

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
VARIANCE

VAR-18790 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER:
 WENDELL D. AND LINDA G. GENTRY - Request for a Variance TO ALLOW A NON-
 HABITABLE ACCESSORY STRUCTURE TO BE 1,831 SQUARE FEET WHERE 1,148
 SQUARE FEET IS THE MAXIMUM ALLOWED on 0.52 acres at 5306 Hickam Avenue (APN:
 138-01-702-001), R-E (Residence Estates) Zone, Ward 6 (Ross). Staff recommends DENIAL.
 The Planning Commission (5-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 02-08-07 Planning Commission Meeting Item 24

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

5. The accessory structure shall be limited to 1,740 square feet.

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open on Items 92 and 93.

WENDELL GENTRY, owner, respectfully requested approval.

CITY COUNCIL MEETING OF: MARCH 21, 2007

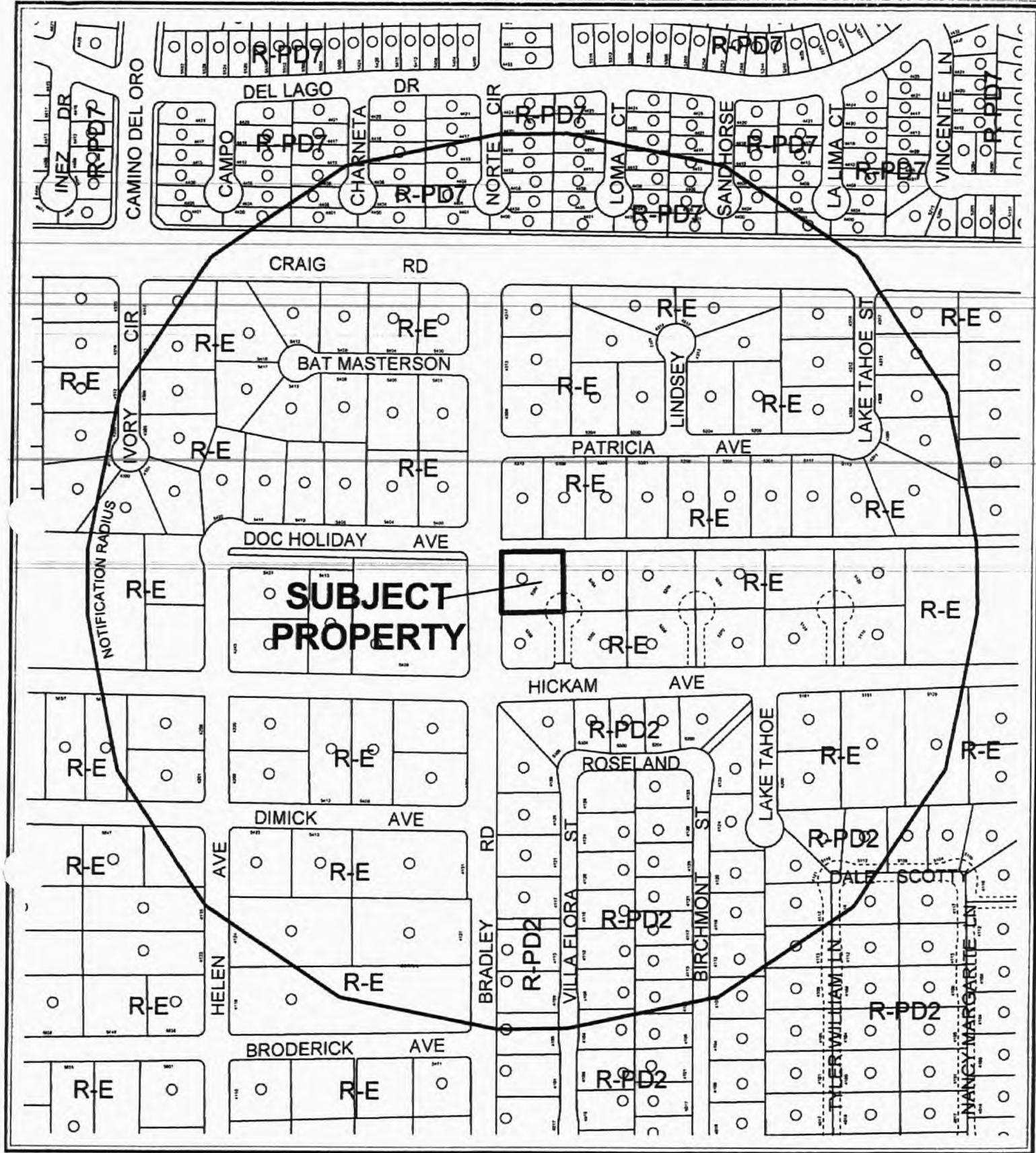
TOM McGOWAN, Las Vegas resident, questioned staff's recommendation for denial. MARGO WHEELER, Director of Planning and Development, explained that there is a variance request and staff cannot make the findings for it. MR. McGOWAN believed staff was indeterminent; therefore, it could not be a binding denial and recommended approval of the application.

COUNCILMAN ROSS was very pleased and commended MR. GENTRY for being a good neighbor and informing his neighbors about his request prior to the meeting. He wished MR. GENTRY the best and desired to see more applicants follow his actions.

MARGO WHEELER, Director of Planning and Development, added that Condition 5 would need amending to reflect the verbiage "square feet" at the end of the condition.

MAYOR GOODMAN declared the Public Hearing closed on Items 92 and 93.

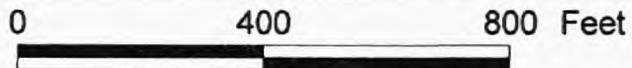




CASE: **VAR-18790**

RADIUS: 1000 FT

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





CASE: **VAR-18790**

RADIUS: 1000 FT

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

0 400 800 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - VAR-18790 - APPLICANT/OWNER:
WENDELL D. AND LINDA G. GENTRY**

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

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-18789) if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. If approved submit revised plans showing the required three-foot setback distance between the nearest portion of the non-habitable accessory structure and the south property line, while still maintaining a minimum 6-foot separation from the principal structure.
4. There will be a minimum five foot southerly setback.
5. The accessory structure is to be 1740.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow a 1,831 square foot, non-habitable, detached accessory structure to be larger than 50% of the primary structure. The existing single family dwelling is 2,296 square feet, which would allow a detached accessory structure to be a maximum of 1,148 square feet. The applicant is requesting an additional 683 square feet. The proposed accessory will consist of two spaces, 1,345 square feet to be used as a workshop and vehicle storage, the remaining 486 square feet will be a game room. No physical hardship was cited to justify this request.

A companion Special Use Permit has been filed with this application and will be heard concurrently with this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/08/07	The Planning Commission recommended approval of companion item SUP-18789 concurrently with this application. The Planning Commission voted 5-2/ds,se to recommend APPROVAL (PC Agenda Item #24/lhm).
<i>Related Building Permits/Business Licenses</i>	
1/3/1997	Building Permit for a single family home
<i>Pre-Application Meeting</i>	
11/27/06	A pre-application meeting was held to discuss the requirements of the Variance, siting options for an accessory structure on the subject site. Building Department talked about fire rating and lighting for shop area.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this application.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	.52

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Residential	DR(Desert Rural)	R-E(Residential Estates)
North	Residential	DR(Desert Rural)	R-E(Residential Estates)

South	Residential	DR(Desert Rural)	R-E(Residential Estates)
East	Residential	DR(Desert Rural)	R-E(Residential Estates)
West	Residential	DR(Desert Rural)	R-E(Residential Estates)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	NA

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

A-O Airport Overlay District

A single family dwelling exists on the subject site, at a height of fifteen feet, ten inches. The proposed detached accessory structure will be constructed at a finished height of fourteen feet, ten inches and is not affected by the 105-foot height restriction.

Rural Preservation Overlay District

Density is not affected by this project and does not require application of the requirements of the Rural Preservation District.

As per 19.08

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	20,000 Square Feet	21,877	Y
Min. Lot Width	100 Feet	100 Feet	Y
Min. Distance Between Buildings	6 feet	6'9"	Y
Max. Lot Coverage	50%	19%	Y
Max. Building Height	2 Stories or 35 Feet	14'10"	Y

In the plans provided, the 3-foot setback on the south building side of the accessory structure has been taken from the face of building and does not account for the distance of the roof eaves. If approved, this application has been conditioned to require revised plans showing the required three-foot setback distance between the nearest portion of the non-habitable accessory structure and the south property line, while still maintaining a minimum 6-foot separation from the principal structure.

ANALYSIS

The existing home is located on an R-E lot with a lot size of 21,877 square feet. The applicant proposes to construct a detached accessory structure on the side yard of the existing 2,296 square foot single family residence. The allowable size of an accessory structure is 50% of the primary structure in this case the proposed accessory structure has been increased by 37% of that which is permitted by code. The maximum allowable size for an accessory structure on this property is 1,148 square feet. In order to provide a workshop, vehicle storage and a game room the structure is enlarged by an additional 683 square feet, which is an increase in size of 37%. While the proposed deviation from standards to allow a detached accessory structure to be 1,831 square-feet where 1,148 square feet is the maximum allowed, the deviation from standards is considered a self-imposed hardship.

The detached accessory structure as proposed is an attempt to overbuild the site, and staff cannot recommend approval for this application. The hardship is personal and self-created; therefore, staff must recommend denial.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by building a non-habitable detached accessory structure which would exceed the maximum allowable square footage. Alternative is to reduce the size of the accessory structure by 683 square feet, which would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

PLANNING COMMISSION ACTION

The Planning Commission added conditions 4 and 5. There was one speaker in opposition at the Planning Commission Meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 178 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-18790** APN: _____

Name of Property Owner: Wendell D. & Linda G. Gentry

Name of Applicant: Wendell D. Gentry

Name of Representative: _____

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

_____ Yes

NO No

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

City Official: _____

Partner(s): _____

APN: _____

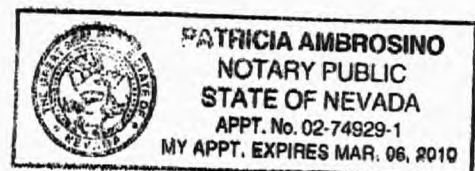
Signature of Property Owner: Wendell D. Gentry

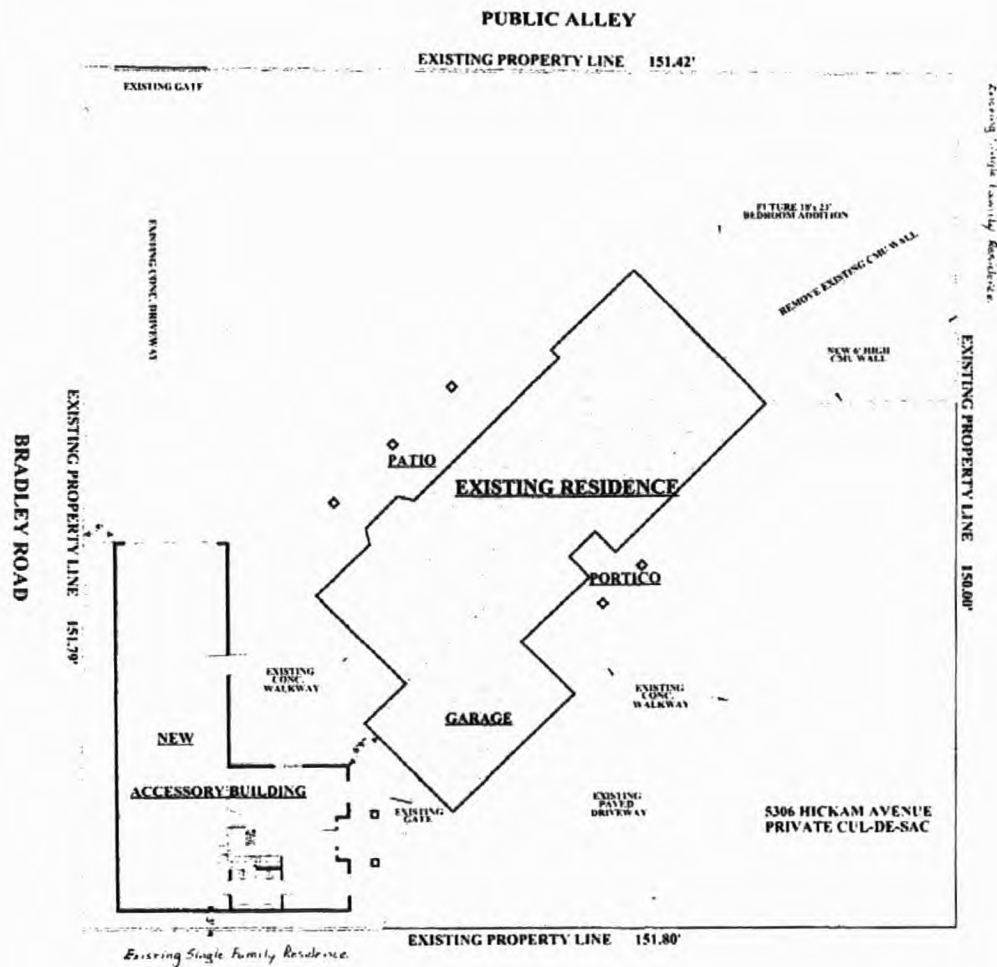
Print Name: Wendell D. Gentry

Subscribed and sworn before me

This 13 day of December, 2006

Patricia Ambrosino
Notary Public in and for said County and State





SITE PLAN
SCALE: 1"= 10'



NORTH

VAR-18790
SUP-18789
02/08/07 PC

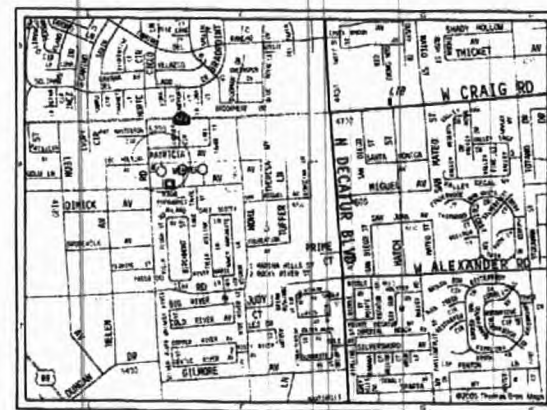
**GENTRY ACCESSORY BUILDING
GAME ROOM/RV STORAGE**

JURISDICTION - LAS VEGAS - 89130
ZONING CLASSIFICATION - RE
ACCESSORY STRUCTURE - NEW

PLAN INDEX	
SHEET	DESCRIPTION
ARCHITECTURAL	
A1	SITE PLAN
A2	EXTERIOR ELEVATIONS
A3	FLOOR PLAN
A4	DIMENSION PLAN
A5	ROOF PLAN/SECTIONS
ELECTRICAL	
E1	ELECTRICAL PLAN
MECHANICAL	
M1	MECHANICAL PLAN
PLUMBING	
P1	PLUMBING PLAN
STRUCTURAL	
S1	NOTES
S2	FOUNDATION PLAN
S3	ROOF FRAMING PLAN
S4	DETAILS
S5	DETAILS

THIS PROJECT SHALL COMPLY WITH THE 2003 IRC, IBC,
1 PC AND 1 MC, 2002 NEC, & 2003 IECC AND ALL
SOUTHERN NEVADA CODE AMENDMENTS

RECEIVED
DEC 15 2006



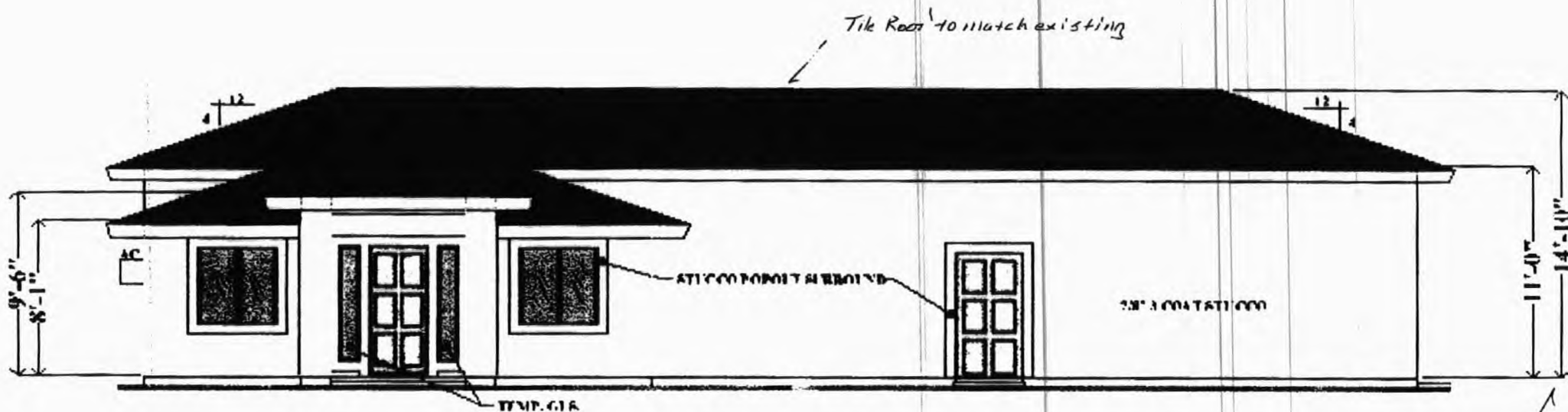
© 2007 Thomas J. J. J.



VAR-18790
SUP-18789
02/08/07 PC

5309 HICKAM AVENUE
GENTRY ACCESSORY BUILDING
CLARK ROOM/RY STORAGE

FLOOR PLAN



All Exterior Colors to match existing Structure

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

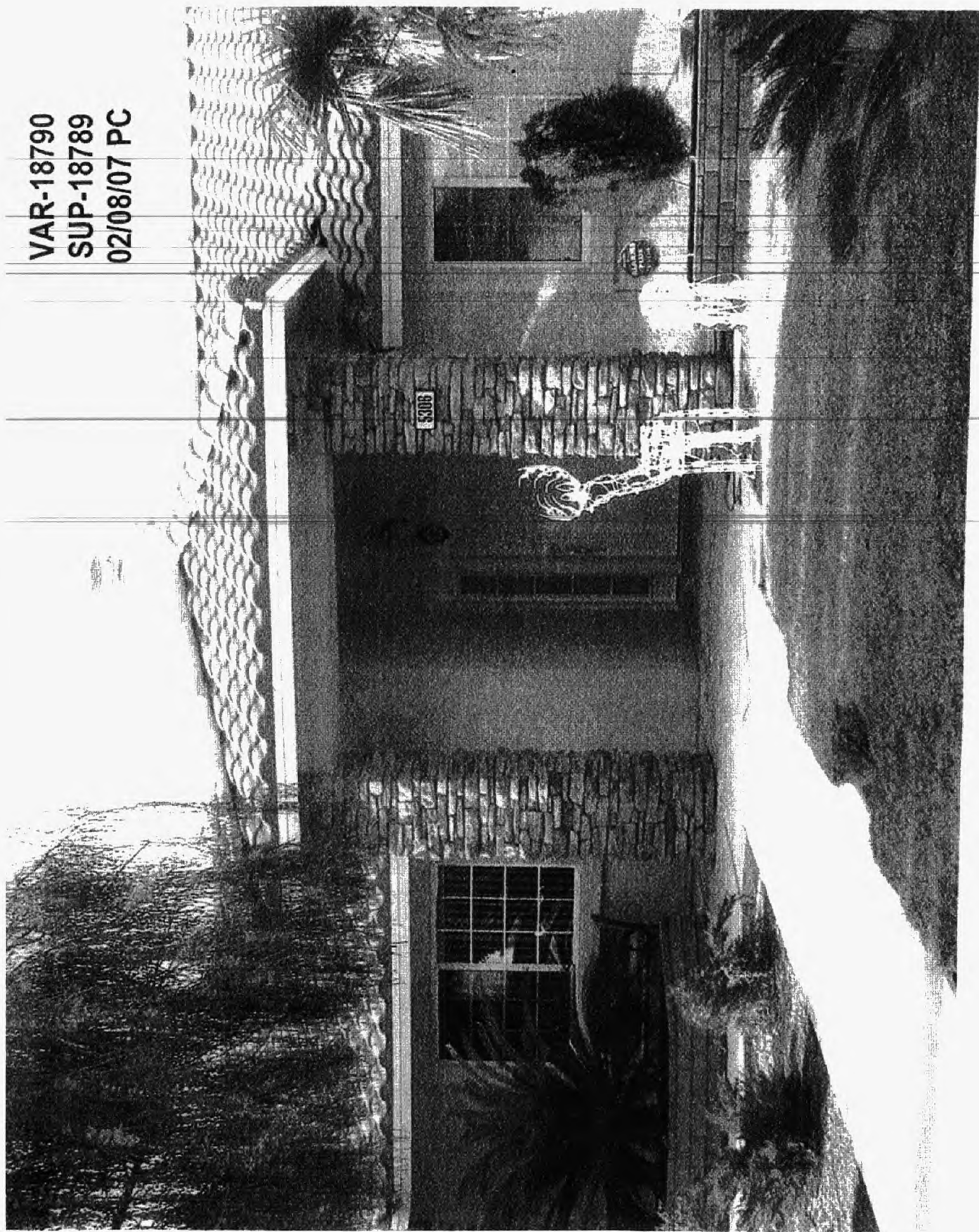
Special Note

*The height of the existing
Residential Structure at this
address is 15'-10"*

VAR-18790
SUP-18789
02/08/07 PC

RECEIVED
JAN 09 2007

VAR-18790
SUP-18789
02/08/07 PC



Wendell D. Gentry
5306 Hickam Ave.
Las Vegas, Nv. 89130

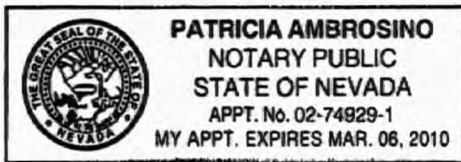
December 13, 2006

City of Las Vegas
Planning and Development

Re:
Letter of justification

In June of 2006 my wife and I sold our plumbing contracting business and retired. We purchased our home in this neighborhood 9 years ago with the intent to build the additional structure at retirement. I am building this shop so I can enjoy my hobbies, ATV's, motorcycles and old car restoration. We have a large family with several grand children that live very close by, so we also wanted addition space for a game room.

Thank You



Wendell D. Gentry
Wendell D. Gentry

State of Nevada
County of Clark

This Instrument was acknowledged before me

12/13/06 by Wendell Gentry
Date

VAR-18790
SUP-18789
02/08/07 PC

DEC 15 2006

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

January 4, 2007

To City of Las Vegas
Planning Commission

Re: 1830 Sq. ft. Accessory Building
Location - 5306 Hickam Ave.

I want to be on record, supporting the proposed 1830 Sq. ft. detached structure at 5306 Hickam Avenue. The Gentry's have shown us the plans of the proposed building structure and we find it to be very acceptable.

Thank you for allowing us to express our views in this process.



5304 Hickam Ave
Las Vegas, NV 89130

Submitted at Planning Commission

Date 2/8/07 Item: 24-25

January 4, 2007

To City of Las Vegas
Planning Commission

Re: 1830 Sq. ft. Accessory Building
Location - 5306 Hickam Ave.

I want to be on record, supporting the proposed 1830 Sq. ft. detached structure at 5306 Hickam Avenue. The Gentry's have shown us the plans of the proposed building structure and we find it to be very acceptable.

Thank you for allowing us to express our views in this process.

A handwritten signature in cursive script, reading "Shula K. Camacho", written over two horizontal lines.

5308 Hickam Ave. Las Vegas NV 89130

January 4, 2007

To City of Las Vegas
Planning Commission

Re: 1830 Sq. ft. Accessory Building
Location - 5306 Hickam Ave.

I want to be on record, supporting the proposed 1830 Sq. ft. detached structure at 5306 Hickam Avenue. The Gentry's have shown us the plans of the proposed building structure and we find it to be very acceptable.

Thank you for allowing us to express our views in this process.

JAMES MARK HANNAWAY

4211 BRADLEY RD. LV NV. 89130

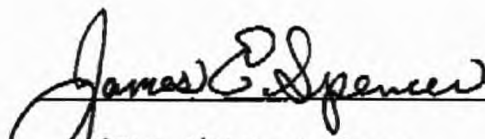
January 4, 2007

To City of Las Vegas
Planning Commission

Re: 1830 Sq. ft. Accessory Building
Location - 5306 Hickam Ave.

I want to be on record, supporting the proposed 1830 Sq. ft. detached structure at 5306 Hickam Avenue. The Gentry's have shown us the plans of the proposed building structure and we find it to be very acceptable.

Thank you for allowing us to express our views in this process.


5302 HICKAM AVE
LAS VEGAS, NV 89130

January 4, 2007

To City of Las Vegas
Planning Commission

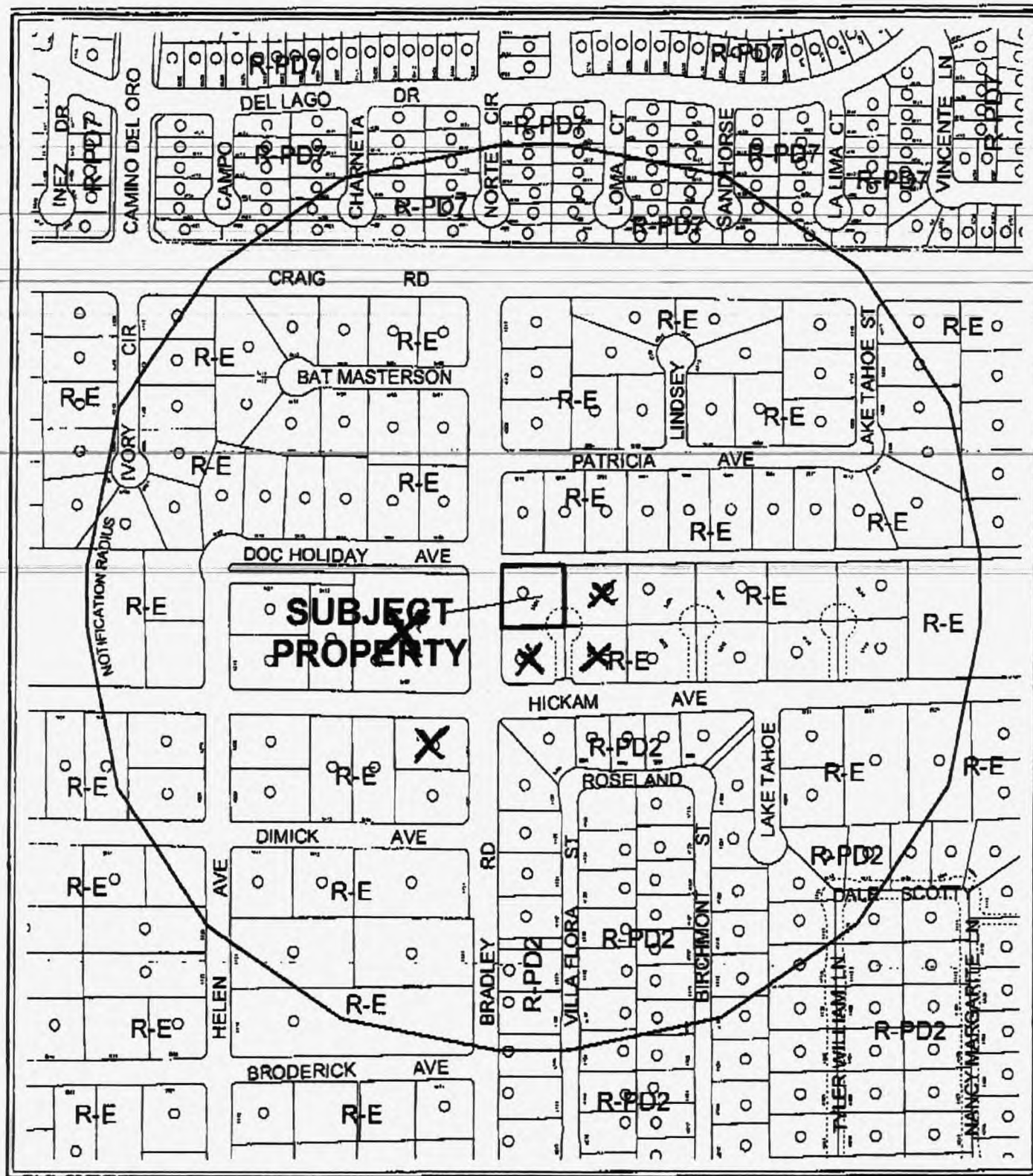
Re: 1830 Sq. ft. Accessory Building
Location - 5306 Hickam Ave.

I want to be on record, supporting the proposed 1830 Sq. ft. detached structure at 5306 Hickam Avenue. The Gentry's have shown us the plans of the proposed building structure and we find it to be very acceptable.

Thank you for allowing us to express our views in this process.

D. L. Young

5409 Hickam Ave. L.V. 89130



CASE: VAR-18790

RADIUS: 1000 FT

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



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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT RELATED TO VAR-18790

SUP-18789 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: WENDELL D. AND LINDA G. GENTRY - Request for a Special Use Permit FOR A NON-HABITABLE ACCESSORY STRUCTURE at 5306 Hickam Avenue (APN: 138-01-702-001), R-E (Residence Estates) Zone, Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 02-08-07 Planning Commission Meeting Item 25

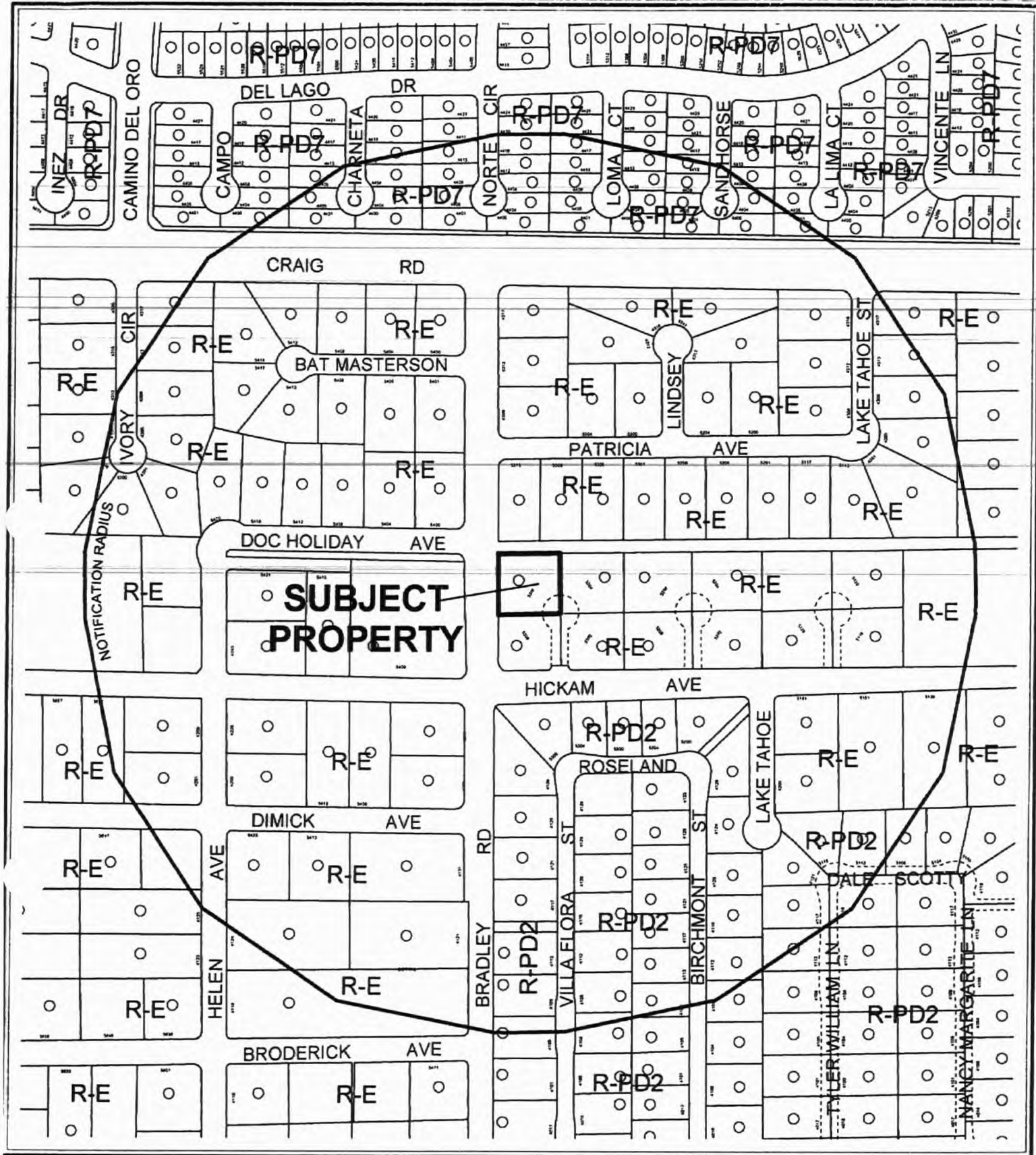
Motion made by STEVEN D. ROSS to Approve Subject to Conditions

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

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

Minutes:

See Item 92 for related discussion.



CASE: **SUP-18789**

RADIUS: 1000 FT

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

0 400 800 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - SUP-18789 - APPLICANT/OWNER: WENDELL D. AND LINDA G. GENTRY

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

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-18790).
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for the construction of a 1,831 square foot non-habitable accessory structure to be constructed on the side yard of an existing home, on a .52 acre cul-de-sac lot, located at 5306 Hickam Avenue. The applicant has filed a companion request for a Variance (VAR-18790) to allow the accessory structure to exceed the primary structure by more than 50%. The footprint for the existing home is approximately 2,296 square feet, allowing a maximum 1,148 square foot detached accessory structure for this property. The applicant's proposed non-habitable accessory structure exceeds the allowable 50% of the principal dwelling by 37%.

Because the related Variance (VAR-18790) has been recommended for denial, staff is unable to support the request for a Special Use Permit, which would allow a 1,831 square foot accessory structure where 1,148 square foot is allowed (37% increase of the allowable square footage).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/08/07	The Planning Commission recommended approval of companion item VAR-18790 concurrently with this application. The Planning Commission voted 5-2/ds,se to recommend APPROVAL (PC Agenda Item #25/lhm).
<i>Related Building Permits/Business Licenses</i>	
1/3/1997	Building Permit for a single family home
<i>Pre-Application Meeting</i>	
11/27/06	A pre-application meeting was held to discuss the requirements of the Special Use Permit; Siting options for an accessory structure on the subject site.
<i>Neighborhood Meeting</i>	
NA	A neighborhood meeting is not required for this application.
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	.52

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Residential	DR(Desert Rural)	R-E(Residential Estates)
North	Residential	DR(Desert Rural)	R-E(Residential Estates)
South	Residential	DR(Desert Rural)	R-E(Residential Estates)
East	Residential	DR(Desert Rural)	R-E(Residential Estates)
West	Residential	DR(Desert Rural)	R-E(Residential Estates)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	NA

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

A-O Airport Overlay District

A single family dwelling exists on the subject site, at a height of fifteen feet, ten inches. The proposed detached accessory structure will be constructed at a finished height of fourteen feet, ten inches and is not affected by the 105-foot height restriction.

Rural Preservation Overlay District

Density is not affected by this project and does not require application of the requirements of the Rural Preservation District.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	20,000 SF	21,877 SF	Y
Min. Lot Width	100 Feet	100 Feet	Y
Min. Setbacks			Y
• Front	N/A	N/A	Y
• Side	3 Feet	5 feet	Y
• Corner	N/A	N/A	Y
• Rear	N/A	N/A	

Min. Distance Between Buildings	6 feet	6'9"	Y
Max. Lot Coverage	50%	19%	Y
Max. Building Height	2 Stories or 35 Feet	14'-10"	Y

In the plans provided, the 3-foot setback on the south building side of the accessory structure has been taken from the face of building and does not account for the distance of the roof eaves. If approved, this application has been conditioned to require revised plans showing the required three-foot setback distance between the nearest portion of the non-habitable accessory structure and the south property line, while still maintaining a minimum 6-foot separation from the principal structure.

ANALYSIS

The parcel is developed with a 2,296 square foot single family dwelling, on a 21,877 square foot, R-E lot. The location of the parcel is within a four (4) lot cul-de-sac subdivision located on the northeast corner of Hickam Avenue and Bradley Road. The proposed accessory structure does not exceed 50% coverage of the rear yard area and it is one-foot lower in height as the primary structure. The allowable square footage of an accessory structure is a maximum of 50% of the floor area of the primary structure.

The proposed non-habitable accessory structure does not meet the condition for size. Submitted site plans indicate the proposed building is 1,831 square foot L-shape structure containing two spaces. The applicant intends to store his vehicles and pursue hobbies in the workshop space and the adjoining room is a 486 square foot game room for grandchildren. In order to provide a workshop, vehicle storage and a game room the size of the structure has exceeded the allowable 50% floor area of the primary structure by an additional 683 square feet, which is an increase in size of 37%.

The proposed deviation from standards to allow a detached accessory structure to be 1,831 square- feet where 1,148 square feet is the maximum allowed, is an attempt to overbuild the site, and staff cannot recommend approval for this application.

FINDINGS

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

1. "The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."
2. "The subject site is physically suitable for the type and intensity of land use proposed."

3. "Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."
4. "Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."

In regard to "1":

The proposed detached accessory structure use can be conducted in a harmonious and compatible manner with existing surrounding land uses and with future surrounding land uses as projected by the General Plan. However, the size of the proposed structure exceeds the size limit of 50% of the floor area of the principle dwelling. A Variance (VAR-18790) has been submitted to allow the detached accessory structure to be 1,831 square feet where 1,148 square feet is the maximum square footage allowed. Since it is recommended that the request for a Variance be denied, it is recommended that the subject application be denied.

In regard to "2":

The lot for the proposed habitable accessory structure is sufficient to accommodate this use. There are no physical constraints to the permissibility of detached accessory structure. As addressed above, the applicant has requested to build a structure that is larger than permitted. For this reason, it is recommended that this application be denied.

In regard to "3":

The street network will not be impacted by this use, as it is accessory to the primary use on this site.

In regard to "4":

The proposed accessory structure as shown does not meet all code requirements for setbacks and building separations. The three-foot setbacks from the south property line are being taken from the face-of-building which is incorrect.

In regard to "5":

The applicant will need to submit revised plans demonstrating that an adequate three-foot setback has been provided from the eaves of the south portion of the non-habitable accessory structure to comply with Title 19.08

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

9

ASSEMBLY DISTRICT 1

SENATE DISTRICT 4

NOTICES MAILED 178 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-18789** APN: _____

Name of Property Owner: Wendell D & Linda E. Centry

Name of Applicant: Wendell D. Centry

Name of Representative: _____

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

_____ Yes

NO No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: Wendell D. Centry

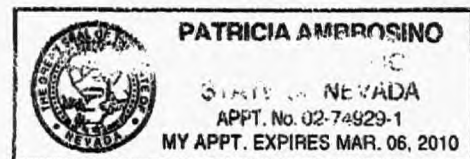
Print Name: Wendell D. Centry

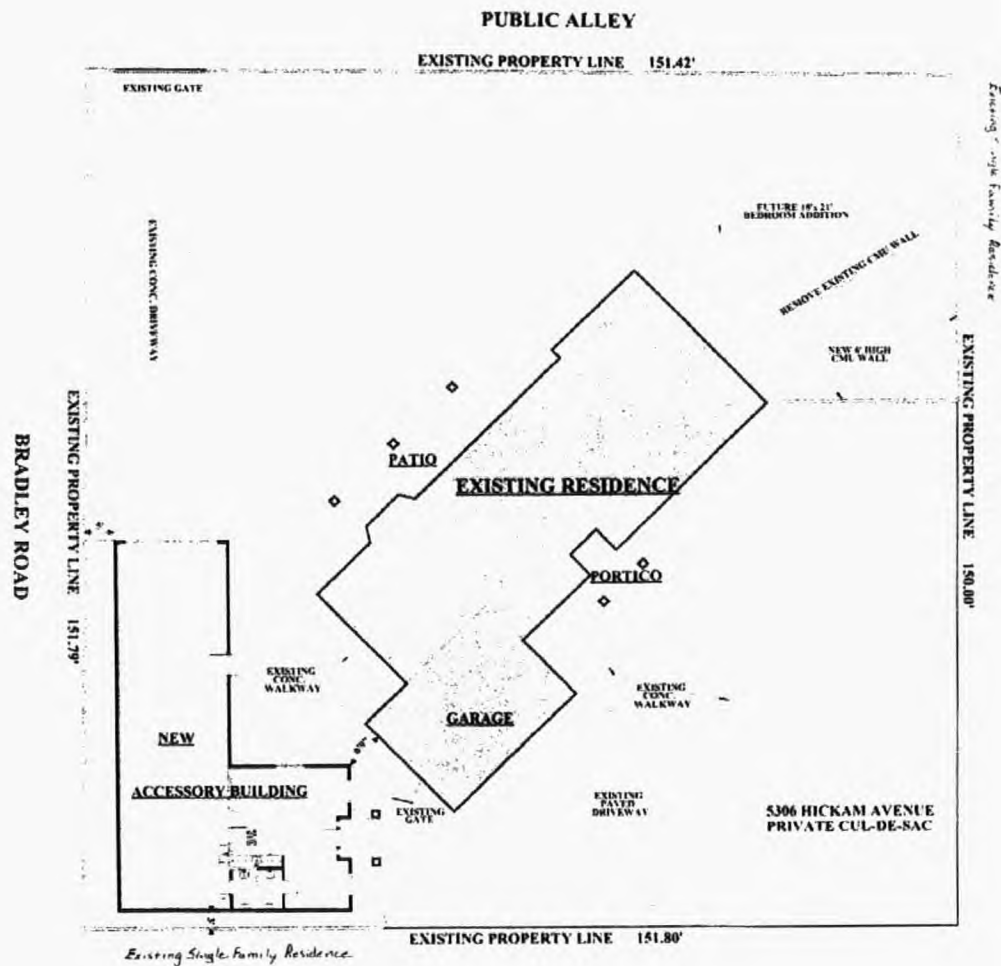
Subscribed and sworn before me

This 13 day of December, 2006

Patricia Ambrosino

Notary Public in and for said County and State





SITE PLAN
SCALE: 1"= 10'



NORTH

VAR-18790
SUP-18789
02/08/07 PC

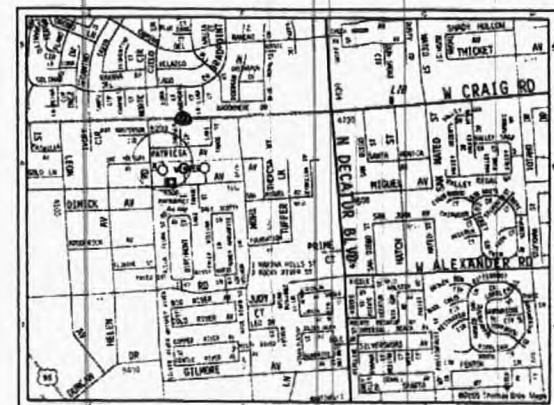
GENTRY ACCESSORY BUILDING
GAME ROOM/RV STORAGE

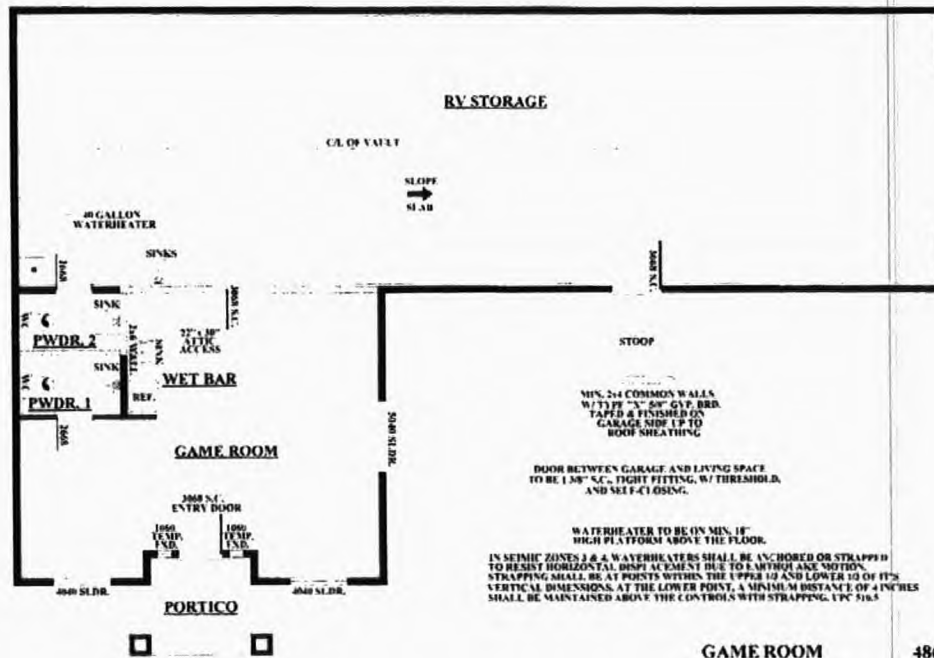
JURISDICTION - LAS VEGAS - 89130
ZONING CLASSIFICATION - RE
ACCESSORY STRUCTURE - NEW

PLAN INDEX	
SHEET	DESCRIPTION
ARCHITECTURAL	
A1	SITE PLAN
A2	EXTERIOR ELEVATIONS
A3	FLOOR PLAN
A4	DIMENSION PLAN
A5	ROOF PLAN/SECTIONS
ELECTRICAL	
E1	ELECTRICAL PLAN
MECHANICAL	
M1	MECHANICAL PLAN
PLUMBING	
P1	PLUMBING PLAN
STRUCTURAL	
S1	NOTES
S2	FOUNDATION PLAN
S3	ROOF FRAMING PLAN
S4	DETAILS
S5	DETAILS

THIS PROJECT SHALL COMPLY WITH THE 2003 IRC, IBC,
1 PC AND 1 MC, 2002 NEC, & 2003 IRC AND ALL
SOUTHERN NEVADA CODE AMENDMENTS

RECEIVED
DEC 15 2006





GAME ROOM	486 S.F.
RV STORAGE	1345 S.F.
TOTAL	1831 S.F.

