is considered to be a "contributing resource," meaning, it retains its architectural integrity and context within the historic neighborhood.

514 S. Seventh was built in 1930 in the Spanish/Mission Revival style. This duplex is one of the earliest structures in the neighborhood, and one of many that was built at least partly as a rental property, due to the Boulder Dam population boom.

Built for Owen W. Gates, this two story building was constructed by E.L. Andres for \$5,000. Gates moved to Las Vegas from Los Angeles in 1929 to establish a local branch of Pioneer Title Insurance and Trust Company, and he was the vice-president and general manager of that operation. He served as the first president of the Fish and Game Association, president of the Chamber of Commerce, and chairman of the local chapter of the American Red Cross as well as numerous other civic and charitable organizations. In addition, he was an influential member of the Colorado River Commission, a tireless Las Vegas booster, and worked to get Boulder Dam for the area.

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March 8, 2007 - Planning Commission Meeting

Review

Recent reviews by the Nevada State Historic Preservation Office have suggested that the Las Vegas High School Historic District is at risk for losing its recognition by the National Register due to significant inappropriate new development. *If this occurs, this will remove the option for other property owners within the district to take advantage of certain historic preservation financial opportunities that would allow them to receive tax credits or grants to restore the historic buildings.*

Because of this, the Planning Department and the Historic Preservation Officer (HPO) *strongly encourage* sensitive and contextual design within the neighborhood to preserve its historic character and integrity, with the priority being to preserve the original homes in their original state. When this is proven to be infeasible, the HPO recommends that the applicant maintain as much of the existing historic building façade as possible with any necessary additions built onto the rear of the existing structure, thereby keeping the one-story streetscape intact.

The proposed project includes demolition of the existing structure, and construction of a two-story office building. Review of the project plans reveals that the current historic structure could be added onto the rear to provide additional office space.

The new design for these parcels has been determined by the City of Las Vegas Historic Preservation Officer to be incompatible with the historic neighborhood for the following reasons:

- The front facade of the building extends two stories with little or no variation in terms of noticeably recessed planes or architectural detail that would provide a more residential appearance. This massing appears foreboding, and is incompatible with the existing residential scale of the neighborhood.
- The architectural style of the building does not reference any existing historic style of the Las Vegas High School neighborhood, and is completely incompatible with the existing historic residential context.

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;**

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March 8, 2007 - Planning Commission Meeting

The parcels adjacent to this one to the south and east across 7th Street are currently used for office purposes. Although the proposed use would be compatible with others in the immediate area, the multiple deviations from standards indicate that the applicant is intending to overbuild the site. Therefore, denial is recommended.

The building is considered incompatible within the historic architectural context of the Las Vegas High School Historic District for the following reasons:

1. The front façade, most noticeably the entrance, of the building extends two stories with little or no variation in terms of noticeably recessed planes or architectural detail that would provide a more residential appearance.
2. The architectural style of the building does not reference any existing historic style of the Las Vegas High School neighborhood, and is completely incompatible with the existing historic residential context.

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 requires several deviations from standards as designed. The project requires waivers of the perimeter landscape buffer and parking lot landscaping requirements. Variances are required for setback and parking deficiencies. Due to these deviations denial of this request is recommended.

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

The site gains access from an alley way to the west of the parcel with access to Clark Avenue to the north and Bonneville Avenue to the south.

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

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

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

Elevations and design characteristics for the office building are not unsightly or obnoxious in appearance; however, the building style is not harmonious and compatible with existing development. The style does not reflect the existing residential development or historic architecture.

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March 8, 2007 - Planning Commission Meeting

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

The proposed development will not compromise the public health, safety, and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

19

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 162 (Mailed with ZON-18923, VAR-18924 and VAR-19609)

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-18925** APN: #139-34-710-024

Name of Property Owner: Wayward Properties, Inc.

Name of Applicant: Wayward Properties, Inc.

Name of Representative: Bradley Hofland, President

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

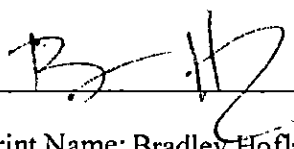
☒ No

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: _____

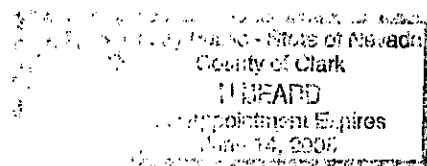
Signature of Property Owner: 

Print Name: Bradley Hofland, President

Subscribed and sworn before me

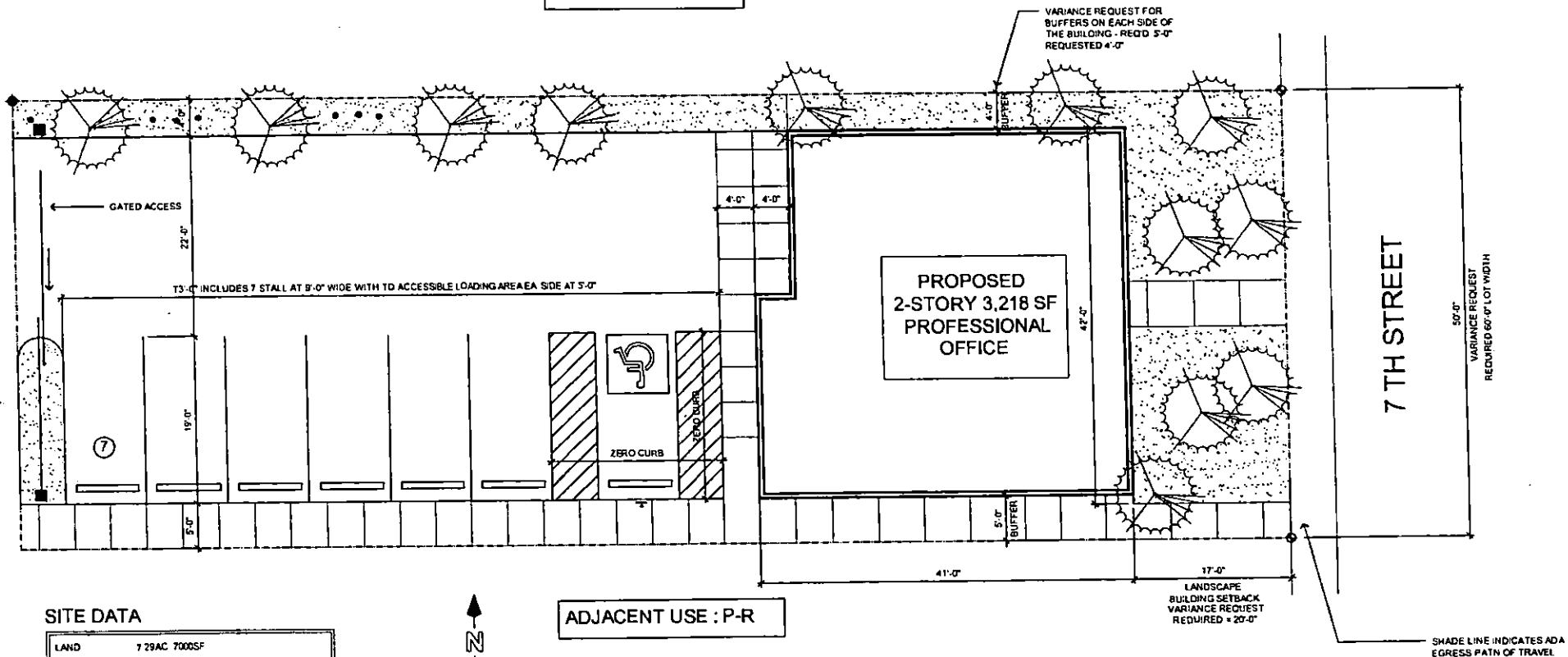
This 26th day of December, 2006


Notary Public in and for said County and State



20' WIDE ALLEY ACCESS

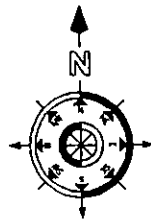
ADJACENT USE : R-3



SITE DATA

LAND	7.29 AC 7000 SF
BLDG.	3218 SF, 2-STORY (1509 SF FOOTPRINT)
LAND/BLDG.	2.11/1000 COVERAGE 46%
PARKING	
REQUIRED:	1/200 per CLV Zoning Ordinance 19.10 3218/200 = 16.09 = 16 SPACES REQ'D
PROVIDED:	7 SPACES INCL (1) ACCESSIBLE SPACE

ADJACENT USE : P-R



A PROPOSED PROFESSIONAL OFFICE BUILDING (APN # 139-34-71-0024)
1/16"=1'-0"

W AYWARD P ROPERTIES

SOUTH SEVENTH STREET, LAS VEGAS, NV

RECEIVED
FEB 05 2007

ZON-18923
VAR-19609
REVISED

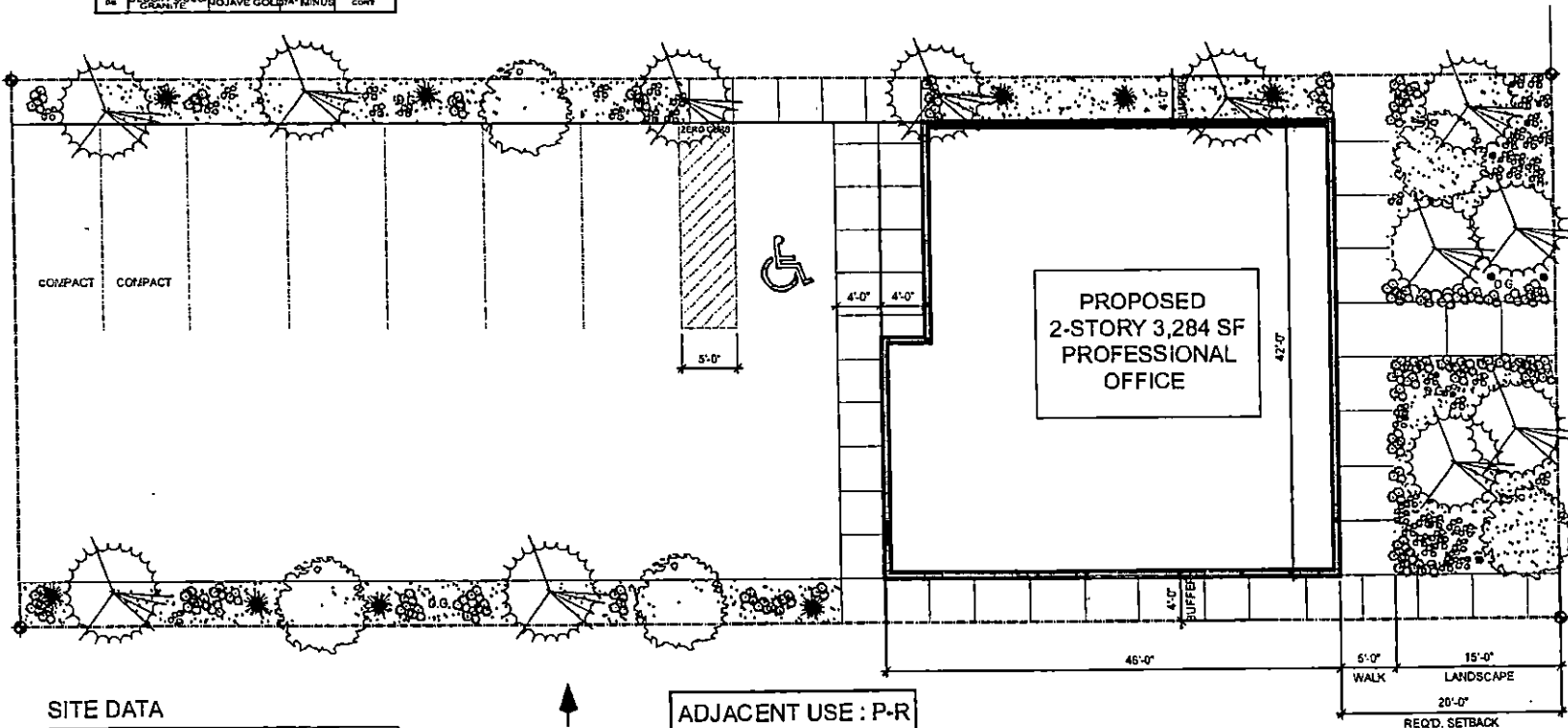
VAR-18924
SDR-18925
03/08/07 PC

PLANT LEGEND				
SYM.	BOTANICAL NAME	COMMON NAME	SIZE / QUANTITY	REMARKS
TREES				
	CERESIDUM FLORIDUM	PALE VERDE	24" BOX	MULTI TRUNK
	FRAXINUS GREGGII	TEXAS ASH	24" BOX	STANDARD TRUNK
SHRUBS/GROUNDCOVERS				
	CASSIA NEMOPHILA	DESERT CASSIA	5 GAL.	W/O.C.
	PAFNIOLLEPS INDICA	WOMAN HAWTHORN	1 GAL.	W/O.C.
	YUCCA RUPICOLA	TWISTED YUCCA	15 GAL.	
	DECOMPOSED GRANITE	MOJAVE GOLDSTAR MINUS	CONT.	

ADJACENT USE : R-3

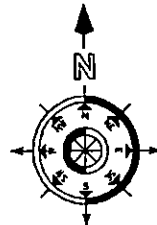
20' WIDE ALLEY ACCESS

7TH STREET



SITE DATA

LAND:	2.29AC 7000SF
BLDG:	3284 SF, 2-STORY (1642 SF FOOTPRINT)
LAND/BLDG:	2.13/1000 COVERAGE 48%
PARKING:	
REQUIRED:	1/300 per CLV Zoning Ordinance 19.10 3284/300 = 10.94 = 11 SPACES REQD.
PROVIDED:	8 SPACES INCL. (1) ACCESSIBLE SPACE



ADJACENT USE : P-R

NOTE: DG TO BE 2" DEEP MINIMUM IN ALL PLANTING AREAS
TREES ADJACENT TO RESIDENTIAL TO BE 20'-0" O.C.
NON-ADJACENT TO RESIDENTIAL SHALL BE 30'-0" O.C.

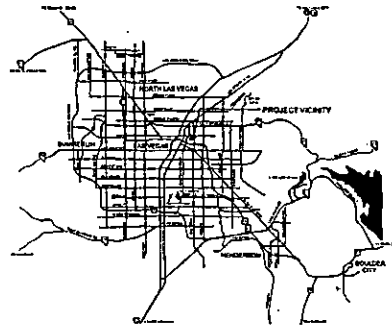
RECEIVED
DEC 26 2006

A PROPOSED LANDSCAPE PLAN (APN # 139-34-71-0024)
1/16"=1'-0"

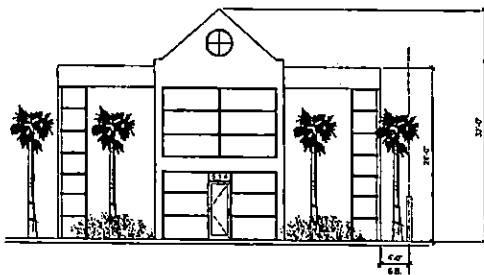
WAYWARD PROPERTIES

4 SOUTH SEVENTH STREET, LAS VEGAS, NV

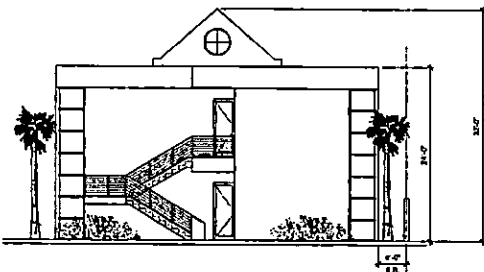
ZON-18923 VAR-18924
SDR-18925 03/08/07 PC



VICINITY MAP

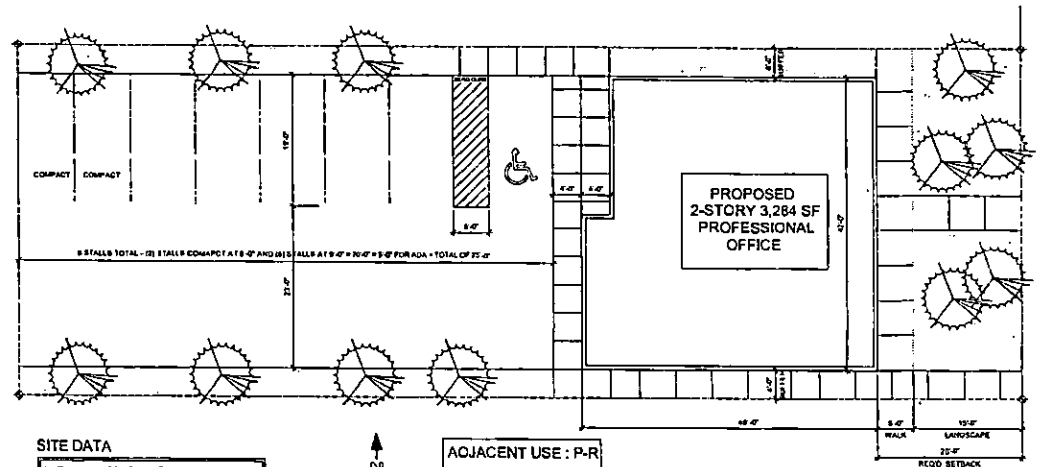


WAYWARD PROPERTIES
ELEVATION - VIEW FROM 7TH STREET
1/8"=1'-0"



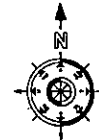
WAYWARD PROPERTIES
REAR ELEVATION
1/8"=1'-0"

20' WIDE ALLEY ACCESS

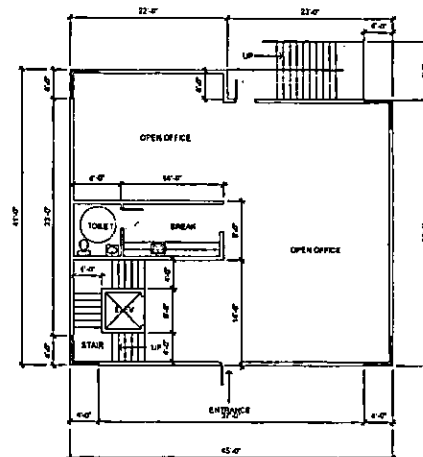


SITE DATA

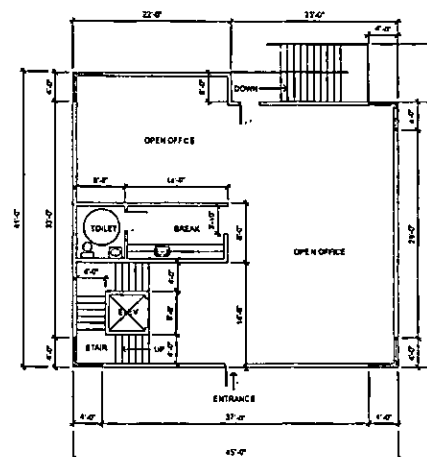
LAND	2.28 AC 1,000 SF
BUILD	3,284 SF, 2-STORY (247 SF FOOTPRINT)
LANDING	1/31,000 COVERAGE 40%
PARKING	
REQUIRED	1/200 per CLU Zoning Ordinance 13.10
PROVIDED	3,284/200 = 16.42 IN 16 SPACES REQ'D.
	8 SPACES INCL. 12' WIDE ACCESS SPACE



WAYWARD PROPERTIES
A PROPOSED PROFESSIONAL OFFICE BUILDING (APN # 139-34-71-0024)
1/8"=1'-0"



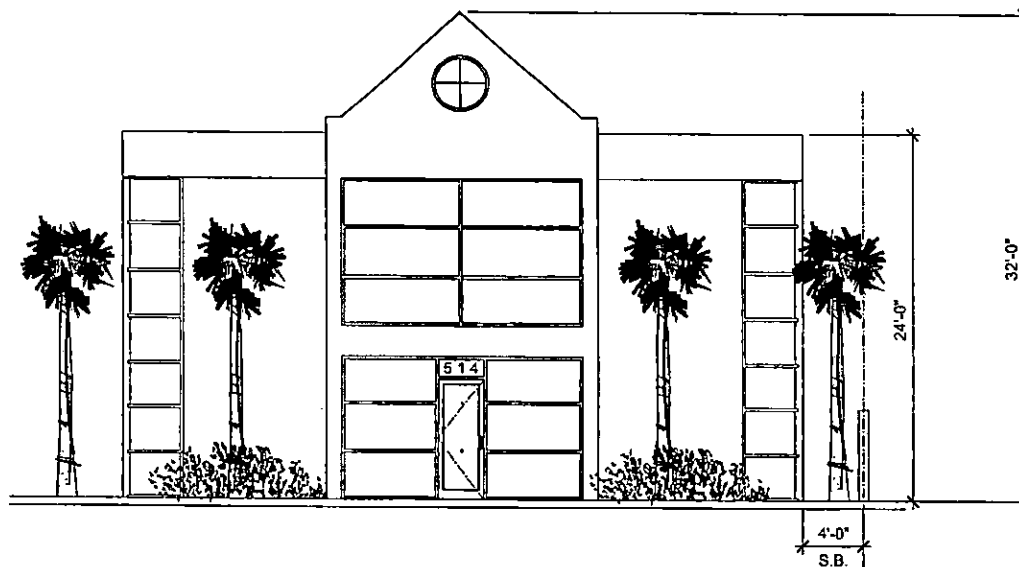
WAYWARD PROPERTIES
A 1ST FLOOR PLAN - ENTRANCE 7TH STREET
1/8"=1'-0"



WAYWARD PROPERTIES
B 2ND FLOOR PLAN - ALLEY SIDE
1/8"=1'-0"

ZON-18923 VAR-18924
SDR-18925 03/08/07 PC

DEC 26 2006



B

ELEVATION - VIEW FROM 7TH STREET

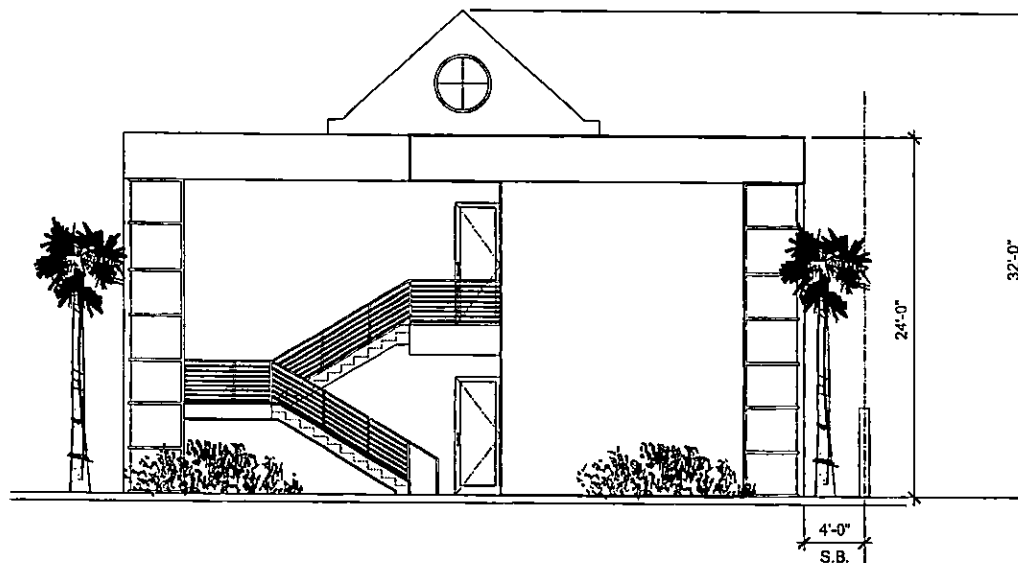
1/8"=1'-0"

WAYWARD**P**ROPERTIES

514 SOUTH SEVENTH STREET, LAS VEGAS, NV

RECEIVED
DEC 28 2006

ZON-18923 VAR-18924
SDR-18925 03/08/07 PC



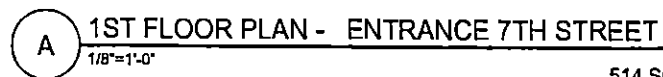
B REAR ELEVATION
1/8"=1'-0"

WAYWARD **P**ROPERTIES

514 SOUTH SEVENTH STREET, LAS VEGAS, NV

RECEIVED
DEC 28 2006

ZON-18923 VAR-18924
SDR-18925 03/08/07 P



514 SOUTH SEVENTH STREET, LAS VEGAS, NV

RECEIVED
DEC 26 2006

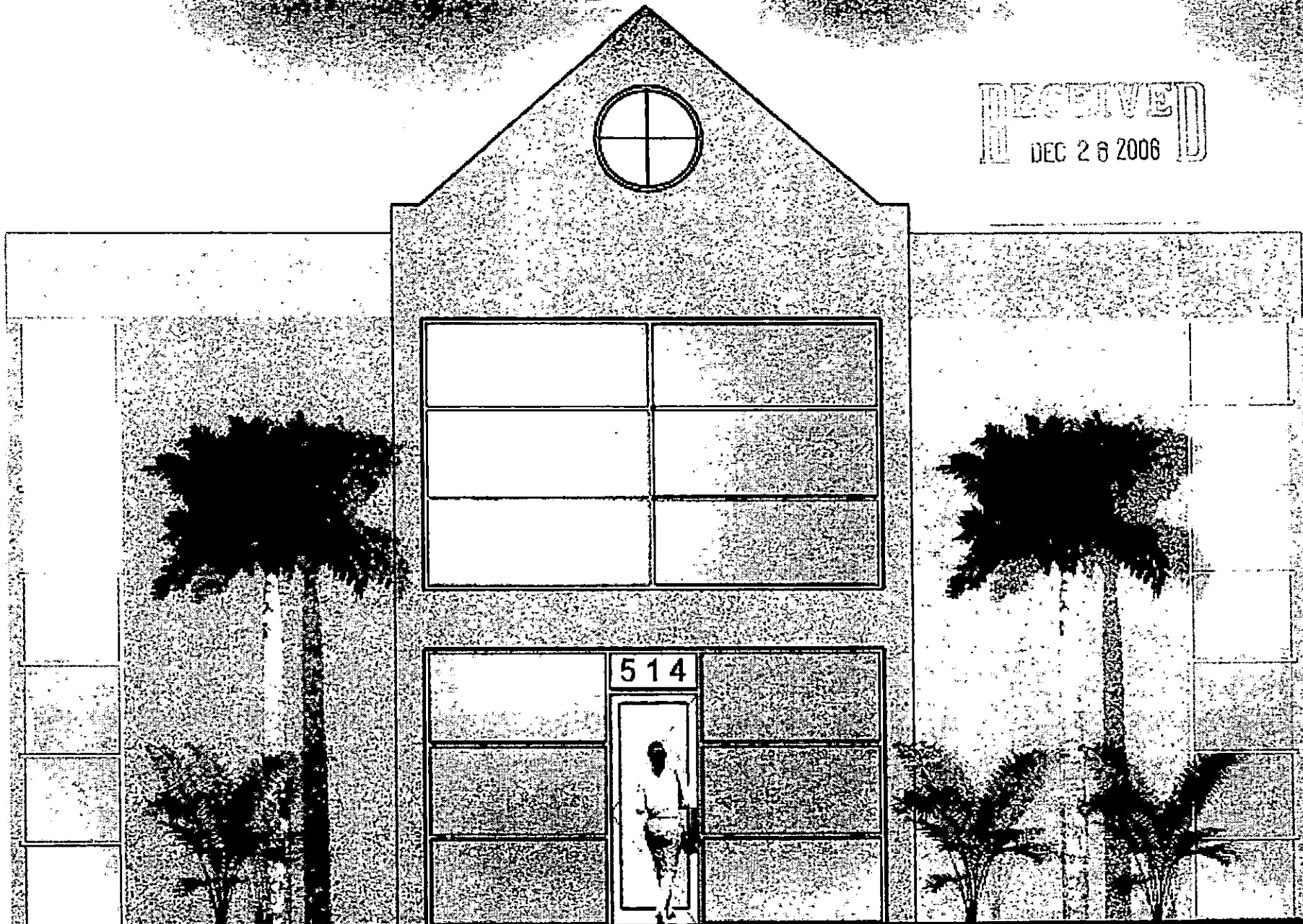


514 SOUTH SEVENTH STREET, LAS VEGAS, NV

ZON-18923 VAR-18924
SDR-18925 03/08/07 PC

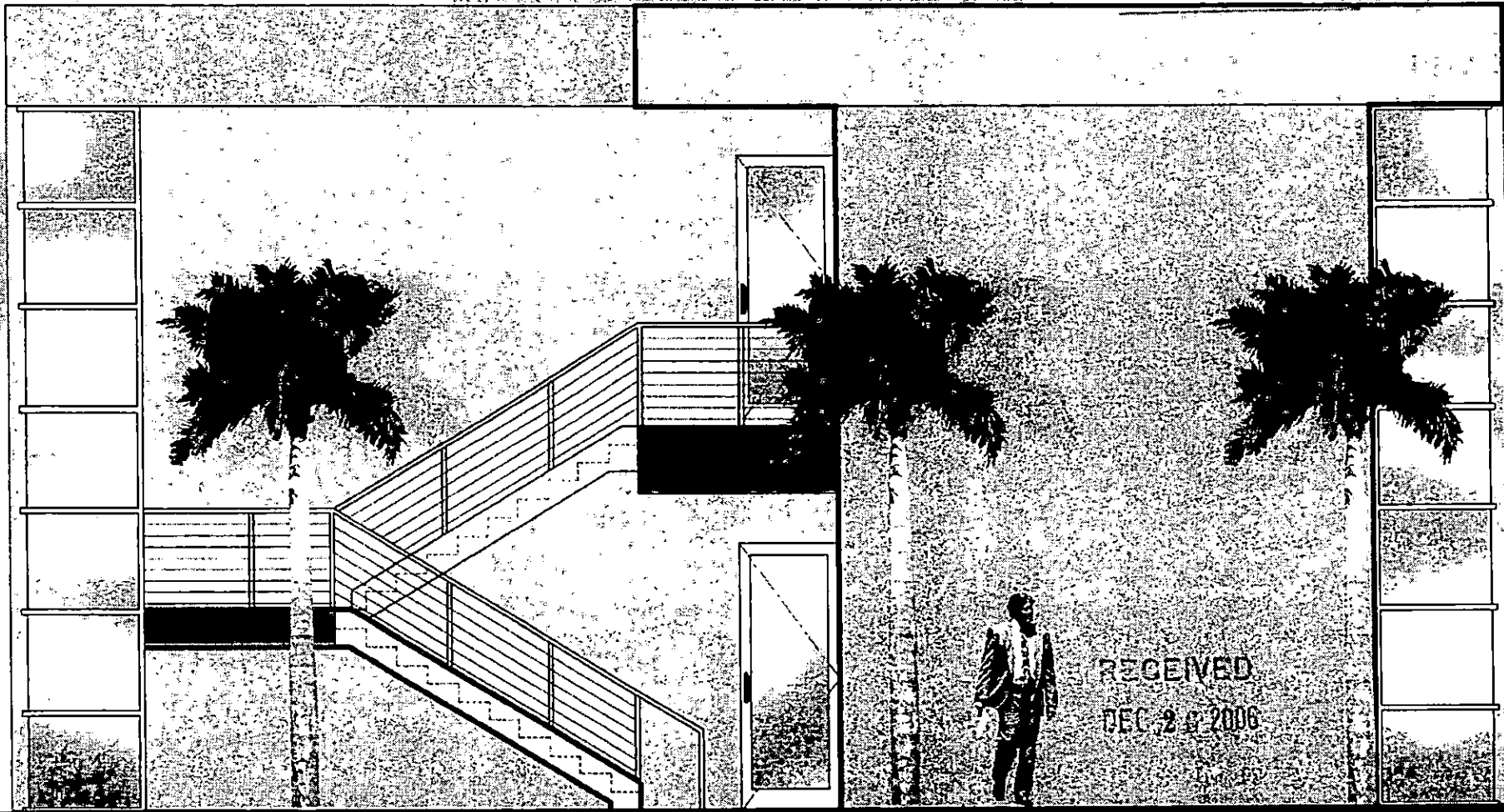
RECEIVED
JUN 26 2006

RECEIVED
DEC 26 2006



ZON-18923 VAR-18924
SDR-18925 03/08/07 PC

RECEIVED
DEC 26 2006



RECEIVED
DEC 26 2006

ZON-18923 VAR-18924
SDR-18925 03/08/07 PC



ZON-18923, VAR-18924, VAR-19609 AND SDR-18925 - APPLICANT/OWNER: WAYWARD PROPERTIES, INC
514 SOUTH SEVENTH STREET
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07



ZON-18923, VAR-18924, VAR-19609 AND SDR-18925 - APPLICANT/OWNER: WAYWARD PROPERTIES,
INC
514 SOUTH SEVENTH STREET
MARCH 8, 2007 PLANNING COMMISSION

01/08/07

December 19, 2006

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

RE: Justification Letter - APN# 139-34-71-0024

To Whom It May Concern:

The proposed development on a property located about the streets of Clark and 7th in the downtown sector of the City of Las Vegas, is currently zoned "R-1". We respectfully request the zoning to be amended to allow a development that will utilize a "Commercial / Office" use. (C-2 per title 19 CLV Zoning Code)

We feel this establishment will not adversely affect any of the surrounding infrastructure and will architecturally enhance the neighborhood. The structure itself will emulate a "modern office" motif. We will use a combination of materials aesthetically comparable to other modern office properties in the area. Wayward Properties, LLC feels that the building will contribute to the re-vitalization movement in the downtown sector.

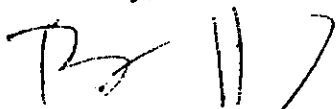
Included in the proposed development will be Law Offices / Professional Offices. The operational hours of this building will be 8am - 5pm. There are 8 parking stalls provided on-site including 1 accessible stall for this proposed use.

Other recently approved conversions to P-R in the area are as follows:

1. 611 S. 6th Street, VAR-12265, parking Variance approved to allow 18 stalls where 19 were required (6/7/6 City Council).
2. 500 S. 8th St, VAR-6030, parking Variance approved to allow 14 stalls where 18 were required (4/6/5 City Council).
3. 504 S. 9th Street, VAR-10432, parking Variance approved to allow 6 stalls where 7 were required (2/15/6 City Council).

Proper drainage, and fire exiting and access are accounted for on-site. The building will adhere to all applicable building and local zoning codes. Please see attached site plan for more information. If there are any questions, feel free to contact us at 702.895.6760

Sincerely,



Bradley J. Hofland, Managing Member
Wayward Properties, LLC.

ZON-18923 VAR-18924
SDR-18925 03/08/07 PC

5 pages

MARLENE WALSHIN
2812 Botticelli Dr., Henderson, NV 89052
702-897-8255; fax 702-897-8655; cell 702-274-3866
email: mjwalshin@yahoo.com

February 26, 2007

Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101 Re: Attached Notices

Meeting March 8, 2007

I own the property at 520 South Seventh Street, just south and adjacent to 514 South Seventh Street.

APPROVAL: ZON-18923 – Rezone to Professional

I approve of this request for rezoning.

OBJECTION: VAR-18924 – Variance to allow seven parking spaces instead of 11

I OBJECT to this variance as I feel it would result in more cars using the free parking on both sides of the street along Seventh. Right now, the street parking is needed for the clients who come to the offices along that street. I have the same-sized lot as 514 and I have two structures on my property with approximately a 2,325 footprint and I have room for 11 parking spaces on my property, so I believe there should be room at 514 for 11 parking spaces. (A further problem is now being caused by the Traffic Department as they have marked the street and allow only one vehicle to park in front of each property where two could actually be parking without any problem.)

OBJECTION: SDR-18925 – Waiver of an eight foot landscape buffer on north and south side of building

I OBJECT to this waiver of zero feet on SOUTH PROPERTY LINE as my property is just south of 514 and I feel a zero foot buffer does not allow enough room between my building on my property and the building being proposed. If the 3,218 square foot building being proposed will have a 1,609 footprint, there should be enough square feet remaining on the lot that the waiver will not be necessary.

OBJECTION: VAR-19609 - Variance for a 50 ft lot width, 4-ft and 17-ft setback

I OBJECT to the 4-foot side setback where 5-feet is required, and I OBJECT to a 17-foot setback where 20 feet is required. I feel the existing structures and any new structures along Seventh Street will be enhanced by maintaining the existing 5-foot and 20-foot setbacks. I feel the goal of the City Council should be to maintain the integrity of Seventh Street as it is now. The lot at 514 South Seventh should be adequate to allow for the 3,218 square foot building being proposed without the necessity of the variances.

I have enclosed copies of your notices for your reference.

Please contact me with any

Marlene Walshin # 13-116
CASE # See above
PC MTG 3-807 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-19353 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: RODRIGO AND TERESITA HERRERA - Request for a Variance TO ALLOW A SIDE YARD SETBACK OF ZERO FEET WHERE 10 FEET IS THE MINIMUM REQUIRED on 0.44 acres at 946 East Sahara Avenue (APN 162-03-801-114), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 04/04/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

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

MOTION:

TROWBRIDGE – APPROVED subject to conditions – Motion carried with DUNNAM voting NO

To be heard by City Council on 4/4/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open for Item 17 [VAR-19353], Item 18 [VAR-19356] and Item 19 [SDR-19350].

JOHN KORKOSZ, Planning and Development Department, explained this project had been approved by the City Council on October, 20, 2004, but the prior applications had since lapsed. He recommended approval as the requests are appropriate for the area.

PLANNING COMMISSION MEETING OF MARCH 8, 2007
Planning and Development Department
Item 17 – VAR-19353

MINUTES:

DENNIS RUSK, 3960 East Patrick Lane, appeared on behalf of the applicant and agreed with all conditions.

HANSEL RHODE, 940 East Sahara, requested more details regarding the project.

MR. RUSK explained this project had been previously approved and the applicants had not realized that the approvals had lapsed until they attempted to pull building permits. He briefly described the project and the site plan.

CHAIRMAN DAVENPORT encouraged MR. RUSK to meet with MR. RHODE. After hearing MR. RUSK'S presentation, MR. RHODE expressed his support.

MR. RUSK informed COMMISSIONER EVANS that he was unaware who the future tenant would be, but the use would be whatever is allowed in this zone.

MR. KORKOSZ assured COMMISSIONER EVANS that the City's landscaping requirements would be satisfied.

MR. RUSK confirmed that the project's financing was in place and the project was ready to move forward.

CHAIRMAN DAVENPORT declared the Public Hearing closed for Item 17 [VAR-19353], Item 18 [VAR-19356] and Item 19 [SDR-19350].

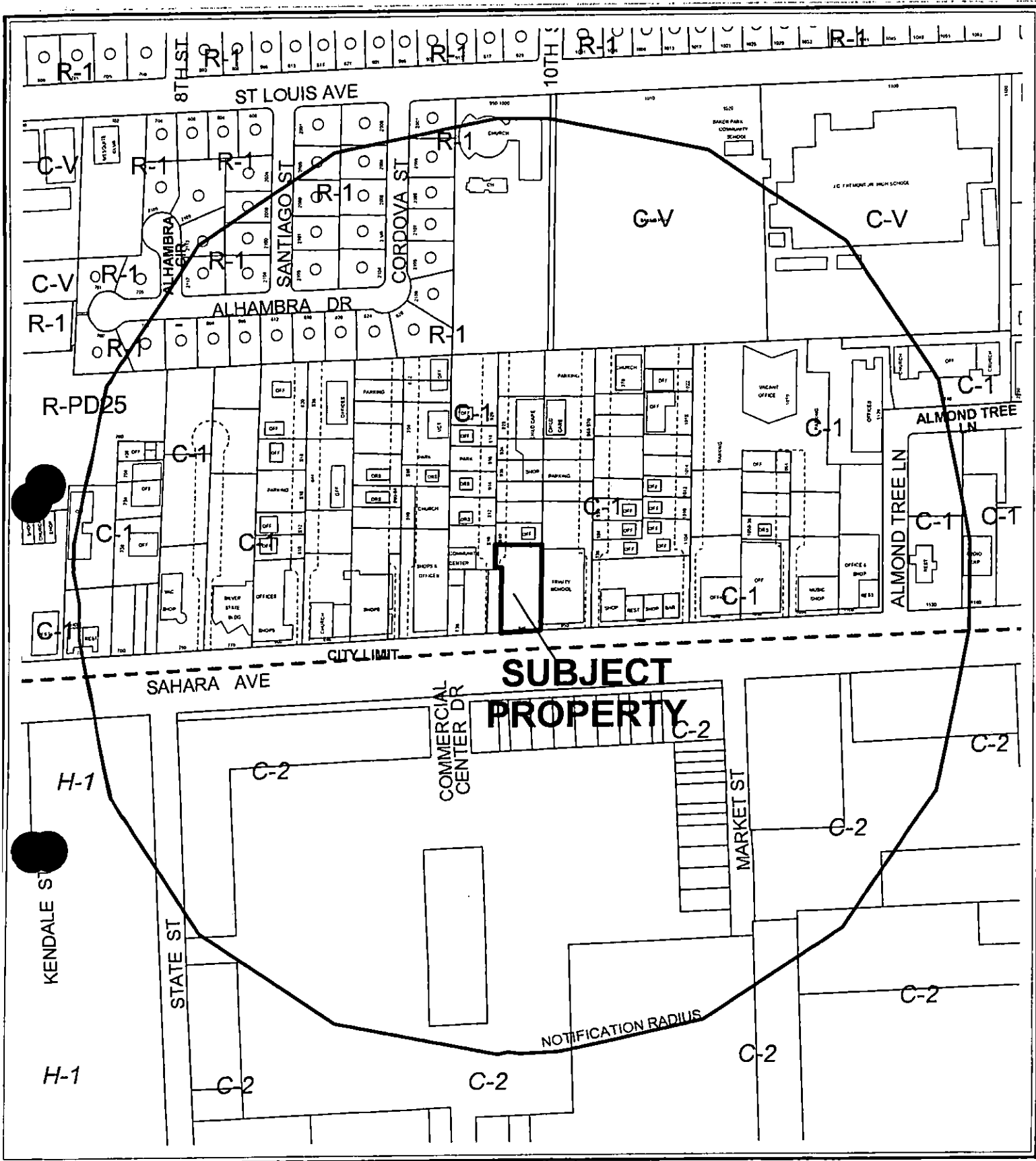
(7:02 – 7:09)

1-2166

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-19350) 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.



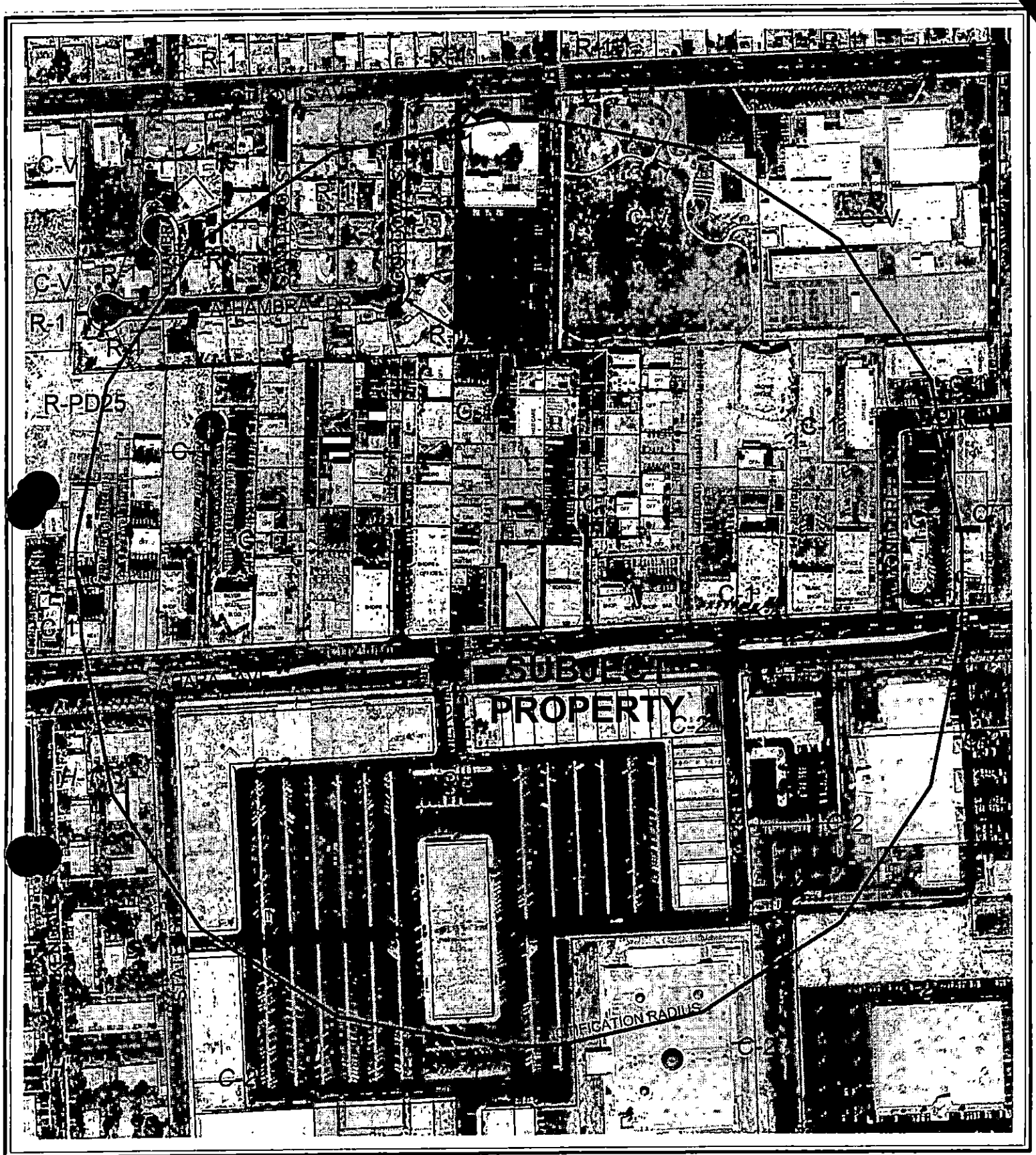
0 500 Feet

CASE: **VAR-19353**

RADIUS: 1000 FT

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





0 500 Feet

CASE: **VAR-19353**

RADIUS: 1000 FT

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



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 8, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-19353 - APPLICANT/OWNER: RODRIGO AND
TERESITA HERRERA

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-19350) 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.

VAR-19353 - Staff Report Page One
March 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow a side yard setback of zero feet where 10 feet is the minimum required on 0.44 acres at 946 East Sahara Avenue.

On 10/20/04, the City Council approved a Site Development Plan (SDR-4990) and Variance (VAR-4986) for this site. The applicant's proposal is the same as the previously approved development. Since the proposed development was previously approved and has since lapsed and sits upon an irregular shaped lot, staff recommends approval.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
Month/date/year	Action
7/19/00	The City Council approved a Variance (V-26-00) to allow a zero foot side yard setback on the east property line, and a three foot side yard setback on the west property line. The Planning Commission and staff recommended approval on June 8, 2000.
4/19/00	The City Council approved a Special Use Permit (U-14-00) for a Wedding Chapel. The Planning Commission and staff recommended approval on March 9, 2000.
12/06/01	The Planning Commission approved a Site Development Plan Review (SD-73-01) for a Wedding Chapel on subject site. The site was not developed, and approval for the project became void on 12/17/03.
10/20/04	The City Council approved a Site Development Plan Review (SDR-4990) for a retail building and Waivers of setback and landscaping standards. In addition, the City Council approved a Variance (VAR-4986) to allow 24 parking spaces where 27 are required. The site was not developed, and approval for the project became void on 10/20/06.
Pre-Application Meeting	
Month/date/year	Description
1/8/07	A pre-application meeting was held with the applicant. The applicant was informed that the previous Site Development Plan Review (SDR-4990) and Variance (VAR-4986) which expired, thereby requiring a new submittal. In addition to the application mentioned, the applicant would be required to submit an additional Variance to allow a zero foot side yard setback on the east property line. Submittal requirements were outlined for the applicant.

VAR-19353 - Staff Report Page Two
March 8, 2007 - Planning Commission Meeting

Details of Application Request	
Site Area	
Net Acres	0.44

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	C (Commercial)	C-1 (Limited Commercial)
North	Offices	C (Commercial)	C-1 (Limited Commercial)
South	Shops, Tavern	Clark County	Clark County
East	Trade School	C (Commercial)	C-1 (Limited Commercial)
West	Shops, Offices	C (Commercial)	C-1 (Limited Commercial)

SPECIAL DISTRICTS/ZONES	Yes	No	Compliance
Special Area Plan		X	Y
Redevelopment Plan Area	X		Y
Special Overlay District		X	Y
Trails		X	Y
Rural Preservation Neighborhood		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	19.166 SF	N/A
Min. Lot Width	100 Feet	93.85 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	10 Feet	Zero Feet	N*
• Rear	10 Feet	70 Feet	Y
Max. Lot Coverage	50%	25%	Y
Max. Building Height	None	23 Feet	N/A
Trash Enclosure	Yes	Yes	Yes

A Variance (VAR-19353) to allow a zero side yard setback.

VAR-19353 - Staff Report Page Three
March 8, 2007 - Planning Commission Meeting

Please note the applicable code section here (Title 19.12)

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Trees/ 6 Spaces	5 Trees	1 Tree	N*
Buffer: Min. Trees	1 Tree/ 30 Linear Feet	14 Trees	10 Trees	N*
TOTAL		19 Trees	11 Trees	N*
Min. Zone Width (Right-of-Way)	15 Feet		15 Feet	Y
Min. Zone Width (Interior – North Side)	8 Feet		6 Feet	N*
Min. Zone Width (Interior – Side yard)	8 Feet		Zero Feet	N*

**Waivers from Title 19.12.040A and 19.12.040B Landscape, Wall and Buffer Standards and a Title 19.10.010 J11 Parking, Loading, and Traffic Standards have been requested by the applicant.*

Pursuant to Title 19.10, the following parking standards apply:

Pursuant to Title 19.10, the following parking standards apply.							
Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
General Retail Store, Other than Listed (3,500 SF or more)	4,720 SF	1/175 GFA	25	2	22	2	N*
TOTAL			27		24		N*
Loading Spaces	4,720 SF		1		1		Y
Percent Deviation			11%				

**Variance (VAR-19356) for parking has been requested.*

VAR-19353 - Staff Report Page Four
March 8, 2007 - Planning Commission Meeting

Waivers		
Request	Requirement	Staff Recommendation
To provide zero feet of perimeter landscape buffer along the side yard.	8 Feet	Approval, the site has constraints due to lot configuration and vehicular access.
To provide six feet of perimeter landscape buffer along the northern interior lot line	8 Feet	Approval, the site has constraints due to lot configuration and vehicular access.
Parking lot fingers	1 per 6 parking spaces	Approval, removal of parking spaces to accommodate this standard would be inappropriate due to sites parking deficiency.
Reduce perimeter buffer tree quantity to 10 trees	14 Trees	Approval, the site has constraints due to lot configuration and vehicular access.

ANALYSIS

This site is currently undeveloped. The applicant proposes to construct a 4,722 square-foot general retail store on the parcel. The site gains access across a privately owned parcel to Sahara Avenue. The applicant has requested this Variance (VAR-19353) to allow a zero side yard setback where ten feet is required.

On 10/20/04, the City Council approved a Site Development Plan (SDR-4990) and Variance (VAR-4986) for this site. The applicant's proposal is the same as the previously approved development. In addition, the site is irregularly shaped which 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. Since this is a lapsed previously approved development and sits upon an irregular shaped lot, staff recommends approval.

FINDINGS

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

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

VAR-19353 - Staff Report Page Five
March 8, 2007 - Planning Commission Meeting

Additionally, Title 19.18.070L states:

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

Evidence of a unique or extraordinary circumstance has been presented, in that the applicant has not created a self-imposed hardship.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 124 (Mailed with VAR-19356 and SDR-19350)

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: RODRIGO HERRERA

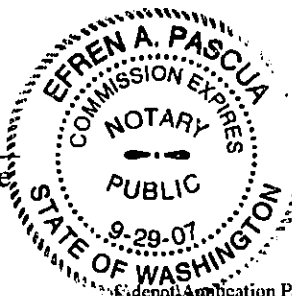
_____ Yes _____ X No

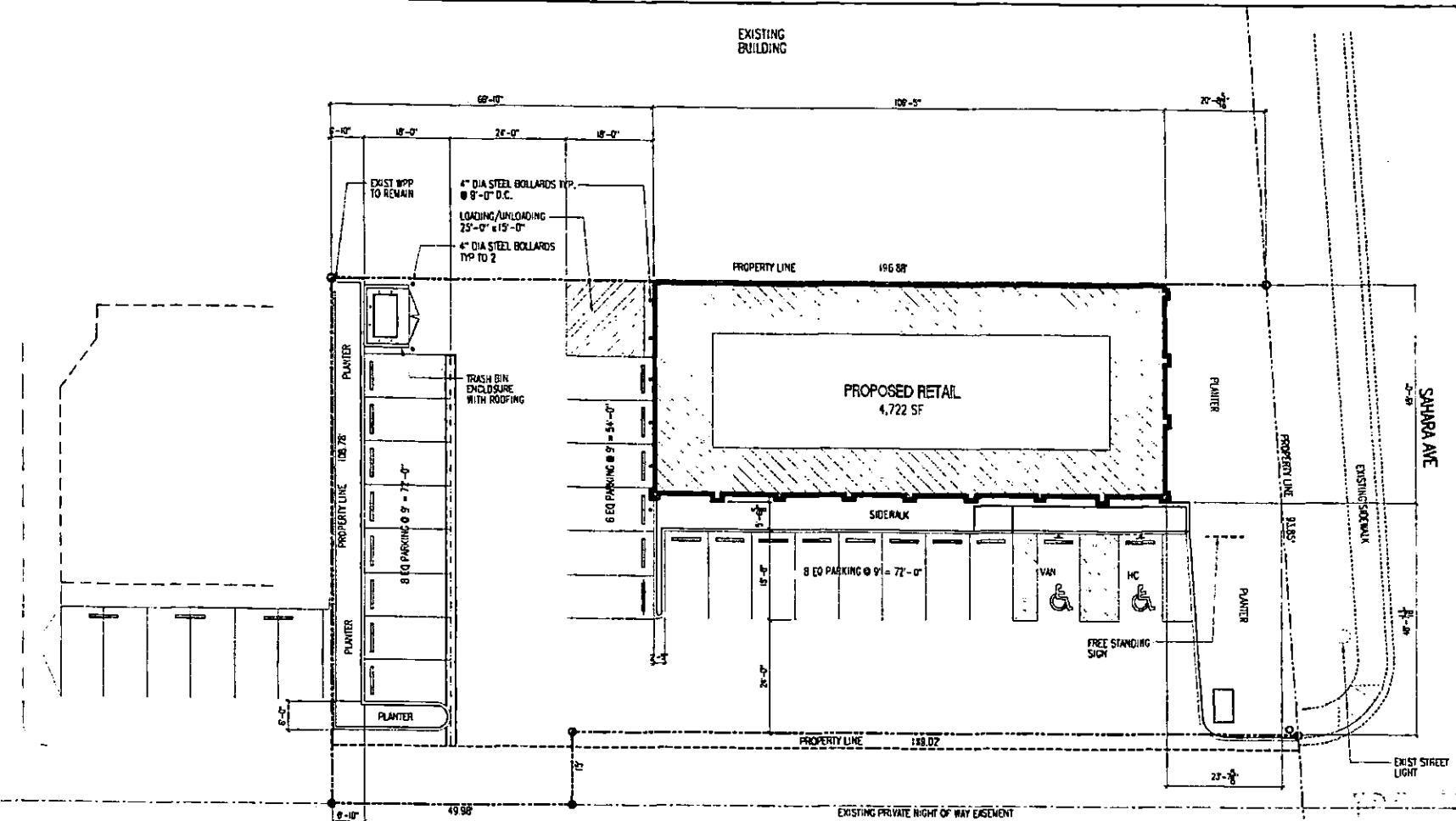
APN: _____

Print Name: KENNEDY L. HENRIKA

This 18th day of January, 2007

Notary Public in and for said County and State





PROJECT DATA	
APN #	82-03-82-114
ADDRESS	946 E. SAHARA AVE. LAS VEGAS, NV
LOT COVERAGE	25%
LOT AREA	19,168 S.F. (0.44 ACRES)
PARKING REQUIRED:	
RETAIL	4,722 SF @ 1/75 SF = 21
PARKING PROVIDED:	
STANDARD CARS 9' x 18'	8
STANDARD CARS 9' x 18'	12
HANDICAPPED CARS 12' x 18'	4
PARKING PROVIDED	24

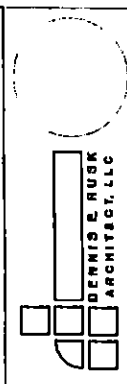


SITE DEVELOPMENT PLAN
SCALE: 1" = 10'-0"



VAR-19353 VAR-19356
SDR-19350 REVISED

03/08/07 PC



SITE DEVELOPMENT PLAN
SAHARA RETAIL
946 E SAHARA AVENUE
LAS VEGAS, NEVADA

Prepared by: [Signature]
Checked by: [Signature]
Drawn by: [Signature]
Scale: 1" = 10'-0"

SP10

Architecture

DENNIS E. RUSK ARCHITECT

January 23, 2007

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

Re: Sahara Retail Building
946 E. Sahara Ave.
Las Vegas, NV

JUSTIFICATION LETTER

We propose to construct a 4,722 square feet commercial building located at 946 E. Sahara Avenue. The building is one story, 23'-0" high, with stucco finish on the exterior wall.

This Project is on an in-fill lot north of Sahara Avenue and west of Maryland Parkway. It is surrounded by small commercial buildings built on property lines with several cross easements for drive aisles and parking. This site is less than ½ acre and with building lot coverage of 25%.

We are filing for a Site Development Plan Review and Variance. Waivers for both setback and landscaping are required. Without the waivers the building would be only 3'-0" wide. A variance for parking is required.

The existing buildings to the north and east are built on the property lines. The first waiver is to build on the east property line with a fire rated wall consistent with adjacent properties.

The Project provides 20'-0" of landscaping on Sahara with trees at 20'-0" o.c. The landscaping waivers include elimination of the 6'-0" foundation and parking fingers where 1 per 6 parking spaces is required. The 8'-0" landscaping on the east side located where the requested elimination of the side yard setback is also requested to be waived together with the west side landscaping in the parking aisle. The north parking buffer is requested to be reduced from 8'-0" to an average of 5'-10" to 8'-5" to provide turning radius for garbage disposal truck and project loading zone.

The parking variance is to reduce the parking to 1/197 SF where 1/175 SF is required. Because the size of the Project is less than 25,000 SF without the tenant spaces defined, the general retail store requirements are used. However, future tenant spaces

Sahara Retail
January 23, 2007
Page 2

may have less requirements and fall under the other commercial uses requiring 1/250 SF or uses requiring less intensive parking. The variance is for 24 spaces where 27 is required.

The setback variance is to allow zero foot side yard setback on the east of the property, where 10 ft is required.

Thank you,

Dennis E. Rusk, Architect

VAR-19353 VAR-19356
SDR-19350 03/08/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-19356 - VARIANCE RELATED TO VAR-19353 - PUBLIC HEARING - APPLICANT/OWNER: RODRIGO AND TERESITA HERRERA - Request for a Variance TO ALLOW 24 PARKING SPACES WHERE 27 SPACES ARE THE MINIMUM REQUIRED on 0.44 acres at 946 East Sahara Avenue (APN 162-03-801-114), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 04/04/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

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

MOTION:

TROWBRIDGE – APPROVED subject to conditions – Motion carried with DAVENPORT and DUNNAM voting NO

To be heard by City Council on 4/4/2007

MINUTES:

See Item 17 for related discussion.

(7:02 – 7:09)

1-2166

CONDITIONS:

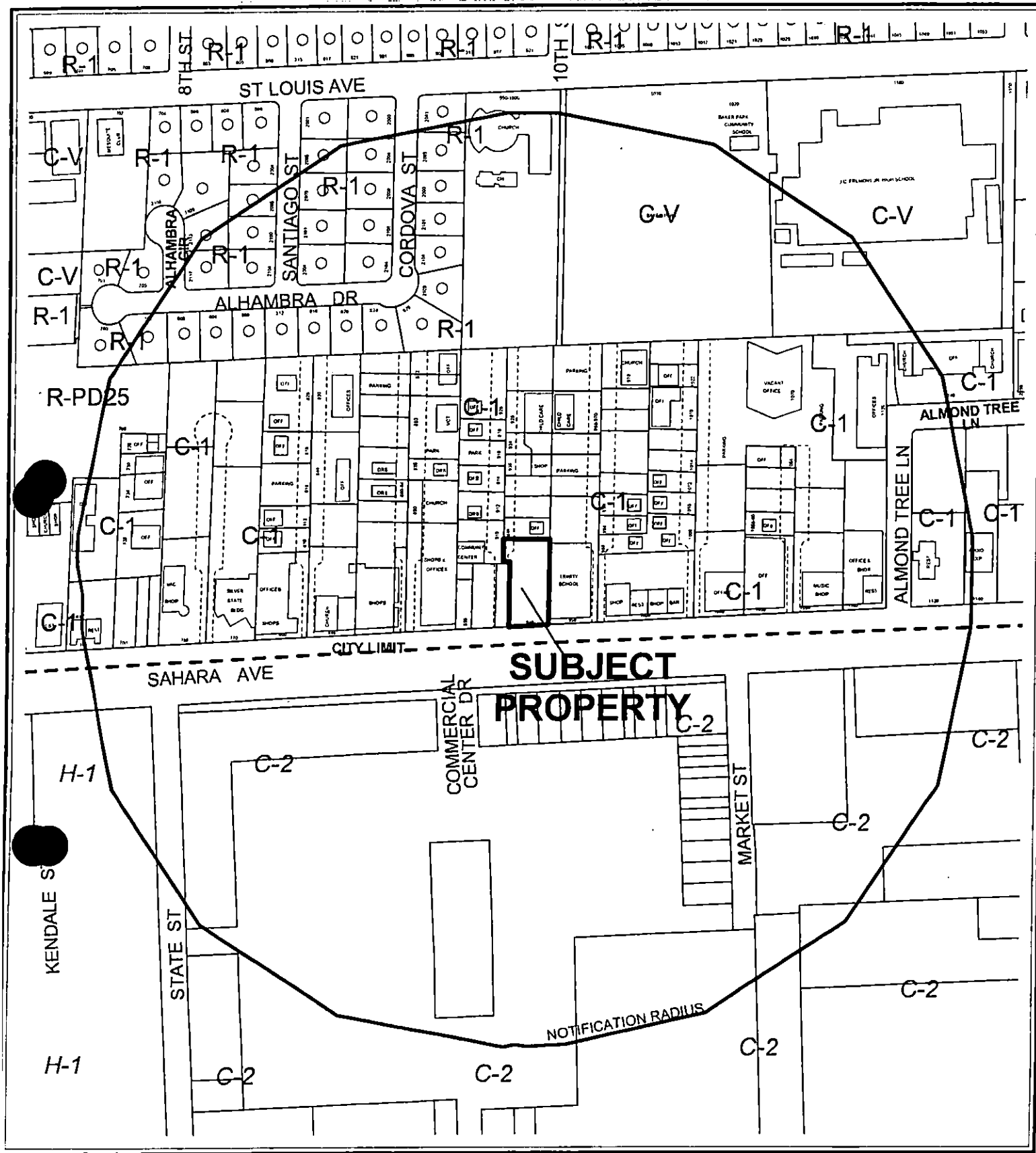
Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-19350) if approved.

PLANNING COMMISSION MEETING OF MARCH 8, 2007
Planning and Development Department
Item 18 – VAR-19356

CONDITIONS – Continued:

2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.



CASE: **VAR-19356**

RADIUS: 1000 FT

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



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 8, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-19356 - APPLICANT/OWNER: RODRIGO AND
TERESITA HERRERA

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-19350) 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.

VAR-19356 - Staff Report Page One
March 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow 24 parking spaces where 27 spaces are the minimum required on 0.44 acres at 946 East Sahara Avenue.

On 10/20/04, the City Council approved a Site Development Plan (SDR-4990) and Variance (VAR-4986) for this site. The applicant's proposal is the same as the previously approved development. Since the proposed development was previously approved and has since lapsed and sits upon an irregular shaped lot, staff recommends approval.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
Month/date/year	Action
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12/06/01	The Planning Commission approved a Site Development Plan Review (SD-73-01) for a Wedding Chapel on subject site. The site was not developed, and approval for the project became void on 12/17/03.
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Pre-Application Meeting	
Month/date/year	Description
1/8/07	A pre-application meeting was held with the applicant. The applicant was informed that the previous Site Development Plan Review (SDR-4990) and Variance (VAR-4986) which expired, thereby requiring a new submittal. In addition to the application mentioned, the applicant would be required to submit an additional Variance to allow a zero foot side yard setback on the east property line. Submittal requirements were outlined for the applicant.

VAR-19356 - Staff Report Page Two
 March 8, 2007 - Planning Commission Meeting

Details of Application Request	
Site/Area	
Net Acres	0.44

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	C (Commercial)	C-1 (Limited Commercial)
North	Offices	C (Commercial)	C-1 (Limited Commercial)
South	Shops, Tavern	Clark County	Clark County
East	Trade School	C (Commercial)	C-1 (Limited Commercial)
West	Shops, Offices	C (Commercial)	C-1 (Limited Commercial)

SPECIAL DISTRICTS/ZONES	Yes	No	Compliance
Special Area Plan		X	Y
Redevelopment Plan Area	X		Y
Special Overlay District		X	Y
Trails		X	Y
Rural Preservation Neighborhood		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	19.166 SF	N/A
Min. Lot Width	100 Feet	93.85 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	10 Feet	Zero Feet	N*
• Rear	10 Feet	70 Feet	Y
Max. Lot Coverage	50%	25%	Y
Max. Building Height	None	23 Feet	N/A
Trash Enclosure	Yes	Yes	Yes

A Variance (VAR-19353) to allow a zero side yard setback.

VAR-19356 - Staff Report Page Three
March 8, 2007 - Planning Commission Meeting

Please note the applicable code section here (Title 19.12)

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Trees/ 6 Spaces	5 Trees	1 Tree	N*
Buffer:				
Min. Trees	1 Tree/ 30 Linear Feet	14 Trees	10 Trees	N*
TOTAL		19 Trees	11 Trees	N*
Min. Zone Width (Right-of-Way)	15 Feet		15 Feet	Y
Min. Zone Width (Interior – North Side)	8 Feet		6 Feet	N*
Min. Zone Width (Interior – Side yard)	8 Feet		Zero Feet	N*

* Waivers from Title 19.12.040A and 19.12.040B Landscape, Wall and Buffer Standards and a Title 19.10.010 J11 Parking, Loading, and Traffic Standards have been requested by the applicant.

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	Parking		
			Regular	Handi- capped	Regular	Handi- capped	
General Retail Store, Other than Listed (3,500 SF or more)	4,720 SF	1/175 GFA	25	2	22	2	N*
SubTotal							
TOTAL			27		24		N*
Loading Spaces	4,720.SF		1		1		Y
Percent Deviation			11%				

*Variance (VAR-19356) for parking has been requested.

VAR-19356 - Staff Report Page Four
March 8, 2007 - Planning Commission Meeting

Waivers		
Request	Requirement	Staff Recommendation
To provide zero feet of perimeter landscape buffer along the side yard.	8 Feet	Approval, the site has constraints due to lot configuration and vehicular access.
To provide six feet of perimeter landscape buffer along the northern interior lot line	8 Feet	Approval, the site has constraints due to lot configuration and vehicular access.
Parking lot fingers	1 per 6 parking spaces	Approval, removal of parking spaces to accommodate this standard would be inappropriate due to sites parking deficiency.
Reduce perimeter buffer tree quantity to 10 trees	14 Trees	Approval, the site has constraints due to lot configuration and vehicular access.

ANALYSIS

This site is currently undeveloped. The applicant proposes to construct a 4,722 square-foot general retail store on the parcel. The site gains access across a privately owned parcel to Sahara Avenue. The applicant has requested this Variance (VAR-19356) to allow 24 parking spaces where 27 are required.

On 10/20/04, the City Council approved a Site Development Plan (SDR-4990) and Variance (VAR-4986) for this site. The applicant's proposal is the same as the previously approved development. In addition, the site is irregularly shaped which 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. Since this is a lapsed previously approved development and sits upon an irregular shaped lot, staff recommends approval.

FINDINGS

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

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

VAR-19356 - Staff Report Page Five
March 8, 2007 - Planning Commission Meeting

Additionally, Title 19.18.070L states:

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

Evidence of a unique or extraordinary circumstance has been presented, in that the applicant has not created a self-imposed hardship.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 124 (Mailed with VAR-19353 and SDR-19350)

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: RODRIGO HERRERA

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

_____ Yes _____ ^X No

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

City Official: _____

Partner(s): _____

APN: _____

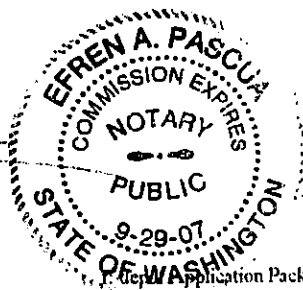
Signature of Property Owner/Authorized Agent: Robert J. Hume

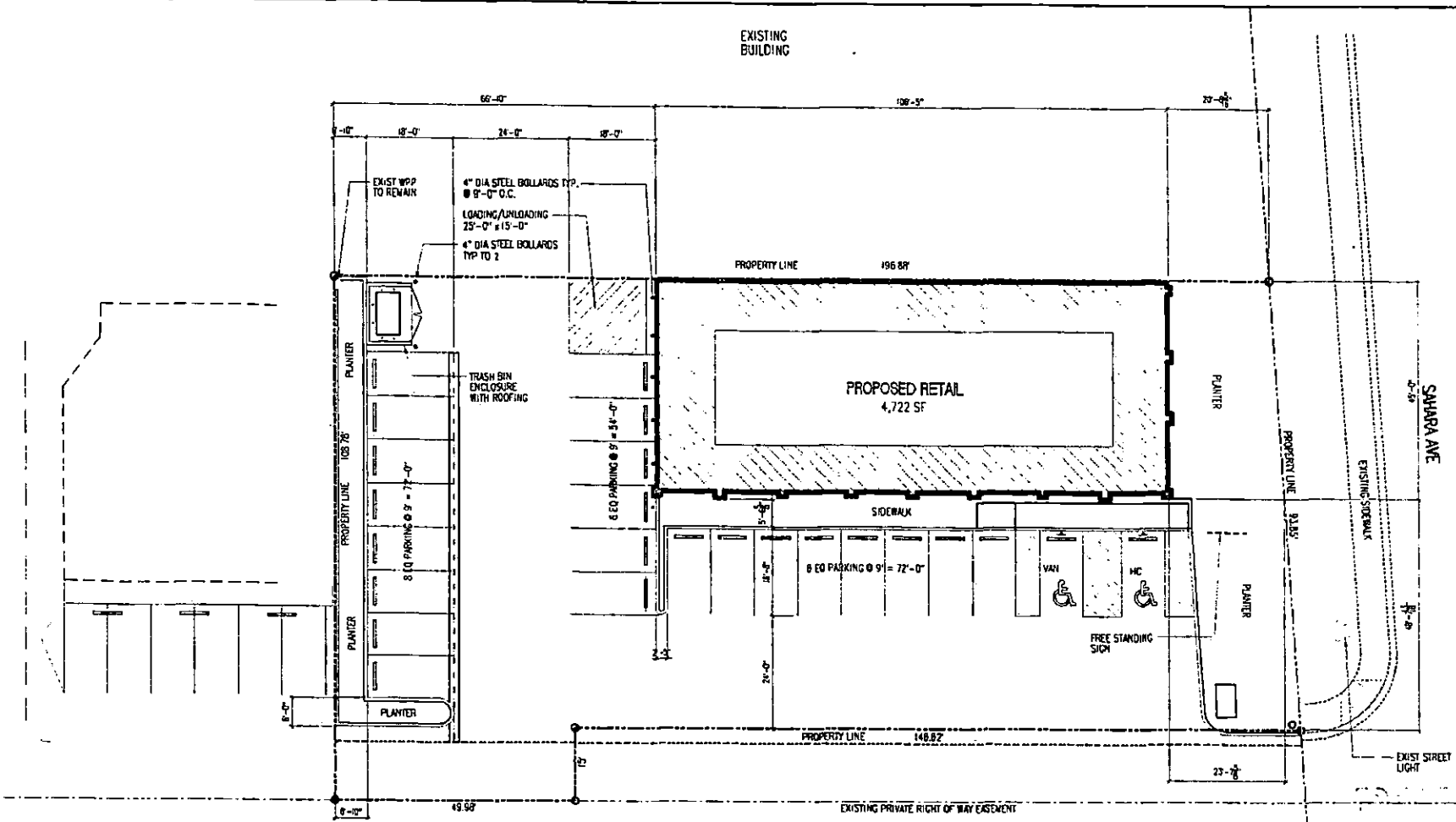
Print Name: LEONARDO L. HERRERA

Subscribed and sworn before me

This 18th day of January 2007

Notary Public in and for said County and State





PROJECT DATA	
APN #	82-03-001-114
ADDRESS	848 E. SAHARA AVE. LAS VEGAS, NV
LOT COVERAGE	23%
LOT AREA	19,168 S.F. (0.44 ACRES)
PARKING REQUIRED:	
RETAIL	1,722 SF @ 1/175 SF = 27
PARKING PROVIDED:	
STANDARD CAR 9' x 18'	1
STANDARD CAR 9' x 18'	17
HANDICAPPED (CAR) 12' x 18'	1
PARKING PROVIDED	24

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

VAR-19353 VAR-19356
SDR-19350 REVISED
03/08/07 PC

DENNIS E. RUSK
ARCHITECT, LLC

SITE DEVELOPMENT PLAN

SAHARA RETAIL

946 E SAHARA AVENUE
LAS VEGAS, NEVADA

DATE: 03-07
PROJECT NO.: 040
DRAWN BY: JLR
CHECKED BY: CDR
SCALE: 1" = 10'-0"

Architecture

DENNIS E. RUSK ARCHITECT

January 23, 2007

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

Re: Sahara Retail Building
946 E. Sahara Ave.
Las Vegas, NV

JUSTIFICATION LETTER

We propose to construct a 4,722 square feet commercial building located at 946 E. Sahara Avenue. The building is one story, 23'-0" high, with stucco finish on the exterior wall.

This Project is on an in-fill lot north of Sahara Avenue and west of Maryland Parkway. It is surrounded by small commercial buildings built on property lines with several cross easements for drive aisles and parking. This site is less than ½ acre and with building lot coverage of 25%.

We are filing for a Site Development Plan Review and Variance. Waivers for both setback and landscaping are required. Without the waivers the building would be only 3'-0" wide. A variance for parking is required.

The existing buildings to the north and east are built on the property lines. The first waiver is to build on the east property line with a fire rated wall consistent with adjacent properties.

The Project provides 20'-0" of landscaping on Sahara with trees at 20'-0" o.c. The landscaping waivers include elimination of the 6'-0" foundation and parking fingers where 1 per 6 parking spaces is required. The 8'-0" landscaping on the east side located where the requested elimination of the side yard setback is also requested to be waived together with the west side landscaping in the parking aisle. The north parking buffer is requested to be reduced from 8'-0" to an average of 5'-10" to 8'-5" to provide turning radius for garbage disposal truck and project loading zone.

The parking variance is to reduce the parking to 1/197 SF where 1/175 SF is required. Because the size of the Project is less than 25,000 SF without the tenant spaces defined, the general retail store requirements are used. However, future tenant spaces

Sahara Retail
January 23, 2007
Page 2

may have less requirements and fall under the other commercial uses requiring 1/250 SF or uses requiring less intensive parking. The variance is for 24 spaces where 27 is required.

The setback variance is to allow zero foot side yard setback on the east of the property, where 10 ft is required.



Thank you,

Dennis E. Rusk, Architect

VAR-19353 VAR-19356
SDR-19350 03/08/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-19350 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-19353 AND VAR-19356 - PUBLIC HEARING - APPLICANT/OWNER: RODRIGO AND TERESITA

HERRERA - Request for a Site Development Plan Review FOR A PROPOSED 4,722 SQUARE-FOOT COMMERCIAL BUILDING AND WAIVERS OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS TO ALLOW NO PERIMETER LANDSCAPE BUFFER IN THE SIDE YARDS WHERE EIGHT FEET IS THE MINIMUM REQUIRED AND TO ALLOW A SIX-FOOT PERIMETER LANDSCAPE BUFFER IN THE REAR YARD WHERE EIGHT FEET IS THE MINIMUM REQUIRED on 0.44 acres at 946 East Sahara Avenue (APN 162-03-801-114), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 04/04/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

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

MOTION:

TROWBRIDGE – APPROVED subject to conditions – Motion carried with DUNNAM voting NO

To be heard by City Council on 4/4/2007

MINUTES:

See Item 17 for related discussion.

(7:02 – 7:09)
1-2166

PLANNING COMMISSION MEETING OF MARCH 8, 2007
Planning and Development Department
Item 19 – SDR-19350

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Variance (VAR-19353) and Variance (VAR-19356), 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 date stamped 2/15/07; landscape plan and building elevations date stamped 01/23/07, except as amended by conditions herein.
4. A Waiver from Title 19.12.040A Landscape, Wall and Buffer Standards is hereby approved to allow a zero foot perimeter landscape buffer along the side yard and a six foot perimeter landscape buffer along the rear yard where eight feet is required.
5. A Waiver from Title 19.12.040B Landscape, Wall and Buffer Standards is hereby approved to allow 10 landscape buffer trees where 14 landscape buffer trees are required
6. A Waiver from Title 19.10.010 J11 Parking, Loading, and Traffic Standards is hereby approved, to allow one parking lot finger where five parking lot fingers are required.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
8. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
9. 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).

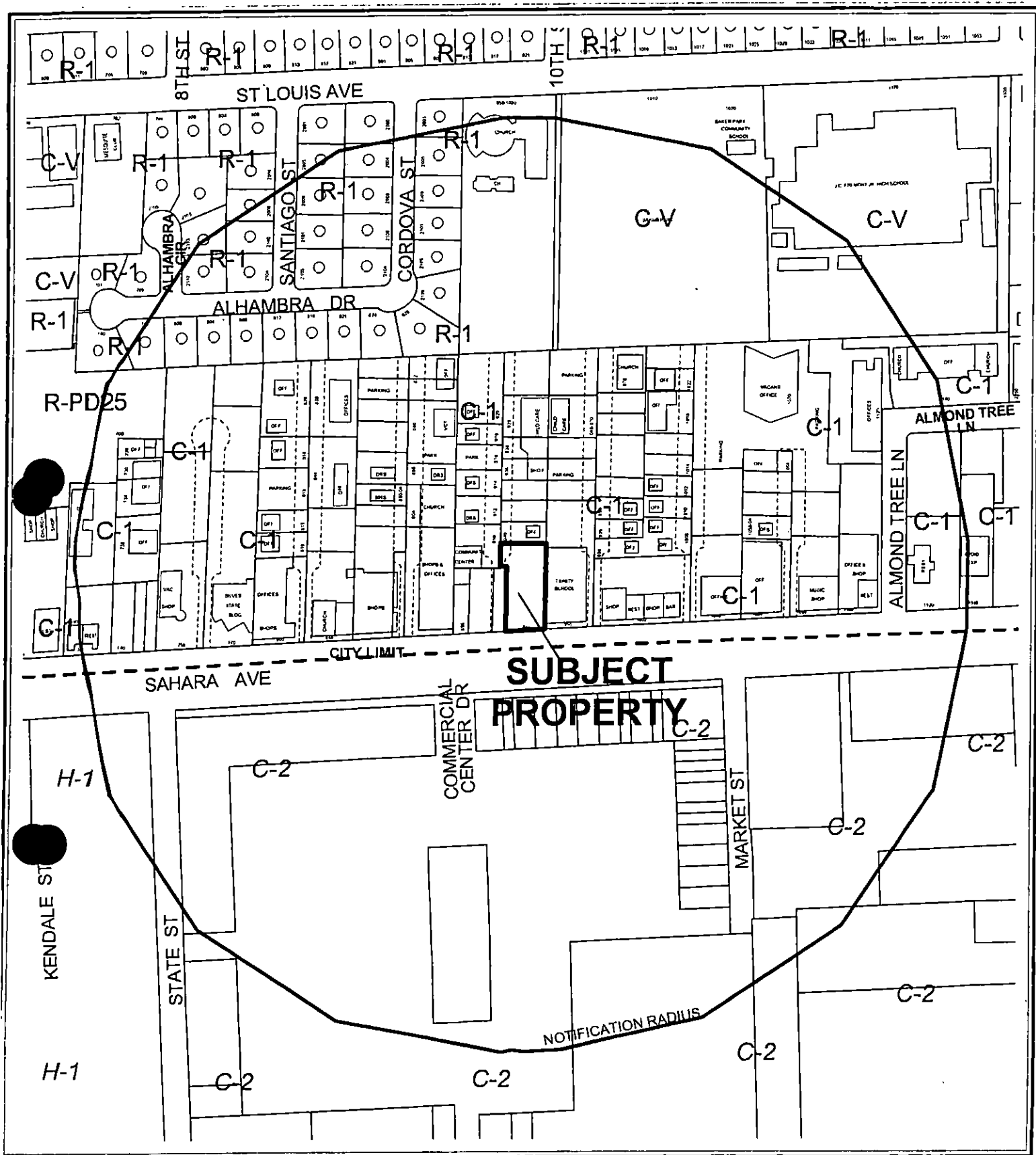
PLANNING COMMISSION MEETING OF MARCH 8, 2007
Planning and Development Department
Item 19 – SDR-19350

CONDITIONS – Continued:

10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. 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.
16. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.



CASE: **SDR-19350**

RADIUS: 1000 FT

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

*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: MARCH 8, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-19350 - APPLICANT/OWNER: RODRIGO AND TERESITA HERRERA**

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

1. Conformance to the conditions for Variance (VAR-19353) and Variance (VAR-19356), 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 date stamped 2/15/07; landscape plan and building elevations date stamped 01/23/07, except as amended by conditions herein.
4. A Waiver from Title 19.12.040A Landscape, Wall and Buffer Standards is hereby approved to allow a zero foot perimeter landscape buffer along the side yard and a six foot perimeter landscape buffer along the rear yard where eight feet is required.
5. A Waiver from Title 19.12.040B Landscape, Wall and Buffer Standards is hereby approved to allow 10 landscape buffer trees where 14 landscape buffer trees are required
6. A Waiver from Title 19.10.010 J11 Parking, Loading, and Traffic Standards is hereby approved, to allow one parking lot finger where five parking lot fingers are required.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.

SDR-19350 - Conditions Page Two
March 8, 2007 - Planning Commission Meeting

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. 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).
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LYMC Title 19.12.040.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. 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.
16. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

SDR-19350 - Conditions Page Three
March 8, 2007 - Planning Commission Meeting

17. Landscape and maintain all unimproved right-of-way, if any, on Sahara Avenue adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
18. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Sahara Avenue public right-of-way adjacent to this site.

SDR-19350 - Staff Report Page One
March 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 4,722 square-foot commercial building and Waivers of perimeter landscape buffer requirements to allow no perimeter landscape buffer in the side yards where eight feet is the minimum required and to allow a six-foot perimeter landscape buffer in the rear yard where eight feet is the minimum required.

On 10/20/04, the City Council approved a Site Development Plan (SDR-4990) and Variance (VAR-4986) for this site. The applicant's proposal is the same as the previously approved development. Since the proposed development was previously approved and has since lapsed and sits upon an irregular shaped lot, staff recommends approval.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
Month/date/year	Action
7/19/00	The City Council approved a Variance (V-26-00) to allow a zero foot side yard setback on the east property line, and a three foot side yard setback on the west property line. The Planning Commission and staff recommended approval on June 8, 2000.
4/19/00	The City Council approved a Special Use Permit (U-14-00) for a Wedding Chapel. The Planning Commission and staff recommended approval on March 9, 2000.
12/06/01	The Planning Commission approved a Site Development Plan Review (SD-73-01) for a Wedding Chapel on subject site. The site was not developed, and approval for the project became void on 12/17/03.
10/20/04	The City Council approved a Site Development Plan Review (SDR-4990) for a retail building and Waivers of setback and landscaping standards. In addition, the City Council approved a Variance (VAR-4986) to allow 24 parking spaces where 27 are required. The site was not developed, and approval for the project became void on 10/20/06.
Pre-Application Meeting	
Month/date/year	Description
1/8/07	A pre-application meeting was held with the applicant. The applicant was informed that the previous Site Development Plan Review (SDR-4990) and Variance (VAR-4986) which expired, thereby requiring a new submittal. In addition to the application mentioned, the applicant would be required to submit an additional Variance to allow a zero foot side yard setback on the east property line. Submittal requirements were outlined for the applicant.

JM

SDR-19350 - Staff Report Page Two
March 8, 2007 - Planning Commission Meeting

Details of Application Request	
Site Area	
Net Acres	0.44

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	C (Commercial)	C-1 (Limited Commercial)
North	Offices	C (Commercial)	C-1 (Limited Commercial)
South	Shops, Tavern	Clark County	Clark County
East	Trade School	C (Commercial)	C-1 (Limited Commercial)
West	Shops, Offices	C (Commercial)	C-1 (Limited Commercial)

SPECIAL DISTRICTS/ZONES	Yes	No	Compliance
Special Area Plan		X	Y
Redevelopment Plan Area	X		Y
Special Overlay District		X	Y
Trails		X	Y
Rural Preservation Neighborhood		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	19.166 SF	N/A
Min. Lot Width	100 Feet	93.85 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	10 Feet	Zero Feet	N*
• Rear	10 Feet	70 Feet	Y
Max. Lot Coverage	50%	25%	Y
Max. Building Height	None	23 Feet	N/A
Trash Enclosure	Yes	Yes	Yes

A Variance (VAR-19353) to allow a zero side yard setback.

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Please note the applicable code section here (Title 19.12)

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Trees/ 6 Spaces	5 Trees	1 Tree	N*
Buffer: Min. Trees	1 Tree/ 30 Linear Feet	14 Trees	10 Trees	N*
TOTAL		19 Trees	11 Trees	N*
Min. Zone Width (Right-of-Way)	15 Feet		15 Feet	Y
Min. Zone Width (Interior – North Side)	8 Feet		6 Feet	N*
Min. Zone Width (Interior – Side yard)	8 Feet		Zero Feet	N*

** Waivers from Title 19.12.040A and 19.12.040B Landscape, Wall and Buffer Standards and a Title 19.10.010 J11 Parking, Loading, and Traffic Standards have been requested by the applicant.*

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
General Retail Store, Other than Listed (3,500 SF or more)	4,720 SF	1/175 GFA	25	2	22	2	N*
SubTotal							
TOTAL			27		24		N*
Loading Spaces	4,720 SF		1		1		Y
Percent Deviation			11%				

**Variance (VAR-19356) for parking has been requested.*

SDR-19350 - Staff Report Page Four
March 8, 2007 - Planning Commission Meeting

Waivers		
Request	Requirement	Staff Recommendation
To provide zero feet of perimeter landscape buffer along the side yard.	8 Feet	Approval, the site has constraints due to lot configuration and vehicular access.
To provide six feet of perimeter landscape buffer along the northern interior lot line	8 Feet	Approval, the site has constraints due to lot configuration and vehicular access.
Parking lot fingers	1 per 6 parking spaces	Approval, removal of parking spaces to accommodate this standard would be inappropriate due to sites parking deficiency.
Reduce perimeter buffer tree quantity to 10 trees	14 Trees	Approval, the site has constraints due to lot configuration and vehicular access.

ANALYSIS

- Zoning

This retail development conforms to the C-1 (Limited Commercial) zoning of this site and area.

- Site Plan

This site is currently undeveloped. The applicant proposes to construct a 4,722 square-foot general retail store on the parcel. The site gains access across a privately owned parcel to Sahara Avenue. As part of this development, the applicant has requested a Variance (VAR-19356) to allow 24 parking spaces where 27 are required. In addition, the applicant has requested a Variance (VAR-19353) to allow a zero side yard setback where ten feet is required.

On 10/20/04, the City Council approved a Site Development Plan (SDR-4990) and Variance (VAR-4986) for this site. The applicant's proposal is the same as the previously approved development. Since this is a lapsed previously approved development and sits upon an irregular shaped lot, staff recommends approval.

- Landscape Plan and Landscape Waivers

The applicant has requested several waivers of Landscape Standards:

1. Waiver of the number of 24 inch box trees.
2. Waiver of parking lot island landscaping.

JM

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3. Waiver of the eight-foot wide parking buffer requirement along the north property line, to be reduced to six feet, to allow for garbage and loading turn radii.
4. Waiver of the eight-foot wide parking buffer requirement along the side yard to be reduced to zero feet.

These landscape waivers are necessary because the site has constraints due to lot configuration and vehicular access.

- **Elevation**

The Elevation drawing is typical of retail strip developments. Façade articulation is achieved through design elements at the roof level. This elevation would be an improvement over the aging retail and office structures in this vicinity.

- **Floor Plan**

The Floor Plan shows four 1,180 square foot retail spaces. This is typical and appropriate of retail strip developments.

FINDINGS

The following findings must be made for an SDR:

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

As the area is a shopping plaza of various office and commercial uses, the general retail store use 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;**

Although the development is not consistent with City standards for landscaping and parking, this exact proposal was previously approved on 10/20/04. In addition the site is irregularly shaped which 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.

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

The site gains access across a privately owned parcel to Sahara Avenue, a 100-foot Primary Arterial as designated by the Master Plan Streets and Highways.

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

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

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

Building elevations, design characteristics and other architectural and aesthetic features are desirable in appearance, and would improve the aesthetic quality of this decaying section of the city.

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

The proposed development will be subject to inspection by the City and will not compromise the health safety and welfare of the general public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 124 (Mailed with VAR-19353 and VAR-19356)

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: RODRIGO HERRERA

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

Yes _____ X _____ No

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

City Official: _____

Partner(s): _____

APN: _____

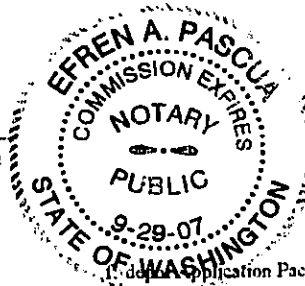
Signature of Property Owner/Authorized Agent: *[Signature]*

Print Name: RODRIGO L. HERRERA

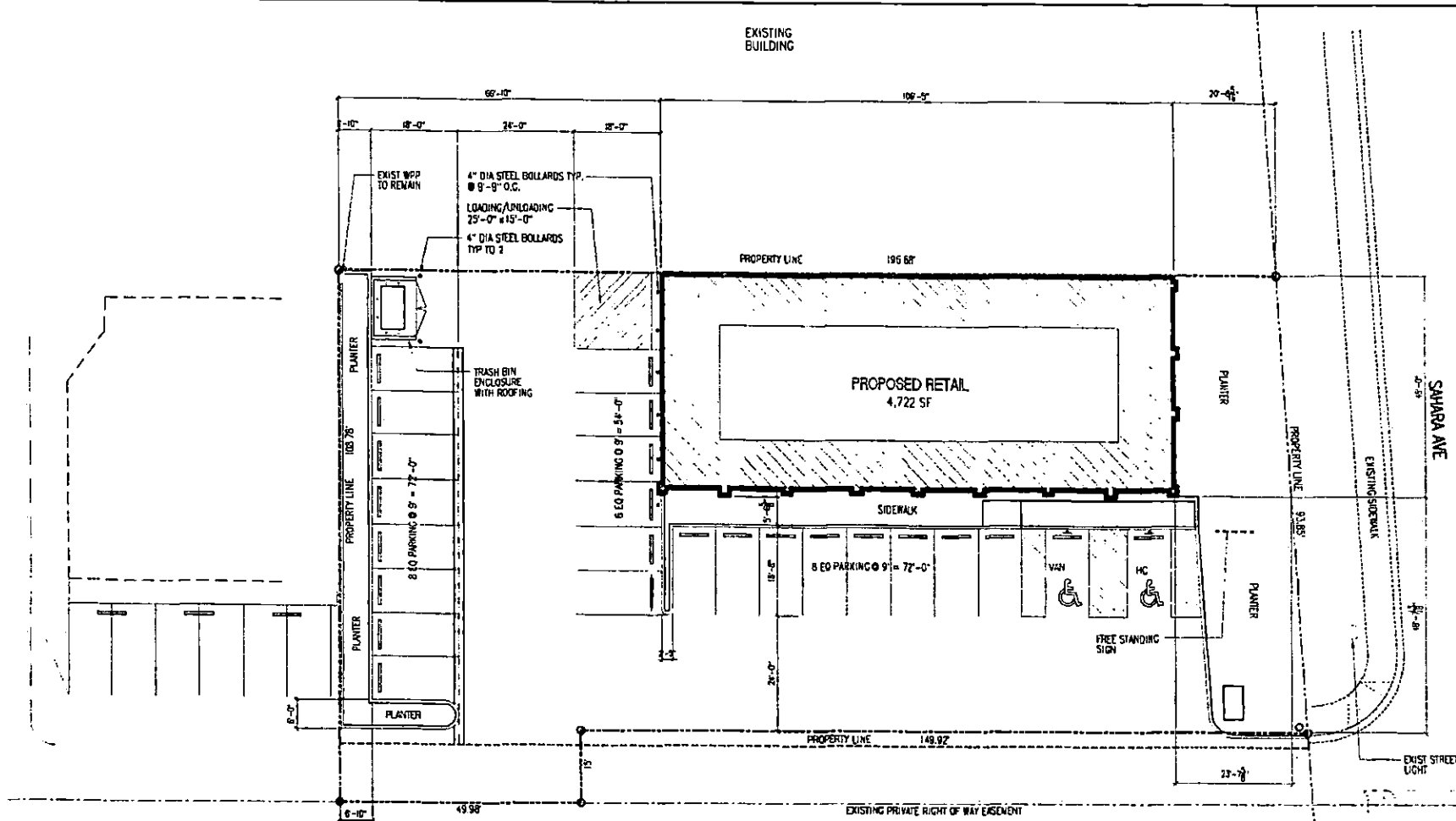
Subscribed and sworn before me

This 18th day of January, 2027

Notary Public in and for said County and State



EXISTING
BUILDING



PROJECT DATA	
APN # 182-03-80-114	
ADDRESS	946 E SAHARA AVE. LAS VEGAS, NV
LOT COVERAGE	25%
LOT AREA	19,166 SF. (0.44 ACRES)
PARKING REQUIRED:	
RETAIL	4,722 SF @ 1/75 SF = 63
PARKING PROVIDED:	
STANDARD CAR @ 9' x 18'	8
STANDARD CAR @ 9' x 9'	17
HANDICAPPED (CAR) - 12' x 18'	2
PARKING PROVIDED	
	24

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EXISTING PARKING

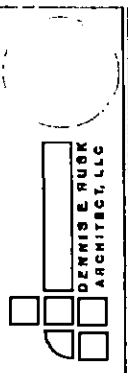
①

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



VAR-19353 VAR-19356
SDR-19350 REVISED

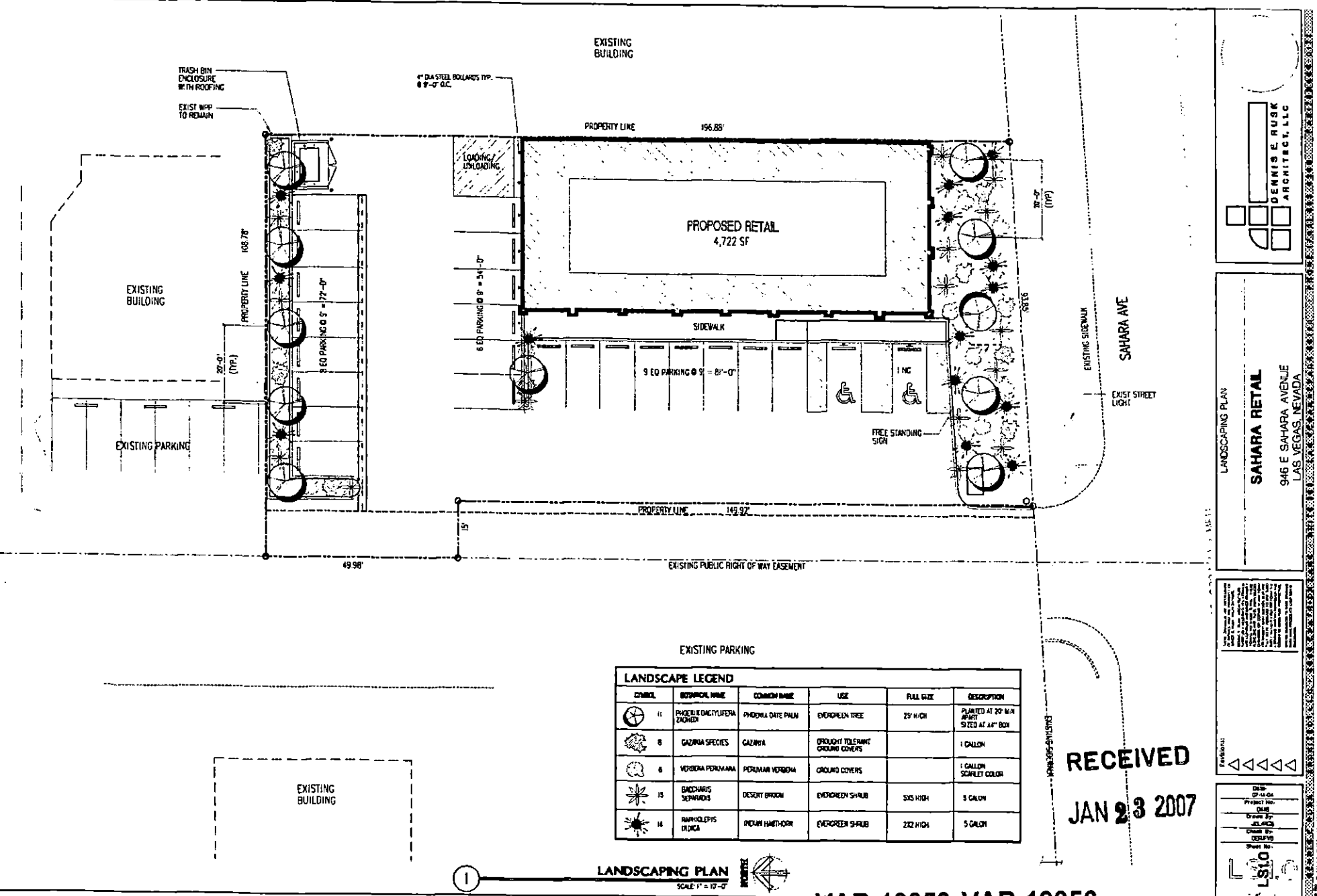
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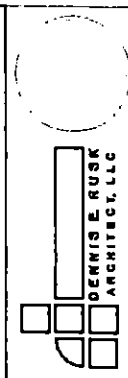
SITE DEVELOPMENT PLAN
SAHARA RETAIL
946 E SAHARA AVENUE
LAS VEGAS, NEVADA

APPROVED FOR CONSTRUCTION
DATE: 02/15/07
BY: [Signature]
TITLE: [Title]
SCALE: 1" = 10'-0"

DATE: 02/15/07
BY: [Signature]
TITLE: [Title]
SCALE: 1" = 10'-0"



VAR-19353 VAR-19356
SDR-19350 03/08/07 PC



BUILDING ELEVATIONS

SAHARA RETAIL
946 E. SAHARA AVENUE
LAS VEGAS, NEVADA

Notes:
1. All dimensions are in feet and inches.
2. All materials are to be of the highest quality.
3. All work is to be done in accordance with the latest edition of the Building Code of the City of Las Vegas.
4. All materials are to be of the highest quality.
5. All work is to be done in accordance with the latest edition of the Building Code of the City of Las Vegas.

RECEIVED

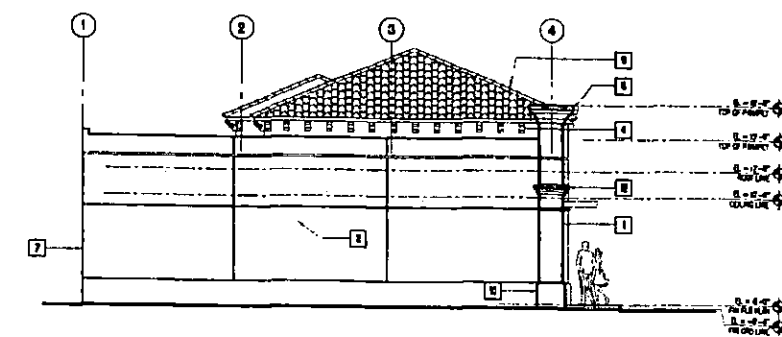
DATE: 01-23-2007
PROJECT NO: 035
DRAWN BY: JS
CHECKED BY: OSR/MB
DRAWN FOR: A2.0

- KEYED NOTES:**
- 1 POPCOAT ON OSB PLYWOOD w/ BLOC PAPER, METAL LATH AND 7/8" STUCCO FINISH
 - 2 7/8" THK STUCCO BALL ON 2x4 STUDS, OSB PLYWOOD, BLOC PAPER & METAL LATH
 - 3 PRE-FORMED FOAM CORNICES WITH STUCCO FINISH
 - 4 #12 CORBELS @ 24" O.C.
 - 5 6" DIA. STEEL BOLLARDS TYPICAL TO 8
 - 6 CONCRETE TILE ROOFING
 - 7 8" THK CHU BALL
 - 8 FIXED TEMPERED GLASS WINDOW WITH GRONITE ANODIZED ALUMINUM WINDOW FRAME
 - 9 SWING OUT TEMPERED GLASS DOOR WITH GRONITE ANODIZED ALUMINUM DOOR FRAME
 - 10 POPCOAT BASE WITH STUCCO FINISH
 - 11 CONTINUOUS GALVANIZED METAL 1 1/2" x 1/2" DEEP REVEAL PAINTED
 - 12 PRE-FORMED FOAM TRIM WITH STUCCO FINISH
 - 13 2x6 STEEL FLUING FRAME w/ PERFORATED CORRUGATED METAL CANOPY ROOF PANEL

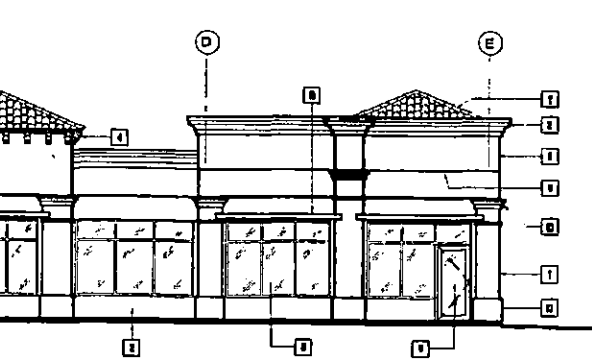
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VAR-19353 VAR-19356
SDR-19350 03/08/07 PC

REAR ELEVATION
SCALE: 3/16" = 1'-0"



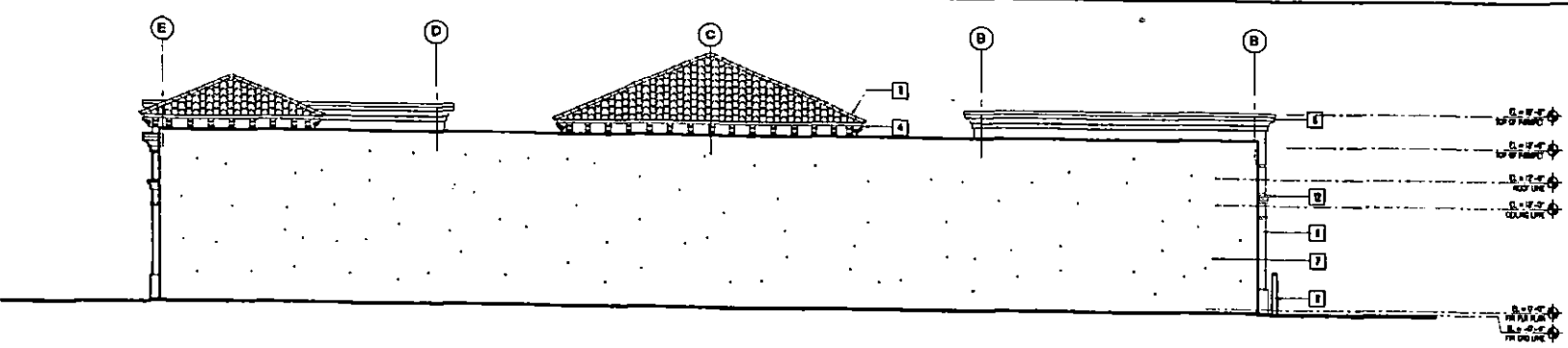
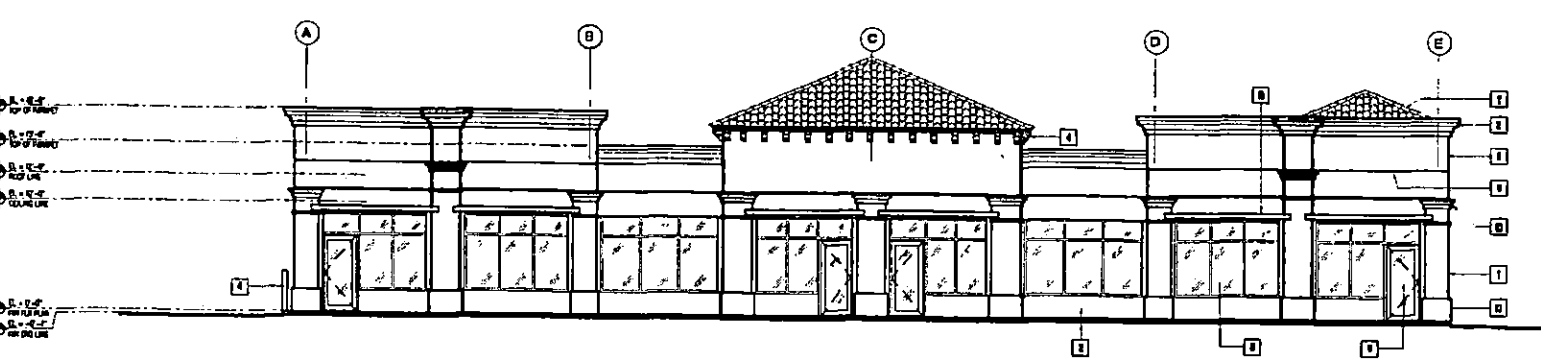
LEFT SIDE ELEVATION
SCALE: 3/16" = 1'-0"



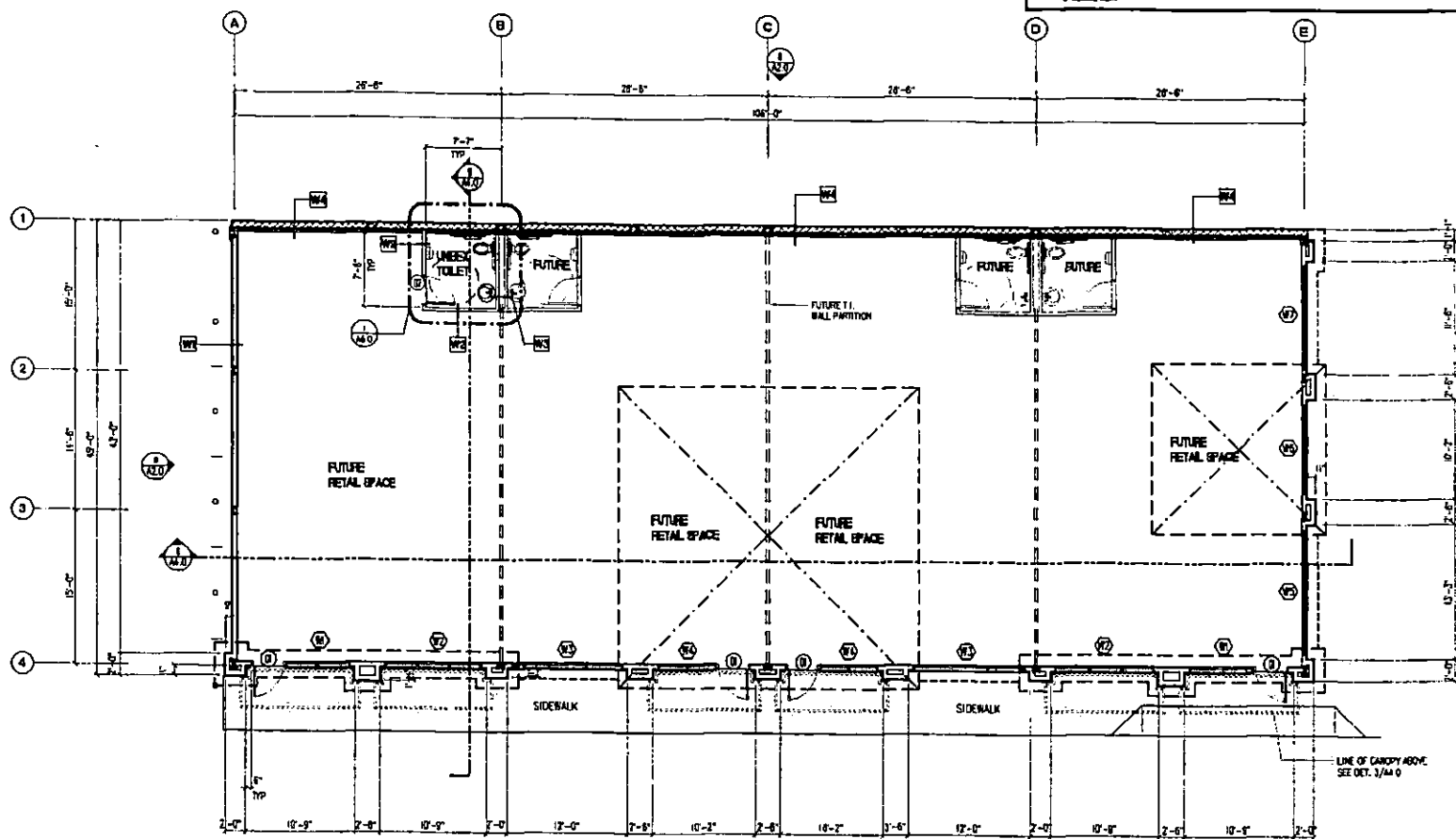
FRONT ELEVATION
SCALE: 3/16" = 1'-0"



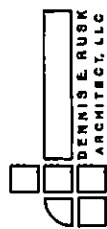
RIGHT SIDE ELEVATION
SCALE: 3/16" = 1'-0"



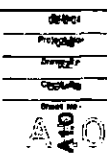
WALL LEGEND	
SYMBOL	DESCRIPTION
	2" MIN. THICK STUCCO OR GYPSUM WITH 1/2" CONCRETE PLASTER (EXCLUDED FROM THE FACE OF BRICK) ON THE EXTERIOR SURFACE WITH INTERIOR FINISHES. TYPICAL FOR INTERIOR SURFACE. TYPICAL FOR INTERIOR WALL. STUCCO PARTITION IS 5/8" THICK. PLASTER IS 1/2" FOR BRICKWORK AND 1/2" FOR BRICK. OF SOLID, CONCRETE TO BRICK. (SEE TABLE 2.1 FOR R-VALUE)
	2 1/2" MIN. THICK STUCCO OR GYPSUM WITH 1/2" CONCRETE PLASTER (EXCLUDED FROM THE FACE OF BRICK) ON THE EXTERIOR SURFACE WITH INTERIOR FINISHES. TYPICAL FOR INTERIOR SURFACE. TYPICAL FOR INTERIOR WALL. STUCCO PARTITION IS 5/8" THICK. PLASTER IS 1/2" FOR BRICKWORK AND 1/2" FOR BRICK. OF SOLID, CONCRETE TO BRICK. (SEE TABLE 2.1 FOR R-VALUE)
	4" MIN. THICK STUCCO OR GYPSUM WITH 1/2" CONCRETE PLASTER (EXCLUDED FROM THE FACE OF BRICK) ON THE EXTERIOR SURFACE WITH INTERIOR FINISHES. TYPICAL FOR INTERIOR SURFACE. TYPICAL FOR INTERIOR WALL. STUCCO PARTITION IS 5/8" THICK. PLASTER IS 1/2" FOR BRICKWORK AND 1/2" FOR BRICK. OF SOLID, CONCRETE TO BRICK. (SEE TABLE 2.1 FOR R-VALUE)
	8" MIN. THICK STUCCO OR GYPSUM WITH 1/2" CONCRETE PLASTER (EXCLUDED FROM THE FACE OF BRICK) ON THE EXTERIOR SURFACE WITH INTERIOR FINISHES. TYPICAL FOR INTERIOR SURFACE. TYPICAL FOR INTERIOR WALL. STUCCO PARTITION IS 5/8" THICK. PLASTER IS 1/2" FOR BRICKWORK AND 1/2" FOR BRICK. OF SOLID, CONCRETE TO BRICK. (SEE TABLE 2.1 FOR R-VALUE)




FLOOR PLAN
 SCALE: 3/16" = 1'-0"

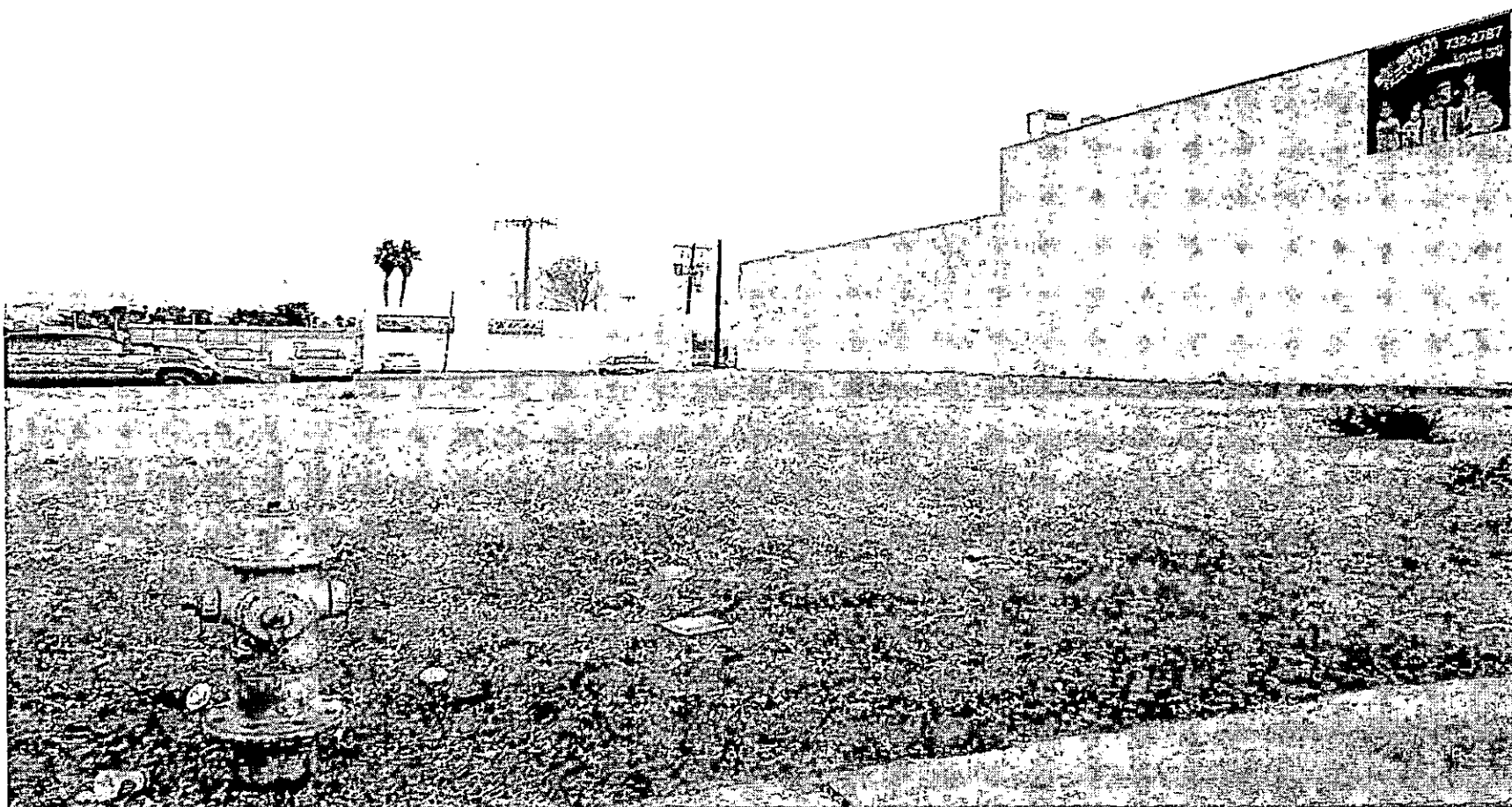

DERRISE RUSK ARCHITECTS, LLC

FLOOR PLAN and WALL LEGEND
SAHARA RETAIL
 946 E. SAHARA AVENUE
 LAS VEGAS, NEVADA


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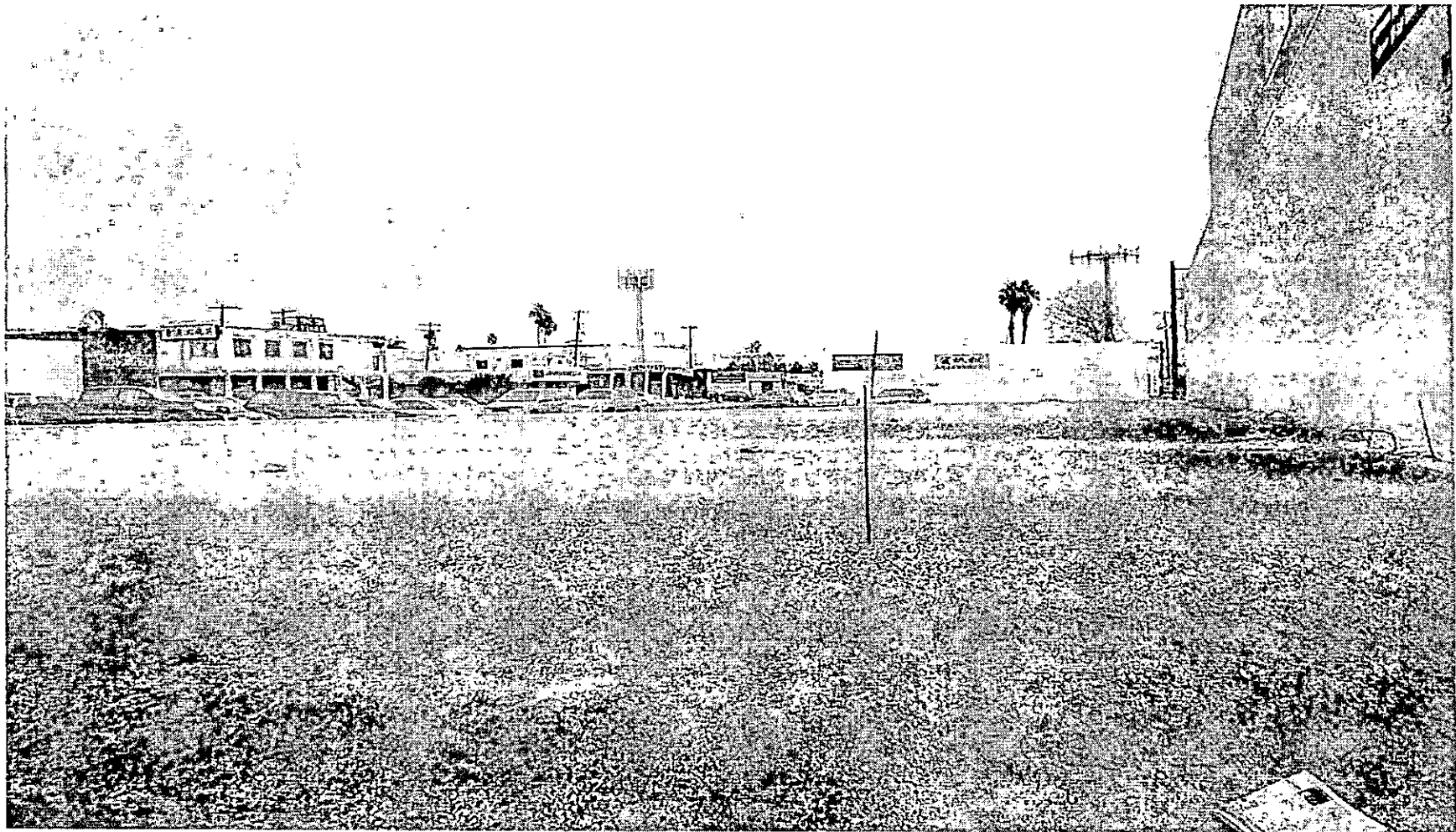
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VAR-19353 VAR-19356
 SDR-19350 03/08/07 PC



VAR-19353, VAR-19356 AND SDR-19350 - APPLICANT/OWNER: RODRIGO AND TERESITA HERRERA
946 EAST SAHARA AVENUE
MARCH 8, 2007 PLANNING COMMISSION

01/31/07



VAR-19353, VAR-19356 AND SDR-19350 - APPLICANT/OWNER: RODRIGO AND TERESITA HERRERA
946 EAST SAHARA AVENUE
MARCH 8, 2007 PLANNING COMMISSION

01/31/07

Architecture

DENNIS E. RUSK ARCHITECT

January 23, 2007

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

Re: Sahara Retail Building
946 E. Sahara Ave.
Las Vegas, NV

JUSTIFICATION LETTER

We propose to construct a 4,722 square feet commercial building located at 946 E. Sahara Avenue. The building is one story, 23'-0" high, with stucco finish on the exterior wall.