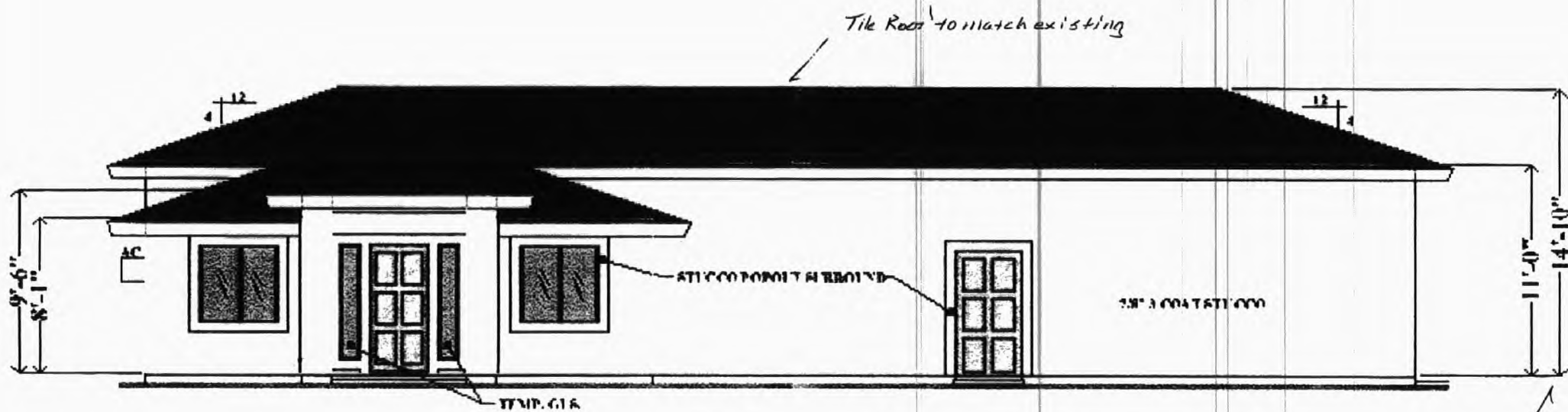
FLOOR PLAN
SCALE: 1/4" = 1' - 0"

VAR-18790
SUP-18789
02/08/07 PC

RECEIVED
DEC 15 2006

GENERAL ACCESSORY BUILDING
GAME ROOM/RY STORAGE
5000 HICKMAN AVENUE
LAS VEGAS, NEVADA
AUGUST 2006

FLOOR PLAN
A3
1/4" = 1' - 0"
AUGUST 2006



All Exterior Colors to match existing Structure

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

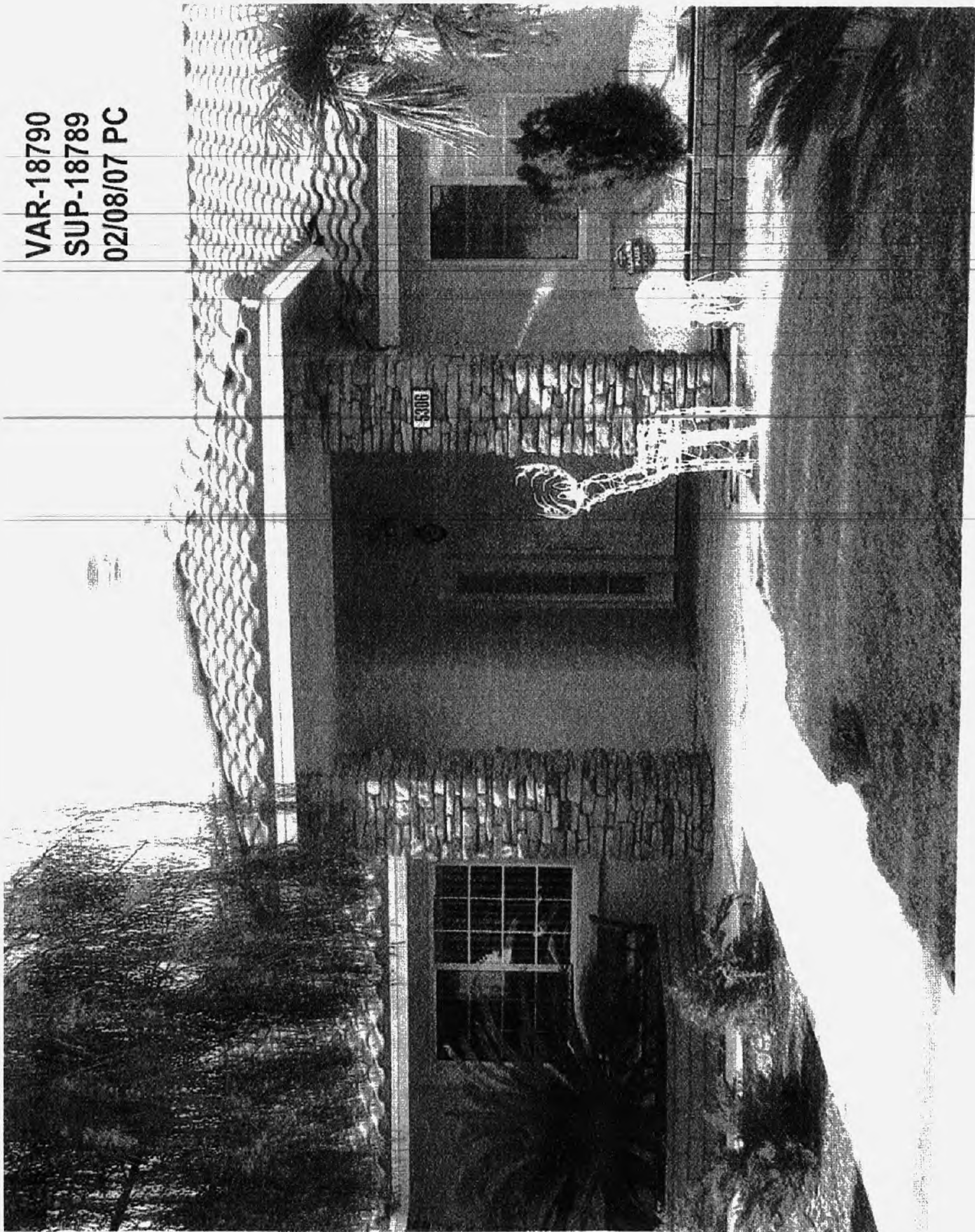
Special Note

*The height of the existing
Residential Structure at this
address is 15'-10"*

VAR-18790
SUP-18789
02/08/07 PC

RECEIVED
JAN 09 2007

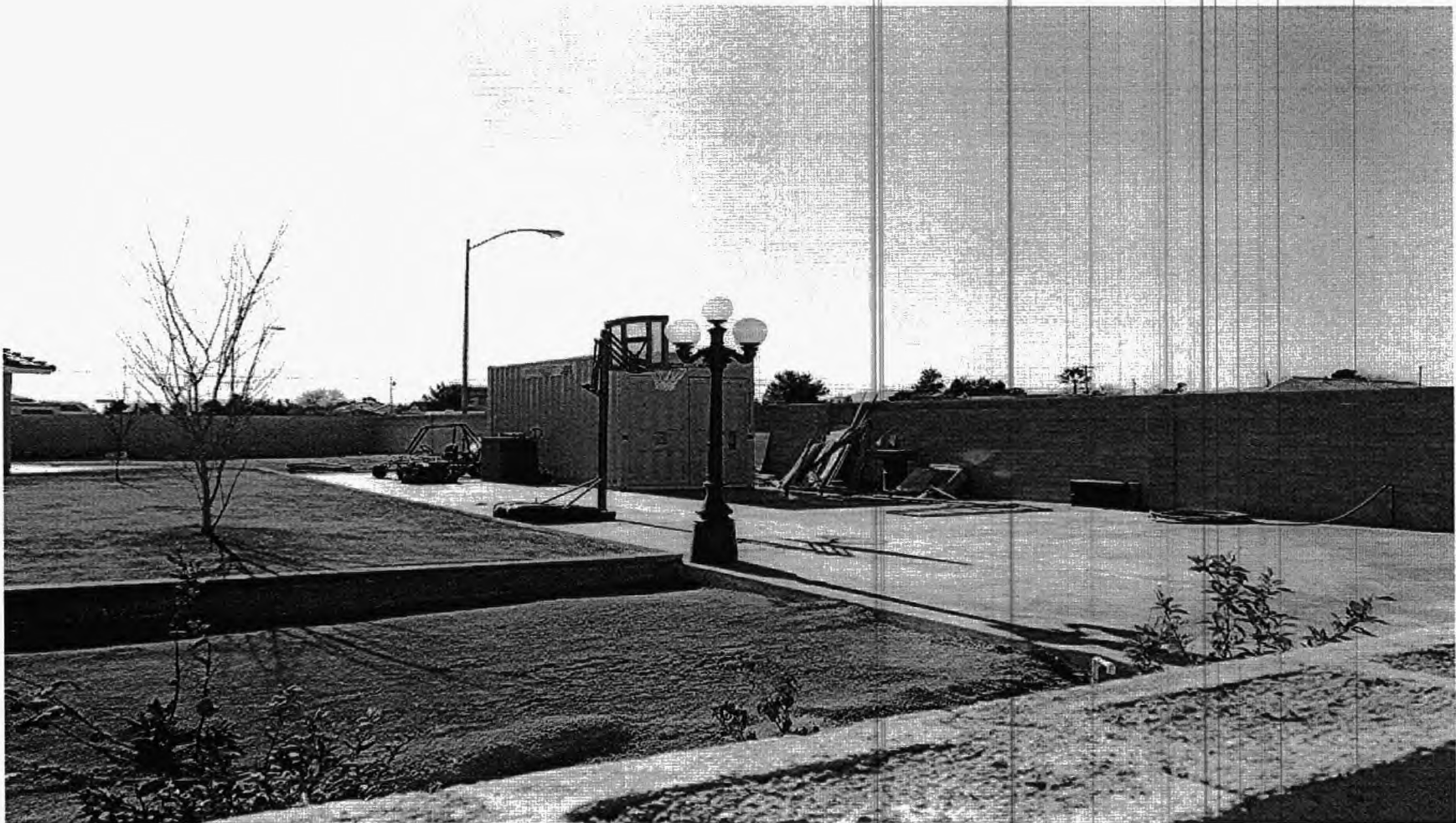
VAR-18790
SUP-18789
02/08/07 PC





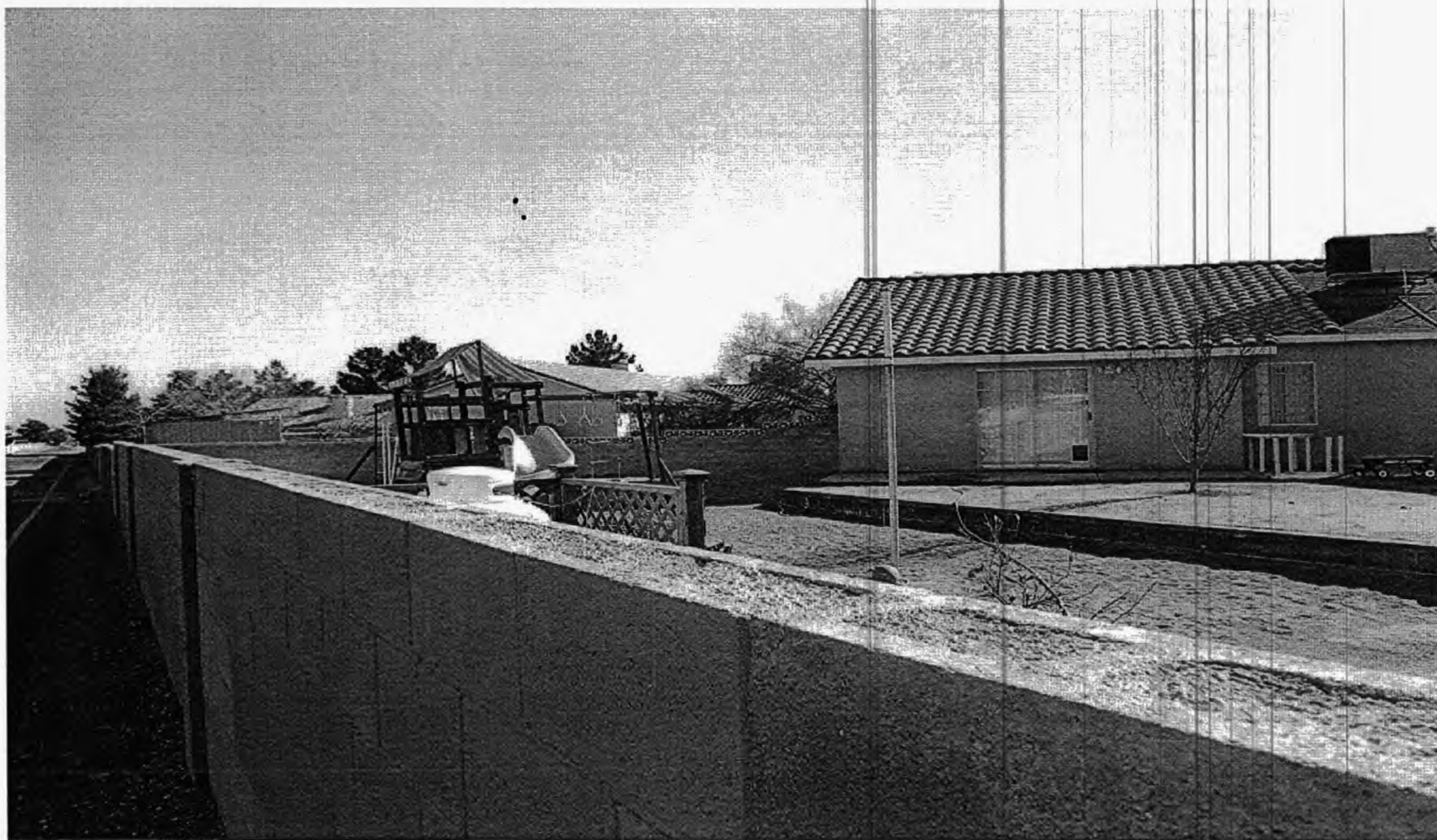
VAR-18790 AND SUP-18789 - APPLICANT/OWNER: WENDELL D. AND LINDA G. GENTRY
5306 HICKAM AVENUE
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07



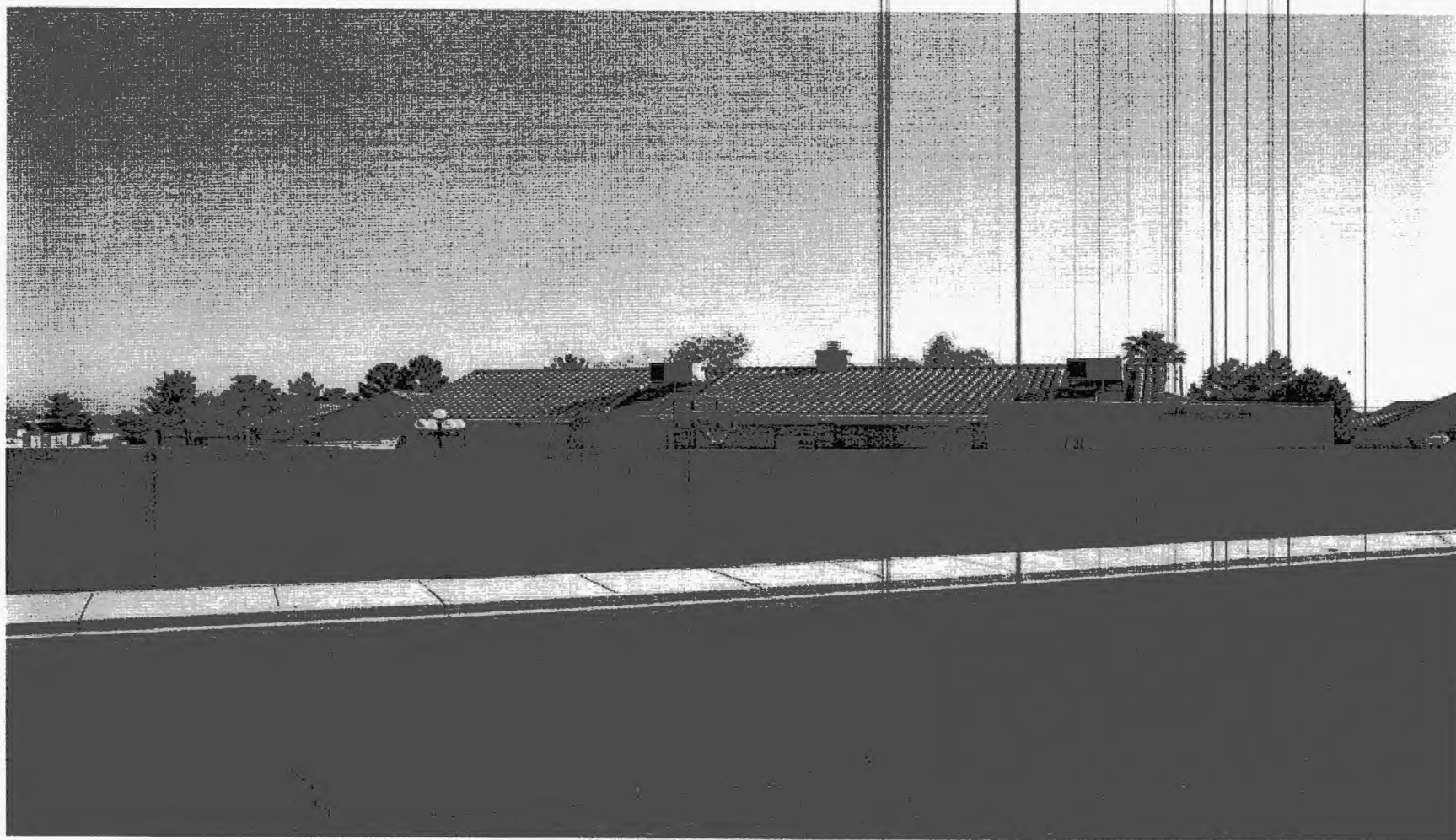
VAR-18790 AND SUP-18789 - APPLICANT/OWNER: WENDELL D. AND LINDA G. GENTRY
5306 HICKAM AVENUE
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07



VAR-18790 AND SUP-18789 - APPLICANT/OWNER: WENDELL D. AND LINDA G. GENTRY
5306 HICKAM AVENUE
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07



VAR-18790 AND SUP-18789 - APPLICANT/OWNER: WENDELL D. AND LINDA G. GENTRY
5306 HICKAM AVENUE
FEBRUARY 8, 2007 PLANNING COMMISSION

01/08/07

Wendell D. Gentry
5306 Hickam Ave.
Las Vegas, Nv. 89130

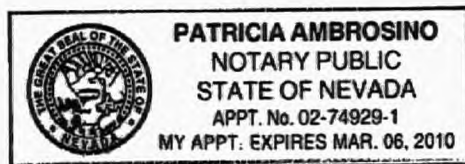
December 13, 2006

City of Las Vegas
Planning and Development

Re:
Letter of justification

In June of 2006 my wife and I sold our plumbing contracting business and retired. We purchased our home in this neighborhood 9 years ago with the intent to build the additional structure at retirement. I am building this shop so I can enjoy my hobbies, ATV's, motorcycles and old car restoration. We have a large family with several grand children that live very close by, so we also wanted addition space for a game room.

Thank You



Wendell D. Gentry
Wendell D. Gentry

State of Nevada
County of Clark

This Instrument was acknowledged before me

12/13/06 by Wendell Gentry
Date

**VAR-18790
SUP-18789
02/08/07 PC**

DEC 15 2006

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

January 4, 2007

To City of Las Vegas
Planning Commission

Re: 1830 Sq. ft. Accessory Building
Location - 5306 Hickam Ave.

I want to be on record, supporting the proposed 1830 Sq. ft. detached structure at 5306 Hickam Avenue. The Gentry's have shown us the plans of the proposed building structure and we find it to be very acceptable.

Thank you for allowing us to express our views in this process.



5304 Hickam Ave
Las Vegas, NV 89130

Submitted at Planning Commission

Date 2/8/07 Item: 24-25

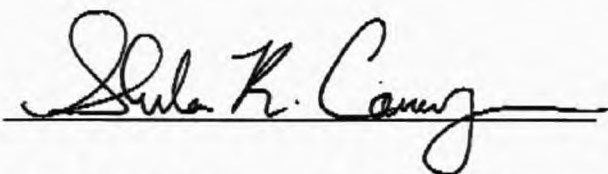
January 4, 2007

To City of Las Vegas
Planning Commission

Re: 1830 Sq. ft. Accessory Building
Location - 5306 Hickam Ave.

I want to be on record, supporting the proposed 1830 Sq. ft. detached structure at 5306 Hickam Avenue. The Gentry's have shown us the plans of the proposed building structure and we find it to be very acceptable.

Thank you for allowing us to express our views in this process.

A handwritten signature in cursive script, appearing to read "Shula K. Canary", written over a horizontal line.

5308 Hickam Ave. Las Vegas NV 89130

January 4, 2007

To City of Las Vegas
Planning Commission

Re: 1830 Sq. ft. Accessory Building
Location - 5306 Hickam Ave.

I want to be on record, supporting the proposed 1830 Sq. ft. detached structure at 5306 Hickam Avenue. The Gentry's have shown us the plans of the proposed building structure and we find it to be very acceptable.

Thank you for allowing us to express our views in this process.

JAMES MARK HANNAWAY

4211 BRADLEY RD. LV NV 89130

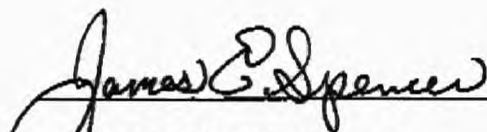
January 4, 2007

To City of Las Vegas
Planning Commission

Re: 1830 Sq. ft. Accessory Building
Location - 5306 Hickam Ave.

I want to be on record, supporting the proposed 1830 Sq. ft. detached structure at 5306 Hickam Avenue. The Gentry's have shown us the plans of the proposed building structure and we find it to be very acceptable.

Thank you for allowing us to express our views in this process.


5302 HICKAM AVE
LAS VEGAS, NV 89130

January 4, 2007

To City of Las Vegas
Planning Commission

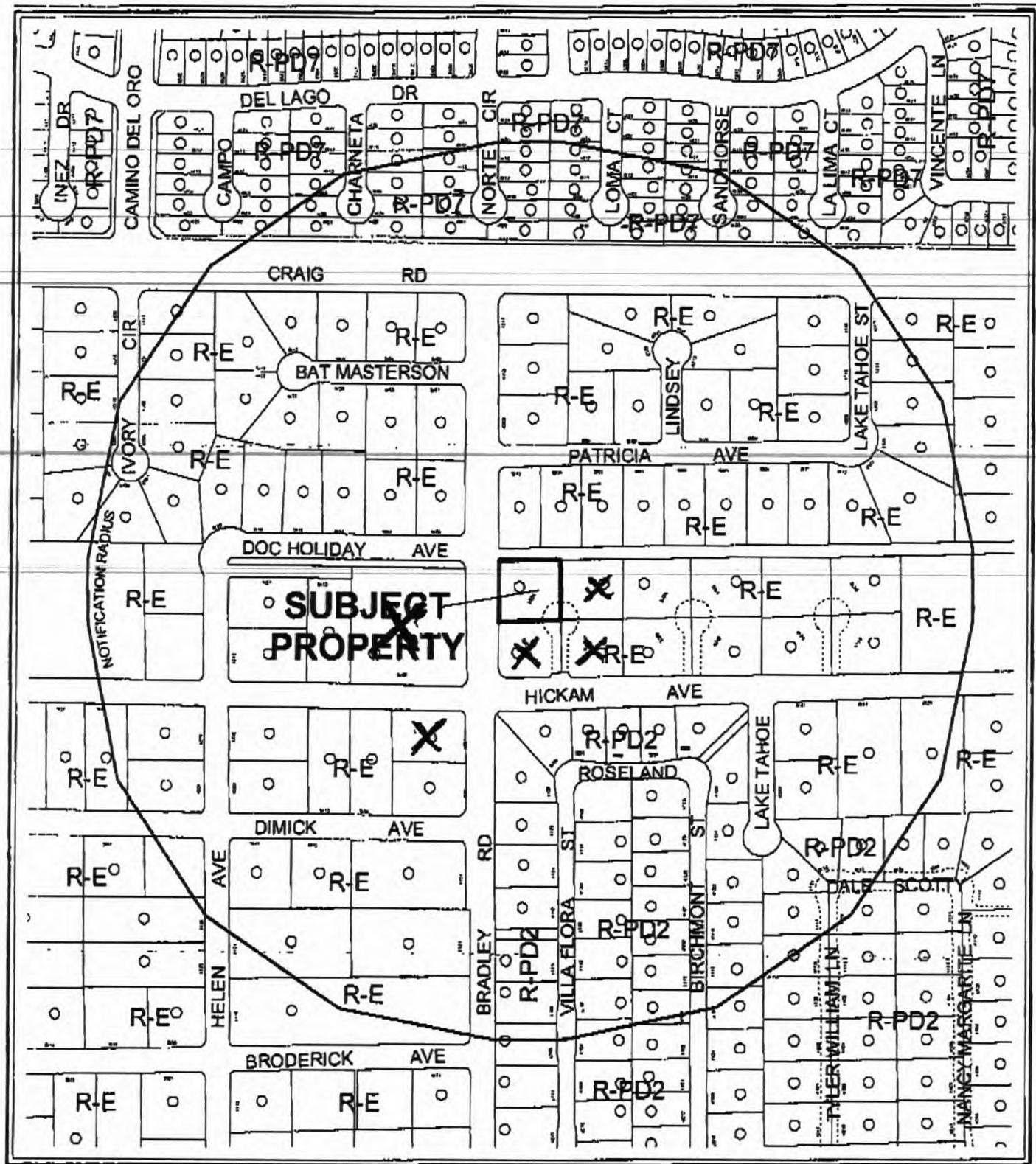
Re: 1830 Sq. ft. Accessory Building
Location - 5306 Hickam Ave.

I want to be on record, supporting the proposed 1830 Sq. ft. detached structure at 5306 Hickam Avenue. The Gentry's have shown us the plans of the proposed building structure and we find it to be very acceptable.

Thank you for allowing us to express our views in this process.

D. L. Young

5409 Hickam Ave. L.V. 89/30



CASE: VAR-18790

RADIUS: 1000 FT

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



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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT RELATED TO VAR-18312

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

21

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

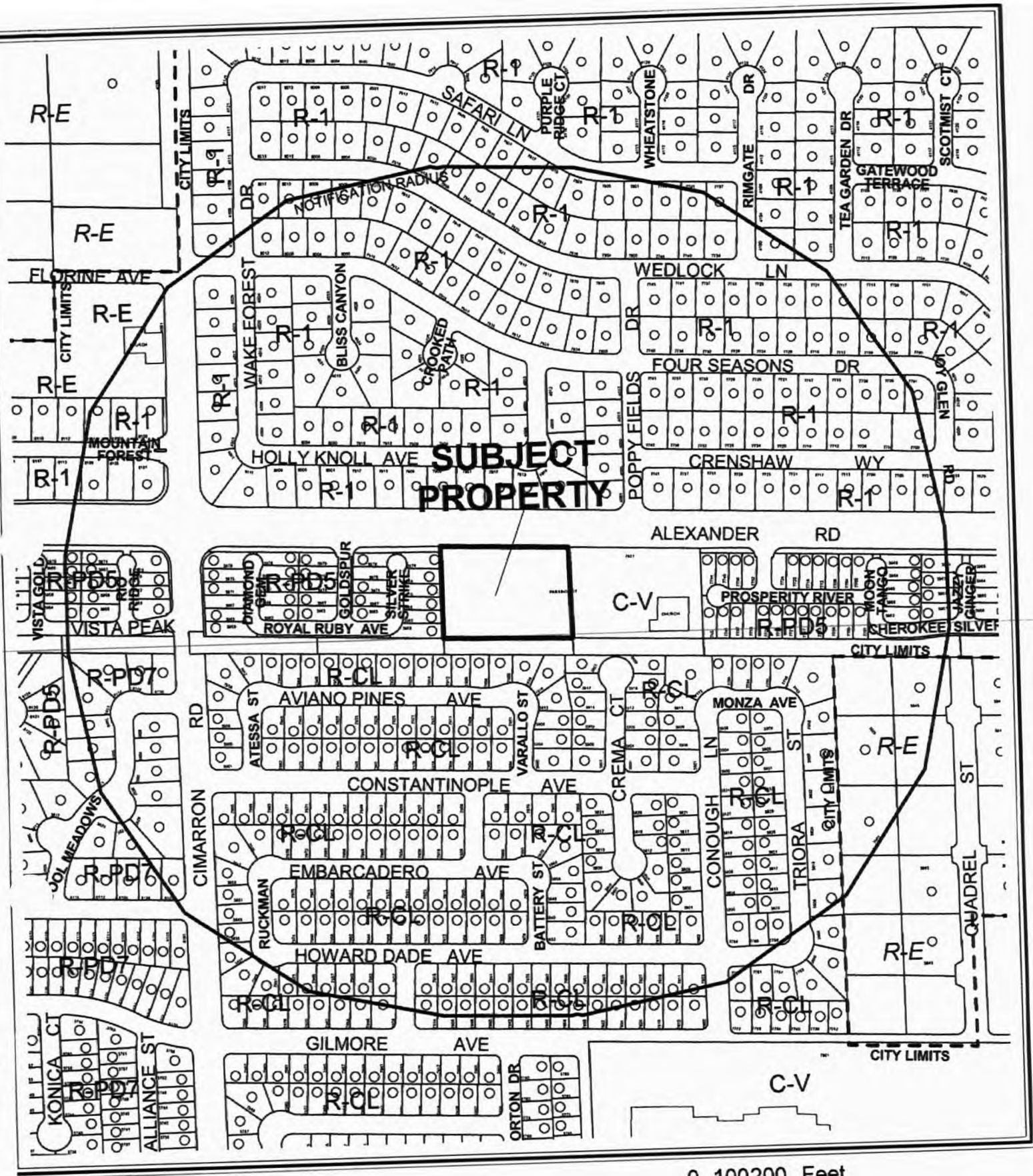
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Revised plans submitted 01-25-07
6. Submitted after final agenda – Abeyance request by Spectrum Surveying and Engineering
7. Backup referenced from the 01-11-07 Planning Commission Meeting Item 29

Motion made by GARY REESE to Hold in Abeyance Items 89-91, Item 96, Item 101, Items 104-107 to 4/04/2007; Items 94 and 95 to 4/18/2007; and TABLE Items 97-100

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

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



CASE: SUP-18314
 RADIUS: 1000 FT
 ZONING OF SUBJECT PROPERTY: C-V (CIVIC)





CASE: **SUP-18314**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

0 100200 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

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

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

**** CONDITIONS ****

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

Planning and Development

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

Public Works

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

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

BACKGROUND INFORMATION

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

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

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

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

C-V Civic District:

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

Trails:

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.060, the following standards apply:

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

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

ANALYSIS

- **General**

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

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

- **Use**

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

- **Conditions**

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

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

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

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

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

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

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

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

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

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

FINDINGS

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

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

In regard to “1”:

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

In regard to “2”:

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

In regard to “3”:

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

In regard to “4”:

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

In regard to “5”:

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

PLANNING COMMISSION ACTION

Conditions 7 and 8 were added by the Planning Commission.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

ASSEMBLY DISTRICT 37

SENATE DISTRICT 6

NOTICES MAILED 500 by City Clerk

APPROVALS 0

PROTESTS 21



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

SUP-18314

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

Name of Property Owner: Foursquare Gospel Church

Name of Applicant: T-Mobile

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN 95-1684062

Signature of Property Owner: _____

Jeffrey L. Bird, Chief Financial Officer

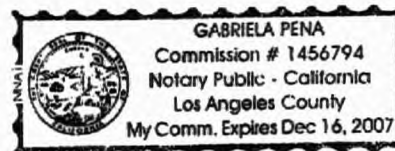
Witnessed By: _____

Tim J. Baskin, Asst. Secretary

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

This 21 day of August, 2006

Notary Public in and for said County and State





T-Mobile®

ALEXANDER & CIMARRON
VG08392-A

7801 W. ALEXANDER ROAD
LAS VEGAS, NEVADA 89129

- * INSTALLATION OF A NEW STEALTH ROOF LIGHT POLE. LIGHT POLE PAINTED TO MATCH EXISTING PAINTING LIGHT POLES.
- * INSTALLATION OF WIRELESS ANTENNAS AT A CENTERLINE OF 57.5' INSIDE A NEW 60' STEALTH POLE.
- * INSTALLATION OF (2) NEW OUTDOOR CABINETS ON A NEW CONCRETE PAD
- * INSTALLATION OF THE GPS ANTENNA
- * COAXIAL CABLE RUNS FROM RADIOS TO ANTENNAS
- * NEW TELEPHONE CONDUIT RUN TO CABINETS
- * NEW 200A DEDICATED ELECTRICAL SERVICE TO METER
- * INSTALLATION OF (2) 8' WIDE DECORATIVE METAL GATES TO MATCH EXISTING TRUCK ENCLOSURE
- * INSTALLATION OF AN 8' CHAIN LINK WALL TO MATCH EXISTING TRUCK ENCLOSURE
- * INSTALLATION OF A CHAIN LINK SECURITY CAGE OVER NEW BLOCK WALL.

PROJECT DESCRIPTION



VICINITY MAP

Y-MOBILE
4175 S. RILEY ST., STE. 101
LAS VEGAS, NV 89147

CONTACTS:
RAY TOOMMAN
CONSTRUCTION PROJECT MANAGER
OFFICE: (703) 292-3637

OWNER:	FOUR SQUARE GOSPEL CHURCH 7004 W. ALEXANDER ROAD LAS VEGAS, NEVADA 89129
CONTACT:	PASTER RON FLORES
PHONE:	(702) 254-1725
LEASE AREA:	1024 SQ. FT.
OFFICINITY TYPE:	S-2
CONSTRUCTION TYPE:	V-0
CURRENT ZONING:	C-V (CHIC DISTRICT)
JURISDICTION:	CITY OF LAS VEGAS
LATITUDE:	N 36° 13' 58.6"
LONGITUDE:	W 115° 14' 01.5"
ELEVATION:	2361 FT.
ZONING APPLICATION #:	T.B.S.
A.P.N.:	136-09-001-003
HANDCAP REQUIREMENTS:	FACILITY IS UNIMPAIRED AND HUMAN HABITATION. HANDICAPED ACCESS NOT REQUIRED.

EQUIPMENT LOCATION: ☐ OUTDOOR ☐ INDOOR
EQUIPMENT SHELTER: ☐ YES ☐ NO
ANTENNA LOCATION: ☐ NEW MONOPOLE
☐ SELF SUPPORT TOWER
☐ EXISTING MONOPOLE
☐ ROOF TOP
☐ EXISTING TOWER
☐ OTHER: STEALTH LIGHT POLE

PROJECT SUMMARY

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

1. INTERNATIONAL BUILDING CODE 2003 W/STATE AMENDMENTS
2. UNIFORM MECHANICAL CODE 2002
3. ANSI/ISA-22.5-LIFE SAFETY CODE
4. HFA-101-1997
5. UNIFORM PLUMBING CODE 2000
6. NATIONAL ELECTRIC CODE 2002
7. LOCAL BUILDING CODE(S)
8. CITY AND/OR COUNTY ORDINANCES

CODE COMPLIANCE

SPECTRUM SURVEYING & ENGINEERING
7351 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
OWEN MONER
PHONE: (702) 367-7705
FAX: (702) 367-8733
STRUCTURAL ENGINEER:
T.A.D.

SPECTRUM SURVEYING & ENGINEERING
7351 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
RICHARD TOMASELLO
PHONE: (702) 383-8530

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

PROJECT TEAM

[illegible]

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



**ALEXANDER &
CIMARRON
VG08392-A**
7801 W. ALEXANDER ROAD
LAS VEGAS, NEVADA 89123

1/23/07

ZONING

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[illegible]

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

UCDINSURE: _____

11/11/2011 11:11:11 AM

11/11/2011 11:56:11 AM

11/11/2011 11:56:11 AM

114 JOURNAL OF DOCUMENTATION

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1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26

(continued)

T1	2
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VC08392-

LEGAL DESCRIPTION

THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN A GRANT, BARGAIN & SALE DEED RECORDED APRIL 5, 1999 IN BOOK 850405 AS INSTRUMENT NO. 00330 IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA, LIES WITHIN THE NORTHWEST QUARTER (NW1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 9, TOWNSHIP 20 SOUTH, RANGE 80 EAST, N.D.M.

BASE OF BEARINGS

SOUTH 87°26'53" EAST, BEING THE NORTH LINE OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 9, TOWNSHIP 20 SOUTH, RANGE 80 EAST, N.D.M. AS SHOWN BY MAP THEREOF ON FILE IN FILE 104, PAGE 80 OF PLATS IN CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA.

BENCHMARK

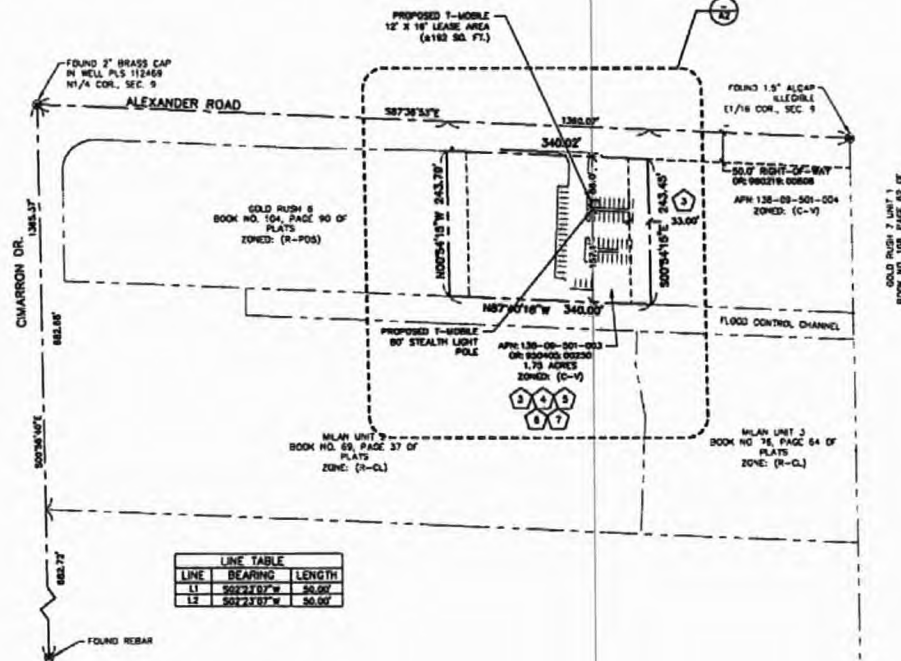
CITY OF LAS VEGAS VERTICAL CONTROL NO. BLV00454, BEING A WYET AND PLATE IN TOP OF CURB AT NORTHEAST CORNER OF ALEXANDER AND CIMARRON.

ELEVATION: 2369.74 FEET (NAD 1983)
723.298 METERS (NAD 1983)

NOTES & TITLE REPORT EXCEPTIONS

ONLY THOSE EXCEPTION LISTED IN TITLE REPORT NO. 06-05-0078-1, DATED MAY 8, 2009, PREPARED BY NEVADA TITLE COMPANY, WHICH ARE NOT SOLELY FINANCIAL IN NATURE AND WHICH REQUIRE A DOCUMENT CONTAINING A SUFFICIENT LEGAL DESCRIPTION OF AREAS AFFECTED BY SAID DOCUMENT WERE CONSIDERED FOR THIS SURVEY AND RE-LISTED BELOW. ITEM NUMBERS CORRESPOND TO ITEM NUMBERS IN SAID TITLE REPORT.

- RESERVATION AND EASEMENTS, FROM USA, OR 200228466, AFFECTS ENTIRE SUBJECT PROPERTY.
- CLV FOR ORDINANCE NO. 3887, OR 800511:00653, AFFECTS ENTIRE SUBJECT PROPERTY.
- NPE FOR ELECTRICAL LINES, OR 800512:00734, AFFECTS ENTIRE SUBJECT PROPERTY EXCEPTING BUILDING OUTLINE.
- KFSA FOR DEED OF TRUST, OR 20040628:02911, AFFECTS ENTIRE SUBJECT PROPERTY.
- NPEL FOR ASSIGNMENT OF RENTS, OR 20040628:02912, AFFECTS ENTIRE SUBJECT PROPERTY.



LEGEND

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

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

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

CURRENT ISSUE DATE:
1/23/07

ISSUED FOR:
ZONING

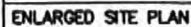
REV.	DATE	DESCRIPTION	BY
1	1/23/07	ZONING REVISIONS	B.M.
2	06/24/06	100% ZONING	J.C.
3	08/14/06	80% ZONING	J.C.

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

DRAWN BY: C.M. **APV:** J. CORTEZ
LICENSURE: M. CEFALU / C. WEDER

SHEET TITLE:
SITE PLAN

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



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

PROJECT INFORMATION

**ALEXANDER &
CIMARRON
VG08392-A**
7801 W. ALEXANDER ROAD
LAS VEGAS, NEVADA 89123

==CURRENT ISSUE DATE:==

1/23/07

ISSUED FOR:

ZONING

REV.: DATE: DESCRIPTION: BY

[illegible]

PLANS PREPARED BY:

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

DRAWN BY: CHK: APV:

J. CORTÉZ	M. DEVALU	C. WENET
-----------	-----------	----------

MEASURE: _____

SHEET TITLE:

ENLARGED SITE PLAN

SHEET NUMBER: _____ OF 50 (50)

A2

2

VCDA 392-1



ANTENNA SECTOR	AZIMUTH	ANTENNA MAKE/MODEL	COAXIAL CABLE LENGTH	CABLE SIZE	TWA	RAD CENTER	TOP JUMPER LENGTH	BOTTOM JUMPER LENGTH	COMMENTS
SECTOR 1	0°	DR85-16-000PL30	100' X 2	7/8" COAX	2	57.5'	5'	6' (10' MAX)	-
SECTOR 2	120°	DR85-16-000PL30	100' X 2	7/8" COAX	2	57.5'	5'	6' (10' MAX)	-
SECTOR 3	240°	DR85-16-000PL30	100' X 2	7/8" COAX	2	57.5'	5'	6' (10' MAX)	-
GPS	N/A	TRUE POSITION	30' X 1	1/2" COAX	-	-	N/A	N/A	-
LMA	N/A	TRUE POSITION	N/A	N/A	-	-	N/A	N/A	-

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

EQUIPMENT	QUANTITY	EQUIPMENT CABINETS MAKE/MODEL	LATITUDE	LONGITUDE	LATITUDE	LONGITUDE	GROUND LEVEL	COMMENTS
EROSION	2	RIS-3108 (OUTDOOR)	N/A	N/A	N/A	N/A	2381	-



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

CURRENT ISSUE DATE:
1/23/07

ISSUED FOR:
ZONING

REV.	DATE	DESCRIPTION	BY
1/23/07		ZONING REVISIONS	B.M.
08/24/06		100K ZONING	J.C.
08/14/06		80K ZONING	J.C.

PLANS PREPARED BY:
SPECTRUM
 SURVEYING & ENGINEERING
 7301 W. CHARLESTON BLVD., SUITE 120
 LAS VEGAS, NEVADA 89117
 PH. (702) 367-7705
 FAX (702) 367-8733

DRAWN BY: **CHC** APV:
J. CORTEZ M. CEFALU C. WENER

LOCUSURE:
 (Empty box for locusure information)

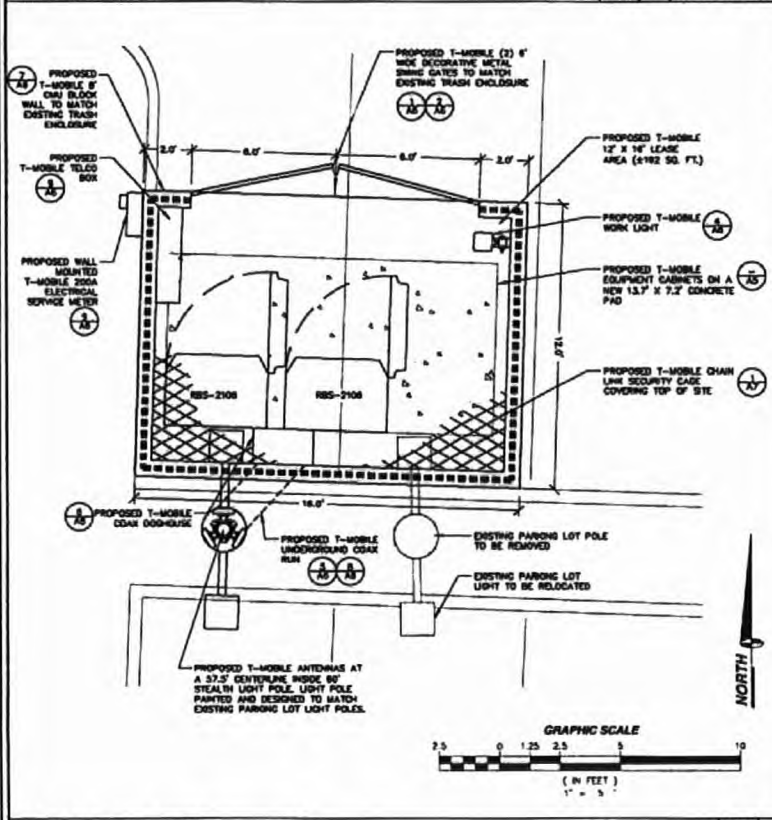
SHEET TITLE:
SITE DETAIL, ANTENNA & CABLE SCHEDULE AND ANTENNA LAYOUT

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

ANTENNA LAYOUT

4 ANTENNA, CABLE AND EQUIPMENT SCHEDULE

2

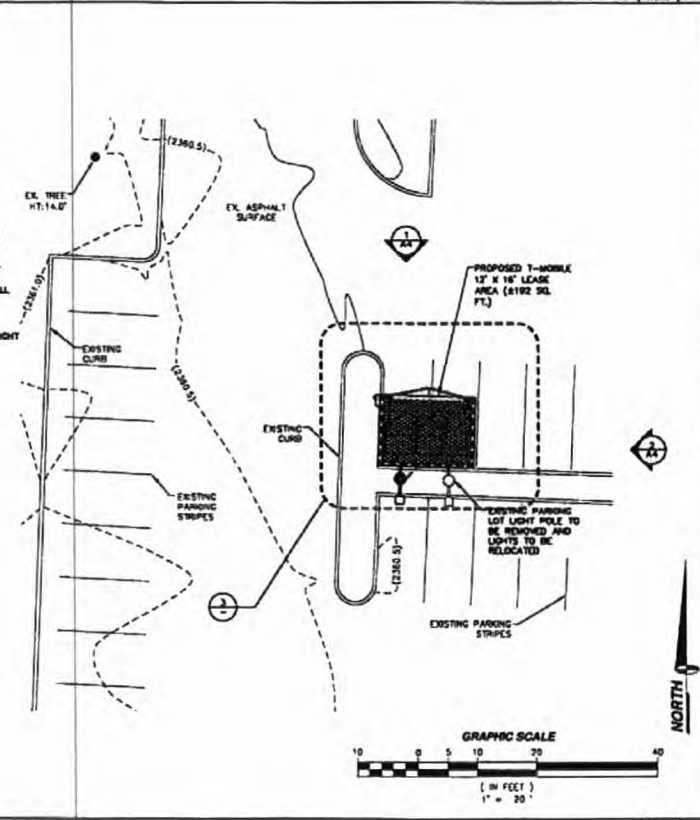


ENLARGED SITE DETAIL

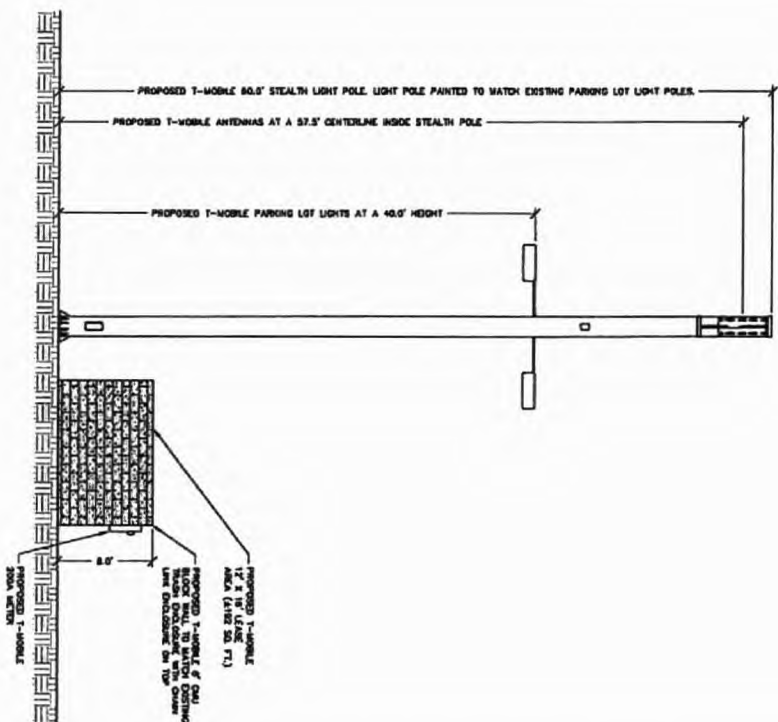
3 SITE DETAIL

LEGEND

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



1



EAST VIEW BEFORE T-MOBILE INSTALLATION



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

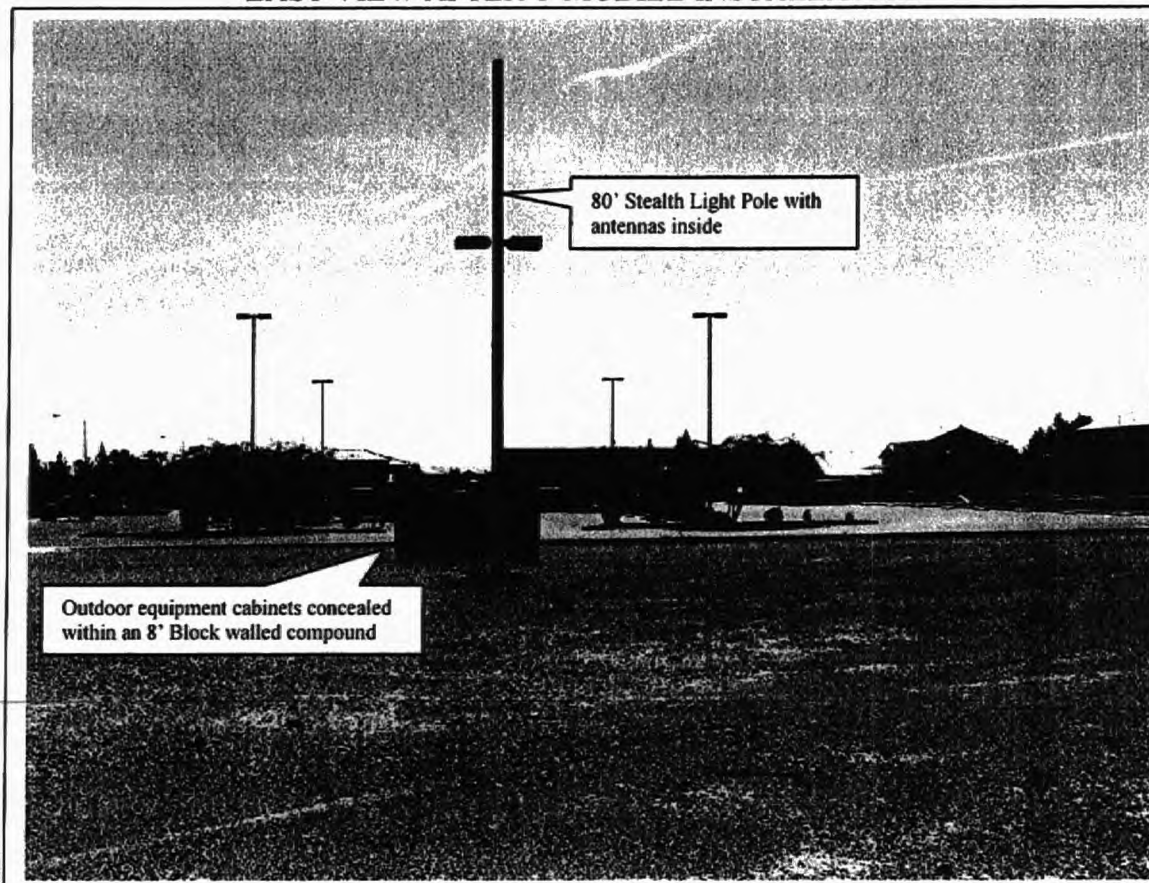
RECEIVED
NOV 27 2006

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



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

EAST VIEW AFTER T-MOBILE INSTALLATION

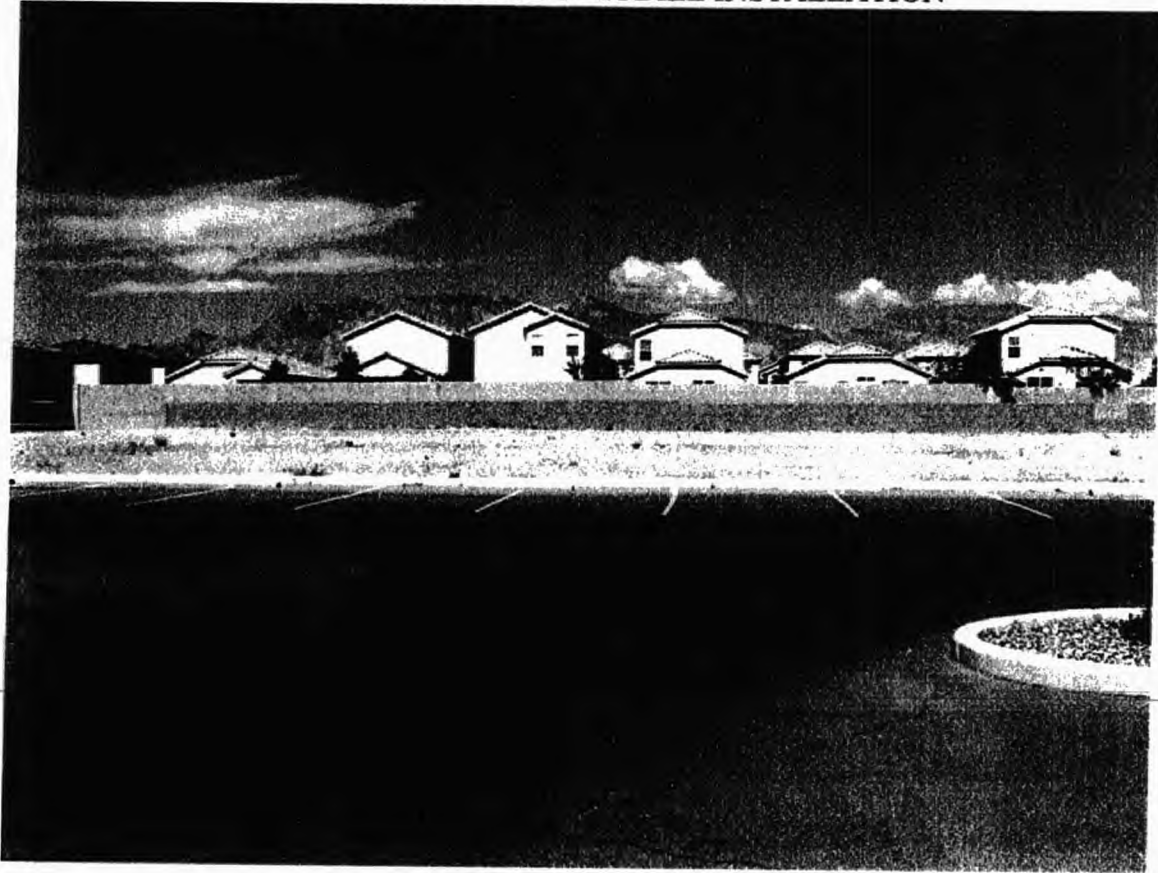


**T-MOBILE SITE VG08392 – Alexander & Cimarron
7801 W. Alexander Rd.**

RECEIVED
NOV 27 2006

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

WEST VIEW BEFORE T-MOBILE INSTALLATION



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

RECEIVED
NOV 27 2006

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

WEST VIEW AFTER T-MOBILE INSTALLATION



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

RECEIVED
NOV 27 2006

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



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



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

12/12/06



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

12/12/06



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

12/12/06



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

12/12/06



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

October 19th, 2006

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

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

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

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

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

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

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

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

Sincerely,
Spectrum Surveying and Engineering

Tiffany Chimaroke
Project Manager

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

LEGAL DESCRIPTION

THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN A GRANT, BARGAIN & SALE DEED RECORDED APRIL 3, 1995 IN BOOK 850405 AS INSTRUMENT NO. 00250 IN THE CLARK COUNTY RECORDS OFFICE, CLARK COUNTY, NEVADA; LYING WITHIN THE NORTHWEST QUARTER (NW1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 8, TOWNSHIP 20 SOUTH, RANGE 80 EAST, N.D.M.