This Project is on an in-fill lot north of Sahara Avenue and west of Maryland Parkway. It is surrounded by small commercial buildings built on property lines with several cross easements for drive aisles and parking. This site is less than ½ acre and with building lot coverage of 25%.

We are filing for a Site Development Plan Review and Variance. Waivers for both setback and landscaping are required. Without the waivers the building would be only 3'-0" wide. A variance for parking is required.

The existing buildings to the north and east are built on the property lines. The first waiver is to build on the east property line with a fire rated wall consistent with adjacent properties.

The Project provides 20'-0" of landscaping on Sahara with trees at 20'-0" o.c. The landscaping waivers include elimination of the 6'-0" foundation and parking fingers where 1 per 6 parking spaces is required. The 8'-0" landscaping on the east side located where the requested elimination of the side yard setback is also requested to be waived together with the west side landscaping in the parking aisle. The north parking buffer is requested to be reduced from 8'-0" to an average of 5'-10" to 8'-5" to provide turning radius for garbage disposal truck and project loading zone.

The parking variance is to reduce the parking to 1/197 SF where 1/175 SF is required. Because the size of the Project is less than 25,000 SF without the tenant spaces defined, the general retail store requirements are used. However, future tenant spaces

Sahara Retail
January 23, 2007
Page 2

may have less requirements and fall under the other commercial uses requiring 1/250 SF or uses requiring less intensive parking. The variance is for 24 spaces where 27 is required.

The setback variance is to allow zero foot side yard setback on the east of the property, where 10 ft is required.

Thank you,

Dennis E. Rusk, Architect

VAR-19353 VAR-19356
SDR-19350 03/08/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

WVR-19784 - WAIVER - PUBLIC HEARING - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY - Request for a Waiver to Title 18.12.130 TO ALLOW NO CIRCULAR CUL-DE-SAC AT THE TERMINATION OF SCARLET OAK AVENUE on 8.2 acres at 3200 East Sahara Avenue (APN 162-01-801-016), C-2 (General Commercial) Zone, Ward 3 (Reese).

C.C.: 04/04/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	1
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Telephone Approval from Eddie Escobedo

MOTION:

GOYNES – TABLE Item 4 [SDR-19357]; HOLD IN ABEYANCE Item 1 [ANX-19110], Item 20 [WVR-19784], Item 21 [SUP-19359], Item 22 [SDR-19363], Item 28 [SDR-19352] and Item 29 [TXT-19240] to 3/22/2007; and HOLD IN ABEYANCE Item 12 [GPA-19066], Item 13 [ZON-18923], Item 14 [VAR-18924], Item 15 [VAR-19609] and Item 16 [SDR-18925] to 4/12/2007 – UNANIMOUS

MINUTES:

KEVIN REISCH, Gary Miller & Associates, Architect, requested that Item 20 [WVR-19784], Item 21 [SUP-19359] and Item 22 [SDR-19363] be held to the 3/22/2007 Planning Commission Meeting in order to satisfy additional requirements from the Public Works Department. BART

PLANNING COMMISSION MEETING OF MARCH 8, 2007

Planning and Development Department

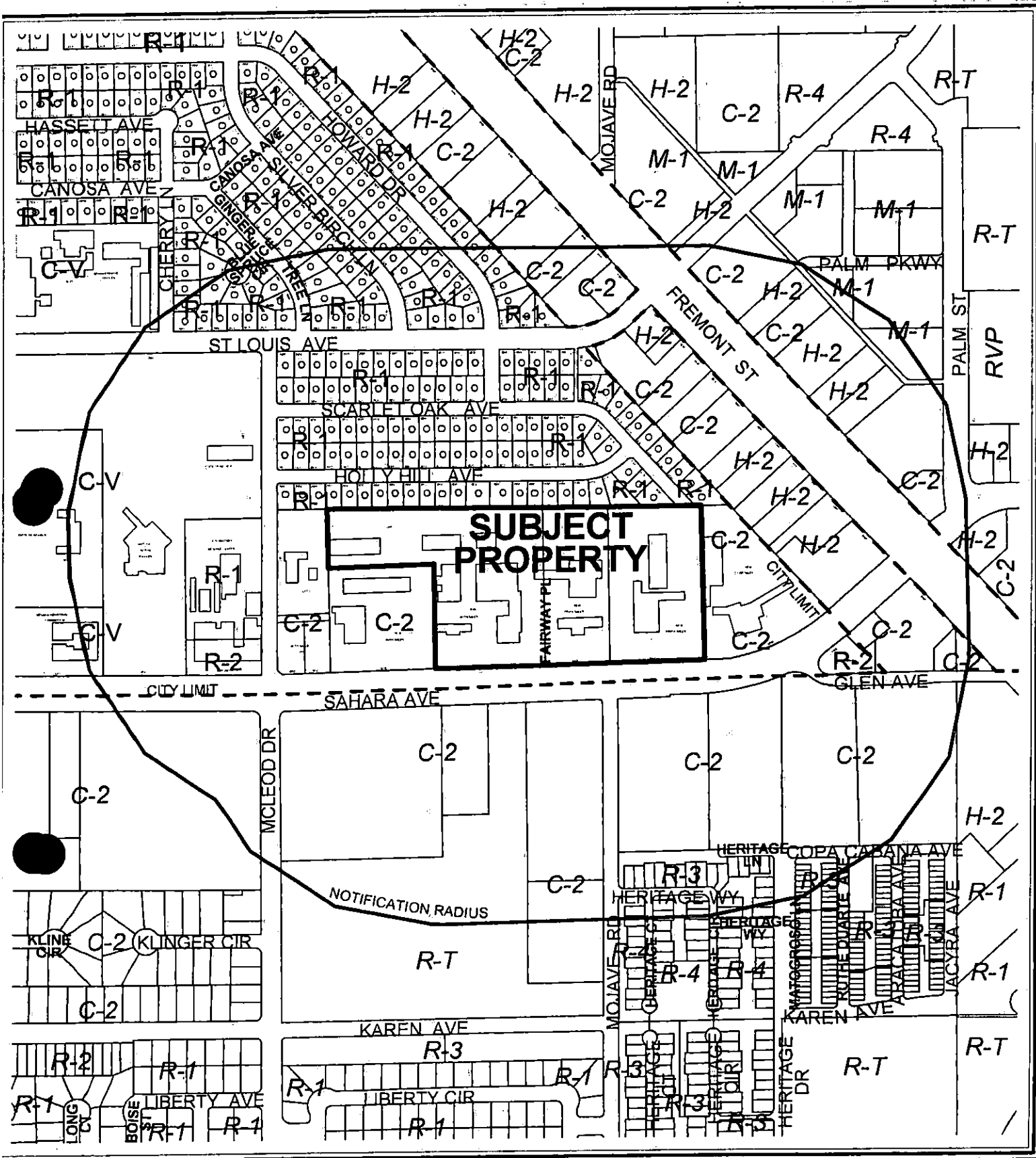
Item 20 – WVR-19784

MINUTES – Continued:

ANDERSON, Public Works Department, stated his willingness to work with the applicant and MARGO WHEELER, Director of Planning and Development Department, observed that the applicant should be ready to present his applications in two weeks. MR. REISCH assured MS. WHEELER that they would have the revised plans to staff in a timely manner.

(6:02 – 6:06)

1-43



CASE: WVR-19784

RADIUS: 1000 FT

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 8, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: WVR-19784 - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-19359) and Site Development Plan Review (SDR-19363) if approved.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

WVR-19784 - Staff Report Page One
March 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Waiver to Title 18.12.130 to allow the termination of Scarlet Oak Avenue to occur onsite without the required cul-de-sac. In addition to this Waiver (WVR-19784), a related Site Development Plan Review (SDR-19363) and Special Use Permit (SUP-19359) have been requested.

This request is for the redevelopment of an existing Automobile Dealership located at 3100 East Sahara Avenue. The applicant's proposal will include two new buildings to replace the previous dealership and service center. Two buildings dedicated for storage will remain on site.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
Month/date/year	Action
10/07/87	The City Council approved the Rezoning (Z-0083-87) of property generally located north of Sahara Avenue and west of Fremont Street from R-1 (Single Family Residential) Zone and R-2 (Medium-Low Density Residential) Zone to C-2 (General Commercial) Zone.
Related Building Permits/Business Licenses	
11/14/03	Code Enforcement Case #5491: The property located at 3100 East Sahara was cited for an attractive nuisance for noise, paint odors, and test drives on October 14, 2003. The case was resolved on November 14, 2003.
10/04/06	Business license #A16-00009, "Fairway Chevrolet": Automobile Sales New & Used located at 3100 East Sahara Avenue.
Pre-Application Meeting	
1/10/07	A Pre-application meeting was held regarding the redevelopment of the existing Automobile Dealership located at 3100 East Sahara Avenue. Issues regarding the recordation of a merger and re-subdivision of the three affected properties along with the Design, Parking, and Landscaping standards were discussed.
Neighborhood Meeting	
NA	A neighborhood meeting was not required nor was one held.

Details of Application Request	
Site Area	
Net Acres	17.01 acres

WVR-19784 - Staff Report Page Two
March 8, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Auto Dealership	GC (General Commercial)	C-2 (General Commercial) Zone
North	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential) Zone
South	Clark County - Auto Dealership	Clark County	Clark County
East	Auto Dealership	GC (General Commercial)	C-2 (General Commercial) Zone
West	Auto Dealership	GC (General Commercial)	C-2 (General Commercial) Zone

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

*The applicant provided a completed Development Impact Notification Assessment with the application for a Special Use Permit (SUP-19359).

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	740,962 SF	NA
Min. Lot Width	100 Feet	1,457 Feet	NA
Min. Setbacks			
• Front	20 Feet	117 Feet	Y*
• Side	10 Feet	32 Feet	Y*
• Corner	15 Feet	NA	Y*
• Rear	20 Feet	126 Feet	Y*
Max. Lot Coverage	50 %	17%	Y*
Max. Building Height	N/A	19 Feet	NA
Trash Enclosure	Covered/screened	Y	Y
Mech. Equipment	Covered/screened	Y	Y

WVR-19784 - Staff Report Page Three
March 8, 2007 - Planning Commission Meeting

*With the recordation of a Merger and Re-subdivision of parcels APN 162-01-180-014, -015 & -016 this proposal will be in conformance with Title 19.08. However, without the merger of the three lots, the lots handled individually will not comply with Title 19. Therefore, approval of Site Development Plan Review (SDR-19363) will be contingent upon completion of this condition.

Pursuant to Title 19.08.060, the following requirements apply:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	78 Feet	130 Feet	Y
Adjacent development matching setback	15 Feet	20 Feet	Y
Trash Enclosure	50 Feet	120 Feet	Y

Pursuant to Title 19.10, the following parking standards apply:

pursuant to Rule 17.10, the following parking

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Motor Vehicle Sales (New)	251,828 SF	1 stall per 500 sq ft GFA	504	10	507	10	Y
Vehicle Display	---	---	---	---	813	---	---
TOTAL			504	10	1320	10*	Y
Loading Spaces		1 req'd			3		Y

* The Handicapped parking ratio applies only to the 2% of GFA dedicated to Motor Vehicle Sales; the excess parking utilized for vehicle display and inventory storage is not included in this total.

ANALYSIS

• Title 18 Subdivision Ordinance Compliance

Pursuant to Title 18.12.130, the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Cul-de-sac	Turn around at street terminus	No	N

WVR-19784 - Staff Report Page Four
March 8, 2007 - Planning Commission Meeting

The subject proposal has a public residential drive that terminates at the northwest corner of the property. This application seeks to remedy an existing condition that was present prior to the approved use for the Motor Vehicle Sales use, which has also been present at this location for over thirty years. Staff supports this deviation as it allows the applicant to creatively use the subject parcel and provide for the needed redevelopment in the subject area.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

3

ASSEMBLY DISTRICT 12

SENATE DISTRICT 10

NOTICES MAILED 255 (Mailed with SUP-19359 and SDR-19363)

APPROVALS 1

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-19784 APN: 162-01-801-015/014/016
Name of Property Owner: GREG W. HEINRICH
Name of Applicant: DARWIN LINDAHL
Name of Representative: KEVIN REISCH

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: *G. W. Heinrich*

Print Name: GREG W. HEINRICH

Subscribed and sworn before me

This 9th day of FEB, 20 07

Boyd D. Martin
Notary Public in and for said County and State



HOLLY HILL AVE.

SCARLET OAK AVE.

R-1 (SINGLE FAMILY)

R-1 (SINGLE FAMILY)

R-1 (SINGLE FAMILY)

C-2 (GENERAL COMMERCIAL)

C-2 (GENERAL COMMERCIAL)

C-2 (GENERAL COMMERCIAL)

ZONING DATA:

ZONING: C-2 (GENERAL COMMERCIAL)

SITE AREA:

SITE AREA: 740,962 sq.ft. (17.01 ACRES)

SITE COVERAGE:

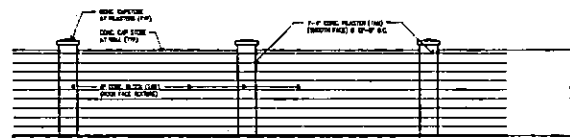
BUILDINGS	: 127,412 sq.ft. (17.20%)
PAVING & SIDEWALK	: 549,517 sq.ft. (74.86%)
LANDSCAPING	: 44,033 sq.ft. (5.94%)
TOTAL	: 740,962 sq.ft. (100%)

BUILDING AREA:

CHEVROLET (BLDG. A)	: 196,916 sq.ft.
MAIN LEVEL:	: 93,182 sq.ft.
UPPER LEVEL:	: 36,956 sq.ft.
LOWER LEVEL:	: 66,828 sq.ft.
BODY SHOP (BLDG. B)	: 54,912 sq.ft.
MAIN LEVEL:	: 34,295 sq.ft.
LOWER LEVEL:	: 20,617 sq.ft.
TOTAL	: 251,828 sq.ft.
FAR (FLOOR AREA RATIO)	: 33.97%

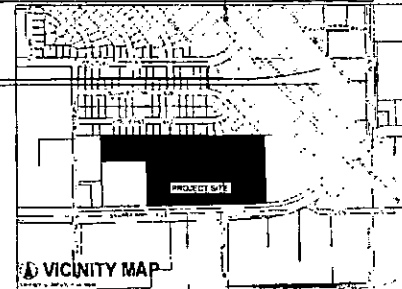
PARKING:

REQUIRED	
251,828 S.F. / 600 S.F.	: 803 CARS
PROVIDED	
CUSTOMER PARKING	: 80 CARS
SERVICE PARKING	: 103 CARS
EMPLOYEE PARKING	: 180 CARS
PARTS ROOMER PARKING	: 17 CARS
TRUCK BODY PARKING	: 74 CARS
TRUCK SERVICE PARKING	: 46 TRUCKS
TOTAL PARKING	: 597 CARS/TRUCKS
VEHICLE DISPLAY	: 443 CARS
TRUCK DISPLAY	: 37 TRUCKS
INVENTORY STORAGE	: 363 CARS
OVERALL TOTAL	: 1,339 CARS/TRUCKS

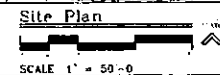


TYPICAL SCREEN WALL ELEVATION

EAST SAHARA AVE.



VICINITY MAP



Site Plan

SCALE 1" = 50'-0"

D.L.A.

Darwin Lindahl Architects, P.A.
490 West Broadway, Suite 200
Ann Arbor, Michigan 48106
Ph: 734.560.0418 Fax: 734.560.0411

Project: #0816

CONCEPTUAL MASTERPLAN FOR
FAIRWAY CHEVROLET

3100 EAST SAHARA AVE.
LAS VEGAS, NEVADA

Revisions

No.	Revised	Date



Drawing

**PRELIMINARY
SITE PLAN**

Sheet No.

**A11
RECEIVED**

**WVR-19784
03/08/07 PC**

APR 12 2007



WVR-19784
03/08/07 PC

1/27/2007

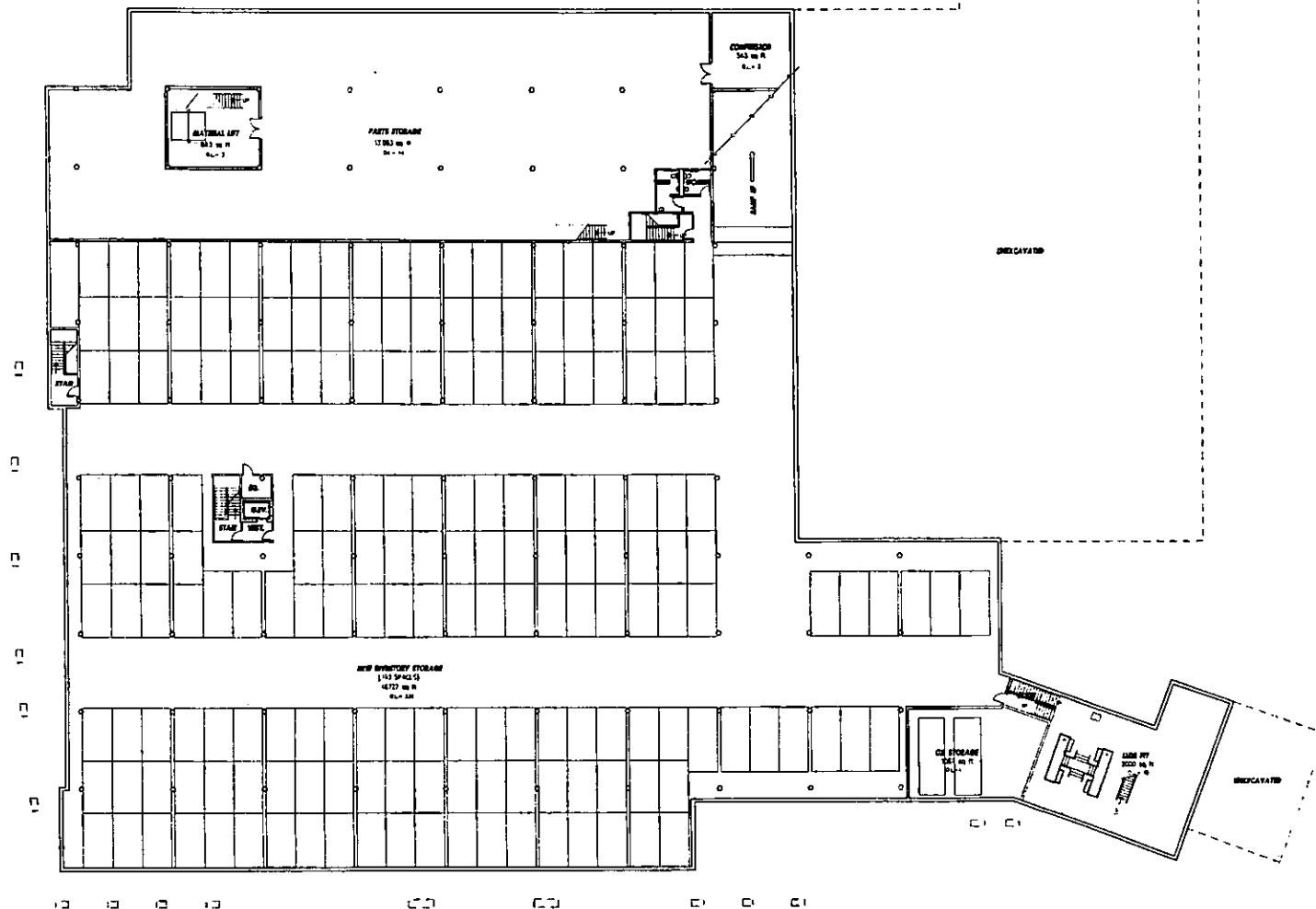
DLA

U:\PROJECTS\RENOVATION\Bldg 2\Bldg 2 - LOWER LEVEL FLOOR PLAN.dwg

3

BUILDING 2 - LOWER LEVEL FLOOR PLAN

SCALE 1/8" = 1'-0"



GROSS AREA

D.L.A.

Darren Lindahl Architects, P.A.
 4150 West Broadway, Suite 200
 Minneapolis, Minnesota 55422
 Ph: 763.550.0440 Fax: 763.560.0441

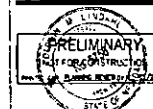
We warrant that the information herein is the
 property of Darren Lindahl Architects, P.A., and
 shall be held in confidence by the recipient.
 Should the recipient be a contractor, architect,
 engineer, or other professional, the recipient
 shall maintain the confidentiality of the information
 herein. Should the recipient be a non-professional,
 the recipient shall not disseminate the information
 herein to any other person without the prior written
 consent of Darren Lindahl Architects, P.A. The recipient
 shall be held liable for any breach of this warranty.

Project: #0616

CONCEPTUAL ARCHITECTURAL FOR:
FAIRWAY CHEVROLET
 3100 EAST SAHARA AVE.
 LAS VEGAS, NEVADA

Revisions

No.	Revision	Date



Drawing

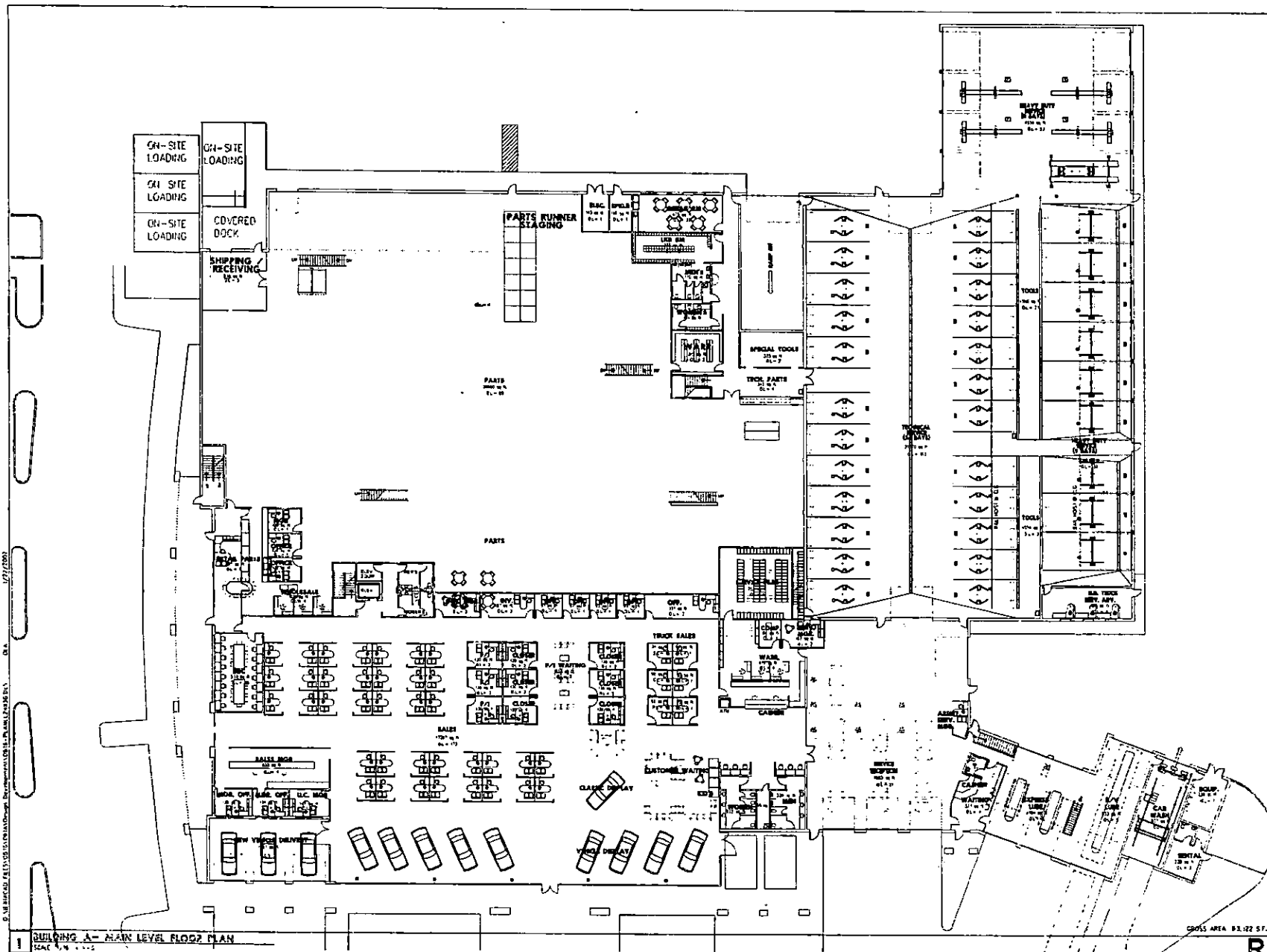
**BLDG. A
 LOWER LVL
 PLAN**

Sheet No.



A2.1

WVR-19784
 03/08/07 PC



D.L.A.

THIS DRAWING AND THE INFORMATION HEREON IS THE PROPERTY OF BURNHURST ARCHITECTS, P.A. ANY USE BY THE HOLDER OF THIS DRAWING IN CONNECTION WITH THE MATTER OF BURNHURST ARCHITECTS, P.A. IS PROHIBITED. IT CONSTITUTES A VIOLATION OF FEDERAL AND STATE COPYRIGHT AND CONFIDENTIALITY LAWS. ANY HOLDER OF THIS DRAWING WHO IS NOT AN EMPLOYEE OR AGENT OF BURNHURST ARCHITECTS, P.A. IS HEREBY ADVISED THAT ANY UNAUTHORIZED REPRODUCTION OR DISSEMINATION OF THIS DRAWING IS PROHIBITED. ANY HOLDER OF THIS DRAWING WHO IS NOT AN EMPLOYEE OR AGENT OF BURNHURST ARCHITECTS, P.A. IS HEREBY ADVISED THAT ANY VIOLATION OF THESE TERMS OF USE IS SUBJECT TO LEGAL PROSECUTION.

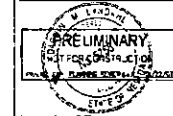
Project: #0616

CONCEPTUAL MASTERPLAN FOR:
FAIRWAY CHEVROLET

100 EAST SARARA AVE.
LAS VEGAS, NEVADA

Revisions

No	Reason	Date
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		



Drawing

**BLDG. A
MAIN LVL
PLAN**

Sheet 1 to

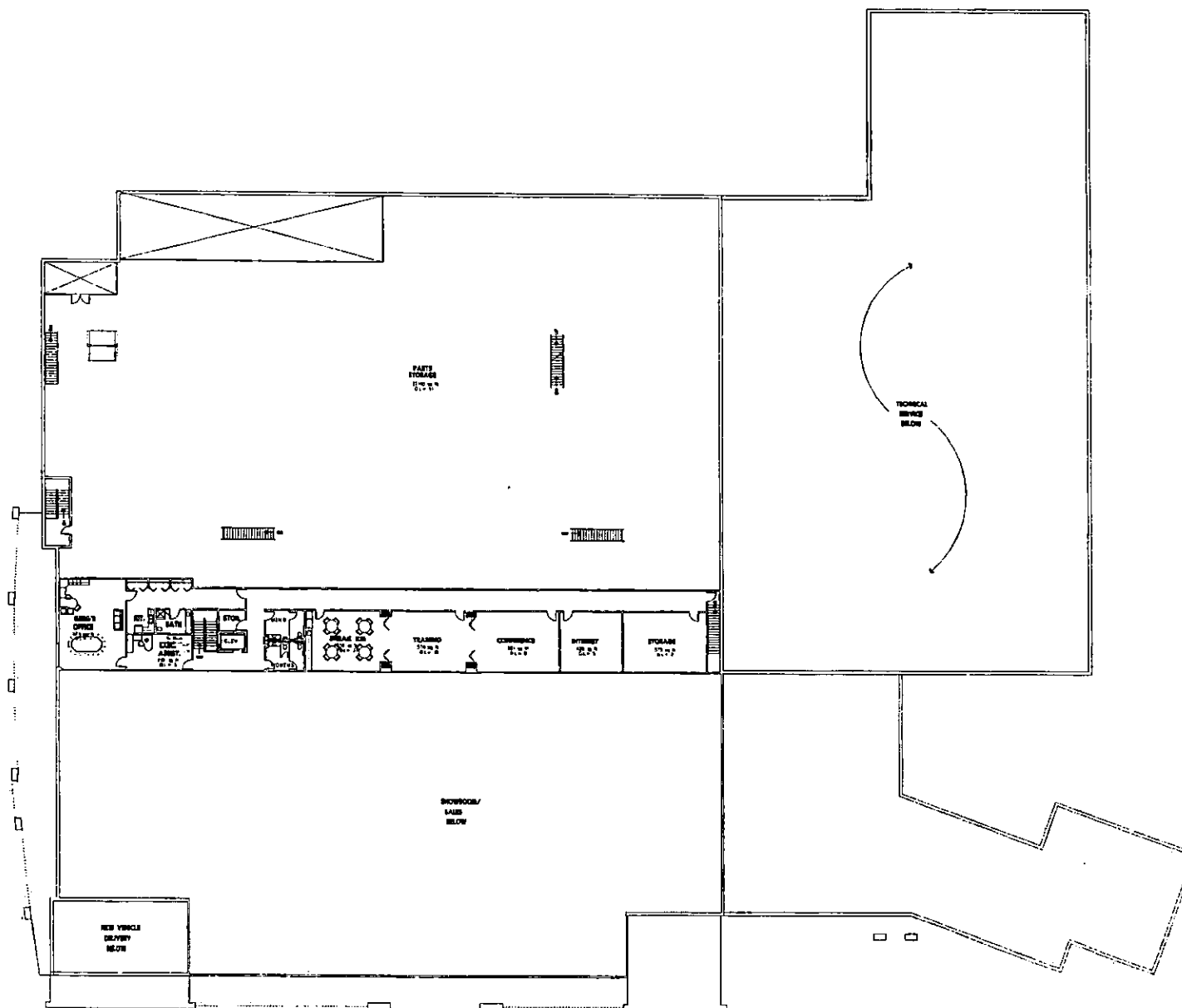
A2.2

33.22 SF.

REC

WVR-19784
03/08/07 PC

1777/0007
D. V. KARASAKI, AIA, CDR, USN (Ret.)
C.A.



Darwin Lindseth Architects, P.A.
480 West Broadway Suite 200
Minneapolis, Minnesota 55422
Ph 783.580.0448 Fax 783.580.0411

Not to be used for construction without the approval of the architect. This drawing is the property of Darwin Lindseth Architects, P.A. and is to be used only for the project and location specified herein. No part of this drawing may be reproduced or transmitted in any form or by any means electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Darwin Lindseth Architects, P.A. All rights reserved.

Project: #0516

CONCEPTUAL MASTER PLAN FOR:
FAIRWAY CHEVROLET

3400 EAST SAHARA AVE.
LAS VEGAS, NEVADA

Revisions:		
No.	Revised	Date



Drawing
**BLDG. A
UPPER LVL
PLAN**

Sheet No.

A23
RECEIVED

CROSS AREA: 38,158 SF



BUILDING A- UPPER LEVEL FLOOR PLAN
SCALE: 1/8" = 1'-0"

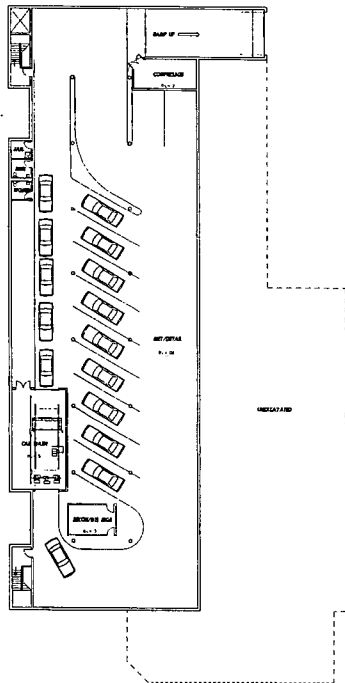
WVR-19784
03/08/07 PC

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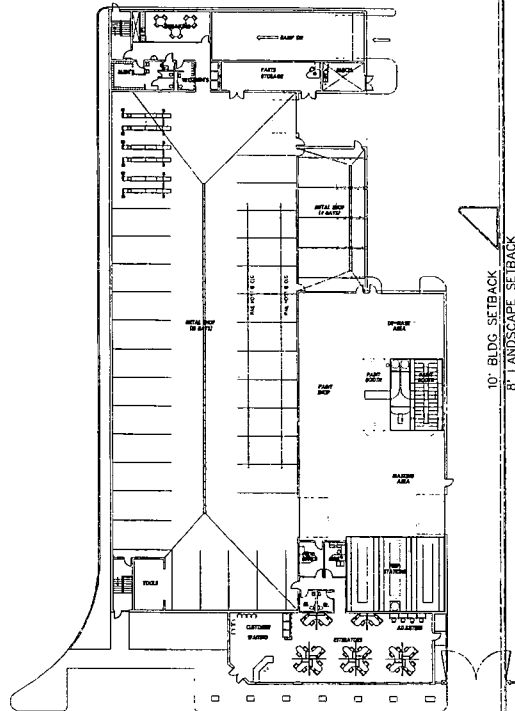
03/08/07

03/08/07

03/08/07



03/08/07 03/08/07



03/08/07 03/08/07



DeLeon Landscaping Architects, P.A.
400 West Broadway, Suite 200
Annapolis, Maryland 21403
Phone: 410-293-1111 Fax: 410-293-1112

Project: #0516

CONCEPTUAL LANDSCAPE ARCHITECTURE
FAIRWAY CHEVEQUET
3900 EAST CHANDLER AVE.
LAS VEGAS, NEVADA

Revisions	No.	Person	Date



Drawing
**BLDG. B
FLOOR
PLANS**

Sheet No.

A2.4

RECEIVED

**WVR-19784
03/08/07 PC**

GARY W. MILLER
ARCHITECT & ASSOCIATES, INC
ARCHITECTURE
INTERIORS
PLANNING

February 12, 2007

Mike Howe
City of Las Vegas Planning

Las Vegas, Nevada 89101

Regarding: Fairway Chevrolet
3100 East Sahara Ave., Las Vegas, Nv

Mr. Howe:

We respectfully request a waiver of development standards Title 18.12.130 Cul-de-sacs. The two streets in question are an existing condition that has been in place since the 70's.

Kevin Reisch



Gary W. Miller, Architect and Associates

WVR-19784
03/08/07 PC

RECEIVED

350 W. 5TH STREET, SUITE 201
SAN BERNARDINO, CA 92401
P: (909)889-4480 F: (909)384-9034
EMAIL: genmail@gmidgroup.com

2800 West Sahara, Bldg 8, Ste A
LAS VEGAS, NV 89102
P: (702) 434-9695 F: (702) 434-9615
genmail@gmidgroup.com

103 EAST SOCIAL HALL AVENUE
SALT LAKE CITY, UT 84111
P: (801)366-9800 F: (801)366-9801
EMAIL: genmail@gmidgroup.com

Telephone Protest/Approval Log

Meeting Date: 3/8/07

Case Number: WVR-19784

Date: 2/23/07
Name: Eddie Mundo Escobedo
Address: 3008 Holy Hill
Phone: 283-6375
☐ PROTEST ☒ APPROVE

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

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

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

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

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

ITEM # 20
CASE # WVR-19784
PC MTG 3-8-07

A

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-19359 - SPECIAL USE PERMIT RELATED TO WVR-19784 - PUBLIC HEARING - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY - Request for a Special Use Permit TO ALLOW A MOTOR VEHICLE SALES (NEW) FACILITY AND A WAIVER TO ALLOW SERVICE BAYS TO FACE THE PUBLIC RIGHT-OF-WAY at 3100-3200 East Sahara Avenue (APNs 162-01-801-014 through 016), C-2 (General Commercial) Zone, Ward 3 (Reese).

C.C.: 04/04/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Telephone Approval from Eddie Escobedo

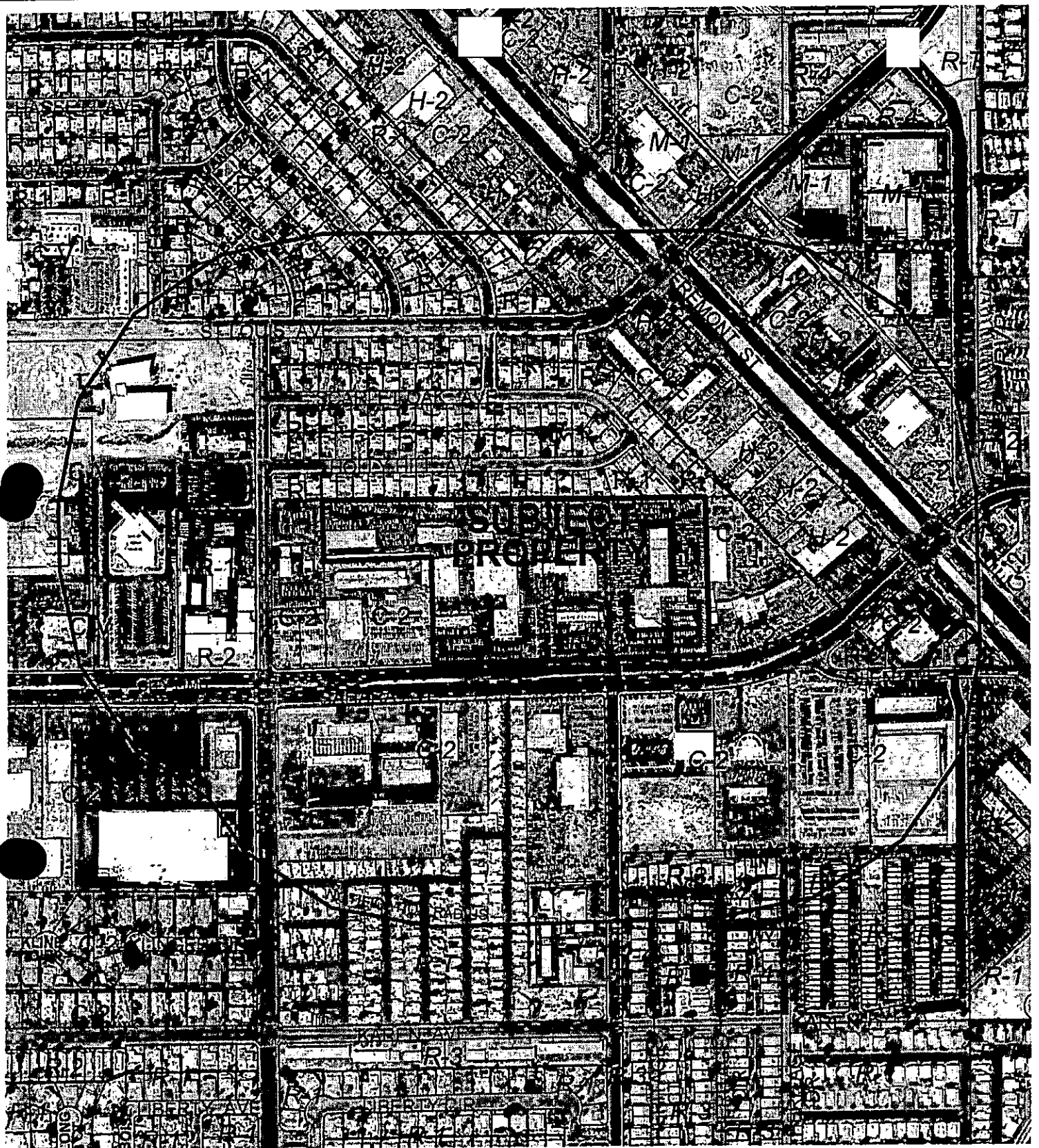
MOTION:

GOYNES – TABLE Item 4 [SDR-19357]; HOLD IN ABEYANCE Item 1 [ANX-19110], Item 20 [WVR-19784], Item 21 [SUP-19359], Item 22 [SDR-19363], Item 28 [SDR-19352] and Item 29 [TXT-19240] to 3/22/2007; and HOLD IN ABEYANCE Item 12 [GPA-19066], Item 13 [ZON-18923], Item 14 [VAR-18924], Item 15 [VAR-19609] and Item 16 [SDR-18925] to 4/12/2007 – UNANIMOUS

MINUTES:

See Item 20 for related discussion.

(6:02 – 6:06)



CASE: **SUP-19359**

RADIUS: 1000 FT

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

0 500 Feet




City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 8, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-19359 - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (Z-83-87), if approved.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-19363) shall be required.
3. A Waiver from Title 19.04 to allow the service bays to face the public right-of-way along Sahara Avenue is hereby approved.
4. 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.
5. No temporary signs such as banners, pennants, inflatable objects, streamers, flags, or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displayed for sale in the parking lot of the subject property without the appropriate permits.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-19359 - Staff Report Page One
March 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Special Use Permit to allow the service bays for an auto body repair and service center to face towards the public right-of-way. The service bays operate as an incidental and accessory use in conjunction with an existing Motor Vehicle Sales (New) located at 3100 East Sahara Avenue.

A companion Site Development Plan Review (SDR-19363) and Waiver (WVR-19784) have been submitted along with this application request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
10/07/87	The City Council approved the Rezoning (Z-0083-87) of property generally located north of Sahara Avenue and west of Fremont Street from R-1 (Single Family Residential) Zone and R-2 (Medium-Low Density Residential) Zone to C-2 (General Commercial) Zone.
<i>Related Building Permits/Business Licenses</i>	
11/14/03	Code Enforcement Case #5491: The property located at 3100 East Sahara was cited for an attractive nuisance for noise, paint odors, and test drives on October 14, 2003. The case was resolved on November 14, 2003.
10/04/06	Business license #A16-00009, "Fairway Chevrolet": Automobile Sales New & Used located at 3100 East Sahara Avenue.
<i>Pre-Application Meeting</i>	
1/10/07	A Pre-application meeting was held regarding the redevelopment of the existing Automobile Dealership located at 3100 East Sahara Avenue. Issues regarding the recordation of a merger and re-subdivision of the three affected properties along with the Design, Parking, and Landscaping standards were discussed.
<i>Neighborhood Meeting</i>	
NA	A neighborhood meeting was not required, nor was one held.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	15.3 acres

SUP-19359 - Staff Report Page Two
March 8, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Auto Dealership	GC (General Commercial)	C-2 (General Commercial)
North	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Clark County - Auto Dealership	Clark County	Clark County
East	Auto Dealership	GC (General Commercial)	C-2 (General Commercial)
West	Auto Dealership	GC (General Commercial)	C-2 (General Commercial)

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

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Motor Vehicle Sales (New)	251,828 SF	1 stall per 500 sq ft GFA	504	10	507	10	Y
Vehicle Display	---	---	---	---	813	---	---
TOTAL			504	10	1320	10*	Y
Loading Spaces		1 req'd			3		Y

* The Handicapped parking ratio applies only to the 2% of GFA dedicated to Motor Vehicle Sales; the excess parking utilized for vehicle display and inventory storage is not included in this total.

SUP-19359 - Staff Report Page Three
March 8, 2007 - Planning Commission Meeting

Waivers		
Request	Requirement	Staff Recommendation
To allow the service bays to face the public right-of-way along Sahara Avenue.	Openings in service bays shall not face public rights-of-way.	Approval

ANALYSIS

This request for a Special Use Permit stems from the service bays facing towards the public right-of-way on the proposed redevelopment of the existing auto dealership located at 3100 East Sahara Avenue.

As the orientation of the service bays do not meet the minimum conditions as listed in Title 19.04 for the incidental and accessory use for an auto body repair and service center in conjunction with an existing Motor Vehicle Sales (New) use, the applicant has chosen to remedy this issue with the request for approved Special Use Permit. The applicant has requested this Special Use Permit rather than screening or reorienting the service bays in an effort to provide an easier-to-access service for their customers. The applicant has demonstrated a desire to off-set the negative impact by slightly angling the openings and setting the service bays approximately 140 feet back from Sahara Avenue. Staff believes that the negative issues typical of most service bays will not necessarily apply as the applicant has stated that the bays are specifically for quick-service while more intense repairs occur in the enclosed garages provided at the rear of the building.

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."**

Staff believes that the existing Motor Vehicle Sales (New) use can continue 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 applicant is seeking a redevelopment of the existing dealership in order to remedy the present issues with three separate parcels, poor existing site arrangement, and to present a more appealing business frontage along Sahara Avenue.

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

SUP-19359 - Staff Report Page Four
March 8, 2007 - Planning Commission Meeting

This site is an existing and approved use that does not seek to increase the intensity of use any further than what currently occurs. Although the location is suitable for this in its current state, the applicant is seeking to provide a more suitable arrangement of building placement and site circulation so as to operate on the site in a more efficient manner.

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

The existing site access and circulation has not adversely impacted adjacent roadways or neighborhood traffic since its initial use as an automotive dealership. There is little expected increase on traffic with the proposed renovations. A Waiver to Title 18.12.130 has been requested to address the private street that dead-ends into the north end of the property without providing a cul-de-sac.

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."

Because the service bays are setback 140 feet from Sahara Avenue and that landscaping will partially screen them, staff believes that the approval of the Special Use Permit at this site will not compromise the public health, safety, and welfare or the overall objectives of the General Plan.

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

The service bays, as proposed, do not meet the conditional use requirements for the Motor Vehicles Sales (New) per 19.04 as that the openings to the service bays face outwards onto Sahara Avenue.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

3

ASSEMBLY DISTRICT 12

SENATE DISTRICT 10

NOTICES MAILED 255 (Mailed with WVR-19784 AND SDR-19363)

APPROVALS 1

PROTESTS 0

MH



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SOP-19359 APN: 162-01-801-015/014/016

Name of Property Owner: GREG W. HEINRICH

Name of Applicant: DARWIN LINDAHL

Name of Representative: KEVIN REISCH

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

☐ Yes

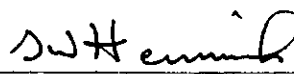
☒ No

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

City Official: _____

Partner(s): _____

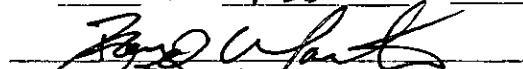
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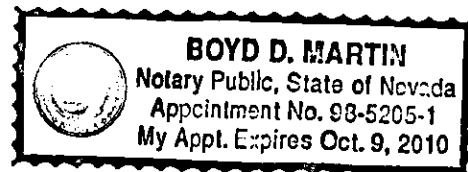
Signature of Property Owner: 

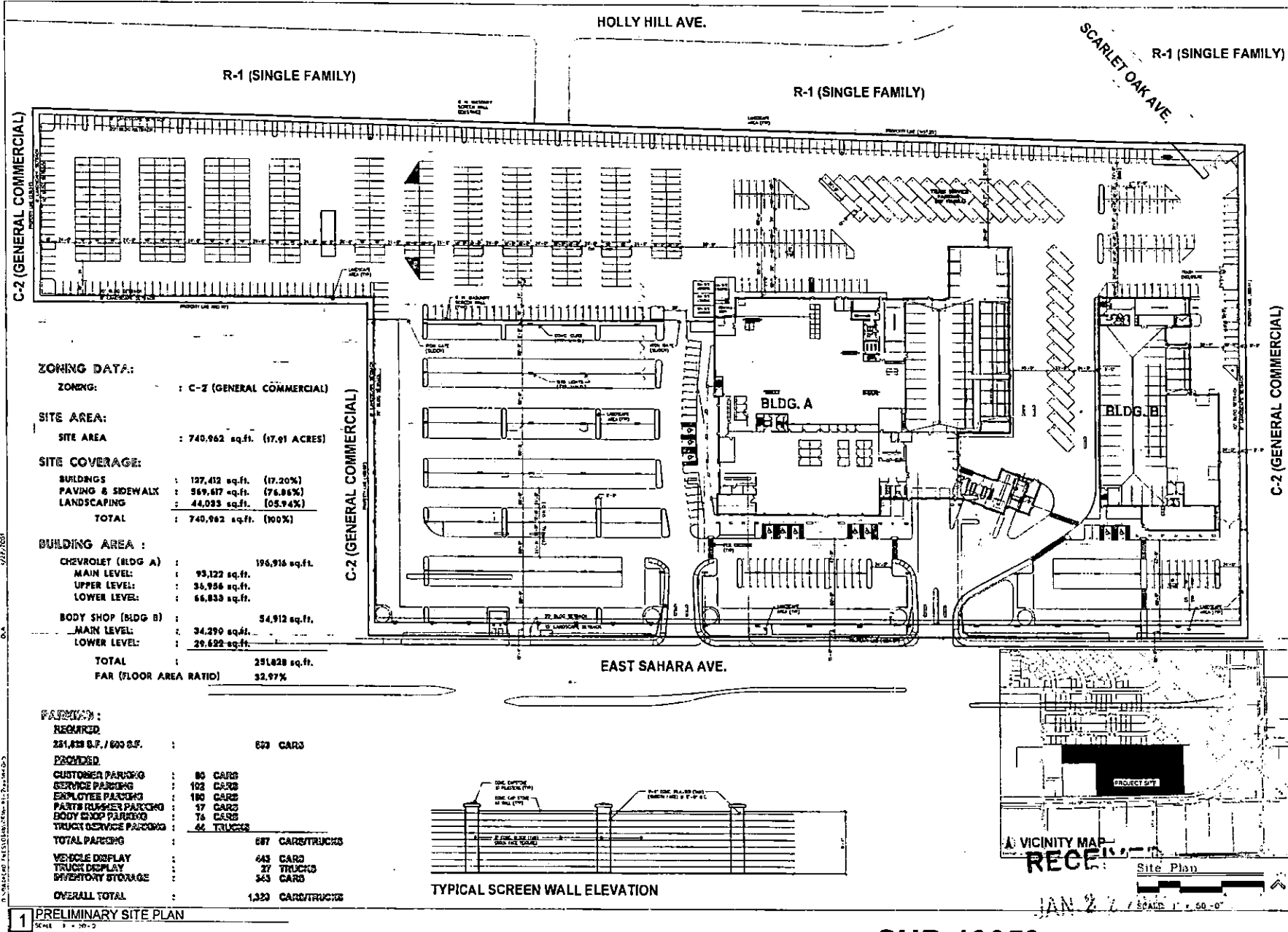
Print Name: GREG W. HEINRICH

Subscribed and sworn before me

This 9th day of FEB, 20 07


Notary Public in and for said County and State



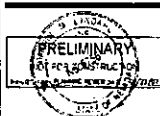


Design: Linda H. Architects, P.A.
483 West Broadway, Suite 200
Minneapolis, Minnesota 55422
Ph: 763.560.0448 Fax: 763.560.0441

Project: #0516

GENERAL ENGINEERING FOR
FAIRWAY CHEVROLET
5100 WEST SAHARA AVE
LAKESIDE, MINNESOTA

REVISIONS	NO.	REVISION	DATE



Drawing
**PRELIMINARY
SITE PLAN**

Sheet No.
A1.1

**SUP-19359
SDR-19363
03/08/07 PC**

THIS DRAWING AND THE INFORMATION THEREON IS THE PROPERTY OF DARRIN LANGRISH, ARCHITECTS, P.A. ITS USE FOR ANY OTHER PROJECT OR FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF DARRIN LANGRISH, ARCHITECTS, P.A. IS PROHIBITED. IT CONTAINS PROPRIETARY AND CONFIDENTIAL INFORMATION OF DARRIN LANGRISH, ARCHITECTS, P.A. NO REPRODUCTION OF THE MATERIAL HEREON WITHOUT WRITTEN PERMISSION OF DARRIN LANGRISH, ARCHITECTS, P.A. VIOLATES THE COPYRIGHT LAWS OF THE UNITED STATES AND MAY SUBJECT THE VIOLATOR TO LEGAL PROSECUTION.

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Project: #0616

CONCEPTUAL MASTERPLAN FOR:
FAIRWAY CHEVROLET

100 EAST GARLAND AVE.
LOS ANGELES, CALIF.

Revisions

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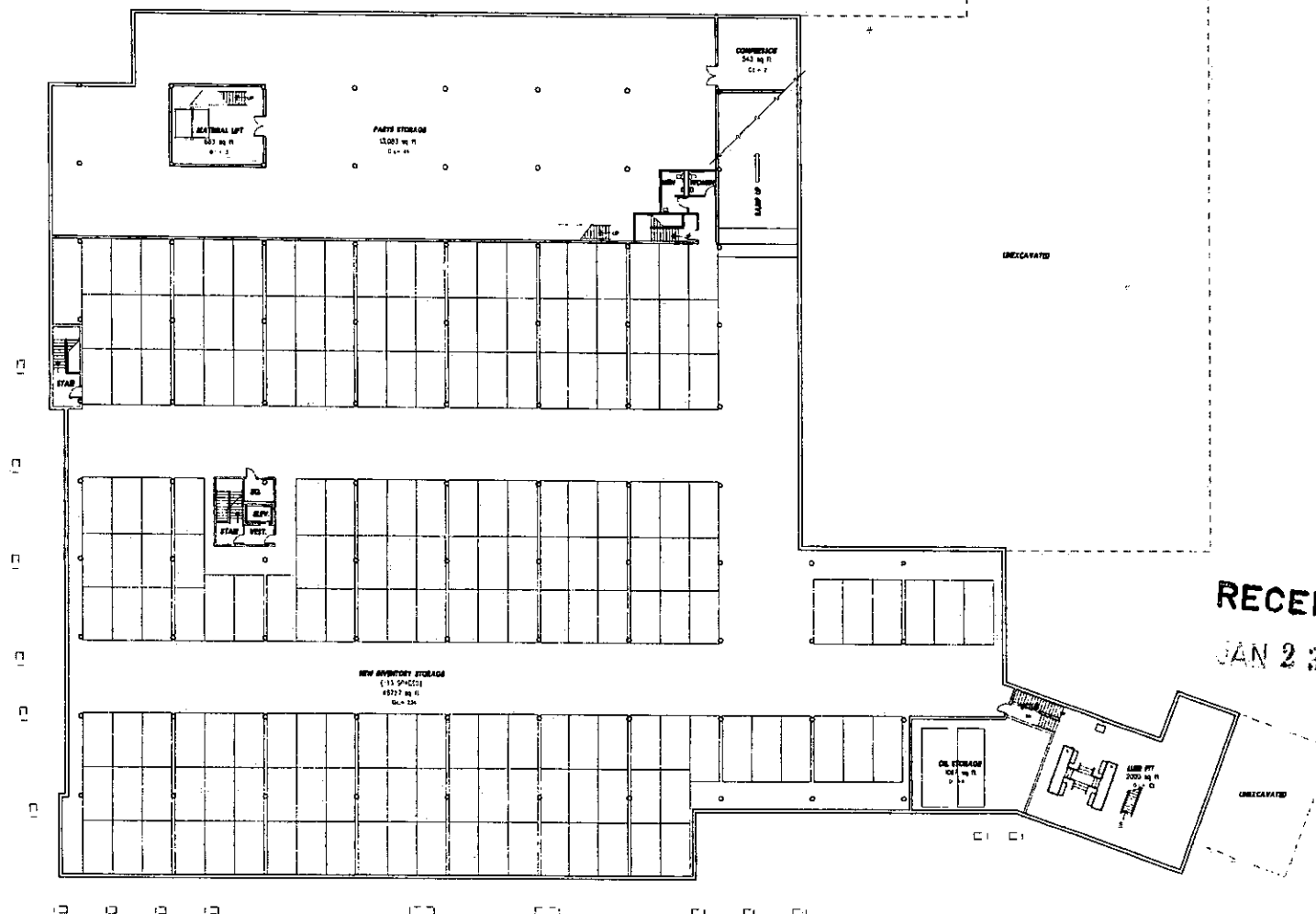


Drawing

**BLDG. A
LOWER LVL
PLAN**

Sheet No:

A2.1



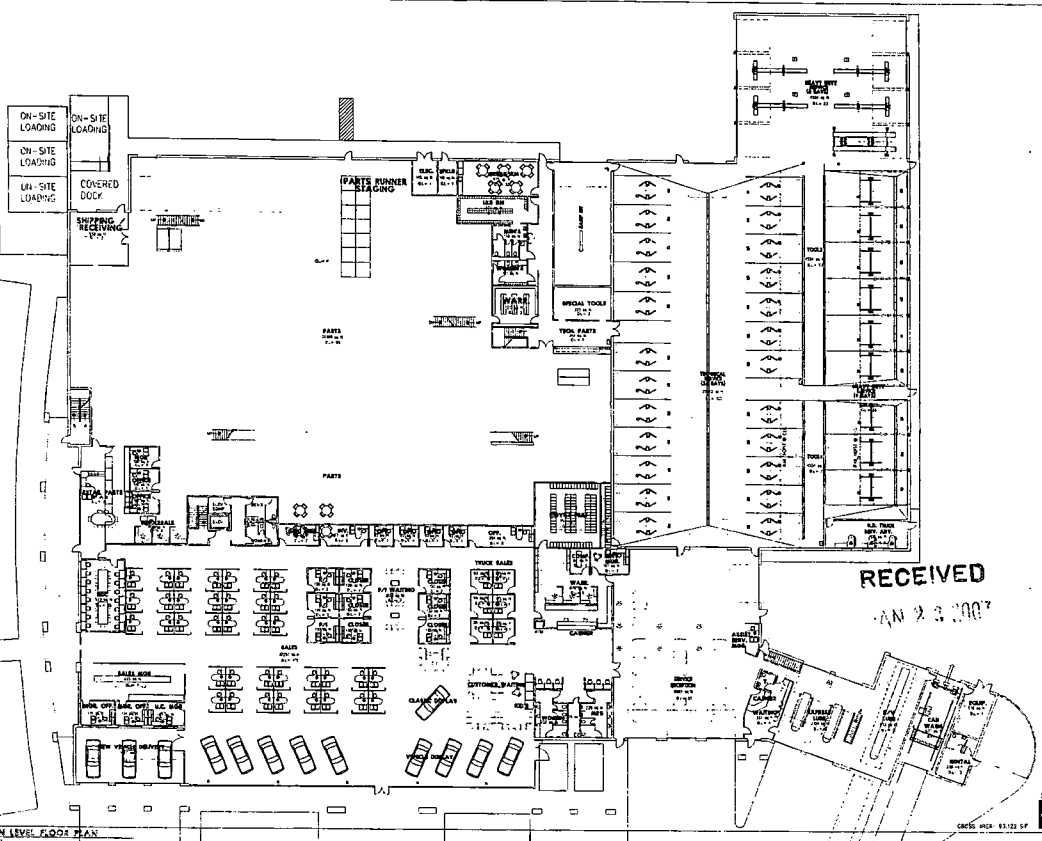
RECEIVED
JAN 23 2007

BUILDING A- LOWER LEVEL FLOOR PLAN
SCALE 3/16" = 1'-0"

SCALE 2/15 3 1-0

GROSS AREA: 55.030 S.F.