BASE OF RECORDS

SOUTH 67°30'53" EAST, BEING THE NORTH LINE OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHEAST QUARTER (NE1/4) OF SECTION 8, TOWNSHIP 20 SOUTH, RANGE 80 EAST, N.D.M. AS SHOWN BY MAP THROUGHT ON FILE IN FILE 104, PAGE 86 OF PLATS IN CLARK COUNTY RECORDS OFFICE, CLARK COUNTY, NEVADA.

BENCHMARK

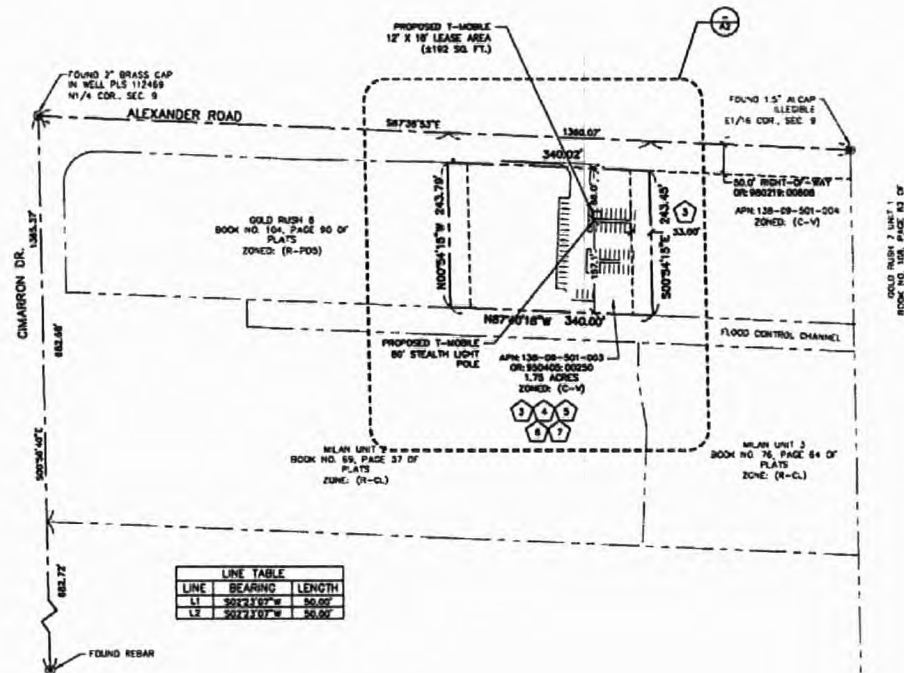
CITY OF LAS VEGAS VERTICAL CONTROL NO. BLV00404. BEING A NINET AND PLATE IN TOP OF CURB AT NORTHEAST CORNER OF ALEXANDER AND CIMARRON.

ELEVATION: 2389.74 FEET (NAVD 1988)
733.208 METERS (NAVD 1988)

NOTES & TITLE REPORT EXCEPTIONS

ONLY THOSE EXCEPTION LISTED IN TITLE REPORT NO. 68-03-0078-1 ARE NOT SOLELY FINANCIAL IN NATURE AND WHICH REFERENCE A DOCUMENT CONTAINING A SUFFICIENT LEGAL DESCRIPTION OF AREAS AFFECTED BY SAID DOCUMENT WERE CONSIDERED FOR THIS SURVEY AND RE-LISTED BELOW. ITEM NUMBERS CORRESPOND TO ITEM NUMBERS IN SAID TITLE REPORT.

1. RESERVATION AND EASEMENTS FROM USA, OR 280-229-488. AFFECTS ENTIRE SUBJECT PROPERTY.
2. CLV FOR GRADUANCE NO.3887, OR 850511-00953. AFFECTS ENTIRE SUBJECT PROPERTY.
3. MFC FOR ELECTRICAL LINES, OR 000519-00736. AFFECTS ENTIRE SUBJECT PROPERTY EXCEPT BUILDING OUTLINES.
4. CP50 FOR DEED OF TRUST, OR 20040828-02911. AFFECTS ENTIRE SUBJECT PROPERTY.
5. CP50 FOR ASSIGNMENT OF RENTS, OR 20040828-02912. AFFECTS ENTIRE SUBJECT PROPERTY.



LINE	BEARING	LENGTH
L1	S02°21'07"W	50.00'
L2	S02°21'07"W	50.00'

LEGEND

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

COMPONENT
T-Mobile
4175 E. RILEY ST., STE. 101
LAS VEGAS, NV 89129

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

CURRENT ISSUE DATE:
1/23/07

ISSUED FOR:
ZONING

REV.	DATE	DESCRIPTION	BY
1	1/23/07	ZONING REVISIONS	R.M.
2	01/24/08	100% ZONING	J.C.
3	06/14/08	90% ZONING	J.C.

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

DRAWN BY: CHC **APV:** J. CORTES **M. CEFALU** **C. WENNER**

LICENSURE:

RECEIVED
JAN 25 2007

SHEET TITLE:

SITE PLAN

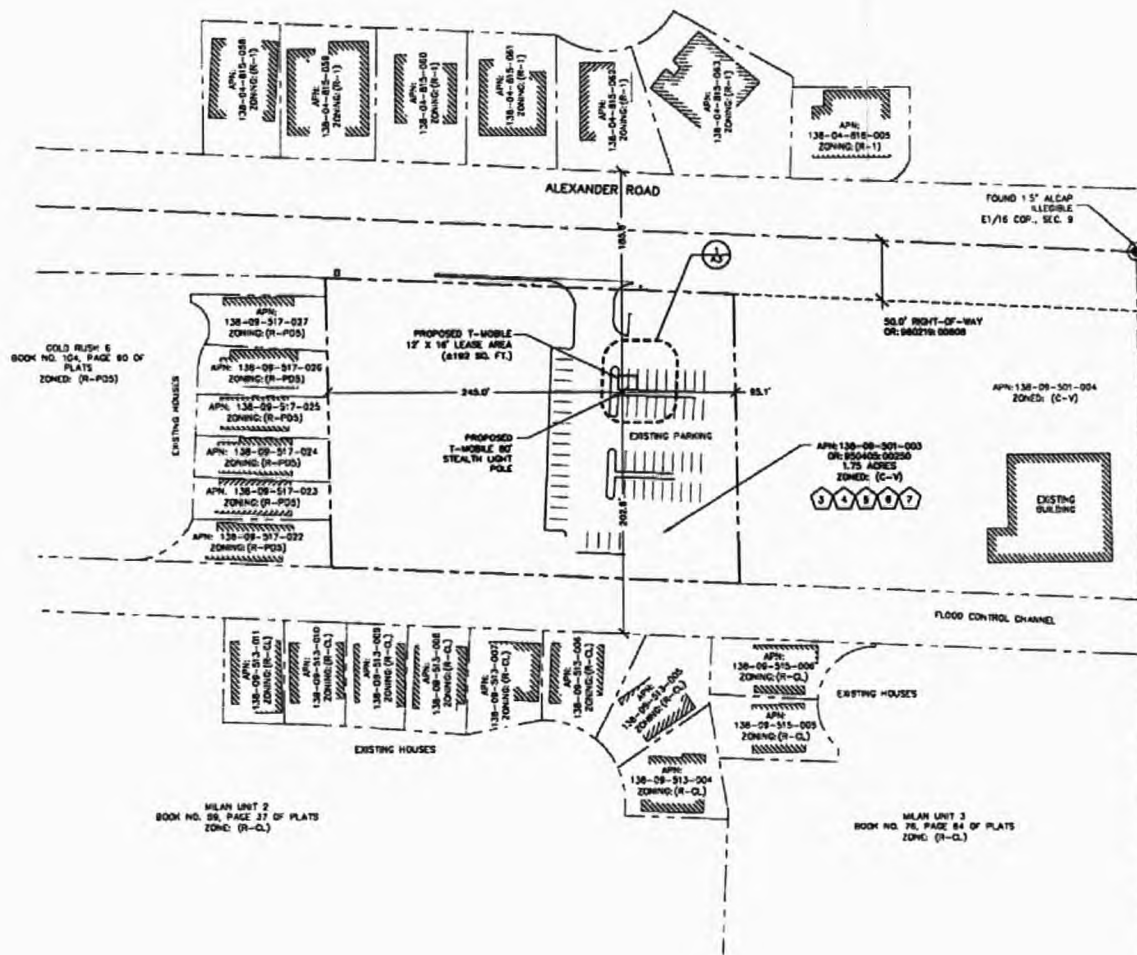
SHEET NUMBER: **2** **REVISION:**

A1 **2**
VG08392-A

SITE PLAN

SCALE
1" = 200'

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



LEGEND

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

COMPRISE
T-Mobile
 4175 S. HAY ST., STE. 101
 LAS VEGAS, NV 89121

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

CURRENT ISSUE DATE:
1/23/07

ISSUED FOR:
ZONING

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

PLANS PREPARED BY:
SPECTRUM
 SURVEYING & ENGINEERING
 7331 W. CHARLESTON BLVD., SUITE 120
 LAS VEGAS, NEVADA 89117
 PH. (702) 367-7700
 FAX (702) 367-8733

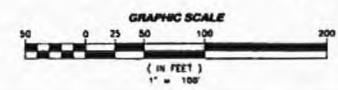
DRAWN BY: **J. CORTEZ** M. CEFALU C. WISHER

RECEIVED
JAN 25 2007

ENLARGED SITE PLAN

SHEET NUMBER: **A2** REVISION: **2**

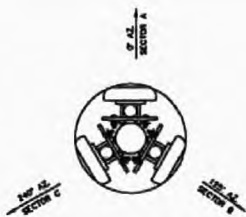
A2 **2**
 VG08392-A



ENLARGED SITE PLAN

SCALE
 1" = 100'

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



ANTENNA SECTION	AZIMUTH	ANTENNA MAKE/MODEL	COAXIAL CABLE LENGTH	CABLE SIZE	RFA	RAD CENTER	TOP JAMPER LENGTH	BOTTOM JAMPER LENGTH	COMMENTS
SECTION A	0°	DRSS-18-000PL30	100' X 2	7/8" COAX	2	57.5'	5'	6' (10' MAX)	-
SECTION B	120°	DRSS-18-000PL30	100' X 2	7/8" COAX	2	57.5'	5'	6' (10' MAX)	-
SECTION C	240°	DRSS-18-000PL30	100' X 2	7/8" COAX	2	57.5'	5'	6' (10' MAX)	-
GPS	N/A	TRUE POSITION	30' X 1	1/2" COAX	-	-	N/A	N/A	-
LMU	N/A	TRUE POSITION	N/A	N/A	-	-	N/A	N/A	-

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

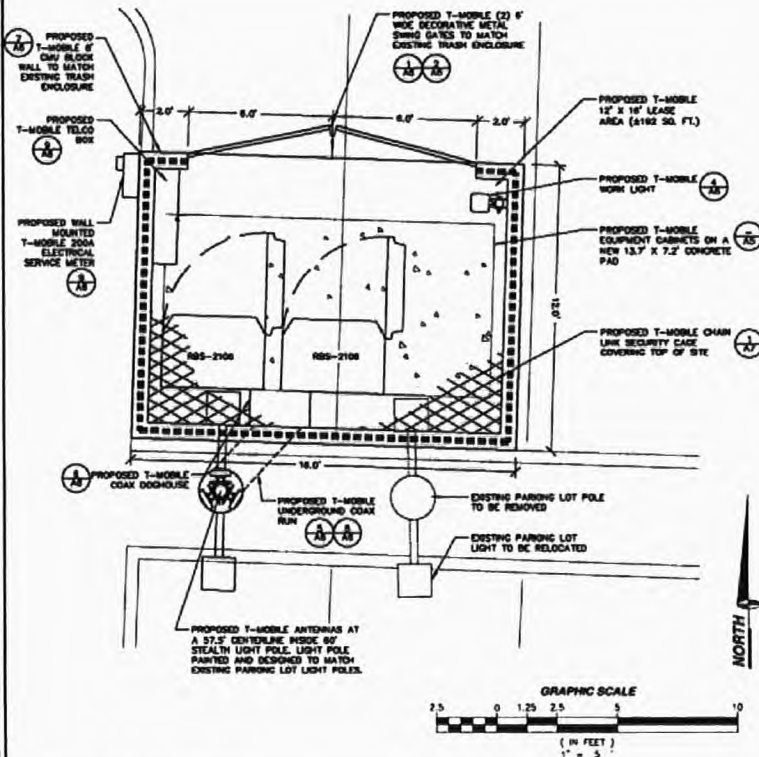
EQUIPMENT	QUANTITY	EQUIPMENT MAKE/MODEL	LATITUDE	LONGITUDE	LATITUDE	LONGITUDE	GROUND LEVEL	COMMENTS
ENCLOSURE	2	RBS-2108 (OUTDOOR)	N/A	N/A	N/A	N/A	2361	-

ANTENNA LAYOUT

SCALE 4

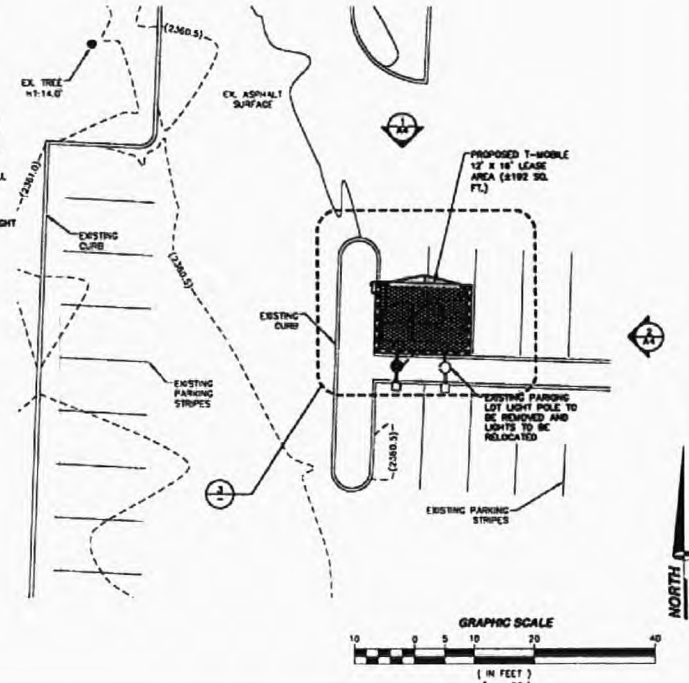
ANTENNA, CABLE AND EQUIPMENT SCHEDULE

SCALE 2



LEGEND

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



ENLARGED SITE DETAIL

SCALE 3

SITE DETAIL

SCALE 1



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

CURRENT ISSUE DATE:
1/23/07

ISSUED FOR:
ZONING

REV. DATE DESCRIPTION BY

1/23/07	ZONING REVISIONS	B.M.
08/24/06	100% ZONING	J.C.
08/14/06	80% ZONING	J.C.

PLANS PREPARED BY:
SPECTRUM
SURVEYING & ENGINEERING
7301 W. CHARLESTON BLVD., SUITE 120
LAS VEGAS, NEVADA 89117
PH: (702) 367-7705
FAX: (702) 367-8733

DRAWN BY: CHK. APV.
J. CORTEZ M. DEVALU C. WEHER

LICENSE:

RECEIVED
JAN 25 2007

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

SHEET NUMBER: REVISION:

A3 2
VG08392-A



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

CURRENT ISSUE DATE:
 1/25/07

ISSUED FOR:
 ZONING

REV.	DATE	DESCRIPTION	BY
1	1/25/07	ZONING REVISIONS	B.M.
2	1/23/07	ZONING REVISIONS	B.M.
3	06/24/06	100% ZONING	J.C.
4	08/14/06	90% ZONING	J.C.

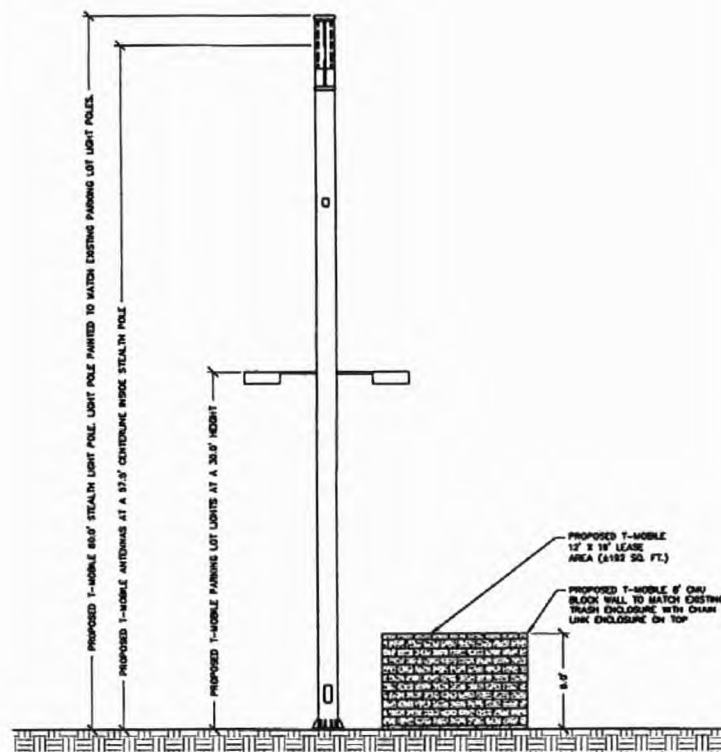
PLANS PREPARED BY:
SPECTRUM
 SURVEYING & ENGINEERING
 7331 N. CHARLESTON BLVD., SUITE 130
 LAS VEGAS, NEVADA 89117
 PH. (702) 387-7705
 FAX (702) 387-8733

DRAWN BY: J. CORTES **CHECKED BY:** M. CEFALU **APPROVED BY:** C. WENGER

RECEIVED
 JAN 25 2007

SHEET TITLE:
 ELEVATIONS

SHEET NUMBER: A4 **REVISION:** 3
 VG08392-A

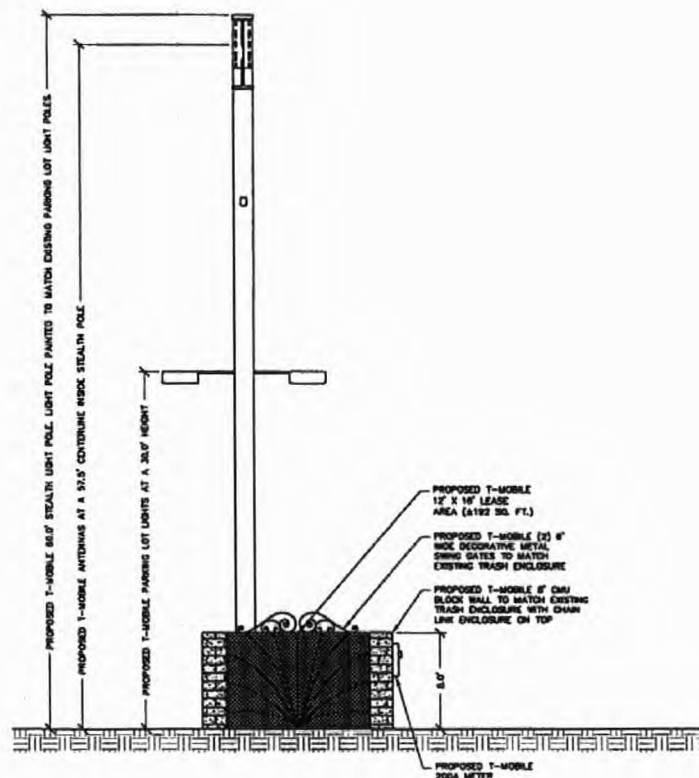


EAST ELEVATION

SCALE: 1" = 10'

2

NORTH ELEVATION



SCALE: 1" = 10'

1

RECEIVED
CITY CLERK

2007 MAR 21 A 10:52

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

March 21, 2007

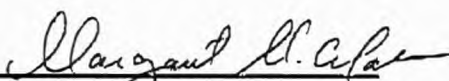
City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Re: SUP 18314
VG08392 Alexander/Cimarron T-Mobile
7801 W. Alexander Road (APN 138-09-501-003)
City Council Hearing Date: March 21, 2007 (Item #94)

Spectrum Surveying and Engineering on behalf of the applicant T-Mobile USA, request that SUP 18314 to be heard at the City Council Meeting on March 21, 2007 be HELD in Abeyance for thirty days (April 18, 2007 hearing).

Should you have any additional question or concerns please do not hesitate to call me at 702.525-8199.

Sincerely,
Spectrum Surveying and Engineering

BY: 
Margaret M. Cefalu
Director of Wireless Services
mcefalu@spectrumse.com

Date 3/21/07 Item # 94

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

Dorothy Marsili

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

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

Carmel Viado

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

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

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

Good Afternoon Roni –

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

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

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

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

1/10/2007

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

Please vote no.

Denise R. Duarte

7920 Aviano Pines Avenue

phone: 372-3755

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

1/10/2007

ITEM # 287
CASE # 18312 18314
PC MTG 1-11-07 P

Dorothy Marsili

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

Carmel Viado

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

Bill -

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

I hope you have a great day.

Laurie Kruse

Laurie Kruse: Sr. Executive Assistant to Councilman Larry Brown
City of Las Vegas Mayor & Council Office
400 Stewart Avenue, Las Vegas, NV 89101
702-729-5405/O 702-464-2683/Fax

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

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

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

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

1/11/2007

P

Dorothy Marsili

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

Ydoleena Y.

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

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

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

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

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

Thanks,

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

ITEM # 33 + 29
 CASE # VAR-18312 + SUP-18314
 PC MTG 1-11-07

1/11/2007

9

Dorothy Marsili

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

Carmel Viado

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

Pamela –
 Thank you for your protest letter, and I will see that it is forwarded to the appropriate staff.
 I hope you have a great day.
 Laurie Kruse

Laurie Kruse, Sr. Executive Assistant to Councilman Larry Brown
 City of Las Vegas Mayor & Council Office
 400 Stewart Avenue, Las Vegas, NV 89101
 702-225-6405/0 702-464-2683/Fax

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

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

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

1/11/2007

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

P

Dorothy Marsili

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

Carmel Viado

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

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

Laurie Kruse, Sr. Executive Assistant to Councilman Larry Brown
 City of Las Vegas Mayor & Council Office
 400 Stewart Avenue, Las Vegas, NV 89101
 702-229-6400 702-464-2683 fax

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

To Whom It May Concern:

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

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

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

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

ITEM # 28 + 29
 CASE # 18312 + 5112 18314
 PC MTG 1-11-07

1/11/2007

P

Dorothy Marsili

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

More info on the email protest. ☺

Carmel Viado

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

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

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

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

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

ITEM # 23 " 29
 CASE # VAR-18312 & SUP-18314
 PC MTG 11 07

1/11/2007

P

Dorothy Marsili

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

Ydoleena Y.

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

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

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

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

Ladies and Gentleman,

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

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

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

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

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

1/11/2007

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

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

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

Nick Sagnelli
saguel8@cox.net

1/11/2007

ITEM # 28-29
CASE # 02-18312 + SWP 18314
PC MTG 1-11-07

P

Dorothy Marsili

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

Kim -

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

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

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

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

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

1/11/2007

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

2

Dorothy Marsili

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

Anita -

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

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

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

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

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

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

1/11/2007

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

P

Dorothy Marsili

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

Carmel Viado

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

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

Laurie Kruse, Sr. Executive Assistant to Councilman Larry Brown
 City of Las Vegas Mayor & Council Office
 400 Stewart Avenue, Las Vegas, NV 89101
 702-229-6405/O 702-464-2663/Fax

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

Variance#18312, SUP#18314 **To Whom it**
 may concern; This email is to **OBJECT!!!!** to the proposed 80ft. wireless tower to be built on the property on the other side of the water retention basin which is behind my home.
 I believe that the dialogue of communication of this proposal has a horrific edge not only of it's possible existence but the timing of the distribution. Most of us let's face it, are recovering from the holiday's and the probability of paper work being lost in the shuffle of preparing to get back to the norm, I feel that most residents in our area will forget of this issue.
 I am concerned on many levels, first and foremost, health issues, -depreciation of my home, visual objection and many other concerns. Perhaps if this is passed what will this mean for the future of the property surrounding this neighborhood??
 There is the land just west of us (THE 215 highway) that has room more appropriate for this tower, I am sure and pray that there are other location's that are more just for this tower. I hope that this email will be taken in consideration for my objection of the wireless tower location proposal.
 Sincerely; Mrs. Karin
 Keplinger 7916 Aviano Pines
 Ave., Las Vegas, NV 89129 (Variance #18312-SUP#18314)

1/11/2007

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

P

Telephone Protest/ Approval Log

Meeting Date:

1/11/07

Case Number:

SUP-18314

Date:

1/9/07

Name:

Harry Fureray

Address:

8004 Holly Knoll Ave.

Phone:



PROTEST



APPROVE

Date:

1/9/07

Name:

Ron Cokley

Address:

1741 Crenshaw Wy

Phone:

656-7213



PROTEST



APPROVE

Date:

1/9/07

Name:

Anthony Bruges

Address:

4009 Poppy Fields Dr.

Phone:

655-4547



PROTEST



APPROVE

Date:

1/9/07

Name:

Susan King

Address:

4113 Wheat Stone

Phone:

645-8574



PROTEST



APPROVE

Date:

1/10/07

Name:

Paul Veright

Address:

8016 Wedlock Ln.

Phone:

655-4361



PROTEST



APPROVE

Date:

1/10/07

Name:

Keith Chause

Address:

4117 Wheat Stone Court

Phone:

656-3129



PROTEST



APPROVE

ITEM #

29

CASE #

SUP 18314

PC MTG

1/10/07

65P

Laurie Kruse

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

Dear Planning Commission:

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

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

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

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

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

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

Keep commercial ventures in commercial districts.

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

Sincerely,

P. Jensen

7809 Aviano Pines Ave.

89129. phone: 575-2073, 258-1122

Laurie Kruse

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

To Whom It May Concern:

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

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

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

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

Laurie Kruse

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

Variance#18312, SUP#18314

To Whom it may concern:

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

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

Keplinger

Sincerely: Mrs. Karin

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

7916 Aviano Pines Ave.,Las

1/11/2007

Laurie Kruse

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

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

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

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

Sincerely,

A Homeowner

Laurie Kruse

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

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

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

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

Thank you
GREG HANDLEY
7764 monza ave

1/11/2007

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT

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

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

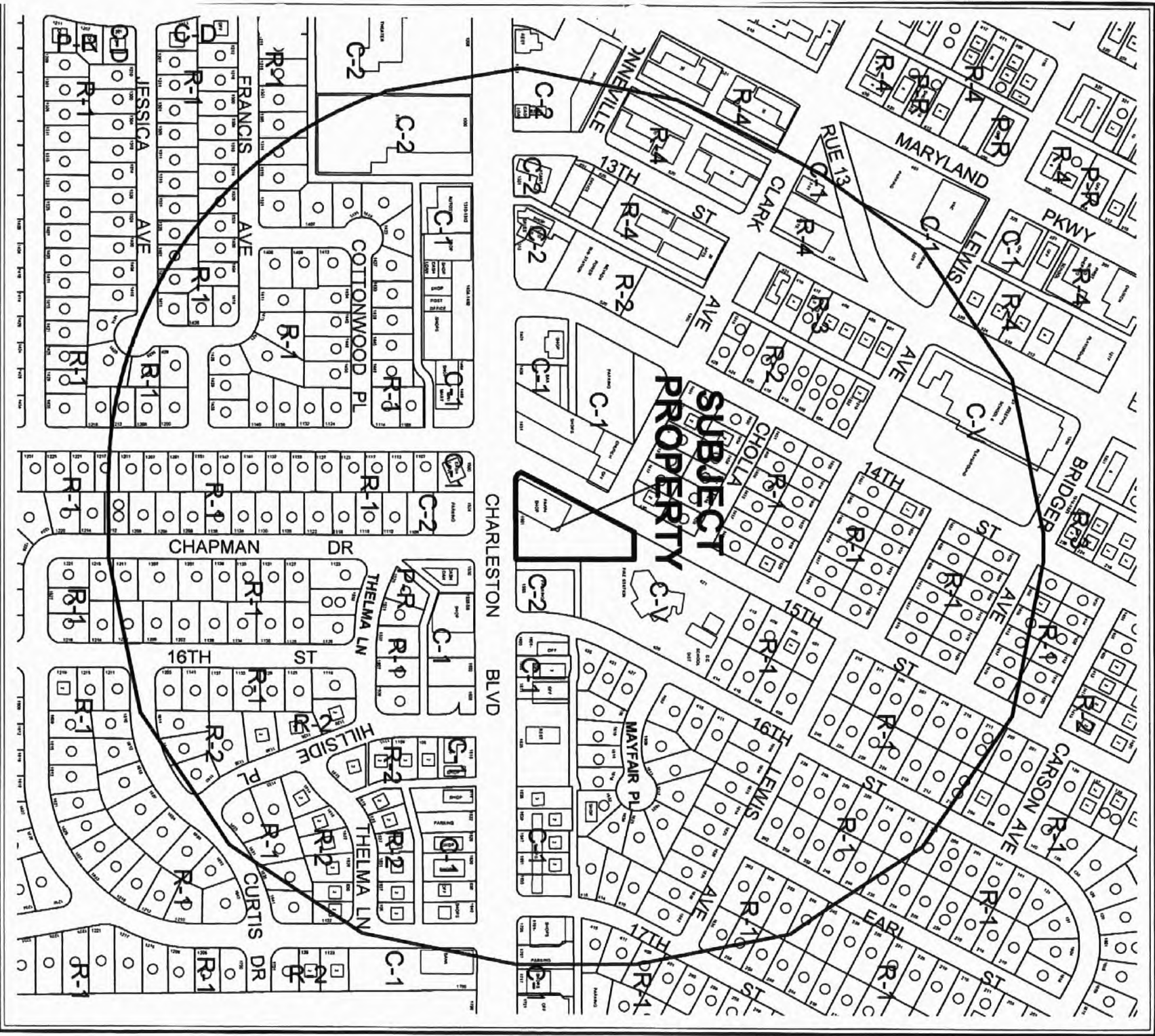
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Abeyance request by Spectrum Surveying and Engineering
6. Backup referenced from the 01-25-07 Planning Commission Meeting Item 14

Motion made by GARY REESE to Hold in Abeyance Items 89-91, Item 96, Item 101, Items 104-107 to 4/04/2007; Items 94 and 95 to 4/18/2007; and TABLE Items 97-100

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

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



CASE: **SUP-186655**

RADIUS: 1000 FT

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





CASE: **SUP-18655**

RADIUS: 1000 FT

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

0 200 400 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

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

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

**** CONDITIONS ****

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

Planning and Development

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

Public Works

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

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

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

BACKGROUND INFORMATION

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

Details of Application Request	
Site Area	
Net Acres	1.0

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

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

DEVELOPMENT STANDARDS

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

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

ANALYSIS

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

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

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

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

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

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

Conditions

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

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

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

- b. Determines that the proposed facility does not conform to the conditions listed below, a Special Use Permit will be required for the use. Any determination by the Director that a Special Use Permit will be required is no subject to appeal.

2. No residential use may exist on the property.

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

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

FINDINGS

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

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

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

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

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

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

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

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

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

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 315 by City Clerk

APPROVALS 0

PROTESTS 0



1501 E. CHARLESTON BLVD.
LAS VEGAS, NEVADA 89101

SUP-18655
01/25/07 PC

RECEIVED
2009

THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN A GRANT, BARGAIN
A SALE DEED RECORDED JUNE 4, 2001 IN BOOK 20010604 AS
INSTRUMENT NO. 01687 IN THE CLARK COUNTY RECORDER'S OFFICE,
CLARK COUNTY, NEVADA, LYING WITHIN SOUTHWEST QUARTER (SW1/4)
OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 35, TOWNSHIP 20
SOUTH, RANGE 81 EAST, N 81 E

BASIS OF MEASUREMENT

SOUTH 89°44'44" EAST, BEING THE SOUTH LINE OF THE SOUTHWEST
QUARTER (SW1/4) OF SECTION 35 AS SHOWN BY MAP THEREOF ON
FILE 87, PAGE 79 OF SURVEYS IN THE CLARK COUNTY RECORDER'S
OFFICE, CLARK COUNTY, NEVADA

BOUNDARIES

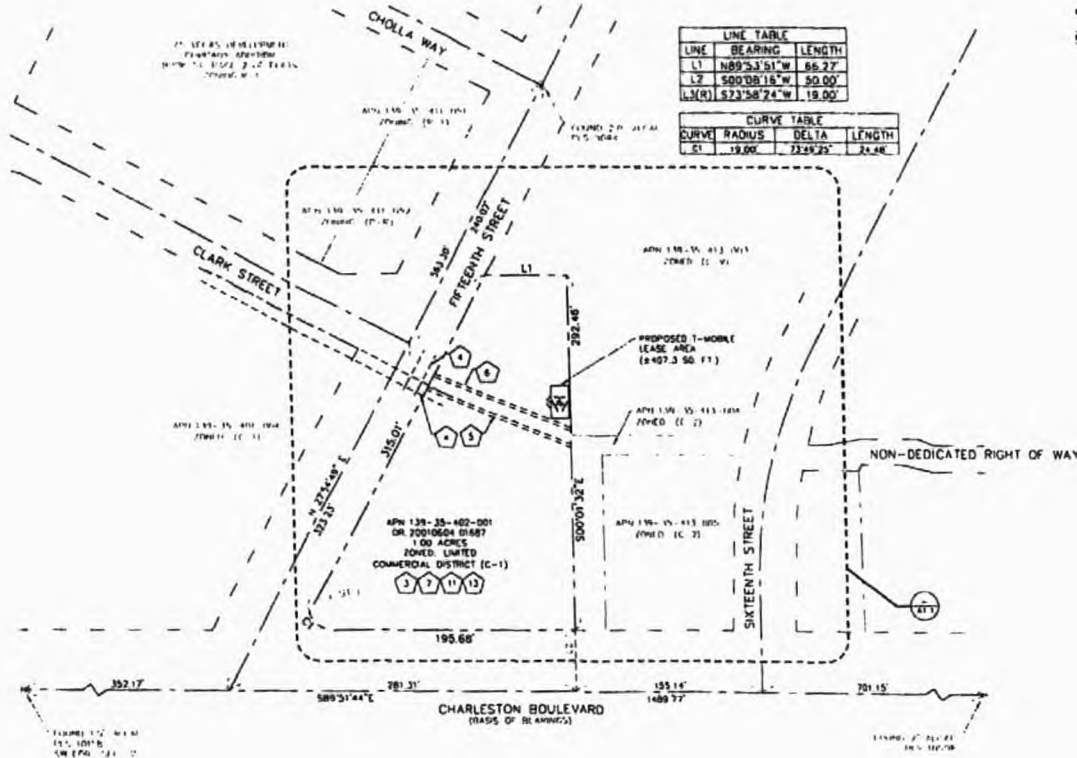
CITY OF LAS VEGAS VERTICAL CONTROL NO. 1219
BEING A BENCH AND PLATE IN TOP OF CURB AT NORTHEAST CORNER
OF CHARLESTON AND 15TH STREET

ELEVATION 1850.05 FEET (NAD 1983)
594.375 METERS (NAD 1983)

NOTES & TITLE REPORT EXCEPTIONS

ONLY THOSE EXCEPTION LISTED IN TITLE REPORT NO.
08-05-1013-WME, DATED MAY 8, 2008, PREPARED BY NEVADA TITLE
COMPANY, WHICH ARE NOT SOLELY FINANCIAL IN NATURE AND WHICH
REFERENCE A DOCUMENT CONTAINING A SUFFICIENT LEGAL DESCRIPTION
OF AREAS AFFECTED BY SAID DOCUMENT WERE CONSIDERED FOR THIS
SURVEY AND RE-LISTED BELOW ITEM NUMBERS CORRESPONDING TO ITEM
NUMBERS IN SAID TITLE REPORT

- ① RESERVATION AND EASEMENTS FROM STATE OF NEVADA
OR 155 832 AFFECTS ENTIRE SUBJECT PROPERTY
- ② SHIC FOR COMMUNICATION LINES OR 23 144 215460 AFFECTS
PORTION OF SUBJECT PROPERTY AS SHOWN HEREON
- ③ SHIC FOR POWER LINES OR 228 185275 AFFECTS PORTION
OF SUBJECT PROPERTY AS SHOWN HEREON
- ④ ETC FOR COMMUNICATION LINES OR 1349 1308362 AFFECTS
PORTION OF SUBJECTS PROPERTY AS SHOWN HEREON
- ⑤ CLY FOR DOWNTOWN DEVELOPMENT AREA OR 880311 00777
AFFECTS ENTIRE SUBJECT PROPERTY
- ⑥ RE ASSIGNMENT OF RIGHT AND LEASES OR 20010408 01208
AFFECTS PORTION OF SUBJECT PROPERTY AS SHOWN HEREON
- ⑦ RE FOR UNRECORDED LEASE OR 20010411 01077 AFFECTS
PORTION OF SUBJECT PROPERTY AS SHOWN HEREON



SITE PLAN

COMMPOINT
T-Mobile
410 S. RIVIERA ST. SUITE 101
LAS VEGAS, NV 89107

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

CURRENT ISSUE DATE
11/08/06

ISSUED FOR
ZONING

REV	DATE	DESCRIPTION	BY
1	11/08/06	ZONING FILING	DS
2	04/12/06	REVISED ZONING	J.C.
3	04/20/06	100% ZONING	J.C.
4	06/07/06	FOR 100% ZONING	B.L.

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

DRAWN BY: CHM APV
B. LANDSTON M. CEFALU C. WENNER

LICENSURE

SHEET TITLE

SITE PLAN

SHEET NUMBER

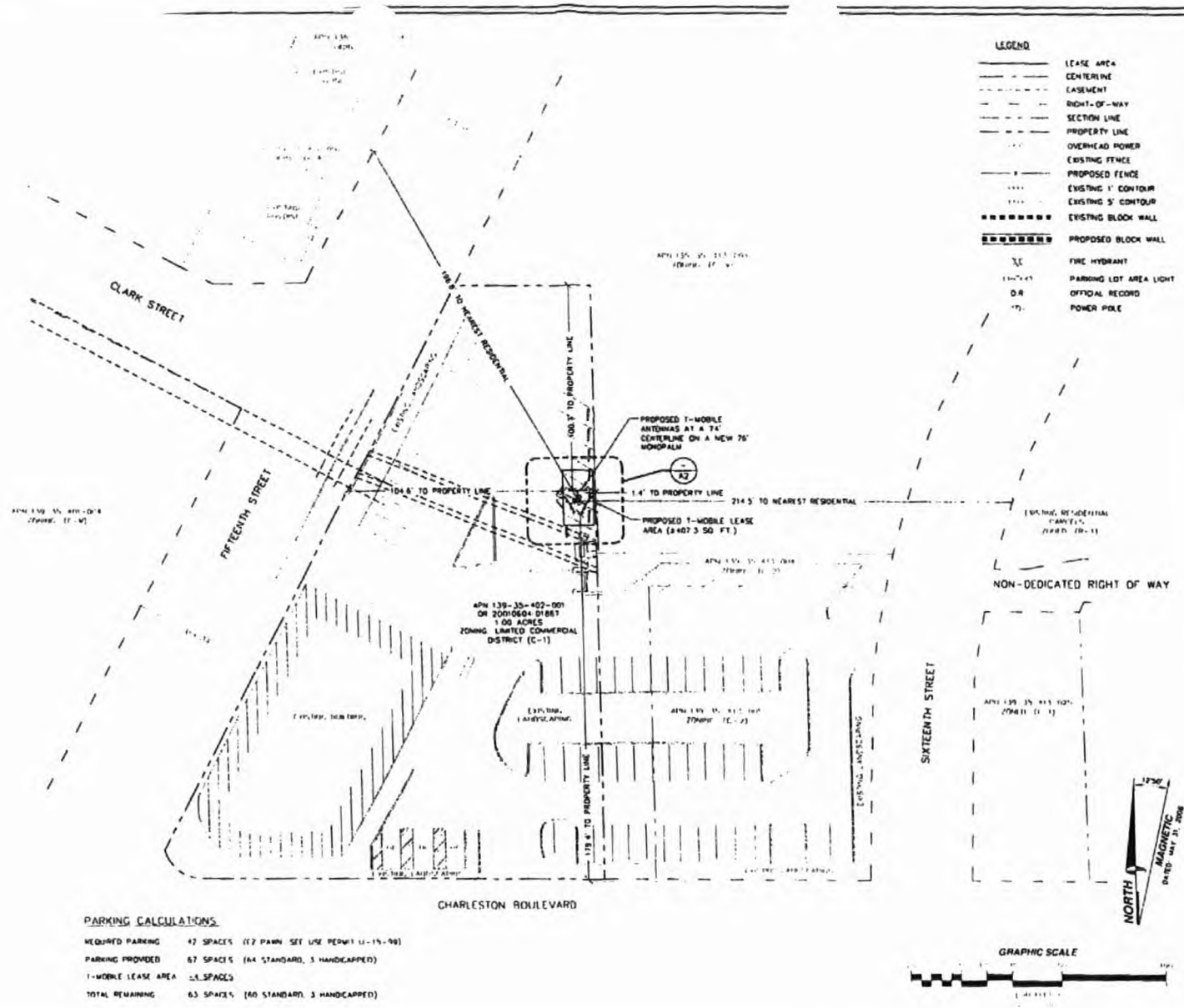
REVISION

A1

4

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

RECEIVED
DEC 11 2006



ENLARGED SITE PLAN

T-Mobile
4175 S RIVER ST. 1ST FL.
LAS VEGAS, NV 89147

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

CURRENT ISSUE DATE
11/08/06

ISSUED FOR
ZONING

REV	DATE	DESCRIPTION	BY
1	11/08/06	ZONING PLING	D.S.
2	08/28/06	ZONING REVISIONS	D.S.
3	08/12/06	REVISED ZONING	J.C.
4	08/20/06	100% ZONING	J.C.
5	08/02/06	BOX ZONING	B.

PLANS PREPARED BY
SPECTRUM
SURVEYING & ENGINEERING
7351 W CHARLESTON BLVD, SUITE 120
LAS VEGAS, NEVADA 89117
PH (702) 367-7755
FAX (702) 367-8733

DRAWN BY CHK **APV** B LANDSTON M CEFALU C WENER

LICENSURE

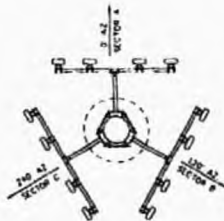
SHEET TITLE
ENLARGED SITE PLAN

SHEET NUMBER **REVISION**

A1.1 **4**

RECEIVED
DEC 11 2006

SUP-18655
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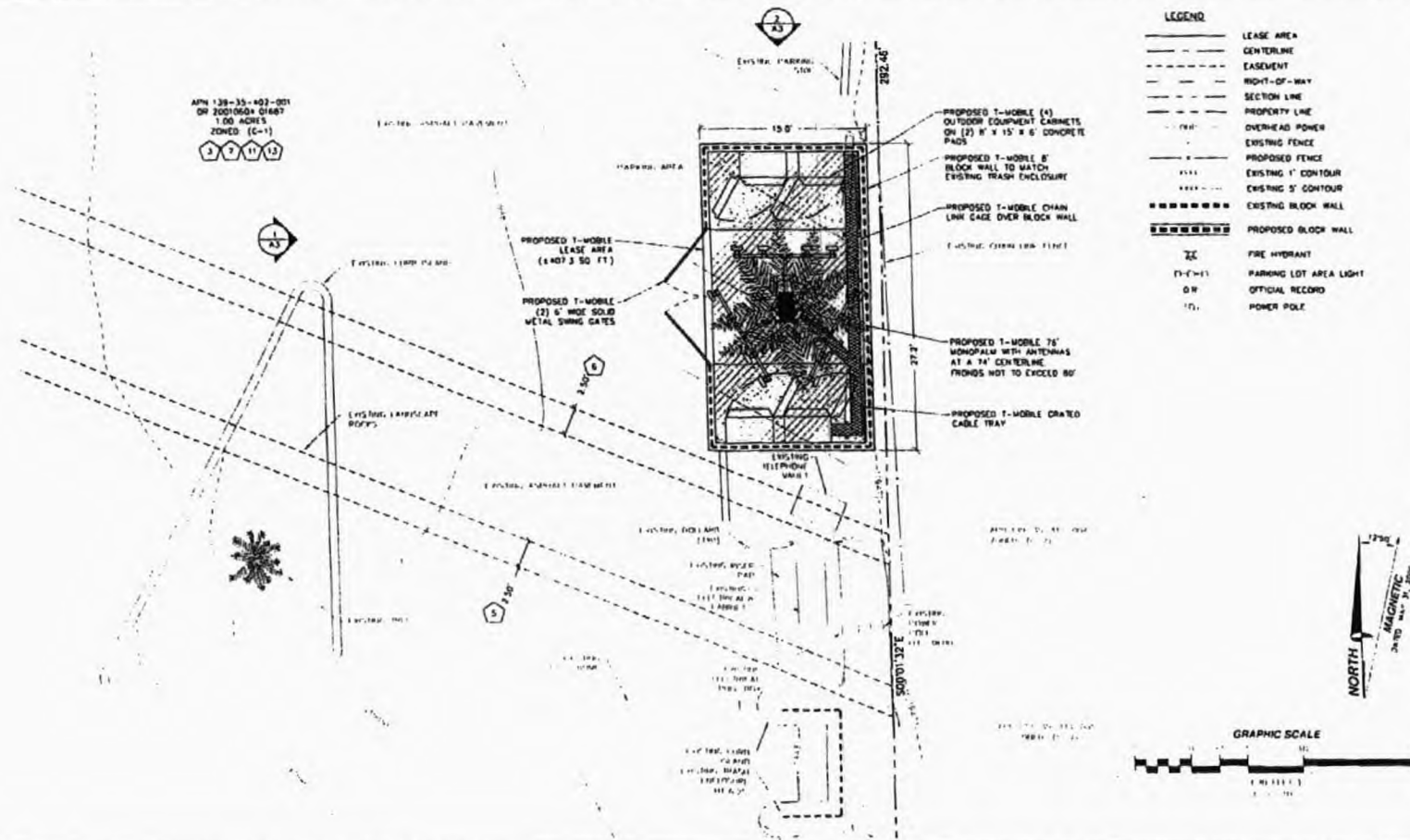
ANTENNA SECTION	AZIMUTH	ANTENNA MAKE/MODEL	COAXIAL CABLE LENGTH	CABLE SIZE	PIN CENTER	TOP JUMPER LENGTH	BOTTOM JUMPER LENGTH	COMMENTS
SECTION A	0°	DRS-18KXDRD	90' X 8	1/8" COAX	74"	5'	8' (10' MAX)	
SECTION B	120°	DRS-18KXDRD	90' X 8	1/8" COAX	74"	5'	8' (10' MAX)	
SECTION C	240°	DRS-18KXDRD	90' X 8	1/8" COAX	74"	5'	8' (10' MAX)	
GPS	N/A	MOTOROLA GPS	30' X 1	1/2" COAX		N/A	N/A	
LMU	N/A	N/A	N/A	N/A		N/A	N/A	

EQUIPMENT	QUANTITY	EQUIPMENT MAKE/MODEL	LATITUDE (NAD83)	LONGITUDE (NAD83)	HEIGHT (WGS84)	GROUND LEVEL (AMSL)	COMMENTS
ERICSSON	4	NBS-2106 (OUTDOOR)	N/A	N/A	N/A	N/A	

ANTENNA LAYOUT

3 ANTENNA AND CABLE SCHEDULE

2



SITE DETAIL

T-Mobile
 415 S. RAY ST. STE. 10
 LAS VEGAS, NV 89101

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

CURRENT ISSUE DATE:
 11/08/06

ISSUED FOR:
 ZONING

REV.	DATE	DESCRIPTION	BY
1	09/17/06	REVISED ZONING	J.E.
2	06/20/06	100% ZONING	J.E.
3	06/02/06	SITE ZONING	R.L.