SUP-19359
SDR-19363
03/08/07 PC



David A. Linder Associates, P.A.
450 West Broadway, Suite 200
Los Angeles, California 90012
PH: 213.550.5446 FAX: 213.550.0046

The undersigned has prepared this plan for the use of the City of Los Angeles and its departments and agencies. It is not to be used for any other purpose without the written consent of the undersigned. The undersigned is not responsible for the accuracy or completeness of the information provided by others. The undersigned is not responsible for the accuracy or completeness of the information provided by others.

Project: #0516

CANALIS MATERIALS
FAIRWAY CHEVROLET
350 EAST 34TH AVE
LOS ANGELES, CALIF.

DATE	BY	REVISION



Drawing
**BLDG. A
MAIN LVL
PLAN**
Sheet No.

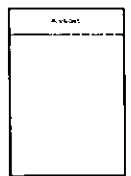
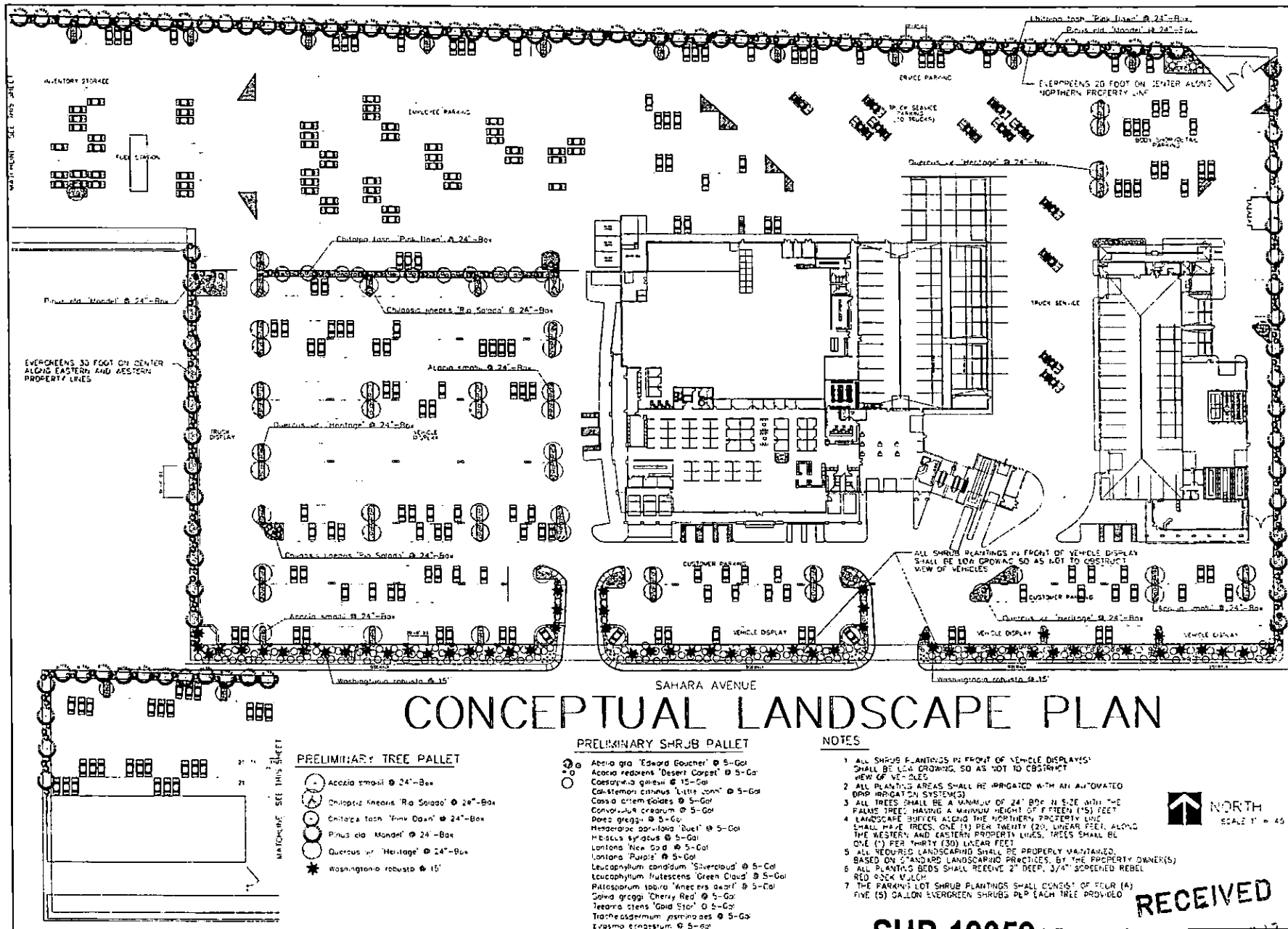
A2.2



CHECKED: 05/10/07

B. 213.550.5446 FAX: 213.550.0046

1 BUILDING A - MAIN LEVEL FLOOR PLAN



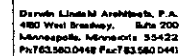
MICHAEL STILTING, INC.
Landscape Architect
1500 Del Mar Road, Suite 8012
Del Mar, CA 92015
(760) 739-8831

FAIRWAY CONSULTING
SANDIA, B.C.
LAS VEGAS, NV 89101
CONCEPTUAL LANDSCAPE PLAN

DATE	1/23/07
BY	MS
CHKD	MS
APP'D	MS
SCALE	1" = 40'
SHEET	1-1

SUP-19359
SDR-19363
03/08/07 PC

RECEIVED
JAN 23 2007

[illegible]

Project: #0616

CONCEPTUAL MASTERPLAN FOR:
FAIRWAY CHEVROLET

33100 EAST SAHARA AVE
LAS VEGAS, NEVADA

Revisions:

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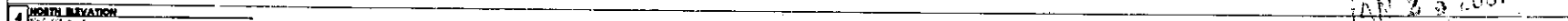
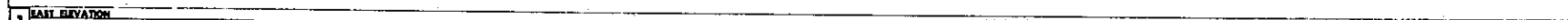


Drawing:

**BUILDING
ELEVATIONS
BUILDING A**

Sheet No:

A3.1



RECEIVED

JAN 23 2007

SUP-19359
SDR-19363
03/08/07 PC

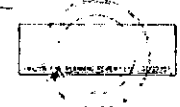
D.L.A.

Daniel L. Architects, P.A.
480 West Broadway Suite 200
Albany, Georgia 31706-5400
Tel: 706/535-5440 Fax: 706/535-5441

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CONSTRUCTION DOCUMENTS
BUILDING ELEVATIONS
BUILDING B

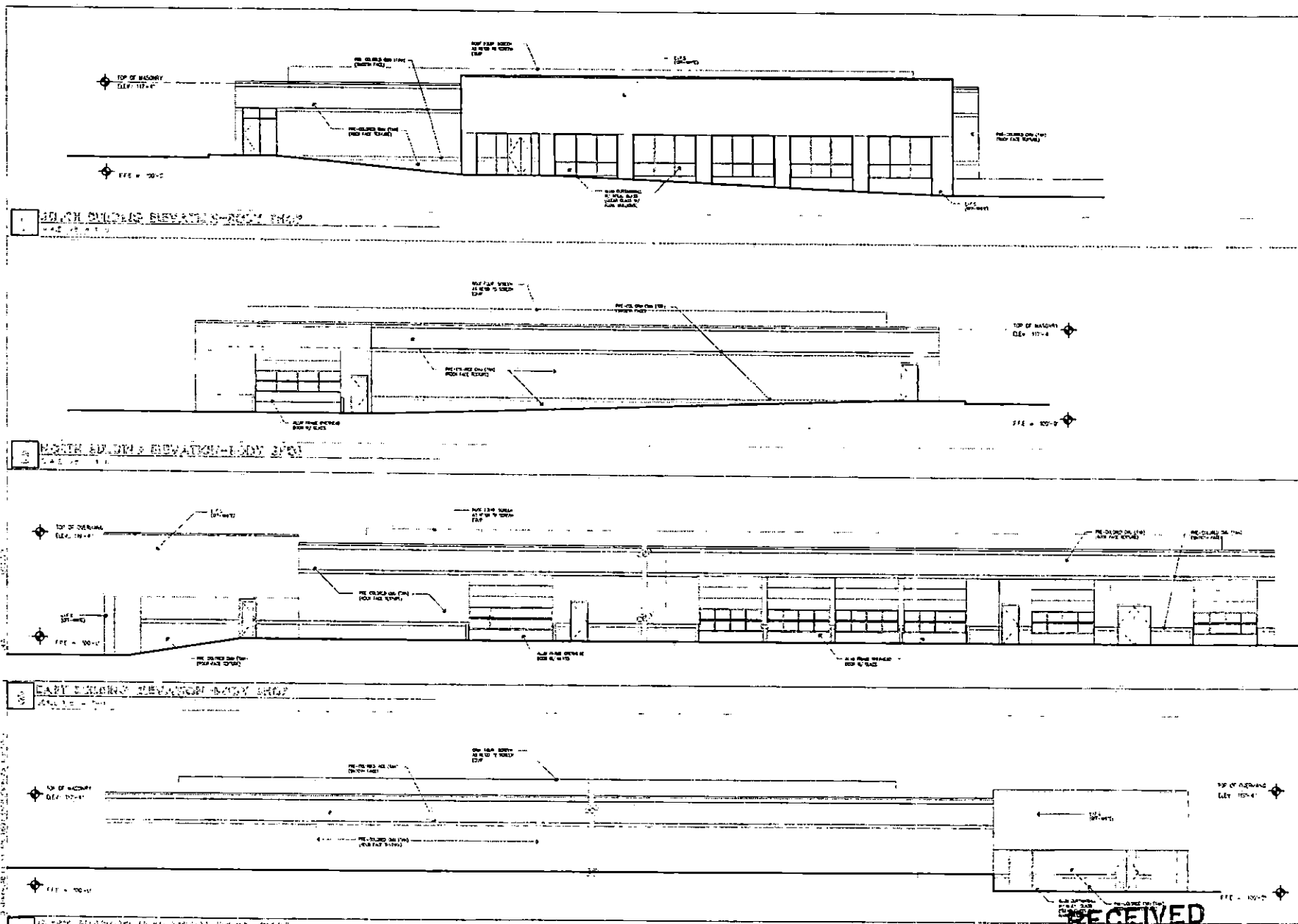
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**BUILDING ELEVATIONS
BUILDING B**

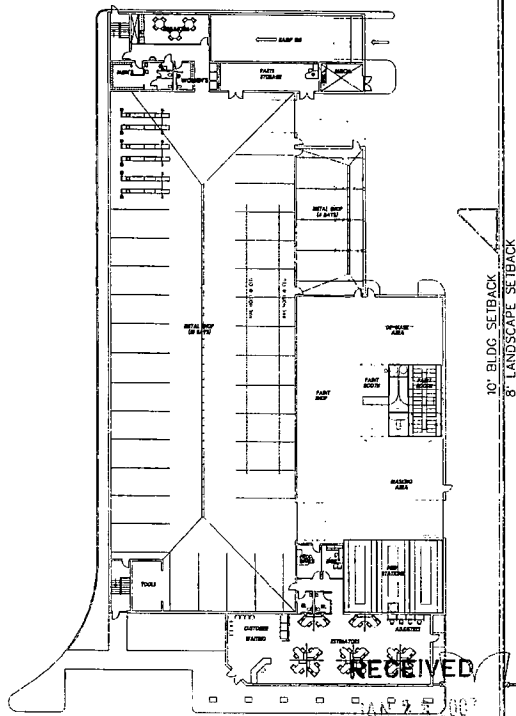
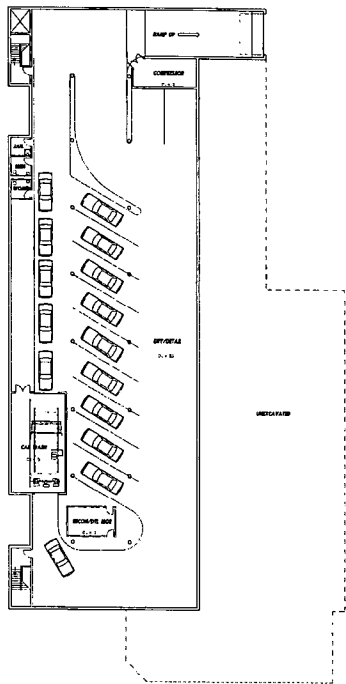
DATE: 03/08/07

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RECEIVED

SUP-19359
SDR-19363
03/08/07 PC



D.L.A.

Debra Lindholm Architects P.A.
180 West Broadway, Suite 100
Alhambra, California 91801
PH: 626 550-0018 FAX: 626 580-0011
www.dlaarchitects.com

Project: #0316

CHEMICAL WASTE TREATMENT
FACILITY CHEM TREATMENT
300 EAST GARDEN AVE.
LOS ANGELES, CALIF. 90012

Rev.	Description	Date
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Drawing
**BLDG. B
FLOOR
PLANS**

Sheet No.

A2.4

**SUP-19359
SDR-19363
03/08/07 PC**

January 23, 2007

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

Re: Fairway Chevrolet
3100 E. Sahara Ave, Las Vegas

Planning Department Staff,

Fairway Chevrolet currently operates a Chevrolet automotive dealership out of 11 separate buildings at 3100 E. Sahara Ave., Las Vegas, NV. Fairway Chevrolet functions as a new and used car facility, service repair shop, retail and wholesale parts depot, and body shop facility at this location.

We are requesting site plan approval of two new facilities to replace most of the existing buildings that are currently in operation at 3100 E. Sahara Ave. Under the proposed site plan submittal, there will be 2 new buildings on the site to house the automotive dealership business. One building of 196,916 square feet will contain the new and used automobile sales, service, parts, and automobile storage. The second building of 54,912 square feet will contain the body shop. In addition to the two new buildings, two of the existing storage buildings will remain intact. The types of business previously described will remain the same (sales, service, parts, and body shop).

The proposed development includes significant landscaping at the perimeter and finger island throughout the parking and display area. Therefore, we ask that the landscape requirement be waived on this project.

This project meets or exceeds all city standards and local building requirements for zoning, construction type, classification, and design.

Respectfully Submitted,

Darwin M. Lindahl, Architect

SUP-19359
SDR-19363
03/08/07 PC

Telephone Protest/Approval Log

Meeting Date: 3/8/07

Case Number: SUP 19359

Date: 2/23/07
Name: Eddie Mundo Escobedo
Address: 3008 Holly Hill
Phone: 282-6375
☐ PROTEST ☒ APPROVE

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

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☐ PROTEST ☐ APPROVE

ITEM # 21
CASE # SUP 19359
PC MTG 3-8-07

A

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-19363 - SITE DEVELOPMENT PLAN REVIEW RELATED TO WVR-19784 AND SUP-19359 - PUBLIC HEARING - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY - Request for a Site Development Plan Review FOR A PROPOSED 251,828 SQUARE-FOOT MOTOR VEHICLE SALES (NEW) FACILITY on 17.01 acres at 3100-3200 East Sahara Avenue (APNs 162-01-801-014 through 016), C-2 (General Commercial) Zone, Ward 3 (Reese).

C.C.: 04/04/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Telephone Approval from Eddie Escobedo

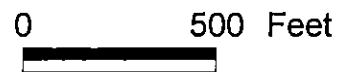
MOTION:

GOYNES – TABLE Item 4 [SDR-19357]; HOLD IN ABEYANCE Item 1 [ANX-19110], Item 20 [WVR-19784], Item 21 [SUP-19359], Item 22 [SDR-19363], Item 28 [SDR-19352] and Item 29 [TXT-19240] to 3/22/2007; and HOLD IN ABEYANCE Item 12 [GPA-19066], Item 13 [ZON-18923], Item 14 [VAR-18924], Item 15 [VAR-19609] and Item 16 [SDR-18925] to 4/12/2007 – UNANIMOUS

MINUTES:

See Item 20 for related discussion.

(6:02 – 6:06)



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



*City of Las Vegas***AGENDA MEMO****PLANNING COMMISSION MEETING DATE: MARCH 8, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-19363 - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY**

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

1. Conformance to the conditions for Rezoning (Z-0083-87).
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 1/23/07, except as amended by conditions herein.
4. The recordation of a Merger and Re-subdivision for parcels APN 162-01-801-014, -015 & -016 will be required.
5. A Waiver from Title 19.12. is hereby approved, to allow 46 parking lot landscape islands where 84 are required.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan:
 - a. A revised landscape plan that provides 24"-box trees planted 20 feet on-center along the southern perimeter of the northeast "panhandle" as shown on the provided site plan date stamped 1/23/07 shall be submitted.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

MH

SDR-19363 - Conditions Page Two
March 8, 2007 - Planning Commission Meeting

8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A Master Sign Plan shall be submitted for approval by the City of Las Vegas prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
17. A Waiver of Title 18.12.130, such as WVR-19784, shall be approved to allow Scarlet Oak Avenue to terminate with a dead-end. If a Waiver is not approved, dedication and construction of a cul-de-sac meeting current City Standards at the end of Scarlet Oak Avenue will be required concurrent with development and a revised site plan shall be submitted to the City reflecting these improvements.

SDR-19363 - Conditions Page Three
March 8, 2007 - Planning Commission Meeting

18. Landscape and maintain all unimproved right-of-way, if any, on East Sahara Avenue adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
19. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the East Sahara Avenue public right-of-way adjacent to this site.
20. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
21. The site shall be designed such that all delivery vehicles can maneuver for loading and unloading on-site; there shall be no parking, loading or unloading of vehicles within the Sahara Avenue public right-of-way.
22. Vehicles shall be neither displayed nor stored within the public right-of-way adjacent to this site.
23. 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.

SDR-19363 - Staff Report Page One
March 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Site Development Plan Review for the redevelopment of an existing Automobile Dealership located at 3100 East Sahara Avenue. The applicant's proposal will include two new buildings to replace the previous dealership and service center. Two buildings dedicated for storage will remain on site.

In addition to this Site Plan Review, a related Special Use Permit (SUP-19359) to allow service bays to face the public right-of way and a Waiver (WVR-19784) to the Title 18.12.130 Cul-de-sac standards have been requested.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
10/07/87	The City Council approved the Rezoning (Z-0083-87) of property generally located north of Sahara Avenue and west of Fremont Street from R-1 (Single Family Residential) Zone and R-2 (Medium-Low Density Residential) Zone to C-2 (General Commercial) Zone.
<i>Related Building Permits/Business Licenses</i>	
11/14/03	Code Enforcement Case #5491: The property located at 3100 East Sahara was cited for an attractive nuisance for noise, paint odors, and test drives on October 14, 2003. The case was resolved on November 14, 2003.
10/04/06	Business license #A16-00009, "Fairway Chevrolet": Automobile Sales New & Used located at 3100 East Sahara Avenue.
<i>Pre-Application Meeting</i>	
1/10/07	A Pre-application meeting was held regarding the redevelopment of the existing Automobile Dealership located at 3100 East Sahara Avenue. Issues regarding the recordation of a merger and re-subdivision of the three affected properties along with the Design, Parking, and Landscaping standards were discussed.
<i>Neighborhood Meeting</i>	
NA	A neighborhood meeting was not required, nor was one held.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	17.01 acres

SDR-19363 - Staff Report Page Two
March 8, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Auto Dealership	GC (General Commercial)	C-2 (General Commercial)
North	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Clark County - Auto Dealership	Clark County	Clark County
East	Auto Dealership	GC (General Commercial)	C-2 (General Commercial)
West	Auto Dealership	GC (General Commercial)	C-2 (General Commercial)

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

*The applicant provided a completed Development Impact Notification Assessment with the application for a Special Use Permit (SUP-19359).

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	740,962 SF	NA
Min. Lot Width	100 Feet	1,457 Feet	NA
Min. Setbacks			
• Front	20 Feet	117 Feet	Y*
• Side	10 Feet	32 Feet	Y*
• Corner	15 Feet	NA	Y*
• Rear	20 Feet	126 Feet	Y*
Max. Lot Coverage	50 %	17%	Y*
Max. Building Height	N/A	19 Feet	NA
Trash Enclosure	Covered/screened	Y	Y
Mech. Equipment	Covered/screened	Y	Y

SDR-19363 - Staff Report Page Three
March 8, 2007 - Planning Commission Meeting

*With the recordation of a Merger and Re-subdivision of parcels APN 162-01-180-014, -015 & -016 this proposal will be in conformance with Title 19.08. However, without the merger of the three lots, the lots handled individually will not comply with Title 19. Therefore, approval of this SDR will be contingent upon completion of this condition.

Pursuant to Title 19.08.060, the following requirements apply:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	78 Feet	130 Feet	Y
Adjacent development matching setback	15 Feet	20 Feet	Y
Trash Enclosure	50 Feet	120 Feet	Y

Pursuant to Title 19.12, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/ 6 Spaces	85 Trees	78	N
Buffer: Min. Trees	1 Tree/ 20 Linear Feet*	73 Trees	73 Trees	Y
	1 Tree/ 30 Linear Feet**	78 Trees	78 Trees	
TOTAL		236 Trees	229	N
Min. Zone Width	8 Feet		8 Feet	Y
Wall Height	6 Feet		6 Feet	Y

* One tree per 20 linear feet must be provided on commercially zoned properties adjacent to residential.

**One tree per 30 linear feet must be provided for the remaining eastern, western, and southern perimeter.

***The parking lot for this automobile dealership does not meet parking lot tree requirements per Title 19.12.

SDR-19363 - Staff Report Page Four
March 8, 2007 - Planning Commission Meeting

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required Parking Ratio	Required Parking		Provided Parking		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Motor Vehicle Sales (New)	251,828 SF	1 stall per 500 sq ft GFA	504	10	507	10	Y
Vehicle Display	---	---	---	---	813	---	---
TOTAL			504	10	1320	10*	Y
Loading Spaces		3 per 50,00 SF w/ 1 add'l space per 100,000 SF	5 req'd		5		Y

* The Handicapped parking ratio applies only to the 2% of GFA dedicated to Motor Vehicle Sales; the excess parking utilized for vehicle display and inventory storage is not included in this total.

Waivers		
Request	Requirement	Staff Recommendation
To allow 43 landscape islands where 86 are required.	One five-foot landscape island per six parking spaces.	Approval

ANALYSIS

- General Plan/Zoning**

This proposal covers three separate parcels, APNs 162-01-801-014, -015, and -016, which are zoned C-2 (General Commercial). The existing use for an Automobile Dealership with ancillary used auto sale and auto body repair office are permissible uses per Title 19.04.

Although no signage is shown, per Title 19.14 Sign Standards this 17 Acre development will require an approved Master Sign Plan prior to the issuance of any sign permits.

SDR-19363 - Staff Report Page Five
March 8, 2007 - Planning Commission Meeting

- **Site Plan**

The applicant proposes a renovation of an existing Automobile Dealership fronting along Sahara Avenue. The entire project covers three separate parcels that will require the recordation of a merger and re-subdivision creating a 17-acre commercial subdivision. The applicant submitted the appropriate application (PMP-19451) on 1/26/07 that seeks to fulfill this condition but is still pending. The project will provide a 196,916 square-foot auto dealership and a 54,912 square-foot auto body shop for a gross floor area of 251,828 square-feet.

The applicant proposes service bays that face the Sahara Avenue frontage. As this does not meet the conditional use for the ancillary auto body repair and service use associated with the Motor Vehicle Sales use, the applicant has requested a Special Use Permit (SUP-19359).

- **Elevations & Materials**

The massing of the auto dealership is broken up with a selection of different material textures and colors. The front entrance is distinguished by a "Chevrolet Blue" metal paneling that contrasts nicely with the off-white EIFS wall system (stucco) and white metal paneling. The bulk of the rear of the building is finished with split-faced tan CMU walls with portions of off-white EIFS walls breaking up the massing of the large auto service center.

Although the elevations maintain a street-oriented façade with non-reflective glazing facing out towards Sahara, the applicant has requested a Special Use Permit (SUP-19359) to allow service bays to face towards the Sahara Avenue frontage. Staff has recommended approval of this request as the bays are slightly angled, setback 140 feet from Sahara Avenue and partially screened by the front perimeter landscaping.

- **Residential Adjacency**

The proposed building height is 26 feet, more than the minimum 15-foot height requirement. The applicant has provided a 130-foot separation distance where the 3:1 separation requirement requires 78 feet. The proposed building is also in compliance with adjacent matching setbacks for the R-1 (Single-Family Residential) Zoned property located to the north. Although no structures are proposed or near the 15-foot residential setback, the applicant has called out a 20-foot setback line on the submitted plans where required.

SDR-19363 - Staff Report Page Six
March 8, 2007 - Planning Commission Meeting

- **Parking**

The proposed redeveloped auto dealership provides an adequate 507 customer and ADA-compliant parking spaces separate from the additional 813 spaces dedicated to vehicle display and inventory storage.

Five on-site 15-foot by 25-foot loading spaces have been provided per Title 19.10.020 and are located next to the automotive repair shop.

- **Landscaping**

The provided landscape plans show the appropriate perimeter landscape buffer widths with a mixture of pines, desert willows, acacias, and some oak trees placed along the east and west perimeters at thirty feet, on-center and throughout the site. The southern perimeter buffer along Sahara Avenue shows 24"-box sized Palms placed thirty-foot on-center so as to not obscure the vehicle displays. The provided plans also show pine trees placed twenty-foot on-center adjacent to the single-family properties to the north of the subject site.

A Waiver to the Title 19.10.010 parking lot landscape island requirements has been requested to provide 43 parking lot landscape islands where 86 are required.

- **Signage**

No elevations have been provided for proposed signage. As this project is over 15 acres, a Master Sign plan is required per Title 19.130(B)1(a).

FINDINGS

The following findings must be made for an SDR:

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

The proposed development is compatible with adjacent single-family residential development to the immediate north of the project. The applicant seeks to avoid the detrimental impact that an auto repair facility could have on residentially zoned property by locating the service facility to the front of the property.

SDR-19363 - Staff Report Page Seven
March 8, 2007 - Planning Commission Meeting

- 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 expansion of the existing development is consistent with the General Plan and the Title 19 Development Standards. Regarding the ancillary use of an auto repair facility in conjunction with an automotive dealership, a request for a Special Use Permit (SUP-19359) to allow the service bays to face towards Sahara Avenue has been submitted.

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

The existing site access and circulation has not adversely impacted adjacent roadways or neighborhood traffic since its initial use as an automobile dealership. There is little expected increase in traffic with the proposed renovations. A Waiver to Title 18.12.130 has been requested to address Scarlet Oak Avenue's termination into the north end of the property without providing a cul-de-sac.

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

The proposed landscape materials are appropriate for this area and for the City. Although there is an overall deficiency in the provided quantities of landscaping material, staff believes the applicant has made good effort to provide an appealing plan made up of a diverse palate of desert trees and shrubs located throughout the site.

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

The proposed building elevations are compliant with the residential adjacency standards as listed in Title 19.08. The provided elevations depict an adequate separation distance of the proposed addition from the adjacent residential properties side.

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

The appropriate measures are being taken in securing and protecting the public health, safety and general welfare through the inspections required of Building and Safety for all commercial construction, through the Business Licensing Division for all licensed commercial activity, and through Code Enforcement for the general application of the Las Vegas Municipal Code.

SDR-19363 - Staff Report Page Eight
March 8, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 3

ASSEMBLY DISTRICT 12

SENATE DISTRICT 10

NOTICES MAILED 255 (Mailed with WVR-19784 and SUP-19359)

APPROVALS 1

PROTESTS 0



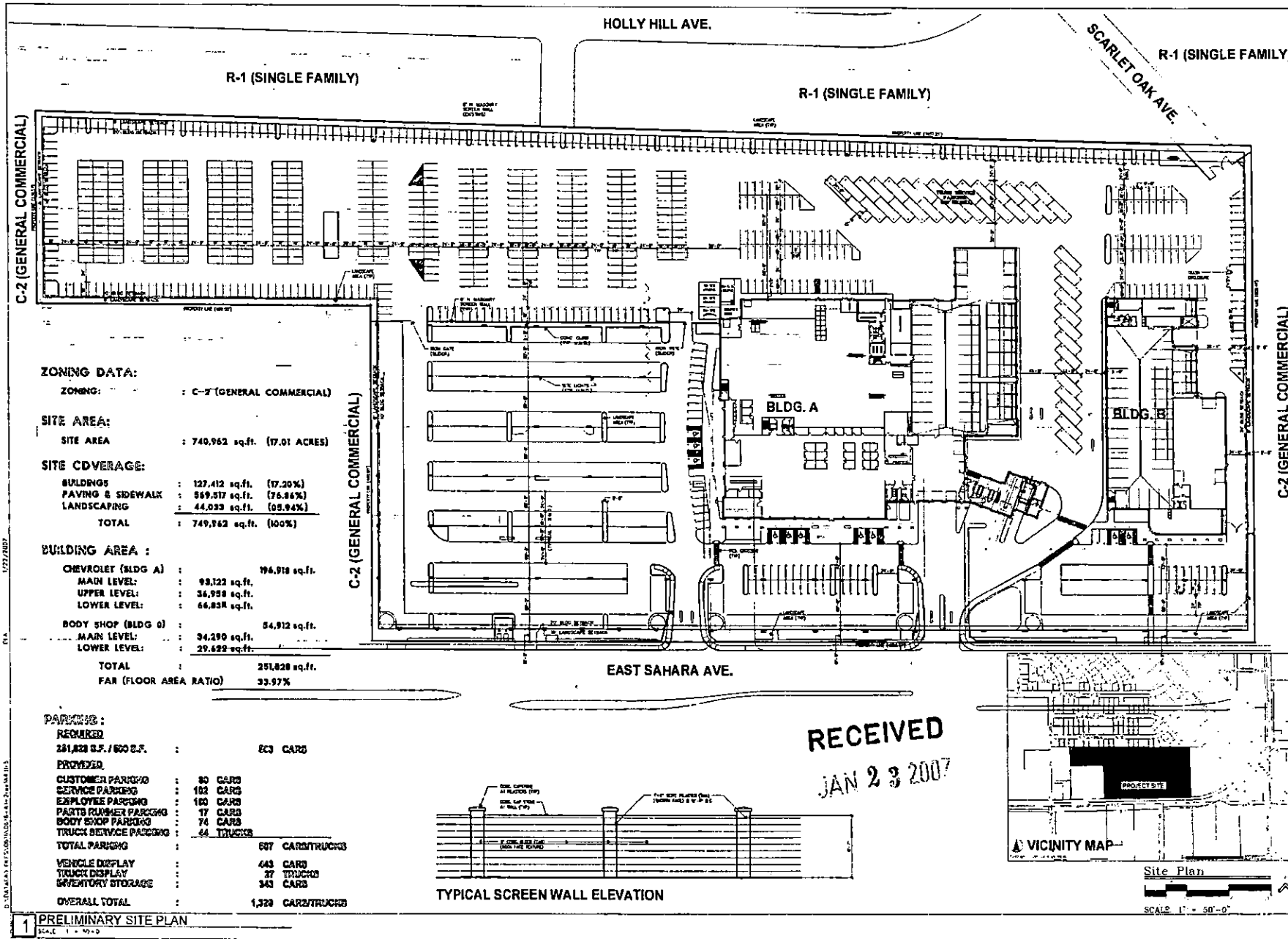
STATEMENT OF FINANCIAL INTEREST

Name of Representative: GARY W. MILLER, ARCH - (KEVIN REISCH)

☒ No

APN: _____

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



ZONING DATA:

ZONING: : C-2 (GENERAL COMMERCIAL)

SITE AREA:

SITE AREA : 740,962 sq.ft. (17.01 ACRES)

SITE COVERAGE:

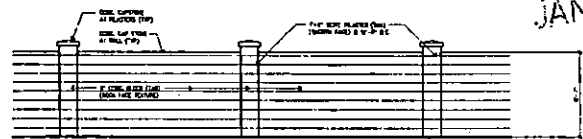
BUILDINGS	: 127,412 sq.ft.	(17.20%)
PAVING & SIDEWALK	: 569,517 sq.ft.	(76.86%)
LANDSCAPING	: 44,033 sq.ft.	(5.94%)
TOTAL	: 740,962 sq.ft.	(100%)

BUILDING AREA :

CHEVROLET (BLDG. A)	: 196,918 sq.ft.
MAIN LEVEL:	: 93,122 sq.ft.
UPPER LEVEL:	: 36,958 sq.ft.
LOWER LEVEL:	: 66,838 sq.ft.
BODY SHOP (BLDG. B)	: 54,912 sq.ft.
MAIN LEVEL:	: 34,290 sq.ft.
LOWER LEVEL:	: 20,622 sq.ft.
TOTAL	: 251,830 sq.ft.
FAR (FLOOR AREA RATIO)	: 33.97%

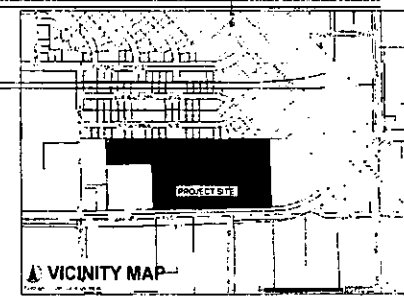
PARKING :

REQUIRED	: 281,828 S.F. / 600 S.F.	: 803 CARS
PROVIDED		
CUSTOMER PARKING	: 80 CARS	
SERVICE PARKING	: 102 CARS	
EMPLOYEE PARKING	: 100 CARS	
PARTS ROOMER PARKING	: 17 CARS	
BODY SHOP PARKING	: 74 CARS	
TRUCK SERVICE PARKING	: 64 TRUCKS	
TOTAL PARKING	: 607 CARS/TRUCKS	
VEHICLE DISPLAY	: 443 CARS	
TRUCK DISPLAY	: 37 TRUCKS	
INVENTORY STORAGE	: 343 CARS	
OVERALL TOTAL	: 1,320 CARS/TRUCKS	



TYPICAL SCREEN WALL ELEVATION

RECEIVED
JAN 23 2007



Site Plan
SCALE: 1" = 50'-0"

Darwin Lindahl Architects, P.A.
482 West Broadway, Suite 200
Minneapolis, Minnesota 55432
Ph: 763.560.0448 Fax: 763.560.0449

Project: #0616

CONCEPTUAL MASTERPLAN FOR:
PARKWAY CHEVROLET
 390 EAST SAHARA AVE.
 LAS VEGAS, NEVADA

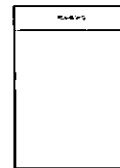
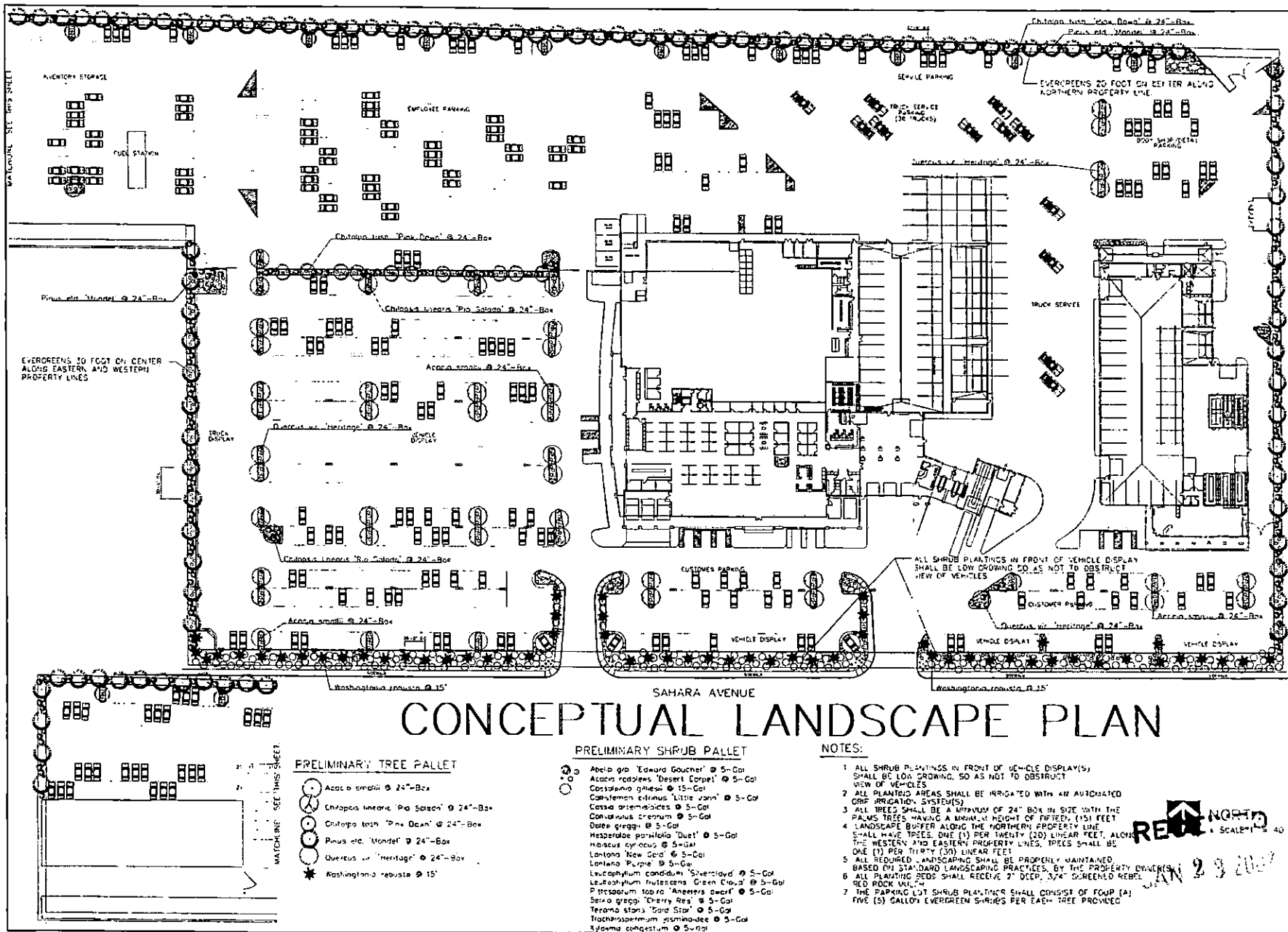
Revisions		
No.	Revision	Date

PRELIMINARY
NOT FOR CONSTRUCTION
DATE: 01/23/07

Drawing
**PRELIMINARY
SITE PLAN**

Sheet No.
A1.1

SDR-19363
03/08/07 PC

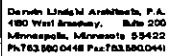


MICHAEL STEIDING, INC.
 Landscape Architects
 11060 Beverly Boulevard, Suite 200
 Van Nuys, California 91411
 (818) 709-8311

FAIRWAY CNE BLVD
 SAHARA BLVD
 CONCEPTUAL LANDSCAPE PLAN

DATE	BY
11-12-2004	MS
11-12-2004	MS
11-12-2004	MS
11-12-2004	MS
11-12-2004	MS
11-12-2004	MS
11-12-2004	MS
11-12-2004	MS
11-12-2004	MS
11-12-2004	MS

SDR-19363
03/08/07 PC



THE FOLLOWING ARE THE ADDITIONAL NAMES OF THE MEMBERS OF CHURCH LUTHERAN, AMERICAN, P.A. (C) IN THE ORDER OF SIGNATURE TO CHARGE SET-ASIDE THE BELTLE FORMATION OF CHURCH LUTHERAN, AMERICAN, P.A. IS REGISTERED IN FEDERAL PROPERTY AND CONSUMERS, NATIONAL LAWYERS OF CHURCH LUTHERAN, AMERICAN, P.A. REPRESENTATION OF THE NATIONAL BOARD WHICH OFFICE REPRESENTS OF CHURCH LUTHERAN, AMERICAN, P.A. RELATES TO THE JOINTS LANK OF THE UNITED STATES AND THE STATE OF THE BELTLE TO J.E. CHURCH LUTHERAN, AMERICAN, P.A.

Project: #0616

**CONCEPTUAL MASTERPLAN FOR:
FAIRWAY CHEVROLET**

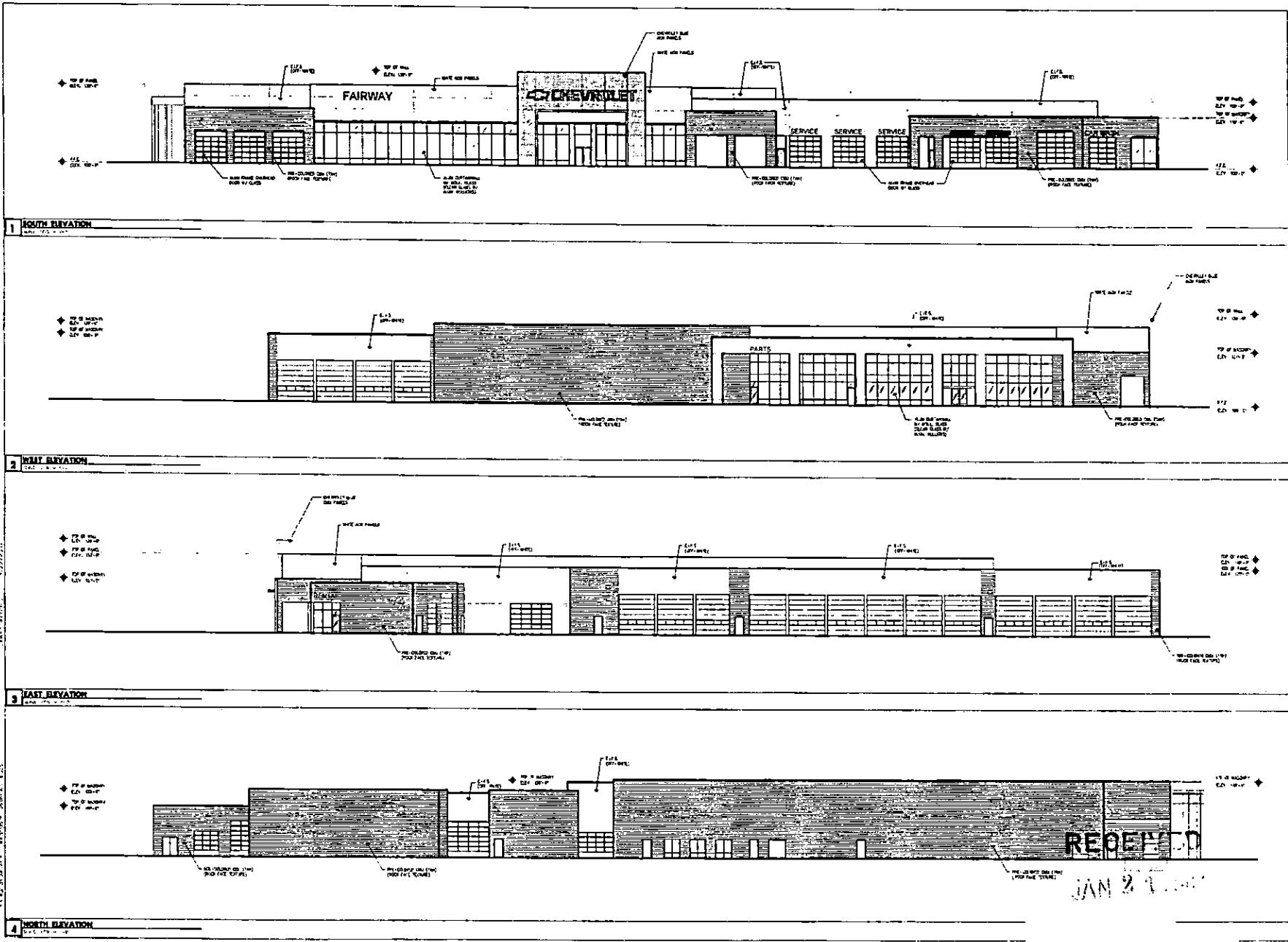
3100 EAST SAHARA AVE.
LAS VEGAS, NEVADA

[illegible]

Drawing:
**BUILDING
ELEVATIONS
BUILDING A**

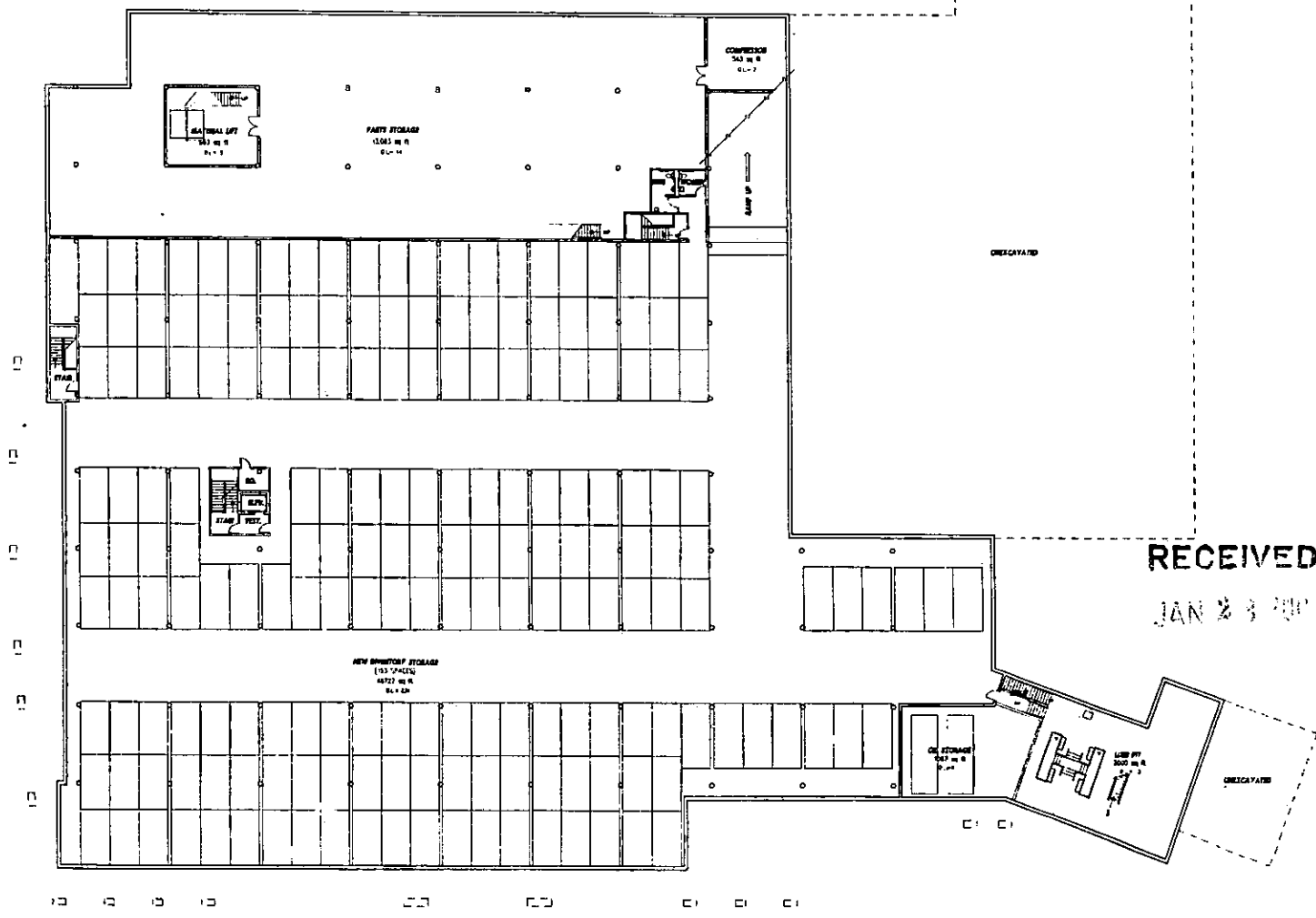
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A3.1



SDR-19363
03/08/07 PC

0: UNITS/CD: 1/8"=1'-0" UNITS/PLAN: 1/8"=1'-0" UNITS/SECTION: 1/8"=1'-0" UNITS/DETAIL: 1/4"=1'-0" UNITS/ANNOTATION: 1/8"=1'-0"



Darwin Lindal Architects, P.A.
480 West Broadway, Suite 200
Minneapolis, Minnesota 55402
PH: 763.560.0440 FAX: 763.560.0441

Project: #0616

CONCEPTUAL MASTERPLAN FOR:
FAIRWAY CHEVROLET
3100 EAST CHURCH AVE.
LAS VEGAS, NEVADA

Revisions		
No.	Revision	Date



Drawing
**BLDG. A
LOWER LVL
PLAN**

Sheet No
A2.1

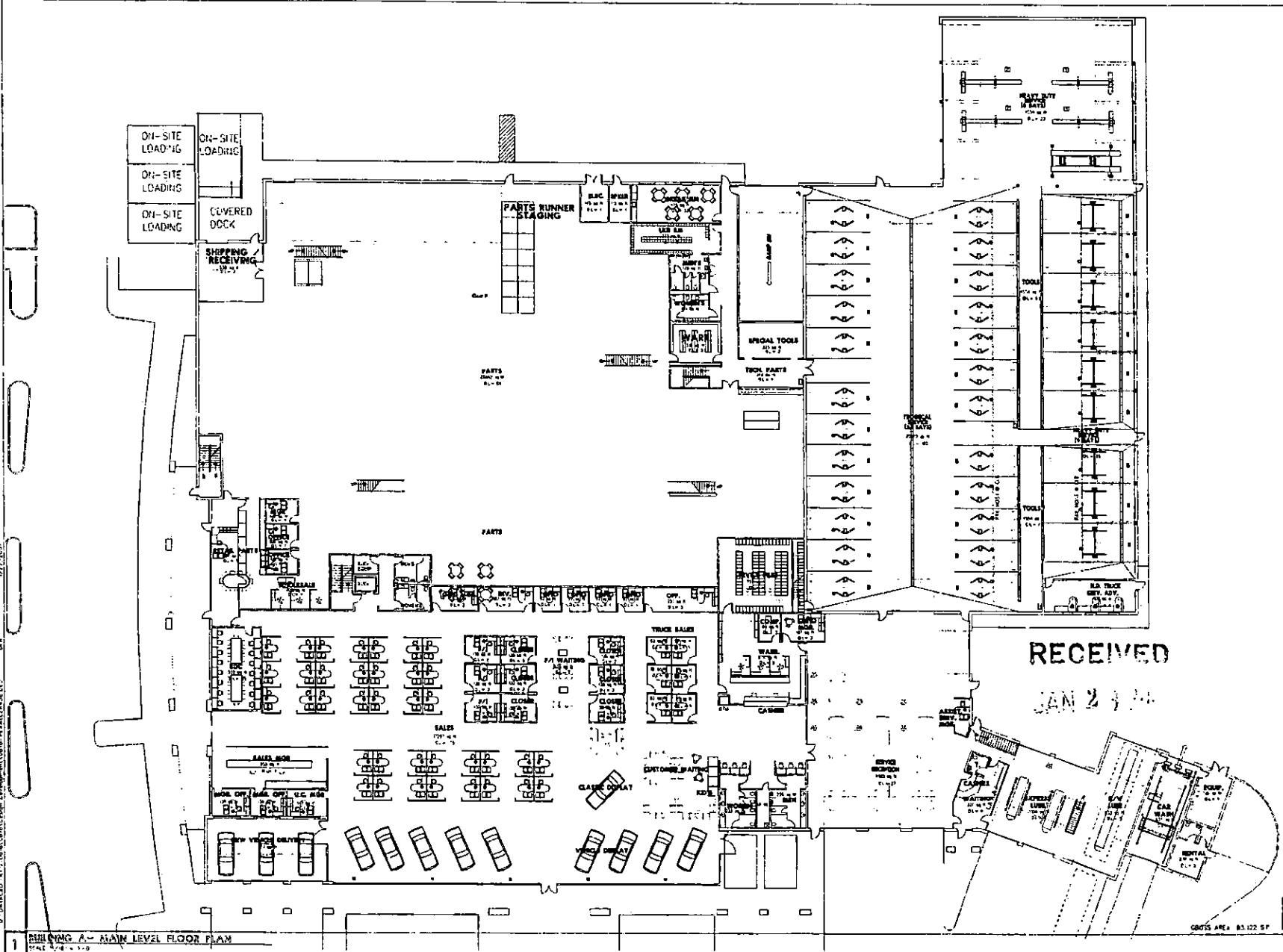


GROSS AREA: 54,830 SF

1 BUILDING A - LOWER LEVEL FLOOR PLAN

**SDR-19363
03/08/07 PC**

D:\DRAWING\19363\19363-01\19363-01.DWG
 1/27/07
 19363-01



1 BUILDING A - MAIN LEVEL FLOOR PLAN
 DATE 1/27/07



Darrell Lindahl Architects, P.A.
 400 West Broadway, Suite 200
 Minneapolis, Minnesota 55422
 PH: 763.560.0448 FAX: 763.563.0443

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Project: #0616

CONCEPTUAL MASTERPLAN FOR
FAIRWAY CHEVROLET
 3000 EAST CHANDLER AVE.
 LAS VEGAS, NEVADA

Rev.	By	Notes	Date
1	DLA	ISSUED FOR PERMIT	1/27/07

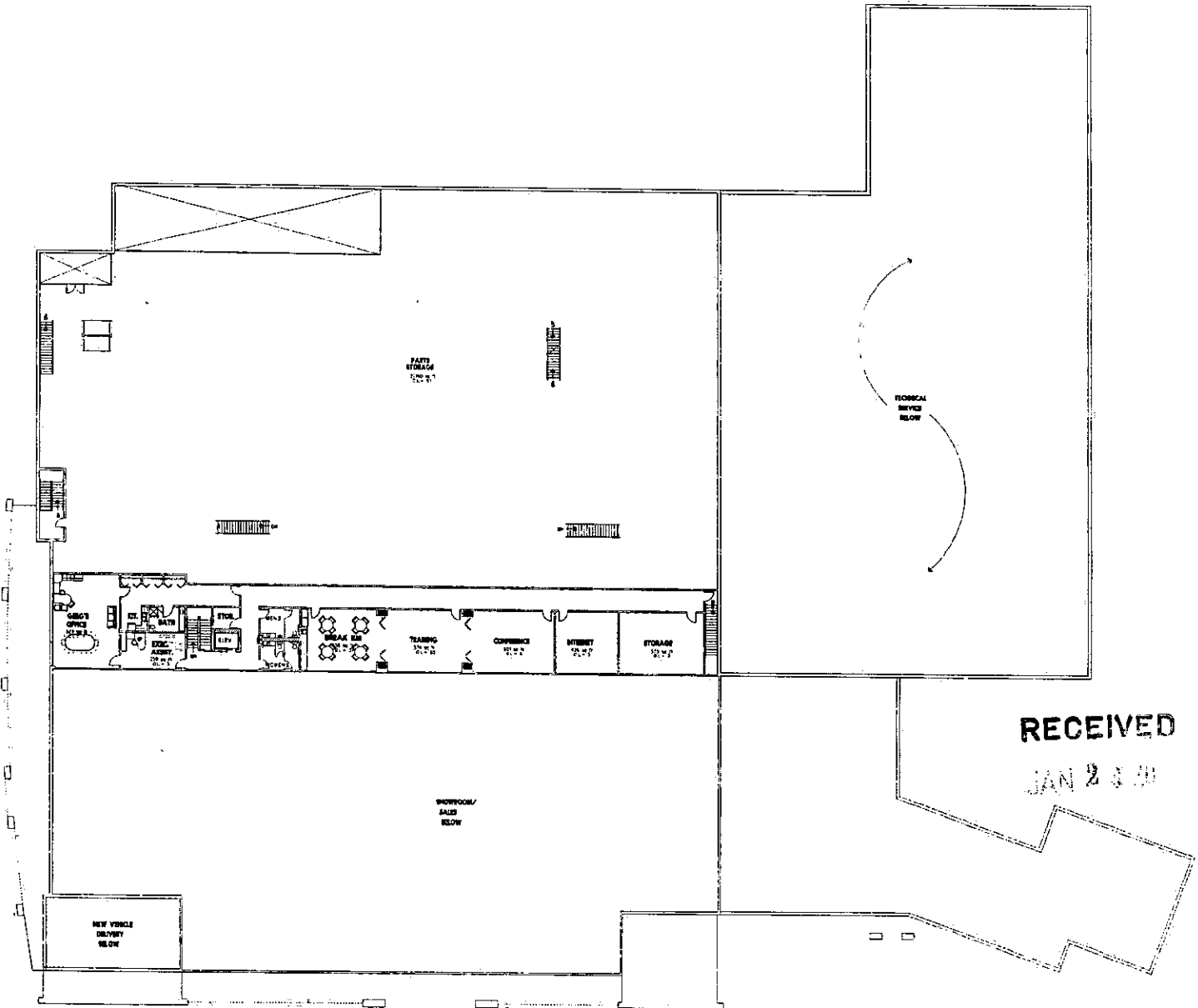


Drawing
**BLDG. A
 MAIN LVL
 PLAN**

Sheet No
A2.2

SDR-19363
 03/08/07 PC

D:\DRAWING\REVISED\CONCEPT\CONCEPT\CONCEPT\CONCEPT.DWG 1/22/2007



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9880 West Broadway Suite 200
Minneapolis, Minnesota 55422
Ph 763.560.6448 Fax 763.560.0441

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Project: #0616

CONCEPTUAL MASTERPLAN FOR:
FAIRWAY CHEVROLET
3100 EAST SAGHAWAY AVE.
LAS VEGAS, NEVADA

Revisions		
No.	Revision	Date



Drawing
**BLDG. A
UPPER LVL
PLAN**

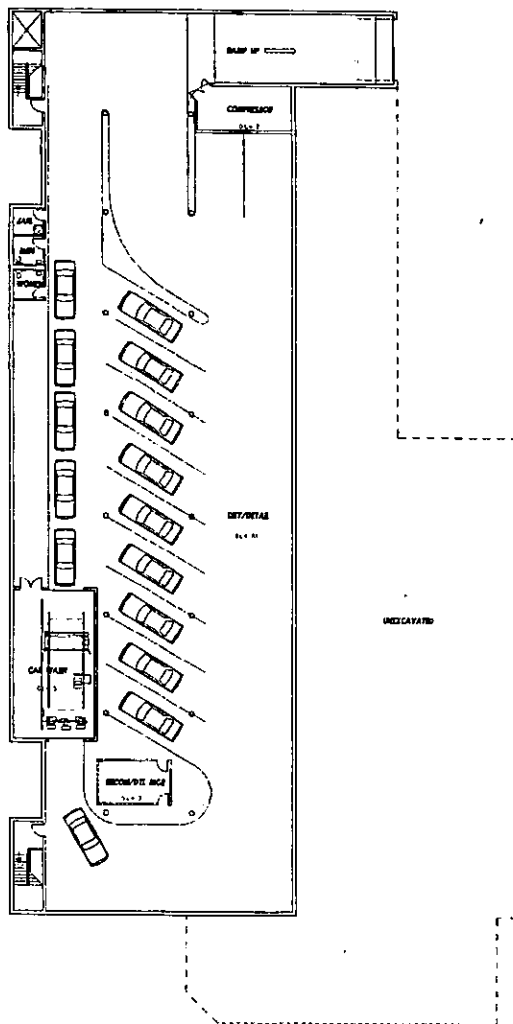
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A2.3



GROSS AREA: 26,956 SF.

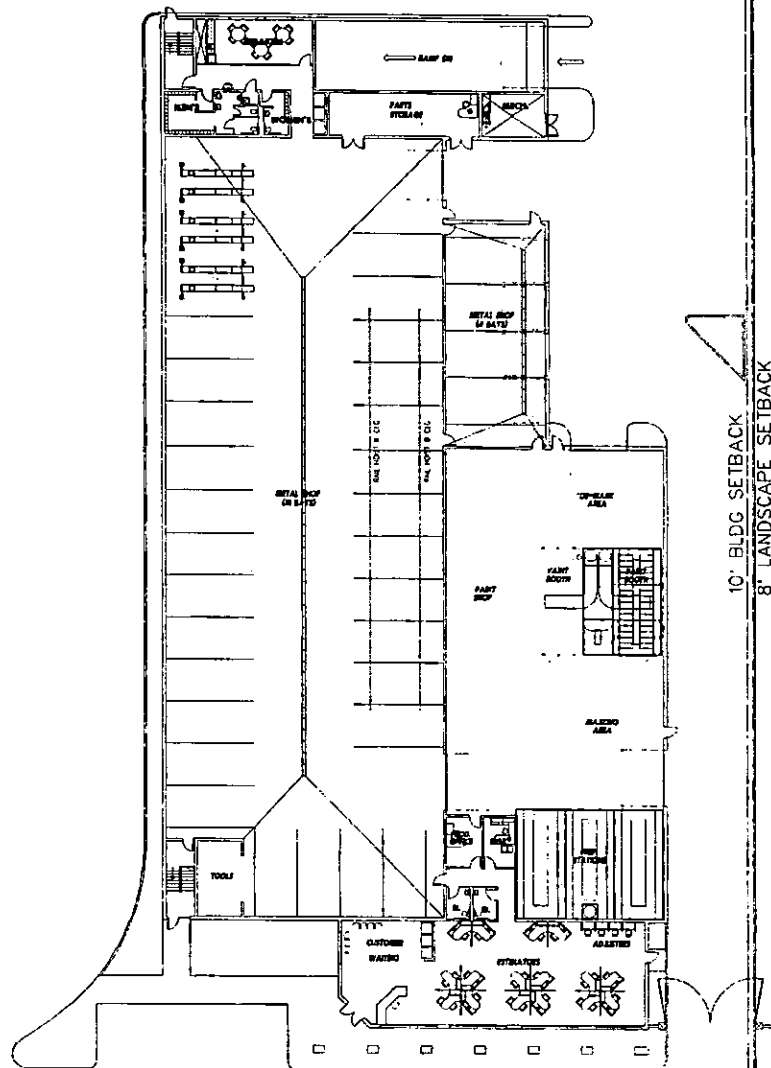
1 BUILDING A - UPPER LEVEL FLOOR PLAN
SCALE 1/8" = 1'-0"

SDR-19363
03/08/07 PC



CROSS AREA 20,622 SF

1 BUILDING B- LOWER LEVEL FLOOR PLAN



CROSS AREA 14,290 SF

2 BUILDING B- MAIN LEVEL FLOOR PLAN

RECEIVED



Dennis Lindahl Architects, P.A.
450 West Broadway, Suite 200
Minneapolis, Minnesota 55422
Ph 763.560.0448 Fax 763.560.0441

THE CLIENT HAS BEEN ADVISED THAT THE
DRAWING IS PRELIMINARY AND NOT TO BE
USED FOR CONSTRUCTION. THE CLIENT
HAS BEEN ADVISED THAT THE DRAWING IS
NOT TO BE USED FOR CONSTRUCTION.
THE CLIENT HAS BEEN ADVISED THAT THE
DRAWING IS PRELIMINARY AND NOT TO BE
USED FOR CONSTRUCTION. THE CLIENT
HAS BEEN ADVISED THAT THE DRAWING IS
NOT TO BE USED FOR CONSTRUCTION.

Project: #0616

CONCEPTUAL MASTERPLAN FOR
FAIRWAY CHEVROLET
210 EAST SAMUEL AVE.
LAS VEGAS, NEVADA

Revisions	Revised	Date



Drawing
BLDG. B
FLOOR
PLANS

Sheet No

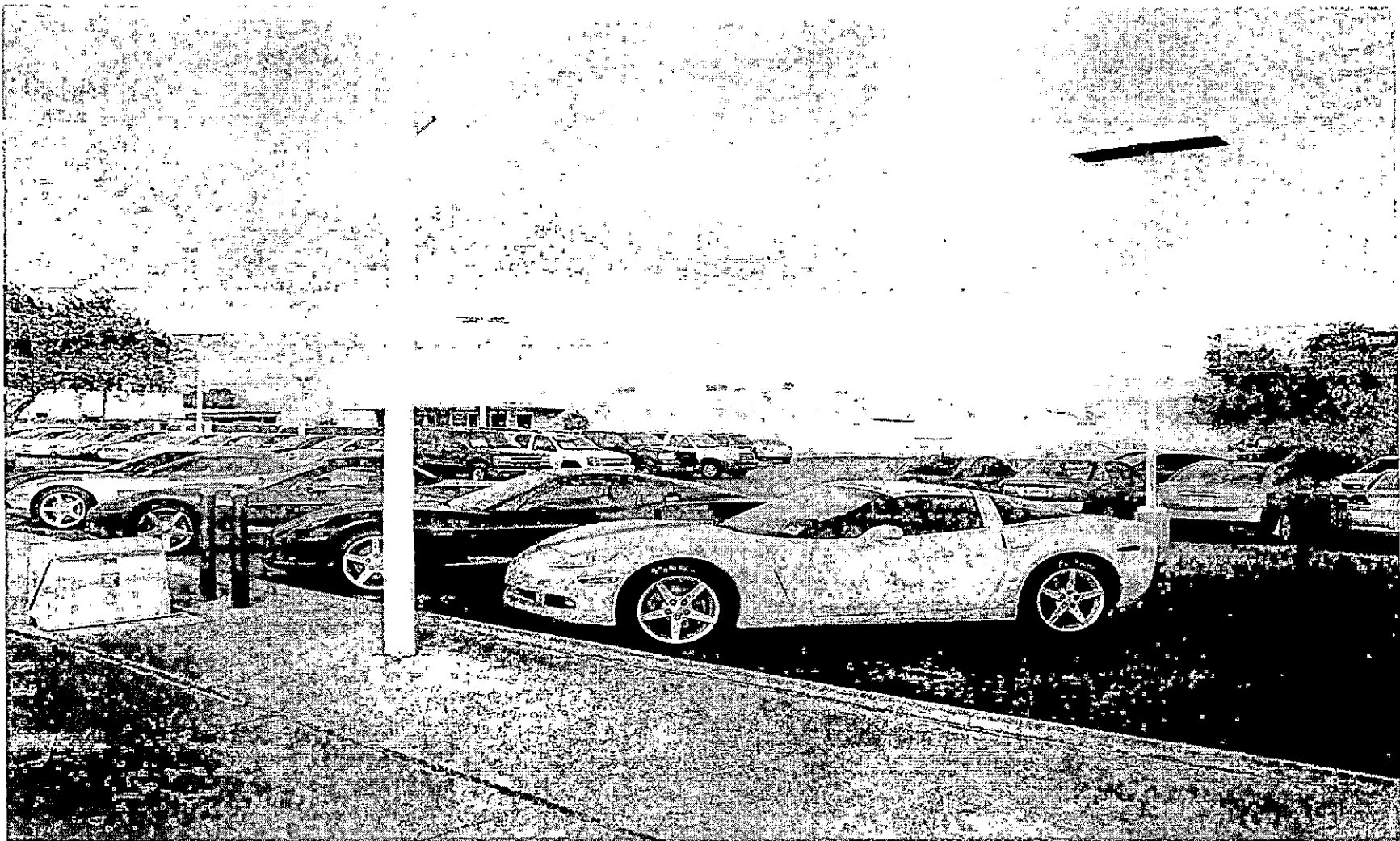
A2.4

SDR-19363
03/08/07 PC



SUP-19359 AND SDR-19363 - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY
3100-3200 EAST SAHARA AVENUE
MARCH 8, 2007 PLANNING COMMISSION

01/31/07



SUP-19359 AND SDR-19363 - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY
3100-3200 EAST SAHARA AVENUE
MARCH 8, 2007 PLANNING COMMISSION

01/31/07



SUP-19359 AND SDR-19363 - APPLICANT/OWNER: FAIRWAY CHEVROLET COMPANY
3100-3200 EAST SAHARA AVENUE
MARCH 8, 2007 PLANNING COMMISSION

01/31/07

January 23, 2007

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

Re: Fairway Chevrolet
3100 E. Sahara Ave, Las Vegas

Planning Department Staff,

Fairway Chevrolet currently operates a Chevrolet automotive dealership out of 11 separate buildings at 3100 E. Sahara Ave., Las Vegas, NV. Fairway Chevrolet functions as a new and used car facility, service repair shop, retail and wholesale parts depot, and body shop facility at this location.

We are requesting site plan approval of two new facilities to replace most of the existing buildings that are currently in operation at 3100 E. Sahara Ave. Under the proposed site plan submittal, there will be 2 new buildings on the site to house the automotive dealership business. One building of 196,916 square feet will contain the new and used automobile sales, service, parts, and automobile storage. The second building of 54,912 square feet will contain the body shop. In addition to the two new buildings, two of the existing storage buildings will remain intact. The types of business previously described will remain the same (sales, service, parts, and body shop).

The proposed development includes significant landscaping at the perimeter and finger island throughout the parking and display area. Therefore, we ask that the landscape requirement be waived on this project.

This project meets or exceeds all city standards and local building requirements for zoning, construction type, classification, and design.

Respectfully Submitted,

Darwin M. Lindahl, Architect

SDR-19363
03/08/07 PC

Telephone Protest/Approval Log

Meeting Date: 3/8/07

Case Number: SDR 19363

Date: 2/23/07
Name: Eddie Mundo Escobedo
Address: 3008 Holly Hill
Phone: 283-6375
☐ PROTEST ☒ APPROVE

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

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

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

ITEM # 22
CASE # SDR-19363
PC MTG 3-8-07

A

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

VAR-19282 - VARIANCE - PUBLIC HEARING - APPLICANT: PETER PAPAS - OWNERS: AEGEAN ISLE, WEST CHARLESTON ANIMAL HOSPITAL, AND DIXIE LEAVITT AGENCY - Request for a Variance TO ALLOW 267 EXISTING PARKING SPACES WHERE 301 PARKING SPACES ARE REQUIRED FOR AN EXISTING SHOPPING CENTER on 5.20 acres at 7871 through 7891 West Charleston Boulevard (APNs 163-04-514-002, 003, and 004), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson).

C.C.: 04/04/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest Letter from Judd Abrams

MOTION:

STEINMAN – APPROVED subject to conditions – Motion carried with **DUNNAM** voting **NO**

To be heard by City Council on 4/4/2007

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, explained that at the completion of this site's phased development, staff discovered that the site no longer met the parking requirements. He stated the parking variance is minor and recommended approval.

PLANNING COMMISSION MEETING OF MARCH 8, 2007
Planning and Development Department
Item 23 – VAR-19282

MINUTES – Continued:

DAVID STRAIT, 101 West Brooks Avenue, appeared on behalf of the applicant and expressed confusion with staff's parking analysis.

MR. RANKIN clarified that 301 parking spaces are required but the site can only provide 267 spaces and MR. STRAIT agreed with that analysis.

In response to COMMISSIONER TRUESDELL'S inquiry, MR. STRAIT explained the commercial center had a cross-parking agreement with the stipulation that each pad's employees park on their parcels. MR. RANKIN expressed his support of that arrangement and noted the shared parking agreement was part of the case file.

COMMISSIONER STEINMAN expressed his doubts in the workability of the parking agreement and the retail pad.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

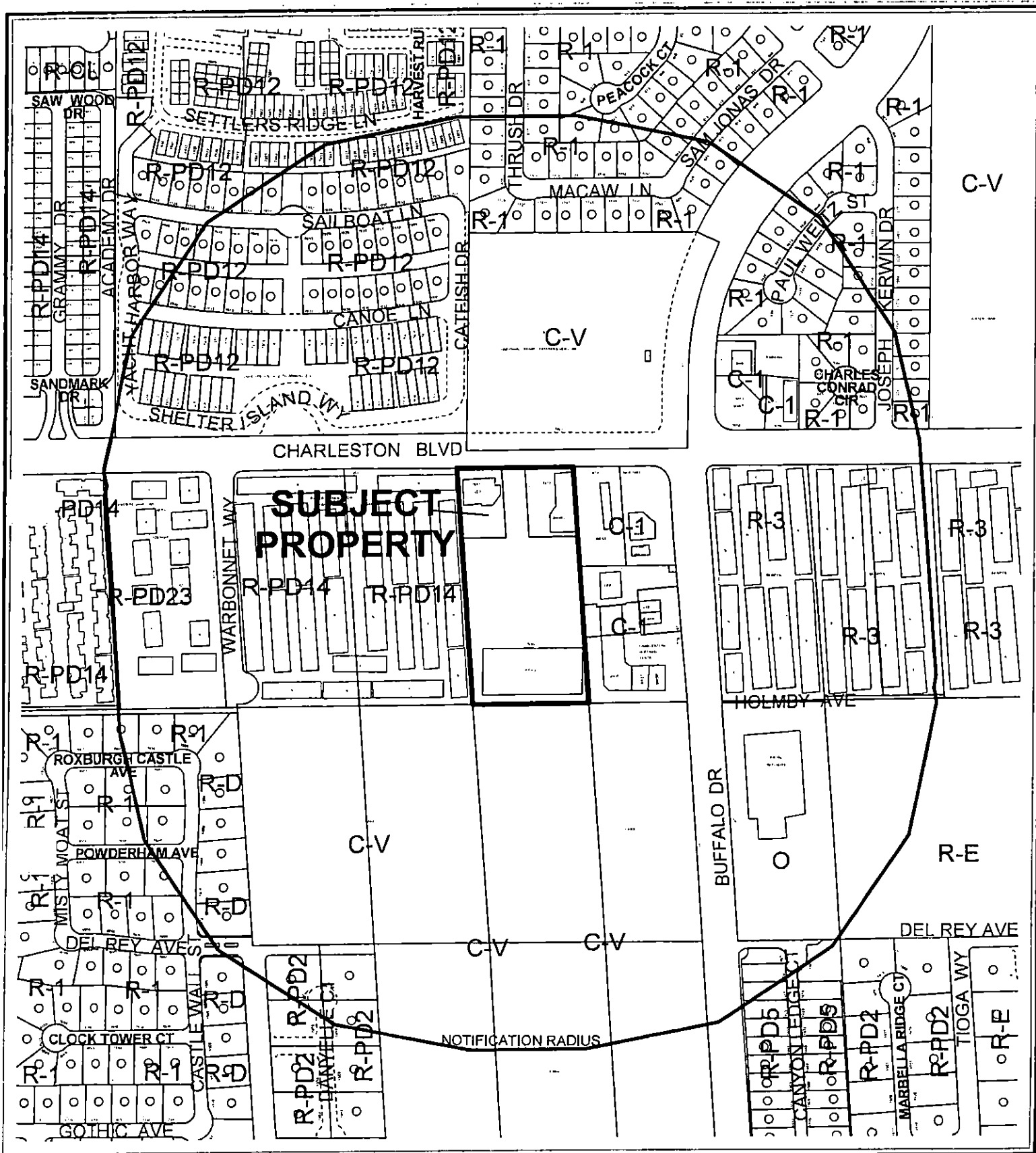
(7:09 – 7:14)

1-2496

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Rezoning (Z-0004-97), and Site Development Plan Review (SDR-3108)
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.



CASE: **VAR-19282**

RADIUS: 1000 FT

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

0 500 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 8, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-19282 - APPLICANT: PETER PAPAS - OWNERS:
AEGEAN ISLE, WEST CHARLESTON ANIMAL HOSPITAL, AND DIXIE LEAVITT
AGENCY

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Rezoning (Z-0004-97), and Site Development Plan Review (SDR-3108)
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

VAR-19282 - Staff Report Page One
March 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

Request for a Variance to allow 267 existing parking spaces where 301 parking spaces are required for an existing shopping center on 5.20 acres at 7881 West Charleston Boulevard. This request stems from the changes in Title 19.04 and 19.10 during the time that a commercial subdivision went through various development reviews

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
3/10/97	The City Council approved a Rezoning (Z-0004-97) from N-U (Non-Urban) Zone to C-1 (Limited Commercial) on property located on the south side of Charleston Boulevard, approximately 330 feet west of Buffalo Drive for a proposed office and retail center.
3/11/98	The City Council approved a request for an Extension of Time [Z-4-97(1)] for an approved Rezoning from the U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone on 5.00 acres located on the south side of Charleston Boulevard, approximately 330 feet west of Buffalo Drive for a proposed office and retail center.
11/06/00	The City Council approved a request for a Reinstatement and Extension of Time [Z-4-97(1)] for an approved Rezoning from the U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone on 5.50 acres located on the south side of Charleston Boulevard, approximately 330 feet west of Buffalo Drive for a proposed office and retail center.
11/14/00	A Request for an Administrative Site Development Plan Review [Z-0004-97(3)] for a proposed 58,528 square-foot office development on 5.50 acres located on the south side of Charleston Boulevard, approximately 330 feet west of Buffalo Drive was administratively approved by the Planning and Development Staff.
6/06/02	A Request for an Administrative Site Development Plan Review [Z-0004-97(4)] for a proposed 6,735 square-foot office development on 0.59 acres located at 7881 West Charleston Boulevard was administratively approved by the Planning and Development Staff.
12/03/03	The City Council approved a request for a Site Development Plan Review SDR-3108 and a Waiver from the Perimeter Buffer and Parking Lot Landscaping Requirements and Commercial Design Standards for a one-story commercial building on 0.64 acres.

MH

VAR-19282 - Staff Report Page Two
March 8, 2007 - Planning Commission Meeting

Related Building Permits/Business Licenses	
Month/date/year	Building Permits & Location:
3/29/01	7881 West Charleston Boulevard: Certificate of Completion Issued under Plan Check #C-0216-00.
8/11/03	7891 West Charleston Boulevard: Certificate of Occupancy Issued under Plan Check #C-0025-02
12/13/04	7871 West Charleston Boulevard Certificate of Completion Issued under Plan Check #C-0367-03
Month/date/year	Business License & Location:
	7871 West Charleston Boulevard
5/24/05	Yassou Greek Grill: R07-678 Ste 110
5/24/05	Cute Nail: B05-2978 Ste 120
6/24/05	The Pilates Place: M14-117, S14-726 Ste 140
4/19/05	Tsunami Day Spa: B05-2974, P03-28 & Skin Deep: C14-487 Ste 150
5/10/06	Verandah: D06-928, F07-1797 Ste 170
	7881 West Charleston Boulevard
Beginning 7/01/02	Buffalo-Charleston Office Building (multiple individual licenses for various office uses only) Ste's 110-250
	7891 West Charleston Boulevard
7/31/06	West Charleston Animal Hospital Q14-00069
Pre-Application Meeting	
11/14/06	A pre-application conference was held with the applicant, his representative, and staff to discuss the ongoing issue with a perceived parking shortage on the property located at 7871 West Charleston Boulevard. Staff recommended that a parking analysis be provided for the three buildings in the "Buffalo-Charleston Office-Building" commercial subdivision and that a Variance be requested to cover a shortage of provided parking created from the previous administrative approvals.
Neighborhood Meeting	
NA	A neighborhood meeting was not required nor was one held.
Details of Application Request	
Site Area	
Net Acres	5.20 acres

VAR-19282 - Staff Report Page Three
March 8, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Commercial Center	SC (Service Commercial)	C-1 (Limited Commercial) Zone
North	LVVWD Reservoir	PF (Public Facilities) & ML (Medium Low Density)	C-V (Civic) & R-PD12 (Residential Planned Development – 12 DUAC)
South	Public Park	PR-OS (Parks/Recreation/Open Space)	C-V (Civic) Zone
East	Restaurant & Commercial Retail	SC (Service Commercial)	R-PD14 (Residential Planned Development – 14 DUAC)
West	Apartments	M (Medium Density Residential)	C-1 (Limited Commercial) Zone

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirements							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center		1:250 SF GFA					
7871 W. Charleston Bl.	10,053 SF	1:250 SF GFA	41				
7881 W. Charleston Bl	58,528 SF	1:250 SF GFA	234				N
7891 W. Charleston Bl	6,500 SF	1:250 SF GFA	26				N

VAR-19282 - Staff Report Page Four
March 8, 2007 - Planning Commission Meeting

TOTAL	75,081 SF	1:250 SF GFA	301	7	267	10	N
Percent Deviation					12%		N

ANALYSIS

This Variance to the Title 19.10 parking requirements stems from the result of a three-phased development that inadequately addressed parking in its totality. The first phase consisted of a 58,528 square-foot office building (7881 West Charleston Boulevard) that was approved through an administrative site plan development review [Z-0004-97(3)]. The parking requirement was calculated for office use at one space per each 300 square feet of building gross floor area (GFA) for a total parking requirement of 196 spaces. The development provided 208 spaces.

The following development, a 6,500 square-foot veterinary clinic, (7891 West Charleston Boulevard) was also approved through an administrative site development plan review [Z-0004-97(4)]. The project had an individual parking load calculated at a rate of 1 space per 2 on-duty employees, plus one space per exam room, and one space per each veterinarian for a total of 10 spaces; the applicant provided 19 spaces. The cumulative total for the two lots of the commercial subdivision totaled 217 spaces.

When the third lot of the commercial subdivision was reviewed under Site Development Plan Review (SDR-3108) for a 9,253 square-foot retail building, the parking standard utilized was for a commercial center at a rate of 1 parking space per 250 square feet of gross floor area. Under this parking calculation, the total required parking was 36 spaces of which 24 spaces were provided on site. As the commercial subdivision had provided a shared parking agreement within its Codes, Covenants, and Restrictions, the shortage of parking from the retail center was applied to the overall parking provided on the commercial subdivision. Due to the fact that total parking count of the commercial subdivision was derived from an itemized listing of individual uses and not the General Retail Store, Other Than Listed use, an improper amount of parking has resulted for the individual lot located at 7871 West Charleston. Since the approval of the shopping center portion of the development was completed, the total on-site parking provided is 267 spaces with 10 of those spaces dedicated for accessibility. Staff is recommending that all uses on the commercial subdivision be combined under the General Retail Store, Other Than Listed use and to calculate the parking requirement at a rate of 1 space per 250 square-foot gross floor area. Doing this will result in a net parking requirement of 301 spaces, with an adequate amount of accessible spaces already being provided.

VAR-19282 - Staff Report Page Five
March 8, 2007 - Planning Commission Meeting

The result has been that the businesses at 7881 W. Charleston Boulevard have been restricted in use due to a calculated parking shortage. There are two lease-able spaces that are not adequately accommodated by the previous approvals. The commercial subdivision provides a shared parking agreement for customers visiting all three lots with a considerable time-shift in use throughout the day. The office and veterinarian parking is available to the restaurant customers at 7871 W. Charleston Blvd. during the later portion of the day, with the opposite holding true for the office and animal hospital during the day. As there has been no record of parking shortages or complaints, it is a reasonable expectation that an approved Variance will address the parking requirements without adversely affecting the overall parking provisions on the commercial subdivision. Therefore, staff is recommending the approval of this requested Variance to allow 301 spaces.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

Staff believes that cumulative actions resulting from two previous administrative Site Development Plan Reviews covering the office building and veterinary clinic in combination with the Site Development Plan Review for the one-story commercial building resulted in the appearance of a parking shortage. The applicant seeks to remedy this situation by applying the General Retail Store, Other Than Listed on-site parking requirement to the entire commercial subdivision and requesting a Variance to cover a 12% shortage of required parking spaces.

VAR-19282 - Staff Report Page Six
March 8, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

ASSEMBLY DISTRICT 2

SENATE DISTRICT 8

NOTICES MAILED 327

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: UAR-19282 APN: 163-04-514-002
Name of Property Owner: PETER PAPAS (LOU CHRISTIAN AEGRANIS)
Name of Applicant: PETER PAPAS
Name of Representative: PETER PAPAS

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: _____

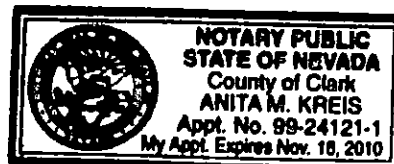
Print Name: _____

Subscribed and sworn before me

This 18th day of January, 2007

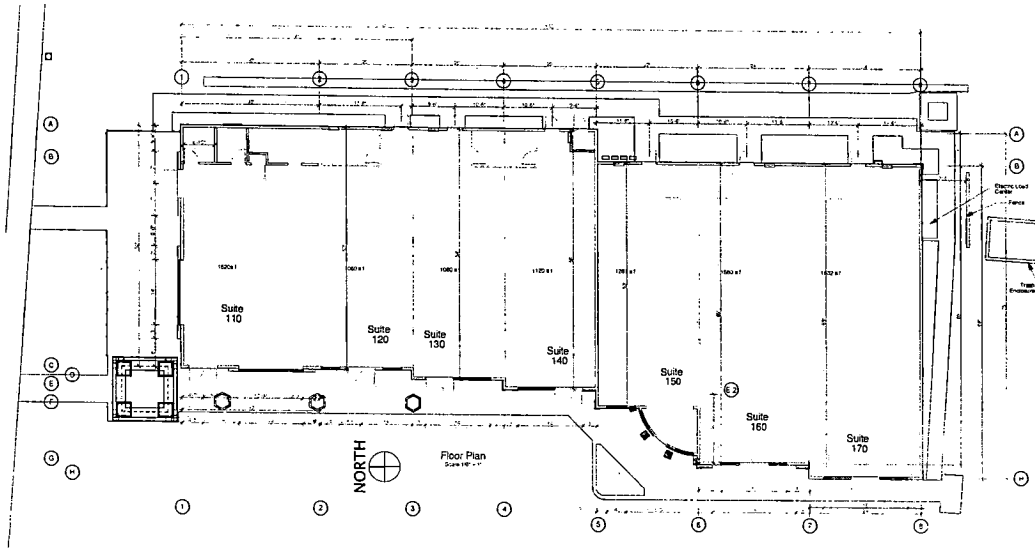
Anita M. Kreis

Notary Public in and for said County and State



JAN 22 2011

AQ_v



RECEIVED
JAN 22 2007

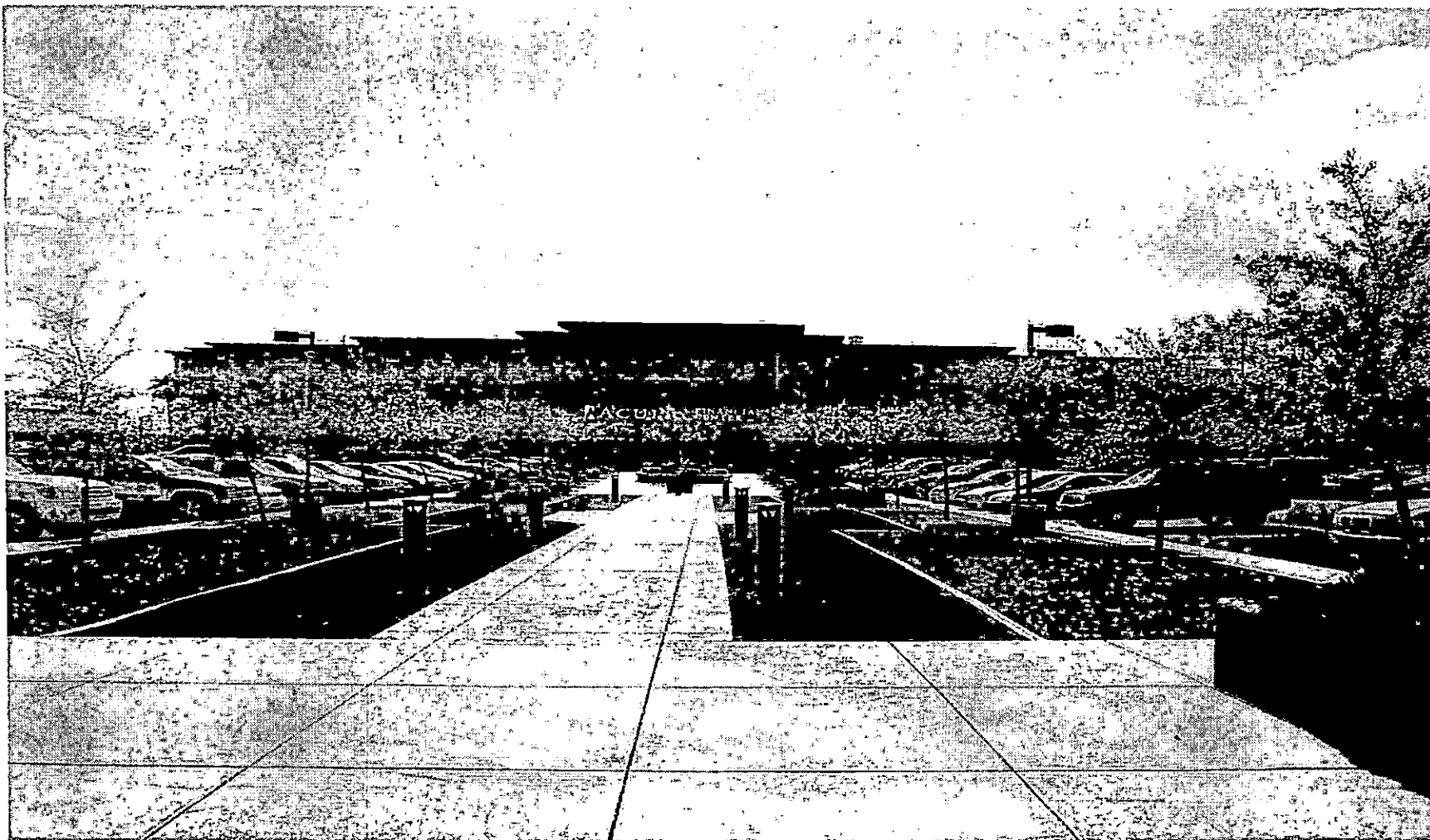
VAR-19282
03/08/07 PC

D. W. Strait, AIA Architect & Planner 8001 201 W. Sunset Blvd. Suite 200 Los Angeles, CA 90024 TEL: (310) 200-1000 FAX: (310) 200-1001	
Commercial Center Parking Waiver At The Los Angeles Convention Center 7071 West Century Blvd., Los Angeles	
Floor Plan	
PROJECT 11/11/06	
NAME DATE JOB SCALE DRAWN DESIGNED CHECKED SHEET	
DATE JOB SCALE DRAWN DESIGNED CHECKED SHEET	
A1	



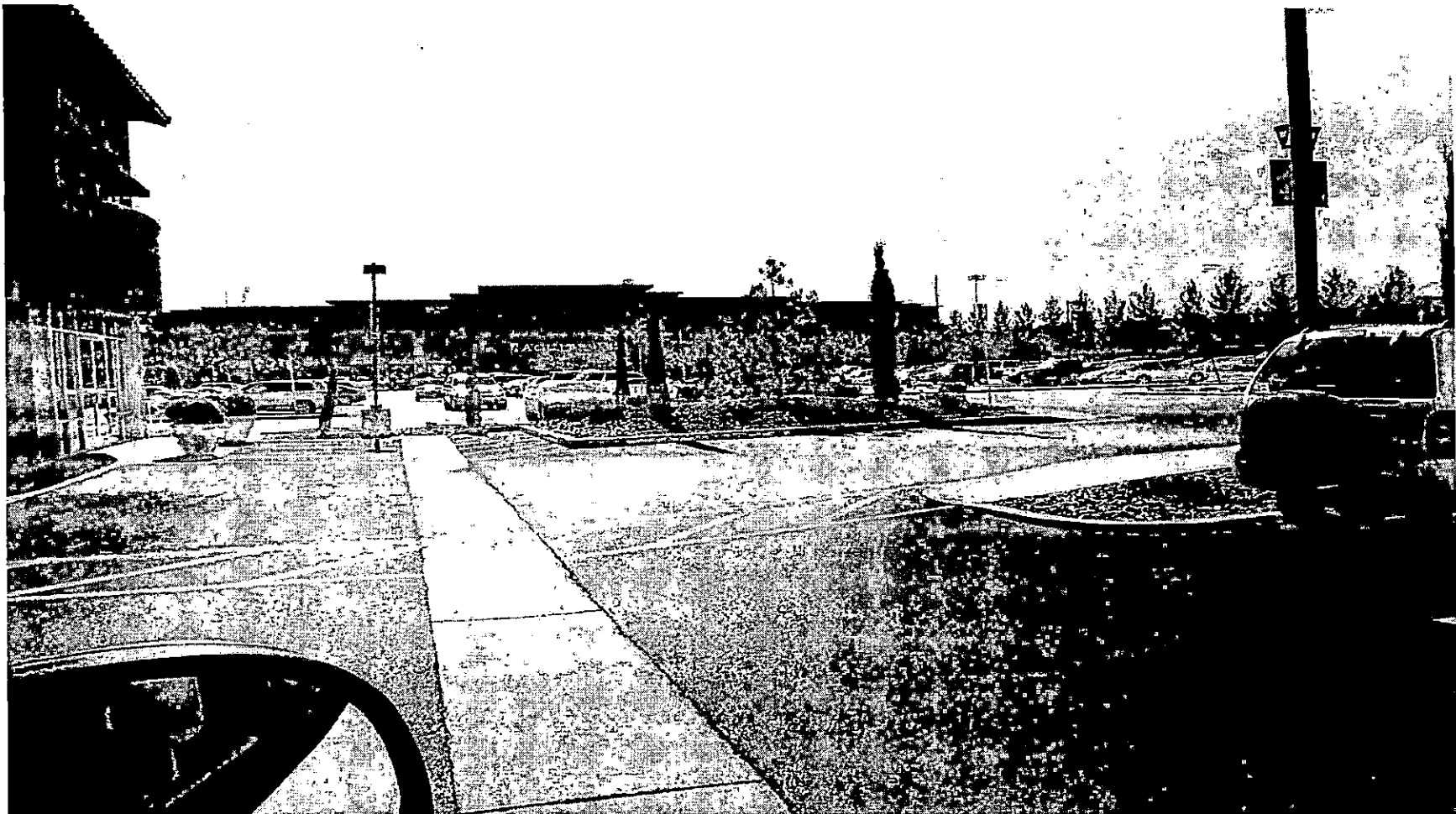
VAR-19282 - APPLICANT: PETER PAPAS - OWNERS: AEGEAN ISLE, WEST CHARLESTON ANIMAL
HOSPITAL, AND DIXIE LEAVITT AGENCY
7881 WEST CHARLESTON BOULEVARD
MARCH 8, 2007 PLANNING COMMISSION

01/31/07



VAR-19282 - APPLICANT: PETER PAPAS - OWNERS: AEGEAN ISLE, WEST CHARLESTON ANIMAL
HOSPITAL, AND DIXIE LEAVITT AGENCY
7881 WEST CHARLESTON BOULEVARD
MARCH 8, 2007 PLANNING COMMISSION

01/31/07



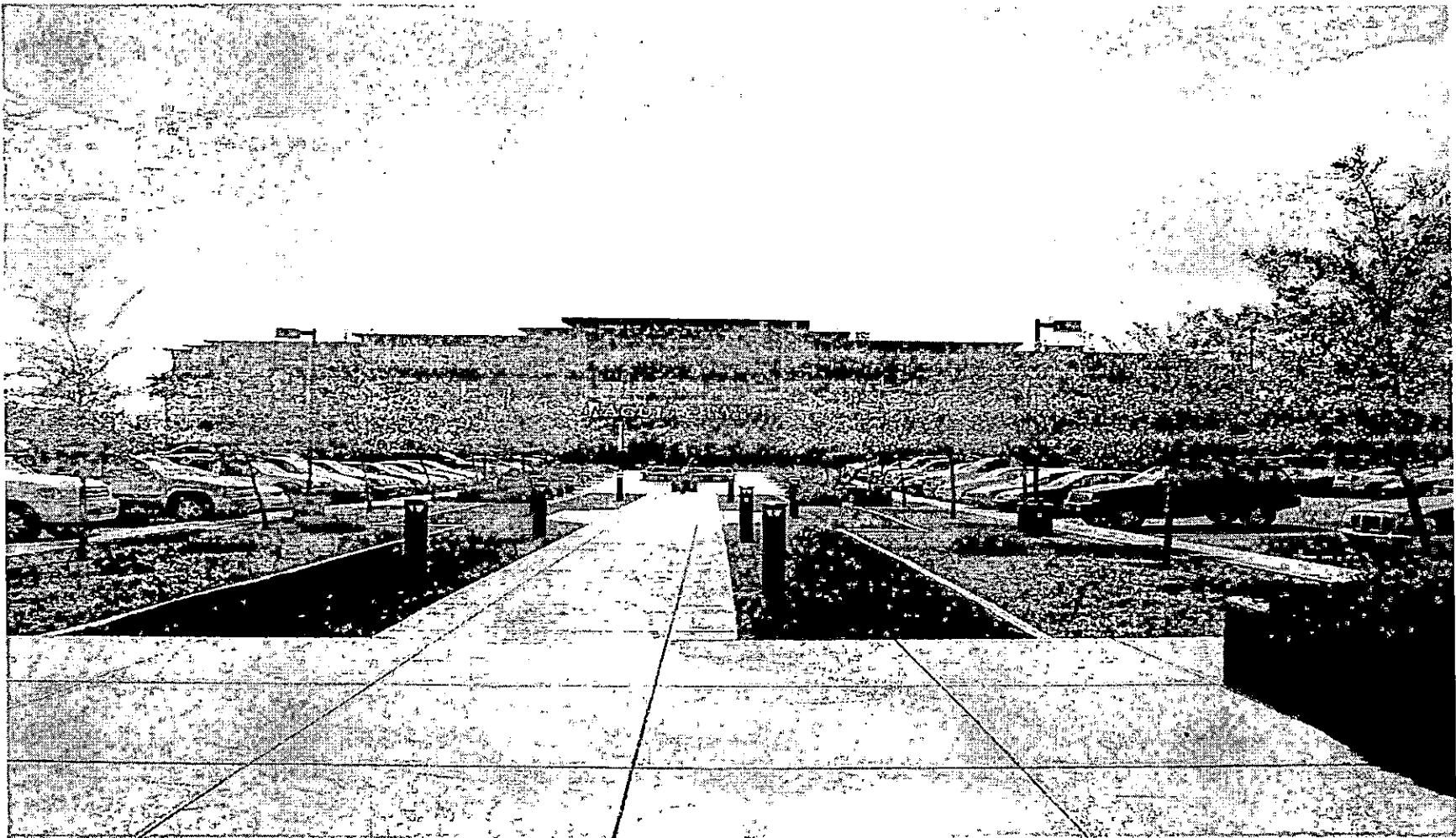
VAR-19282 - APPLICANT: PETER PAPAS - OWNERS: AEGEAN ISLE, WEST CHARLESTON ANIMAL
HOSPITAL, AND DIXIE LEAVITT AGENCY
7881 WEST CHARLESTON BOULEVARD
MARCH 8, 2007 PLANNING COMMISSION

01/31/07



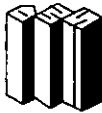
VAR-19282 - APPLICANT: PETER PAPAS - OWNERS: AEGEAN ISLE, WEST CHARLESTON ANIMAL
HOSPITAL, AND DIXIE LEAVITT AGENCY
7881 WEST CHARLESTON BOULEVARD
MARCH 8, 2007 PLANNING COMMISSION

01/31/07



VAR-19282 - APPLICANT: PETER PAPAS - OWNERS: AEGEAN ISLE, WEST CHARLESTON ANIMAL
HOSPITAL, AND DIXIE LEAVITT AGENCY
7881 WEST CHARLESTON BOULEVARD
MARCH 8, 2007 PLANNING COMMISSION

01/31/07



D. W. STRAIT Architecture & Planning

101. W. Brooks Ave. Suite C • N. Las Vegas • Nevada 89030
Tel (702) 657-0684 • Fax (702) 657-0936 • Email: dave@dwstrait.mpowermail.com

Date: January 18, 2007
To: City of Las Vegas Planning Commission and Staff
Subject: **Justification Letter**
Variance Parking Standards 163-04-514-004 (and 002 and 003)
Aegean Isle commercial center

Request

We request a waiver of the Title 19 parking requirement to allow the existing 267 common use parking spaces to suffice where commercial occupancies in our building could call for up to 275 spaces (8 more than presently available). We would thereby accommodate businesses that require 5 spaces per thousand (rather than 4) and possibly another deli or food establishment, especially where peak activity is after the daily 8-5 business hours. This waiver would replace the existing ratio set at 250 square feet per parking space for all occupancies as established when the sub-division was created.

Background

This small seven unit mall shares a parking facilities with a large office building and a veterinary clinic. There are 24 spaces on this parcel and 243 spaces on the other parcels of the commercial subdivision. The site is fully developed, and there have been no instances where the parking facilities have been fully occupied. An existing variance calls for calculating all spaces at 250 sq. ft. per parking space. Under this formula, the existing buildings on the site would require 30 more spaces than the 267 that exist on the site. Any new T.I. or remodel would show up as non-compliant because of parking deficiencies, even when building areas are not changed.

Justification

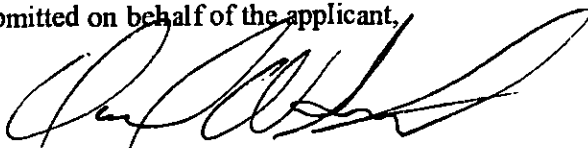
The tenant spaces within our building are restricted by the off-site parking requirement, and several attractive businesses have been unable to obtain tenant improvement permits because of parking issues, thus causing the space to go unoccupied. The existing restaurant and the four other occupied spaces have not caused an over-parked condition on the 24 spaces on the parcel or on the 243 spaces on adjacent parcels of the commercial subdivision. Peak hours of the restaurant uses have not coincided with the daytime peak hours of the office building or the Veterinary clinic. Parking for the food establishment is ample at the dinner hours after the other building businesses have been vacated each day. A large portion of lunchtime customers come from the businesses who's employees and customers are already parked here. Exercise spas and similar business, which are most active after business office hours would have plenty of open parking, but they haven't been able to get approved because of parking issues when they apply for T.I. permits. Planning staff have difficulty interpreting our situation because neither the existing variance nor Title 19 show that we have adequate parking.

Regular periodic observation of the overall parking facility indicates that there are never less than 20 vacant parking spaces at the fullest occupancy and that there are as many as 35 open spaces during the daily lunch hour when food service loads are heaviest. During 8-5 business hours there are seldom less than 80 available spaces in the combined parking lots.

Summary

The parking facilities in joint use in this commercial subdivision are more than adequate, and could easily bear the load of fully occupied businesses, including businesses with higher parking requirements under Title 19. The existing variance is confusing because it indicates a perpetual shortfall of parking. Clarifying the variance would remove a hardship in finding qualified and suitable tenants for the units in our building without creating a parking impaired condition.

Submitted on behalf of the applicant,


D.W. Strait, A.I.A.

VAR-19282
03/08/07 PC

Maury Abrams, L.L.C.

16661 VENTURA BOULEVARD
SUITE 408
ENCINO, CALIFORNIA 91436
(818) 986-1455
FAX (818) 995-3260

April 18, 2006

via Facsimile: (702) 385-7268

Mr. John Korkosz
Planning Supervisor
Planning and Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

RE: VAR-19282
Request for a variance to reduce existing parking spaces

Dear Mr. Korkosz:

We are the owners of Buffalo Highlands IX immediately adjacent to the subject property.

We strongly oppose allowing a reduction in the number of cars required in order to comply with the zoning requirements.

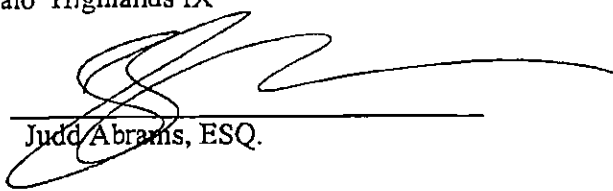
We request that you do not grant this variance.

Please pass this protest on to the City Council members.

Sincerely,

Buffalo Highlands IX

BY:


Judd Abrams, ESQ.

Enclosures

MA-Reming-Purpose of Public Hearing Ltrs - Buff IX-Request to reduce parking spaces, VAR 19282 (03-01-07)

ITEM # 23
CASE # VAR-19282
PC MTG 3-8-07

P

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-19296 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CHECK CITY - OWNER: BECKER & SONS - Request for a Special Use Permit FOR A PROPOSED AUTO TITLE LOAN ESTABLISHMENT AND A WAIVER OF THE 200 FOOT MINIMUM DISTANCE SEPARATION REQUIREMENT FROM RESIDENTIAL ZONED PROPERTY at 1990 North Rainbow Boulevard (APN 138-23-301-002), C-1 (Limited Commercial) Zone, Ward 5.

IF APPROVED: C.C.: 04/04/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Protest letter by Raymond W. Kelly

MOTION:

GOYNES – APPROVED subject to conditions – **UNANIMOUS** with **DUNNAM** abstaining as he and Ms. Stewart have a working relationship on similar applications

NOTE: CHAIRMAN DAVENPORT disclosed that Ernie Becker is a neighbor of his, but he has not discussed this matter with Mr. Becker, did not feel there would be a conflict and would vote on this item

To be heard by City Council on 4/4/2007

PLANNING COMMISSION MEETING OF MARCH 8, 2007
Planning and Development Department
Item 24 – SUP-19296

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

JOHN KORKOSZ, Planning and Development Department, stated that waiving the separation requirement between the proposed auto title loan establishment and a residential zone to zero feet is inappropriate and recommended denial. He noted staff had received one protest letter.

ATTORNEY JAY BROWN, 520 South 4th Street, and LUCY STEWART, 856 East Sahara Avenue, appeared on behalf of the applicant. He pointed out the proposed location was a closed convenience store which was separated from the residential neighborhood by a block wall. MS. STEWART suggested this proposed use was more appropriate for this location than the previous convenience store because the auto title loan store would have limited hours of operation where the convenience store had been open 24 hours. Additionally, it would not have noise issues related to delivery trucks and would function similar to a bank or financial institution. She pointed out the applicant would not repossess cars and noted that the building had a very large side yard which would act as a buffer to the residential area.

COMMISSIONER GOYNES expressed his support, stating this use is appropriate for this area. He added that he had recently visited a different Check City and described it as a very pleasant experience.

In response to CHAIRMAN DAVENPORT'S inquiry, MARGO WHEELER, Director of Planning and Development Department, explained the Code prohibits the acceptance of repossessed vehicles at the business location and stated the Code restricted the hours of operation as well.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(7:14 – 7:20)

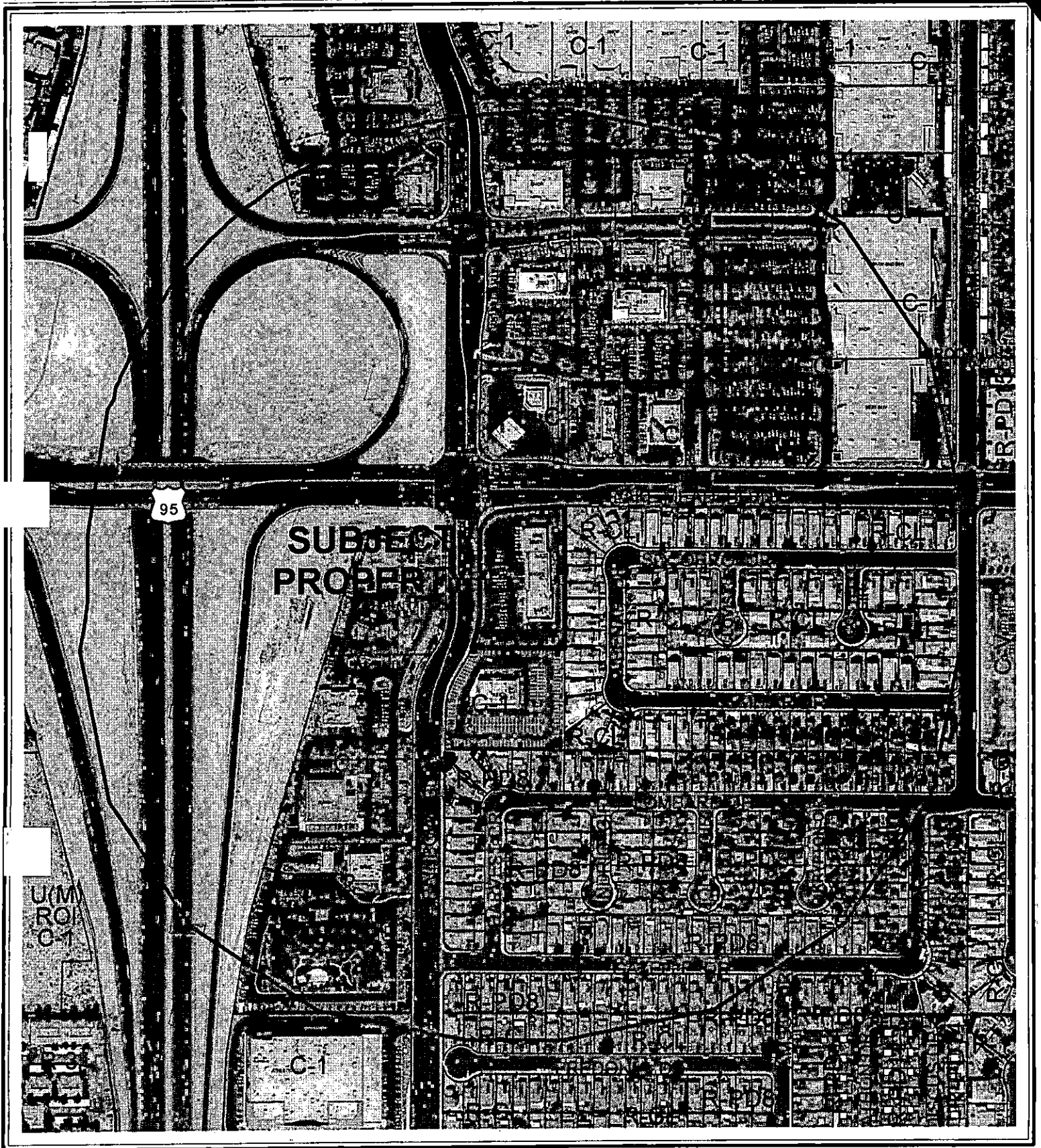
1-2716

CONDITIONS:

Planning and Development

1. Conformance to the conditions for Rezoning (Z-0042-84), if approved.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

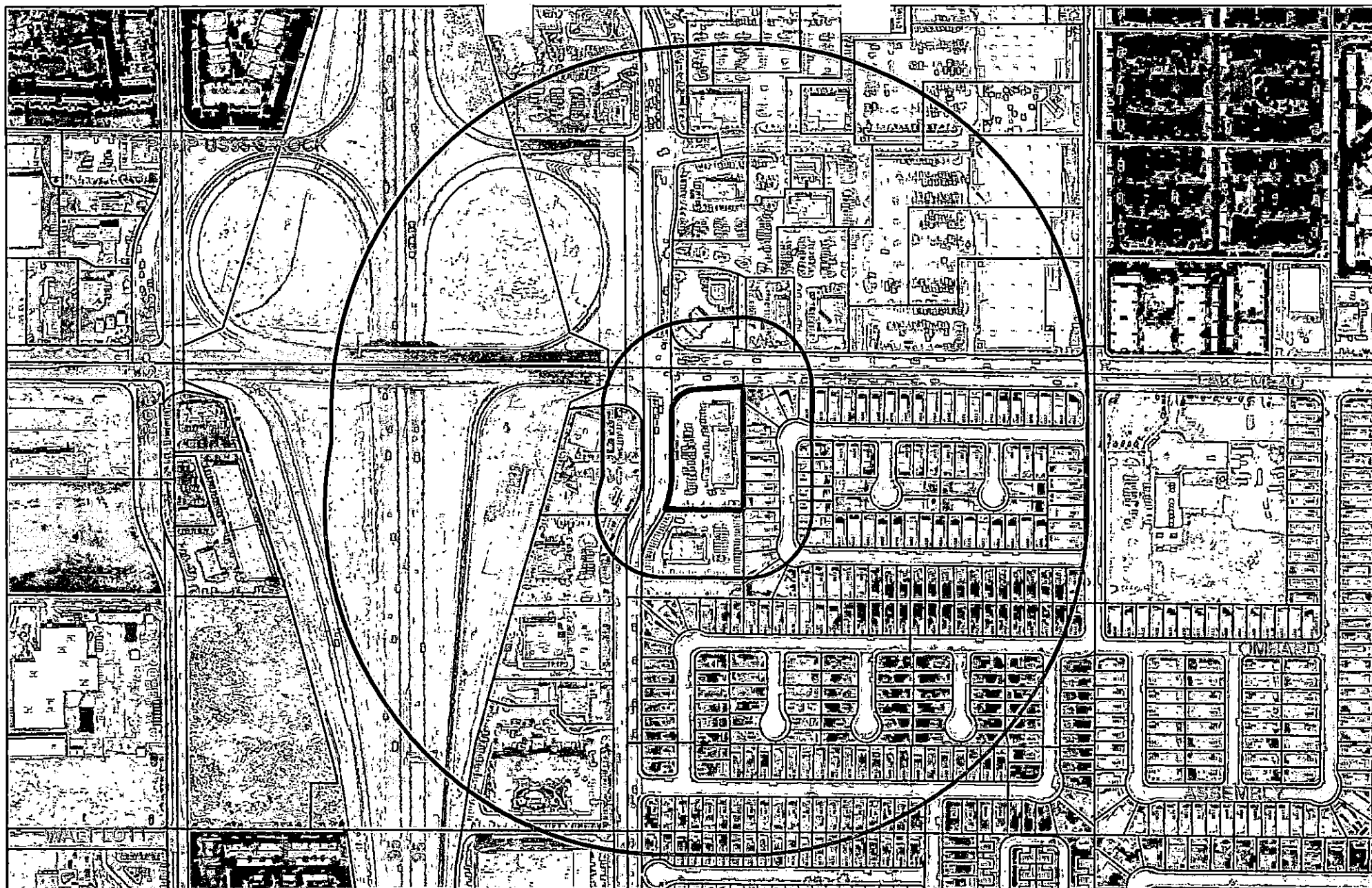




CASE: SUP-19296

RADIUS: 1000 FT

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



SUP-19296

Financial Institution

Financial Business Locations

- Financial Institution, Specified
- Auto Pawnbroker
- Automobile Title Loan

 Subject Property

 Residential Property

 Buffer



0 260 520 1,040 Feet

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 8, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-19296 - APPLICANT: CHECK CITY - OWNER: BECKER
& SONS

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (Z-0042-84), if approved.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-19296 - Staff Report Page One
March 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The purpose for this request for a Special Use Permit is for a proposed Auto Title Loan business and a waiver of the 200 foot minimum distance separation requirement from residential zoned property within an existing shopping center.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/3/84	The City Council approved a Rezoning (Z-0042-84) from N-U to C-1 for a 13,200 square foot shopping center. The Planning Commission recommended approval.
02/5/86 02/4/87 04/20/88 04/8/90	The City Council approved four extensions of time for an approved Rezoning (Z-0042-84). The Planning Commission recommended approval for each extension of time.
02/22/90	The Board of Zoning Adjustment denied a request for a Special Use Permit (U-0020-90) billboard on this site.
04/3/91	The City Council approved a request for a Special Use Permit for on/off premises consumption of alcohol in conjunction with a Convenience Store and a Tavern. The Board of Zoning Adjustment recommended approval.
02/28/91	The Board of Zoning Adjustment approved a request for a Special Use Permit for gasoline sales in conjunction with a convenience store.
10/20/93	The City Council approved a request for a Special Use Permit for a Tavern. The Board of Zoning Adjustment recommended approval.
02/20/02	The City Council approved a request for a Special Use Permit for a service bar (beer/wine/cooler) in conjunction with a restaurant. The Planning Commission and Staff recommended approval.
<i>Pre-Application Meeting</i>	
12/13/06	At the pre-application meeting the applicant was informed about the requirements for an Auto Title Loan business.
<i>Neighborhood Meeting</i>	
A neighborhood meeting for this application type is not required, nor was one held.	

SUP-19296 - Staff Report Page Two
March 8, 2007 - Planning Commission Meeting

Details of Application Request	
Site Area	
Gross Acres	1.69
Net Acres	1.67

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
South	Shopping Center & Single-family	SC (Service Commercial)/ (ML)Medium Low	C-1 (Limited Commercial)/R-PD8 (Residential Planned Development)
East	Single-family	(ML)Medium Low	R-CL (Residential-Compact Lot)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts	X		
A-O Airport Overlay District (140-Foot)	X		Y
Billboard Exclusionary Zone – (Exempt Zone)	X		Y
Trails	X		Y*
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

* Lake Mead Boulevard is designated as a Pedestrian Path

SUP-19296 - Staff Report Page Three
March 8, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Per Title 19.08 the following Development Standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	350 Feet	N/A
Min. Lot Width	100 Feet	208 Feet	Y
Min. Setbacks			
• Front	20 Feet	111 Feet	Y
• Side	10 Feet	70 Feet	Y
• Corner	15 Feet	58 Feet	Y
• Rear	20 Feet	30 Feet	Y
Min. Distance Between Buildings	N/A	N/A	N/A
Max. Lot Coverage	50%	16.2%	Y
Max. Building Height	N/A	Existing	N/A
Trash Enclosure	50 Feet	Zero Feet	N*
Mech. Equipment	Screened	Screened	Y

* There is an existing trash enclosure along the east property line.

Please note the applicable code section here (Title 19.12)

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces	18 Trees	Zero	N*
Buffer:	1 Trees/ 20 Linear Feet	25 Trees	6 Trees within the rear only.	N
Min. Trees	1 Trees/ 30 Linear Feet			
TOTAL		43 Trees	6 Trees**	N
Min. Zone Width	8 Feet		Zero***	N
Wall Height	6 Feet		6 Feet (existing)	Y

* This shopping center was constructed prior to the current parking lot landscaping requirements.