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

DRAWN BY: CHM **APV:**
 B. LANGSTON W. CEFALU C. WENEF

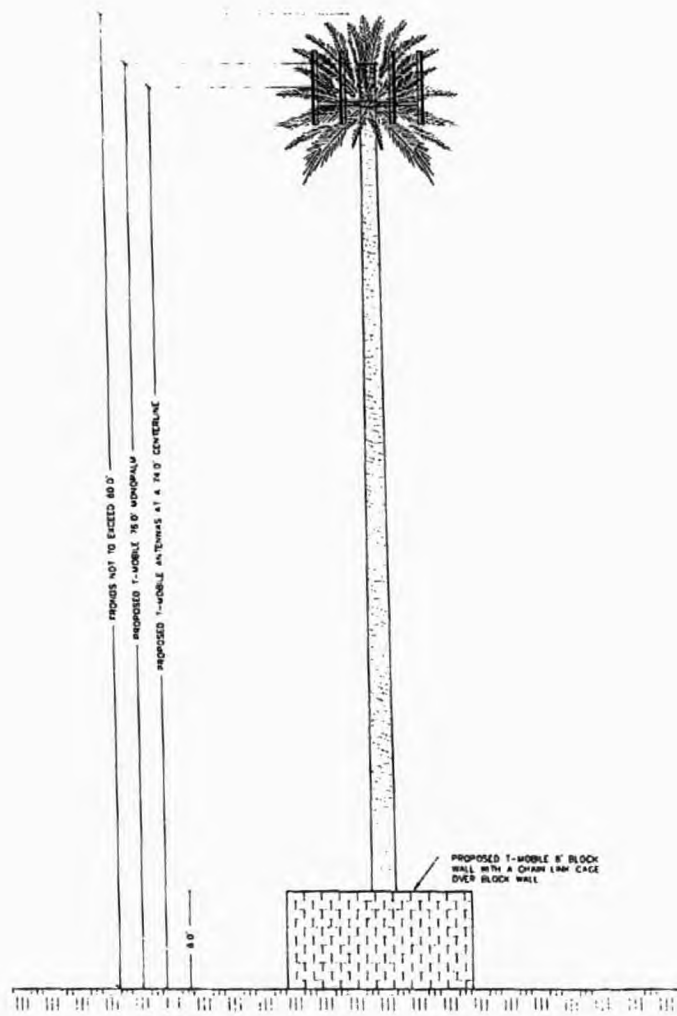
LICENSURE:

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

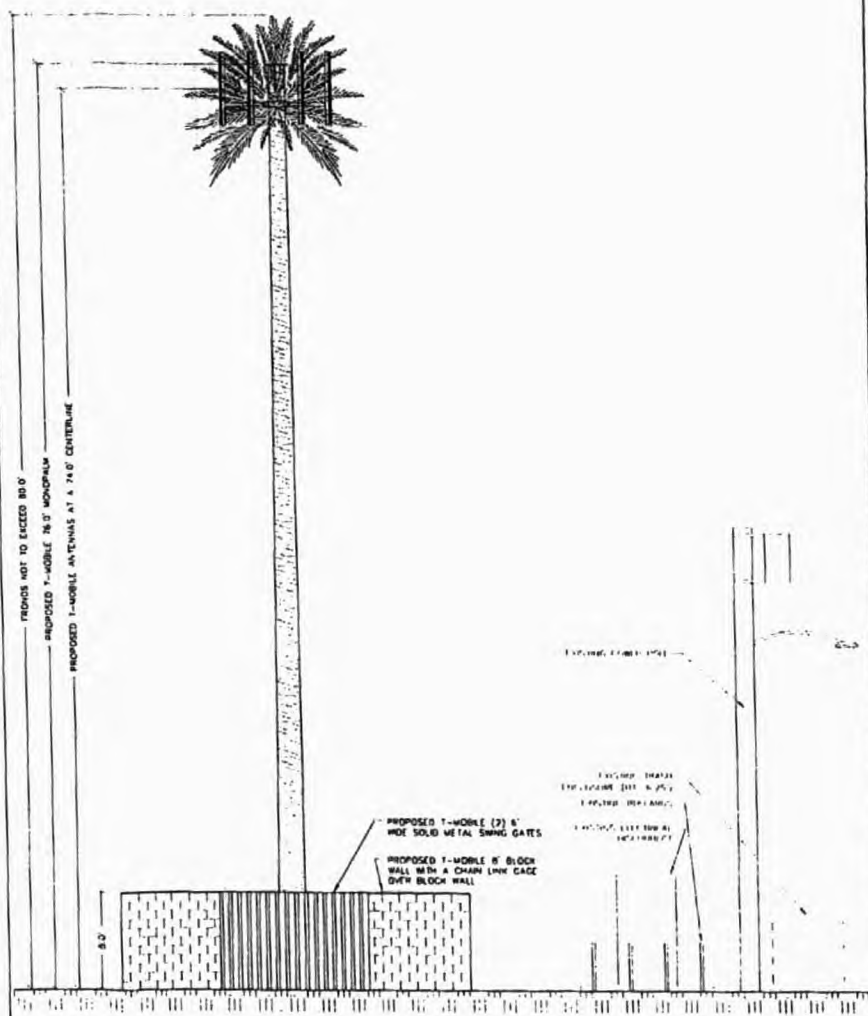
SHEET NUMBER: A2 **REVISION:** 2

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NORTH ELEVATION



WEST ELEVATION

PROJECT INFORMATION CHAPMAN DR. AND THELMA LN. VG08659-A 1501 E CHARLESTON BLVD LAS VEGAS, NEVADA 89101	
CURRENT ISSUE DATE 11/08/06	
ISSUED FOR ZONING	
REV.	DATE DESCRIPTION BY
1	08/12/06 REVISED ZONING J.E.
2	06/20/06 100% ZONING J.C.
3	06/02/06 50% ZONING B.I.
PLANS PREPARED BY 7351 W CHARLESTON BLVD, SUITE 120 LAS VEGAS, NEVADA 89117 PH (702) 367-7705 FAX (702) 367-8733	
DRAWN BY CHW APV BY LANGSTON M. CEFALU C. WENER	
LICENSURE	
SHEET TITLE ELEVATIONS	
SHEET NUMBER A3	REVISION 2

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

12/26/06



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

12/26/06



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

December 11, 2006

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

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

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

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

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

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

Best regards,
Spectrum Surveying & Engineering

A handwritten signature in cursive script, appearing to read 'Margaret Gefalu'.

Margaret Gefalu
Director of Wireless Services

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DEC 11 2006

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

RECEIVED
CITY CLERK7351 W. Charleston Blvd., Suite 120
Las Vegas, NV 89117
Phone: 702.367.7705
Fax: 702.367.8733

2007 MAR 21 A 10:52

March 21, 2007

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101Re: SUP 18655
VG08659 Chapman/Thelma T-Mobile
1501 E. Charleston Blvd (APN 139-35-402-001)
City Council Hearing Date: March 21, 2007(Item #95)Spectrum Surveying and Engineering on behalf of the applicant T-Mobile USA,
request that SUP 18655 to be heard at the City Council Meeting on March 21, 2007
be HELD in Abeyance for thirty days (April 18, 2007 hearing).Should you have any additional question or concerns please do not hesitate to call
me at 702.525-8199.Sincerely,
Spectrum Surveying and Engineering

BY:

Margaret M. Cefalu
Director of Wireless Services
mcefalu@spectrumse.com

Date 3/21/07 Item # 95

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

01/19/2007 14:45

7023857268

PLANNING & DEVELOPMT

PAGE 02/10

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE



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

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

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

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

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

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

Justin Keeter 1/22/07
Signature Date

Kirtus Keater
Please Print Name

Spectrum Surveying & Engineering
Company Name

Sincerely,

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

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

MOD-19114 - PUBLIC HEARING - APPLICANT/OWNER: CLIFF'S EDGE, LLC - Request for a Major Modification TO REVISE THE CLIFF'S EDGE MASTER DEVELOPMENT PLAN AND DESIGN GUIDELINES TO CLARIFY CERTAIN SETBACK, LANDSCAPE, DESIGN, WALL, ARCHITECTURAL PROJECTION SEPARATION AND BALCONY SEPARATION STANDARDS; TO ALLOW THREE STORY SINGLE FAMILY DWELLINGS WITH A MAXIMUM HEIGHT OF 38 FEET AND TO ADD A SIGN STANDARD SECTION, (APN Multiple), PD (Planned Development) Zone, Ward 6 (Ross). The Planning Commission (3-3 tie vote on a motion for approval) NO RECOMMENDATION. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****2****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (3-3 vote on a motion for approval) ended in a tie vote NO RECOMMENDATION. Staff recommends APPROVAL, subject to conditions.

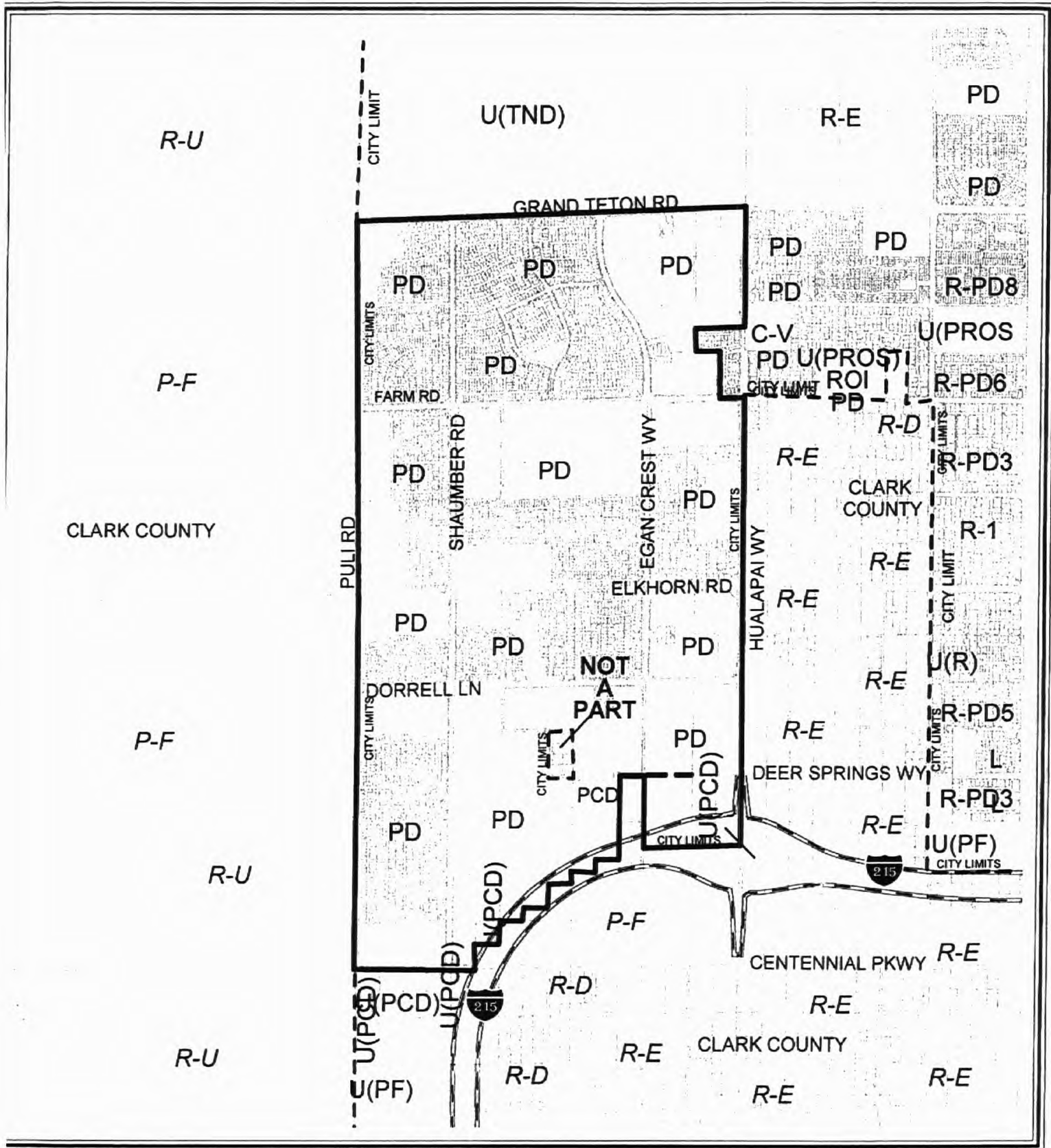
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Revisions for the Cliff's Edge Development Standards

Motion made by GARY REESE to Hold in Abeyance Items 89-91, Item 96, Item 101, Items 104-107 to 4/04/2007; Items 94 and 95 to 4/18/2007; and TABLE Items 97-100

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

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



CASE: MOD-19114

0 1000 2000 Feet



ZONING OF SUBJECT PROPERTY: PD (PLANNED DEVELOPMENT)

MAP LEGEND

 CLIFF'S EDGE MASTER DEVELOPMENT PLAN AREA

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: MOD-19114 - APPLICANT/OWNER: CLIFF'S EDGE, LLC

**** CONDITIONS ****

The Planning Commission (3-3 vote on a motion for approval) ended in a tie NO RECOMMENDATION. Staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the builder sign guidelines stamped 02/01/07.

Public Works

2. Coordinate all construction drawings with the Fire Protection Engineering Section of the Department of Fire Services; all buildings facing streets narrower than 36 feet wide, or 3 stories in height, or having less than a 5-foot side setback from the property line should be protected by residential fire sprinkler systems.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Major Modification to revise the Cliff's Edge Master Development Plan and design guidelines to clarify certain setback, landscape, design, wall, architectural projection separation and balcony separation standards; to allow three story single family dwellings with a maximum height of 38 feet and to add a sign standard section.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/05/03	The City Council approved an annexation (A-0035-02) of over 1,056 acres in the area bounded by Hualapai Way to the east, Grand Teton Drive to the north, Puli Road to the west and Centennial Parkway and the Beltway alignment to the south, including the subject sites of this Rezoning request. The Planning Commission recommended approval on 09/26/02. The effective date of this annexation is 02/14/03.
03/19/03	The City Council approved a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 317.5 acres covering 68 separate parcels in the Cliff's Edge area, and approved the related Cliff's Edge Master Development Plan to regulate development and the provision of infrastructure in the area. The Planning Commission and staff recommended approval on 02/13/03.
07/16/03	The City Council approved a Rezoning (ZON-2184) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 704 acres covering 21 separate parcels in the Cliff's Edge area, and approved text modifications to the related Cliff's Edge Master Development Plan to address conditions of approval of ZON-1520. The Planning Commission and staff recommended approval on 06/12/03.
11/20/03	A request for a Minor Modification to the Cliff's Edge Master Development Plan (MOD-3189) allowing reduced street widths under certain conditions in limited portions of the Plan area was administratively approved by the Planning and Development Department.

02/18/04	The Cliff's Edge Development Agreement (DIR-3451) was introduced to the City Council at this time. It was approved in ordinance form on 03/17/04. The Planning Commission and staff recommended approval on 01/08/04.
05/05/04	The City Council approved a request for a Major Modification to the Cliff's Edge Master Development Plan (MOD-2955) to change land use designations from Village Commercial to Medium Low Density Residential and Medium Density Residential; from Medium Density Residential to Residential Small Lot; and from Medium Low Density Residential to Pump & Reservoir; to modify Section 6.2.3 regarding retaining walls; and to modify Table 1 (Section 2.2) to reflect changes to the land use categories on 40 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission recommended approval on 04/08/04.
05/27/04	A request for a Minor Modification to the Cliff's Edge Master Development Plan and Design Guidelines (MOD-4237) to include an exhibit depicting cross sections for private interior residential streets was administratively approved by the Planning and Development Department.
06/16/04	The City Council approved an amendment to the Master Plan of Streets and Highways (MSH-4197) to add major roads within the Cliff's Edge Master Development Plan area, generally located between Grand Teton Drive and Clark County 215, and between Puli Road and Hualapai Way. The preparation and submission of this request was a condition of approval of the Cliff's Edge parent Tentative Map, as approved by the Planning Commission on 03/11/04.
08/03/05	The City Council approved a request for a Major Modification to the Cliff's Edge Master Development Plan (MOD-6279) to change land use designations from ML (Medium Low Density Residential) to L (Low Density Residential) and RSL (Residential Small Lot); from L (Low Density Residential) to ML (Medium-Low Density Residential); and from RSL (Residential Small Lot) to ML (Medium Low Density Residential); and to modify the following sections of the Master Development Plan: Sections 2.2, 2.3.5, 2.3.6 and 2.3.7; to modify or add to the Design Guidelines as follows: Sections 3.1.1, 3.2.3B, 5.10, 5.10.1, 6.2.1, 6.2.2, 6.2.3, 7 and Exhibits 2, 7a, 7b, 8a, 14a, 14b, 14c, 15 and 17, on 1,14The applicant 6 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission and staff recommended approval on 05/26/05.
02/22/07	The Planning Commission (3-3 vote on a motion for approval) ended in a tie NO RECOMMENDATION (PC Agenda Item #19/ar).
Pre-Application Meeting	
12/11/07	The requirements for a Major Modification were explained.
Neighborhood Meeting	
Month/date/year	A neighborhood meeting is not required for this type of application

Details of Application Request	
Site Area	
Gross Acres	1,146

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

The provisions of the Centennial Hills Sector Plan require that a master plan be prepared for PCD (Planned Community Development) areas that exceed 80 acres in size. The applicant has previously prepared a master development plan entitled the "Cliff's Edge Master Development Plan and Design Guidelines", which was approved by City Council on March 19, 2003

Although the overall Cliff's Edge Master Development Plan area contains trails, is adjacent to rural preservation neighborhood areas and was a Project of Regional Significance, these issues were incorporated in the consideration and approval of the original Plan and related documents, such as the parent Tentative Map. These factors are not affected by the contents of the proposed Major Modification.

DETAILS OF APPLICATION REQUEST:

The applicant is proposing to revise the Cliff's Edge Development Standards. A summary of those changes, with staff's recommendations, are shown in the following tables:

Section 3.2.1 Medium Density Residential up to 25 Du/Ac	
PROPOSED CHANGE	STAFF RECOMMENDATION
Clarify property line and right of way setbacks	No objection
Clarify building separation standards	No objection
Clarify architectural projection standards.	No objection

Section 3.2.2 Residential Small Lot (Attached) – Up to 15 Du/Ac	
PROPOSED CHANGE	STAFF RECOMMENDATION
Clarify setbacks	No objection
Allow 3 story structures with a height of 38 feet. Standards for third story elements include a limitation to a maximum of 60% of the building footprint area.	No objection
Clarify architectural projection standards.	No objection

Section 3.2.3 Residential Small Lot (Mini Lot Cluster) – Up to 15 Du/Ac	
PROPOSED CHANGE	STAFF RECOMMENDATION
Clarify setbacks	No objection
Allow 3 story structures with a height of 38 feet. Standards for third story elements include a limitation to a maximum of 60% of the building footprint area.	No objection
Clarify architectural projection standards.	No objection

3.2.3. A Residential Small Lot (Paseo Cluster) Up to 15 Du/Ac	
PROPOSED CHANGE	STAFF RECOMMENDATION
Clarify setbacks	No objection
Allow 3 story structures with a height of 38 feet. Standards for third story elements include a limitation to a maximum of 60% of the building footprint area.	No objection
Clarify architectural projection standards.	No objection

3.2.3. B Residential Small Lot (Rear Loaded) Up to 15 Du/Ac	
PROPOSED CHANGE	STAFF RECOMMENDATION
Clarify setbacks	No objection
Allow 3 story structures with a height of 38 feet. Standards for third story elements include a limitation to a maximum of 60% of the building footprint area.	No objection
Clarify architectural projection standards.	No objection

3.2.4. Residential Small Lot (Mini-Lot Conventional) Up to 15 Du/Ac	
PROPOSED CHANGE	STAFF RECOMMENDATION
Clarify setbacks	No objection
Allow 3 story structures with a height of 38 feet. Standards for third story elements include a limitation to a maximum of 60% of the building footprint area.	No objection
Clarify architectural projection standards.	No objection

3.2.5. Medium Low and Low Density Residential	
PROPOSED CHANGE	STAFF RECOMMENDATION
Clarify setbacks	No objection
Clarify accessory structure setbacks	
Allow 3 story structures with a height of 38 feet. Standards for third story elements include a limitation to a maximum of 60% of the building footprint area.	No objection

Clarify architectural projection standards.	No objection
Revises varying rear setback standards so that no more than three adjacent dwellings may have rear setbacks that vary less than 5' from one another. otherwise an additional offset of at least 5' is required on the fourth dwelling.	No objection

4.1 Introduction	
PROPOSED CHANGE	STAFF RECOMMENDATION
Adds Classic Americana as an architectural style within a new section of the standards, designated as Section 4.10	No objection

4.3.1 Building Form	
PROPOSED CHANGE	STAFF RECOMMENDATION
Allows multi-story (exceeding two stories) dwelling in single family areas	No objection

4.4.1 Roof Form and Slope	
PROPOSED CHANGE	STAFF RECOMMENDATION
Revises roof standards so no more than two adjacent residences may have primary gable end roof forms facing the visible perimeter edges of the parcel.	No objection

4.10 Classic Americana Single Family Guidelines.	
PROPOSED CHANGE	STAFF RECOMMENDATION
Adds Classic Americana as an architectural style with symmetrical or asymmetrical 1 and 2 story massing with both vertical and horizontal breaks.	No objection

4.14 Classic Americana Multi Family Guidelines.	
PROPOSED CHANGE	STAFF RECOMMENDATION
Adds Classic Americana as an architectural style with symmetrical or asymmetrical multiple story building forms.	No objection

5.2.1 Approved Plant Materials List	
PROPOSED CHANGE	STAFF RECOMMENDATION
Revises the approved plant materials list.	No objection

5.2.3 Rock Mulch.	
PROPOSED CHANGE	STAFF RECOMMENDATION
Establishes Rebel Rose as the approved rock color for the entire community	No objection

5.2.3 Rock Mulch.	
PROPOSED CHANGE	STAFF RECOMMENDATION
Establishes Rebel Rose as the approved rock color for the entire community	No objection

6.2 Walls	
PROPOSED CHANGE	STAFF RECOMMENDATION
Revises design standards for community walls.	No objection

6.2.9 View Fences	
PROPOSED CHANGE	STAFF RECOMMENDATION
Establishes RAL 8012 Red brown as the approved color for wrought iron view fences for the entire community.	No objection

8.1.1 Commercial Design Guidelines	
PROPOSED CHANGE	STAFF RECOMMENDATION
Allows the developer to enforce design standards more restrictive than the written guidelines.	No objection

Appendix A Sign Standards	
PROPOSED CHANGE	STAFF RECOMMENDATION
Adds a new section which addresses signage within the community.	No objection

ANALYSIS

This Modification represents further fine-tuning of the Cliff's Edge Master Development Plan and Design Guidelines documents that were previously approved by City Council in March 2003 and subsequently amended in 2003, 2004 and 2005. This Plan update has been reviewed in detail with City staff and staff has determined that the request is generally supportive of the thrust of the original policy basis of the Plan as developed in recent years. As a result of this approach, the application is recommended for approval.

FINDINGS

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

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

The General Plan designates the subject lands as PCD (Planned Community Development). The proposed text change to the Design Guidelines is unrelated to General Plan policies.

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

The Modification does not conflict with the PD (Planned Development) zoning that applies to lands within the Plan area. The proposed amendment is compatible with, and supportive of, the overall land use intent of the Plan.

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

The Modification request is appropriate given the need for the development industry to be able to incorporate design solutions for small lots on relatively steep lands within the Plan area. The ability to design and develop a range of housing types and products within the Plan area requires a more detailed approach to perimeter and product wall design than currently exists in the Cliff's Edge Master Development Plan, Title 18 or Title 19.

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

The request is unrelated to the provision of streets and highway facilities. This amendment will have no effect on streets and highway facilities in the area.

PLANNING COMMISSION ACTION

There were three speakers in opposition at the Planning Commission Meeting. Their principal concern was the three-story aspect of the project. The Planning Commission asked and the applicant agree to hold a neighborhood meeting and provide plans prior to the City Council Meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 1

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 126 by Planning Department

APPROVALS 0

PROTESTS 0





November 28, 2006

Doug Rankin, Planning Supervisor
City of Las Vegas, Current Planning Division
731 S. Fourth Street
Las Vegas, NV 89101

**SUBJECT: JUSTIFICATION LETTER FOR A MAJOR MODIFICATION TO
THE CLIFF'S EDGE MASTER PLAN FOR LAND USE PLAN UPDATES**

Dear Doug:

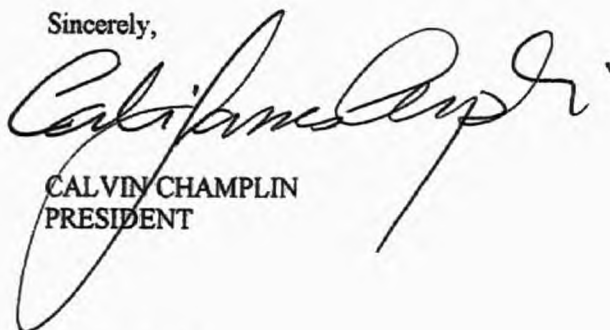
Cliff's Edge, LLC, as the Master Developer of the Cliff's Edge Master Plan, is requesting the attached major modification to the Plan on behalf of the property owners contained therein. This request would allow for modifications to the Cliffs Edge Land Use Plan and Land Use Tables and for a series of text and graphic updates.

The changes we are requesting are listed on the attached sheet with their corresponding page numbers where they would be replaced in the current design guidelines. Please note that proposed deletions from the plan are shown in red crossed-through text and proposed additions to the Plan are shown in blue text on the attached sheets, with the exception of the Land Use page where requested changes are shown in red for ease of reading.

Approving this request for land use changes will update the land use plan to reflect current and anticipated land uses within the Cliff's Edge Master Plan and accommodate changes to text and graphics that will further streamline implementation of the Cliff's Edge Master Plan.

Thank you for your assistance. Please let me know if you need anything further.

Sincerely,



CALVIN CHAMPLIN
PRESIDENT

3455 Cliff Shadows Pkwy, Suite 220
Las Vegas, NV 89129

P 702 395 3154

F 702 242 0414

E info@quadplan.com

www.quadplan.com

RECEIVED

MOD-19114
02/22/07 PC

JAN 09 2007

3.2.2 RESIDENTIAL SMALL LOT (ATTACHED) – UP TO 15 DU/AC

The following development standards replace the City of Las Vegas Title 19 Zoning ordinance (including residential adjacency standards) for development of Residential Small Lot (Attached) neighborhoods within Cliff's Edge.

Criteria	Up To 15 DU/AC
MINIMUM SETBACKS^(1,2)	
(Measured from back of sidewalk or back of curb if there is no sidewalk)	
FRONT -	
• Single Story Element	8' to living; 5' to porch
• Two Story Element	8' for up to a maximum of 60% of the width of the elevation, otherwise 10'
FRONT ENTRY GARAGE	Less than 5' or 18'+
TURN-IN GARAGE	10'
SIDE	
• Interior Lots	<u>0' at common structural wall between attached units</u> <u>3' at outside wall of end unit</u>
• Perimeter Lots (Siding to any community level roadway or open space)	5' for single story element with no gable end, or 10' for two story element or single story element with a gable end
CORNER SIDE	
• Single Story Element	<u>10' to living; 5' to porch</u>
• Two-Story Element	10'
REAR	
• Interior Lots	10', except that 5' allowed for up to 50% of the width of the elevation
• Perimeter Lots (Backing to any community level roadway or open space)	10', except that no more than two adjacent buildings may have the same rear setback; otherwise an additional offset of at least 5' is required
REAR PATIO COVERS / <u>2nd Story Decks</u>	10'
MAXIMUM BUILDING HEIGHT	
MAIN STRUCTURE	35' ⁽³⁾ <u>3-Story</u> ⁽⁴⁾
MINIMUM OPEN SPACE	
COMMON OPEN SPACE ⁽¹⁾	10,000 Sq. Ft. minimum + 50 Sq. Ft per unit for each unit in excess of 100 within the subdivision
PRIVATE OPEN SPACE	150 Sq. Ft./ Unit with a 15' minimum dimension

Date 3/21/07 Item #96

Criteria**Up To 15 DU/AC**

PARKING

MINIMUM NO. OF SPACES REQ'D.

- | | |
|--------------------|-------------------|
| • Resident Parking | 2 Spaces / Unit |
| • Visitor Parking | 0.2 Spaces / Unit |
-

1) Unless otherwise noted, architectural projections may project a maximum of 3 feet into any required setback or building separation area; however, in no case shall such projection be closer than 3 feet to any property line. An architectural projection is defined as an element that articulates the building elevation such as media niches, bay windows, chimneys, balconies, and other similar elements. The encroachment may be supported by a foundation. Architectural projections beyond exterior walls shall comply with minimum building separation and material requirements set forth by the applicable IRC requirements.

2) Projections for eaves (see architectural checklists), window and door pop-out surrounds, pot shelves, enhanced window sills, shutter details, window trim, entry gates, material veneers and wainscoting shall be governed by the provisions of the applicable IRC requirements.

3) Building height is measured as the average height level between the eaves and ridge line of a gable, hip or gambrel roof.

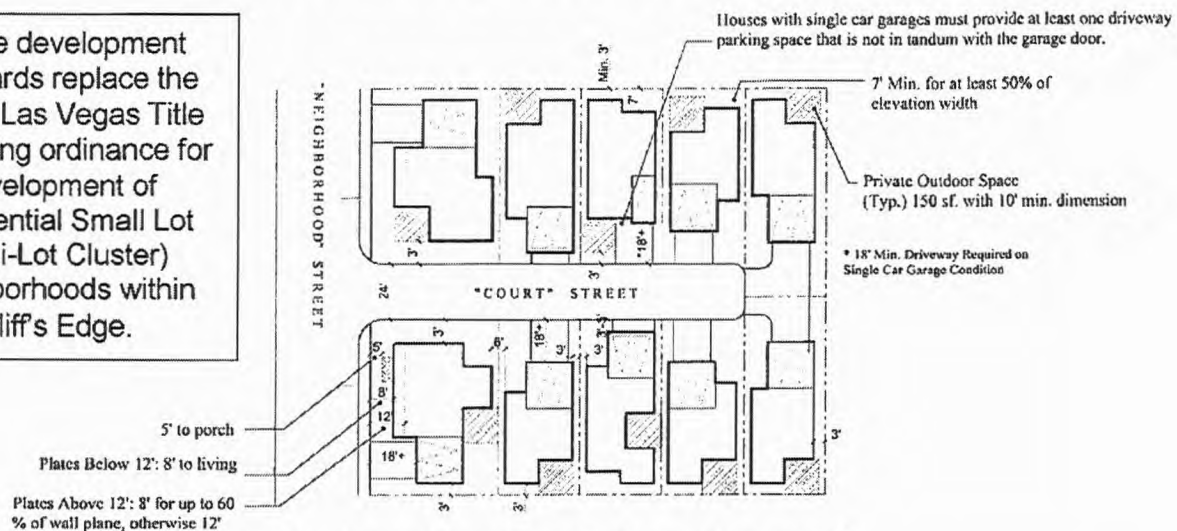
4) Three Story Product Standards

- a. Third story elements are limited to a maximum of 60% of the building footprint area.
- b. On 3-story dwellings, no more than 40% of the width of an exposed elevation (front or rear) may consist of a single continuous vertical wall plane. The remaining 3rd floor wall plane area, if any, shall be setback at least 5' from the 2nd floor footprint subject to the limits of criteria #1 above.
- c. A 3-story plan may be plotted adjacent to another 3-story plan or a 2-story plan only, except that no more than three 3-story plans may be plotted in a row. A 1-story plan shall not be plotted adjacent to a 3-story plan.
- d. Corner Lots: the plotting of 3-story plans on corner lots is discouraged. If plotted, however, third story elements on exposed corner side yards must be setback at least 10' from the 2nd floor footprint.
- e. Houses shall include a balcony on the front elevation.
- f. Roof pitch may be reduced to 3 ½ :12 on third story elements.

5) The minimum square footage of the recreation area is 10,000 Sq. Ft. Additional recreation area, when required, may be combined with the main recreation area, or may be utilized as a separate satellite recreation area with a minimum square footage of 4,000 Sq. Ft. The balance of any cumulative recreation requirement exceeding 14,000 Sq. Ft. may be devoted to common open space distributed throughout the project as the builder desires. The minimum width of a common open space area shall be 20'

3.2.3 RESIDENTIAL SMALL LOT (MINI LOT CLUSTER) UP TO 15 DU/AC

These development standards replace the City of Las Vegas Title 19 Zoning ordinance for development of Residential Small Lot (Mini-Lot Cluster) neighborhoods within Cliff's Edge.



MINIMUM DEVELOPMENT STANDARDS (CLUSTER HOUSING) ¹

Building Setback ^{4,5} (Measured from back of sidewalk or back of curb where there is no sidewalk)		
• Neighborhood Street	Plates Below 12'	8' Setback to living; 5' to porch
	Plates Above 12':	8' Setback for up to 60% of the wall plane; otherwise 12'. 5' to cantilevered balcony
• Court Street		3' to Living Area, Porch, Courtyard/Patio Gate
• Side Property Line	Within Cluster	3'
	Perimeter of Cluster	3'
• Rear Property Line		7' min. for at least 50% of the elevation width, otherwise 3'.
• Parcel Property Line		10'
Garage Face Setback		
• From Neighborhood Street	1 or 2 car garages	18'+
• From Court Street	1-car garages	18'+
	2-car garages	Less than 5' or 18'+
Patio Cover Setback		5'
Rear 2nd Story Balcony Setback		7'
Max. Building Height		35' ⁶ (3-Stories) ⁷
Private Yard Space ²		150 Sq. Ft. with 10' Minimum Dimension (May be located in front, side or rear of residence)
Common Open Space ³		Cumulative total of the following:
	• 1-100 units:	100 s.f. / unit
	• 101 units +:	50 s.f. / unit
Court Street Width		24'
Parking	Resident	2 Spaces / Unit
	Guest	0.2 Spaces / Unit
Use Easement Criteria (If Applicable)		Dedicated 3' (Min.) width from one lot to adjacent lot where applicable. Lot dedicating use easement must have 0-lot line wall.

1. Maximum of ten units per cluster, of which only 8 units may have a driveway on the court street.
2. On interior lots, Private yard space may be in front, side, rear or interior to dwelling unit, provided such space is at least 75% open to the sky. On perimeter lots, private yard space must be adjacent to the parcel boundary to provide articulation to the building mass on perimeter conditions.

3. Common open space may be provided in the form of a mini-park, internal paseos, landscape strips at key locations, or other areas as long as it is a visible element from a street and has a minimum dimension of 20'.

4) Unless otherwise noted, architectural projections may project a maximum of 3 feet into any required setback or building separation area; however, in no case shall such projection be closer than 3 feet to any property line. An architectural projection is defined as an element that articulates the building elevation such as media niches, bay windows, chimneys, balconies, and other similar elements. The encroachment may be supported by a foundation. Architectural projections beyond exterior walls shall comply with minimum building separation and material requirements set forth by the applicable IRC requirements.

5) Projections for eaves (see architectural checklists), window and door pop-out surrounds, pot shelves, enhanced window sills, shutter details, window trim, entry gates, material veneers and wainscoting shall be governed by the provisions of the applicable IRC requirements.

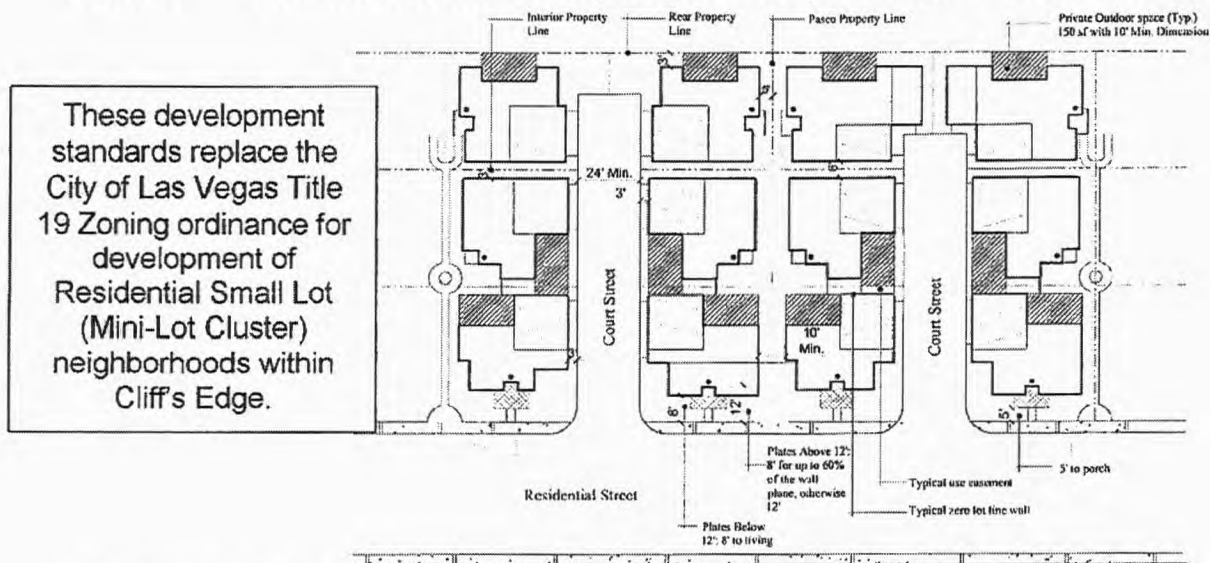
6) Building height is measured as the average height level between the eaves and ridge line of a gable, hip or gambrel roof.

7) Three Story Product Standards

- a. Third story elements are limited to a maximum of 60% of the building footprint area.
- b. On 3-story dwellings, no more than 40% of the width of an exposed elevation (front or rear) may consist of a single continuous vertical wall plane. The remaining 3rd floor wall plane area, if any, shall be setback at least 5' from the 2nd floor footprint subject to the limits of criteria #1 above.
- c. A 3-story plan may be plotted adjacent to another 3-story plan or a 2-story plan only, except that no more than three 3-story plans may be plotted in a row. A 1-story plan shall not be plotted adjacent to a 3-story plan
- d. Corner Lots: the plotting of 3-story plans on corner lots is discouraged. If plotted, however, third story elements on exposed corner side yards must be setback at least 10' from the 2nd floor footprint
- e. Houses shall include a balcony on the front elevation
- f. Roof pitch may be reduced to 3 ½ :12 on third story elements.

Note: Diagram is conceptual only. Final building footprints and layout will vary.

3.2.3. A Residential Small Lot (Paseo Cluster) UP TO 15 DU/AC



Minimum Development Standards

Building Setbacks ^{4.5.}

(Measured from back of sidewalk or back of curb where there is no sidewalk)

- From Residential Street
 - Plates below 12' 8' setback to living; 5' to porch
 - Plates above 12' 8' setback for up to 60% of the wall plane; otherwise 12' 5' to cantilevered balcony
- From Court Aisle
 - 3' min. to living area, porch, courtyard/patio gate
 - Less than 5' or 18'+ to garage face
- From Paseo Property Line 5'
- From Interior Property Line 3'
- From Rear Property Line 3'
- From Parcel Property Line 10'

Building Separation

Max. Building Height

Private Outdoor Space

Drive Aisle Width

Parking

Common Open Space

35' ⁶ (3-Stories) ⁷

150 Sq. Ft with 10' minimum dimension

(May be located in front, side or rear of residence)

24' Minimum

Resident 2 Spaces / Unit

Guest 0.2 Spaces / Unit

Cumulative total of the following:

- 1-100 units: 100 s.f. / unit
- 101 units +: 50 s.f. / unit

Use easement criteria (if applicable): Dedicated 3' width from one lot to adjacent lot where applicable. Lot dedicating use easement is to have zero lot line wall condition.

1. Maximum of eight units per cluster.
2. On interior lots, Private yard space may be in front, side, rear or interior to dwelling unit, provided such space is at least 75% open to the sky. On perimeter lots, private yard space must be adjacent to the parcel boundary to provide articulation to the building mass on perimeter conditions.
3. Common open space may be provided in the form of a mini-park, internal paseos, landscape strips at key locations, or other areas as long as it is a visible element from a street and has a minimum dimension of 20'.

4. Unless otherwise noted, architectural projections may project a maximum of 3 feet into any required setback or building separation area; however, in no case shall such projection be closer than 3 feet to any property line. An architectural projection is defined as an element that articulates the building elevation such as media niches, bay windows, chimneys, balconies, and other similar elements. The encroachment may be supported by a foundation. Architectural projections beyond exterior walls shall comply with minimum building separation and material requirements set forth by the applicable IRC requirements.

5. Projections for eaves (see architectural checklists), window and door pop-out surrounds, pot shelves, enhanced window sills, shutter details, window trim, entry gates, material veneers and wainscoting shall be governed by the provisions of the applicable IRC requirements.

6. Building height is measured as the average height level between the eaves and ridge line of a gable, hip or gambrel roof.

7. Three Story Product Standards

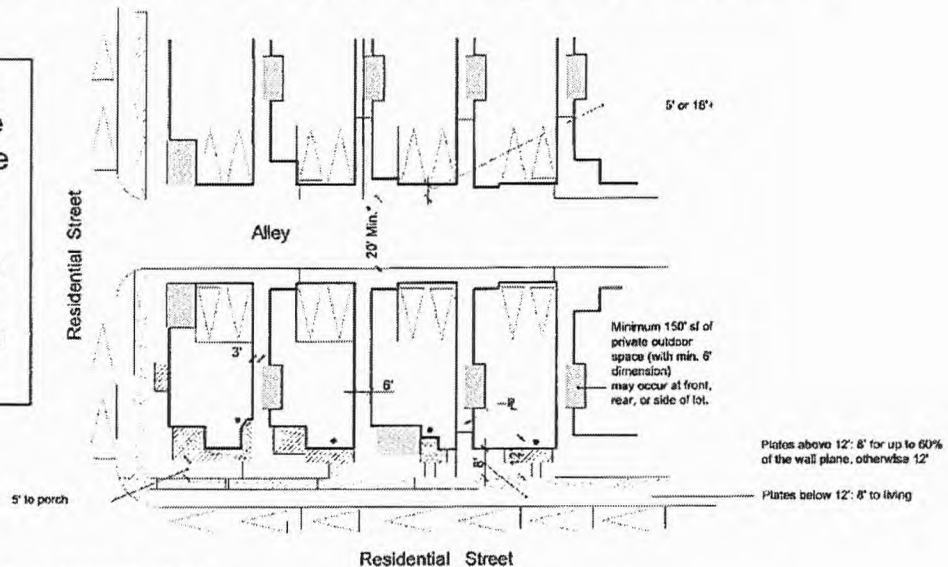
- a. Third story elements are limited to a maximum of 60% of the building footprint area.
- b. On 3-story dwellings, no more than 40% of the width of an exposed elevation (front or rear) may consist of a single continuous vertical wall plane. The remaining 3rd floor wall plane area, if any, shall be setback at least 5' from the 2nd floor footprint subject to the limits of criteria #1 above.
- c. A 3-story plan may be plotted adjacent to another 3-story plan or a 2-story plan only, except that no more than three 3-story plans may be plotted in a row. A 1-story plan shall not be plotted adjacent to a 3-story plan
- d. Corner Lots: the plotting of 3-story plans on corner lots is discouraged. If plotted, however, third story elements on exposed corner side yards must be setback at least 10' from the 2nd floor footprint
- e. Houses shall include a balcony on the front elevation.
- f. Roof pitch may be reduced to 3 ½ :12 on third story elements.

Note: Diagram is conceptual only. Final building footprints and layout will vary. Parking shown on residential streets is conceptual. All street parking is dependent upon the width of the residential street.*

*Revision approved by City Council on August 3, 2005. MOD-6279

3.2.3. B RESIDENTIAL SMALL LOT (REAR LOADED) UP TO 15 DU/AC *

These development standards replace the City of Las Vegas Title 19 Zoning ordinance for development of Residential Small Lot (Rear Loaded) neighborhoods within Cliff's Edge.



MINIMUM DEVELOPMENT STANDARDS

Building Setback ^{3,4} (Measured from back of sidewalk or back of curb where there is no sidewalk)	
• Neighborhood Street	Plates Below 12' 8' to living 5' to porch
	Plates Above 12': 8' Setback for up to 60% of the wall plane; otherwise 12'. 5' to cantilevered balcony
• Alleyway	3' to Living Area, Porch, Courtyard/Patio Gate
• Side Property Line	3'
• Parcel Property Line	10'
Garage Face Setback	
• From Alleyway	5' or 18'+
Max. Building Height	35' ⁵ (3-Stories) ⁶
Private Yard Space	150 Sq. Ft. with 6' Minimum Dimension (May be located in front, side or rear of residence)
Common Open Space ²	Cumulative Total of the following:
	• 1-100 units: 100s.f. / unit
	• 101 units+: 50s.f. / unit
Drive Aisle Width	20'
Parking	Resident 2 Spaces / Unit Guest 0.2 Spaces / Unit

1. On interior lots, Private yard space may be in front, side, rear or interior to dwelling unit, provided such space is at least 75% open to the sky. On perimeter lots, private yard space must be adjacent to the parcel boundary to provide articulation to the building mass on perimeter conditions.
2. Common open space may be provided in the form of a mini-park, internal paseos, landscape strips at key locations, or other areas as long as it is a visible element from a street and has a minimum dimension of 20'.

3. Unless otherwise noted, architectural projections may project a maximum of 3 feet into any required setback or building separation area; however, in no case shall such projection be closer than 3 feet to any property line. An architectural projection is defined as an element that articulates the building elevation such as media niches, bay windows, chimneys, balconies, and other similar elements. The encroachment may be supported by a foundation. Architectural projections beyond exterior walls shall comply with minimum building separation and material requirements set forth by the applicable IRC requirements

4. Projections for eaves (see architectural checklists), window and door pop-out surrounds, pot shelves, enhanced window sills, shutter details, window trim, entry gates, material veneers and wainscoting shall be governed by the provisions of the applicable IRC requirements.

5. Building height is measured as the average height level between the eaves and ridge line of a gable, hip or gambrel roof.

6. Three Story Product Standards

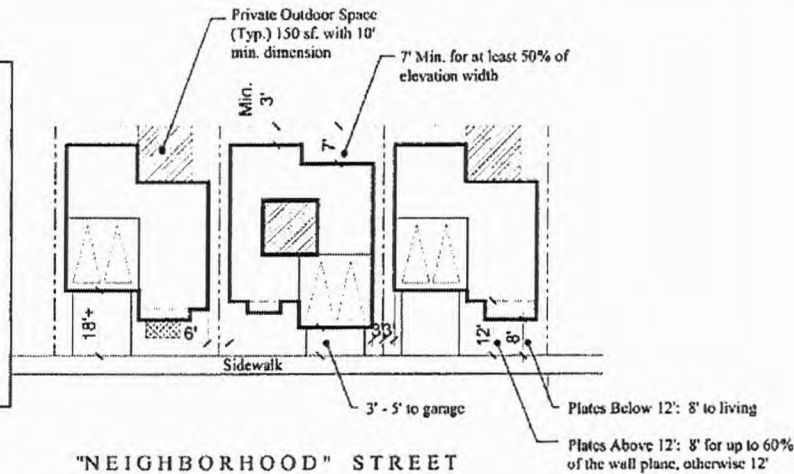
- a. Third story elements are limited to a maximum of 60% of the building footprint area.
- b. On 3-story dwellings, no more than 40% of the width of an exposed elevation (front or rear) may consist of a single continuous vertical wall plane. The remaining 3rd floor wall plane area, if any, shall be setback at least 5' from the 2nd floor footprint subject to the limits of criteria #1 above.
- c. A 3-story plan may be plotted adjacent to another 3-story plan or a 2-story plan only, except that no more than three 3-story plans may be plotted in a row. A 1-story plan shall not be plotted adjacent to a 3-story plan
- d. Corner Lots: the plotting of 3-story plans on corner lots is discouraged. If plotted, however, third story elements on exposed corner side yards must be setback at least 10' from the 2nd floor footprint
- e. Houses shall include a balcony on the front elevation.
- f. Roof pitch may be reduced to 3 ½ :12 on third story elements.

Note: Diagram is conceptual only. Final building footprints and layout will vary. Parking shown on residential streets is conceptual. All street parking is dependent upon the width of the residential street.*

*Revision approved by City Council on August 3, 2005. MOD-6279

3.2.4 RESIDENTIAL SMALL LOT (MINI-LOT CONVENTIONAL) UP TO 15 DU/AC

These development standards replace the City of Las Vegas Title 19 Zoning ordinance for development of Residential Small Lot (Mini-Lot Conventional) neighborhoods within Cliff's Edge.



MINIMUM DEVELOPMENT STANDARDS (CONVENTIONAL MINI-LOTS)

Building Setback ^{3,4} (Measured from back of sidewalk or back of curb where there is no sidewalk)	
• Neighborhood Street	Plates Below 12': 8' Setback to living; 5' to porch Plates Above 12': 8' Setback for up to 60% of the wall plane; otherwise 12' 5' to cantilevered balcony
• Interior Property Line	3'
• Side	7' min. for at least 50% of the elevation width, otherwise 3'.
• Rear	10'
• Parcel Property Line	Less than 5' or 18'+
Garage Face Setback	5'
Patio Cover Setback	
2nd Story Balcony Setback	
• Front	8'
• Rear	7'
• Side	Not allowed except when adjacent to master plan roadways or community open space.
Building Separation	6'
Max. Building Height	35' ⁵ (3-Stories) ⁶
Private Yard Space ¹	150 Sq. Ft. with 10' Minimum Dimension (May be located in front, side or rear of residence)
Common Open Space ²	Cumulative total of the following:
	• 1-100 units: 100 s.f. / unit
	• 101 units +: 50 s.f. / unit
Parking	Resident 2 Spaces / Unit Guest 0.2 Spaces / Unit
Use Easement Criteria (If Applicable)	Dedicated 3' (Min.) width from one lot to adjacent lot where applicable. Lot dedicating use easement must have zero lot line wall condition.

- On interior lots, Private Yard space may be in front, side, rear or interior of unit, provided such space is at least 75% open to the sky. On perimeter lots, private yard space must be adjacent to the parcel boundary to provide articulation to the building mass on perimeter conditions.
- Common open space may be provided in the form of a mini-park, internal paseos, landscape strips at key locations, or other areas as long as it is a visible element from a street and has a minimum dimension of 20'.

3. Unless otherwise noted, architectural projections may project a maximum of 3 feet into any required setback or building separation area; however, in no case shall such projection be closer than 3 feet to any property line. An architectural projection is defined as an element that articulates the building elevation such as media niches, bay windows, chimneys, balconies, and other similar elements. The encroachment may be supported by a foundation. Architectural projections beyond exterior walls shall comply with minimum building separation and material requirements set forth by the applicable IRC requirements.

4. Projections for eaves (see architectural checklists), window and door pop-out surrounds, pot shelves, enhanced window sills, shutter details, window trim, entry gates, material veneers and wainscoting shall be governed by the provisions of the applicable IRC requirements.

5. Building height is measured as the average height level between the eaves and ridge line of a gable, hip or gambrel roof.

6. Three Story Product Standards

- a. Third story elements are limited to a maximum of 60% of the building footprint area.
- b. On 3-story dwellings, no more than 40% of the width of an exposed elevation (front or rear) may consist of a single continuous vertical wall plane. The remaining 3rd floor wall plane area, if any, shall be setback at least 5' from the 2nd floor footprint subject to the limits of criteria #1 above.
- c. A 3-story plan may be plotted adjacent to another 3-story plan or a 2-story plan only, except that no more than three 3-story plans may be plotted in a row. A 1-story plan shall not be plotted adjacent to a 3-story plan
- d. Corner Lots: the plotting of 3-story plans on corner lots is discouraged. If plotted, however, third story elements on exposed corner side yards must be setback at least 10' from the 2nd floor footprint
- e. Houses shall include a balcony on the front elevation
- f. Roof pitch may be reduced to 3 ½ :12 on third story elements.

Note: Diagram is conceptual only. Final building footprints and layout will vary. Parking shown on residential streets is conceptual. All street parking is dependent upon the width of the residential street. * *Revision approved by City Council on August 3, 2005. MOD-6279

3.2.5 MEDIUM LOW AND LOW DENSITY RESIDENTIAL

The following development standards replace the City of Las Vegas Title 19 Zoning ordinance for development of Medium Low and Low Density residential neighborhoods within Cliff's Edge.

Criteria	MEDIUM LOW DENSITY RESIDENTIAL (UP TO 8 DU/AC)	LOW DENSITY RESIDENTIAL (UP TO 5.5 DU/AC)
MINIMUM SETBACKS ^{1,2,3}		
All front and corner side setbacks are measured from back of sidewalk or back of curb if there is no sidewalk. All other setbacks are measured from PL unless otherwise noted.		
FRONT - LIVING AREA OR PORCH		
• Single Story Element	10'	10'
• Two Story Element	10' for up to 60% of the wall plane; otherwise 15'	15'
FRONT ENTRY GARAGE ⁴	Less than 5' or 18'+	20'
TURN-IN GARAGE	10'	10'
SIDE ⁵		
• Interior Lots	3'	5'
• Perimeter Lots & Parcel Entry (Siding to any community level roadway or open space)	5' for single story element with no gable end, or 10' for two story element or single story element with a gable end	5' for single story element with no gable end, or 10' for two story element or single story element with a gable end
CORNER SIDE		
• Single Story Element	10' to living; 5' to porch	10' to living; 5' to porch
• Two-Story Element	10'	15'
REAR		
• Interior Lots	15' except that 10' allowed for up to 50% of the product width	20' except that a setback of 15' is allowed for up to 50% of the product width
• Perimeter Lots (Backing to any community level roadway or open space)	Same as Interior Lots, except that no more than three adjacent dwellings may have the same rear setback; otherwise an additional offset of at least 5' is required	Same as Interior Lots, except that no more than three adjacent dwellings may have the same rear setback; otherwise an additional offset of at least 5' is required
REAR PATIO COVERS ^{1/2nd} <u>Story Decks</u>	10'	10'
ACCESSORY STRUCTURES		
• Less Than 14' Bldg. Ht.	Front: 10' ⁽⁶⁾ Side : 3' Rear: 3'	Front: 10' ⁽⁶⁾ Side : 3' Rear: 3'

Criteria	MEDIUM LOW DENSITY RESIDENTIAL (UP TO 8 DU/AC)	LOW DENSITY RESIDENTIAL (UP TO 5.5 DU/AC)
Greater Than 14' Bldg. Ht.	Front: 15' ⁽⁹⁾ Side: 3' Rear: 5' if no window openings facing rear PL 10' if window openings face rear PL	Front: 15' ⁽⁹⁾ Side: 5' Rear: 5' if no window openings facing rear PL 20' if window openings face rear PL, except that a setback of 15' is allowed for up to 50% of the width of the main structure
Minimum Separation from Main Building	6'	6'

COURTYARD WALLS

Less than 32" in height	Front: 5' Interior Side: 0' Corner Side: 0'	Front: 5' Interior Side: 0' Corner Side: 0'
Greater than 32" in height (Including corner side yard privacy wall or fence)	Front: 10' Interior Side: 0' Corner Side: 5'	Front: 10' Interior Side: 0' Corner Side: 5'

MAXIMUM BUILDING HEIGHT

MAIN STRUCTURE	35' ⁷ (3-Story) ⁸	35' ⁷ (3-Story) ⁸
ACCESSORY STRUCTURE		
Single Story Structures	14'	14'
Two Story Structures	35'	35'

COMMON OPEN SPACE

Minimum Amount Required	25 SF / Unit	Common Open Space is not required
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PARKING

RESIDENT	2 SPACES / UNIT	2 SPACE / UNIT
VISITOR	0.2 SPACE / UNIT	0.2 SPACES / UNIT

DESIGN VARIATION

10-119 Homes	3 Plans 3 Elevations per plan	3 Plans 3 Elevations per plan
120 Homes or More	4 Plans 3 Elevations per plan	4 Plans 3 Elevations per plan

Criteria	MEDIUM LOW DENSITY RESIDENTIAL (UP TO 8 DU/AC)	LOW DENSITY RESIDENTIAL (UP TO 5.5 DU/AC)
• Color Schemes	No home on either side or directly across the street from a dwelling shall have the same color scheme.	
• Distribution	No identical plan and elevation are permitted side by side. Opposite hand footprints with different elevations and color schemes are permitted on up to 2 adjacent dwellings.	

1. All front and corner side setbacks are measured from back of sidewalk or back of curb if there is no sidewalk. All other setbacks are measured from PL unless otherwise noted.
2. ~~Architectural projections may project a maximum of 3 feet into required front, rear or side setback areas; however, in no case shall such projection be closer than 3 feet to any property line. An architectural projection is defined as an element that articulates the building elevation such as eaves, window and door pop-out surrounds, media niches, bay windows, pot shelves, chimneys, enhanced window sills, shutter details, window trim, balconies, entry gates, and other similar elements. The encroachment may be supported by a foundation, but may not enclose space within a building.~~
Unless otherwise noted, architectural projections may project a maximum of 3 feet into any required setback or building separation area; however, in no case shall such projection be closer than 3 feet to any property line. An architectural projection is defined as an element that articulates the building elevation such as media niches, bay windows, chimneys, balconies, and other similar elements. The encroachment may be supported by a foundation. Architectural projections beyond exterior walls shall comply with minimum building separation and material requirements set forth by the applicable IRC requirements.
3. Projections for eaves (see architectural checklists), window and door pop-out surrounds, pot shelves, enhanced window sills, shutter details, window trim, entry gates, material veneers and wainscoting shall be governed by the provisions of the applicable IRC requirements.
4. When front entry garages are plotted adjacent to one another on adjoining lots, the front plane of one garage must be offset a minimum of 3' from the garage on the adjacent lot.
5. Side yard setback may be 0' provided that the remaining side yard is a minimum of 10' in width in parcels up to 5.5 Du/ Ac, and a minimum of 6' in width in parcels from 5.6 Du/Ac to 8 Du/Ac. A recorded maintenance easement must be granted by the property owner adjoining that side of the lot on which the side yard has been eliminated.
6. Accessory structures that are provided as detached garages shall have a driveway setback that is less than 5' or greater than 18'.
7. Building height is measured as the average height level between the eaves and ridge line of a gable, hip or gambrel roof.
8. **Three Story Product Standards**
 - a. Third story elements are limited to a maximum of 60% of the building footprint area.
 - b. On 3-story dwellings, no more than 40% of the width of an exposed elevation (front or rear) may consist of a single continuous vertical wall plane. The remaining 3rd floor wall plane area, if any, shall be setback at least 5' from the 2nd floor footprint subject to the limits of criteria #1 above.
 - c. A 3-story plan may be plotted adjacent to another 3-story plan or a 2-story plan only, except that no more than three 3-story plans may be plotted in a row. A 1-story plan shall not be plotted adjacent to a 3-story plan

- d. Corner Lots: the plotting of 3-story plans on corner lots is discouraged. If plotted, however, third story elements on exposed corner side yards must be setback at least 10' from the 2nd floor footprint
- e. Houses shall include a balcony on the front elevation
- f. Roof pitch may be reduced to 3 ½ :12 on third story elements.

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
REZONING

ZON-18208 - PUBLIC HEARING - APPLICANT: FLETCHER JONES MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-2 (GENERAL COMMERCIAL) on a one-acre portion of 9.34 acres at 400 South Decatur Boulevard (APN 138-36-601-002), Ward 1 (Tarkanian). The Planning Commission (4-1-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-1-1 vote) and staff recommend DENIAL.

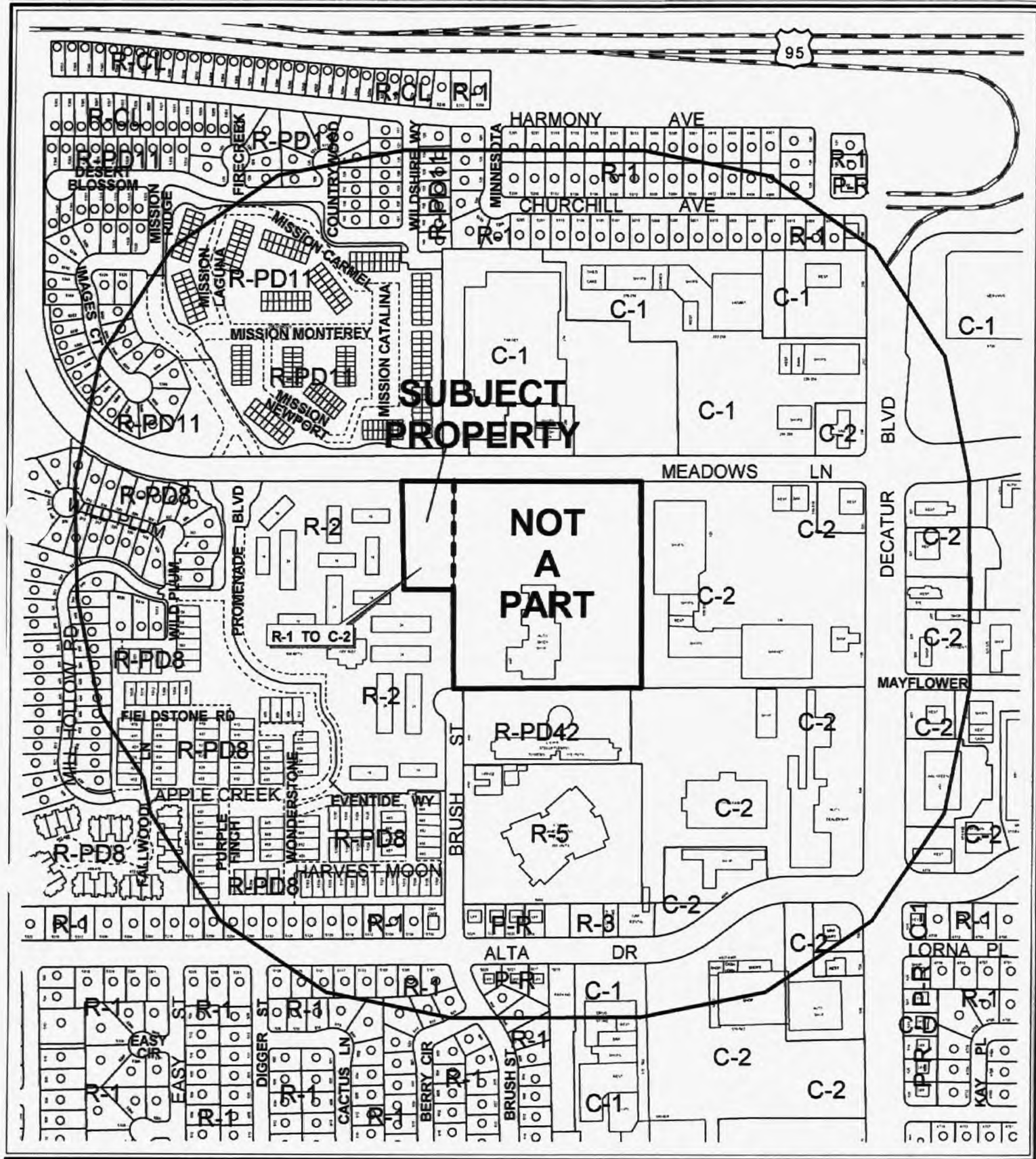
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Table request by Kathleen Fellows for Items 97-100
6. Backup referenced from the 02-22-07 Planning Commission Meeting Item 20

Motion made by GARY REESE to Hold in Abeyance Items 89-91, Item 96, Item 101, Items 104-107 to 4/04/2007; Items 94 and 95 to 4/18/2007; and TABLE Items 97-100

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

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



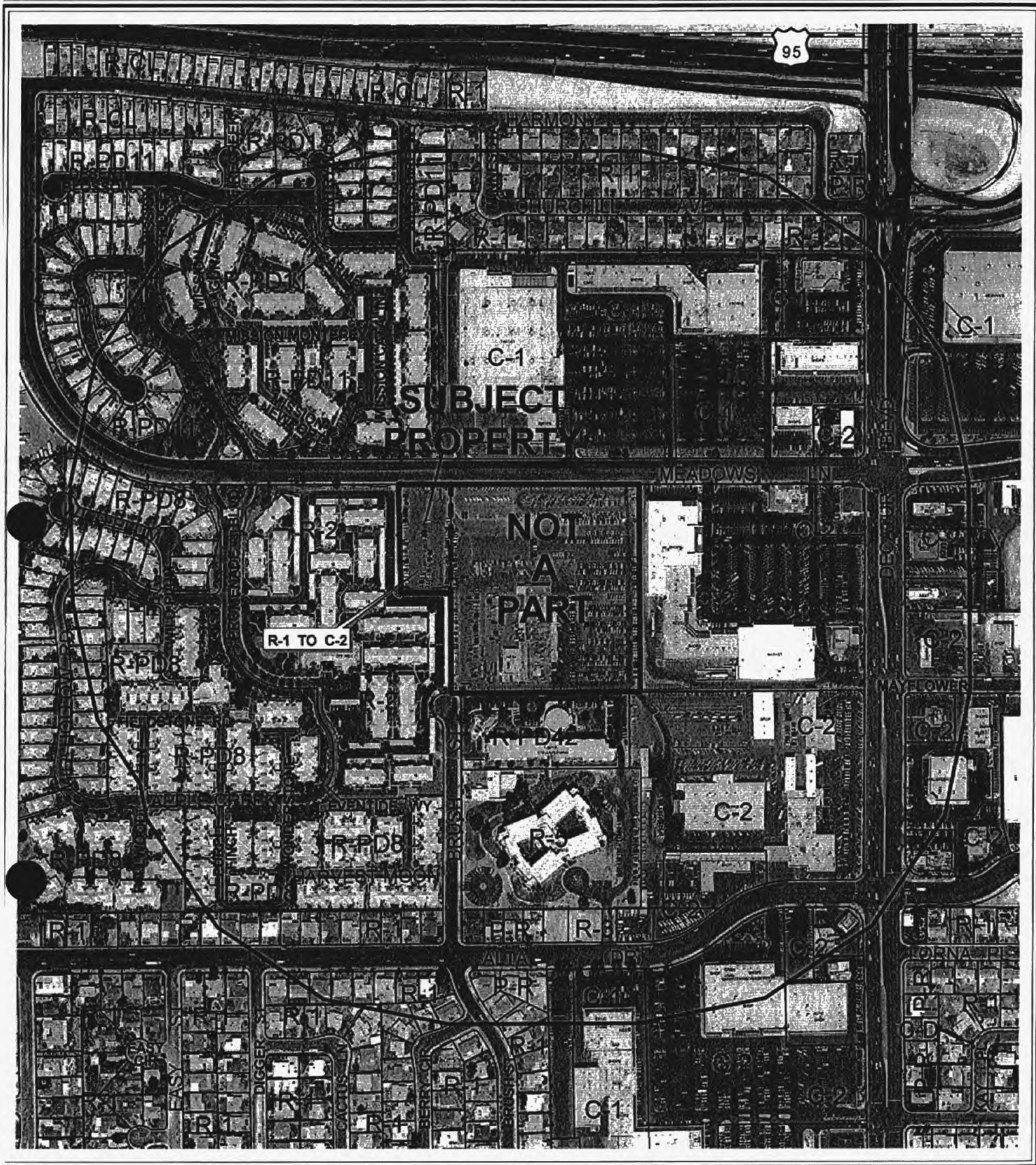
CASE: **ZON-18208**

RADIUS: 1000 FT

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

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





CASE: **ZON-18208**

RADIUS: 1000 FT

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

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-18208 - APPLICANT: FLETCHER JONES
MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST**

**** CONDITIONS ****

The Planning Commission (4-1/bg/1/rt vote) and staff recommend DENIAL.

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-18206) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
4. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights of way are not required and Traffic Control devices are or may be proposed at this site outside of the public right of way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Rezoning from R-1 (Single Family Residential) to C-2 (General Commercial) on a one-acre portion of a 9.34 acre parcel located at 400 South Decatur Boulevard, south of Meadows Lane. Staff recommends denial as the change in zone and proposed development and use of the site do not meet minimum Title 19 Commercial Development Standards.

Planning staff considers the proposed expansion as inappropriate for this area of the city. The project site is directly west of existing senior/retirement multi-family residential development to the west and within a one half mile radius of single family dwellings northwest along Meadows Lane. The project design does not meet the urban design standards of Title 19.08.050. The bulk and scale of the structure is more suitable within an industrial zoned area of the city. Furthermore, significant average daily vehicle trips will result with implementation of the project. Staff recommends denial of the request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/01/94	The City Council accepted at the request of the applicant, a Withdrawal without Prejudice a request (Z-0030-74 (6)) for a Review of Condition to allow commercial access onto Brush Street on property located on the south side of Meadows Lane approximately 650 feet west of Decatur Boulevard.
04/16/86	The City Council considered and approved the Plot Plan Review for the Meadows School expansion. The Planning Commission and staff recommended approval. The Meadows School ceased operations at this location in June 1988.
03/20/85	The City Council considered and approved the Plot Plan Review for the Meadows School Project. The Planning Commission and staff recommended approval. The Planning Commission and staff recommended approval.
05/16/84	The City Council considered and approved the Plot Plan Review (Z-30-74) to operate a private elementary school on property located approximately 600 feet west of Decatur Boulevard. The Planning Commission and staff recommended approval.
11/3/76	The Board of City Commissioners considered and approved a request for a Plot Plan Review (Z-30-74) for a body shop and paint room at 444 South Decatur Boulevard. The Planning Commission and staff recommended approval.

08/01/74	The Board of City Commissioners considered and approved a request for Reclassification of Property (Z-30-74) located south of the westerly prolongation of Michael Way. The Planning Commission and staff recommended approval.
02/22/07	The Planning Commission recommended denial of companion items VAR-18210, SUP-19129 and SDR-18206 concurrently with this application. The Planning Commission voted 4-1/bg/1/rt to recommend DENIAL (PC Agenda Item #20/ja.

Related Building Permits/Business Licenses

None

Pre-Application Meeting

01/09/07	A Pre-application was held with the applicant. Planning staff advised the applicant of the requirement for a Site Development Plan Review and Development Impact Notice and Assessment (DINA) application.
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Neighborhood Meeting

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

Details of Application Request

Site Area

Gross Acres	9.34 acres
-------------	------------

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Automotive	GC (General Commercial)	Split Zoned: C-2 (General Commercial) R-1 (Single Family Residential)
North	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
South	Residential	H (High Density Residential)	R-PD42 (Residential Planned Development – 24 Units Per Acre)
East	Commercial	SC (Service Commercial)	C-2 (General Commercial)
West	Residential	MLA (Medium Low Attached Residential)	R-2 (Medium-Low Density Residential)

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

* In accordance with Ordinance No. 5227 a DINA was prepared for the project to address the potential increase in Average Daily Trips (ADT) that may result with implementation of the proposed rezone and commercial development.

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	NA	Y
Min. Lot Width	100 lineal feet	680 lineal feet	Y
Min. Setbacks • Front • Side • Corner • Rear	20 10 15 20	27 38 115 55	Y
Min. Distance Between Buildings	NA	NA	Y
Max. Lot Coverage	50 percent	38 percent	Y
Max. Building Height	NA	26 feet	Y
Trash Enclosure	Yes	Yes	Y
Mech. Equipment	Screened	Screened	Y

ANALYSIS

The subject 9.34 property is split zoned with the majority of the site classified as C-2 (General Commercial) and the remaining approximately one acre portion delineated as R-1 (Single-Family Residential) along the west and northwest property lines. The proposed zone change to C-2 (General Commercial) will be consistent with the zoning for the greater part of the project site and the underlying General Plan land use.

FINDINGS

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

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

The proposed C-2 (General Commercial) zone is consistent with the underlying GC (General Commercial) land use designation of the General Plan. The project design, bulk and scale, and minimal landscaping are inconsistent with Title 19. Additionally, vehicle trips anticipated to be generated with this proposal may adversely impact the surrounding street network. The proposal is more suitable within an area designated for industrial uses.

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

Existing zones surrounding the project site include R-2 (Medium-Low Density Residential), R-PD11 (Residential Planned Development – 11 Units Per Acre) and C-1 (Limited Commercial). The proposed C-2 (General Commercial) district would allow uses that are considered undesirable in this area and incompatible with development in the area.

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

As designed the proposed project is more intense than other existing and proposed development in the area. Furthermore, numerous Waivers and a Variance are requested. As such, the project is considered inappropriate for this area of the city.

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

Access to the project site is adequate along Meadows Lane. However, the project will result in the generation of 4,100 Average Daily Trips (ADT) and which may negatively impact street and intersection operations along Meadows Lane and South Decatur Boulevard.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

ASSEMBLY DISTRICT 3

SENATE DISTRICT 3

NOTICES MAILED 298 by Planning Department

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-18208** APN: 138-36-601-002

Name of Property Owner: Fletcher Jones, Sr. Trust

Name of Applicant: Fletcher Jones Management Group, Inc.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner:

Print Name: Fletcher Jones, Jr.

Subscribed and sworn before me

This 2nd day of Nov., 20 06
Orange Co., CA.

Notary Public in and for said County and State

Gramelia D. Robbins



JONES VARGAS

ATTORNEYS AT LAW
3773 HOWARD HUGHES PARKWAY
THIRD FLOOR SOUTH
LAS VEGAS, NEVADA 89169

TEL (702) 862-3300 FAX (702) 734-2722

WWW.JONESVARGAS.COM

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WILLIAM J. RAGGIO
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MICHAEL E. BUCKLEY
RICHARD F. JOST
JANET L. CHUBB
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BENJAMIN W. KENNEDY
CURT R. LEDFORD
DARREN J. LEMIEUX
DIANE J. MARKERT

LINDA P. MCKENZIE*
MATTHEW T. MILONE
CHRISTOPHER C. MONEY
BINU G. PALAL**
TAMARA BEATTY PETERSON
ALEX RAMIREZ
RICHARD A. RAWSON
MOLLY MALONE REZAC
JOHN P. SANDE, IV
BRETT J. SCOLARI
STEVEN G. SHEVORSKI
TIFFANY J. SWANIS
STACIE A. TRUESDELL
JESSE A. WADHAMS
CHRISTINA H. WANG
GORDON H. WARREN
ANDREW WONG

ROBERT E. BRUCE
AMANDA J. COWLEY
ALAN B. RABKIN
OF COUNSEL

BRIAN J. MATTER
EXECUTIVE DIRECTOR

CLIFFORD A. JONES (1912 - 2001)
GEORGE L. VARGAS (1909 - 1985)
JOHN C. BARTLETT (1910 - 1982)
LOUIS MEAD DIXON (1919 - 1993)
GARY T. FOREMASTER (1953 - 1998)

Writer's Direct Line
(702) 862-3342
E-Mail Address
struesdell@jonesvargas.com

November 7, 2006

HAND DELIVERED

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

RE: Justification Letter – Rezoning

Dear Planning and Development Department:

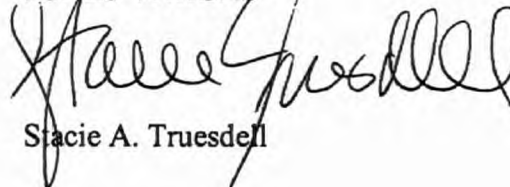
Enclosed is an application for a Rezoning of a portion of the approximately 9.34 acres located at 400 S. Decatur Blvd., south of Meadows Lane (APN 138-36-601-002) (the "**Property**") submitted by Fletcher Jones Management Group, Inc. (the "**Applicant**").

The Property is zoned C-2 (General Commercial) and R-1 (Single Family Resident District) and designated GC (General Commercial) under the General Plan. The Property is currently used as an automobile service facility which is operated in conjunction with the Bill Heard Dealership located adjacent to the Property. The Applicant requests to rezone the portion of the Property that is R-1 to C-2. Such a request is in conformance with the General Plan and the current use of the Property.

Thank you for your consideration of this request. Please contact me at (702) 863-3342 if you have any questions or comments.

Very truly yours,

JONES VARGAS



Stacie A. Truesdell

ST
Enclosures.

RENO OFFICE
100 WEST LIBERTY STREET, TWELFTH FLOOR, RENO, NEVADA 89504 TEL (775) 786-5000 FAX (775) 786-1177

*LICENSED IN ARIZONA ONLY
**LICENSED IN ILLINOIS AND WISCONSIN ONLY

ZON-18208 VAR-18210
SDR-18206 02/22/07 PC

JONES VARGAS

ATTORNEYS AT LAW
3775 HOWARD HUGHES PARKWAY
THIRD FLOOR SOUTH
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ANDREW WONG

ROBERT E. BRUCE
AMANDA J. COWLEY
ALAN B. RABKIN
OF COUNSEL

BRIAN J. MATTER
EXECUTIVE DIRECTOR

March 20, 2007

City Clerk
1st Floor, City Hall
400 Stewart Avenue
Las Vegas, NV 89101
Facsimile: (702) 382-4803

Via Facsimile: (702) 382-4803

Re: Request to table applications ZON-18208, VAR-18210, SUP-19129, and SDR-18206

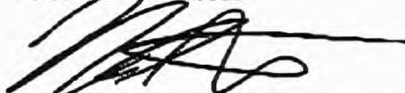
Dear City Clerk:

Please be advised that this firm represents Fletcher Jones Management Group, Inc. (the "Applicant"). The Applicant respectfully requests that ZON-18208, VAR-18210, SUP-19129, and SDR-18206 be tabled until further notice so that the Applicant can address some outstanding issues. The applications are items 97-100 on the March 21, 2007 City Council meeting agenda.

Thank you for your consideration of this request. Please contact me at (702) 862-3306 if you have any questions or comments.

Very truly yours,

JONES VARGAS



Kathleen L. Fellows

2007 MAR 20 A 10:52

RECEIVED
CITY CLERK

RENO OFFICE
100 WEST LIBERTY STREET, TWELFTH FLOOR, RENO, NEVADA 89504 TEL (775) 786-5000 FAX (775) 786-1177

*LICENSED IN ARIZONA ONLY

Submitted for filing

Date 3/20/07 Item #97-100

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

Mr. & Mrs. Donald B. Gaines
P.O. Box 1106
Rancho Santa Fe, CA 92067
dbg@gainesinvestmenttrust.com
(858) 759-9221 phone

February 16, 2007

Andrew P. Reed, Planning Supervisor
Planning and Development Department
731 South Fourth Street
Las Vegas, Nevada 89101

email: areed@lasvegasnevada.gov

Re: Site Development Plan Review SDR-18206
Variance VAR-18210
Special Use Permit SUP-19129
Rezoning ZON-18208

Dear Mr. Reed,

As the owner of the directly adjacent property, we are strongly opposed to a zone change from R-1 to C-2. We are also opposed to any variance or special use permit etc. that may effect the quiet enjoyment of our property or the neighborhood in general.

Our property is a 304 unit senior apartment community know as, Country Club at the Meadows. All of our residents are 55+ with an average age of 70+.

Our community is behind security gates and is very low density. Those two factors contribute to our business success in that location. Virtually, all of our residents rent from us because of the ambiance of the grounds and the atmosphere of quiet peaceful surroundings.

When we bought our property about four years ago, one of our considerations for purchase was that certain parts of the adjacent property are R-1. This zoning is compatible with our property and does not pose any noise problems and other problems associated with commercial development.

There is no question that this proposed zone change etc. will impact our elderly residents negatively and that will cause us economic hardship on an operational level and will depress the value of our property.

Page 2 of 2
February 16, 2007
Andrew P. Reed, Planning Supervisor

We would be agreeable to arrange a site visit of our property with the members of the planning commission that have jurisdiction over this decision so that they can see the situation first hand. I am sure that the 500 or so residents that live at Country Club at the Meadows will feel the same way as we do when they are made aware of the proposed zone changes being considered on the adjacent property.

Please call us at the above phone number to discuss this issue further and please keep us in the loop as to all decision making on this issue.

Sincerely,

Don and Pam Gaines

Meadows Las Vegas LLC
Country Club at the Meadows
300 Promenade Blvd.
Las Vegas, NV 89107

DECATUR CROSSING CENTER LLC
15490 Ventura Blvd., Ste. 200
Sherman Oaks, CA 91403
Tel: (818) 501-5500
Fax: (818) 501-7629
E-mail: Decaturcenterllc@aol.com

February 21, 2007

Via Fax No. 702-385-7268 & Mail

Honorable Planning Commission
City of Las Vegas
731 S. Fourth Street
Las Vegas, NV 89101

Re.: Opposition to ZON-18208, VAR-18210, SUP- 19129 And SDR- 18206 -
proposed expansion of existing Body shop on Meadows Lane by Applicant Fletcher Jones
Management Group, Inc.

Dear Honorable Planning Commission Members:

We are the owners of the Target/Big Lots Anchored Shopping Center directly located across the street from the subject property.

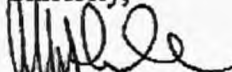
First, we would like to inform you that we have never been contacted by the Applicant or any of their representatives to see if we have any questions or concerns with their proposed project across the street. We have seen the staff report for the first time only a few hours ago.

With All due respect, and with concerns similar in nature to those raised by your staff members in their staff report recommending a denial of the applications, we oppose the proposed zone change and other entitlements sought by this applicant for this property. The pending applications seek unreasonably necessary waivers for setbacks, screening, architectural compatibility, landscaping, traffic, visibility, and most importantly parking.

This project is simply too massive and it does not belong here in this location: And, in our opinion, it will substantially degrade and devalue the surrounding residential homes and Businesses. We are also concerned by the lack of an EIR adequately studying and assessing the potential project generated increases in noise, traffic, Air Quality, Hazardous material(handling & storage), potential for area Contamination and pollution, health , safety, crime and other effects on the property itself and the area surrounding it.

We would appreciate your denial of the project for reasons stated here to for and/or for those reasons stated in your own staff report recommending denial of the Various applications by this Applicant.

Sincerely,


Albert Cohen

DECATUR CROSSING CENTER LLC
15490 Ventura Blvd., Ste. 200
Sherman Oaks, CA 91403
Tel: (818) 501-5500
Fax: (818) 501-7629
E-mail: Decaturcenterllc@aol.com

February 22, 2007

Honorable Planning Commission
City of Las Vegas
731 S. Fourth Street
Las Vegas, NV 89101

Via Fax No. 702-385-7268 & Mail
8 702-474-0352

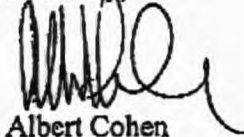
Re.: Opposition to ZON-18208, VAR-18210, SUP- 19129 And SDR- 18206 -
proposed expansion of existing Body shop on Meadows Lane by Applicant Fletcher Jones
Management Group, Inc.

Dear Honorable Planning Commission Members:

We would like to clarify our letter of yesterday that we will not be opposed to the construction of this project if it's reduced in size, architecturally enhanced, and the applicant can demonstrate to us that it will not negatively impact the surrounding properties and area.

Thanking you in advance for your attention to this matter..

Sincerely,



Albert Cohen

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE RELATED TO ZON-18208

VAR-18210 - PUBLIC HEARING - APPLICANT: FLETCHER JONES MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST - Request for a Variance TO ALLOW 509 PARKING SPACES WHERE 783 SPACES ARE REQUIRED on 9.34 acres at 400 South Decatur Boulevard (APN 138-36-601-002), R-1 (Single Family Residential) Zone and C-2 (General Commercial) Zone [PROPOSED: C-2 (General Commercial)], Ward 1 (Tarkanian). The Planning Commission (4-1-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-1-1 vote) and staff recommend DENIAL.

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 Glen A. Hedstrom for Items 98 and 99
6. Backup referenced from the 02-22-07 Planning Commission Meeting Item 21

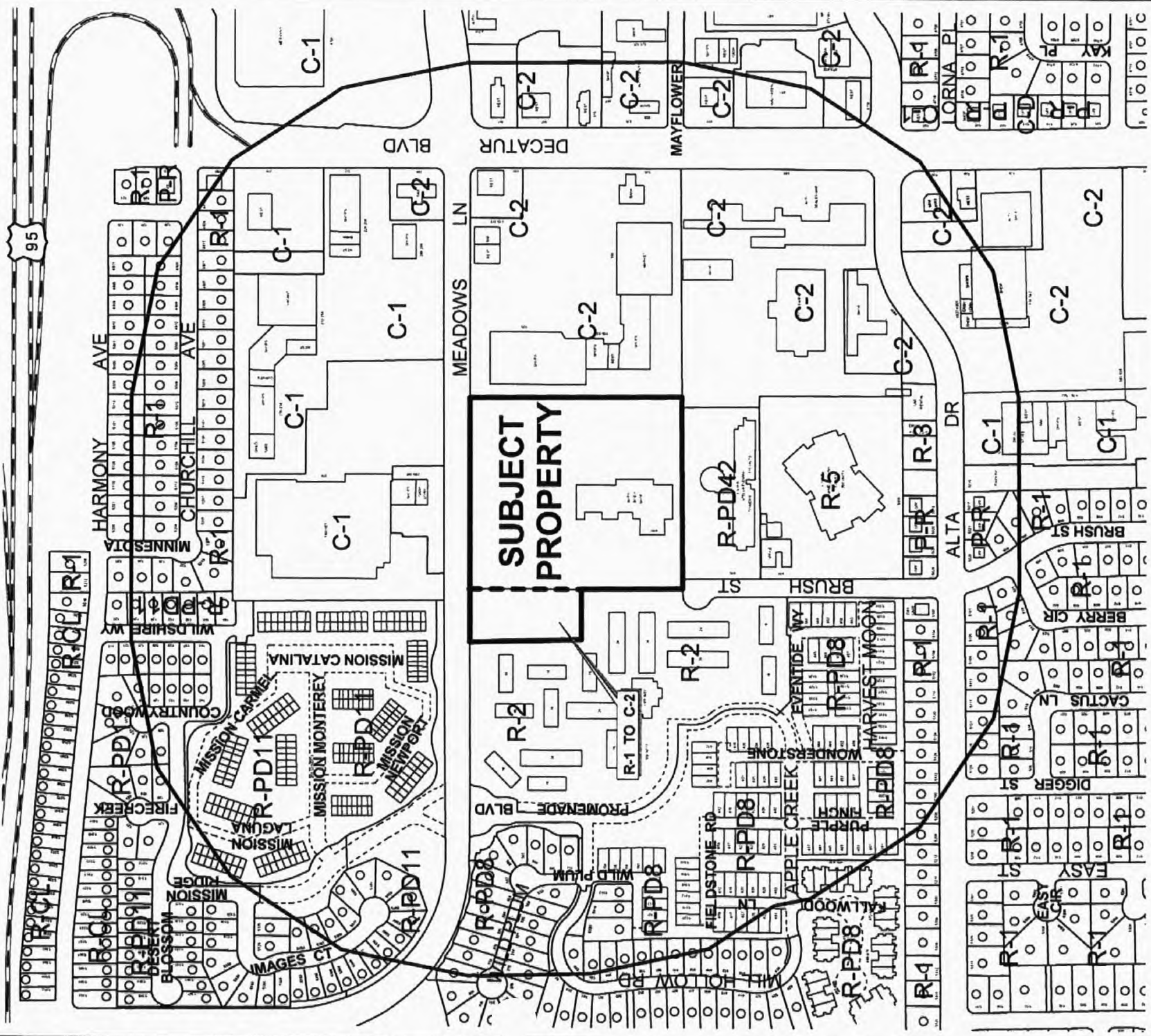
Motion made by GARY REESE to Hold in Abeyance Items 89-91, Item 96, Item 101, Items 104-107 to 4/04/2007; Items 94 and 95 to 4/18/2007; and TABLE Items 97-100

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

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

Minutes:

See Item 97 for related backup.



CASE: VAR-18210

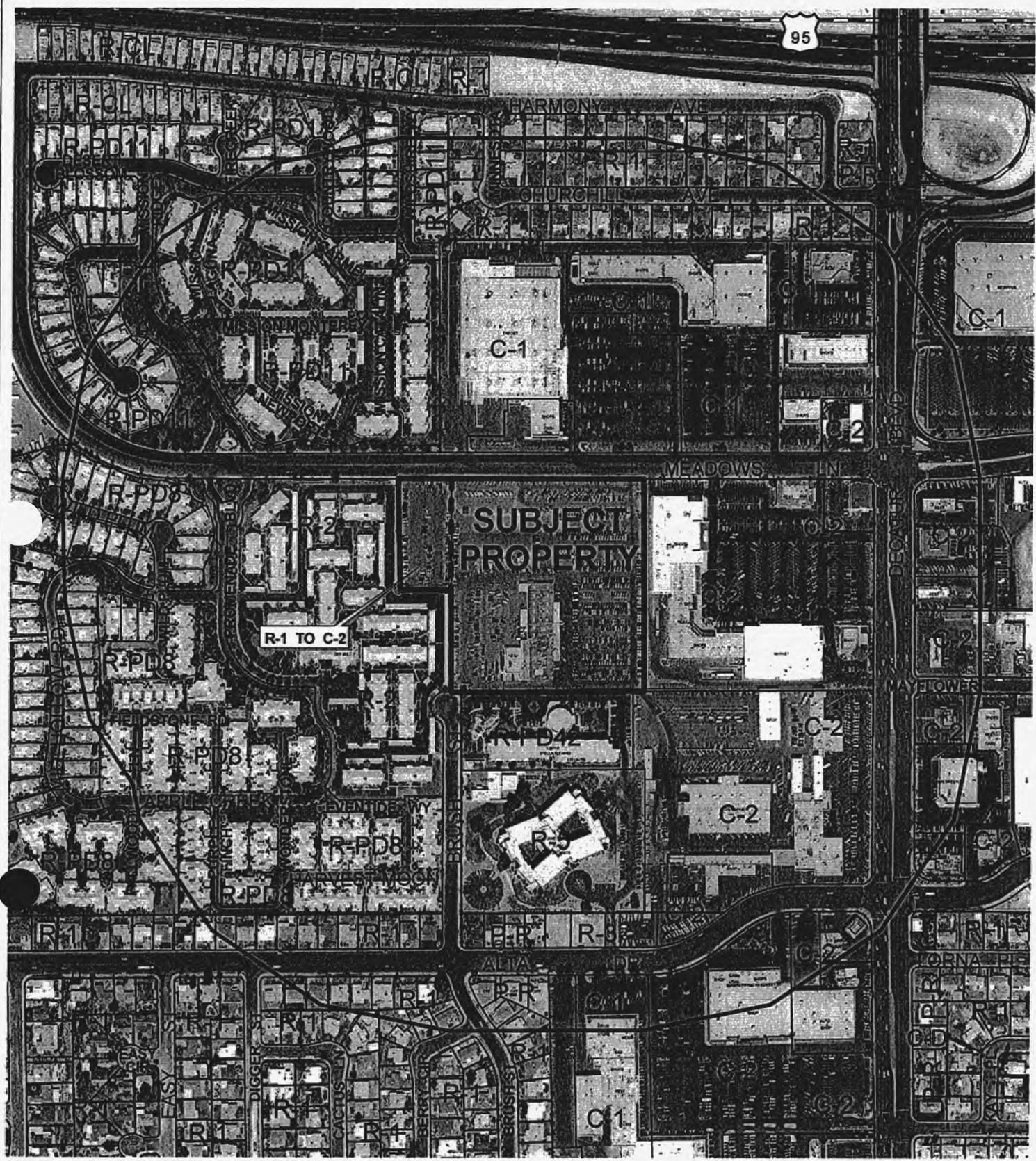
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL)



CASE: **VAR-18210**

RADIUS: 1000 FT

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

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-18210 - APPLICANT: FLETCHER JONES
MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST**

**** CONDITIONS ****

The Planning Commission (4-1/bg/1/rt vote) and staff recommend DENIAL.

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-18208), Special Use Permit (SUP-19129), and Site Development Plan Review (SDR-18206) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Variance to allow 509 parking spaces where 783 spaces are required on 9.34 acres at 400 South Decatur Boulevard, south of Meadows Lane. The request is related to Site Development Plan Review (SDR-18206), Rezoning (ZON-18208), and Special Use Permit (SUP-19129). Construction of a 123,669 square foot expansion of an existing automobile service to an existing 31,206 square foot auto service facility is proposed. No topographical constraints exist on site which hinder the ability of project from complying with Title 19.10 therefore staff recommends denial.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/01/94	The City Council accepted at the request of the applicant, a Withdrawal without Prejudice a request [Z-0030-74(6)] for a Review of Condition to allow commercial access onto Brush Street on property located on the south side of Meadows Lane approximately 650 feet west of Decatur Boulevard. The Meadows School ceased operations in June 1988.
04/16/86	The City Council considered and approved the Plot Plan Review for the Meadows School expansion. The Planning Commission and staff recommended approval.
03/20/85	The City Council considered and approved the Plot Plan Review for the Meadows School Project. The Planning Commission and staff recommended approval. The Planning Commission and staff recommended approval.
05/16/84	The City Council considered and approved the Plot Plan Review (Z-30-74) to operate a private elementary school on property located approximately 600 feet west of Decatur Boulevard. The Planning Commission and staff recommended approval.
11/03/76	The Board of City Commissioners considered and approved a request for a Plot Plan Review (Z-30-74) for a body shop and paint room at 444 South Decatur Boulevard. The Planning Commission and staff recommended approval.
08/01/74	The Board of City Commissioners considered and approved a request for Reclassification of Property (Z-30-74) located south of the westerly prolongation of Michael Way. The Planning Commission and staff recommended approval.
02/22/07	The Planning Commission recommended denial of companion items ZON-18208, SUP-19129 and SDR-18206 concurrently with this application. The Planning Commission voted 4-1/bg/1/rt to recommend DENIAL (PC Agenda Item #21/ja.

Related Building Permits/Business Licenses	
None	
Pre-Application Meeting	
01/09/07	A Pre-application was held with the applicant. Planning staff advised the applicant of the requirement for a Site Development Plan Review and Development Impact Notice and Assessment (DINA) application.
Neighborhood Meeting	
A neighborhood meeting is not required for this type of application nor was one held.	

Details of Application Request	
Site Area	
Gross Acres	9.34 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Automotive	GC (General Commercial)	Split Zoned: C-2 (General Commercial) R-1 (Single Family Residential)
North	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
South	Residential	H (High Density Residential)	R-PD42 (Residential Planned Development – 42 Units Per Acre)
East	Commercial	SC (Service Commercial)	C-2 (General Commercial)
West	Residential	MLA (Medium Low Attached Residential)	R-2 (Medium Low Density Residential)

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

* In accordance with Ordinance No. 5227 a DINA was prepared for the project to address the potential increase in Average Daily Trips (ADT) that may result with implementation of the proposed rezone and commercial development.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08 the following Commercial Development Standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	NA	NA	Y
Min. Lot Width	100 lineal feet	680 lineal feet	Y
Min. Setbacks			Y
• Front	20	27	
• Side	10	38	
• Corner	15	115	
• Rear	20	55	
Min. Distance Between Buildings	NA	NA	Y
Max. Lot Coverage	50 percent	38 percent	Y
Max. Building Height	NA	26 feet	Y
Trash Enclosure	Yes	Yes	Y
Mech. Equipment	Screened	Screened	Y

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	154,875	5 spaces plus 1 space per 200 square foot gfa	779	16	509	8	N
TOTAL (including handicap)			779	16	509	8	N
Loading Spaces			4		4		Y
Percent Deviation					36%		

ANALYSIS

The request is to reduce the required parking for the proposed expansion of an existing automobile repair facility on a 9.34 acre parcel south of Meadows Lane.

- **General Plan and Zoning**

Development surrounding the project site includes commercial to the north and east, and residential to the west and south. The General Plan designated land use for the entire project site is GC (General Commercial) with the underlying zoning split zoned as 7.8 acres of the project site is categorized as C-2 (General Commercial) and the remainder of the 9.34 acre site zoned R-1 (Single family Residential). The C-2 (General Commercial) zone is consistent with the General Commercial land use plan designation. A request to change the R-1 (Single Family Residential) zoning to a C-2 (General Commercial) zone designation shall be considered with this request (ZON-18208).

- **Parking**

Parking requirements under Title 19.04 require Auto Paint and Body Repair uses to provide 5 parking spaces plus 1 space for every 200 square feet of gross floor area. The project site currently has 1,053 parking spaces including triple stacked parking spaces which are considered nonconforming pursuant to Title 19. The expanded facility proposes 509 parking spaces thereby eliminating 547 parking spaces from the site. Required parking is 779 spaces and as such a 36 percent deviation from code is requested. No topographical constraints prevent the proposal from being designed to meet minimum parking standards therefore staff recommends denial.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship with the design of 123,699 square foot addition upon a 9.34 acre parcel. An alternative design that reduces the square footage 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 20

ASSEMBLY DISTRICT 3

SENATE DISTRICT 3

NOTICES MAILED 496 by City Clerk

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-18210** APN: _____

Name of Property Owner: Fletcher Jones Sr. Trust

Name of Applicant: Fletcher Jones Management Group, Inc.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

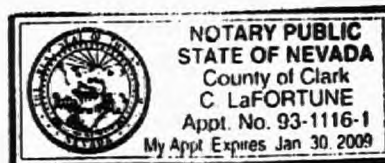
Signature of Property Owner: _____

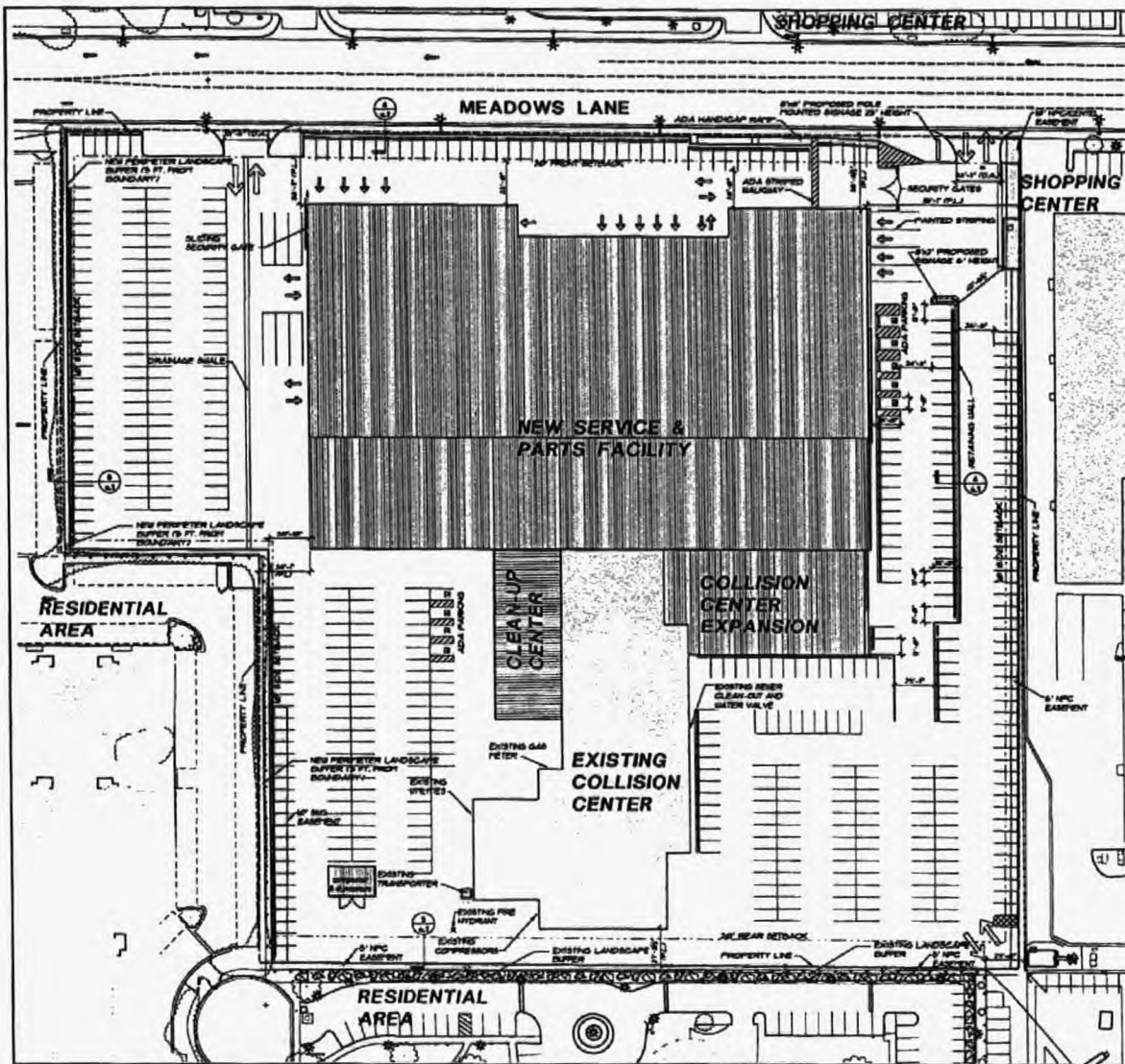
Print Name: Fletcher Jones Jr.

Subscribed and sworn before me

This 14 day of Nov, 2006

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





NOTES:

PARKING ANALYSIS

TOTAL NUMBER OF VEHICLES TO BE ACCOMMODATED BY THIS PROJECT	MIN. NUMBER OF AVAILABLE PARKING SPACES	MIN. # OF UNACCESSIBLE SPACES REQUIRED BY ADA	MIN. # OF ACCESSIBLE SPACES REQUIRED BY ADA
121	121	1	1

NOTES: PARKING AND LANDSCAPE VARIANCE IN PROCESS OF BEING OBTAINED FROM THE CITY OF LAS VEGAS.

F.A.R. ANALYSIS

EXISTING BUILDING	TOTAL FLOOR AREA	MAX. FLOOR AREA
EXISTING BUILDING	11,284 SQ. FT.	11,284 SQ. FT.
NEW BUILDING	11,284 SQ. FT.	11,284 SQ. FT.
FLOOR AREA RATIO	11,284 / 11,284 = 1.00	11,284 / 11,284 = 1.00

LEGEND

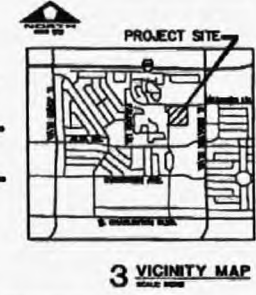
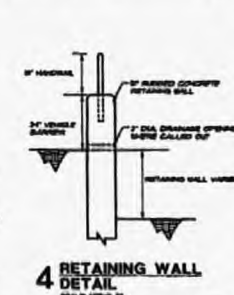
PROPERTY LINE

EXISTING BUILDING

NEW BUILDING

PAVING DETAIL

LANDSCAPE DETAIL



1 SITE PLAN

SCALE 1/4" = 1'-0"

david zimmer aia

COPYRIGHTED DOCUMENT

THIS DOCUMENT AND THE ASSOCIATED ELECTRONIC FILE ARE PROVIDED AS AN INSTRUMENT OF SERVICE FOR THE PROJECT LISTED BELOW. THE DESIGN REPRESENTED IN THESE DOCUMENTS IS THE PROPERTY OF DAVID ZIMMER AIA. ANY USE OF THESE DOCUMENTS FOR ANY OTHER PROJECT WITHOUT THE EXPRESS WRITTEN PERMISSION OF DAVID ZIMMER AIA IS PROHIBITED.

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ALTERATIONS AND ADDITIONS TO:

BILL HEARD LAS VEGAS CHEVROLET

444 S. DECATUR BLVD. LAS VEGAS, NEVADA 89107

ISSUANCES:

RECEIVED

a.1

NOV 17 2006

ZON-18208 VAR-18210

SDR-18206 02/22/07 PC

PRELIMINARY - NOT FOR CONSTRUCTION

HERBERT M. JONES
MELVIN D. CLOSE, JR.
JOSEPH W. BROWN
ALBERT F. PAGNI
JOHN P. SANDE, III
WILLIAM J. RAGGIO
GARY R. GOODHEART
MICHAEL E. BUCKLEY
RICHARD F. JOST
JANET L. CHUBB
DOUGLAS M. COHEN
KIRK B. LENHARD
KEVIN R. STOLWORTHY
JAMES L. WADHAMS
JODI R. GOODHEART
PAUL A. LEMCKE

PHILIP M. BALLIF
MICHAEL G. ALONSO
ANN MORGAN
R. DOUGLAS KURDZIEL
KRIS T. BALLARO
CRAIG H. NORVILLE
WILLIAM C. DAVIS, JR.
KARL L. NIELSON
PATRICK A. ROSE
PATRICK J. SHEEHAN
TONY F. SANCHEZ III
CLARK V. VELLIS
JOHN P. DESMOND
SCOTT M. SCHOENWALD
CONSTANCE L. AKRIDGE
EDWARD M. GARCIA

JONES VARGAS

ATTORNEYS AT LAW
3773 HOWARD HUGHES PARKWAY
THIRD FLOOR SOUTH
LAS VEGAS, NEVADA 89169

TEL (702) 862-3300 FAX (702) 734-2722

WWW.JONESVARGAS.COM

MARIA-NICOLLE BERINGER
WHITNEY D. BOCCI
JENNIFER BEATTY BRINTON
LOUIS M. BUBALA III
ADAM K. BULT
DAVID A. CARROLL
TYRUS O. COBB
TRACY A. DIFILLIPPO
ELIZABETH M. FIELDER
WILLIAM D. GREENLEE, JR.
RYAN W. HERRICK
BRIAN R. IRVINE
KIRK D. KAPLAN
BENJAMIN W. KENNEDY
CURT R. LEDFORD
DARREN J. LEMIEUX
DIANE J. MARKERT

LINDA P. MCKENZIE*
MATTHEW T. MILONE
CHRISTOPHER C. MONEY
BINU G. PALAL**
TAMARA BEATTY PETERSON
ALEX RAMIREZ
RICHARD A. RAWSON
MOLLY MALONE REZAC
JOHN P. SANDE, IV
BRETT J. SCOLARI
STEVEN G. SHEVORSKI
TIFFANY J. SWANIS
STACIE A. TRUESDELL
JESSE A. WADHAMS
CHRISTINA H. WANG
GORDON H. WARREN
ANDREW WONG

CLIFFORD A. JONES (1912 - 2001)
GEORGE L. VARGAS (1909 - 1985)
JOHN C. BARTLETT (1910 - 1982)
LOUIS MEAD DIXON (1919 - 1993)
GARY T. FOREMASTER (1953 - 1998)

Writer's Direct Line
(702) 862-3342
E-Mail Address
struesdell@jonesvargas.com

November 7, 2006

ROBERT E. BRUCE
AMANDA J. COWLEY
ALAN B. RABKIN
OF COUNSEL

BRIAN J. MATTER
EXECUTIVE DIRECTOR

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

HAND DELIVERED

RE: Justification Letter – Parking Variance

Dear Planning and Development Department:

Enclosed is an application for a Parking Variance submitted in conjunction with an application for a Site Development Plan Review for an approximately 123,669 sq/ft expansion of an existing automobile service facility for that property consisting of approximately 9.34 acres located at 400 S. Decatur Blvd., south of Meadows Lane (APN 138-36-601-002) (the "**Property**") submitted by Fletcher Jones Management Group, Inc. (the "**Applicant**").