** The street frontages are planted with Texas Rangers not trees.

*** The six trees along the east (rear) property line are in tree wells.

SUP-19296 - Staff Report Page Four
March 8, 2007 - Planning Commission Meeting

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Auto Title Loan	3,060 sq. ft.	1:250	12.24				
In-line Stores	3,000 sq. ft.	1:175	17.14				
Restaurant/ Lounge	1,890 sq. ft. dining	1:50	37.8				
	4,150 sq. ft. remaining	1:200	16.6				
Subtotal	12,100 sq. ft		80	4	105	5	Y
TOTAL (including handicap)			84		110		Y
Loading Spaces		2			2		Y

* V-011-91 was approved to permit 120 parking spaces where 121 were required. New parking standards show this shopping center to be in compliance with parking standards.

ANALYSIS

Zoning & Land-use:

The C-1 zoning for this parcel is a supported zoning district within the SC (Service Commercial) land-use designation for this parcel. An Auto Title Loan is a permitted use within the C-1 zoning district, subject to a special use permit and the following conditions:

SUP-19296 - Staff Report Page Five
March 8, 2007 - Planning Commission Meeting

AUTO TITLE LOAN [O, C-D, C-1, C-2] Ord 5682 4/21/04

- *1. The use shall comply with all applicable requirements of LVMC Title 6.
- *2. The building design and color scheme shall be subject to review by the Department to ensure that it will be harmonious and compatible with the surrounding area.
- 3. No temporary signs (as described in LVMC 19.14.090) such as balloons, inflated devices, searchlights, pennants, portable billboards, portable signs, streamers, trucks parked for signage purposes, or other similar devices are permitted, except that banners announcing a "grand opening" or that a business is "coming soon" may be approved administratively for a period not to exceed thirty days.
- 4. Window signs shall not:
 - a. Cover more than twenty percent (20%) of the area of all exterior windows;
 - b. Include flashing lights or neon lighting; or
 - c. Include any text other than text that indicates the hours of operation and whether the business is open or closed.
- 5. The hours of operation shall not extend beyond the hours of 8:00 a.m. to 11:00 p.m.
- 6. The building or portion thereof that is dedicated to the use shall have a minimum size of one thousand five hundred square feet, and shall be designed to have sufficient interior space to provide for adequate customer waiting areas, customer queuing, and transaction space (such as "teller" windows or desks).
- 7. No auto title loan use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no auto title loan use may be located closer than one thousand feet from any other auto title loan use, auto pawn use or specified financial institution use. For purposes of this paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

Since this use is located within 200 feet of a residential subdivision, a waiver of condition number seven is required; therefore, staff does not support this request.

Site Plan:

The site plan for the proposed Auto Title Loan business shows an existing shopping center. Based on the building layout for this shopping center, there is 12,100 square feet of lease space. Parking for retail centers less than 25,000 square feet require parking based on each use within the shopping center. Based on the uses in the center, there is adequate parking in this shopping center.

SUP-19296 - Staff Report Page Six
March 8, 2007 - Planning Commission Meeting

Floor Plan:

The floor plan shows that the proposed Auto Title Loan business to have a total floor area of 3,060 square feet.

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."**

Due to the fact that the parcel on which this use is to be conducted abuts a single-family residential subdivision, the proposed Auto Title Loan can not be conducted in a manner that is harmonious and compatible with the surrounding land uses.

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

The proposed site is not physically suitable for a Auto Title Loan because of its proximity to a residential development to the east.

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."**

Rainbow Boulevard is listed as an 80-foot Secondary Collector Street and Lake Mead Boulevard is listed as a 100-foot Primary Arterial Street on the Master Plan of Streets and Highways. Both streets are of adequate size 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."**

The proposed use is inconsistent with the public health, safety, and welfare and overall objectives of the General Plan due to its proximity to a residential development.

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

The proposed use does not meet all of the applicable conditions for a Auto Title Loan as outlined by Title 19.04.050, condition number seven, which states:

SUP-19296 - Staff Report Page Seven
March 8, 2007 - Planning Commission Meeting

7. No specified financial institution use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no specified financial institution use may be located closer than one thousand feet from any other specified financial institution use, auto title loan use, or auto pawn use. For purposes of this Paragraph (7), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term "property line" refers to property lines of fee interest parcels and not leasehold parcels.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

ASSEMBLY DISTRICT 37

SENATE DISTRICT 3

NOTICES MAILED 260

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-19296** APN: 138-23-301-002
Name of Property Owner: Becker & Sons
Name of Applicant: Check. City

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

Yes X No

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

City Official: _____

Partner(s): _____

APN: _____

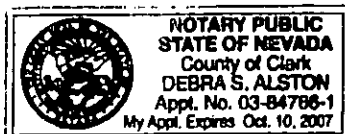
Signature of Property Owner: _____

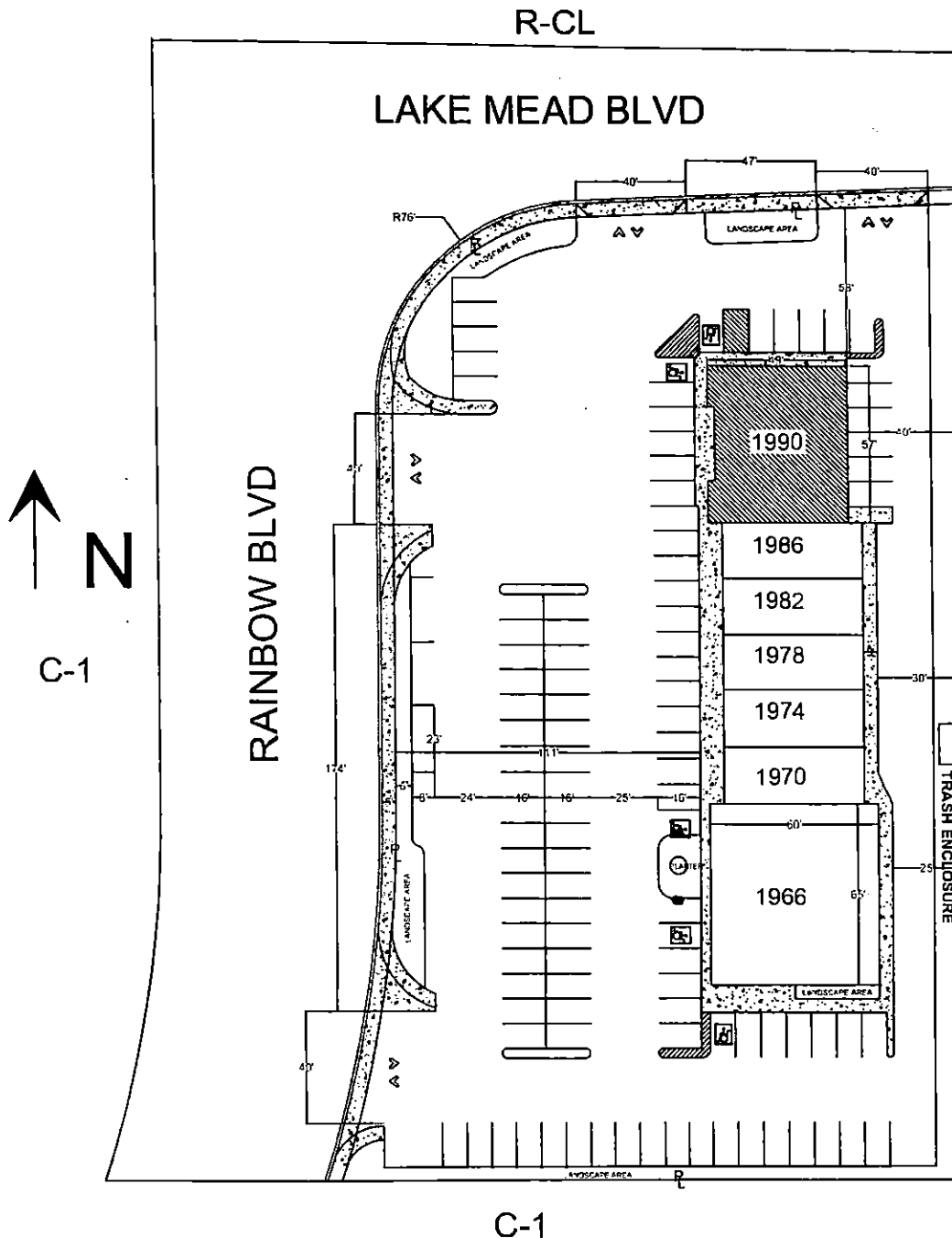
Print Name: Ernest A. Becker, Jr.

Subscribed and sworn before me,

This 11th day of January, 2007

Notary Public in and for said County and State





ASSESSORS PARCEL NO.
138 23 301 002

PARKING ANALYSIS

BUILDING SIZE 3,000 sf

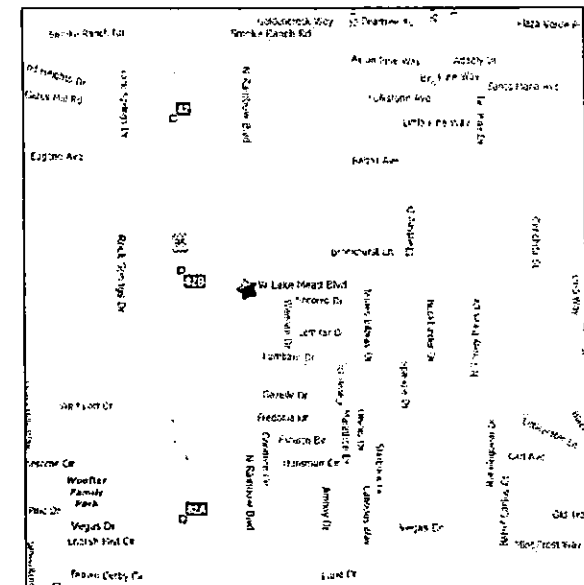
OFFICE @ 4 / 1,000 sf

TOTAL REQUIRED = 12

SHOWN = 20

INCLUDING 1 HANDICAP
INC. 1 VAN ACCESS.

R-CL



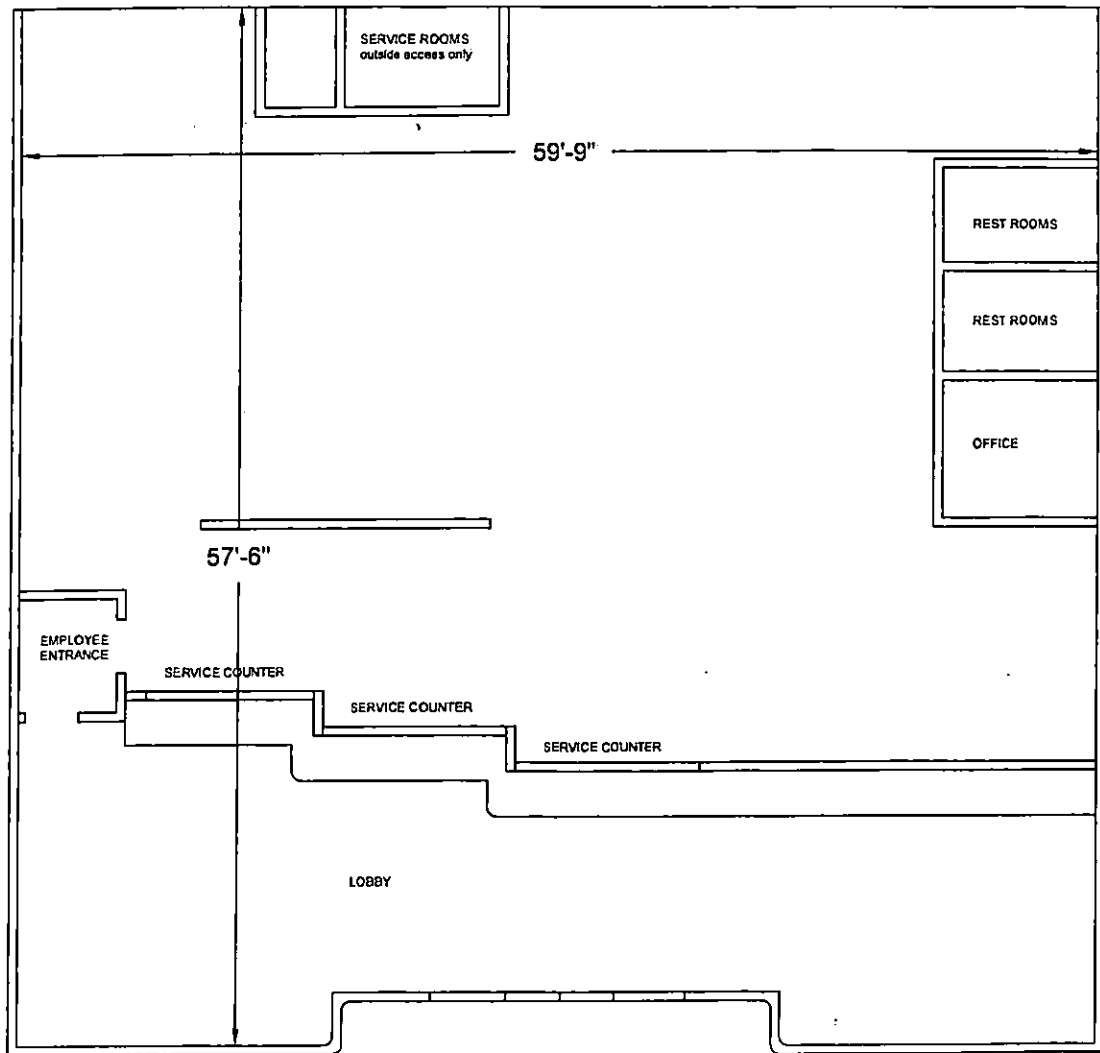
VICINITY MAP

➤ Ingress/Egress

RECEIVED

SUP-19296
03/08/07 PC

JAN 19 2007



FLOOR PLAN

Check City

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

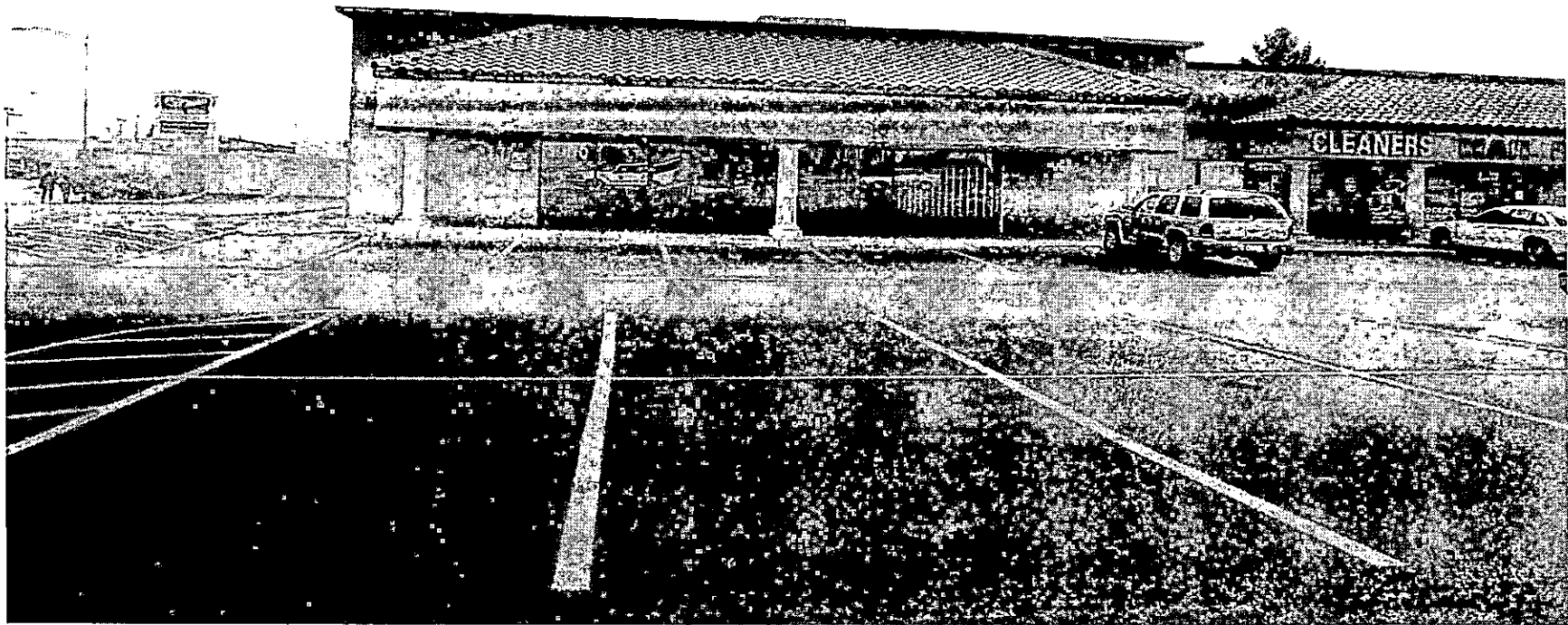
RECEIVED
JAN 19 2007

SUP-19296
03/08/07 PC



SUP-19296 - APPLICANT: CHECK CITY - OWNER: BECKER & SONS
1990 NORTH RAINBOW BOULEVARD
MARCH 8, 2007 PLANNING COMMISSION

01/31/07



SUP-19296 - APPLICANT: CHECK CITY - OWNER: BECKER & SONS
1990 NORTH RAINBOW BOULEVARD
MARCH 8, 2007 PLANNING COMMISSION

01/31/07

*LAS Consulting, Inc.
856 E. Sahara #201
Las Vegas, NV 89104
(702) 499-6469-Cell
(702) 341-8489-fax*

December 21, 2006

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

RE: SEC Lake Mead & Rainbow
APN 138-23-301-002

Dear Sir or Madam:

Please accept this letter as our request for a use permit for a financial institution, located at the southeast corner of Lake Mead and Rainbow. My client would like to convert an existing building (former convenience store) to an auto title loan payday loan, check cashing business. The potential site meets the separation requirement from another similar business however it needs a waiver to the 200 ft requirement for a separation from residential. While this site does not meet the separation from residential, this use will have less impact than the dry cleaners or tavern that is located in the same center. There is more than adequate parking within the shopping center, however, additional parking is not needed for the auto title loan business. They never take possession of the cars because they feel the owner then wouldn't be able to work and wouldn't be able to pay them back. and this use will be a welcome addition to the area. Thank you for your consideration in this matter. Please contact me with any questions regarding this matter.

Yours truly,

Lucy Stewart
LAS Consulting, Inc.

**SUP-19296
03/08/07 PC**

Raymond W Kelly

Raymond W Kelly
6605 Socorro Drive
Las Vegas NV 89108

SUP-19296

February 28, 2007

City of Las Vegas
John Korkosz, Planning Supervisor
Planning and Development Department
Current Planning Division

Re: Applicant Check City – Special use permit (APN 138-23-301-002)

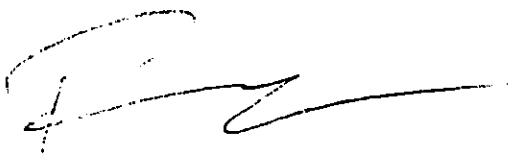
Dear Sir:

I would like to formally state that this application be **DENIED**. I live directly behind this establishment and I fear that this will directly affect the neighborhood in a negative way. The current law states that a required 200-foot limit be in place and I would request that it be enforced. There are many kids in the area as this is a neighborhood of families and those I have contacted have also stated their objections to this establishment.

As you are aware there is an expected element of people that will come to an establishment such as this and I do not want it in my neighborhood.

PLEASE DENY THIS REQUEST

Sincerely,



Raymond W Kelly

Submitted after final agenda

Date 3/8/07 Item #24

ITEM # 24
CASE # SUP-19296
PC MTG 3-8-07

P

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-19329 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: WILL YUGU TANG - OWNER: DAVID SADRI - Request for a Special Use Permit TO ALLOW A PROPOSED MASSAGE ESTABLISHMENT AND WAIVERS TO ALLOW A DISTANCE SEPARATION OF 90 FEET FROM AN EXISTING MASSAGE ESTABLISHMENT WHERE 1,000 FEET IS THE MINIMUM REQUIRED AND TO ALLOW NO SEPARATION FROM A RESIDENTIAL USE WHERE 400 FEET IS THE MINIMUM SEPARATION REQUIRED at 2117 Paradise Road (APN 162-03-413-013), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 04/04/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**

BACKUP DOCUMENTATION:

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

MOTION:

EVANS – DENIED – UNANIMOUS with **DAVENPORT** abstaining as his wife owns property within the notice area and **TRUESEL** abstaining as he owns an interest in property within the notice area

This is Final Action

MINUTES:

VICE CHAIRMAN GOYNES declared the Public Hearing open.

PLANNING COMMISSION MEETING OF MARCH 8, 2007
Planning and Development Department
Item 25 – SUP-19329

MINUTES – Continued:

JOHN KORKOSZ, Planning and Development Department, recommended denial of the application as waiving the separation requirements from other massage establishments and the adjacent residential area is inappropriate.

WILL TANG, 9774 Marcellini Avenue, informed the Commissioners that there are several massage establishments separated by approximately 90 feet and failed to see the reason why another would not be permitted. He noted the massage establishment is a quiet business and would not negatively impact the area.

TODD FARLOW, 240 North 19th Street, supported staff's recommendation. While he acknowledged that massage businesses are quiet, he argued that the businesses requesting variances do nothing for the City except converting unattractive houses.

COMMISSIONER DUNNAM concurred and thanked MR. FARLOW for his comments.

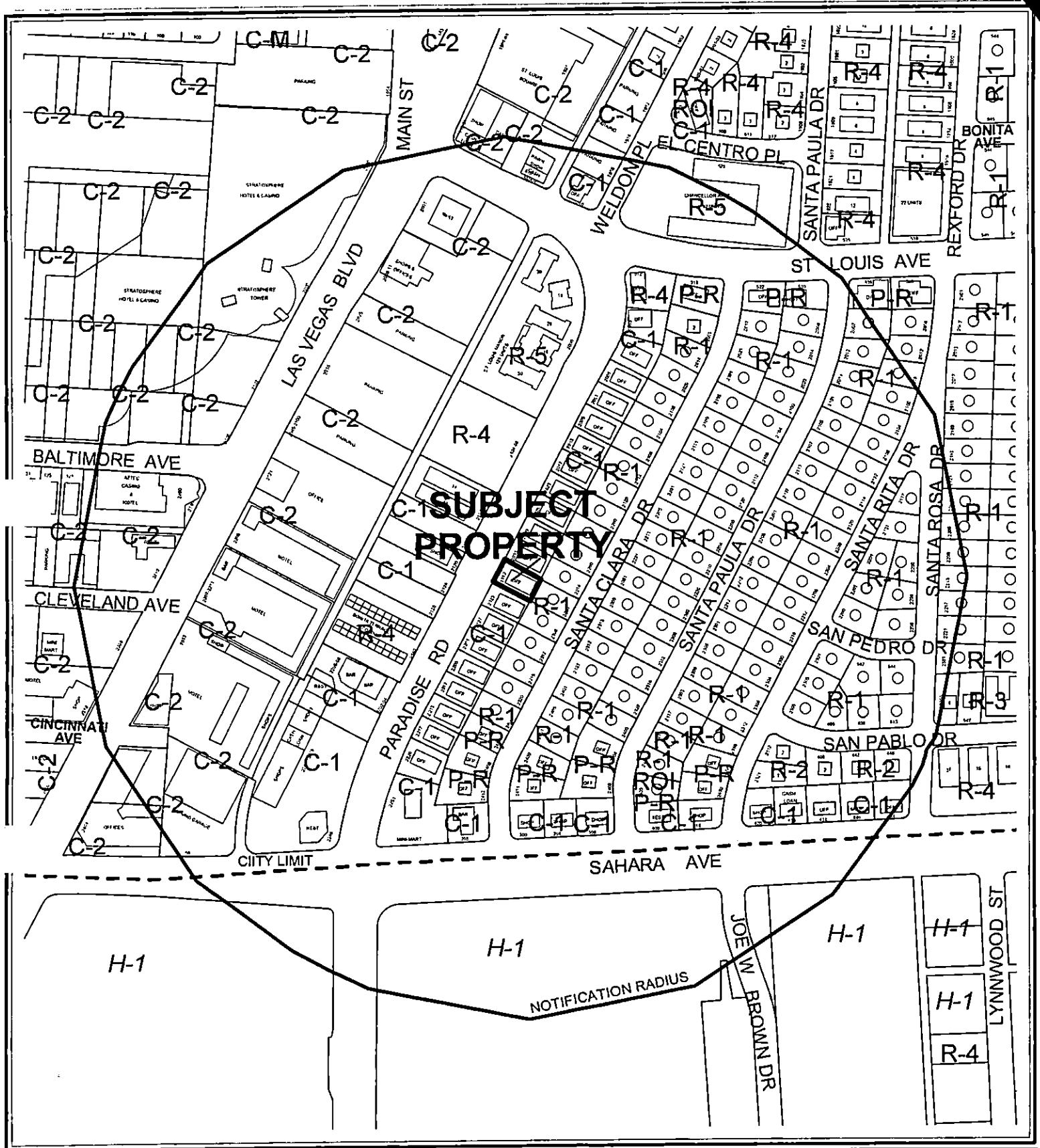
COMMISSIONER EVANS also concurred with MR. FARLOW and underscored the Code's purpose was to prevent a proliferation of protected uses in a neighborhood. He observed that the City had been unsuccessful in preventing the proliferation of pawn shops and massage parlors in particular neighborhoods and those neighborhoods were now subjected to unattractive businesses with garish signage, despite Code prohibitions.

MR. KORKOSZ pointed out the subject building for COMMISSIONER TROWBRIDGE.

VICE CHAIRMAN GOYNES declared the Public Hearing closed.

(7:20 – 7:29)

1-2995



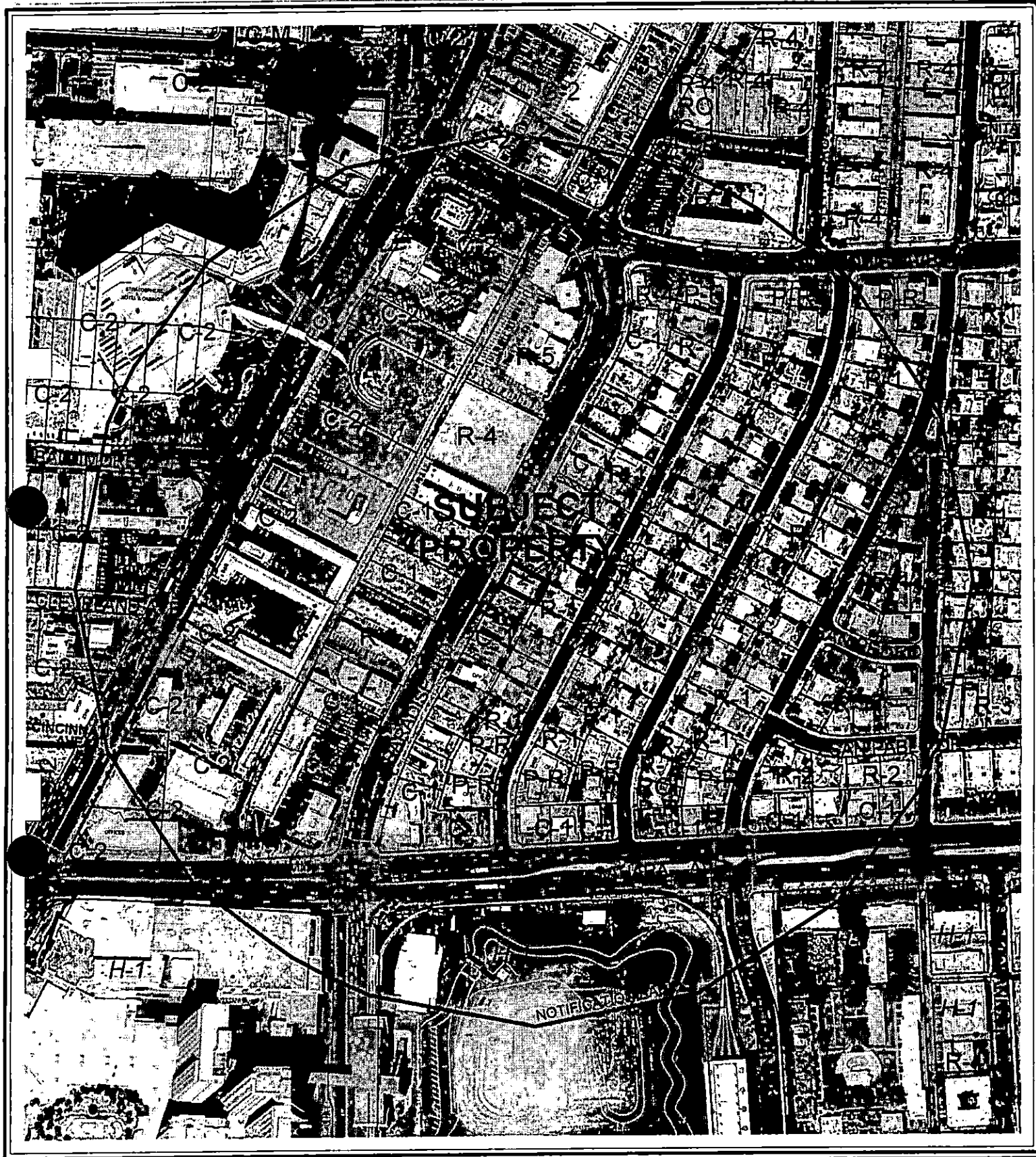
CASE: SUP-19329

RADIUS: 1000 FT

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

0 500 Feet



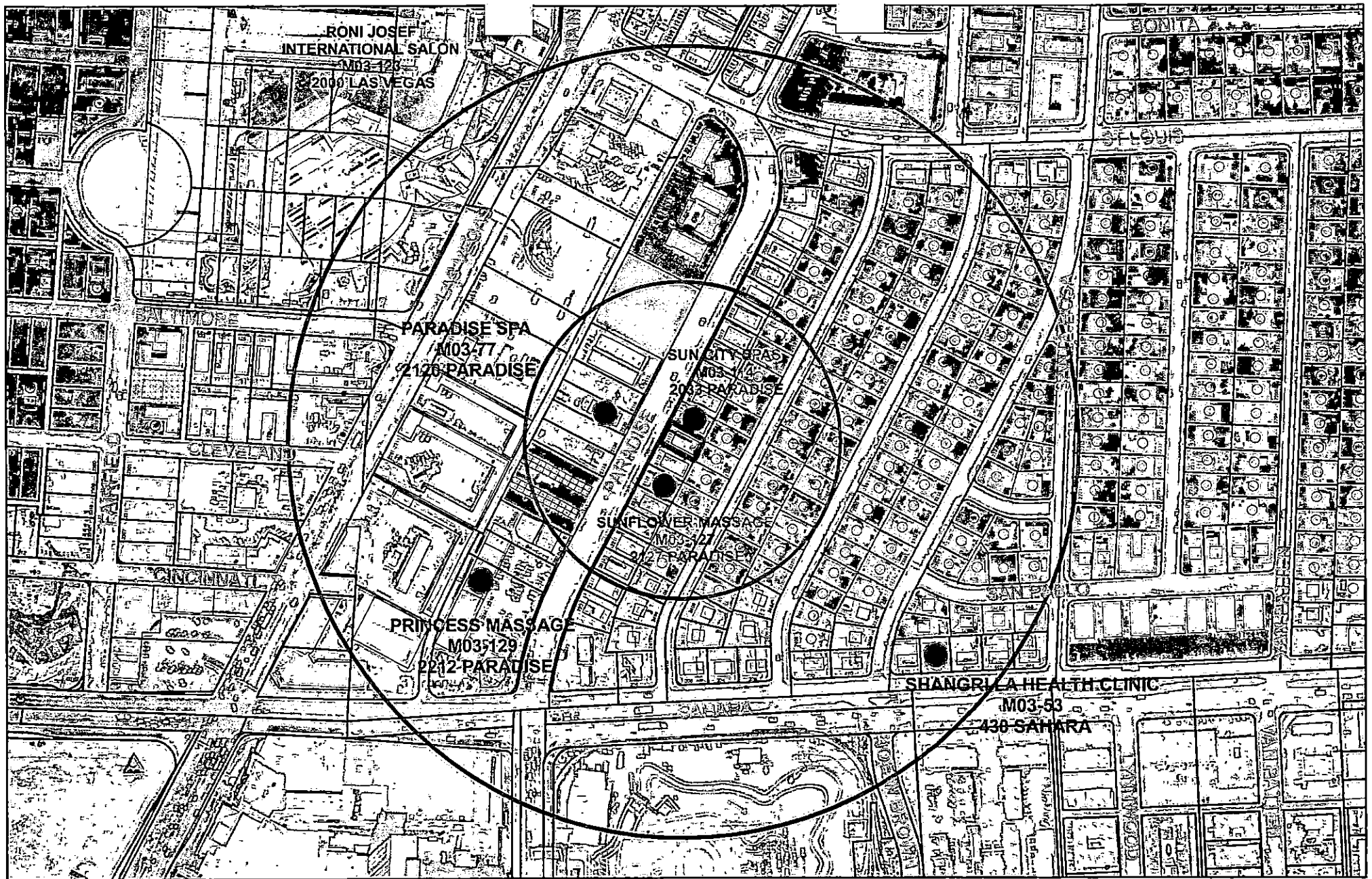


CASE: SUP-19329

RADIUS: 1000 FT

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





SUP-19329 **Massage Establishment**

Business Licenses

- Massage Establishment
- ⊙ Child Care/Children Facility

Protected Landuses

- RELIGIOUS
- CITY PARKS
- SCHOOLS

- Subject Property
- Residential Property
- Buffer

0 225 450 900 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 8, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-19329 - APPLICANT: WILL YUGU TANG - OWNER:
DAVID SADRI

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (Z-0017-67).
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.
4. Hours of operation shall be limited to the period between 8:00 am and 9:00 pm.

SUP-19329 - Staff Report Page One
March 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application seeks approval for a Special Use Permit to allow a proposed massage establishment with waivers to the distance separation requirements to allow 90 feet from an existing massage establishment where 1,000 feet is the minimum required and to allow no separation from a residential use where 400 feet is the minimum separation required at 2117 Paradise Road.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
01/12/67	The City Planning Commission approved a request for a Zone change (Z-0017-67) from P-R (Professional Office) to C-1 (Limited Commercial) on property legally described as Lots 11 & 12, Block 1, of Paradise Village Tract 1.
Related Building Permits/Business Licenses	
5/26/05	Business License #M18-03220 issued to "Crown Entertainment" for a booking agent. License expired 6/09/05
1/25/05	Building Permit #5000466: Building inspection for a Non-work Certificate of Occupancy. Failed inspection, permit expired 8/06/05 without final inspection or issuance of Certificate of Occupancy.
Pre-Application Meeting	
12/20/06	A pre-application conference was held and the applicant was informed of the requirements for submitting a Special Use Permit. The applicant was informed of the 400-foot residential setback requirements and the 1,000-foot distance requirement from an established Massage Establishment.
Neighborhood Meeting	
NA	A neighborhood meeting was not required, nor was there one held
Details of Application Request	
Site Area	
Net Acres	0.13 acres

SUP-19329 - Staff Report Page Two
March 8, 2007 - Planning Commission Meeting

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office	C (Commercial)	C-1 (Limited Commercial)
North	Office	C (Commercial)	C-1 (Limited Commercial)
South	Office	C (Commercial)	C-1 (Limited Commercial)
East	Single Family Dwelling	L (Low Density Residential)	R-1 (Single Family Residential)
West	Apartments	C (Commercial)	R-4 (High Density Residential)

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

Redevelopment Plan Area

The subject site is located within the Redevelopment Plan Area, so designated in 1986. Within the Redevelopment Plan Area, the subject property has a Commercial designation. This general designation does not place any additional development standards on the site above those listed per Title 19, but it allows the site to be eligible for a variety of funding opportunities for activities that promote the modern, orderly development of the area.

SUP-19329 - Staff Report Page Three
March 8, 2007 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Regular	Handi-capped	Regular	Handi-capped	
Massage Establishment	Four Rooms	2 Spaces per Table, Chair, or Room with a min 6 required	8 spaces	1			
TOTAL			8	1	12	1	Y

Waivers		
Request	Requirement	Staff Recommendation
To allow a distance separation of 90 feet from an existing massage establishment.	1,000 feet from an existing massage establishment	Denial
To allow a zero-foot separation from a residential use.	400 feet from residentially zoned property	Denial

ANALYSIS

This request is not supported on the grounds that it violates the distance separation required from residential properties and previously approved massage establishments. There are four existing massage establishments within 1,000 feet of this proposal.

- **Conditions**

Title 19.04 lists the following as the Conditional Requirements for a Massage Establishment:

- (1) The use shall comply with all applicable requirements of LVMC Title 6.
- (2) The use must be located on a secondary thoroughfare or larger.
- (3) The use may not be located within four hundred feet of any church, synagogue, school, city park, child care facility, or any parcel zoned for residential use.
- (4) The use may not be located within one thousand feet of any other massage establishment.
- (5) The hours of operation shall be limited to the period between eight a.m. and nine p.m.

SUP-19329 - Staff Report Page Four
March 8, 2007 - Planning Commission Meeting

As the proposal is unable to meet conditions #3 and #4, we cannot support approval of this request.

FINDINGS

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

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

The proposed use is incompatible with surrounding land uses and is located in an area that is overly saturated with massage establishments.

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

The subject site does not provide an adequate distance separation from either the existing single-family residential homes to the east or the existing four massage uses established in the surrounding 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."**

The site is served by Paradise Road, listed as a Major Street. This 60-foot wide street is capable of accommodating the minor increase in traffic flow from 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."**

The proposal does not meet the overall objectives of the General Plan in that it is adding to the over saturation of existing massage establishments. An additional negative impact to public health, safety and welfare remains in that no adequate separation is provided to the adjacent single-family residential properties.

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

The proposal does not meet the conditions as listed by Title 19.04 for a Massage Establishment. Staff is recommending denial, as two of the minimum requirements would need to be waived in order to approve this request.

SUP-19329 - Staff Report Page Five
March 8, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

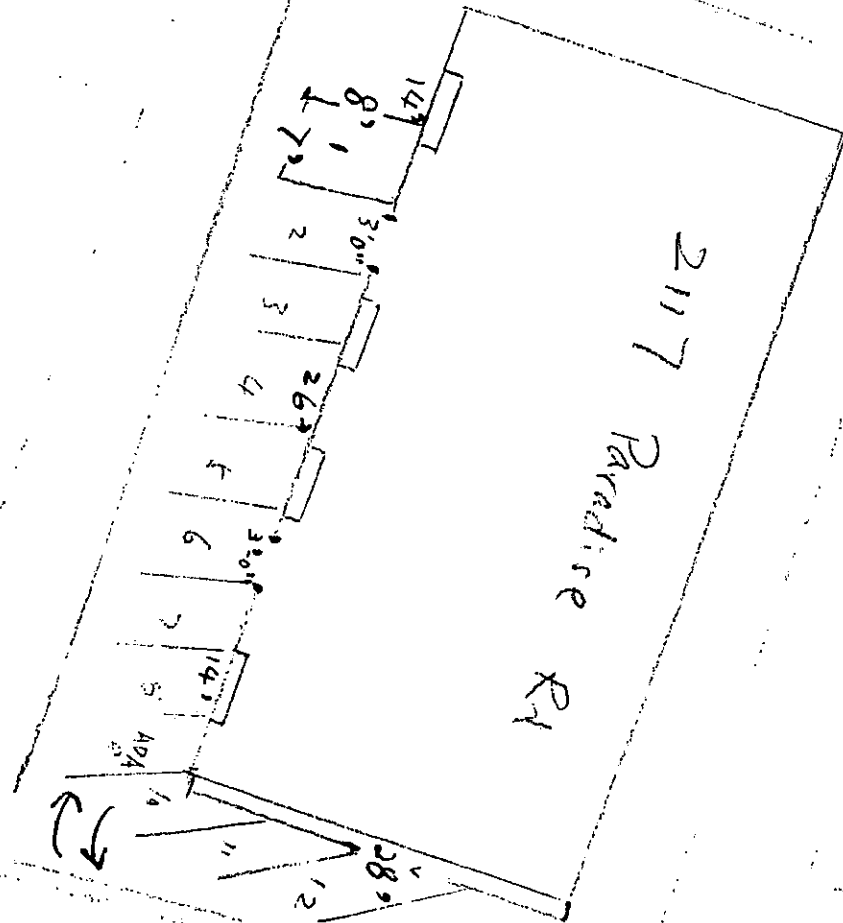
NOTICES MAILED 181

APPROVALS 0

PROTESTS 0



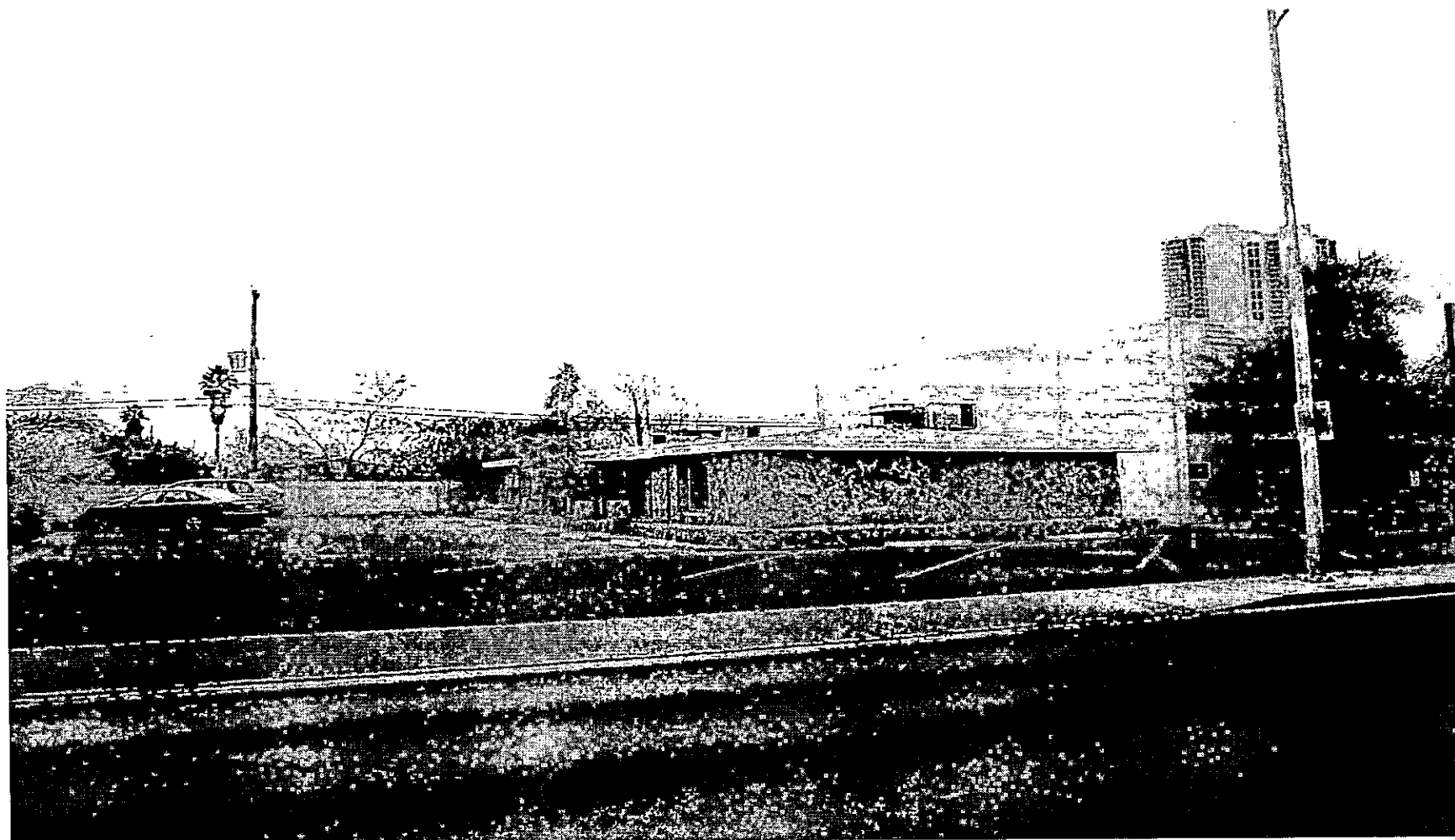
Santa Clara Dr
Residential Area



Paradise

RECEIVED
JAN 22 2007

SUP-19329
03/08/07 PC



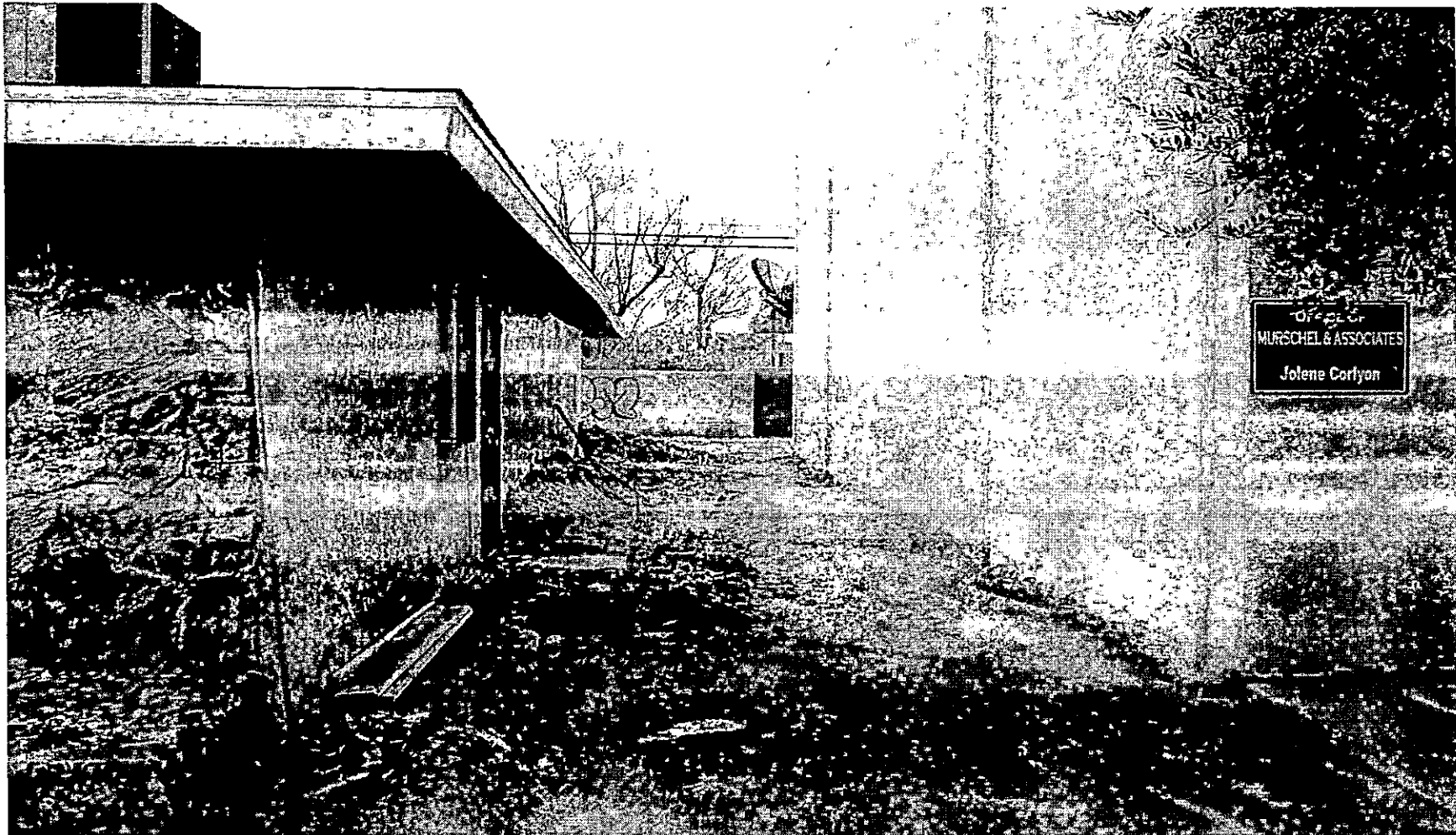
SUP-19329 - APPLICANT: WILL YUGU TANG - OWNER: DAVID SADRI
2117 PARADISE ROAD
MARCH 8, 2007 PLANNING COMMISSION

01/31/07



SUP-19329 - APPLICANT: WILL YUGU TANG - OWNER: DAVID SADRI
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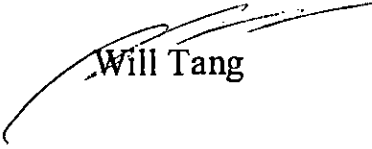
Justification Letter

Nirvana Massage at the location of 2117 Paradise Rd will be a therapeutic massage establishment close to the Las Vegas Strip and Convention center. This establishment will be approx. 1800 sqft with 6 separate rooms and two bathrooms and plenty of parking spaces around the building.

There will be two waivers needed to meet/support existing City policies and regulations. The first waiver is required for distance to residential area. A massage establishment is a business that provides non-machinery service to relax our body and mind. Services are performed with human hands. Peace and quietness are essential to a good result. It does not create any noise to the environment unlike a bar or restaurant. Therefore there will be no harm to close by residential areas.

The second waiver is required for distance to the other massage establishment due to 1,000-foot separation requirement from other massage establishments. Despite the existing massage establishments around the area, the opening of Nirvana Massage will not only create jobs for local students who just graduated from massage school, but also provide more choices to convention attendees and exhausted tourists. The demand for therapeutic massage has been increasing dramatically due the growth of the Las Vegas Strip and it creates a balance between the excitement and body & mind relaxation. An array of massage establishments on the same street will only create a healthy business competition to the local economy just like the casinos next to each other on the Strip.

Applicant



Will Tang

SUP-19329
03/08/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SUP-19340 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER:
JOE BAHNAN - Request for a Special Use Permit FOR AN ACCESSORY PACKAGE LIQUOR OFF-SALE ESTABLISHMENT IN CONJUNCTION WITH AN EXISTING RETAIL BUSINESS at 2981 East Charleston Boulevard (APN 139-36-415-014), M (Industrial) Zone, Ward 3 (Reese).

C.C.: 04/04/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

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

MOTION:

TRUESDELL – APPROVED subject to conditions – Motion carried with DUNNAM voting NO

To be heard by City Council on 4/4/2007

MINUTES:

VICE CHAIRMAN GOYNES declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, stated no protected uses exist in the area and recommended approval.

JOE BAHNAN, 2981 East Charleston Boulevard, was present and stated he was not familiar with the conditions as he could not read English.

PLANNING COMMISSION MEETING OF MARCH 8, 2007
Planning and Development Department
Item 26 – SUP-19340

MINUTES – Continued:

DEPUTY CITY ATTORNEY BRYAN SCOTT suggested the item be held in order to ensure the applicant understands all conditions and is ready to comply with them, but MARGO WHEELER, Director of Planning and Development Department, suggested the item be trailed to allow MR. RANKIN time to explain the conditions to MR. BAHNAN.

After going over the conditions with MR. RANKIN, MR. BAHNAN requested that Condition 6 be deleted because single container alcohol sales are a major part of his business.

COMMISSIONER STEINMAN observed that the City had been very consistent in prohibiting the sale of single containers of alcohol and stated he could find no reason why this location should be an exception. He could not support the deletion of Condition 6, saying it would have a negative impact on the area, despite MR. BAHNAN'S argument that he did not allow patrons to consume alcohol on his property. COMMISSIONER STEINMAN pointed out that patrons could leave the property, but still be able to consume alcohol within 1000 feet of the business.

COMMISSIONER GOYNES concurred with COMMISSIONER STEINMAN'S statements and read from the Nevada Revised Statutes to illustrate that Condition 6 is a State law and cannot be removed. MR. RANKIN clarified that Condition 6 is an added condition related to the City's Liquor Code while the 1000 feet distance law is related to State law and neither can be waived.

CHAIRMAN DAVENPORT emphasized the importance of Condition 6 and warned MR. BAHNAN that he would not be permitted to sell single containers of alcohol. MR. BAHNAN argued that some of his customers cannot afford more than a single container of alcohol.

COMMISSIONER TRUESDELL explained that Condition 6 is intended to help convenience stores function better and supported keeping it in place.

DEPUTY CITY ATTORNEY SCOTT observed that the stores existing signage may be illegal and MR. BAHNAN agreed to not post any signs.

VICE CHAIRMAN GOYNES declared the Public Hearing closed.

(7:25 – 7:29)/(7:36 – 7:40)

1-3284/2-147

CONDITIONS:

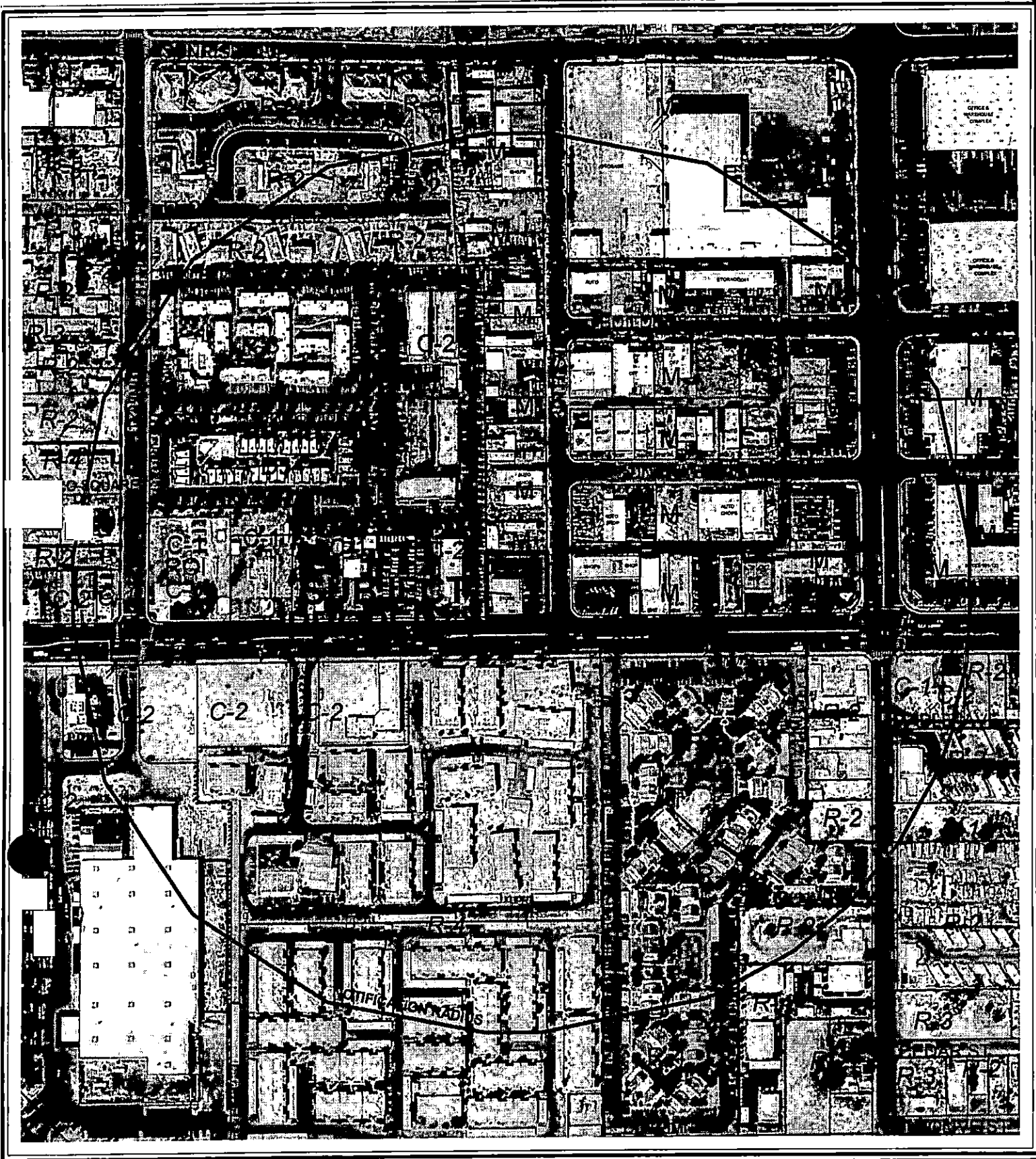
Planning and Development

1. Conformance to the conditions for Rezoning (Z-156-62).

PLANNING COMMISSION MEETING OF MARCH 8, 2007
Planning and Development Department
Item 26 – SUP-19340

CONDITIONS – Continued:

2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. The sale of alcoholic beverages shall be limited to a maximum of 10 % of the floor area of the convenience store.
5. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for a retail establishment with accessory package liquor off-sale use.
6. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
7. Revised plans adequately addressing the Handicapped Accessibility Standards per Title 19.10 are required prior to the issuance of a business license.
8. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
9. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.