The Property is zoned C-2 (General Commercial) and R-1 (Single Family Resident District) and designated GC (General Commercial) under the General Plan. An application to re-zone the portion of the Property from R-1 to C-2 is also being submitted in conjunction with this application. The Property is currently used as an automobile service facility which is operated as part of the Bill Heard Dealership.

Because the automobile service facility is operated as part of the Bill Heard Dealership, the operation does not require the amount of parking required by code for a stand-alone automobile service facility. The current facility's requirements are more consistent with that required for a dealership with the ancillary use of an automobile service facility. Such a facility only requires 310 parking spaces and the Property would have parking in excess of what is required.

However, the existing facility is located on separate parcels from the Bill Heard Dealership. Therefore, a variance is required. The Applicant is requesting a variance to permit 509 parking spaces where 783 are required, or reduction of 35%.

RENO OFFICE
100 WEST LIBERTY STREET, TWELFTH FLOOR, RENO, NEVADA 89504 TEL (775) 786-5000 FAX (775) 786-1177

*LICENSED IN ARIZONA ONLY
**LICENSED IN ILLINOIS AND WISCONSIN ONLY

**ZON-18208 VAR-18210
SDR-18206 02/22/07 PC**

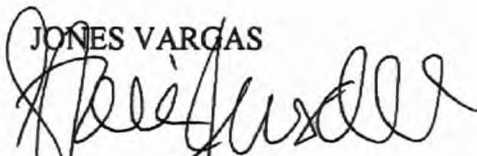
November 7, 2006

Page 2

Thank you for your consideration of this request. Please contact me at (702) 863-3342 if you have any questions or comments.

Very truly yours,

JONES VARGAS

A handwritten signature in black ink, appearing to read 'Stacie A. Truesdell', written over the printed name.

Stacie A. Truesdell

ST

Enclosures.

ZON-18208 VAR-18210
SDR-18206 02/22/07 PC

RECEIVED
CITY CLERK

2007 MAR 16 A 11:03

Protest

March 14, 2007

City of Las Vegas
Office of the City Clerk
City Hall
400 Stewart Avenue
Las Vegas, Nevada 89101-2986

Attn: Beverly K. Bridges
Acting City Clerk

I am in receipt of the Notice of Public Hearing for VAR-18210 and SUP-19129. I am against having an Auto Paint & Body Repair Shop near my condominium.

Please deliver my disapproval at the City Council meeting to be held on March 21, 2007 at 1:00 p.m.

Sincerely,



Glen A. Hedstrom

Glen A. Hedstrom
8270 Jefferson St.
Lemon Grove, CA 91945

Submitted after final hearing

Date 3/16/07 Item 98 & 99

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

Mr. & Mrs. Donald B. Gaines
P.O. Box 1106
Rancho Santa Fe, CA 92067
dbg@gainesinvestmenttrust.com
(858) 759-9221 phone

February 16, 2007

Andrew P. Reed, Planning Supervisor email: areed@lasvegasnevada.gov
Planning and Development Department
731 South Fourth Street
Las Vegas, Nevada 89101

Re: Site Development Plan Review SDR-18206
 Variance VAR-18210
 Special Use Permit SUP-19129
 Rezoning ZON-18208

Dear Mr. Reed,

As the owner of the directly adjacent property, we are strongly opposed to a zone change from R-1 to C-2. We are also opposed to any variance or special use permit etc. that may effect the quiet enjoyment of our property or the neighborhood in general.

Our property is a 304 unit senior apartment community know as, Country Club at the Meadows. All of our residents are 55+ with an average age of 70+.

Our community is behind security gates and is very low density. Those two factors contribute to our business success in that location. Virtually, all of our residents rent from us because of the ambiance of the grounds and the atmosphere of quiet peaceful surroundings.

When we bought our property about four years ago, one of our considerations for purchase was that certain parts of the adjacent property are R-1. This zoning is compatible with our property and does not pose any noise problems and other problems associated with commercial development.

There is no question that this proposed zone change etc. will impact our elderly residents negatively and that will cause us economic hardship on an operational level and will depress the value of our property.

Page 2 of 2
February 16, 2007
Andrew P. Reed, Planning Supervisor

We would be agreeable to arrange a site visit of our property with the members of the planning commission that have jurisdiction over this decision so that they can see the situation first hand. I am sure that the 500 or so residents that live at Country Club at the Meadows will feel the same way as we do when they are made aware of the proposed zone changes being considered on the adjacent property.

Please call us at the above phone number to discuss this issue further and please keep us in the loop as to all decision making on this issue.

Sincerely,

Don and Pam Gaines

Meadows Las Vegas LLC
Country Club at the Meadows
300 Promenade Blvd.
Las Vegas, NV 89107

DECATUR CROSSING CENTER LLC
15490 Ventura Blvd., Ste. 200
Sherman Oaks, CA 91403
Tel: (818) 501-5500
Fax: (818) 501-7629
E-mail: Decaturcenterllc@aol.com

February 21, 2007

Via Fax No. 702-385-7268 & Mail

Honorable Planning Commission
City of Las Vegas
731 S. Fourth Street
Las Vegas, NV 89101

Re.: Opposition to ZON-18208, VAR-18210, SUP- 19129 And SDR- 18206 -
proposed expansion of existing Body shop on Meadows Lane by Applicant Fletcher Jones
Management Group, Inc.

Dear Honorable Planning Commission Members:

We are the owners of the Target/Big Lots Anchored Shopping Center directly located across the street from the subject property.

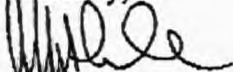
First, we would like to inform you that we have never been contacted by the Applicant or any of their representatives to see if we have any questions or concerns with their proposed project across the street. We have seen the staff report for the first time only a few hours ago.

With All due respect, and with concerns similar in nature to those raised by your staff members in their staff report recommending a denial of the applications, we oppose the proposed zone change and other entitlements sought by this applicant for this property. The pending applications seek unreasonably necessary waivers for setbacks, screening, architectural compatibility, landscaping, traffic, visibility, and most importantly parking.

This project is simply too massive and it does not belong here in this location: And, in our opinion, it will substantially degrade and devalue the surrounding residential homes and Businesses. We are also concerned by the lack of an EIR adequately studying and assessing the potential project generated increases in noise, traffic, Air Quality, Hazardous material(handling & storage), potential for area Contamination and pollution, health , safety, crime and other effects on the property itself and the area surrounding it.

We would appreciate your denial of the project for reasons stated here to for and/or for those reasons stated in your own staff report recommending denial of the Various applications by this Applicant.

Sincerely,



Albert Cohen

DECATUR CROSSING CENTER LLC
15490 Ventura Blvd., Ste. 200
Sherman Oaks, CA 91403
Tel: (818) 501-5500
Fax: (818) 501-7629
E-mail: Decaturcenterllc@aol.com

February 22, 2007

Honorable Planning Commission
City of Las Vegas
731 S. Fourth Street
Las Vegas, NV 89101

Via Fax No. 702-385-7268 & Mail

8 702-474-0352

Re.: Opposition to ZON-18208, VAR-18210, SUP- 19129 And SDR- 18206 -
proposed expansion of existing Body shop on Meadows Lane by Applicant Fletcher Jones
Management Group, Inc.

Dear Honorable Planning Commission Members:

We would like to clarify our letter of yesterday that we will not be opposed to the construction of this project if it's reduced in size, architecturally enhanced, and the applicant can demonstrate to us that it will not negatively impact the surrounding properties and area.

Thanking you in advance for your attention to this matter..

Sincerely,



Albert Cohen

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT RELATED TO ZON-18208 AND VAR-18210

SUP-19129 - PUBLIC HEARING - APPLICANT: FLETCHER JONES MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST - Request for a Special Use Permit FOR A PROPOSED AUTO PAINT & BODY REPAIR SHOP WITH A WAIVER TO ALLOW SERVICE BAYS TO FACE PUBLIC RIGHT-OF WAY at 400 South Decatur Boulevard (APN 138-36-601-002), C-2 (General Commercial) Zone and R-1 (Single Family Residential) Zone [PROPOSED: C-2 (General Commercial)], Ward 1 (Tarkanian). The Planning Commission (4-1-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Planning Commission (4-1-1 vote) and staff recommend DENIAL.

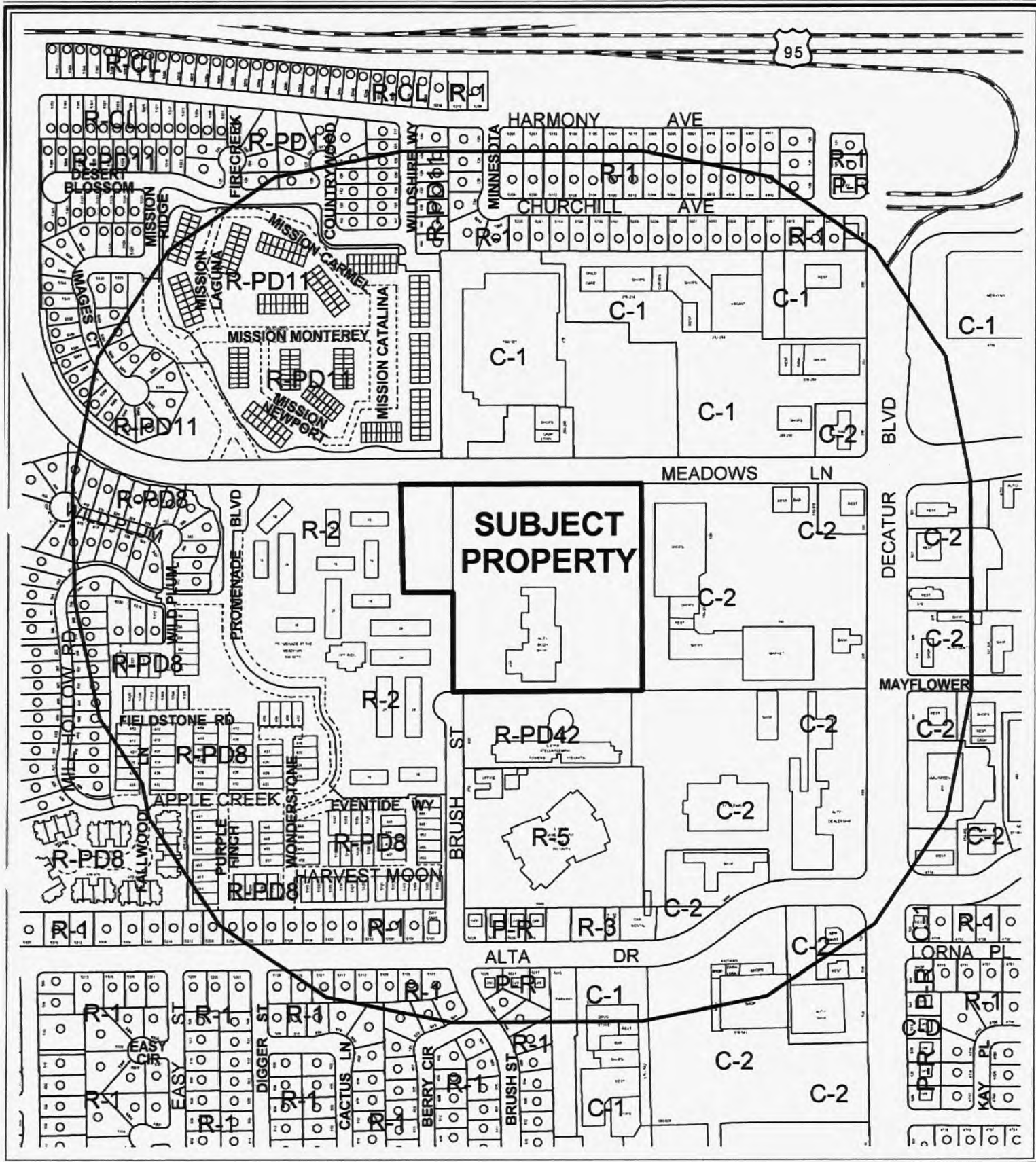
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Protest letter from Gayle Silberman
6. Backup referenced from the 02-22-07 Planning Commission Meeting Item 22

Motion made by GARY REESE to Hold in Abeyance Items 89-91, Item 96, Item 101, Items 104-107 to 4/04/2007; Items 94 and 95 to 4/18/2007; and TABLE Items 97-100

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

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

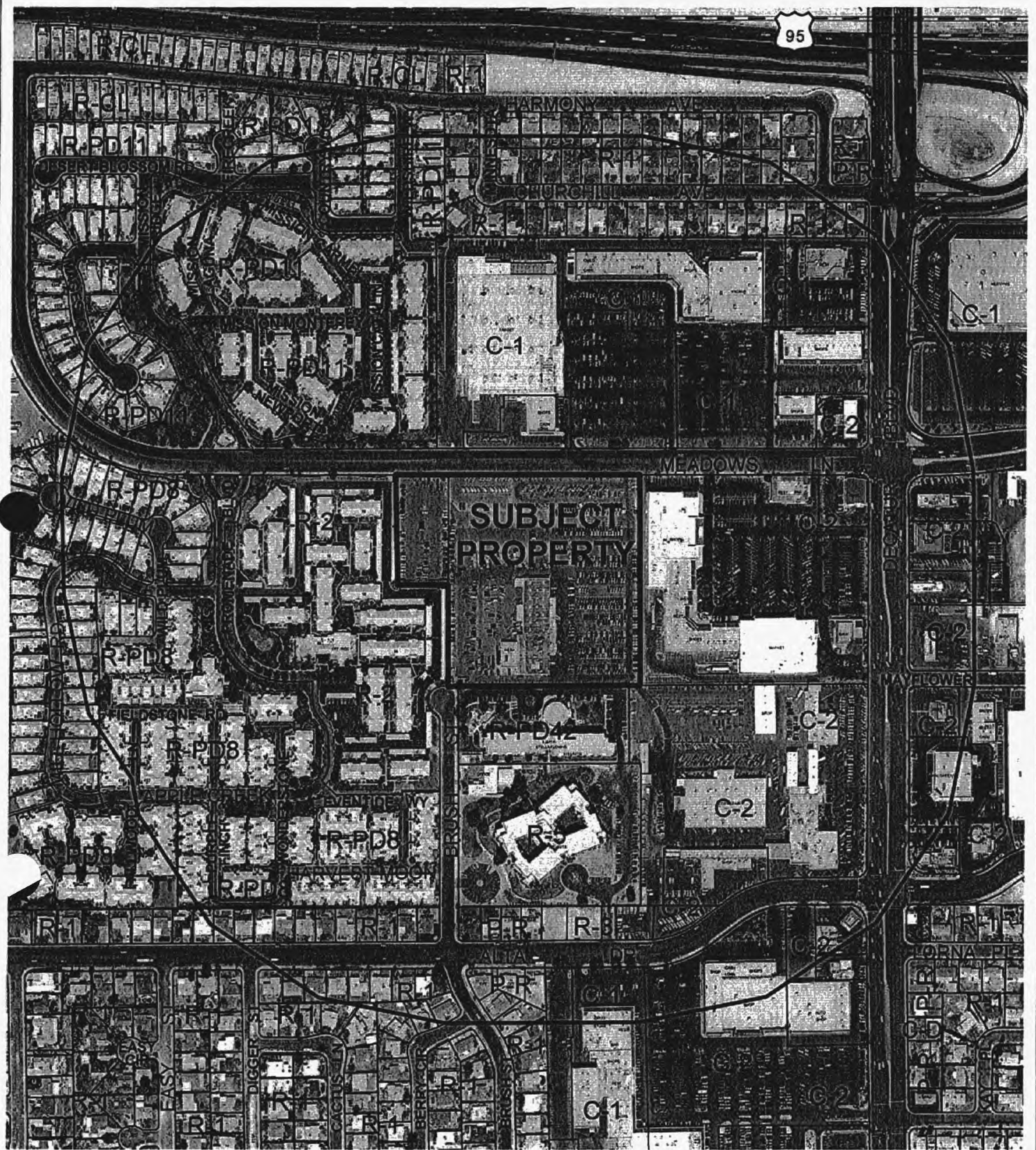


CASE: SUP-19129

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL) AND R-1 (SINGLE FAMILY RESIDENTIAL)



CASE: **SUP-19129**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

C-2 (GENERAL COMMERCIAL) AND R-1 (SINGLE FAMILY RESIDENTIAL)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-19129 - APPLICANT: FLETCHER JONES
MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST**

**** CONDITIONS ****

The Planning Commission (4-1/bg/1/rt vote) and staff recommend DENIAL.

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-18208), Variance (VAR-18210) and Site Development Plan Review (SDR-18206) if approved.
2. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Special Use Permit for a proposed Auto Paint and Body Repair Shop with a Waiver to allow service bays oriented towards the public Right-of-Way (ROW) located at 400 South Decatur Boulevard south of Meadows Lane. The project as designed does not meet the minimum standards under Title 19 and therefore staff recommends denial.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/01/94	The City Council accepted at the request of the applicant, a Withdrawal without Prejudice a request (Z-0030-74 (6)) for a Review of Condition to allow commercial access onto Brush Street on property located on the south side of Meadows Lane approximately 650 feet west of Decatur Boulevard.
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11/3/76	The Board of City Commissioners considered and approved a request for a Plot Plan Review (Z-30-74) for a body shop and paint room at 444 South Decatur Boulevard. The Planning Commission and staff recommended approval.
08/01/74	The Board of City Commissioners considered and approved a request for Reclassification of Property (Z-30-74) located south of the westerly prolongation of Michael Way. The Planning Commission and staff recommended approval.
02/22/07	The Planning Commission recommended denial of companion items ZON-18208, VAR-18210 and SDR-18206 concurrently with this application. The Planning Commission voted 4-1/bg/1/rt to recommend DENIAL (PC Agenda Item #22/ja.
<i>Related Building Permits/Business Licenses</i>	
None	

Pre-Application Meeting	
01/09/07	A Pre-application was held with the applicant. Planning staff advised the applicant of the requirement for a Site Development Plan Review and Development Impact Notice and Assessment (DINA) application.
Neighborhood Meeting	
A neighborhood meeting is not required for this type of application nor was one held.	

Details of Application Request	
Site Area	
Gross Acres	9.34 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Automotive	GC (General Commercial)	C-2 (General Commercial) and R-1 (Single Family Residential)
North	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
South	Residential	H (High Density Residential)	R-PD42 (Residential Planned Development)
East	Commercial	SC (Service Commercial)	C-2 (General Commercial)
West	Residential	MLA (Medium Low Attached Residential)	R-2 (Medium Low Density Residential)

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

*In accordance with Ordinance No. 5227 a DINA was prepared for the project to address the potential increase in Average Daily Trips (ADT) that may result with implementation of the proposed rezone and commercial development.

DEVELOPMENT STANDARDS

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	
	154,875	5 plus 1 space per 200 sf gfa	779	16	509	8	N
SubTotal							
TOTAL (including handicap)			779		509		N
Loading Spaces			4		4		Y

Waivers		
Request	Requirement	Staff Recommendation
Allow Service Bays to face public ROW.	Oriented away from public right of way	DENY

ANALYSIS

The request is for a Auto Paint and Body Repair Shop on a 9.34 acre project site developed with a 31,000 square foot auto repair facility and associated parking area.

- General Plan and Zoning**

The project is located within the GC (General Commercial) land use category as designated in the General Plan. The site is zoned as C-2 (General Commercial) and the proposed use is allowed with a Special Use Permit. Existing uses surrounding the project site include commercial to the north, multi-family residential to the west and south, and commercial to the east.

- **Site Plan**

The site plan and elevations indicate service bays will be oriented to the north facing Meadows Lane as well as west towards a residential property line. In accordance with the Conditional Use requirements service bay access doors cannot face public ROW and such facilities shall be designed to minimize intrusion into adjoining properties. The Waiver request will allow service bays to face Meadows Lane. Staff recommends denial of the request as the project lacks landscape features to offset the visual effects of the bay doors.

- **Parking**

The project site contains 1,056 parking spaces serving an existing auto repair facility. However, the proposal requests a Variance (VAR-18210) to allow 509 parking spaces where 779 are required.

- **Special Use Permit – Conditional Use Regulations**

1. No use or discarded automotive parts or equipment shall be located or stored in any open area outside of an enclosed building.
2. All disabled or wrecked vehicles shall be stored in an area which is screened from view from the surrounding properties and adjoining streets.
3. Opening in service bays shall not face public right-of-way and shall be designed to minimize visual intrusion into adjoining properties.
4. All repair work shall be performed within an enclosed building.

FINDINGS

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

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

The proposal will not blend with surrounding land uses as the proposal lacks the design and features that sufficiently address Title 19.04 Conditional Use Regulations for visual intrusion and Title 19.08 Commercial Development Standards.

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

The intensity of use along with the traffic projected to be generated are considered unacceptable at this location. This type of structure is more suited to an industrial zoned parcel surrounded by similar uses.

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.”**

Significant impacts to current surface street operations may result with implementation of this project. Greater than 4,000 average daily vehicle trips will be generated with the project as concluded in the traffic analysis.

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 exceeds the intent of the current General Plan and the zoning regulations for commercial development as the proposal does not adequately address architectural design, landscaping, parking, and screening requirements.

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

The proposed use does not meet the conditions set forth under Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

20

ASSEMBLY DISTRICT 3

SENATE DISTRICT 3

NOTICES MAILED 496 by City Clerk

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-19129** APN: 138-36-601-002

Name of Property Owner: Fletcher Jones, Sr. Trust

Name of Applicant: Fletcher Jones Management Group, Inc.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

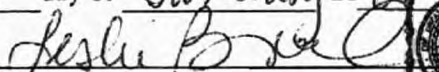
APN: _____

Signature of Property Owner: 

Print Name: Fletcher Jones, Jr., Successor Co-Trustee

Subscribed and sworn before me

This 9 day of January 2007


Notary Public in and for said County and State



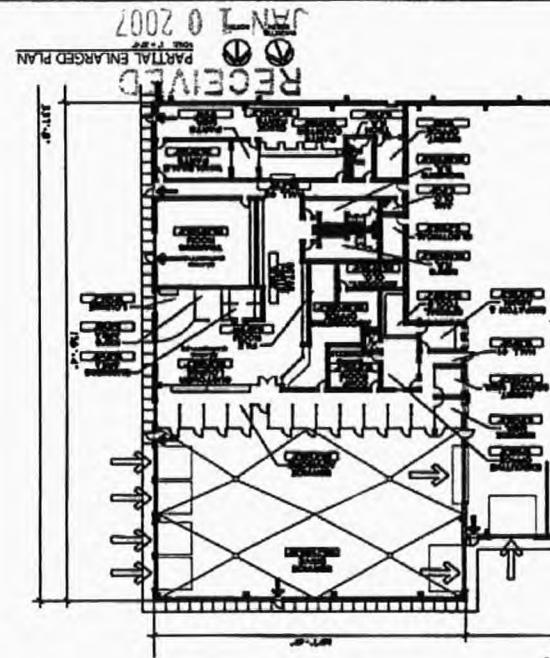
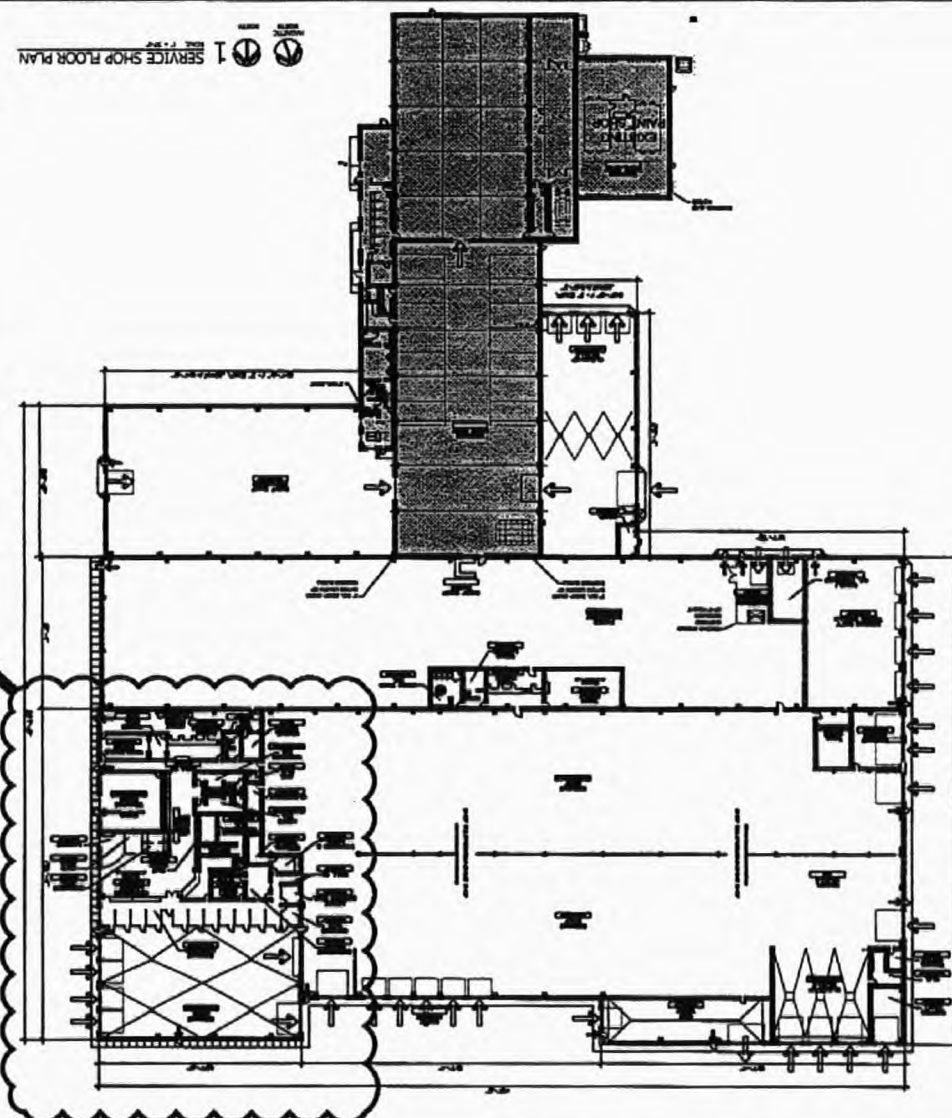
LESLIE BOEDEKER
Notary Public State of Nevada
No. 96-1579-1
My appt. Exp. May 1, 2008

David Zerner
 a.i.a.
 115 NORTH 3RD ST.
 SUITE 200
 LAS VEGAS, NEVADA 89101
 TEL: 702/385-1111
 FAX: 702/385-1112
 WWW.DZNER.COM
 © 2007 DAVID ZNER ARCHITECTS, PLLC
 ALL RIGHTS RESERVED
 NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR TRANSMITED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM DAVID ZNER ARCHITECTS, PLLC

ALTERATIONS AND ADDITIONS TO
 BILL HEARD LAS VEGAS CHEVROLET
 4435 DECATUR BLVD., LAS VEGAS, NEVADA 89107

SUP-19129
 02/22/07 PC

1 SERVICE SHOP FLOOR PLAN



LEGEND

← SERVICE SHOP FLOOR PLAN
 ← PARTIAL ENLARGED PLAN

NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL RESIDENTIAL CODE (IRC) AND THE 2007 INTERNATIONAL MECHANICAL CODE (IMC).

2. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL ELECTRICAL CODE (IEC) AND THE 2007 INTERNATIONAL PLUMBING AND MECHANICAL CODE (IPMC).

3. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL FIRE AND SAFETY CODE (IFSC) AND THE 2007 INTERNATIONAL BUILDING CODE (IBC).

4. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL SCHEDULING CODE (ISC) AND THE 2007 INTERNATIONAL CONSTRUCTION CODE (ICC).

5. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL ENVIRONMENTAL CODE (IEC) AND THE 2007 INTERNATIONAL HEALTH AND SAFETY CODE (IHSC).

6. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL QUALITY CODE (IQC) AND THE 2007 INTERNATIONAL STANDARDS CODE (ISC).

7. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL BEST PRACTICES CODE (IBPC) AND THE 2007 INTERNATIONAL INNOVATION CODE (IIC).

8. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL LEADERSHIP CODE (ILC) AND THE 2007 INTERNATIONAL EXCELLENCE CODE (IEC).

9. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL VISION CODE (IVC) AND THE 2007 INTERNATIONAL INSPIRATION CODE (IIC).

10. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL DREAM CODE (IDC) AND THE 2007 INTERNATIONAL HOPE CODE (IHC).

11. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL LOVE CODE (ILC) AND THE 2007 INTERNATIONAL FAITH CODE (IFC).

12. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL KINDNESS CODE (IKC) AND THE 2007 INTERNATIONAL GENTLENESS CODE (IGC).

13. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL RADIANT GLORY CODE (IRGC) AND THE 2007 INTERNATIONAL PEACE CODE (IPC).

14. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL JOY CODE (IJC) AND THE 2007 INTERNATIONAL HAPPINESS CODE (IHC).

15. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL LOVE, PEACE, AND JOY CODE (LPG) AND THE 2007 INTERNATIONAL KINDNESS, GENTLENESS, AND RADIANT GLORY CODE (KGRG).

16. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL LOVE, PEACE, JOY, KINDNESS, GENTLENESS, AND RADIANT GLORY CODE (LPGKGRG) AND THE 2007 INTERNATIONAL FAITH, HOPE, AND DREAM CODE (FHD).

17. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL LOVE, PEACE, JOY, KINDNESS, GENTLENESS, RADIANT GLORY, FAITH, HOPE, AND DREAM CODE (LPGKGRGFHD) AND THE 2007 INTERNATIONAL VISION, INSPIRATION, AND LEADERSHIP CODE (VIL).

18. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL LOVE, PEACE, JOY, KINDNESS, GENTLENESS, RADIANT GLORY, FAITH, HOPE, DREAM, VISION, INSPIRATION, AND LEADERSHIP CODE (LPGKGRGFHDVIL) AND THE 2007 INTERNATIONAL EXCELLENCE AND BEST PRACTICES CODE (EBPC).

19. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL LOVE, PEACE, JOY, KINDNESS, GENTLENESS, RADIANT GLORY, FAITH, HOPE, DREAM, VISION, INSPIRATION, LEADERSHIP, AND EXCELLENCE CODE (LPGKGRGFHDVILEBPC) AND THE 2007 INTERNATIONAL INNOVATION AND STANDARDS CODE (IIS).

20. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL LOVE, PEACE, JOY, KINDNESS, GENTLENESS, RADIANT GLORY, FAITH, HOPE, DREAM, VISION, INSPIRATION, LEADERSHIP, EXCELLENCE, AND INNOVATION CODE (LPGKGRGFHDVILEBPCIIS) AND THE 2007 INTERNATIONAL QUALITY AND STANDARDS CODE (IQS).

21. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL LOVE, PEACE, JOY, KINDNESS, GENTLENESS, RADIANT GLORY, FAITH, HOPE, DREAM, VISION, INSPIRATION, LEADERSHIP, EXCELLENCE, INNOVATION, AND QUALITY CODE (LPGKGRGFHDVILEBPCIISQ) AND THE 2007 INTERNATIONAL BEST PRACTICES AND STANDARDS CODE (BPS).

22. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL LOVE, PEACE, JOY, KINDNESS, GENTLENESS, RADIANT GLORY, FAITH, HOPE, DREAM, VISION, INSPIRATION, LEADERSHIP, EXCELLENCE, INNOVATION, QUALITY, AND BEST PRACTICES CODE (LPGKGRGFHDVILEBPCISQBP) AND THE 2007 INTERNATIONAL LEADERSHIP AND STANDARDS CODE (LIS).

23. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL LOVE, PEACE, JOY, KINDNESS, GENTLENESS, RADIANT GLORY, FAITH, HOPE, DREAM, VISION, INSPIRATION, LEADERSHIP, EXCELLENCE, INNOVATION, QUALITY, BEST PRACTICES, AND LEADERSHIP CODE (LPGKGRGFHDVILEBPCISQBPLIS) AND THE 2007 INTERNATIONAL EXCELLENCE AND STANDARDS CODE (EIS).

24. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2007 INTERNATIONAL LOVE, PEACE, JOY, KINDNESS, GENTLENESS, RADIANT GLORY, FAITH, HOPE, DREAM, VISION, INSPIRATION, LEADERSHIP, EXCELLENCE, INNOVATION, QUALITY, BEST PRACTICES, LEADERSHIP, AND STANDARDS CODE (LPGKGRGFHDVILEBPCISQBPLISEIS) AND THE 2007 INTERNATIONAL INNOVATION AND STANDARDS CODE (IIS).

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PRELIMINARY, NOT FOR CONSTRUCTION

HERBERT M. JONES
MELVIN D. CLOSE, JR.
JOSEPH W. BROWN
ALBERT F. PAGNI
JOHN P. SANDE, III
WILLIAM J. RAGGIO
GARY R. GOODHEART
MICHAEL E. BUCKLEY
RICHARD F. JOST
JANET L. CHUBB
DOUGLAS M. COHEN
KIRK B. LENHARD
KEVIN R. STOLWORTHY
JAMES L. WADHAMS
JODI R. GOODHEART
PAUL A. LEMCKE

PHILIP M. BALLIF
MICHAEL G. ALONSO
ANN MORGAN
R. DOUGLAS KURDZIEL
KRIS T. BALLARD
CRAIG H. NORVILLE
WILLIAM C. DAVIS, JR.
KARL L. NIELSON
PATRICK A. ROSE
PATRICK J. SHEEHAN
TONY F. SANCHEZ III
CLARK V. VELLIS
JOHN P. DESMOND
SCOTT M. SCHOENWALD
CONSTANCE L. AKRIDGE
EDWARD M. GARCIA

JONES VARGAS

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MARIA-NICOLLE BERINGER
WHITNEY D. BOCCI
JENNIFER BEATTY BRINTON
LOUIS M. BUBALA III
ADAM K. BULT
DAVID A. CARROLL
TYRUS D. COBB
TRACY A. DIFILLIPPO
ELIZABETH M. FIELDER
WILLIAM D. GREENLEE, JR.
RYAN W. HERRICK
BRIAN R. IRVINE
KIRK D. KAPLAN
BENJAMIN W. KENNEDY
CURT R. LEDFORD
DARREN J. LEMIEUX
DIANE J. MARKERT

LINDA P. MCKENZIE*
MATTHEW T. MILONE
CHRISTOPHER C. MONEY
BINU G. PALAL**
TAMARA BEATTY PETERSON
ALEX RAMIREZ
RICHARD A. RAWSON
MOLLY MALONE REZAC
JOHN P. SANDE, IV
BRETT J. SCOLARI
STEVEN G. SHEVORSKI
TIFFANY J. SWANIS
STACIE A. TRUESDELL
JESSE A. WADHAMS
CHRISTINA H. WANG
GORDON H. WARREN
ANDREW WONG

CLIFFORD A. JONES (1912 - 2001)
GEORGE L. VARGAS (1909 - 1985)
JOHN C. BARTLETT (1910 - 1982)
LOUIS MEAD DIXON (1919 - 1993)
GARY T. FOREMASTER (1953 - 1998)

Writer's Direct Line
(702) 862-3342
E-Mail Address
struesdel@jonesvargas.com

ROBERT E. BRUCE
AMANDA J. COWLEY
ALAN B. RABKIN
OF COUNSEL

BRIAN J. MATTER
EXECUTIVE DIRECTOR

January 9, 2007

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

HAND DELIVERED

RE: Justification Letter – Special Use Permit

Dear Planning and Development Department:

Enclosed is an application for a Special Use Permit submitted in conjunction with an application for a Site Development Plan Review for an approximately 123,669 sq/ft expansion of an existing automobile service facility for that property consisting of approximately 9.34 acres located at 400 S. Decatur Blvd., south of Meadows Lane (APN 138-36-601-002) (the "**Property**") submitted by Fletcher Jones Management Group, Inc. (the "**Applicant**").

The Property is zoned C-2 (General Commercial) and R-1 (Single Family Resident District) and designated GC (General Commercial) under the General Plan. An application to re-zone the portion of the Property from R-1 to C-2 is being submitted in conjunction with this application. The Property is currently used as an automobile service facility which is operated in conjunction with the Bill Heard dealership located adjacent to the Property. The Applicant wishes to expand the existing service facility.

The Property is currently operating and will continue to operate as an automobile service facility in conjunction with the adjacent Bill Heard Dealership. However, because the current use of the Property as an automobile service facility is a non-conforming use, expansion of the existing automobile service facility requires a special use permit.

RENO OFFICE
100 WEST LIBERTY STREET, TWELFTH FLOOR, RENO, NEVADA 89504 TEL (775) 786-5000 FAX (775) 786-1177

*LICENSED IN ARIZONA ONLY
**LICENSED IN ILLINOIS AND WISCONSIN ONLY

SUP-19129
02/22/07 PC

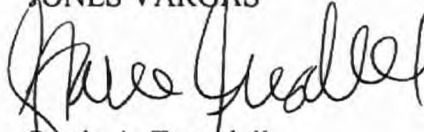
January 9, 2007

Page 2

Thank you for your consideration of this request. Please contact me at (702) 863-3342 if you have any questions or comments.

Very truly yours,

JONES VARGAS

A handwritten signature in black ink, appearing to read "Stacie A. Truesdell", written over the printed name.

Stacie A. Truesdell

ST

Enclosures.

RECEIVED
CITY CLERK

2007 MAR 21 A 8:13

Protest

City Clerks Office
City Hall
400 Stewart Avenue
Las Vegas, Nevada 89101

3/20/07

-To Beverly K Bridges:

I Gayle Silberman ~~protest~~ object
~~the~~ to the ~~request for a sp~~ request
of ref # Sup-19129

Gayle Silberman
2024 S Baldwin #27
Mesa AZ 85209

Date 3/21/07 Item #99

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

**Mr. & Mrs. Donald B. Gaines
P.O. Box 1106
Rancho Santa Fe, CA 92067
dbg@gainesinvestmenttrust.com
(858) 759-9221 phone**

February 16, 2007

Andrew P. Reed, Planning Supervisor email: areed@lasvegasnevada.gov
Planning and Development Department
731 South Fourth Street
Las Vegas, Nevada 89101

Re: Site Development Plan Review SDR-18206
Variance VAR-18210
Special Use Permit SUP-19129
Rezoning ZON-18208

Dear Mr. Reed,

As the owner of the directly adjacent property, we are strongly opposed to a zone change from R-1 to C-2. We are also opposed to any variance or special use permit etc. that may effect the quiet enjoyment of our property or the neighborhood in general.

Our property is a 304 unit senior apartment community know as, Country Club at the Meadows. All of our residents are 55+ with an average age of 70+.

Our community is behind security gates and is very low density. Those two factors contribute to our business success in that location. Virtually, all of our residents rent from us because of the ambiance of the grounds and the atmosphere of quiet peaceful surroundings.

When we bought our property about four years ago, one of our considerations for purchase was that certain parts of the adjacent property are R-1. This zoning is compatible with our property and does not pose any noise problems and other problems associated with commercial development.

There is no question that this proposed zone change etc. will impact our elderly residents negatively and that will cause us economic hardship on an operational level and will depress the value of our property.

Page 2 of 2
February 16, 2007
Andrew P. Reed, Planning Supervisor

We would be agreeable to arrange a site visit of our property with the members of the planning commission that have jurisdiction over this decision so that they can see the situation first hand. I am sure that the 500 or so residents that live at Country Club at the Meadows will feel the same way as we do when they are made aware of the proposed zone changes being considered on the adjacent property.

Please call us at the above phone number to discuss this issue further and please keep us in the loop as to all decision making on this issue.

Sincerely,

Don and Pam Gaines

Meadows Las Vegas LLC
Country Club at the Meadows
300 Promenade Blvd.
Las Vegas, NV 89107

DECATUR CROSSING CENTER LLC
15490 Ventura Blvd., Ste. 200
Sherman Oaks, CA 91403
Tel: (818) 501-5500
Fax: (818) 501-7629
E-mail: Decaturcenterllc@aol.com

February 21, 2007

Via Fax No. 702-385-7268 & Mail

Honorable Planning Commission
City of Las Vegas
731 S. Fourth Street
Las Vegas, NV 89101

Re.: Opposition to ZON-18208, VAR-18210, SUP- 19129 And SDR- 18206 -
proposed expansion of existing Body shop on Meadows Lane by Applicant Fletcher Jones
Management Group, Inc.

Dear Honorable Planning Commission Members:

We are the owners of the Target/Big Lots Anchored Shopping Center directly located across the street from the subject property.

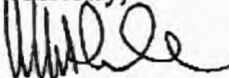
First, we would like to inform you that we have never been contacted by the Applicant or any of their representatives to see if we have any questions or concerns with their proposed project across the street. We have seen the staff report for the first time only a few hours ago.

With All due respect, and with concerns similar in nature to those raised by your staff members in their staff report recommending a denial of the applications, we oppose the proposed zone change and other entitlements sought by this applicant for this property. The pending applications seek unreasonably necessary waivers for setbacks, screening, architectural compatibility, landscaping, traffic, visibility, and most importantly parking.

This project is simply too massive and it does not belong here in this location: And, in our opinion, it will substantially degrade and devalue the surrounding residential homes and Businesses. We are also concerned by the lack of an EIR adequately studying and assessing the potential project generated increases in noise, traffic, Air Quality, Hazardous material(handling & storage), potential for area Contamination and pollution, health , safety, crime and other effects on the property itself and the area surrounding it.

We would appreciate your denial of the project for reasons stated here to for and/or for those reasons stated in your own staff report recommending denial of the Various applications by this Applicant.

Sincerely,



Albert Cohen

DECATUR CROSSING CENTER LLC
15490 Ventura Blvd., Ste. 200
Sherman Oaks, CA 91403
Tel: (818) 501-5500
Fax: (818) 501-7629
E-mail: Decaturcenterllc@aol.com

February 22, 2007

Honorable Planning Commission
City of Las Vegas
731 S. Fourth Street
Las Vegas, NV 89101

Via Fax No. 702-385-7268 & Mail

& 702-474-0352

Re.: Opposition to ZON-18208, VAR-18210, SUP- 19129 And SDR- 18206 -
proposed expansion of existing Body shop on Meadows Lane by Applicant Fletcher Jones
Management Group, Inc.

Dear Honorable Planning Commission Members:

We would like to clarify our letter of yesterday that we will not be opposed to the construction of this project if it's reduced in size, architecturally enhanced, and the applicant can demonstrate to us that it will not negatively impact the surrounding properties and area.

Thanking you in advance for your attention to this matter..

Sincerely,



Albert Cohen

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-18208 AND SUP-19129

SDR-18206 - PUBLIC HEARING - APPLICANT: FLETCHER JONES MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST - Request for a Site Development Plan Review for a 123,669 SQUARE FOOT EXPANSION OF AN EXISTING AUTOMOBILE SERVICE FACILITY WITH WAIVERS OF THE PERIMETER LANDSCAPING REQUIREMENT TO ALLOW NO LANDSCAPING ALONG THE EAST PROPERTY LINE AND ALONG A PORTION OF THE SOUTH PROPERTY LINE WHERE AN EIGHT FOOT WIDE BUFFER IS REQUIRED; TO ALLOW A FIVE FOOT WIDE BUFFER ALONG A PORTION OF THE SOUTH PROPERTY LINE WHERE EIGHT FEET IS REQUIRED; TO ALLOW A SIX FOOT WIDE BUFFER ALONG THE WEST PROPERTY LINE WHERE EIGHT FEET IS REQUIRED; AND TO ALLOW A ONE FOOT WIDE BUFFER ALONG THE NORTH PROPERTY LINE WHERE 15 FEET IS REQUIRED ADJACENT TO A PUBLIC RIGHT OF WAY on 9.34 acres at 400 South Decatur Boulevard (APN 138-36-601-002), R-1 (Single Family Residential) Zone and C-2 (General Commercial) Zone [PROPOSED: C-2 (General Commercial)], Ward 1 (Tarkanian). The Planning Commission (4-1-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-1-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Revised Site Plan dated 03-21-07
6. Backup referenced from the 02-22-07 Planning Commission Meeting Item 23

Motion made by GARY REESE to Hold in Abeyance Items 89-91, Item 96, Item 101, Items 104-107 to 4/04/2007; Items 94 and 95 to 4/18/2007; and TABLE Items 97-100

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

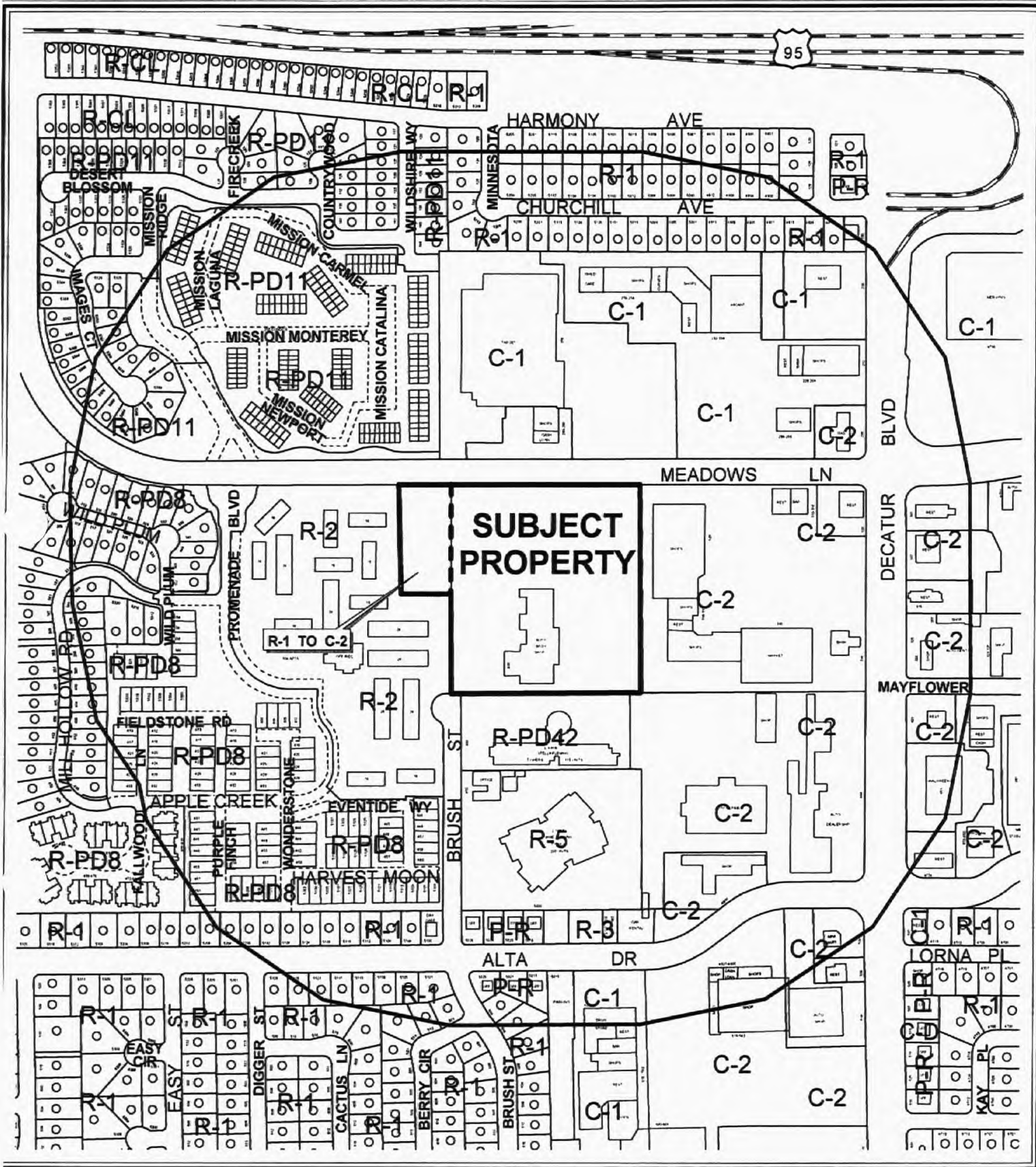
CITY COUNCIL MEETING OF: MARCH 21, 2007

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

Minutes:

See Item 97 for related backup.





CASE: SDR-18206

RADIUS: 1000 FT

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

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

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-18206 - APPLICANT: FLETCHER JONES
MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST**

**** CONDITIONS ****

The Planning Commission (4-1/bg/1/rt vote) and staff recommend DENIAL.

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-18208), Variance (VAR-18210), and Special Use Permit (SUP-19129) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations date stamped 11/17/06 except as amended by conditions herein.
4. A Waiver from Title 19.12.040 is hereby approved, to allow a zero foot landscape buffer along the east property line and along a portion of the south property line where an eight foot wide buffer is required; a five foot wide buffer along a portion of the south property line where eight feet is required; a six foot wide buffer along the west property line where eight feet is required; a one foot wide buffer along the north property line where 15 feet is required adjacent to a public Right-of-Way.
5. A revised site plan shall be submitted to and approved by the Planning and Development Department prior to the time application is made for a building permit to reflect the changes herein: Screening shall be provided along all residential property lines in accordance with Title 19 Section 19.08.050.
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. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. 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.
15. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-18208 and all other applicable site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Site Development Plan Review for a 123,669 square foot expansion of an existing automobile service facility located on 9.34 acres at 400 South Decatur Boulevard, south of Meadows Lane.

The proposal includes Waivers of perimeter landscaping requirements to allow a zero foot landscape buffer along the east property line and along a portion of the south property line where an eight foot wide buffer is required; a five foot wide buffer along a portion of the south property line where eight feet is required; a six foot wide buffer along the west property line where eight feet is required; and a one foot wide buffer along the north property line where 15 feet is required adjacent to a public Right-of-Way. Companion items to this request include a Rezone (ZON-18208), Special Use Permit (SUP-19129), and Variance (VAR-18210). The existing structure was constructed in 1978.

Planning staff considers the proposed expansion as inappropriate for this area of the city. The project site is directly west of existing senior/retirement multi-family residential development to the west and within a one half mile radius of single family dwellings northwest along Meadows Lane. The project design does not meet the urban design standards of Title 19.08.050. The bulk and scale of the structure is more suitable within an industrial zoned area of the city. Furthermore, significant average daily vehicle trips will result with implementation of the project. Staff recommends denial of the request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/01/94	The City Council accepted at the request of the applicant, a Withdrawal without Prejudice a request (Z-0030-74 (6)) for a Review of Condition to allow commercial access onto Brush Street on property located on the south side of Meadows Lane approximately 650 feet west of Decatur Boulevard.
04/16/86	The City Council considered and approved the Plot Plan Review for the Meadows School expansion. The Planning Commission and staff recommended approval. The Meadows School ceased operations at this location in June 1988.
03/20/85	The City Council considered and approved the Plot Plan Review for the Meadows School Project. The Planning Commission and staff recommended approval. The Planning Commission and staff recommended approval.
05/16/84	The City Council considered and approved the Plot Plan Review (Z-30-74) to operate a private elementary school on property located approximately 600 feet west of Decatur Boulevard. The Planning Commission and staff recommended approval.

11/03/76	The Board of City Commissioners considered and approved a request for a Plot Plan Review (Z-30-74) for a body shop and paint room at 444 South Decatur Boulevard. The Planning Commission and staff recommended approval.
08/01/74	The Board of City Commissioners considered and approved a request for Reclassification of Property (Z-30-74) located south of the westerly prolongation of Michael Way. The Planning Commission and staff recommended approval.
02/22/07	The Planning Commission recommended denial of companion items ZON-18208, VAR-18210 and SUP-19129 concurrently with this application. The Planning Commission voted 4-1/bg/1/rt to recommend DENIAL (PC Agenda Item #23/ja.
Related Building Permits/Business Licenses	
None	
Pre-Application Meeting	
01/09/07	A Pre-application was held with the applicant. Planning staff advised the applicant of the requirement for a Site Development Plan Review and Development Impact Notice and Assessment (DINA) application.
Neighborhood Meeting	
A neighborhood meeting is not required for this type of application nor was one held.	

Details of Application Request	
Site Area	
Gross Acres	9.34 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Automotive	GC (General Commercial)	Split Zoned: C-2 (General Commercial) R-1 (Single Family Residential)
North	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
South	Residential	H (High Density Residential)	R-PD42 (Residential Planned Development – 24 Units Per Acre)
East	Commercial	SC (Service Commercial)	C-2 (General Commercial)
West	Residential	MLA (Medium Low Attached Residential)	R-2 (Medium-Low Density Residential)

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

* In accordance with Ordinance No. 5227 a DINA was prepared for the project to address the potential increase in Average Daily Trips (ADT) that may result with implementation of the proposed rezone and commercial development.

DEVELOPMENT STANDARDS

The following Title 19 - Section 19.08 Commercial Development Standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	NA	NA	Y
Min. Lot Width	100 lineal feet	680 lineal feet	Y
Min. Setbacks			Y
• Front	20	27	
• Side	10	38	
• Corner	15	115	
• Rear	20	55	
Min. Distance Between Buildings	NA	NA	Y
Max. Lot Coverage	50 percent	38 percent	Y
Max. Building Height	NA	26 feet	Y
Trash Enclosure	Yes	Yes	Y
Mech. Equipment	Screened	Screened	Y

The following Title 19 – Section 19.12 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 Trees/6 uncovered space 1 Trees/6 landscape island	130 Trees 130 Trees = 130 landscape islands	None	N
Buffer: Min. Trees	1 Trees/20 Linear Feet Adjacent to residential	32 Trees (West property line) 27 (South property line)	None	N
			None	N
	1 Trees/30 Linear Feet Adjacent to commercial	21 Trees (East property line) 23 Trees (North property line)	None	N
			7	N
TOTAL			7	N
Min. Zone Width	15 feet (adjacent to Right-of-Way) 8 feet (interior lot lines)		1 feet along the north property line 0 feet (east and south property lines) 5 feet (along a segment of the south property line) 6 feet (along the west property line)	N* N N N
Wall Height	8 feet (adjacent to residential) 6 feet (adjacent to commercial)		None	N

Pursuant to Title 19.10, the following parking standards apply:

pursuant to LMC 2012, the following parking calculation applies:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
	154,875	5 plus 1 space per 200 sf gfa	779	16	509	8	N
SubTotal							
TOTAL (including handicap)			779		509		N
Loading Spaces			4		4		Y

Waivers		
Request	Requirement	Staff Recommendation
Reduction in landscape buffer zone widths: 0 feet along a 170 foot segment of the south property line 0 feet along the east property line 6 feet along the west property line 1 feet along the north property line	8 feet	DENIAL
	8 feet	DENIAL
	8 feet	DENIAL
	15 feet	DENIAL

ANALYSIS

The project proposes the construction of a one story 123,669 square foot addition to an existing 31,206 one story auto service facility on a 9.34 acre parcel.

- General Plan and Zoning**

The General Plan designated land use for the entire project site is GC (General Commercial) with the underlying zoning split as 7.8 acres of the project site is categorized as C-2 (General Commercial) and the remainder of the 9.34 acre site zoned R-1 (Single family Residential). The C-2 (General Commercial) zone is consistent with the General Commercial land use plan designation. An Auto Paint and Body Repair Shop is a permitted use under a Special Use Permit. A request to change the R-1 (Single

Family Residential) zoning to a C-2 (General Commercial) zone designation shall be considered with this request (ZON-18208). Development surrounding the project site includes commercial to the north and east and southeast, and residential to the west and south.

- **Site Plan and Elevations**

The project site is developed with an existing one story 31,206 square-foot Auto Paint and Body Repair Shop. The project as proposed will expand the current facility with a one-story 123,699 square-foot addition resulting in a 154,905 square foot structure. The expansion is a monolithic design containing minimal architectural features to offset bulk and scale. The building is designed with service bays that will be oriented towards a public Right-of-Way (ROW) - Meadows Lane. In accordance with Title 19 Special Use Permit conditions for Automobile use service bays are not permitted to open toward the ROW. As such, a companion (SUP-19129) shall be considered with this request with a Waiver request to relieve the project of this requirement. An existing combination brick wall and chain link fence ranging in height from 6-12 feet borders the project site.

- **Parking**

The existing use contains 1,053 parking spaces and the proposal would eliminate 547 parking spaces. A Variance (VAR-18210) request to reduce the minimum required parking from 779 spaces shall be considered with this application.

- **Landscaping - Waivers**

The proposal includes requests to waive Title 19 Landscape Standards including reductions of landscape buffer zones along all property lines and associated perimeter landscaping. Parking lot landscaping and pedestrian open space required under Title 19 is not proposed. Both elements could assist the project in alleviating the visual effect of the vast structure and parking areas from adjacent residential. Staff is unable to support the Waiver request as an alternative landscape design has not been proposed which could reduce the effect of the development upon adjacent residential uses.

- **Development Impact Notification and Assessment (DINA) - Traffic**

The proposal has the potential to result in impacts to street operations and intersections as the project exceeds the City of Las Vegas DINA Threshold of Significance for traffic. Pursuant to City Ordinance No. 5227, a project is deemed to be a "Project of Significant Impact" if it is a commercial or industrial facility generating more than 3,000 Average Daily Trips (ADT). A Traffic Analysis Report was prepared for the project in November 2006 (Solaegui Engineers, Ltd.) and is available for review at the Planning and Development Department. The report determined that the expansion will result in the generation of 4,115 ADT with 253 morning peak hour trips and 242 trips during the afternoon peak hour.

FINDINGS

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

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

The bulk and scale of the proposal is considered too intense and incompatible with existing adjacent residential uses. The project provides minimal landscape and screening elements that could reduce the perception of the proposed monolithic structure to a human scale. The project is more suitable within a manufacturing and/or industrial zoned area of the city.

- 2. The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed development is consistent with the land use designation of the General Plan and underlying commercial zone. The project design, bulk and scale, and minimal landscaping are inconsistent with Title 19.

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

Adequate vehicular access is provided to the project site via Meadows Lane. The proposed project will result in the generation of 4,100 Average Daily Trips (ADT) and may impact street and intersection operations along Meadows Lane and South Decatur Boulevard.

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

Building materials are appropriate for this type of development. The minimal amount of landscaping proposed is inappropriate for this area of the City.

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

The elevation and overall scale of the proposed structure is considered uncomplimentary for this area of the city. The project does not address the architectural design requirements of Title 19 nor provides insufficient landscaping and screening from adjacent residential.

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

Intensification of the current use has the potential to adversely affect the existing senior living/residential uses directly west of the project site as perimeter screening, parking lot landscaping, and architectural elements to reduce the bulk and scale of the building are absent from the site design and elevations. Furthermore, ADT generated from the expansion may impact street operations on adjacent roadways and intersection of Meadows Lane at South Decatur Boulevard. As the proposal does not meet the intent of the General Plan and urban design standards of Title 19, the project may impact the quality of life for residents within the immediate vicinity.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 20

ASSEMBLY DISTRICT 3

SENATE DISTRICT 3

NOTICES MAILED 298 by Planning Department

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-18206** APN: _____

Name of Property Owner: Fletcher Jones Sr Trust

Name of Applicant: Fletcher Jones Management Group, Inc.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

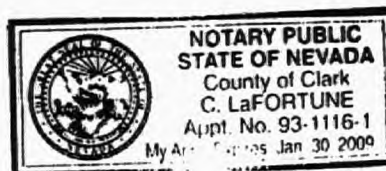
Signature of Property Owner: [Signature]

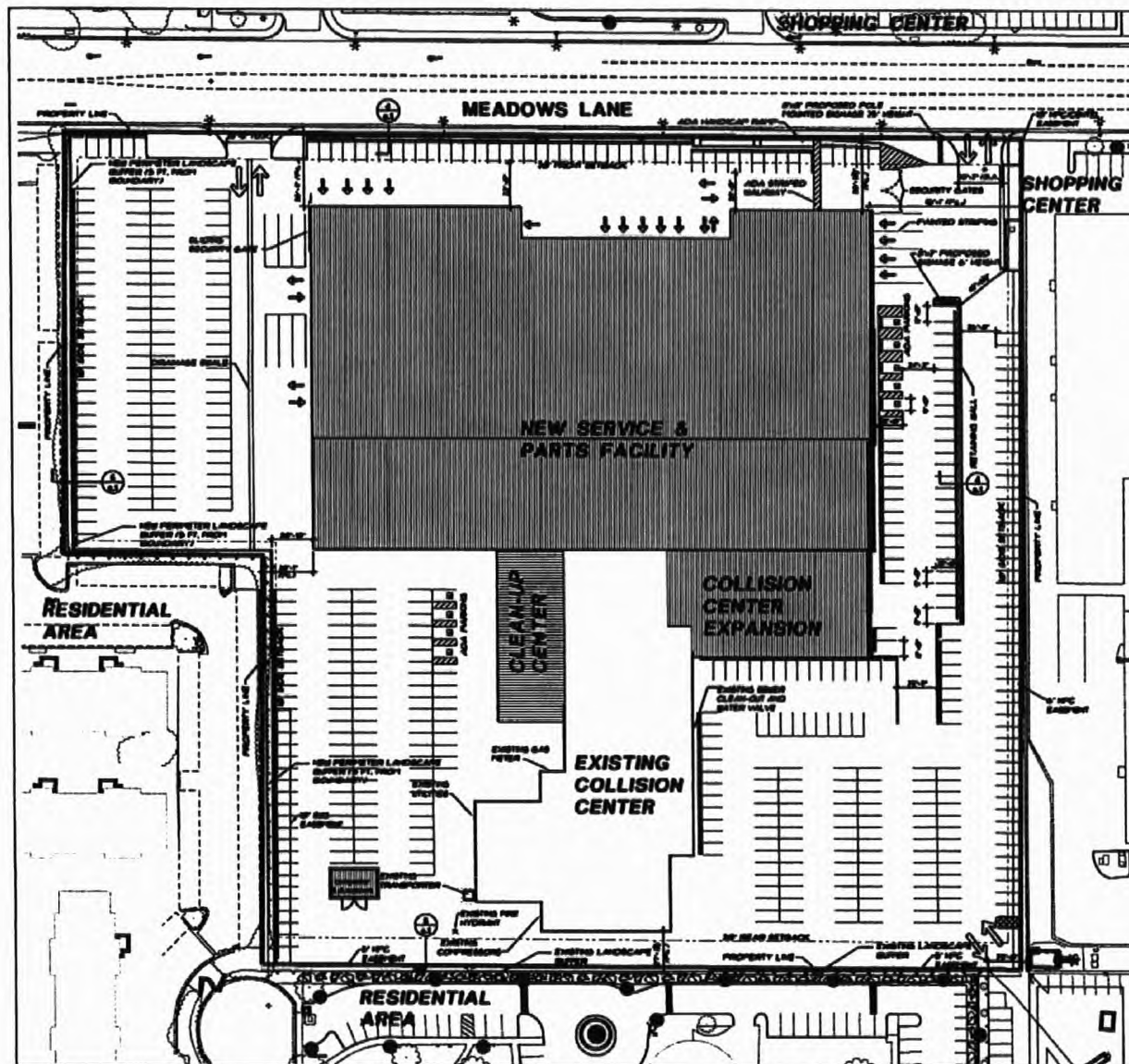
Print Name: Fletcher Jones Jr.

Subscribed and sworn before me

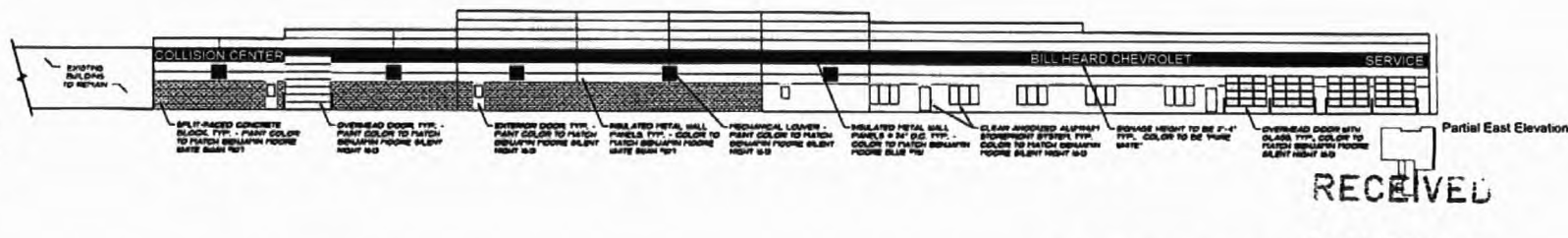
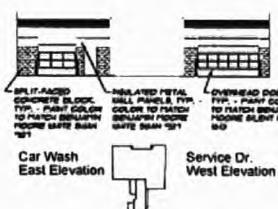
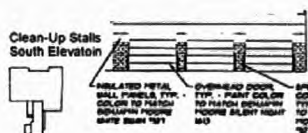
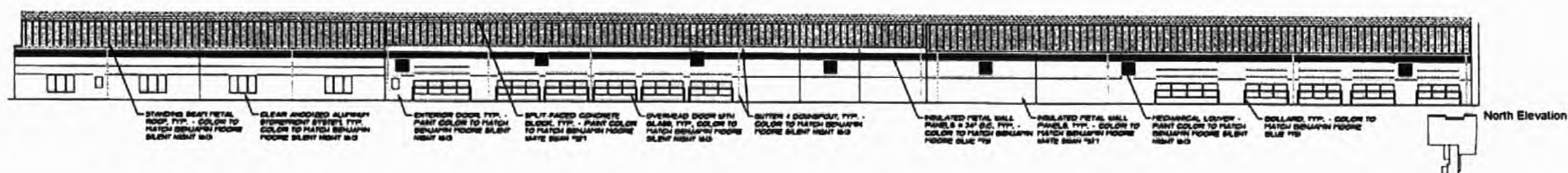
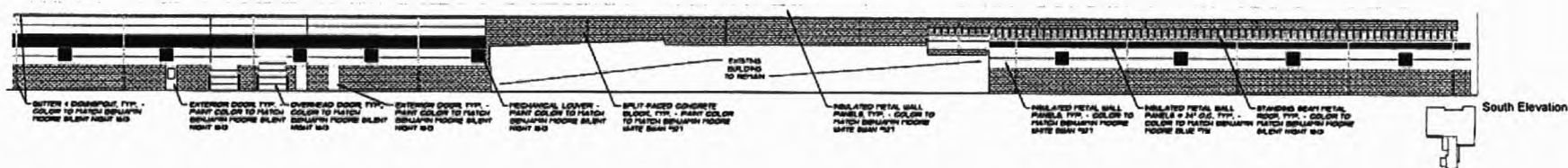
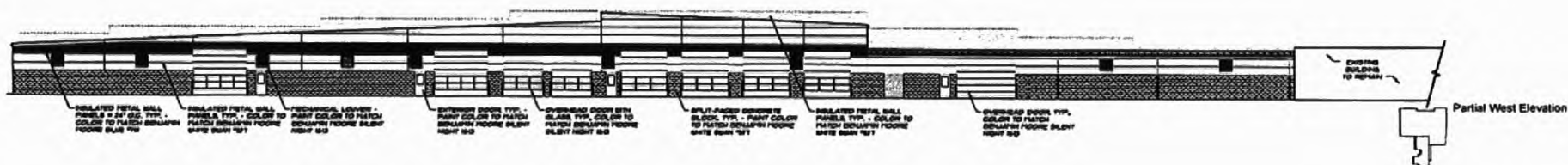
This 14 day of Nov, 2006

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





PUBLIC			
FURNISHING ANALYSIS			
TOTAL NUMBER OF FURNISHING UNITS REQUIRED 1-1 per 100 SF	5	5	5
TOTAL NUMBER OF FURNISHING UNITS PROVIDED	5	5	5
5	5	5	5
NOTE: FURNISHING UNITS ARE REQUIRED IN PROPORTION TO THE TOTAL FLOOR AREA OF THE BUILDING.		NOTE: ALL FURNISHING UNITS ARE REQUIRED TO BE PROVIDED IN PROPORTION TO THE TOTAL FLOOR AREA OF THE BUILDING.	
FURNISHING ANALYSIS		LEGEND	
EXISTING BUILDING	PLAN 100 FT.	EXISTING PROPERTY LINE	NEW DRIVEWAY
TOTAL FURNISHING	10000 SQ. FT.	EXISTING DRIVEWAY	NEW DRIVEWAY
500	5000 SQ. FT.	EXISTING DRIVEWAY	NEW DRIVEWAY
1000	10000 SQ. FT.	EXISTING DRIVEWAY	NEW DRIVEWAY
2000	20000 SQ. FT.	EXISTING DRIVEWAY	NEW DRIVEWAY
4000	40000 SQ. FT.	EXISTING DRIVEWAY	NEW DRIVEWAY
8000	80000 SQ. FT.	EXISTING DRIVEWAY	NEW DRIVEWAY
16000	160000 SQ. FT.	EXISTING DRIVEWAY	NEW DRIVEWAY
32000	320000 SQ. FT.	EXISTING DRIVEWAY	NEW DRIVEWAY
64000	640000 SQ. FT.	EXISTING DRIVEWAY	NEW DRIVEWAY
128000	1280000 SQ. FT.	EXISTING DRIVEWAY	NEW DRIVEWAY
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BILL HEARD LAS VEGAS CHEVROLET

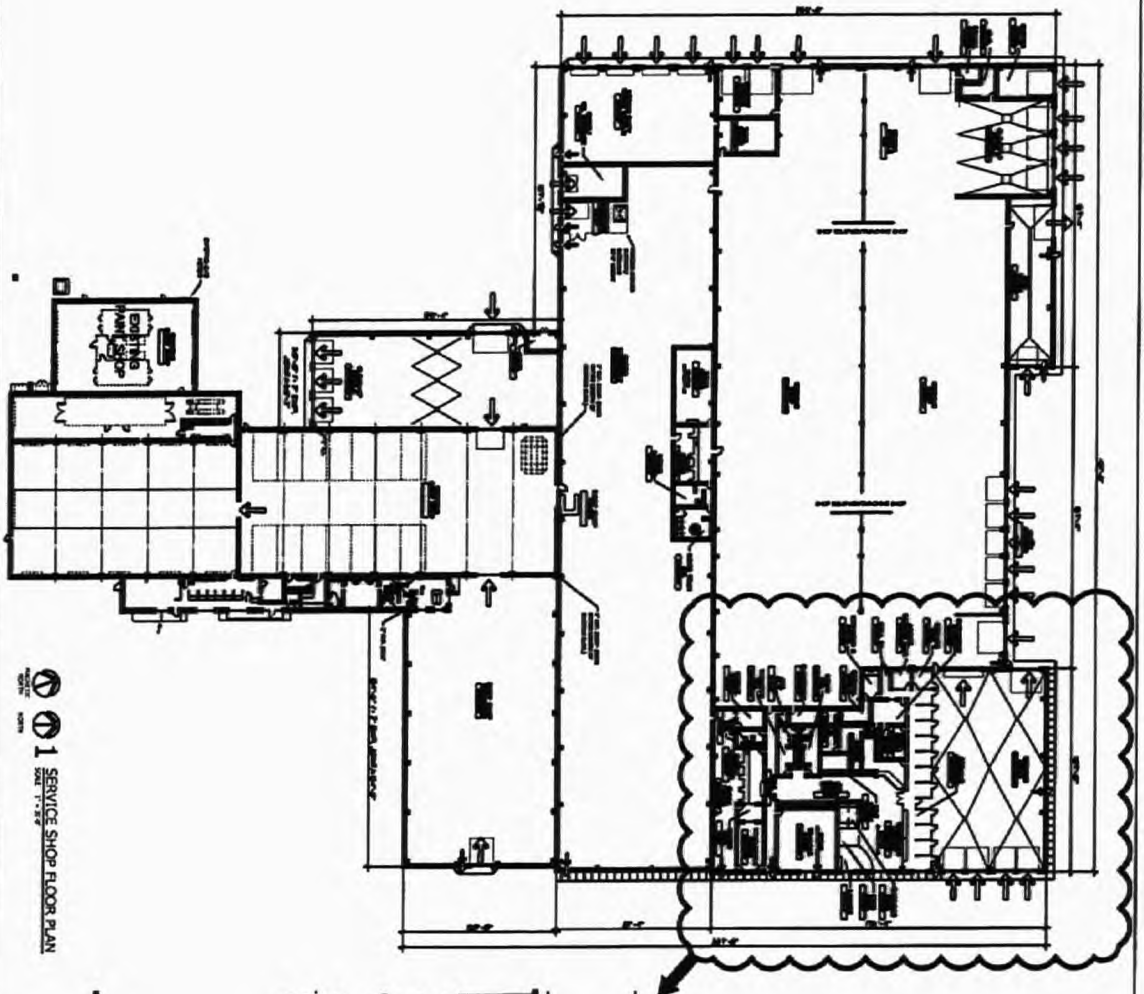
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SDR-18206

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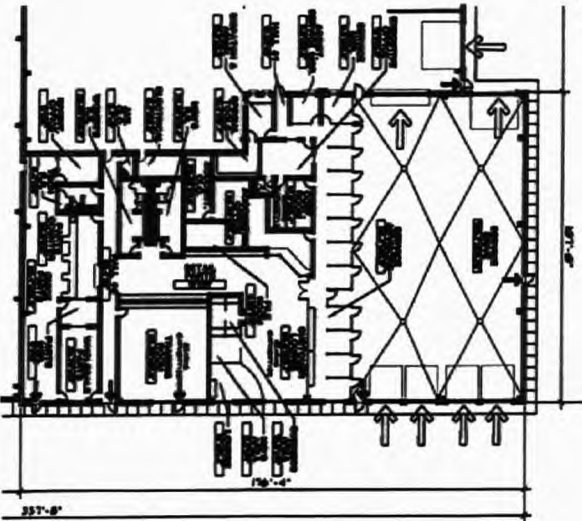
NOV 17 2006

David Zanner & Co.
 1000 S. 10th Street, Suite 100
 Las Vegas, NV 89102
 (702) 735-1100
 FAX (702) 735-1101
 www.dzanner.com

COMPARTMENTS
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1 SERVICE SHOP FLOOR PLAN



2 PARTIAL ENLARGED PLAN

LEGEND

EXISTING BUILDING
 NEW BUILDING
 REMOVED BUILDING

Legend

EXISTING BUILDING
 NEW BUILDING
 REMOVED BUILDING

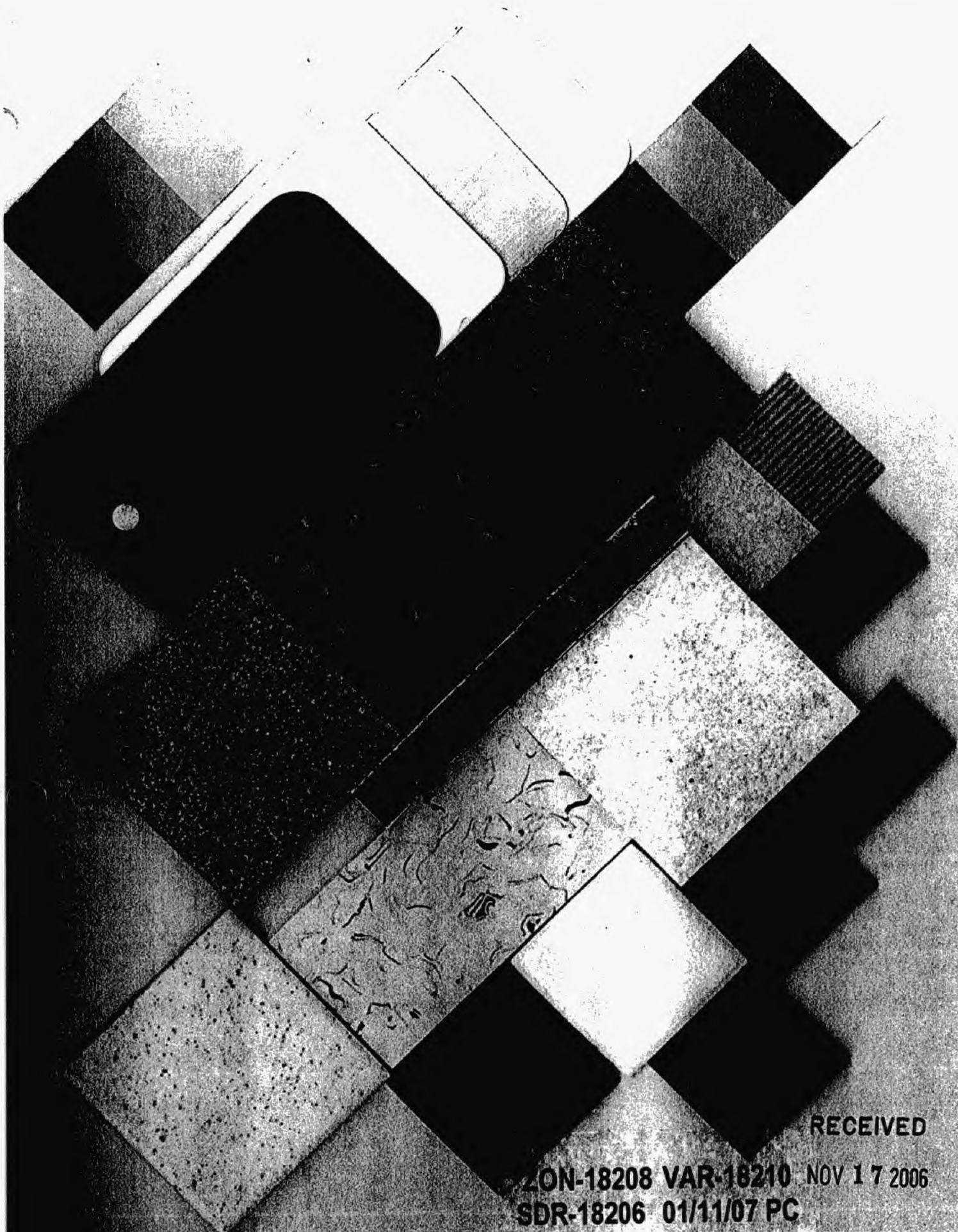
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EXISTING BUILDING
 NEW BUILDING
 REMOVED BUILDING

ALTERATIONS AND ADDITIONS TO
BILL HEARD LAS VEGAS CHEVROLET
 444 S. DECATUR BLVD., LAS VEGAS, NEVADA 89107

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CHEVROLET IMAGE 2000 - LIGHT SCHEME

SDR 18206				
Fletcher Jones Management Group, Inc.				
400 S. Decatur				
Proposed 123.669 thousand square foot expansion of an automobile service facility.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	NEW CAR SALES [1000SF]	123.669	33.34	4,123
AM Peak Hour			2.05	254
PM Peak Hour			2.64	326
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Meadows Lane				
Average Daily Traffic (ADT)	16,900			
PM Peak Hour	1352			
(heaviest 60 minutes)				
Decatur Boulevard				
Average Daily Traffic (ADT)	52,413			
PM Peak Hour	4193			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Meadows Lane	32585			
Decatur Boulevard	51700			
This project will add approximately 4,123 trips per day on Meadows and Decatur. This will increase expected volumes by about twenty four percent on Meadows and about eight percent on Decatur. Meadows is at about 52 percent of capacity and Decatur is over capacity.				
Based on Peak Hour use, this development will add roughly 326 additional cars into the area; which works out to about two every eleven minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



ZON-18208, VAR-18210, SUP-19129 & SDR-18206 - APPLICANT: FLETCHER JONES MANAGEMENT
GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST
400 SOUTH DECATUR BOULEVARD
FEBRUARY 22, 2007 PLANNING COMMISSION



ZON-18208, VAR-18210, SUP-19129 & SDR-18206 - APPLICANT: FLETCHER JONES MANAGEMENT
GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST
400 SOUTH DECATUR BOULEVARD
FEBRUARY 22, 2007 PLANNING COMMISSION

12/12/06

JONES VARGAS

ATTORNEYS AT LAW
3773 HOWARD HUGHES PARKWAY
THIRD FLOOR SOUTH
LAS VEGAS, NEVADA 89169

TEL (702) 862-3300 FAX (702) 734-2722

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GARY R. GOODHEART
MICHAEL E. BUCKLEY
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JANET L. CHUBB
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KIRK B. LENHARD
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MICHAEL G. ALONSO
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R. DOUGLAS KURDZIEL
KRIS T. BALLARD
CRAIG H. NORVILLE
WILLIAM C. DAVIS, JR.
KARL L. NIELSON
PATRICK A. ROSE
PATRICK J. SHEEHAN
TONY F. SANCHEZ III
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SCOTT M. SCHOENWALD
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MARIA-NICOLLE BERINGER
WHITNEY D. BOCCHI
JENNIFER BEATTY BRINTON
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ADAM K. BULT
DAVID A. CARROLL
TYRUS O. COBB
TRACY A. DIFILLIPPO
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BINU G. PALAL**
TAMARA BEATTY PETERSON
ALEX RAMIREZ
RICHARD A. RAWSON
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JOHN P. SANDE, IV
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TIFFANY J. SWANIS
STACIE A. TRUESDELL
JESSE A. WADHAMS
CHRISTINA H. WANG
GORDON H. WARREN
ANDREW WONG

CLIFFORD A. JONES (1912 - 2001)
GEORGE L. VARGAS (1909 - 1985)
JOHN C. BARTLETT (1910 - 1982)
LOUIS MEAD DIXON (1919 - 1993)
GARY T. FOREMASTER (1953 - 1998)

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AMANDA J. COWLEY
ALAN B. RABKIN
OF COUNSEL

BRIAN J. MATTER
EXECUTIVE DIRECTOR

November 7, 2006

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

HAND DELIVERED

RE: Justification Letter – Site Development Plan Review

Dear Planning and Development Department:

Enclosed is an application for a Site Development Plan Review for an approximately 123,669 sq/ft expansion of an existing automobile service facility for that property consisting of approximately 9.34 acres located at 400 S. Decatur Blvd., south of Meadows Lane (APN 138-36-601-002) (the "**Property**") submitted by Fletcher Jones Management Group, Inc. (the "**Applicant**").

The Property is zoned C-2 (General Commercial) and R-1 (Single Family Resident District) and designated GC (General Commercial) under the General Plan. An application to re-zone the portion of the Property from R-1 to C-2 is being submitted in conjunction with this application. The Property is currently used as an automobile service facility which is operated in conjunction with the Bill Heard dealership located adjacent to the Property. The Applicant wishes to expand the existing service facility.

Additionally, the Applicant is requesting waivers of the following perimeter landscaping requirements:

1. A waiver of the perimeter landscaping along the east Property line. Currently, there is no perimeter landscaping provided along the east Property line. Moreover, the property to the east is a developed commercial center, the back side of which abuts the Property, and this property has not provided perimeter landscaping adjacent to the Property.
2. A reduction for the perimeter landscaping requirement along the southern Property line. Currently, there is no perimeter landscaping provided along the southern Property line. The existing building is approximately 27 feet from the property to the south. Therefore, perimeter landscaping cannot be provided here and maintain the existing access along the

RENO OFFICE
100 WEST LIBERTY STREET, TWELFTH FLOOR, RENO, NEVADA 89504 TEL (775) 786-5000 FAX (775) 786-1177

*LICENSED IN ARIZONA ONLY
**LICENSED IN ILLINOIS AND WISCONSIN ONLY

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SDR-18206

November 7, 2006

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southern end of the Property. The Applicant is proposing to provide limited landscaping of 5.5 feet along the western half of the southern Property line where such landscaping will not interfere with on site traffic flow.

3. A reduction for the perimeter landscaping along the western Property line to permit 6.5 feet of landscaping where 8 feet is required. Currently, there is no perimeter landscaping provided along the western Property line. Here, the Property abuts parking structures for the residential property to the west. 6.5 feet of landscaping in conjunction with the landscaping provided by the property to the west should form an increased barrier from what is currently provided.
4. A reduction for the perimeter landscaping along the north Property line. Currently, there is no perimeter landscaping provided along the north Property line. The Applicant is proposing to provide a sidewalk with 1.5 feet of landscaping along the north Property line and approximately 20 feet of landscaping at both northern entrances to the Property.

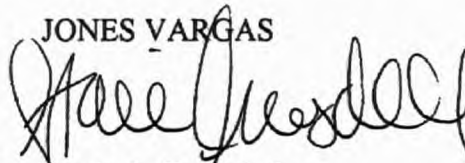
Due to that fact that the Property is currently operating and will continue to operate as an automobile service facility in conjunction with the adjacent Bill Heard Dealership, pedestrian use of the Property is not intended and could be unsafe due to the large number of automobiles that will be operating on the Property. Therefore, the Applicant is also requesting a waiver of the pedestrian open space requirement. Additionally, all of the parking provided on site will be used in conjunction with the service facility and a majority of the parking is not visible from Meadows Lane. Therefore, the Applicant is requesting a waiver of the requirement for landscaping islands within the parking lot.

Finally, the Applicant would like to request a waiver of the perimeter fencing requirements in order to retain the existing perimeter fencing which consists of chain link. The Property is contiguous with the Bill Heard Dealership to the southeast and the Applicant would like to maintain the existing fencing so that it is uniform with that provided on the contiguous property.

The proposed expansion will result in a more aesthetically pleasing view of the Property from Meadows Lane and the proposed landscaping will be an enhancement over what is currently provided. Thank you for your consideration of this request. Please contact me at (702) 863-3342 if you have any questions or comments.

Very truly yours,

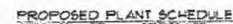
JONES VARGAS



Stacie A. Truesdell

ST
Enclosures.

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ZON-18208 VAR-18210
SDR-18206

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DISCOVERED GRANTS IN ALL PLANTING AREAS 7 DEPTH 100 COLOR: SPARKS BARKY AT BOTTOM NOTE: DISCOVERED GRANTS	
DISCOVERED GRANTS IN ALL PLANTING AREAS 7 DEPTH 100 COLOR: SPARKS BARKY AT BOTTOM NOTE: DISCOVERED GRANTS	

TRADEMARKS, PATENT, AND SERVICE MARKS

[illegible]

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CITY CLERK

Continued after first page

Date 3/19/07 Item # 100

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

Mr. & Mrs. Donald B. Gaines
P.O. Box 1106
Rancho Santa Fe, CA 92067
dbg@gainesinvestmenttrust.com
(858) 759-9221 phone

February 16, 2007

Andrew P. Reed, Planning Supervisor
Planning and Development Department
731 South Fourth Street
Las Vegas, Nevada 89101

email: areed@lasvegasnevada.gov

Re: Site Development Plan Review SDR-18206
Variance VAR-18210
Special Use Permit SUP-19129
Rezoning ZON-18208

Dear Mr. Reed,

As the owner of the directly adjacent property, we are strongly opposed to a zone change from R-1 to C-2. We are also opposed to any variance or special use permit etc. that may effect the quiet enjoyment of our property or the neighborhood in general.

Our property is a 304 unit senior apartment community know as, Country Club at the Meadows. All of our residents are 55+ with an average age of 70+.

Our community is behind security gates and is very low density. Those two factors contribute to our business success in that location. Virtually, all of our residents rent from us because of the ambiance of the grounds and the atmosphere of quiet peaceful surroundings.

When we bought our property about four years ago, one of our considerations for purchase was that certain parts of the adjacent property are R-1. This zoning is compatible with our property and does not pose any noise problems and other problems associated with commercial development.

There is no question that this proposed zone change etc. will impact our elderly residents negatively and that will cause us economic hardship on an operational level and will depress the value of our property.

Page 2 of 2
February 16, 2007
Andrew P. Reed, Planning Supervisor

We would be agreeable to arrange a site visit of our property with the members of the planning commission that have jurisdiction over this decision so that they can see the situation first hand. I am sure that the 500 or so residents that live at Country Club at the Meadows will feel the same way as we do when they are made aware of the proposed zone changes being considered on the adjacent property.

Please call us at the above phone number to discuss this issue further and please keep us in the loop as to all decision making on this issue.

Sincerely,

Don and Pam Gaines

Meadows Las Vegas LLC
Country Club at the Meadows
300 Promenade Blvd.
Las Vegas, NV 89107

DECATUR CROSSING CENTER LLC
15490 Ventura Blvd., Ste. 200
Sherman Oaks, CA 91403
Tel: (818) 501-5500
Fax: (818) 501-7629
E-mail: Decaturcenterllc@aol.com

February 21, 2007

Via Fax No. 702-385-7268 & Mail

Honorable Planning Commission
City of Las Vegas
731 S. Fourth Street
Las Vegas, NV 89101

Re.: Opposition to ZON-18208, VAR-18210, SUP- 19129 And SDR- 18206 -
proposed expansion of existing Body shop on Meadows Lane by Applicant Fletcher Jones
Management Group, Inc.

Dear Honorable Planning Commission Members:

We are the owners of the Target/Big Lots Anchored Shopping Center directly located across the street from the subject property.

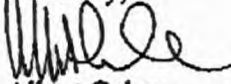
First, we would like to inform you that we have never been contacted by the Applicant or any of their representatives to see if we have any questions or concerns with their proposed project across the street. We have seen the staff report for the first time only a few hours ago.

With All due respect, and with concerns similar in nature to those raised by your staff members in their staff report recommending a denial of the applications, we oppose the proposed zone change and other entitlements sought by this applicant for this property. The pending applications seek unreasonably necessary waivers for setbacks, screening, architectural compatibility, landscaping, traffic, visibility, and most importantly parking.

This project is simply too massive and it does not belong here in this location: And, in our opinion, it will substantially degrade and devalue the surrounding residential homes and Businesses. We are also concerned by the lack of an EIR adequately studying and assessing the potential project generated increases in noise, traffic, Air Quality, Hazardous material(handling & storage), potential for area Contamination and pollution, health , safety, crime and other effects on the property itself and the area surrounding it.

We would appreciate your denial of the project for reasons stated here to for and/or for those reasons stated in your own staff report recommending denial of the Various applications by this Applicant.

Sincerely,



Albert Cohen

DECATUR CROSSING CENTER LLC
15490 Ventura Blvd., Ste. 200
Sherman Oaks, CA 91403
Tel: (818) 501-5500
Fax: (818) 501-7629
E-mail: Decaturcenterllc@aol.com

February 22, 2007

Honorable Planning Commission
City of Las Vegas
731 S. Fourth Street
Las Vegas, NV 89101

Via Fax No. 702-385-7268 & Mail

8 702-474-0352

Re.: Opposition to ZON-18208, VAR-18210, SUP- 19129 And SDR- 18206 -
proposed expansion of existing Body shop on Meadows Lane by Applicant Fletcher Jones
Management Group, Inc.

Dear Honorable Planning Commission Members:

We would like to clarify our letter of yesterday that we will not be opposed to the construction of this project if it's reduced in size, architecturally enhanced, and the applicant can demonstrate to us that it will not negatively impact the surrounding properties and area.

Thanking you in advance for your attention to this matter..

Sincerely,



Albert Cohen

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

ZON-19070 - PUBLIC HEARING - APPLICANT/OWNER: ALL STAR AUTOMOTIVE, INC. - Request for a Rezoning FROM: C-2 (GENERAL COMMERCIAL) TO: C-M (COMMERCIAL/INDUSTRIAL) on 1.09 acres at 2027-2041 West Bonanza Road (APNs 139-28-401-029 and 031), Ward 5. The Planning Commission (3-3 tie vote on a motion for approval) NO RECOMMENDATION. Staff recommends APPROVAL

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

0

City Council Meeting

0

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

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (3-3 vote on a motion for approval) ended in a tie vote NO RECOMMENDATION. Staff recommends APPROVAL, subject to conditions.

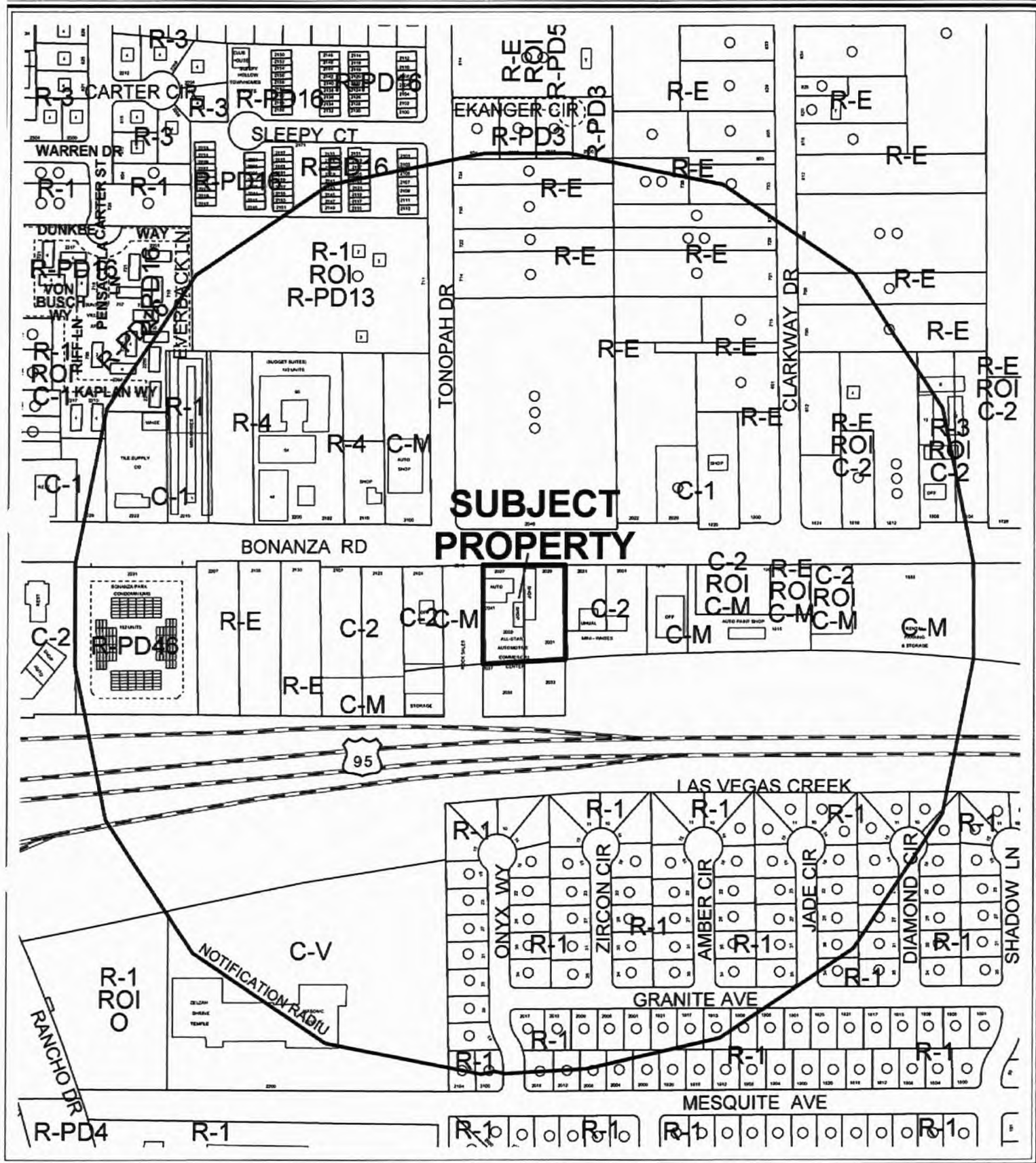
BACKUP DOCUMENTATION:

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

Motion made by GARY REESE to Hold in Abeyance Items 89-91, Item 96, Item 101, Items 104-107 to 4/04/2007; Items 94 and 95 to 4/18/2007; and TABLE Items 97-100

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

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



CASE: **ZON-19070**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-19070 - APPLICANT/OWNER: ALL STAR
AUTOMOTIVE, INC.**

**** CONDITIONS ****

The Planning Commission (3-3 vote on a motion for approval) ended in a tie NO RECOMMENDATION. Staff recommends APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. Recordation of a reversionary parcel map or administrative joining consolidating the parcels on the site prior to issuance of any building or grading permits.

Public Works

3. Construct all incomplete half-street improvements on Bonanza Road and remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
4. Submit an application for a deviation from Standard Drawing #222a for the driveways accessing this site from Bonanza Road. Driveways shall also receive approval from the Nevada Department of Transportation.
5. 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.
6. Landscape and maintain all unimproved right-of-way on Bonanza Road adjacent to this site. 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.

7. As appropriate, submit an Encroachment Agreement to the City of Las Vegas or obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Bonanza Road public right-of-way adjacent to this site prior to the issuance of any permits.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer. We note that a portions of this site are within FEMA Flood zones.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning to a C-M (Commercial/Industrial) District on 1.09 acres at 2029, 2039, and 2041 West Bonanza Road. The property currently consists of developed land that is zoned C-2 (General Commercial). The applicant indicates this action will allow for uses that are currently not permitted in a C-2 (General Commercial) district.

The proposed rezoning to the C-M (Commercial/Industrial) zoning district is consistent with the existing LI/R (Light Industrial/Research) Master Plan designation. It is also consistent with the existing auto service and equipment rental uses in the vicinity. Approval is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/08/71	The Board of City Commissioners approved a Rezoning (Z-0074-71) from R-3 (Medium Density Residential) to C-2 (General Commercial) and C-M (Commercial/Industrial) on the subject property. The Planning Commission and staff recommended approval.
02/24/76	The Planning Commission approved a request for a Plot Plan Review (parent case Z-0074-71) for a Recreational Vehicle Sales Facility on a portion of the subject site. Staff recommended approval.
03/24/92	The Board of Zoning Adjustment approved a request for a Special Use Permit (U-0046-92) for a Used Car Lot in a C-2 (General Commercial) zoning district. Staff recommended approval.
07/07/04	The City Council denied an Appeal (DIR-4573) of a Planning and Development Director's decision per Title 19.00.070.F to deny the acceptance of a application for a Special Use Permit for an Off-Premise Advertising (Billboard) Sign for failure to comply with Title 19.14.100. Staff had recommended denial.
05/17/06	The City Council approved a General Plan Amendment (GPA-9219) expanding the Redevelopment Area. This property was designated as LI/R (Light Industrial/Research) as part of this General Plan Amendment. The Planning Commission and staff recommended approval.
02/22/07	The Planning Commission (3-3 vote on a motion for approval) ended in a tie NO RECOMMENDATION (PC Agenda Item #24/rts).
<i>Related Building Permits/Business Licenses</i>	
12/01/90	A business license for a S09 (Sign Painting Establishment - any person who engages in the business of painting signs but who is not required to have a State Contractor's license) category license was processed in by the Department of Finance and Business Services. This license (S09-00007) was originally issued by Business Services on 12/19/90 and was re-issued due to a change of location on 08/23/94 with no apparent Planning and Development review.

08/16/94	A business license for an A08 (Appliance Sales and Service- the sales of new appliances ie; refrigerators, ovens, etc. The service and repair of customer's appliances) category license was processed in by the Department of Finance and Business Services. This license (A08-01442) was originally issued by Business Services on 08/18/94 and was re-issued due to a change of location on 09/10/96 with no apparent Planning and Development review.
Pre-Application Meeting	
12/27/06	A pre-application meeting was held and elements of this application were discussed. Submittal requirements were discussed.
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	

Details of Application Request	
Site Area	
Net Acres	1.09

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Automotive Commercial Center	LI/R (Light Industrial / Research)	C-2 (General Commercial)
North	Single Family Residential	MXU (Downtown – Mixed Use)	R-E (Residence Estates)
South	Interstate ROW (I-95)	Interstate ROW (I-95)	Interstate ROW (I-95)
East	Truck Rental	LI/R (Light Industrial / Research)	C-2 (General Commercial)
West	Building & Landscaping Material / Lumber Yard	LI/R (Light Industrial / Research)	C-M (Commercial/ Industrial)

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

ANALYSIS

The subject property is designated as LI/R (Light Industrial/Research) under the Southeast Sector Plan of the General Plan. This category allows areas appropriate for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distributions, and research, development and testing laboratories. The existing buildings are currently used for appliance sales and service and sign painting which are in compliance with the General Plan. The proposed rezoning to the C-M (Commercial/Industrial) zoning district will allow a variety of uses not currently allowed under the C-2 (General Commercial) zoning district.

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

The site encompasses two parcels with existing buildings built at the lot lines. Additionally, should the parcels in the future become separate sites the site will placed out of conformance with development standards for the proposed C-M (Commercial/Industrial) zoning district. For this reason a condition has been added that prior to the issuance of any building or grading permits that a reversionary parcel map or administrative joining consolidating the parcels be recorded.

The proposed rezoning to the C-M (Commercial/Industrial) zoning district is consistent with the existing LI/R (Light Industrial/Research) Master Plan designation. It would also make it consistent with surrounding land uses, which consist of building and landscape supplies and equipment rental uses to the west and east of the property. For these reasons staff is recommending approval of this item.

FINDINGS

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

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

The proposed rezoning would bring the zoning at this site into conformance with the LI/R (Light Industrial/Research) designation as listed under the Southeast Sector Plan of the General Plan. The Light Industrial/Research category allows a variety of commercial and light industrial or research uses. The site's existing buildings can accommodate the range of uses and is in compliance with the General Plan.

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

Currently, there is a large residential lot north of the subject site and interstate right-of-way to the south of the property which should not be affected by the possibility of rezoning. The proposed rezoning would be compatible with the building and landscape supplies and equipment rental uses to the west and east of the property.

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

Growth and development factors indicate a need for light industrial activities to locate in this area. Given the existing General Plan designation of LI/R (Light Industrial/Research) on the subject site, the rezoning to the C-M (Commercial/Industrial) zoning district is appropriate for the area.