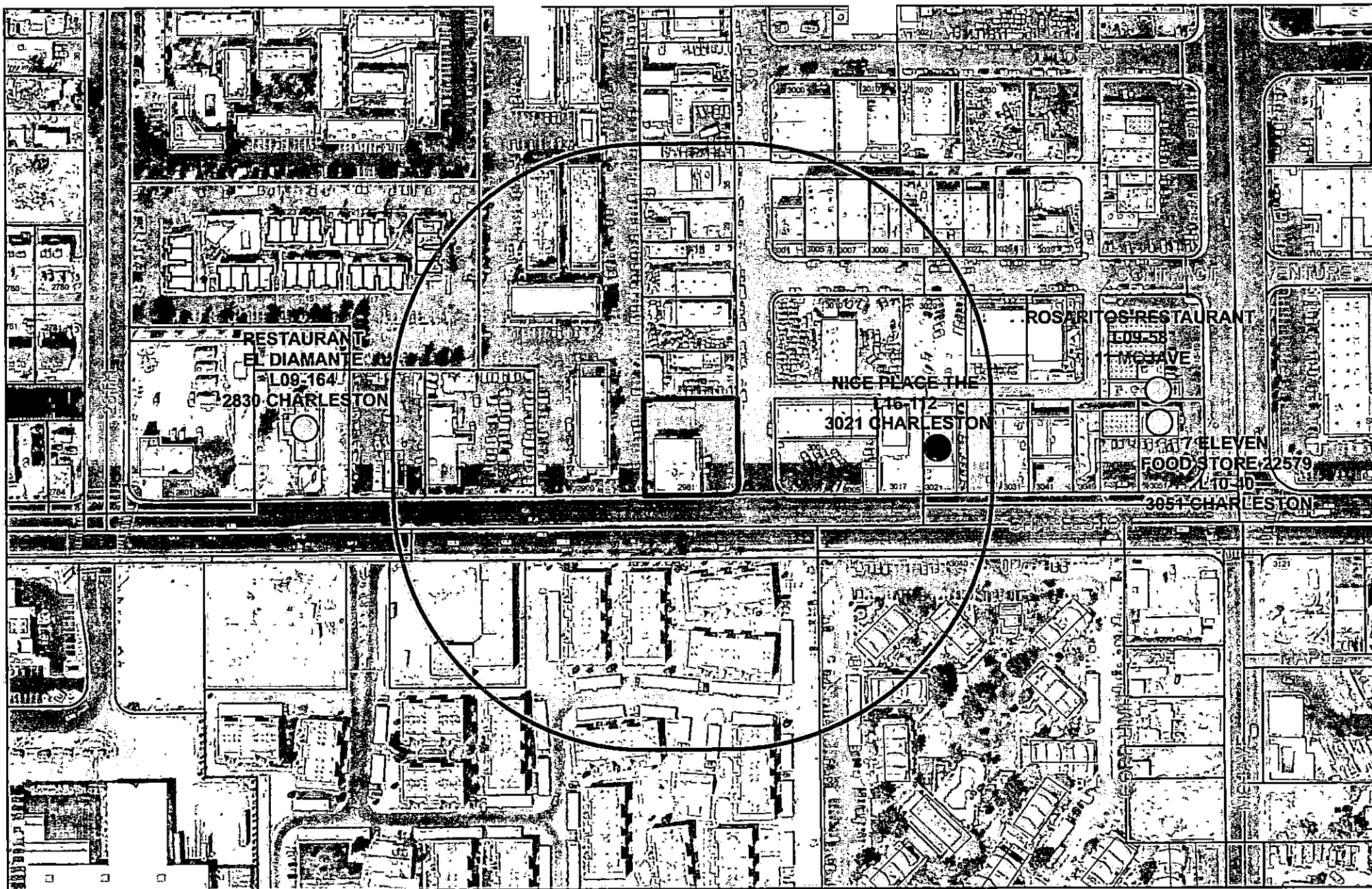
CASE: SUP-19340

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 500 Feet





SUP-19340

Package Liquor Sales

Business Licenses

- Child Care/Children Facility
- Supper Club/Restaurant Service Bar
- Tavern
- Liquor on/off Sales

- RELIGIOUS
- CITY PARKS
- SCHOOLS

- Subject Property
- 400 foot buffer



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 8, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-19340 - APPLICANT/OWNER: JOE BAHNAN

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Rezoning (Z-156-62).
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
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8. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
9. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-19340 - Staff Report Page One
March 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Special Use Permit for a Retail Establishment with Accessory Package Liquor Off-sale at 2981 East Charleston Boulevard. This property is located within the M (Industrial) Zone and is a permitted use only with an approved Special Use Permit. There are no protected uses within the 400-foot separation distance from this address.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
Month/date/year	Action
1/11/63	The City Council approved a Rezoning (Z-156-62) from R-1 (Single Family Residential) Zone and R-2 (Medium Density Residential) Zone
Related Building Permits/Business Licenses	
Month/date/year	Description
11/30/06	Business license #C04-00349 for "Chris Market" tobacco dealer.
11/30/06	Business license #C15-00349 for "Chris Market" convenience store.
Pending	Business license #C23-02487 for "Chris Market" check cashing service
Pre-Application Meeting	
01/05/07	A pre-application meeting was held and the conditions required of a Special Use Permit for a Retail Establishment with Accessory Package Liquor Off-Sale application were discussed.
Neighborhood Meeting	
NA	A neighborhood meeting was not required, nor was one held.

Details of Application Request	
Site Area	
Net Acres	0.5 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Convenience Store	LI/R (Light Industrial/Research)	M (Industrial)
North	Auto shop	LI/R (Light Industrial/Research)	M (Industrial)
South	Multi-family residential	Clark County	Clark County
East	Shopping Center	LI/R (Light Industrial/Research)	M (Industrial)
West	Apartments	H (High Density Residential)	C-2 (General Commercial)

MH

SUP-19340 - Staff Report Page Two
 March 8, 2007 - Planning Commission Meeting

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

Pursuant to Title 19.10, the following parking standards apply:

Pursuant to Title 17.10, 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	
Retail Establishment w/ Accessory Package Liquor Off-Sale	4,921 SF GFA	1:175 GFA	28	2	29	2	Y
TOTAL			28	2	29	2*	N*

*Neither of the two handicapped accessible spaces provided are in compliance with the Design Standards as listed in Title 19.10.010. The space located at the entrance off of Charleston Boulevard adjacent to the building shows a loading zone that extends into the dedicated entrance. The space located adjacent to the west property line does not provide the most direct access to the front entrance. As the two issues are easily remedied, staff has conditioned the approval of this Special Use Permit based on compliance with Title 19.10.010.

ANALYSIS

- General Plan & Zoning

The subject property is designated as LI/R (Light Industrial/Research) by the General Plan. The Light Industrial/Research category allows for clean, low-intensity industrial uses. Typical general commercial uses that are ancillary to the more intense industrial uses are permitted as well.

The property is located within the M (Industrial) Zoning District, which includes services ancillary and supportive of low-intensity industrial uses. There are no protected uses within 400 feet of this site and this Special Use Permit conforms to applicable General Plan Policies and the regulations of the M District.

SUP-19340 - Staff Report Page Three
March 8, 2007 - Planning Commission Meeting

- Minimum Special Use Permit Conditions for:

RETAIL ESTABLISHMENT WITH ACCESSORY PACKAGE LIQUOR OFFSALE
[C-1, C-2, C-M, M]

Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by requiring that:

- *1. Except as otherwise provided in this Chapter, no retail establishment accessory package liquor off-sale (hereinafter "establishment") shall be located within four hundred feet of any church, synagogue, school, child care facility licensed for more than twelve children, or City park.
- *2. Except as otherwise provided in Paragraph 3 below, the distances referred to in Paragraph 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:
 - a. Any leasehold parcel; or
 - b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Paragraph 1.
- *3. In the case of an establishment property to be located on a parcel of at least eighty acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:
 - a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or
 - b. In the case of a proposed establishment which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property lines of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.

SUP-19340 - Staff Report Page Four
March 8, 2007 - Planning Commission Meeting

4. When considering a Special Use Permit application for an establishment which also requires a waiver of the distance limitation in Paragraph 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.
5. The minimum distance requirements in Paragraph 1 do not apply to:
 - a. An establishment which has a nonrestricted gaming license in connection with a hotel having two hundred or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of two hundred guest rooms after July 1, 1992; or
 - b. A proposed establishment having more than fifty thousand square feet of retail floor space.
- *6. All businesses which sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.
7. The minimum distance requirements set forth in Paragraph 1, which are otherwise nonwaivable under the provisions of this subdivision, may be waived:
 - a. In accordance with the provisions of Section 19.040.050(A)(4) for any establishment which is proposed to be located on a parcel within the Downtown Casino Overlay District;
 - b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any establishment which is proposed to be located within the T-C (Town Center) Zoning District and which is designated MS-TC (Main Street Mixed Use) in the Town Center Land Use Plan; or
 - c. In connection with a retail establishment having less than twenty thousand square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or right-of-way with a width of least one hundred feet.

Conditions denoted with an asterisk cannot be waived.

SUP-19340 - Staff Report Page Five
March 8, 2007 - Planning Commission Meeting

FINDINGS

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

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

The proposed use, as a retail establishment with accessory package liquor off-sale in an existing convenience store, would be compatible with existing and future surrounding land use and development. The majority of the properties near the subject site are designated for general commercial and industrial uses with some apartment complexes located close by.

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

The subject site is physically suitable for the proposed addition of an accessory package liquor off-sale to an existing retail establishment. The use will not be too intense for this area of the City. However, the applicant will need to make some adjustments to adequately accommodate the handicapped accessibility parking standards. The provided drawings are not in compliance with Title 19.10, but can be easily remedied.

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

The site gains access from Charleston Boulevard, which is designated by the Master Plan of Streets and Highways as a 100-foot Primary Arterial and which provides adequate access 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 site would be subject to frequent inspections and would not compromise public health or safety.

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

The proposed addition of the accessory package liquor off-sale use to an existing convenience store meets all of the applicable conditions per Title 19.04.

SUP-19340 - Staff Report Page Six
March 8, 2007 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

ASSEMBLY DISTRICT 12

SENATE DISTRICT 10

NOTICES MAILED 80

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-19340 APN: 139-36-415-014

Name of Property Owner: Joe Bahnan

Name of Applicant: Joe Bahnan

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: _____

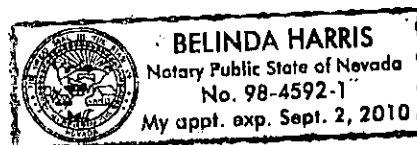
State of Nevada
County of Clark

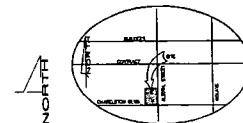
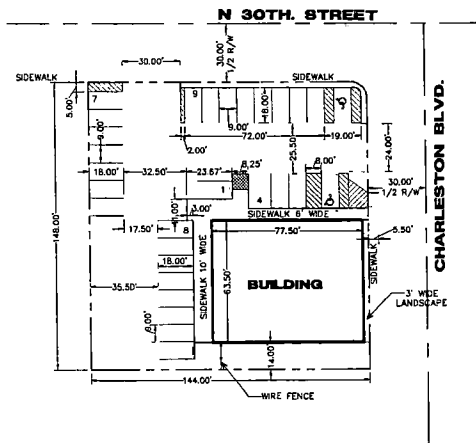
Print Name: Joe Bahnan

Subscribed and sworn before me

This 14th day of Nov., 2006

Belinda Harris
Notary Public in and for said County and State





EXIT ANALYSIS	
BUILDING	2,392
LOT	21,232
PARKING LOTS	21,232
STREET	20
TOTAL	2

SCOPE OF WORK	
THIS WAS AN EXISTING RETAIL BAKERY OUTLET BEING REBUILT INTO A CONVENIENCE STORE. THE NEW USE IS A CONVENIENCE GROCERY STORE SELLING PAKAGED-ONLY FOODS, NO COOKING OR HOT SALES, PLUMBING, ELECTRICAL, LIGHTING AND OR PLANT.	

RECEIVED
JAN 23 2007



APN: 139-36-415-014

OWNER: DEE BAHMAN
ADDRESS: 601 MOUNTAIN VILLA
LAS VEGAS NV 89110-4011
PHONE: 702-369-2111

SITE PLAN
CHRIS MARKERT
2801 E CHARLESTON BLVD, LV NV 89104

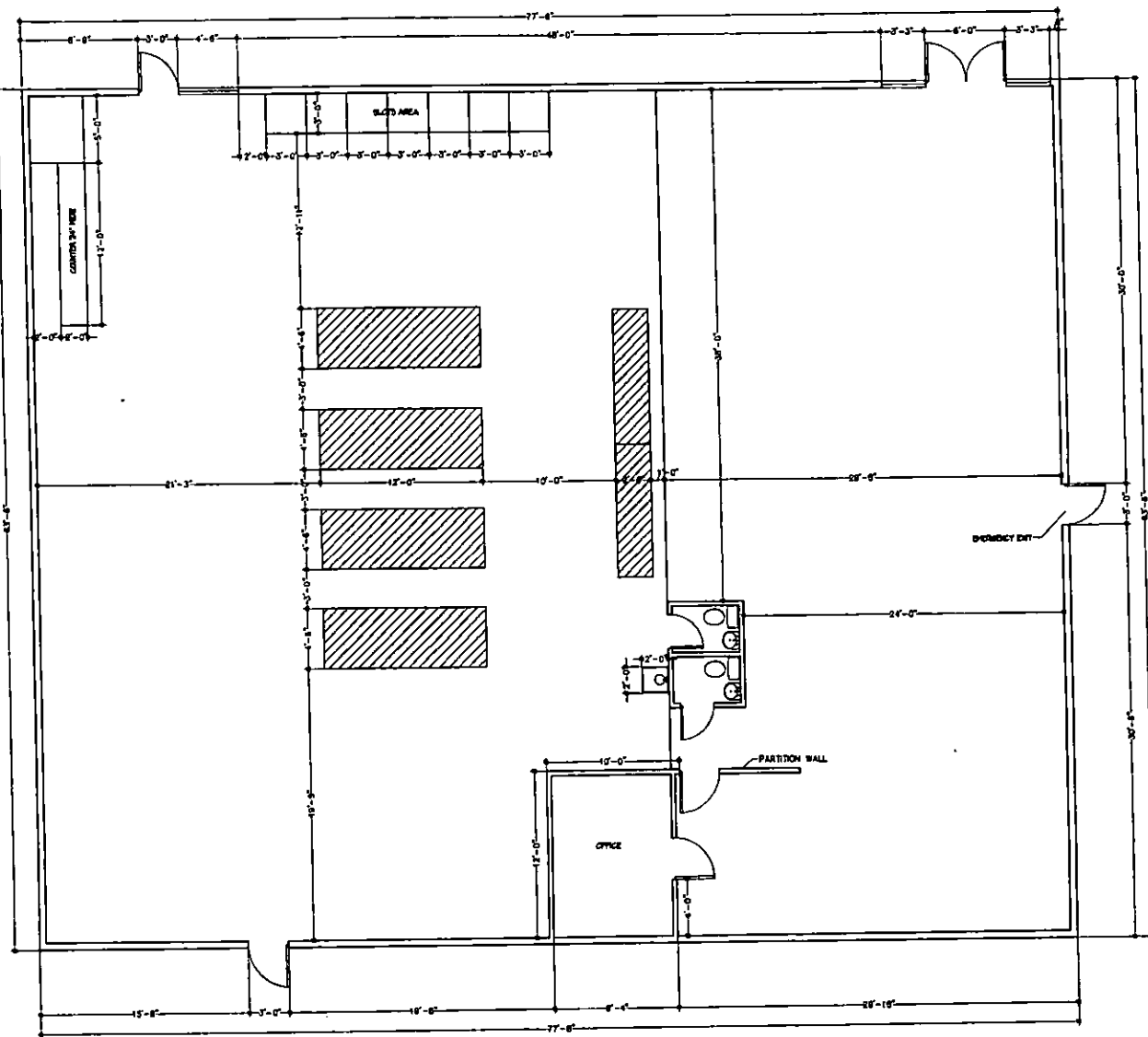
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DATE: 11-11-07

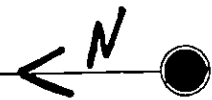
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SHEET 1 OF 2

SUP-19340
03/08/07 PC



FLOOR PLAN
SCALE: 1/8" = 1'-0"



FINISH SCHEDULE			
FLOORS CERAMIC TILE 3/8" CERAMIC GROUT		X	
FLOORS CONC. SEALER W/3/8" GLAZE "M" SEAL		X	X
FLOORS WHITE TILE W/WHITE GROUT		X	X
CEILING BATH SUBSTR 3/8" RAGS		X	X
CEILING 2x4 ACoustic PANELS WASHABLE		X	X
CEILING DRYWALL / SMOOTH W/ LIGHT COLORED SEM GLOSS PAINT		X	X
WALLS DRYWALL / SMOOTH W/ LIGHT COLORED SEM GLOSS PAINT		X	X
	CEILING	WALLS	FLOORS

- GENERAL NOTES:**
- EXIT DOORS ARE OPENABLE FROM THE INSIDE WITHOUT THE USE OF A KEY, SPECIAL KNOWLEDGE OR EFFORT.
 - EVERY REQUIRED EXIT DOOR MUST BE OF A SIZE TO PERMIT THE INSTALLATION OF A 3'-0" x 7'-0" DOOR. A MINIMUM CLEAR WIDTH OF 32" MUST BE PROVIDED.
 - A WINDUW LANDING IN THE DIRECTION OF TRAVEL IS NOT LESS THAN 44"
 - THE FLOOR OR LANDING ON EACH SIDE OF THE DOOR IS NOT MORE THAN 1/2(1 INCH) LOWER THAN THE THRESHOLD OF THE DOORWAY.
 - NO FIRE RESISTANCE IS REQD. FOR OCCUPANT GROUPS OF B AND M.

- HEALTH DEPARTMENT NOTES:**
- FOR SINKS, SINKS, SINKS, DISHWASHING SINKS, DISHWASHING MACHINES, SILVERWARE WASHING MACHINES, AND OTHER SIMILAR FIXTURES SHALL BE CONNECTED DIRECTLY TO THE DRAINAGE SYSTEM. A FLOOR DRAIN SHALL BE PROVIDED ADJACENT TO THE FIXTURE, AND THE FIXTURE SHALL BE CONNECTED ON THE SEWER SIDE OF THE FLOOR DRAIN PIPE, PROVIDED THAT NO OTHER DRAINAGE LINE IS CONNECTED BETWEEN THE FLOOR DRAIN WASTE CONNECTION AND THE FLOOR DRAIN. THE FIXTURE AND FLOOR DRAIN SHALL BE TRAPPED AND VENTED AS REQUIRED BY THIS CODE.
 - NOSE BIG VACUUM BREAKER, THIS IS A SIMPLE SCREW ON TYPE THAT MAY BE ATTACHED TO AN EXISTING FAUCET.
 - THERE ARE TWO LOCKERS, EACH 3-TIER HIGH.
 - THE WATER HEATER PROVIDES WATER AT 120 DEGREE OR ABOVE.
 - ALL SHELVEING IS METAL, NSF-APPROVED.

EQUIPMENT SCHEDULE						
#	DESCRIPTION	VOLTS	AMPS	FLUORESC	OTHER	TYPE
1.	WOP SINK			1/3 C.W. 1/2 H.W.		
2.	4 TIER MEAT SHELVE					NSF
3.	3 TIER EMPLOYEE LOCKER					NSF
4.	2 DOOR GLASS REFRIG	115	14.5	SELF EVAPORATIVE		UL
5.	2 DOOR GLASS REFRIG	115	12.0	SELF EVAPORATIVE		UL
6.	CONDOLA SHELVE FLOOR					NSF
7.	CONDOLA SHELVE WALL					NSF
8.	CASH REGISTER STAND					UL
9.	P.O.S	115	8.5			UL
10.	ICE CREAM FREEZER	115	11.5	SELF EVAPORATIVE		UL
11.	GAMING MACHINES	115				NSF
12.						
13.						
14.						
15.						
16.						
17.						
18.						
19.						
20.						

CODE ANALYSIS	
STORIES	1
EXISTS REQ'D PRO.	2
CONSTRUCTION TYPE	V
SPRINKLERS	NO
CODE YEAR	2003
HEIGHT	1F
OCCUPANCY	SUP

OWNER: JOE BAHNAN

ADDRESS: 503 MOUNTAIN VILLA

LAS VEGAS NV 89110-4011

PHONE: 702-369-2111

FLOOR PLAN

CHRIS MARKET

2981 E CHARLESTON BLVD, LV NV 80104

TITLE

PROJECT

RECEIVED
JAN 23 2007

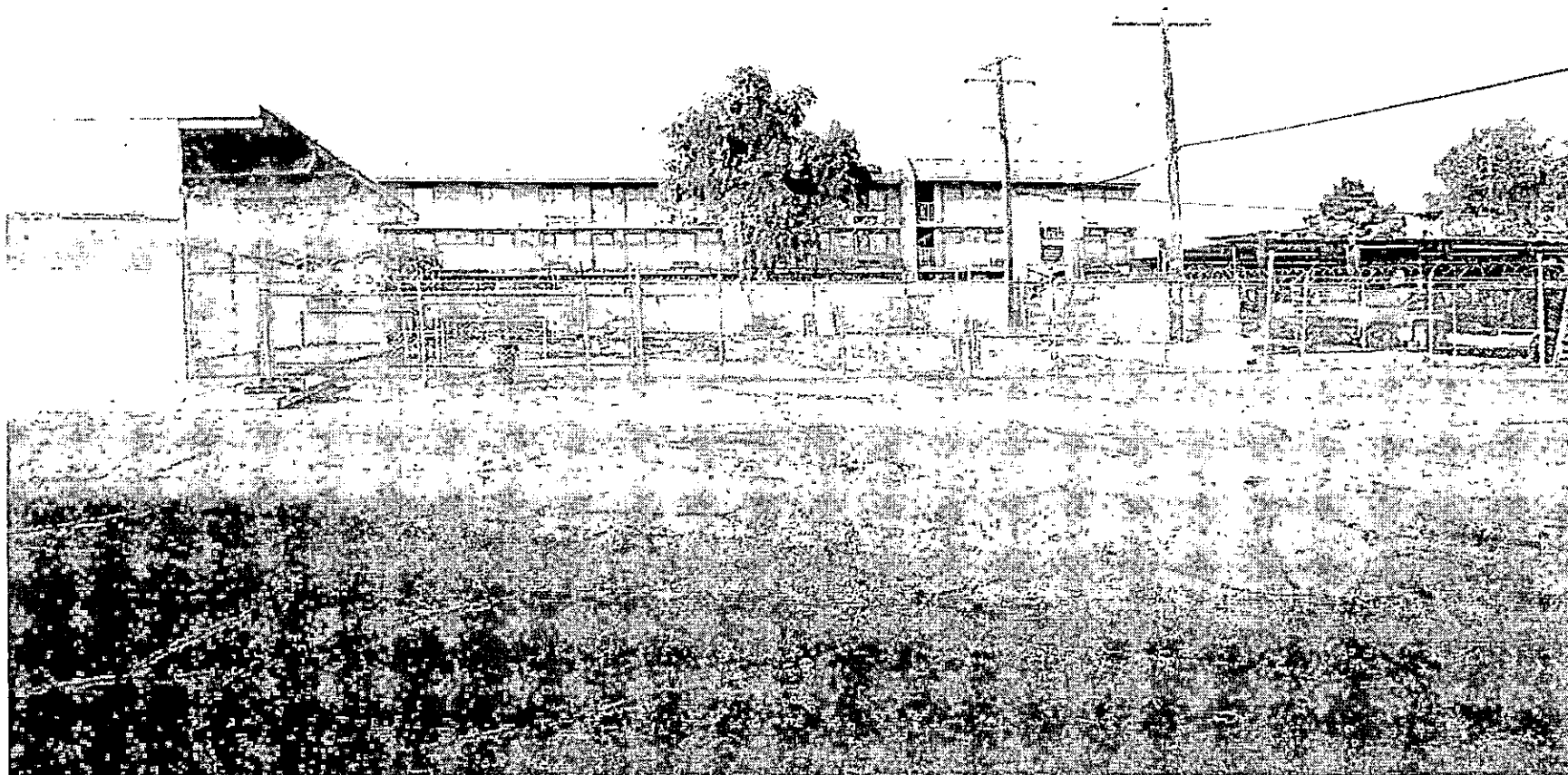
SUP-19340
03/08/07 PC

DATE: 01/17/2007
JOB: ---
DWG. BY: BS
CHK. BY: JCM
A2
SHEET
2 OF 2



SUP-19340 - APPLICANT/OWNER: JOE BAHNAN
2981 EAST CHARLESTON BOULEVARD
MARCH 8, 2007 PLANNING COMMISSION

01/31/07



SUP-19340 - APPLICANT/OWNER: JOE BAHNAN
2981 EAST CHARLESTON BOULEVARD
MARCH 8, 2007 PLANNING COMMISSION

01/31/07



SUP-19340 - APPLICANT/OWNER: JOE BAHNAN
2981 EAST CHARLESTON BOULEVARD
MARCH 8, 2007 PLANNING COMMISSION

01/31/07

JUSTIFICATION LETTER

To : City of Las Vegas
Planning and Development Department

From : Chris Market
Joe Bahnman (owner)

Ref. : Special use Permit
2981 E. Charleston Blvd.

We are interesting in get a license for liquor, beer, wine, groceries and check cashing, to our store in 2981 E. Charleston blvd. Know as Chris market, we want to serve our neighbors giving all the service we can get including the installation of seven gaming machines, we ask the people around the area and that's what they want long time ago, a place that they can shop everything in one stop, we are not a solution but at less we trying to give the better service we can to our neighbors.

We are sure that your office will help us getting this permits as soon as possible in order to satisfy our customers, cause we are using the same place that was used as a store for the last 30 years.

Thanks, for your help making this happens.


Joe Bahnman
Owner of chris market.

SUP-19340
03/08/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-19276 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -
APPLICANT/OWNER: JERMAC - Request for a Site Development Plan Review FOR AN 80,000 SQUARE FOOT THREE-STORY OFFICE BUILDING AND A THREE-LEVEL PARKING GARAGE on 13.2 acres at 1725 North Rainbow Boulevard (a portion of APN 138-22-803-001), C-1 (Limited Commercial) Zone, Ward 5.

IF APPROVED: C.C.: 04/04/07

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Protest letter by Robert McPherson

MOTION:

DUNNAM – TABLED – UNANIMOUS

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

JOHN KORKOSZ, Planning and Development Department, stated the proposed use is appropriate for the Las Vegas Athletic Club site on Rainbow Boulevard and recommended approval. He pointed out the applicant has failed to comply with the conditions of approval on SDR-11443 for landscaping and fencing and recommended SDR-18829 be expunged. He noted one protest letter had been received by staff.

PLANNING COMMISSION MEETING OF MARCH 8, 2007
Planning and Development Department
Item 27 – SDR-19276

MINUTES – Continued:

CHERIE GUZMAN and KELLY COMTRAG with JMA Architecture Studios, 10150 Covington Cross Drive, appeared on behalf of the applicant and explained she could not agree to Condition 4 as the Las Vegas Athletic Clubs had a ground lease and no control of the billboard on the site. She respectfully requested approval with the deletion of Condition 4.

Noting the applicant had extended the parking lot without permits, CHAIRMAN DAVENPORT inquired if construction had started on this project. MS. GUZMAN explained she had not represented the applicant at that time and stated construction had not begun. CHAIRMAN DAVENPORT observed that dirt work appeared to be taking place and COMMISSIONERS STEINMAN and TROWBRIDGE concurred.

COMMISSIONER DUNNAM informed MS. GUZMAN and MR. COMTRAG that this property had heavy restrictions, due to the applicant constructing the parking lot extension without permits. He observed the applicant had agreed to those restrictions and had not honored them. COMMISSIONER DUNNAM suggested this item be held until permits have been pulled to begin work on the previous application. He could not support this item when the representatives were unable to answer questions adequately.

COMMISSIONER TROWBRIDGE supported COMMISSIONER DUNNAM'S suggestion to hold the item as it appeared the applicant had already started work without permits again. MS. GUZMAN expressed her willingness to hold the item.

DEPUTY CITY ATTORNEY BRYAN SCOTT suggested that the item be tabled since a date for completion was uncertain.

In response to COMMISSIONER TRUESDELL'S request for clarification, MR. KORKOSZ explained that this particular application is appropriate, but he was just reminding the Commissioners of the problems on prior approvals with this applicant. His recommendation was to expunge an administratively approved site plan for the parking lot and to enforce the conditions of the retroactively approved site plan.

DOUG RANKIN, Planning and Development Department, informed COMMISSIONER STEINMAN that the site was one parcel with the single lease with Las Vegas Athletic Clubs.

When MS. GUZMAN pointed out that this application was being held, despite its compliance with the Code, CHAIRMAN DAVENPORT explained that the owner had a history of not honoring his commitments on other applications. He expressed his support for tabling the item and suggested that the owner be in attendance when this item is brought back.

PLANNING COMMISSION MEETING OF MARCH 8, 2007
Planning and Development Department
Item 27 – SDR-19276

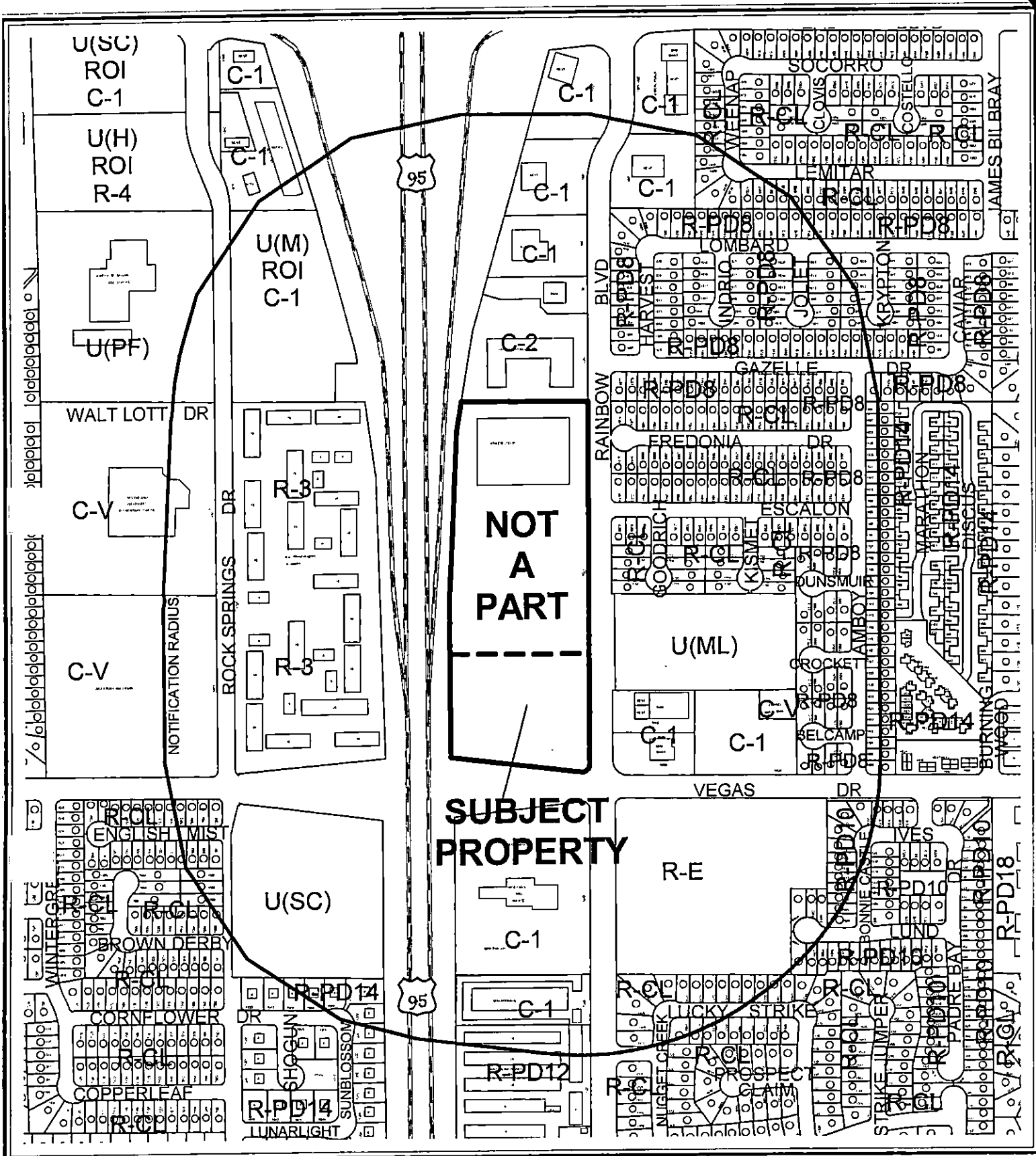
MINUTES – Continued:

MS. GUZMAN informed COMMISSIONER STEINMAN that her firm, JMA Architects, has not pulled any grading permits for this site.

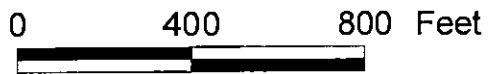
CHAIRMAN DAVENPORT declared the Public Hearing closed.

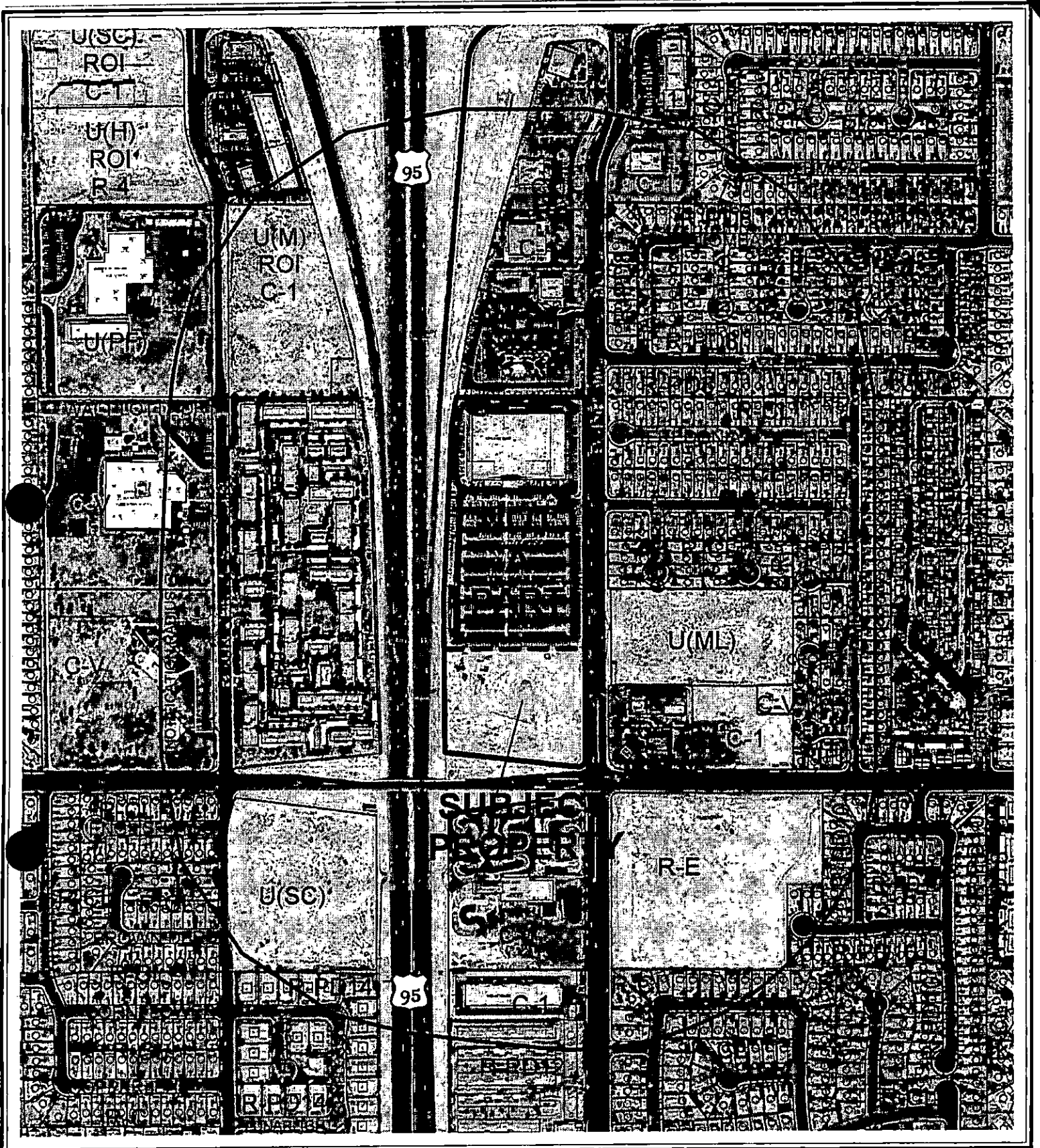
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1-3506



CASE: SDR-19276
RADIUS: 1000 FT
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)





CASE: SDR-19276

RADIUS: 1000 FT

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

0 400 800 Feet



*City of Las Vegas***AGENDA MEMO**

PLANNING COMMISSION MEETING DATE: MARCH 8, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-19276 - APPLICANT/OWNER: JERMAC

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Rezoning (Z-0074-84), 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. Site Development Plan Review (SDR-18829) is hereby expunged.
4. The applicant shall remove all billboards on this site.
5. All development shall be in conformance with the site/landscape plan date stamped 2/4/07 and building elevations, date stamped 1/18/07 except as amended by conditions herein.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
8. 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.

SDR-19276 - Conditions Page Two
March 8, 2007 - Planning Commission Meeting

10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
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 parcel is involved in Special Improvement District No. 1474 – Rainbow Boulevard. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map or the issuance of any building permits, whichever may occur first. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
14. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet and the right-of-way necessary for a right turn in accordance with Standard Drawing 201.1 on the northwest corner of Rainbow Boulevard and Vegas Drive prior to the issuance of any permits.
15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
16. Construct the required right turn lane on Rainbow Boulevard and a median island in Rainbow Boulevard to restrict the driveway to right turn in and right turn out turning movements only concurrent with development of this site in a manner acceptable to the City Traffic Engineer.
17. Submit an application for a deviation from Standard Drawing #222a for the driveway accessing this site from Rainbow Drive.

SDR-19276 - Conditions Page Three
March 8, 2007 - Planning Commission Meeting

18. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
19. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site.
20. Submit an Encroachment Agreement for all landscaping, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
21. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

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March 8, 2007 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The purpose of this request is for a Site Development Plan Review for an 80,000 square-foot three-story office building, a 6,000 square foot future pad site, and a three-level parking garage.

The proposed office building is located on the Las Vegas Athletic Club site on the northwest corner of Vegas Drive and Rainbow Boulevard.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/03/84	The subject property was Annexed [A-0015-84(A)] into the City of Las Vegas as part of a larger request.
11/21/84	The City Council approved a Rezoning (Z-0074-84) from N-U (Non-Urban) Zone to C-1 (Limited Commercial) Zone on the southern portion of this site, and from N-U (Non-Urban) to R-3 (Medium Density Residential) on the northern portion of this site as part of a larger request. The Planning Commission recommended approval of the C-1 (Limited Commercial) portion and denial of the R-3 (Medium Density Residential) portion on 11/08/84.
01/16/85	The City Council approved a Rezoning (Z-0095-84) on the northern portion of this site from N-U (Non-Urban) under Resolution of Intent to R-3 (Medium Density Residential) to C-1 (Limited Commercial). The Planning Commission recommended approval on 01/10/85.
06/21/89	The City Council approved a Special Use Permit (U-0055-89) for two (2) 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) signs on this site, under condition that the billboards may only be used as Subdivision Development Directional Signs for the first five years. The Board of Zoning Adjustment recommended denial on 05/25/89, citing the incompatibility of the signs at this location.
07/20/94	The City Council approved a Required five-year Review [U-0055-89(1)] on an approved Special Use Permit for two (2) 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) signs on this site. The Board of Zoning Adjustment recommended approval on 06/28/94.
11/03/99	The City Council approved a Required five-year Review [U-0055-89(2)] on an approved Special Use Permit for two (2) 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) signs on this site. The Planning Commission recommended approval on 08/26/99, with the condition that the northern billboard sign be removed within 60 days.

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March 8, 2007 - Planning Commission Meeting

02/08/01	The Planning Commission accepted the applicant's request to Withdraw without Prejudice a Site Development Plan Review [Z-0095-84(1)] for a proposed 70,976 athletic/fitness club with retail uses on the northern portion of the site.
08/21/02	The City Council approved a Required two-year Review [U-0055-89(3)] on an approved Special Use Permit for two (2) 40-foot tall, 14-foot by 48-foot off-premise advertising (billboard) signs on this site. The off-premise signs will be subject to a Required two-year Review. The Planning Commission recommended denial on 07/25/02, citing the incompatibility of the signs with new development in the area.
03/19/03	The City Council approved a Site Development Plan Review (SDR-1527) for a 88,372 square-foot athletic/fitness club with retail uses on the northern portion of the site. The Planning Commission and staff recommended approval on 02/13/03.
07/16/03	The City Council approved a Variance (VAR-2292) to allow a proposed 65-foot tall off-premise advertising (billboard) sign on this site where 40 feet is the maximum height permitted and a Special Use Permit (SUP-2291) for a proposed 65-foot tall, 14-foot by 48-foot off-premise advertising (billboard) sign. The Planning Commission and staff recommended denial.
09/07/05	The City Council approved a Review of Condition (ROC-8320) of Condition Number 11 of an approved Site Development Plan Review (SDR-1527) to allow approval of a required Master Sign Plan by the Planning Commission only where both Planning Commission and City Council are required to approve in conjunction with a Health Club. Staff recommended approval of the subject case.
11/16/05	The City Council approved a Master Sign Plan (MSP-8319) for a proposed commercial development on 14.09 acres at 1725 North Rainbow Boulevard. The Planning Commission and staff recommended denial.
04/13/06	The Planning Commission approved a Site Development Plan (SDR-11443) for a proposed parking lot on 14.09 acres at 1725 North Rainbow Boulevard. Staff recommended Denial.
04/27/06	The Planning Commission approved a Tentative Map for a one lot commercial subdivision on this site.
Pre-Application Meeting	
11/28/06	At the pre-application meeting, the applicant was informed about the landscape requirements and the need for a waiver adjacent to a drainage easement on site. The applicant was also informed that all walls above five feet must be set back behind the required 10-foot setback line. Additionally, the applicant was informed about ADA requirements for the building.
Neighborhood Meeting	
A neighborhood meeting is not required for this application type, nor was one held.	

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March 8, 2007 - Planning Commission Meeting

Details of Application Request	
Site Area	
Gross Acres	14.09
Net Acres	13.2

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Las Vegas Athletic Club	SC (Service Commercial)	C-1 (Limited Commercial)
North	Hotel	SC (Service Commercial)	C-2 (General Commercial)
South	Go-Cart Facility	SC (Service Commercial)	C-1 (Limited Commercial)
East	Single-Family Residences/ Tavern/Undeveloped/ Convenience store	SC (Service Commercial)/ ML (Medium-Low Density Residential)	-CL (Residential Compact-Lot)/ U (Undeveloped) [ML (Medium Low Density Residential) General Plan Designation]
West	U.S. Highway 95/ Apartments	R-O-W/ M (Medium Density Residential)	R-O-W/ R-3 (Medium Density Residential)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts	X		
A-O Airport Overlay District 175-foot	X		Y
Billboard Exclusionary Zone – exempt area	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

Billboard Exclusionary Zone

The subject property is located within the Billboard Exclusionary Zone. However, any off-premise sign located within 660 feet of the Oran K. Gragson Highway (U.S. 95), including the signs on the subject property, is exempt from the prohibition.

Airport Overlay District

The site is also located within the Airport Overlay District. None of the structures on the site exceeds the 175-foot maximum height limit as shown on the Airport Overlay Map; therefore, no action is required.

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March 8, 2007 - Planning Commission Meeting

There are no special area plans, notifications, or required trail alignments associated with the subject site.

DEVELOPMENT STANDARDS

Per Title 19.08 the following development standards apply to this request:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	13.2 ac	N/A
Min. Lot Width	100 Feet	1,290 Feet	Y
Min. Setbacks			
• Front	20 Feet	260 Feet	Y
• Side	N/A	N/A	N/A
• Corner	15 Feet	180 Feet	Y
• Rear	20 Feet	70 Feet	Y
Min. Distance Between Buildings	N/A	N/A	N/A
Max. Lot Coverage	50%	24.8%	Y
Max. Building Height	N/A	54.75 Feet	N/A
Trash Enclosure	N/A	N/A	N/A
Mech. Equipment	Screened	Screened	Y

Please note the applicable code section here (Title 19.12)

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces	27 Trees	41 Trees	Y
Buffer:				
Min. Trees	1 Tree/30 Linear Feet	43 Trees	62 Trees	Y
TOTAL		70 Trees	103 Trees	Y
Min. Zone Width	15 Feet		15.75 Feet	Y
Wall Height	N/A		N/A	N/A

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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	80,000 sq. ft.	1:300	260	7	364	9	Y
Future Pad	6,000	1:200 & 1:175*	31	2			Y
TOTAL (including handicap)			291		375	9	Y
Loading Spaces			4		5		Y

* A medical office is the highest parking ratio office use; therefore, it has been used for the purpose of calculating the worst case scenario parking total.

Zoning & Land-use:

The proposed development is located along Vegas Drive and Rainbow Boulevard, both of which are listed as 80-foot secondary collector streets in the Master Plan of Streets and Highways. The proposed office and future office pad site are permitted uses within the C-1 zoning district. This office development is also consistent with the adjacent land uses along Rainbow Boulevard which are also commercial or undeveloped.

A prior Site Development Plan Review was approved by the Planning Commission to retroactively approve an illegally constructed parking lot without the necessary land-use approvals. To date, the applicant has failed to meet the conditions of approval for SDR-11443. Specifically, the applicant has failed to comply with:

3. The conceptual landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a 24-inch box California Pepper and a 24-inch Blue Palo Verde alternating a maximum of 20 feet on-center and a minimum of four, five gallon shrubs for each tree within provided planters. The eastern planter may be a minimum of 10 feet in width.
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. The landscape plan shall include irrigation specifications. The proposed 125 percent for new interior landscaping shall be dispersed throughout both existing and the new lot.

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8. The chain link fencing shall be vinyl coated subject to approval of Planning and Development staff.

NOTE: An illegal car wash is being conducted on a daily basis at this site by a mobile car wash operator. Code enforcement was contacted on 03/05/07 to investigate this issue.

Site Plan:

The proposed development consists of an 80,000 square-foot office building, a 6,000 square-foot pad site and a three-level parking structure and 155 surface parking stalls on the Las Vegas Athletic Club site. The 80,000 square-foot building is located at the southwest portion of the site, adjacent to US-95. The parking structure will be located south of the proposed office building and will be below the grade of Vegas Drive as Vegas Drive elevates over US-95.

Landscape Plan:

The landscape plan shows the perimeter landscape buffer has 25-foot tall Chitalpa and Mexican Fan Palm Trees spaced 20 Feet on center where 30 feet on center is the standard. Throughout the site there are 105 proposed trees including the building foundation trees. The landscape plan also identifies nine species of shrubs and ground cover with a total of 236 shrubs and 900 ground cover plantings. The site will also comply with the perimeter landscape buffer width of 15 feet by using landscape planting areas no less than 15 feet, eight inches to as much as 60 feet at the corner of Vegas Drive and Rainbow Boulevard.

Elevation Plan:

The elevation plans show a three-story office building with a maximum height of 54 feet, eight inches. Both the office building and the parking structure greatly exceed the residential adjacency standards as there are no residential properties abutting this parcel. The office building is constructed of tilt-up panels with stone veneer at the base of the building. The windows are a typical storefront glazing at on the ground floor. The windows between the second and third floors are connected windows not separated by any stone or concrete trim. At the top of the second/third story window is a metal awning. The parapet is capped with a metal trim, which is painted in a medium toned gray. Below the parapet is a band of Sherwin Williams 2018, Pink Beige, which is a light-colored, warm-toned brown with slight pink tone. The field of the building is painted Sherwin Williams 7006, Extra White, which is a very light colored gray. The entire first floor of the building is faced with ledge stone with warm-toned colors typically found in a desert landscape. The window and awning color is Sherwin Williams, 1233 Elite Gray, which is a dark gray. The parking structure is three-levels and has a maximum height of 36 feet and has recessed openings that are faced with metal framed mullions and a steel mesh screen, which is designed to make the parking structure appear more like a building.

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March 8, 2007 - Planning Commission Meeting

FINDINGS

The following findings must be made for an SDR:

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

The proposed office building is compatible with the adjacent development. The three stories of the building and parking structure are mitigated by the elevation of Vegas Drive above the grade of the site.

- 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 General Plan designation of SC (Service Commercial) and the C-1 (Limited Commercial) zoning on this site allows for office and retail uses. This site complies with Title 19 requirements and is consistent with other development located along Rainbow Boulevard.

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

The proposed site is located along Vegas Drive and Rainbow Boulevard, both of which are designated as 80-foot Secondary Collector Streets on the Master Plan of Streets and Highways and these streets should be able to adequately service the proposed development.

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

The building materials are appropriate for the area and for the city. The landscaping for the site exceeds Title 19 standards.

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

The building is attractively designed and has a high-level of detail through the use of ledgerstone, metal trimmed parapets, metal awnings, and a metal screen disguising the parking structure.

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March 8, 2007 - Planning Commission Meeting

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

The proposed development should not have a negative impact upon the public health, safety and general welfare of the City of Las Vegas as the development will undergo inspections.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 34

SENATE DISTRICT 3

NOTICES MAILED 335

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-19276** APN: 138-22-803-001 (A PORTION OF)

Name of Property Owner: JERDAX

Name of Applicant: _____

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

☐ Yes

☒ 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: *Andrew Palluck*

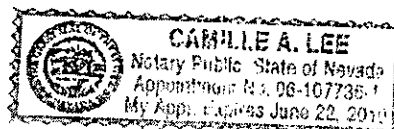
Print Name: ANDREW PALLUCK

Subscribed and sworn before me

This 9th day of January, 20 07

Camille Lee

Notary Public in and for said County and State



PROPOSED SITE

EXISTING SITE

EXISTING LVAC

FEB 04 2007

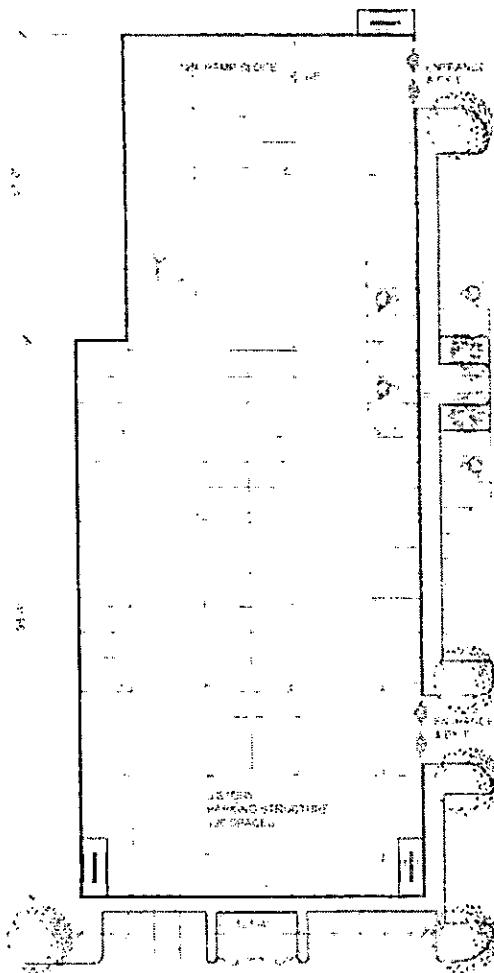
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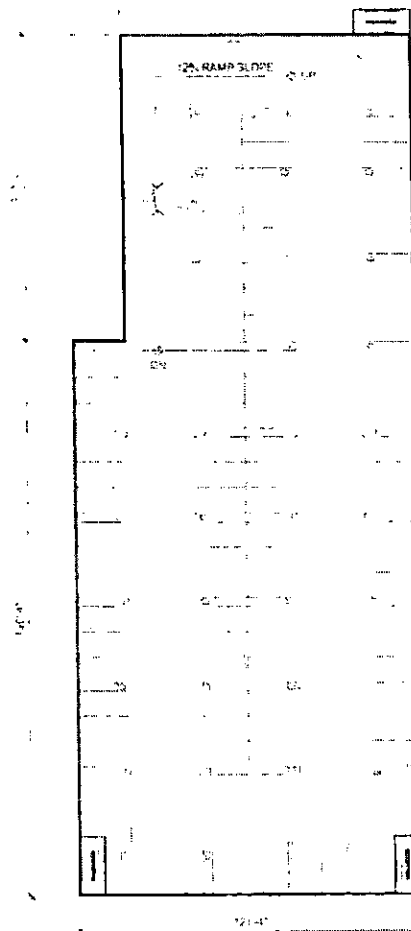
SDR-19276
REVISED
03/08/07 PC

10180 COVINGTON CROSS DRIVE
LAS VEGAS, NV 89144
PHONE: (702) 731-2000
FAX: (702) 731-2030
WWW.JMAARCH.COM

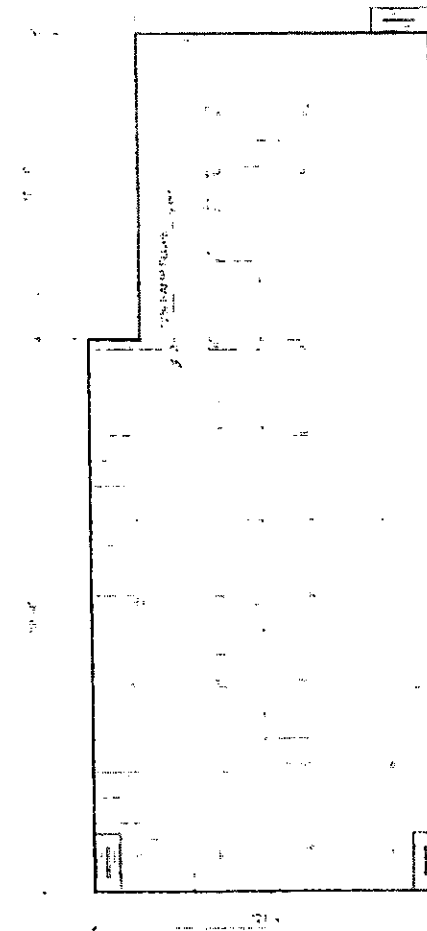
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1ST LEVEL



2ND LEVEL



3RD LEVEL

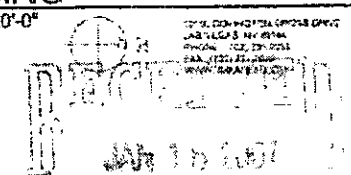
LVAC OFFICE BUILDING

LAS VEGAS, NEVADA

PARKING STRUCTURE PLANS

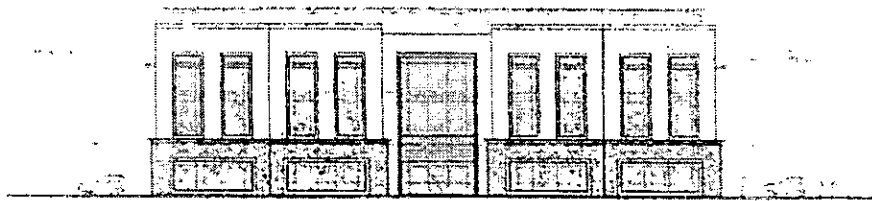
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SDR-19276
03/08/07 PC

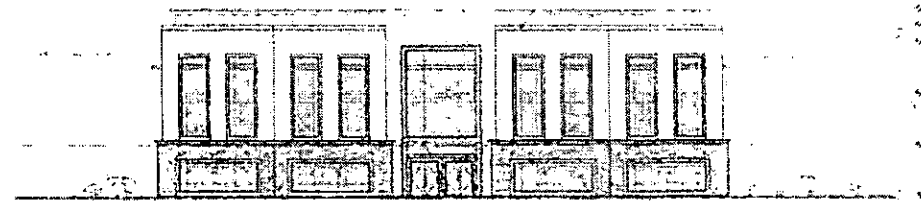


Date: Jan 17 2007

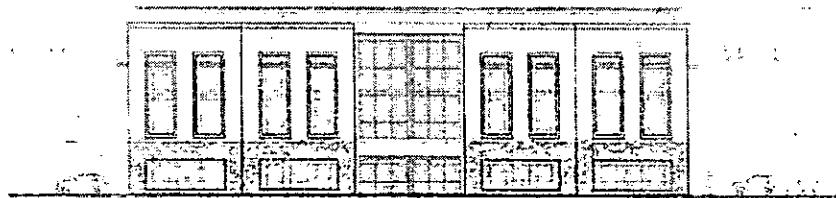
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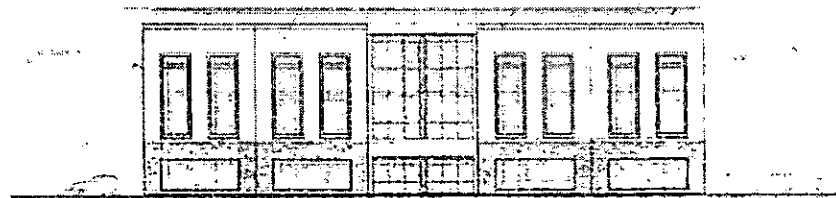
WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

LVAC OFFICE EXPANSION

LAS VEGAS, NEVADA

EXTERIOR ELEVATIONS

SCALE: 1/16"=1'-0"

jma

JMA & 2008-73

1000 WASHINGTON DRIVE SUITE 100
LAS VEGAS, NV 89104

Date Out: 15, 2008

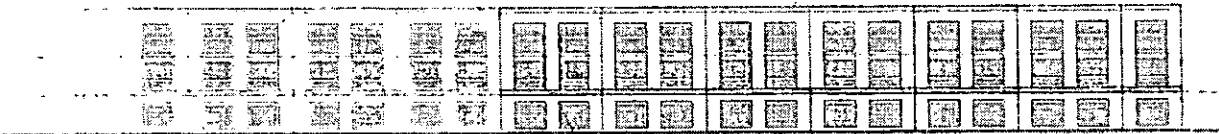
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JAN 15 2008

SDR-19276
03/08/07 PC

DR04



NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION



EAST ELEVATION

jma

LVAC OFFICE EXPANSION

LAS VEGAS, NEVADA

PARKING STRUCTURE ELEVATIONS

SCALE: 1/16"=1'-0"

JMA # 200617

10000 S. W. 10TH AVENUE, SUITE 100
LAS VEGAS, NV 89135
PHONE: (702) 735-1000
FAX: (702) 735-1001
WWW.JMA-ARCHITECTS.COM

Date: Dec. 15, 2006

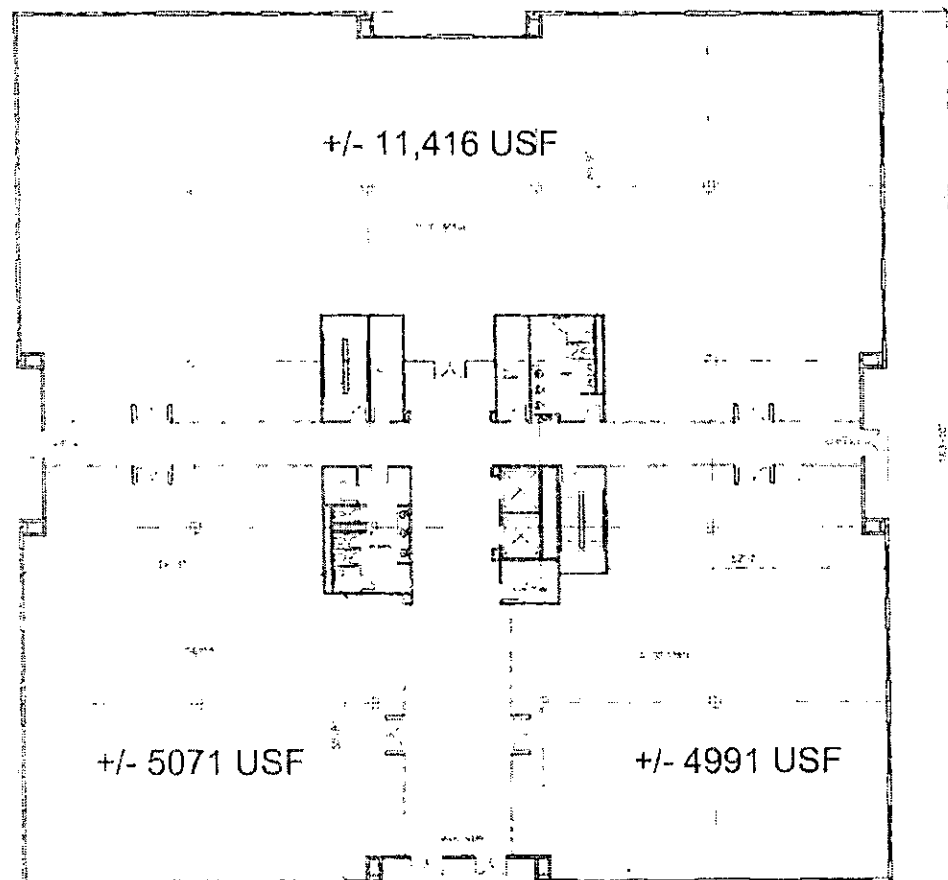
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SDR-19276

03/08/07 PC

10000 S. W. 10TH AVENUE, SUITE 100
LAS VEGAS, NV 89135
PHONE: (702) 735-1000
FAX: (702) 735-1001
WWW.JMA-ARCHITECTS.COM

JAN 15 2007



GROUND FLOOR PLAN

LOBBY - 977 SF
 UTILITY - 1,750 SF
 CORRIDOR - 1,852 SF
 RENTABLE SPACE - 21,478 SF
 LEVEL GROSS AREA - 26,057 SF

MAX. OCCUP.

26,057 SF FOR BLDG./
 100 O.L.F. FOR 'B' OCCUP. = 260 MAX

1ST FLOOR PLAN

LVAC OFFICE BUILDING

LAS VEGAS, NEVADA

SDR-19276
03/08/07 PC

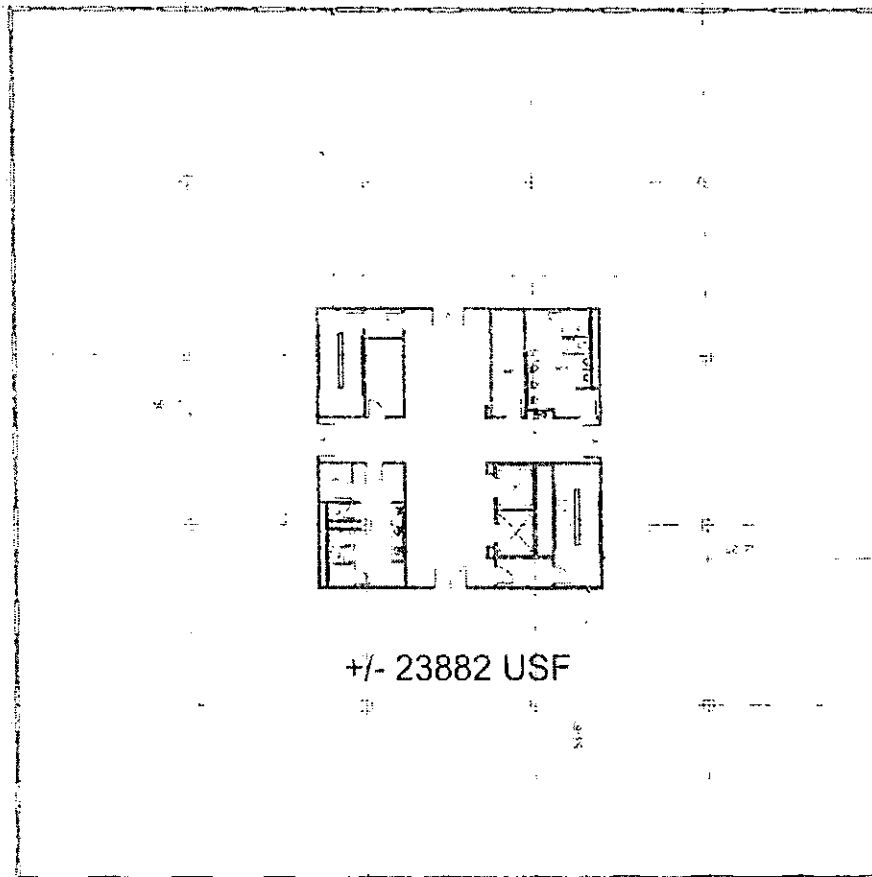
SCALE: 3/32" = 1'-0"

RECEIVED
 JAN 16 2007

JAN 16 2007

Date: Jan 17, 2007

DR-02



SECOND AND THIRD FLOOR PLANS

UTILITY - 1,669 SF
CORRIDOR - 965 SF
RENTABLE SPACE - 23,882 SF
LEVEL GROSS AREA - 26,516 SF

MAX. OCCUP.

26,057 SF FOR BLDG /
100 O.L.F. FOR 'B' OCCUP. = 260 MAX

+/- 23882 USF

LVAC OFFICE BUILDING

LAS VEGAS, NEVADA

2ND AND 3RD FLOOR PLANS

SCALE 1/8" = 1'-0"

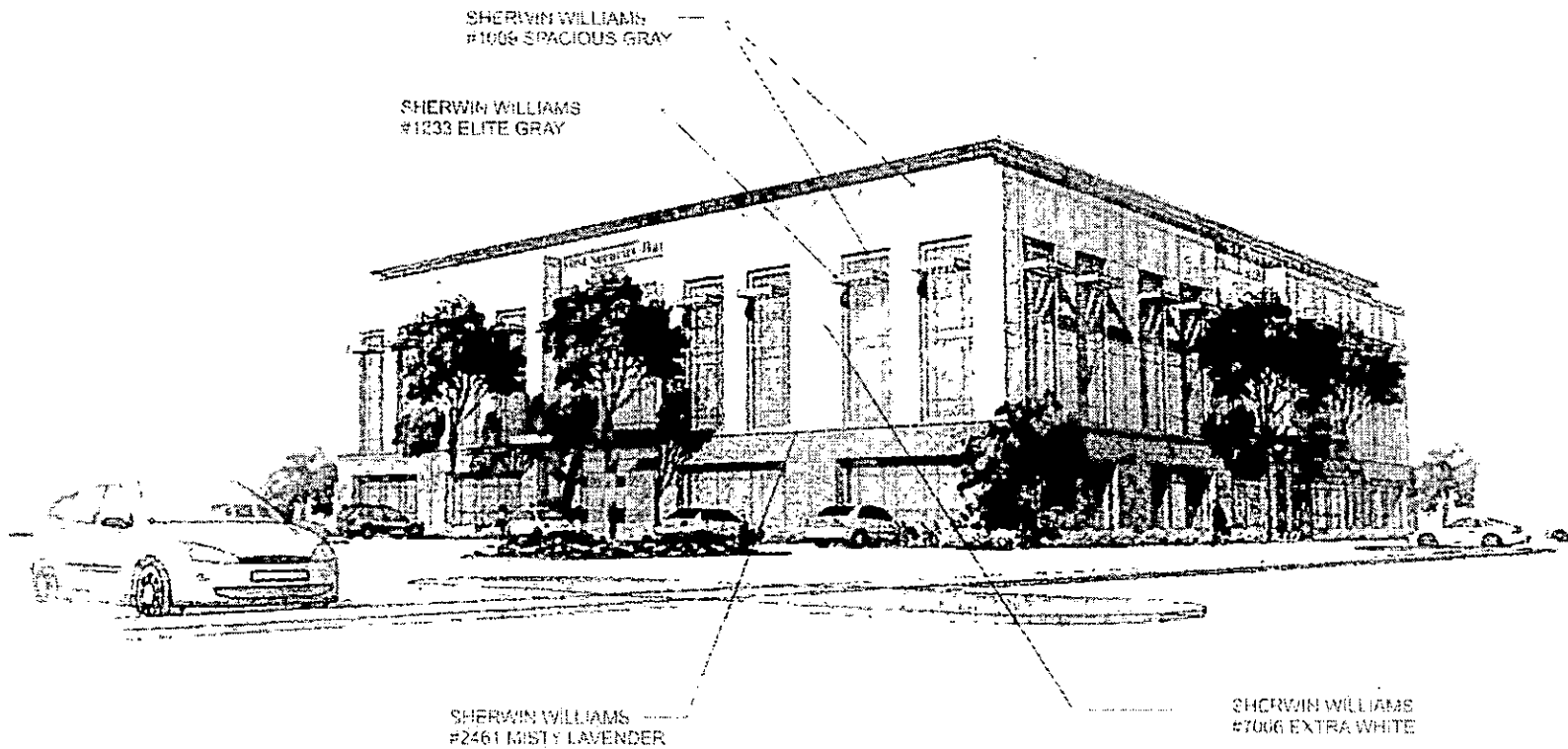
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SDR-19276
03/08/07 PC

Date: Jan 17, 2007

DR-03



LVAC OFFICE EXPANSION

PERSPECTIVE

Las Vegas, Nevada

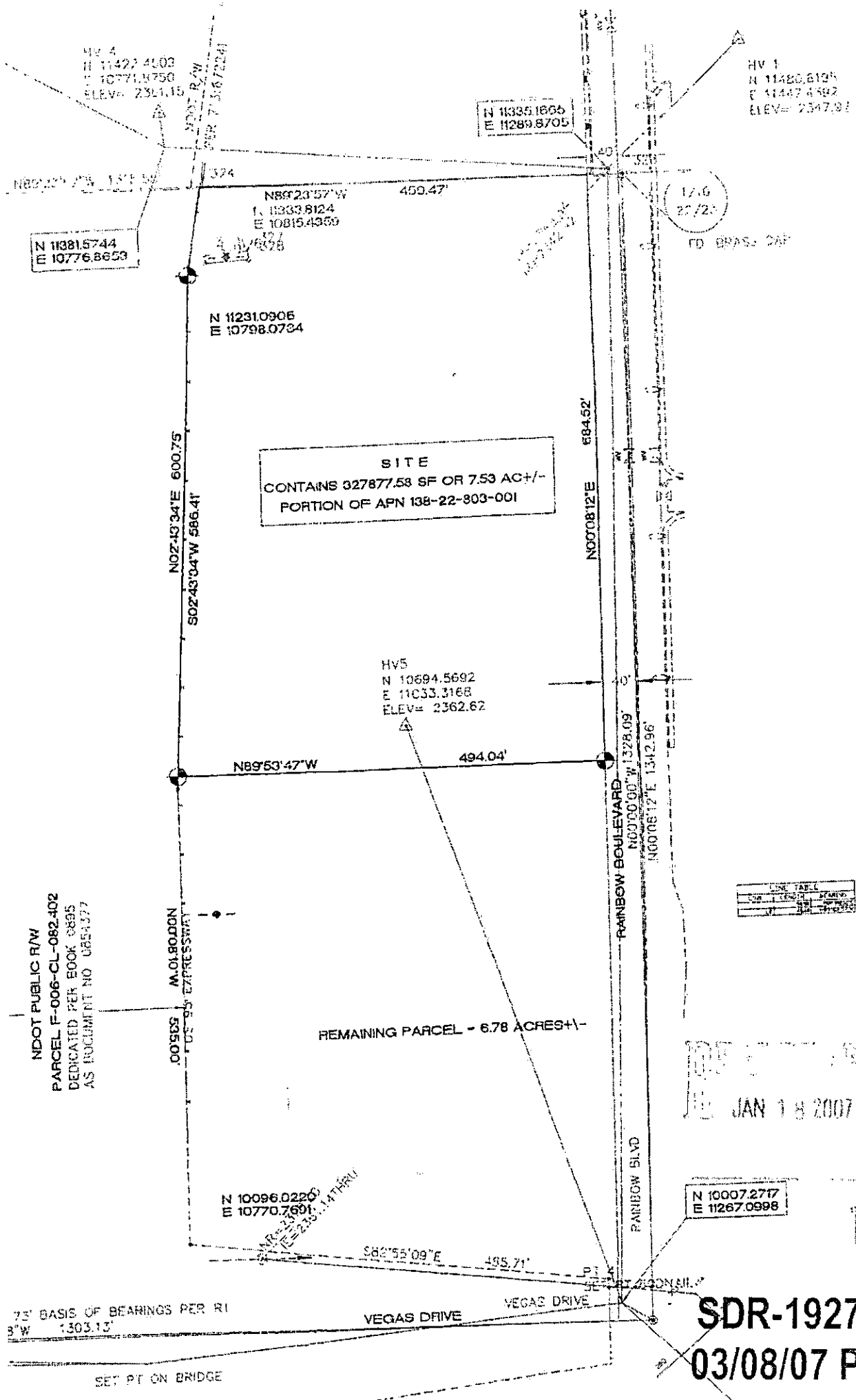
SDR-19276
03/08/07 PC

Project #

RECEIVED
JAN 18 2007

Date: 1-18-07

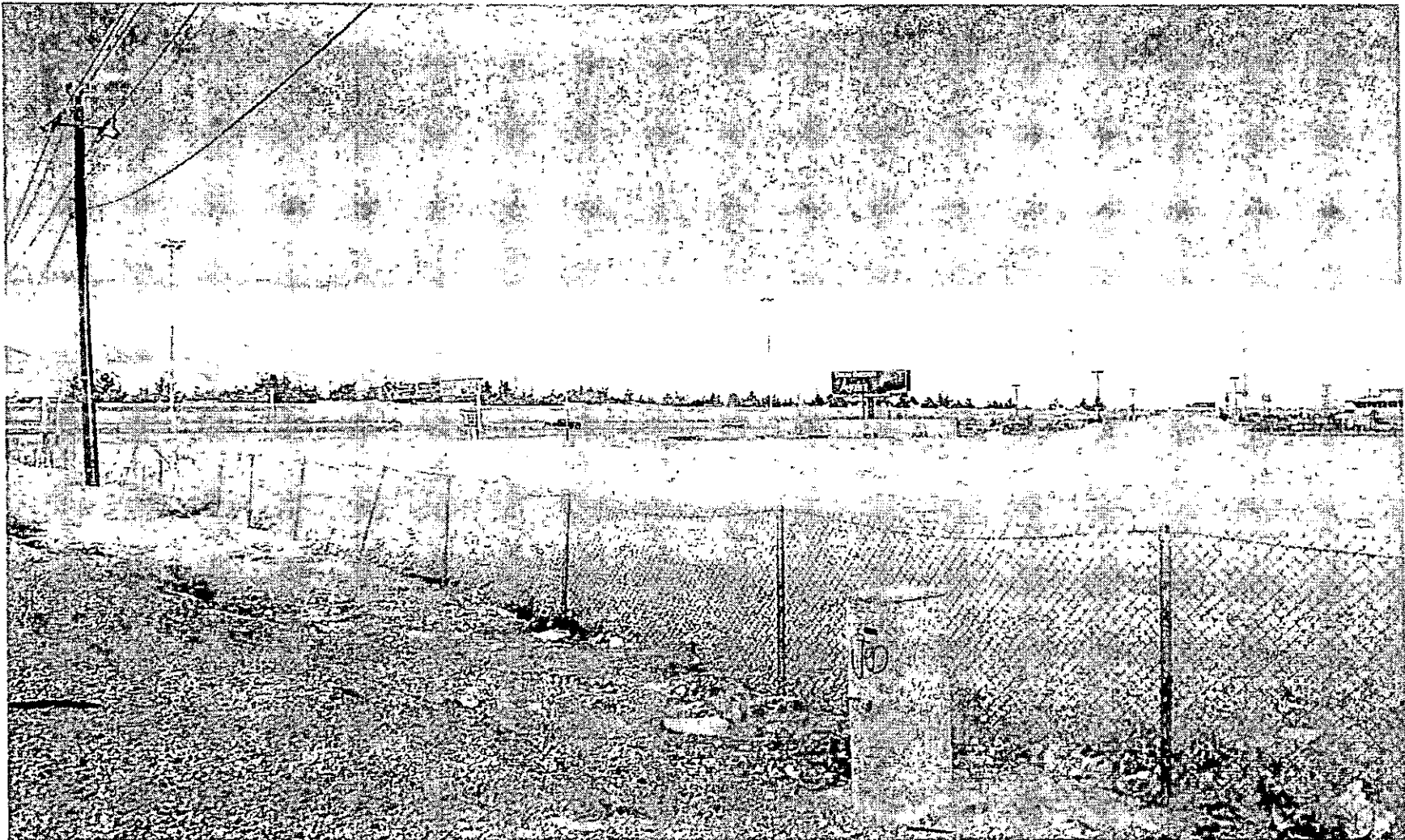
Date





SDR-19276 - APPLICANT/OWNER: JERMAC
1725 NORTH RAINBOW BOULEVARD
MARCH 8, 2007 PLANNING COMMISSION

01/31/07



SDR-19276 - APPLICANT/OWNER: JERMAC
1725 NORTH RAINBOW BOULEVARD
MARCH 8, 2007 PLANNING COMMISSION

01/31/07

jma

January 17, 2007

City of Las Vegas
Current Planning Division
Development Services Center
731 South 4th Street
Las Vegas, NV 89101

Re: Office Building at Vegas Drive and Rainbow Boulevard
Justification Letter / Project Description
JMA No. #2006171

Apri: #138-22-803-001

Dear Sir or Madam:

We are requesting a Site Development Plan Review for the development of a three story office building and parking garage. The project consists of approximately 80,000 gross square feet of office space. This project is located at 1725 N. Rainbow Boulevard. The General Plan designation is Service Commercial and the Zone is C-1.

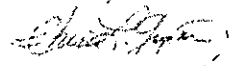
Contemporary materials are used on the building exterior, which include various colors of smooth finish stucco, stone veneer and glass wall system with high performance low E reflectivity not to exceed 22%.

The parking requirement for this project is 297 spaces. The project provides 395 spaces.

If you should have any questions regarding this application, please do not hesitate to call our office.

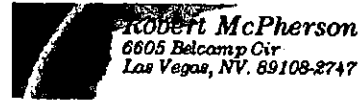
Thank you.

Sincerely,



Cheryl L. Guzman
Senior Designer
Environmental Coordinator

SDR-19276
03/08/07 PC



6605 Belcamp Circle
Las Vegas, NV 8910

March 2, 2007

Planning and Development Dept.

Planning Commission

731 South Fourth St.

Las Vegas, NV. 89101

SDR 19276

This is an Objection to the proposed three story Office building and three level parking garage on the 13.2 Acres at 1725 North Rainbow Boulevard (a portion of APN 136 22 803 001).

The structures, as proposed, are too high to blend in with the neighborhood of one and two story homes in the area. Traffic will increase on Rainbow Blvd which is only a two travel lane street with a turn lane in the

Submitted after final agenda

Date 3/8/07 Item # 27

ITEM # 27
CASE # SDR-19276
PC MTG 3-8-07

P

(2)

middle. Currently Rainbow is
a heavy Traffic Area.

Thank you for your Consideration.

Robert B. McPherson

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

SDR-19352 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING -
APPLICANT/OWNER: GREYMOUTH, LLC - Request for a Site Development Plan Review
 FOR A PROPOSED 48-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT on 2.25
 acres at 2380 Searles Avenue (APN 139-26-508-016), C-2 (General Commercial) Zone Under
 Resolution of Intent to R-3 (Medium Density Residential) Zone; Ward 3 (Reese).

C.C.: 04/04/07

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the March 22, 2007 Planning Commission meeting.

BACKUP DOCUMENTATION:

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

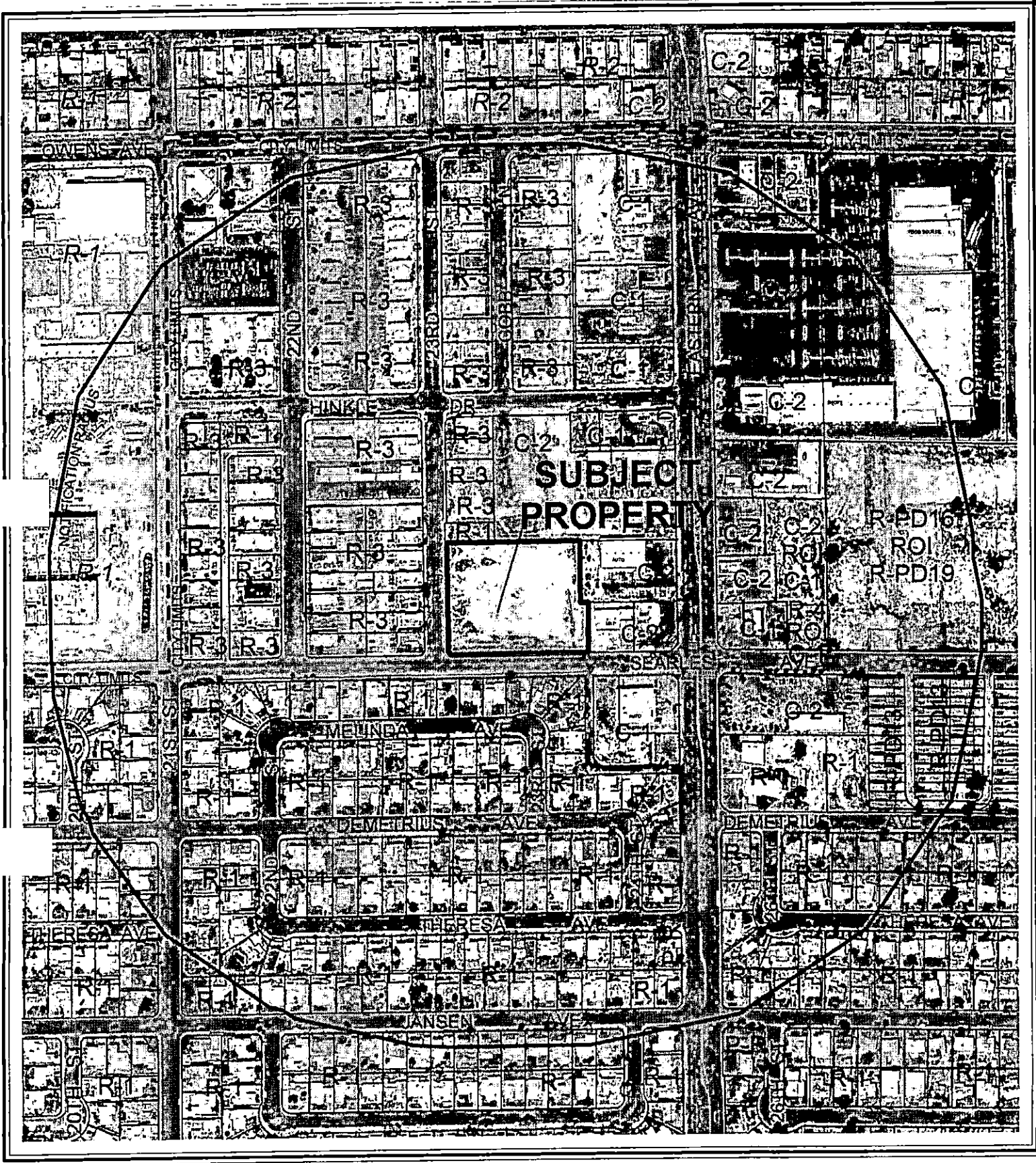
MOTION:

GOYNES – TABLE Item 4 [SDR-19357]; HOLD IN ABEYANCE Item 1 [ANX-19110], Item 20 [WVR-19784], Item 21 [SUP-19359], Item 22 [SDR-19363], Item 28 [SDR-19352] and Item 29 [TXT-19240] to 3/22/2007; and HOLD IN ABEYANCE Item 12 [GPA-19066], Item 13 [ZON-18923], Item 14 [VAR-18924], Item 15 [VAR-19609] and Item 16 [SDR-18925] to 4/12/2007 – UNANIMOUS

MINUTES:

JOHN KORKOSZ, Planning and Development Department, stated that Item 1 [ANX-19110], Item 28 [SDR-19352] and Item 29 [TXT-19240] had been requested to be held to the 3/22/2007 Planning Commission Meeting.

(6:02 – 6:06)



CASE: **SDR-19352**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL) UNDER RESOLUTION OF INTENT TO R-3
(MEDIUM DENSITY RESIDENTIAL)

0 300 600 Feet



City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 8, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-19352 - OWNER/APPLICANT: GREYMOUTH, LLC

**APPLICANT REQUESTS THIS ITEM BE HELD IN
ABEYANCE TO THE MARCH 22, 2007 PLANNING
COMMISSION MEETING**

Greymouth, LLC

3320 Sunrise Ave., Suite 101 Las Vegas, Nevada 89101
(702) 452-0300 Fax 452-3310

March 2, 2007

City of Las Vegas Planning & Development

Re: Case #: SDR-19352

Fax #: 385-7268

To Whom It May Concern:

Would you please re-schedule the hearing for the above case number from March 8th to March 22.

Should you have any questions feel free to call.
Respectfully,



Greymouth, LLC
C/o/ A.G. Robins
2261 Rosanna Street
Las Vegas, Nevada 89117
(702) 228-0837



STATEMENT OF FINANCIAL INTEREST

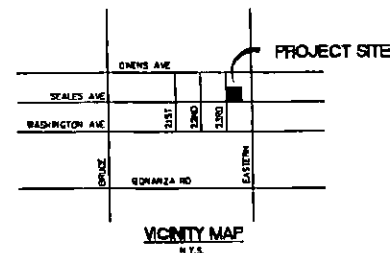


LEGEND

SQ. FT.	SQUARE FEET
APN	ASSESSOR'S PARCEL NUMBER
R/W	RIGHT OF WAY
---	SETBACK LINE
---	ADJACENT PROPERTY LINE
---	OWNER LINE
---	PROPERTY LINE
---	LANDSCAPE BUFFER
[Symbol]	COVERED PARKING SPACES

APN 126-26-508-008
DOCUMENT NO. 20021004.009270
ZONING R-1
N.A.P.

APN 126-26-508-008
DOCUMENT NO. 20021004.009270
ZONING C-2
N.A.P.



BASE OF BEARING

BEARS THE CENTERLINE OF SEARLES AVENUE
BEARING 5 DE 241.37 W AS SHOWN FOR
RECORD OF SURVEY BOOK 108, PAGE 86 IN
CLARK COUNTY RECORDERS OFFICE NEVADA.

LEGAL DESCRIPTION

THAT PORTION OF THE NORTHEAST QUARTER ONE (1) OF SECTION 28, TOWNSHIP 20 SOUTH, RANGE 41 EAST, N 43E, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST (NE 1/4) OF SAID SECTION 28, THENCE SOUTH 89°14'15" WEST ALONG THE SOUTH LINE THEREOF, ALSO BEING THE CENTERLINE OF SEARLES AVENUE (40 OR FEET WIDE) A DISTANCE OF 380.00 FEET; THENCE DEPARTING SAID SOUTH LINE AND CENTERLINE OF SEARLES AVENUE NORTH 00°45'15" WEST A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID SEARLES AVENUE AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°45'15" WEST A DISTANCE OF 118.00 FEET; THENCE SOUTH 89°14'15" WEST A DISTANCE OF 20.00 FEET; THENCE NORTH 00°45'15" WEST A DISTANCE OF 180.00 FEET; THENCE SOUTH 89°14'15" WEST A DISTANCE OF 124.53 FEET TO A SAID EASTERN RIGHT-OF-WAY OF 1200 STREET (80.00 FEET WIDE); THENCE SOUTH 00°20'37" EAST ALONG SAID EASTERN RIGHT-OF-WAY LINE A DISTANCE OF 370.48 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 1500 FEET; THENCE ALONG THE ARC TO SAID CURVE THROUGH A CENTRAL ANGLE OF 89°53'04" AND ARC LENGTH 112.86 FEET TO A POINT IN THE NORTHERLY RIGHT-OF-WAY OF THE aforementioned SEARLES AVENUE; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY NORTH 89°24'13" EAST A DISTANCE OF 340.82 FEET TO THE TRUE POINT OF BEGINNING.

APN 126-26-508-018

AREA

NET AREA = 88,541 SQ. FT. 2.21 AC.
GROSS AREA = 118,484 SQ. FT. 2.72 AC.

OWNER

ROSEB A C
1241 S ROSANA STREET
LAS VEGAS, NV
(702) 271-1568

FLOOD ZONE INFORMATION

THIS PROPERTY IS LOCATED IN A FLOOD ZONE DESIGNATION "X", DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD AND FLOOD ZONE DESIGNATION "A1" DETERMINED TO BE WITH NO BASE FLOOD ELEVATIONS DETERMINED. AS SHOWN PER FEMA FLOOD INSURANCE RATE MAP NO. 22003C018 C, EFFECTIVE DATE SEPTEMBER 30, 2002.

R-3 ZONING RESTRICTIONS

FRONT SETBACK - 20 FEET
REAR SETBACK - 20 FEET
SIDE SETBACK - 5 FEET
BULGING PORCH - 5 FEET
BUILDING HEIGHT - 35 FEET MAX
TOTAL NUMBER OF UNITS - 30 UNITS
GROSS AREA - 2.72 ACRES
DENSITY - 10.35 UNITS/ACRE

PARKING REQUIREMENTS

22 - 3 BEDROOM UNITS (2 SPACES/UNIT) = 44 SPACES
38 - 2 BEDROOM UNITS (2.5 SPACES/UNIT) = 95 UNITS
VISITOR, 1 PER 8 UNITS = 6 SPACES
TOTAL REQUIRED 105 SPACES (A NO SPACES/UNIT)
PROVIDED: 103 SPACES

RECEIVED

FEB 26 2007

SDR-19352
REVISED
03/08/07 PC

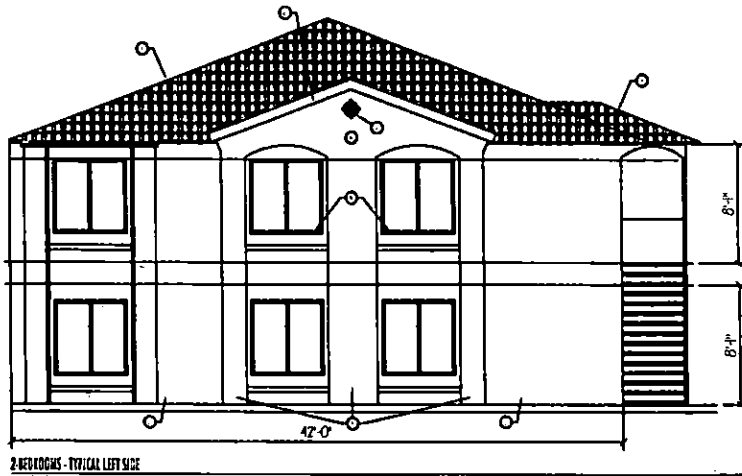
SEARLES FOURPLEXES
SITE PLAN

2380 SEARLES AVENUE

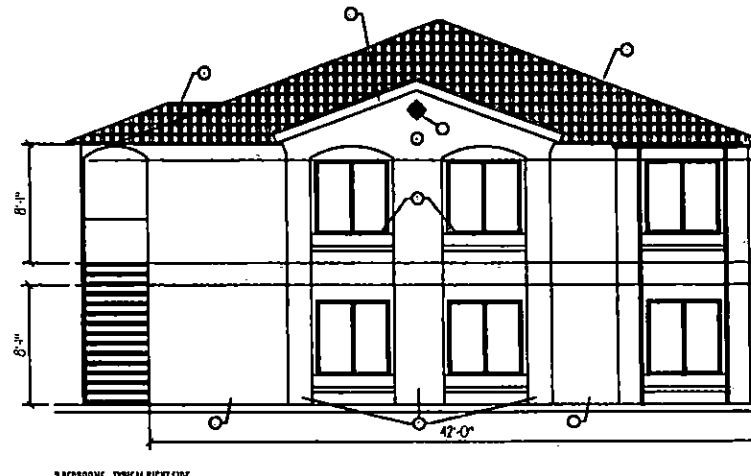
SHEET A

8

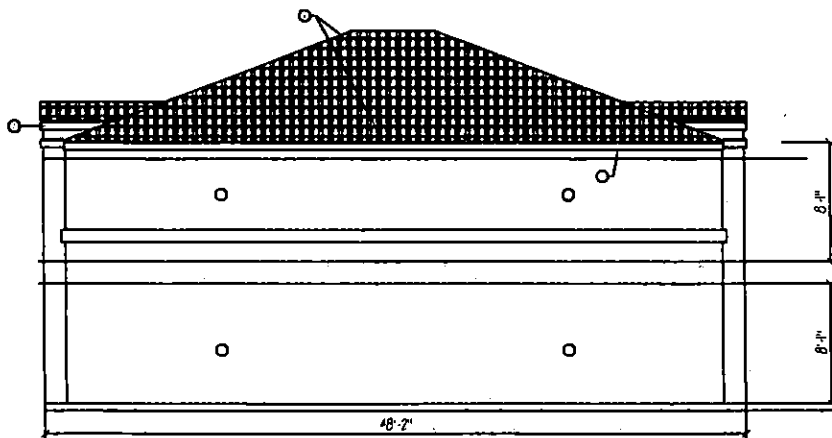
EXTERIOR ELEVATION LEGEND	
○	1. EXTERIOR WALL FINISH - SEE SPECIFICATIONS
○	2. EXTERIOR WALL FINISH - SEE SPECIFICATIONS
○	3. EXTERIOR WALL FINISH - SEE SPECIFICATIONS
○	4. EXTERIOR WALL FINISH - SEE SPECIFICATIONS
○	5. EXTERIOR WALL FINISH - SEE SPECIFICATIONS
○	6. EXTERIOR WALL FINISH - SEE SPECIFICATIONS
○	7. EXTERIOR WALL FINISH - SEE SPECIFICATIONS
○	8. EXTERIOR WALL FINISH - SEE SPECIFICATIONS
○	9. EXTERIOR WALL FINISH - SEE SPECIFICATIONS
○	10. EXTERIOR WALL FINISH - SEE SPECIFICATIONS



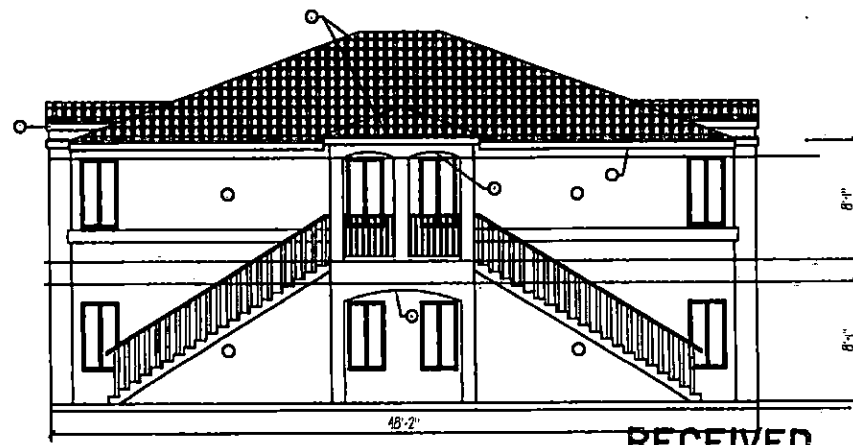
2-BEDROOMS - TYPICAL LEFT SIDE
03/08/07



2-BEDROOMS - TYPICAL RIGHT SIDE
03/08/07



2-BEDROOMS - REAR ELEVATION
03/08/07



2-BEDROOMS - FRONT ELEVATION
03/08/07

RECEIVED

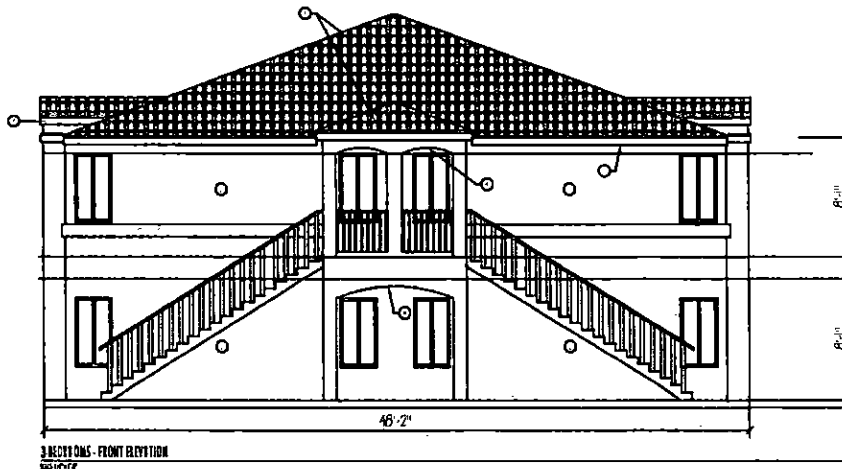
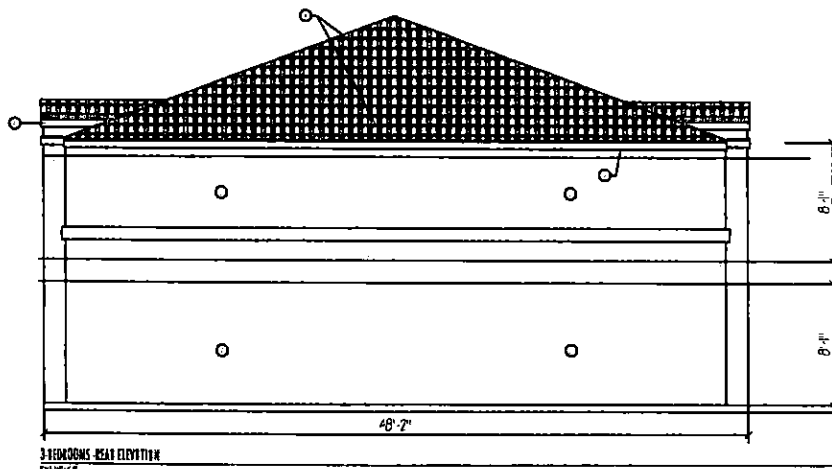
JAN 23 2007

SEARLES AVENUE APARTMENTS 2-BEDROOMS-ELEVATIONS

A4.02

SDR-19352
03/08/07 PC

EXTERIOR ELEVATION LEGEND	
○	1. 2" x 4" VERTICAL SLAT
○	2. 2" x 4" HORIZONTAL SLAT
○	3. 2" x 4" VERTICAL SLAT
○	4. 2" x 4" HORIZONTAL SLAT
○	5. 2" x 4" VERTICAL SLAT
○	6. 2" x 4" HORIZONTAL SLAT
○	7. 2" x 4" VERTICAL SLAT
○	8. 2" x 4" HORIZONTAL SLAT
○	9. 2" x 4" VERTICAL SLAT
○	10. 2" x 4" HORIZONTAL SLAT

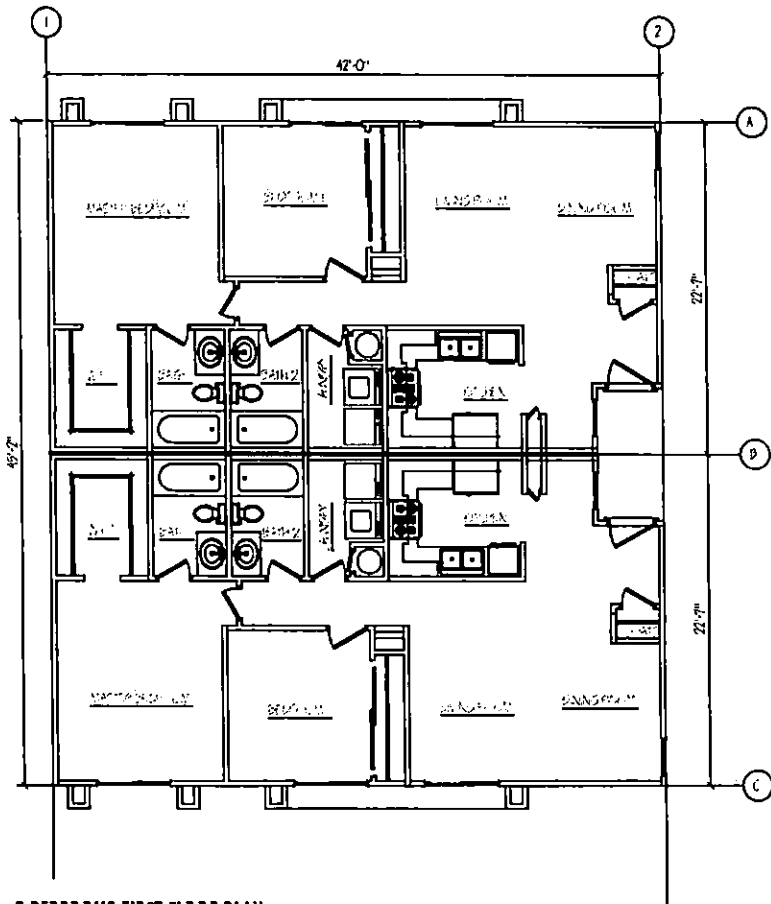


SEARLES AVENUE APARTMENTS
3-BEDROOMS-ELEVATIONS

A4.03

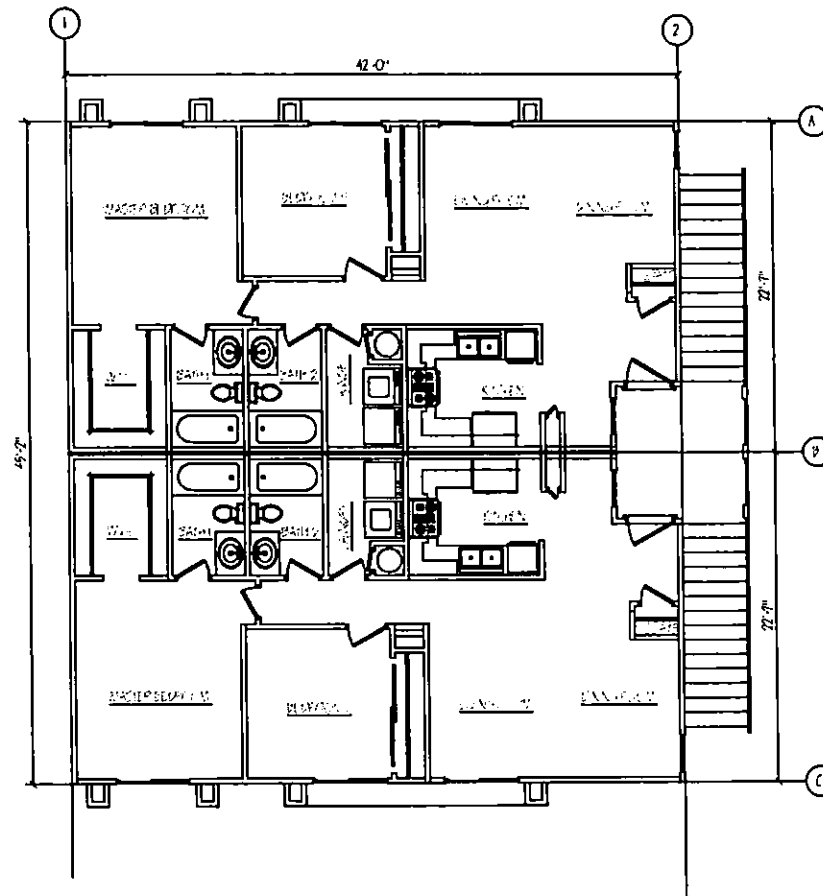
SDR-19352
03/08/07 PC

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JAN 24 2007



2-BEDROOMS-FIRST FLDR PLAN

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



2-BEDROOMS-SECOND FLDR PLAN

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

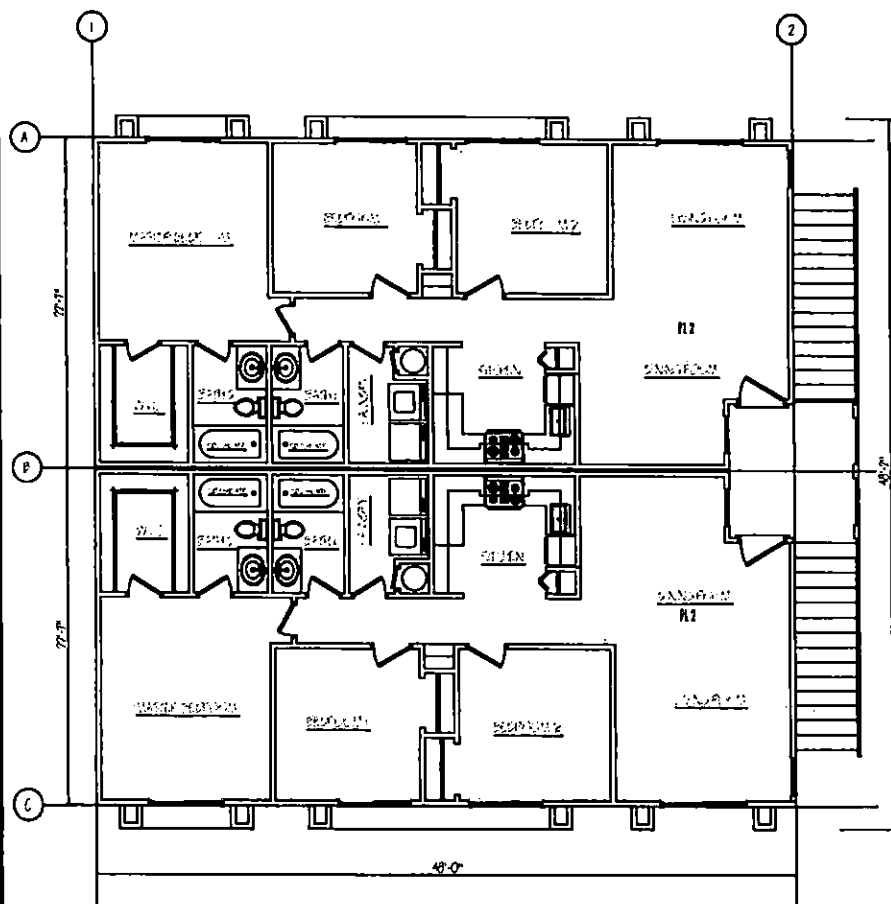
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JAN 23 2007

BEARERS AVENUE APARTMENTS
2-BEDROOMS - FLOOR PLAN

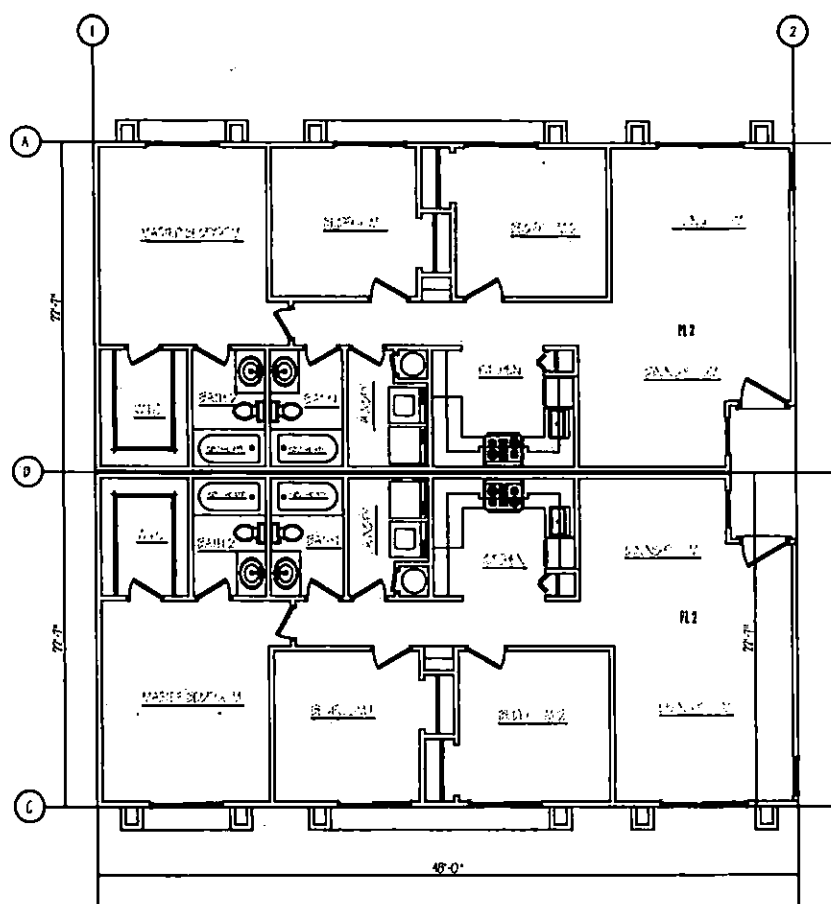
A3.02

SDR-19352
03/08/07 PC



3-BEDROOMS-SECOND FLOOR PLAN

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



3-BEDROOMS-FIRST FLOOR PLAN

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

SEARLES AVENUE APARTMENTS
3-BEDROOMS-FLOOR PLAN

A3.03

RECEIVED

JAN 23 2007

SDR-19352
03/08/07 PC



SDR-19352 - OWNER/APPLICANT: GREYMOUTH, LLC
2380 SEARLES AVENUE
MARCH 8, 2007 PLANNING COMMISSION

01/31/07



SDR-19352 - OWNER/APPLICANT: GREYMOUTH, LLC
2380 SEARLES AVENUE
MARCH 8, 2007 PLANNING COMMISSION

01/31/07



SDR-19352 - OWNER/APPLICANT: GREYMOUTH, LLC
2380 SEARLES AVENUE
MARCH 8, 2007 PLANNING COMMISSION

01/31/07



January 22, 2007

City of Las Vegas
Planning and Zoning Department
731 Fourth Avenue
Las Vegas, NV 89100

**Re: LETTER OF INTENT FOR SITE DESIGN REVIEW
AND A WAIVER OF DEVELOPMENT STANDARDS
APN 139-26-508-016**

The purpose of this letter is to request a Site Design Review and a Waiver of Development Standards, on behalf of the owner, for a proposed multifamily development located at the northeast corner of 23rd Street and Searless Ave, Assessor's Parcel Numbers 139-26-508-016.

The property is zoned Multi-Family Residential R-3. The provided 21.3 units per acre is consistent with R-3 zoning designation.

The properties to the east are developed commercial properties. The properties north on the subject site are currently undeveloped. The property is bordered by 23rd Street to the west, and Searless Avenue to the South, which are fully improved public streets.

The proposed development consists of 12 fourplexes and 2 duplexes, two stories high. Said carports will follow the same design theme as the main structure. Trash enclosures will be screened from public rights-of way. All elevations have architectural detailing around the windows and doors.

A 15-foot landscaping area, including the sidewalk has been provided along the public streets.

Along with the site design review, we respectfully request the following waiver of development standards:

Waiver of Landscape Fingers

Twenty foot minimum, easily accessible outdoor living areas are provided behind and between the buildings for daily recreational use. Also landscape buffer is provided along the public streets, which will enhance the overall appearance not only of the proposed development, but that of the adjacent properties.

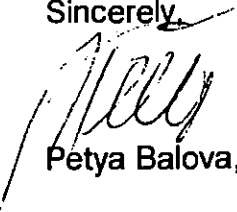
**SDR-19352
03/08/07 PC**

The proposed site plan will not be detrimental to the health, safety or welfare of the community, nor will cause traffic congestion. It will increase the value of the surrounding properties. It is in harmony with the purposes and intent of Title 19.

The owner estimates to start construction upon approval of this application and the following approval of the subsequent items such as, but not limited to, hydraulogy study, traffic stydy, utility analysis and off-site improvement plans for the proposed residential development. Architectural constructioun documents and plans will be started and a building permit applied for. As those are completed, the actual construction can commence. The time frame for this phase is approximately 12 months.

If you require further information, please feel free to contact me at (702) 363-5242.

Sincerely,



Petya Balova, P.E.

SDR-19352
03/08/07 PC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: MARCH 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

TXT-19240 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.18.040 to delete all references to Resolutions of Intent for rezoning applications and to amend rezoning procedures accordingly.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the March 22, 2007 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Conditions and Staff Report
2. Supporting Documentation

MOTION:

GOYNES – TABLE Item 4 [SDR-19357]; HOLD IN ABEYANCE Item 1 [ANX-19110], Item 20 [WVR-19784], Item 21 [SUP-19359], Item 22 [SDR-19363], Item 28 [SDR-19352] and Item 29 [TXT-19240] to 3/22/2007; and HOLD IN ABEYANCE Item 12 [GPA-19066], Item 13 [ZON-18923], Item 14 [VAR-18924], Item 15 [VAR-19609] and Item 16 [SDR-18925] to 4/12/2007 – UNANIMOUS

MINUTES:

JOHN KORKOSZ, Planning and Development Department, stated that Item 1 [ANX-19110], Item 28 [SDR-19352] and Item 29 [TXT-19240] had been requested to be held to the 3/22/2007 Planning Commission Meeting.

(6:02 – 6:06) .

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 8, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TXT-19240 - APPLICANT/OWNER: CITY OF LAS VEGAS

**APPLICANT REQUESTS THIS ITEM BE HELD IN
ABEYANCE TO THE MARCH 22, 2007 PLANNING
COMMISSION MEETING**

DRAFT

**CONTENTS AND CONDITIONS
MAY BE CHANGED / ADDED**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 8, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

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

SUBJECT:

TXT-19965 - TEXT AMENDMENT - PUBLIC HEARING – APPLICANT/OWNER:
CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.04, "Permissible Uses," to establish standards for the storage of commercial vehicles.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

1. Conditions and Staff Report
2. Supporting Documentation

MOTION:

TROWBRIDGE – APPROVED subject to conditions – UNANIMOUS

To be forwarded to City Council in Ordinance Form

MINUTES:

CHAIRMAN DAVENPORT declared the Public Hearing open.

JOHN KORKOSZ, Planning and Development Department, explained the purpose of this amendment was to establish standards for the storage of commercial vehicles, such as fleet vehicles. Currently the Code does not address this issue and this amendment would add language allowing and regulating commercial vehicle storage. He recommended approval.

In response to COMMISSIONER TRUESDELL'S request for further explanation, MR. KORKOSZ explained commercial vehicle storage would be permitted in General Commercial (C-2) and Planned Business Park (C-PB) zones through a Special Use Permit whose application process accommodated a review by the Commissioners. In the Commercial Manufacturing (C-

PLANNING COMMISSION MEETING OF MARCH 8, 2007
Planning and Development Department
Item 30 – TXT-19965

MINUTES – Continued:

M) and Manufacturing (M) zones, commercial vehicle storage would be a permitted use because it is considered outside storage. MR. KORKOSZ confirmed COMMISSIONER TRUESDELL'S understanding that this text amendment would give the City to better regulate this use.

DOUG RANKIN, Planning and Development Department, assured COMMISSIONER TRUESDELL that the City's parking standards would remain in effect and confirmed that this text amendment would assist the City in bringing non-conforming properties and uses into conformance.

MR. RANKIN informed COMMISSIONER STEINMAN that automobile dealerships are regulated under a different category in the Code. MARGO WHEELER, Director of Planning and Development Department, concurred and further clarified that this text amendment would prohibit vehicle repair on the site.

CHAIRMAN DAVENPORT declared the Public Hearing closed.

(7:40 – 7:45)

2-281

CONDITIONS:

1. That Title 19.04.010, "Land Use Tables," is hereby amended as follows:

Table 2—Land Use Table Auto & Marine Related

USE	RESIDENTIAL											COMMERCIAL							INDUSTRIAL		
	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MH-P	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
<u>Delivery and Service Vehicle Storage</u>																		S	S	P	P
<u>Description:</u> <u>An area or facility for the storage of service or delivery fleet vehicles that are utilized primarily for the delivery of goods or services within the local area.</u> <u>Minimum Special Use Permit Requirements:</u> <u>All areas used for the parking and storage of vehicles shall be paved.</u> <u>Areas for the parking and storage of vehicles shall be effectively screened so as to not be visible from adjoining properties or public rights-of-way.</u> <u>Lighting shall be shielded from adjacent properties.</u> <u>The use shall not occupy or interfere with any parking spaces that are required for any other existing or proposed uses for which required parking is or will be provided on the site.</u> <u>None of the following activities shall be permitted on site:</u> <u>The repair or servicing of vehicles.</u> <u>The storage or warehousing of goods or merchandise.</u> <u>On-site Parking Requirement:</u> <u>.75 spaces for each employee on the largest shift, plus one space per delivery or service vehicle.</u>																					

PLANNING COMMISSION MEETING OF MARCH 8, 2007
Planning and Development Department
Item 30 – TXT-19965

CONDITIONS – Continued:

2. That Title 19.20.020, "Words and Terms Defined," is hereby amended to include the following:

"Vehicle, Delivery and Service" means a commercial vehicle that is utilized primarily for the delivery of goods or services within the local area.

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: MARCH 8, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TXT-19965 – APPLICANT/OWNER: CITY OF LAS VEGAS

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL

- That Title 19.04.010, "Land Use Tables," is hereby amended as follows:

**Table 2 – Land Use Table
Auto & Marine Related**

LAND USE	U	R-A	R-E	R-D	R-1	R-CL	R-2	R-3	R-4	R-5	R-MH	R-MHP	P-R	N-S	O	C-D	C-1	C-2	C-PB	C-M	M
Delivery and Service Vehicle Storage															*			S	S	P	P
Description: An area or facility for the storage of service or delivery fleet vehicles that are utilized primarily for the delivery of goods or services within the local area.																					
Minimum Special Use Permit Requirements: - All areas used for the parking and storage of vehicles shall be paved. - Areas for the parking and storage of vehicles shall be effectively screened so as to not be visible from adjoining properties or public rights-of-way. - Lighting shall be shielded from adjacent properties. - The use shall not occupy or interfere with any parking spaces that are required for any other existing or proposed uses for which required parking is or will be provided on the site. - None of the following activities shall be permitted on site: - The repair or servicing of vehicles. - The storage or warehousing of goods or merchandise.																					
On-site Parking Requirement: .75 spaces for each employee on the largest shift, plus one space per delivery or service vehicle.																					

- That Title 19.20.020, "Words and Terms Defined," is hereby amended to include the following:

"Vehicle, Delivery and Service" means a commercial vehicle that is utilized primarily for the delivery of goods or services within the local area.

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**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for discussion and possible action to amend Title 19.04, "Permissible Uses," to establish standards for the parking and storage of commercial vehicles.

The proposed amendment will allow for the storage and parking of commercial delivery and service vehicles in the C-2 (General Commercial) and C-PB (Planned Business Park) zoning districts upon approval of a Special Use Permit application, and in the C-M (Commercial/Industrial) and M (Industrial) zoning districts by right. Minimum standards will be established for the use in the C-2 (General Commercial) and C-PB (Planned Business Park) zoning districts.

BACKGROUND INFORMATION

Title 19 does not specifically address the parking and storage of delivery or service fleet vehicles. Historically, the storage of such vehicles has been allowed as an accessory use to a principal business on the site, although there is no such description in the code. Recent requests have necessitated the establishment of specific standards to allow the use in C-2 (General Commercial) and C-PB (Planned Business Park).

ANALYSIS

The proposed amendment establishes a definition for the use and the zoning districts where permitted, and establishes minimum standards that must be met where a Special Use Permit is required. The proposed use will be a permitted use in the C-M (Commercial/Industrial) and the M (Industrial) zoning districts, and may be allowed by Special Use Permit in the C-2 (General Commercial) and C-PB (Planned Business Park) districts.

In order to reduce impacts to adjacent properties, minimum standards are proposed where Special Use Permit approval is required. The standards include a requirement to screen the parking/storage area from view of adjacent properties and rights-of-way; a requirement to screen or shield lighting; restrictions against performing repair work on vehicles on the site; and prohibitions against the storage of goods or merchandise. These restrictions should prevent impacts and nuisances associated with the use when located in the C-2 (General Commercial) and C-PB (Planned Business Park) districts.

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A parking standard for the use will be included with the definition and standards. It is proposed that a ratio of .75 spaces per employee on the largest shift be adopted to accommodate the drivers, in addition to the spaces that will be required to store the fleet vehicles. This requirement should be adequate to serve the demands of the use, while not resulting in unused parking spaces.

RECOMMENDATION

The proposed text amendment will achieve the following:

- Creates a use category to allow the storage or parking of fleet vehicles; and
- Establishes minimum standards when the use is allowed in the C-2 (General Commercial) and C-PB (Planned Business Park) districts so as to prevent impacts to adjoining properties.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED NEWSPAPER ONLY

APPROVALS 0

PROTESTS 0

City of Las Vegas

PLANNING COMMISSION AGENDA PLANNING COMMISSION MEETING OF: MARCH 8, 2007

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

With regards to Item 26 [SUP-19340], TODD FARLOW, 240 North 19th Street, observed that the site is close to a county island that is poorly maintained and which needs to be addressed. He stated he would be attending the Clark County Planning Commission meeting to address this issue.

(7:45 – 7:47)
2-423

MEETING ADJOURNED AT 9:47 P.M.

Respectfully submitted:



YDOLEENA YTURRALDE, DEPUTY CITY CLERK.



CARMEL VIADO, DEPUTY CITY CLERK.