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

The site will receive access from West Bonanza Road, which is adequate in size to meet the requirements of the proposed C-M (Commercial/Industrial) zoning district.

PLANNING COMMISSION ACTION

There were two speakers in opposition. The applicant agreed to all conditions. Public Words request that condition #5 be deleted.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 203 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number **ZON-19070** APN: 139-28-401-029 & 139-28-401-031
Name of Property Owner: ALL STAR AUTOMOTIVE INC
Name of Applicant: SHAWN BARASHY

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

☐ Yes

☒ No

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

City Official: N/A

Partner(s): N/A N/A

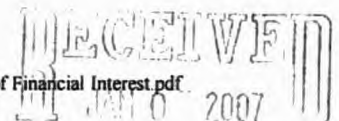
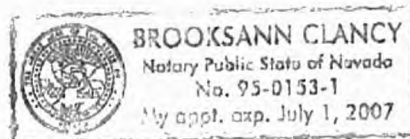
APN N/A

Signature of Property Owner: Shawn Barashy

Print Name: SHAWN BARASHY

Subscribed and sworn before me

This 13th day of December, 2006
Brooksann Clancy
Notary Public in and for said County and State



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EXHIBIT

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ZON-19070

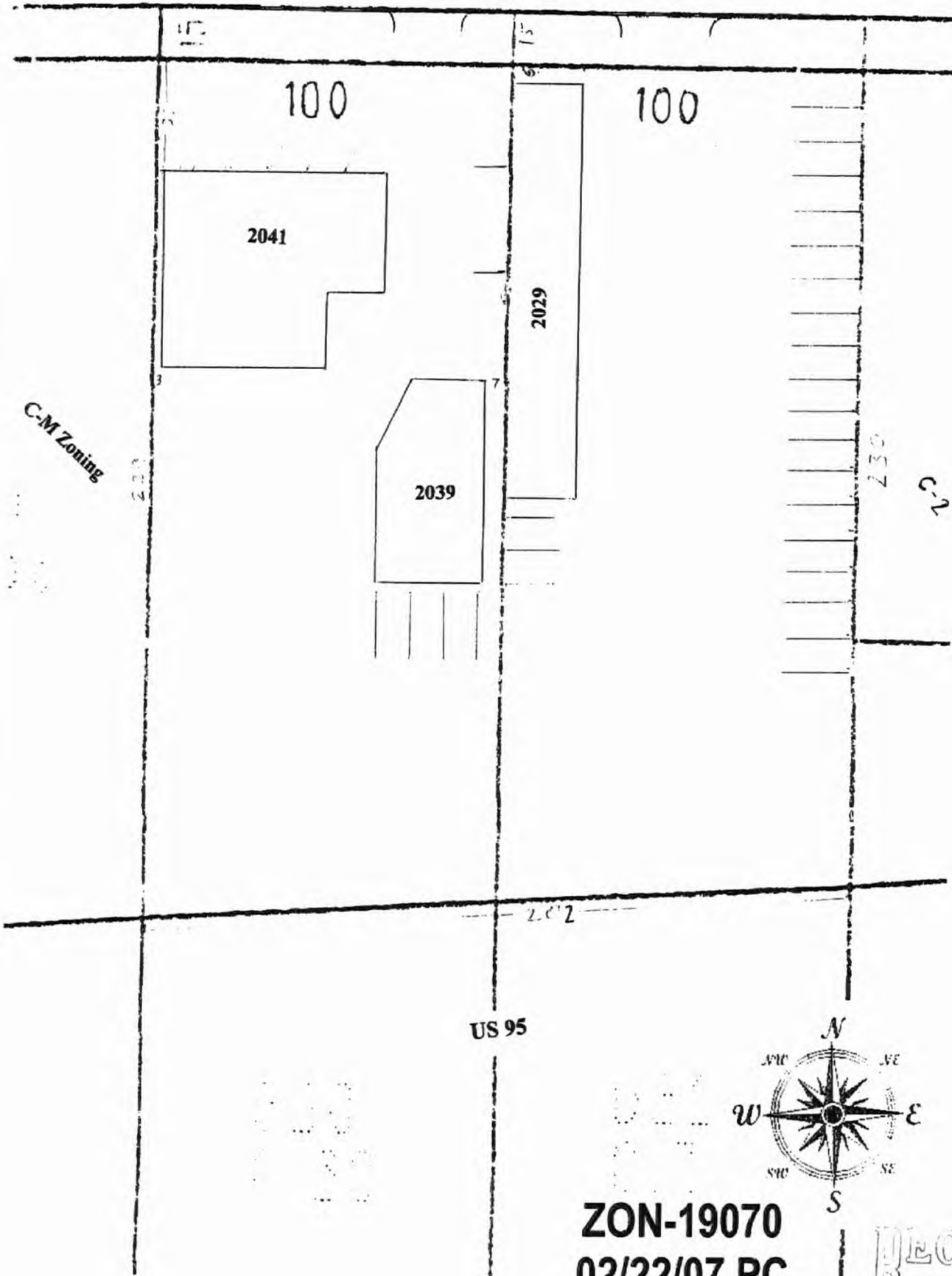
02/22/07 PC



ZON-19070
02/22/07 PC

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BONANZA ROAD



US 95



ZON-19070
02/22/07 PC

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PARKING: 37

BUILDING SIZE:

2029 - 2800  

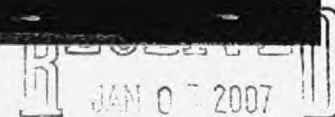
2039 - 1600  

2041 - 3300  

1" = 20'



ZON-19070
02/22/07 PC





ZON-19070 - APPLICANT/OWNER: ALL STAR AUTOMOTIVE, INC.
2029-2041 BONANZA ROAD
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



ZON-19070 - APPLICANT/OWNER: ALL STAR AUTOMOTIVE, INC.
2029-2041 BONANZA ROAD
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



ZON-19070 - APPLICANT/OWNER: ALL STAR AUTOMOTIVE, INC.
2029-2041 BONANZA ROAD
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



ZON-19070 - APPLICANT/OWNER: ALL STAR AUTOMOTIVE, INC.
2029-2041 BONANZA ROAD
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07

ALL-STAR AUTOMOTIVE, INC.

P.O. Box 81191
Las Vegas, NV 89180

Wednesday, December 13, 2006

To: Planning And Development Department

Re: Zone Change - Justification Letter
APN # 139-28-401-029 and 139-28-401-031
2029, 2039, 2041 W. Bonanza Road, Las Vegas, NV 89106

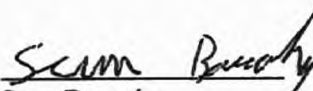
Dear Sirs,

We hereby submit a request to change the current zoning of the subject property from a C-2 zoning, to a C-M zoning.

The reasons that we request the zone change are as follows:

1. The design of the site fits uses which are not permitted in C-2 zoning, but are allowed in the C-M zoning
2. The area characteristics have changed and there is a demand for uses that are more suitable to a C-M zoning, rather than a C-2 zoning. Some of the proposed uses for the subject property are vehicle parking and equipment storage.
3. The General Plan does not need to be changed in order to allow for the C-M zoning.
4. The property adjoining us to the West is zoned C-M, and the third lot to the East is C-M as well.
5. Prior to the U.S. 95 freeway expansion, the south end of our property was zoned C-M.

Sincerely,


Sam Barashy

ZON-19070

02/22/07 PC

RECEIVED
JAN 07 2007

March 20, 2007

RECEIVED
CITY CLERK

2007 MAR 20 P 4: 01

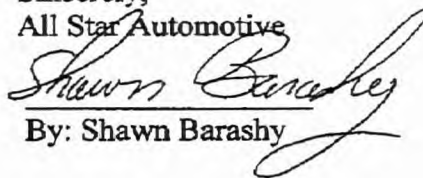
City Clerk
Vicky Darling

Re: ZON 19070, Agenda item number 101.

Dear Vicky,

Please postpone the hearing of application ZON 19070, Agenda item number 101, which is schedule to be heard March 21, 2007 at the City Council until April 4th, 2007.

Sincerely,
All Star Automotive


By: Shawn Barashy

Exempted after 10:00 AM

Date 3/20/07 Item #101

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE

VAR-18625 - PUBLIC HEARING - APPLICANT/OWNER: LE FERIA, LLC - Request for a Variance TO ALLOW 39 PARKING SPACES WHERE 95 PARKING SPACES ARE THE MINIMUM REQUIRED on 2.33 acres at 3851 Pennwood Avenue (APNs 162-07-702-002 and 003), M (Industrial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Abeyance request by Bayron Rosales for Items 102 and 103
6. Backup referenced from the 02-22-07 Planning Commission Meeting Item 25

Motion made by LOIS TARKANIAN to Hold in Abeyance Items 102 and 103 to 4/18/2007

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open on Items 102 and 103.

COUNCILWOMAN TARKANIAN noted that she has met with the applicant, who desires to have the items held in abeyance. The applicant may have been under the impression that attendance was not necessary. She emphasized that this is a desired project; however, there are some significant issues still needing to be worked out. With that, she recommended a four-week abeyance.

CITY COUNCIL MEETING OF: MARCH 21, 2007

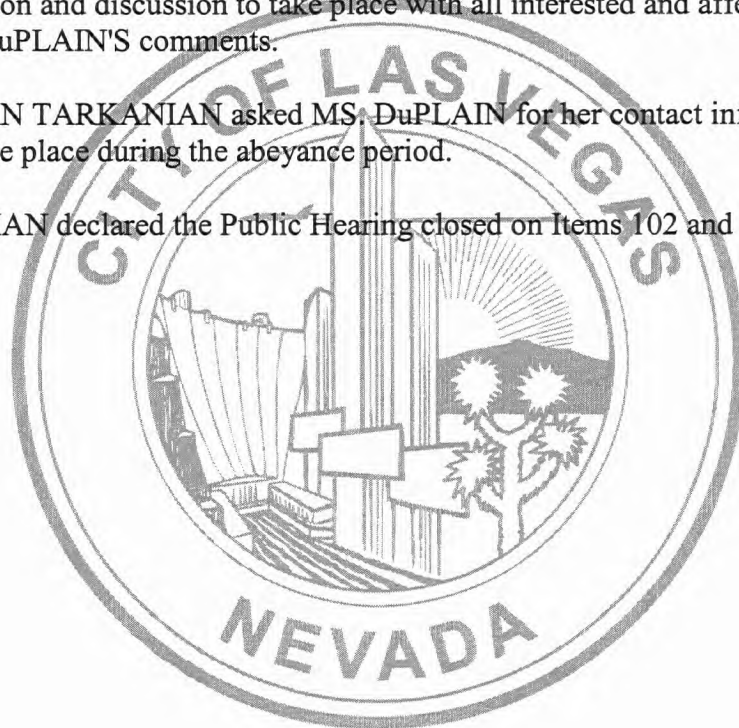
MAYOR GOODMAN explained that the motion would be to abey the items; however, individuals can choose to voice their comments at this meeting or at the future meeting.

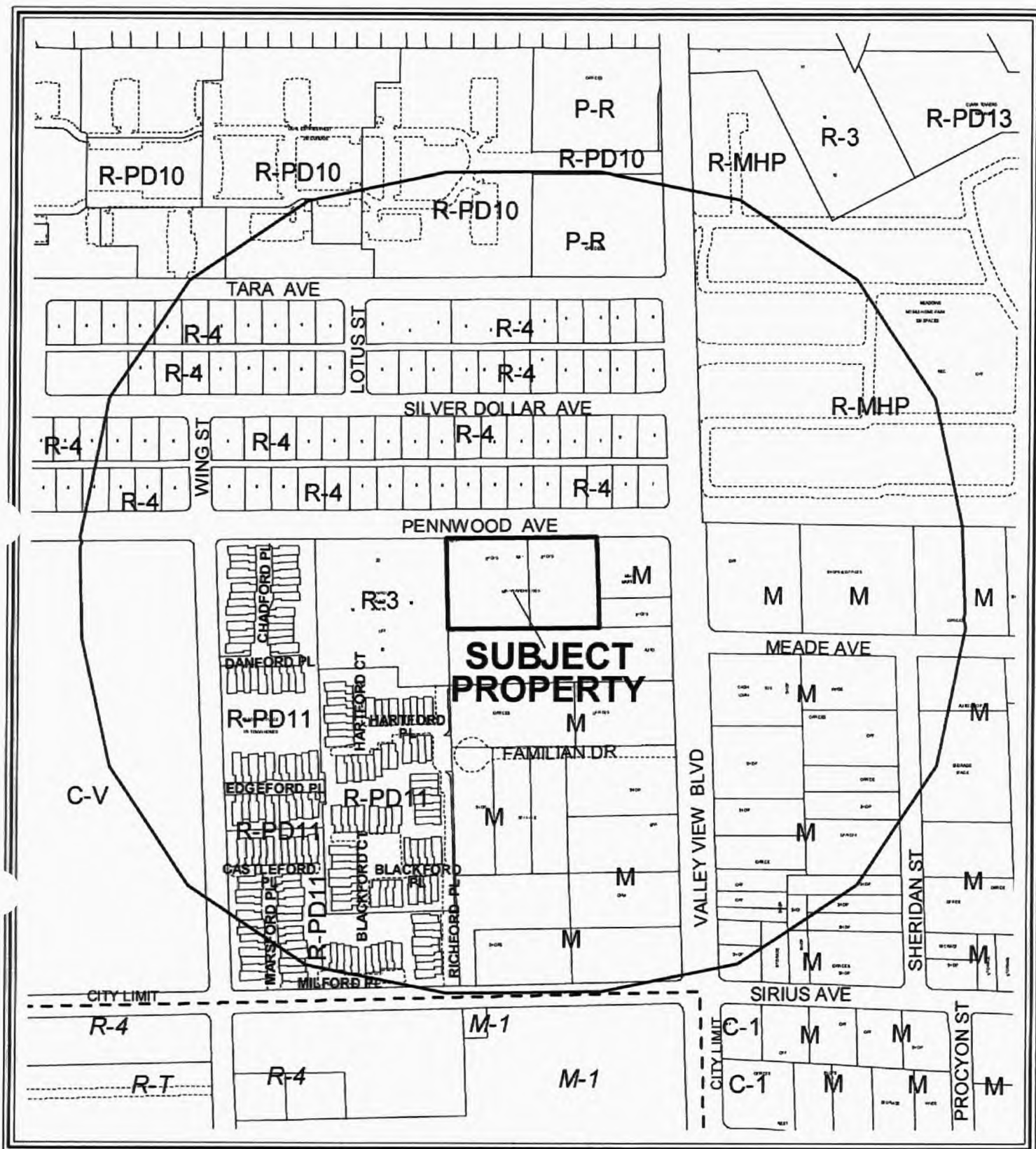
YVONNE DuPLAIN appeared on behalf of the property owners at Penwood Place Apartments, 4001 Penwood Avenue, which is located adjacent to the subject site. MS. DuPLAIN stated that the area is overpopulated with apartments; reducing the required parking spaces for the proposed development would not be favorable. Their tenant parking is situated directly adjacent to the subject site, and there will be no means to control the parking area to ensure their tenants' parking spaces will not be utilized by the subject development. On behalf of the property owners, she asked that Council follow Planning Commission's recommendation for denial.

TOM McGOWAN, Las Vegas resident, recommended an abeyance on the items to allow for a balanced presentation and discussion to take place with all interested and affected parties, inclusive of MS. DuPLAIN'S comments.

COUNCILWOMAN TARKANIAN asked MS. DuPLAIN for her contact information so discussions can take place during the abeyance period.

MAYOR GOODMAN declared the Public Hearing closed on Items 102 and 103.





CASE: **VAR-18625**

RADIUS: 1000

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-18625 - APPLICANT/OWNER: LE FERIA, LLC

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend DENIAL.

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (Z-0017-72) shall be required, except as amended herein.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-19214) shall be required.
3. 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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Variance to allow 39 parking spaces where 95 parking spaces are required for an existing mini-storage facility, retail, and office development consisting of three buildings on 2.33 acres at 3851 Pennwood Avenue. A Site Development Plan Review (SDR-19214) is also for the subject site to allow an expansion of allowable uses to include retail uses and increase the tenantable space available. As a part of that application the applicant requests waivers of the parking area landscaping and perimeter landscape buffer requirements.

The applicant indicates that the existing mini-storage facility, retail, and office development serves the demand for affordable retail and office space that primarily services the immediate neighborhood. Due to the self-imposed hardship inevitably created by the intensity and extent of changes to the site without all appropriate approvals, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/15/72	The City Council approved a Rezoning (Z-0017-72) to allow M (Industrial) zoning, where C-1 (Limited Commercial) had been the zoning on a portion of the site. The Planning Commission and Staff recommended approval.
09/27/79	The Board of Zoning Adjustment approved a Variance (V-0071-79) to allow a resident manager's quarters in a mini-warehouse complex where residential uses are not allowed. Staff recommended approval.
02/22/07	The Planning Commission recommended denial of companion item SDR-19214 concurrently with this application. The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #25/rts).
<i>Related Building Permits/Business Licenses</i>	
08/02/94	A business license for a C11 (Contractor - Any person who is licensed or required to be licensed as a contractor under NRS Chapter 624, whether or not the contractor maintains a business location within the corporate limits of the City) category license was processed in by the Department of Finance and Business Services. This license (C11-05342) was originally issued by Business Services on 08/04/94 and was re-issued due to a change of location on 04/26/99 with no apparent Planning and Development review. This license is listed for suite B13 at 3851 Pennwood Avenue.
11/04/94	A business license for a C05 (Tobacco Dealer – Retail - Any person licensed to sell tobacco through a vending machine or in conjunction with another gross retail license as defined in NRS 370. The fee amount shall be charged for each sales location, whether a machine or other retail location) category license was processed in by the Department of Finance and Business Services. This license (C05-01690) was issued by Business Services on 11/22/94 with no apparent Planning and Development review. This license is listed for suite B10 at 3851 Pennwood Avenue.

11/04/94	A business license for a C15 (Convenience Store - Business located in a building or portion thereof, which is separated from the rest of the building, selling groceries at retail and having not less than 1,200 sq. ft. nor more than 5,000 sq. ft. of floor space exclusive of warehouse and office space) category license was processed in by the Department of Finance and Business Services. This license (C15-00197) was issued by Business Services on 11/22/94 with no apparent Planning and Development review. This license is listed for suite B10 at 3851 Pennwood Avenue.
01/16/96	A business license for a D16 (Department Store - A retail establishment that maintains a selected variety of merchandise for purchase by the general public) category license was processed in by the Department of Finance and Business Services. This license (D16-00056) was originally issued by Business Services on 02/15/96 and was re-issued due to a change of owner on 02/15/06 with no apparent Planning and Development review. This license is listed for suite B21 at 3851 Pennwood Avenue.
03/23/99	A business license for a F07 (Furniture Store - Sale of new furniture only) category license was processed in by the Department of Finance and Business Services. This license (F07-01586) was denied by the Planning and Development Department on 11/30/06, pending verification of adequate parking. This license was originally issued by Business Services on 04/20/99 but is under review for a change of location (updated suite number, same building) as of 11/20/06. This license has not been re-issued as of 01/22/07. This license is listed for suite B14 at 3851 Pennwood Avenue.
10/20/00	A business license for a B02 (Bakery - Businesses specializing in baked goods, not providing meals as found in restaurant (R05, R07, R09)) category license was processed in by the Department of Finance and Business Services. This license (B02-00085) was issued by Business Services on 01/09/01 with no apparent Planning and Development review. This license is listed for suite A1 at 3851 Pennwood Avenue.
10/23/02	A business license for a B08 (Beauty/Cosmetics Sales - Sales of cosmetics and beauty supplies) category license was processed in by the Department of Finance and Business Services. This license (B08-00842) was denied by the Planning and Development Department on 12/04/06, pending issuance of a Certificate of Occupancy. This license was originally issued by Business Services on 11/01/02 but is under review for a change of location (updated suite number, same building) as of 11/07/06. This license has not been re-issued as of 01/17/07. This license is listed for suite B4 at 3851 Pennwood Avenue.

03/07/03	A business license for a G04 (Gifts and Novelties - The sale of ornamental gifts and novelties, ie, statues, clocks, souvenirs, plaques, etc) category license was processed in by the Department of Finance and Business Services. This license (G04-05167) was denied by the Planning and Development Department on 11/21/06, pending verification of adequate parking. This license was originally issued by Business Services on 03/25/03 but is under review for a change of name and expansion (added a suite number, same building) as of 11/07/06. This license has not been re-issued as of 01/22/07. This license is listed for suite B16 at 3851 Pennwood Avenue.
06/27/03	A business license for a W10 (Wire Service - Which is any person who engages in the business of transmitting or receiving information or funds by means of a communication system in which the transmission and reception stations are directly connected by one or more telephones or computers) category license was processed in by the Department of Finance and Business Services. This license (W10-00044) was denied by the Planning and Development Department on 10/18/06, pending verification of adequate parking. This license was originally issued by Business Services on 10/17/03 but is under review for a change of location as of 10/11/06. This license is listed for suite B1 at 3851 Pennwood Avenue.
10/16/03	A business license for a M06 (Miscellaneous Sales - Sales of tangible goods not otherwise specified in the Code) category license was processed in by the Department of Finance and Business Services. This license (M06-02771) was denied by the Planning and Development Department on 10/17/06, pending verification of adequate parking. This license was originally issued by Business Services on 10/27/03 but is under review for a change of location as of 10/16/06. This license is listed for suite B1 at 3851 Pennwood Avenue.
06/20/05	A business license for a P11 (Stenographer - Any person, other than a certified shorthand reporter or court reporter, who engages in the business of typing documents for the general public or for persons other than himself or his immediate employer) category license was processed in by the Department of Finance and Business Services. This license (P11-00557) was approved by the Planning and Development Department on 06/28/06. This license was originally issued by Business Services on 06/30/05 but is under review for a change of location as of 05/11/06. This license has not been re-issued due to a Fire Department denial as of 06/29/06. This license is listed for suite B7 at 3851 Pennwood Avenue.
10/18/05	A business license for a T18 (Miscellaneous Telephone Sales/Service - A business which sells telephones, cellular phones, and other miscellaneous accessories) category license was processed in by the Department of Finance and Business Services. This license (T18-00683) was approved by the Planning and Development Department on 10/21/05 and issued by Business Services on 11/07/05. This license is listed for suite G2 at 3851 Pennwood Avenue.

10/19/05	A building permit application, plan check L-1841-05, was submitted for the site. This was for a Non-work Certificate of Occupancy for a rental office. This permit (05007418) was reviewed by the Planning and Development Department and issued by the Building and Safety Department the same day as submitted.
10/19/05	A business license for a W11 (Mini Warehouse - Any person who operates a facility divided into individual spaces for storing personal property which are rented or leased to individual occupants who have access to those units but do not conduct a business there from) category license was processed in by the Department of Finance and Business Services. This license (W11-00005) was approved by the Planning and Development Department on 01/31/06 and issued by Business Services on 01/31/06. This license is listed for suite B26 at 3851 Pennwood Avenue.
10/21/05	A business license for a P27 (Personal Services - Any business that provides personal services, including without limitation a wake-up service, reminder service, errand service, vehicle registration service, personal chef, cook, shopping service or pet sitting service) category license was processed in by the Department of Finance and Business Services. This license (P27-00314) was denied by the Planning and Development Department on 11/22/06, pending verification of adequate parking. This license was originally issued by Business Services on 11/04/05 but is under review for a change of location (updated suite number, same building) as of 11/07/06. This license has not been re-issued as of 01/09/07. This license is listed for suite B6 at 3851 Pennwood Avenue.
01/31/06	A building permit application, plan check L-3018-06, was submitted for the site. This was for a Non-work Certificate of Occupancy for a general retail location. This permit (06000721) was reviewed by the Planning and Development Department and issued by the Building and Safety Department the same day as submitted.
01/31/06	A business license for a C07 (Clothing Store - New retail clothing sales) category license was processed in by the Department of Finance and Business Services. This license (C07-03484) was approved by the Planning and Development Department on 02/08/06 and issued by Business Services on 02/15/06. This license is listed for suite B23 at 3851 Pennwood Avenue.
02/21/06	A building permit application, plan check L-0292-06, was submitted for the site. This was for a Non-work Certificate of Occupancy for a general retail location. This permit (06001377) was reviewed by the Planning and Development Department and issued by the Building and Safety Department the same day as submitted.
08/18/06	A building permit application, plan check L-3485-06, was submitted for the site. This is for a tenant improvement to obtain a Certificate of Occupancy for a restaurant expansion. This application (739306) was reviewed and problembed by the Planning and Development Department on 12/01/06 due to parking concerns. There are outstanding reviews within the Building and Safety Department portion of the review and no permit has been issued.

10/03/06	A business license for a M21 (Merchandise Broker - Any person who acts as an agent for others in negotiating contracts, purchases, the sale of goods, wares or services and who does not take possession of the merchandise) category license was processed in by the Department of Finance and Business Services. This license (M21-00938) was approved by the Planning and Development Department on 10/05/06 and issued by Business Services on 10/20/06. This license is listed for suite B5 at 3851 Pennwood Avenue.
10/03/06	A business license for a T18 (Miscellaneous Telephone Sales/Service - A business which sells telephones, cellular phones, and other miscellaneous accessories) category license was processed in by the Department of Finance and Business Services. This license (T18-00705) was approved by the Planning and Development Department on 10/05/06 and issued by Business Services on 10/20/06. This license is listed for suite B5 at 3851 Pennwood Avenue.
10/30/06	A business license for a C23 (Check Cashing Service Limited - Service of cashing checks for a fee, service charge or other consideration as a service that is supplemental to a retail business that otherwise does not provide services normally associated with a financial institution. The term does not include a general financial institution, specified financial institution, or any business that provides any kind of loan, cash advance, or deferred deposit service) category license was processed in by the Department of Finance and Business Services. This license (C23-98869) was denied by the Planning and Development Department on 11/14/06, pending approval of a parking variance. This license has not been re-issued as of 01/08/07. This license is listed for suite B1 at 3851 Pennwood Avenue.
<i>Pre-Application Meeting</i>	
11/22/06	A pre-application meeting was held and elements of this application were discussed. It was noted that the site plan was to identify all uses on-site. Additionally, various parking standards were identified along with disability accessible and loading space standards. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.33

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office, other than Listed and General Retail	LI/R (Light Industrial / Research)	M (Industrial)
	Mini-warehouse	LI/R (Light Industrial / Research)	M (Industrial)
North	Multi-Family Residential	H (High Density Residential)	R-4 (High Density Residential)
South	Auto Repair Garage - Major	LI/R (Light Industrial / Research)	M (Industrial)
East	General Retail	LI/R (Light Industrial/ Research)	M (Industrial)
West	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

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

DEVELOPMENT STANDARDS

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

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office, Other Than Listed	6,567 SF	1 space/ 300 SF GFA	21 Spaces	1 Space	8 Spaces	1 Space	N*

		1 space / 50 Storage Units spread through out plus min. 5 spaces on exterior of security fence					
Mini-Storage Facility	32,809 SF 119 Units		8 Spaces		3 Spaces		N*
General Personal Service	308 SF	1 space / 250 SF GFA	2 Spaces		1 Space		N*
Furniture/App liance Store	561 SF	1 space / 500 SF of GFA	2 Spaces		1 Space		N*
Bakery - Delicatessen/ Donut Shop	1,848 SF	1 space / 100 SF GFA	18 Spaces	1 Space	8 Spaces	1 Space	N*
General Retail, Other Than Listed	7,240 SF	1 space / 175 SF GFA	40 Spaces	2 Spaces	16 Spaces		N*
SubTotal	49,556 SF		91 Spaces	4 Spaces	37 Spaces	2 Spaces	N*
TOTAL (including handicap)			95 Spaces		39 Spaces		N*
Percent Deviation					≈ 58.95% Reduction		
Loading Spaces		3 Spaces at 30,000 to 50,000 SF of GFA	3 Spaces		3 Spaces		Y

* If approved this Variance would allow 39 parking spaces where 95 parking spaces are the minimum required.

ANALYSIS

The subject property is designated as LI/R (Light Industrial/Research) under the Southeast Sector Plan of the General Plan. This category allows areas appropriate for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distributions, and research, development and testing laboratories. The existing buildings are currently used for a variety of retail and office uses at the front of the property and provides mini-storage facilities for the remainder of the property which are in compliance with the General Plan.

The M (Industrial) zoning district is intended to provide for heavy manufacturing industries in locations where they will be compatible with and not adversely impact adjacent land uses. This district is intended to be located away from all residential development. The uses established at this location are permissible in an M (Industrial) zoning district which is compatible with the LI/R (Light Industrial/Research) General Plan designation.

The site is within the McCarran International Airport Overlay Map portion of the Airport Overlay District. This is a developed site and is in compliance with Title 19.06.080 (B) which allows a "structure to a height up to thirty five feet above the surface of the land on any parcel" without a height limitation review or prohibition.

The site encompasses two parcels with existing buildings built across the lot lines. Additionally, should the parcels in the future become separate sites the site will placed out of conformance with development standards for the M (Industrial) zoning district? For this reason a condition has been added to the Site Development Plan Review (SDR-19214) that prior to the issuance of any building or grading permits that a reversionary parcel map or administrative joining consolidating the parcels be recorded.

The expansion of uses and the increase in square footage devoted to the non mini-storage facility uses requires several deviations from development standards, including a landscape related waivers for the perimeter landscape buffer at the right-of-way and parking area landscaping as a part of the site development plan review (SDR-19214) which is also being heard concurrently with this item. Staff is recommending denial on the site development plan review due to the extent of the wavier requests and need for this variance.

The existing office, retail, and mini-storage facility development requires 95 parking spaces. The submitted site plan indicates 39 spaces will be provided, including two handicap spaces depicted as van accessible. This is a request for a reduction in the number of required parking spaces by approximately 58.95 percent. Staff is not in support of this Variance request as this is a self-imposed hardship generated by the project exceeding the scope of the original approvals for this site and therefore does not meet the criteria for granting a Variance.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by exceeding the originally approved uses and square footage allowed for non mini-storage facility activities. The provision of additional parking spaces or a reduction in the intensity of the uses on-site would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

PLANNING COMMISSION ACTION

There was one speaker at the Planning Commission meeting with questions. The Planning Commission considered adding conditions:

- Pay phones on site shall be removed.
- Building permits and final inspections are required by the Fire Department and Building and Safe Department to convert storage units to commercial use prior to issuance of business licenses.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

ASSEMBLY DISTRICT 8

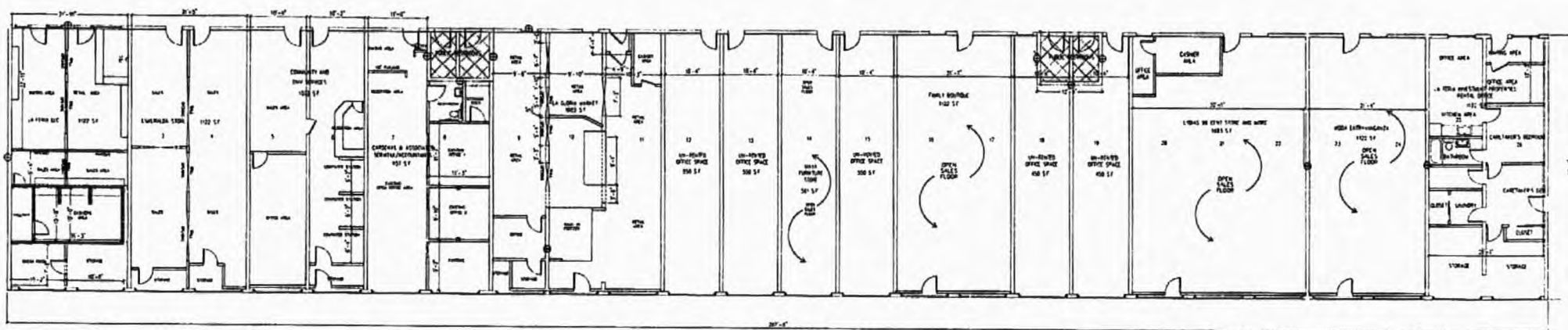
SENATE DISTRICT 11

NOTICES MAILED 707 by City Clerk

APPROVALS 0

PROTESTS 0

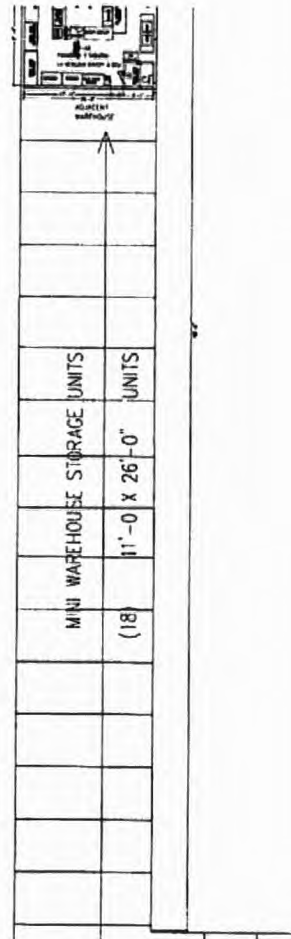
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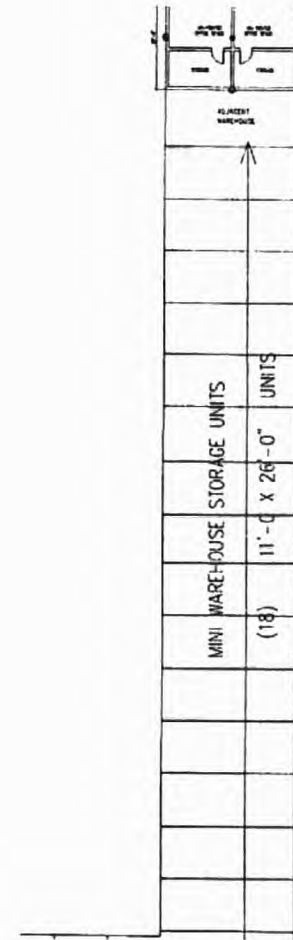
**VAR-18625
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02/22/07 PC**

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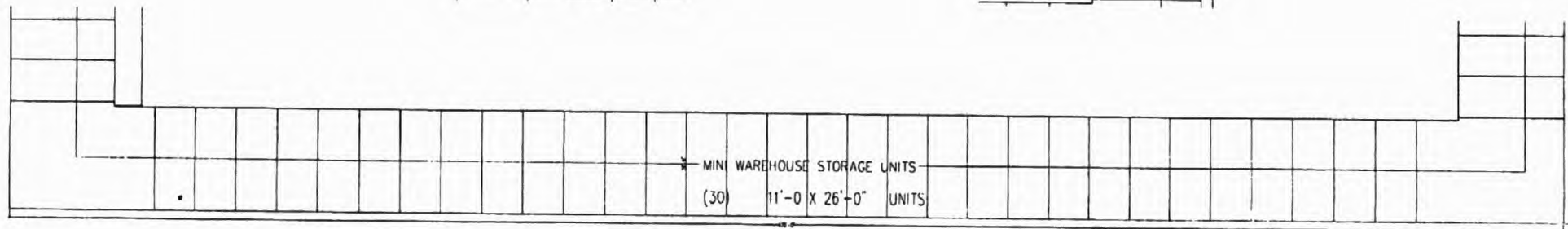
BUILDING "A"
SCALE: AS DIMENSIONED



BUILDING "G"
SCALE: AS DIMENSIONED



BUILDING "F"
SCALE: AS DIMENSIONED



VAR-18625
REVISED
02/22/07 PC

RECEIVED
JAN 12 2007

La Feria Investment Properties, LLC

La Feria Plaza and Storage
3851 Pennwood Ave., Suite B-26
Las Vegas, Nevada 89102

12/4/2006

To: City of Las Vegas
Planning Commission
Planning and Development Department
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Re: Justification for Parking Variance for 3851 Pennwood Drive

To Whom It May Concern,

La Feria Investment Properties, llc, with Bayron Rosales as their representative, come before this Honorable Planning Commission requesting a parking variance for the property located at 3851 Pennwood Drive. This property is located just west of Valley View Ave. on Pennwood i in one of the cities most highly dense neighborhoods.

The property owned by La Feria Investment Properties, LLC is directly across from two Apartment Complexes, is bordered to the West by residential condominiums/ apartments and to the south and east by commercial entities, a strip mall complex and a Seven-Eleven respectively. The neighborhood is pedestrian and mostly Hispanic.

The businesses which have come to be Tenants at 3851 Pennwood are owned by and cater to the Hispanic Community which has come to call this neighborhood home. They are family owned and operated providing a variety of services necessary for this family orientated neighborhood. Services offered to the community include a DMV services business, a Tax and Accounting Service, a furniture store, a 99 Cent Store as well as a clothing store, a boutique and a deli/bakery. These are the primary businesses which provide this community with the services it.

Parking Analysis according to the Las Vegas zoning Code would require that this property have 85 parking Spaces, however based upon the fact that no less than 80% of the traffic to this property is pedestrian in nature to have this number of parking spaces would place an undue burden upon the property owners as it would require the demolition of one of the warehouse/storage buildings which provide the storage facilities this neighborhood needs because of the high density of apartments located in the neighborhood. These storage spaces provide the bulk of the income for the owners, allow for the

VAR-18625
02/22/07 PC

La Feria Investment Properties, LLC

La Feria Plaza and Storage
3851 Pennwood Ave., Suite B-26
Las Vegas, Nevada 89102

affordable rents offered to the tenants, small business owners whom in turn can provide for their families and pay the taxes required of all business owners in the City.

The Parking plan provided by La Feria Investment Properties, LLC has a total of sixty-nine (69) spaces. Fifty-Five(55) are for regular cars, ten (10) for compact cars with four (4) handicapped spaces provided for compliance to Chapter 19 of the Las Vegas Zoning Code.

The owners of this property respectfully pray that based upon the 80% to 20% minimum pedestrian traffic ratio, the high density of population, the necessity for family owned businesses in this neighborhood and for the services provided for the Citizens of Las Vegas which are the patrons of the tenants at 3851 Pennwood ,as well as for the revenue created here with each business owner paying the taxes required by the City that this property that this honorable Board of Commissioners GRANT La Feria Investment Properties, llc the requested parking variance according to the Site Plan submitted.

Respectfully Submitted for La Feria Investment Properties, llc by:

Bayron Rosales
(PRINT NAME)

Bayron Rosales
SIGNATURE

VAR-18625
02/22/07 PC

LA FERIA, LLC AND LA FERIA INVESTMENT PROPERTIES, LLC
P.O BOX 27495
LAS VEGAS, NEVADA 89126
PHONE: 702-318-1103

03/21/2007

Attn:City Clerk
Re: La FERIA LLC
Case: VAR 18625 & SDR 19214

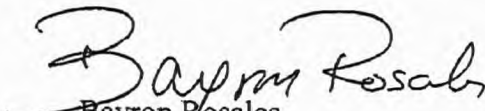
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To Whom It May Concern:

I, Bayron Rosales, president of La FERIA LLC, would like to hold **VAR 18625 & SDR 19214** in abeyance for four (4) weeks.

If you have any questions and /or concerns please contact me at 702-318-1103

Sincerely,


Bayron Rosales
President
La FERIA LLC

Date 3/21/07 Item # 102 + 103

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

THE MEADOWS MOBILE HOME PARK

2900 South Valley View Boulevard
Las Vegas, NV 89102
(702) 876-3660

February 15, 2007

Planning and Development Department
Current Planning Division
Andrew P. Reed, Planning Supervisor
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

Re: VAR-18625
SDR-19214

→ PROTEST

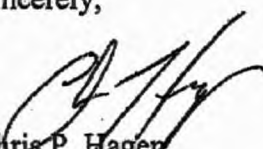
Dear Mr. Reed:

We strenuously oppose both of the above referenced applications.

We have been encouraged by the redevelopment of the neighborhood and landscaping has provided the enhanced curb appeal versus the historically industrial neighborhood. We have spent considerable money on landscaping and would expect the city to reinforce this landscape buffer and required parking minimum.

Thank you for your consideration.

Sincerely,


Chris P. Hager
Vice President

CPH:mmmd

RECEIVED
FEB 21 5 00 PM '07
PLANNING DIVISION

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-18625

SDR-19214 - PUBLIC HEARING - APPLICANT/OWNER: Le FERIA, LLC - Request for a Site Development Plan Review FOR AN EXISTING OFFICE, RETAIL AND MINI-STORAGE FACILITY DEVELOPMENT AND A WAIVER TO ALLOW A LANDSCAPE BUFFER WIDTH OF ZERO FEET WHERE 15 FEET IS THE MINIMUM REQUIRED ALONG THE RIGHT-OF-WAY on 2.33 acres at 3851 Pennwood Avenue (APNs 162-07-702-002 and 003), M (Industrial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 02-22-07 Planning Commission Meeting Item 26

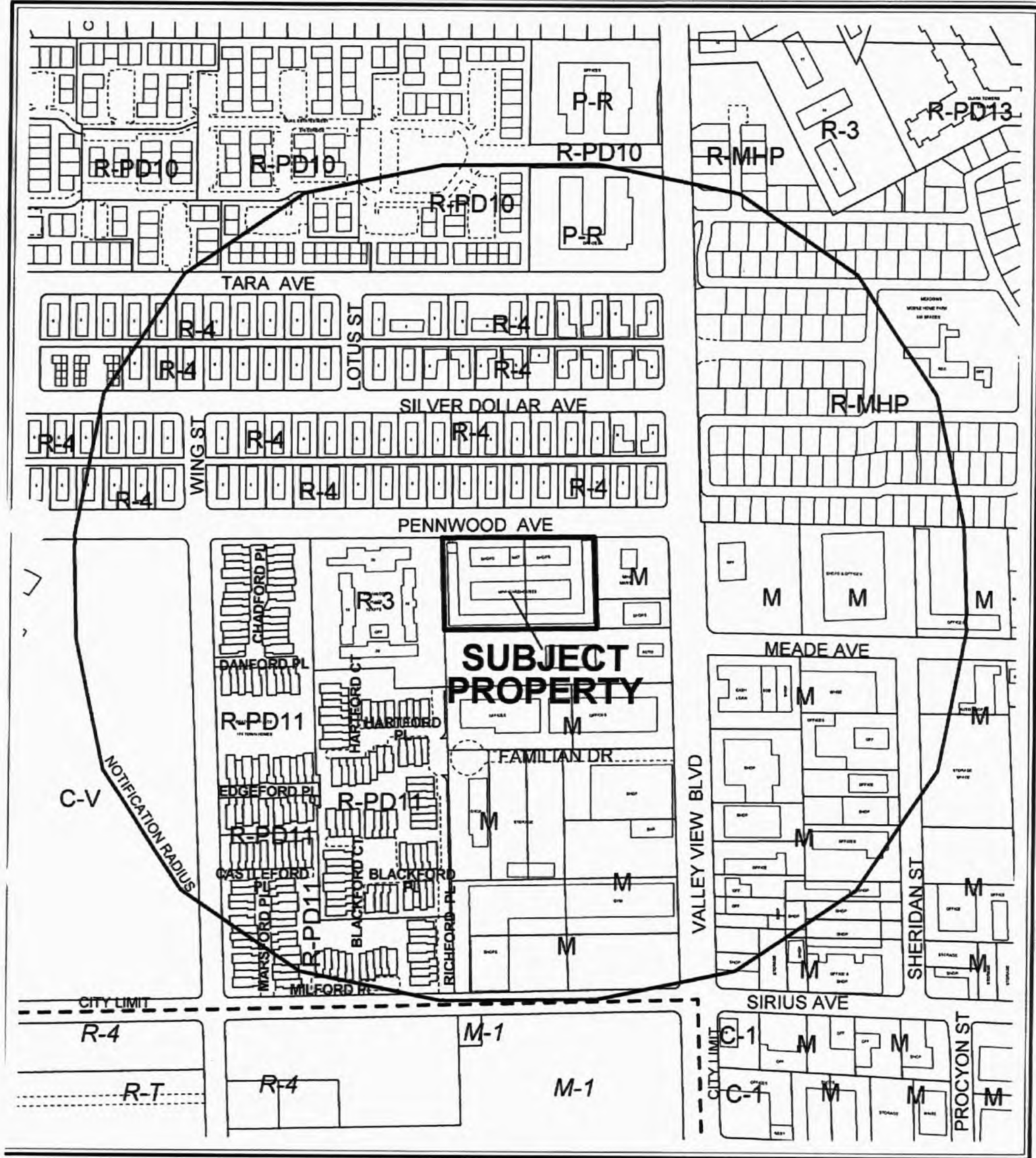
Motion made by LOIS TARKANIAN to Hold in Abeyance Items 102 and 103 to 4/18/2007

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

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

Minutes:

See Item 102 for related backup and discussion.



CASE: **SDR-19214**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)



CASE: **SDR-19214**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-19214 - APPLICANT/OWNER: Le FERIA, LLC

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend DENIAL.

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (Z-0017-72) shall be required, except as amended herein.
2. Approval of and conformance to the Conditions of Approval for Variance (VAR-18625) shall be required, except as amended herein.
3. Recordation of a reversionary parcel map or administrative joining consolidating the parcels on the site prior to issuance of any building or grading permits.
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. All development shall be in conformance with the building elevations, landscape plan, date stamped 01/12/07, and site plan, date stamped 02/01/07, except as amended by conditions herein.
6. A Waiver from LVMC Title 19.10 is hereby approved, to allow zero landscaping planters in the parking lot where one is required for each six parking spaces.
7. A Waiver from LVMC Title 19.12 is hereby approved, to allow a zero foot perimeter landscape buffer along the northern lot line where 15 feet is required.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

13. 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.
14. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Site Development Plan Review to allow an expansion of allowable uses to include retail uses and increase the tenantable space available for an existing mini-storage facility, retail, and office development consisting of three buildings on 2.33 acres at 3851 Pennwood Avenue. The applicant requests waivers of the perimeter landscape buffer requirements and parking area landscaping for the new parking spaces being added. This is in addition to a Variance (VAR-18673) to allow a deviation from parking standards.

The applicant indicates that the existing mini-storage facility, retail, and office development serves the demand for affordable retail and office space that primarily services the immediate neighborhood. Due to the extent of the changes to the site without all appropriate approvals, the landscaping waivers and the requested variance, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/15/72	The City Council approved a Rezoning (Z-0017-72) to allow M (Industrial) zoning, where C-1 had been the zoning on a portion of the site. The Planning Commission and Staff recommended approval.
09/27/79	The Board of Zoning Adjustment approved a Variance (V-0071-79) to allow a resident manager's quarters in a mini-warehouse complex where residential uses are not allowed. Staff recommended approval.
02/22/07	The Planning Commission recommended denial of companion item VAR-18625 concurrently with this application. The Planning Commission voted 6-0 to recommend DENIAL (PC Agenda Item #26/rts).
<i>Related Building Permits/Business Licenses</i>	
08/02/94	A business license for a C11 (Contractor - Any person who is licensed or required to be licensed as a contractor under NRS Chapter 624, whether or not the contractor maintains a business location within the corporate limits of the City) category license was processed in by the Department of Finance and Business Services. This license (C11-05342) was originally issued by Business Services on 08/04/94 and was re-issued due to a change of location on 04/26/99 with no apparent Planning and Development review. This license is listed for suite B13 at 3851 Pennwood Avenue.
11/04/94	A business license for a C05 (Tobacco Dealer – Retail - Any person licensed to sell tobacco through a vending machine or in conjunction with another gross retail license as defined in NRS 370. The fee amount shall be charged for each sales location, whether a machine or other retail location) category license was processed in by the Department of Finance and Business Services. This license (C05-01690) was issued by Business Services on 11/22/94 with no apparent Planning and Development review. This license is listed for suite B10 at 3851 Pennwood Avenue.

11/04/94	A business license for a C15 (Convenience Store - Business located in a building or portion thereof, which is separated from the rest of the building, selling groceries at retail and having not less than 1,200 sq. ft. nor more than 5,000 sq. ft. of floor space exclusive of warehouse and office space) category license was processed in by the Department of Finance and Business Services. This license (C15-00197) was issued by Business Services on 11/22/94 with no apparent Planning and Development review. This license is listed for suite B10 at 3851 Pennwood Avenue.
01/16/96	A business license for a D16 (Department Store - A retail establishment that maintains a selected variety of merchandise for purchase by the general public) category license was processed in by the Department of Finance and Business Services. This license (D16-00056) was originally issued by Business Services on 02/15/96 and was re-issued due to a change of owner on 02/15/06 with no apparent Planning and Development review. This license is listed for suite B21 at 3851 Pennwood Avenue.
03/23/99	A business license for a F07 (Furniture Store - Sale of new furniture only) category license was processed in by the Department of Finance and Business Services. This license (F07-01586) was denied by the Planning and Development Department on 11/30/06, pending verification of adequate parking. This license was originally issued by Business Services on 04/20/99 but is under review for a change of location (updated suite number, same building) as of 11/20/06. This license has not been re-issued as of 01/22/07. This license is listed for suite B14 at 3851 Pennwood Avenue.
10/20/00	A business license for a B02 (Bakery - Businesses specializing in baked goods, not providing meals as found in restaurant (R05, R07, R09)) category license was processed in by the Department of Finance and Business Services. This license (B02-00085) was issued by Business Services on 01/09/01 with no apparent Planning and Development review. This license is listed for suite A1 at 3851 Pennwood Avenue.
10/23/02	A business license for a B08 (Beauty/Cosmetics Sales - Sales of cosmetics and beauty supplies) category license was processed in by the Department of Finance and Business Services. This license (B08-00842) was denied by the Planning and Development Department on 12/04/06, pending issuance of a Certificate of Occupancy. This license was originally issued by Business Services on 11/01/02 but is under review for a change of location (updated suite number, same building) as of 11/07/06. This license has not been re-issued as of 01/17/07. This license is listed for suite B4 at 3851 Pennwood Avenue.

03/07/03	A business license for a G04 (Gifts and Novelties - The sale of ornamental gifts and novelties, ie, statues, clocks, souvenirs, plaques, etc) category license was processed in by the Department of Finance and Business Services. This license (G04-05167) was denied by the Planning and Development Department on 11/21/06, pending verification of adequate parking. This license was originally issued by Business Services on 03/25/03 but is under review for a change of name and expansion (added a suite number, same building) as of 11/07/06. This license has not been re-issued as of 01/22/07. This license is listed for suite B16 at 3851 Pennwood Avenue.
06/27/03	A business license for a W10 (Wire Service - Which is any person who engages in the business of transmitting or receiving information or funds by means of a communication system in which the transmission and reception stations are directly connected by one or more telephones or computers) category license was processed in by the Department of Finance and Business Services. This license (W10-00044) was denied by the Planning and Development Department on 10/18/06, pending verification of adequate parking. This license was originally issued by Business Services on 10/17/03 but is under review for a change of location as of 10/11/06. This license is listed for suite B1 at 3851 Pennwood Avenue.
10/16/03	A business license for a M06 (Miscellaneous Sales - Sales of tangible goods not otherwise specified in the Code) category license was processed in by the Department of Finance and Business Services. This license (M06-02771) was denied by the Planning and Development Department on 10/17/06, pending verification of adequate parking. This license was originally issued by Business Services on 10/27/03 but is under review for a change of location as of 10/16/06. This license is listed for suite B1 at 3851 Pennwood Avenue.
06/20/05	A business license for a P11 (Stenographer - Any person, other than a certified shorthand reporter or court reporter, who engages in the business of typing documents for the general public or for persons other than himself or his immediate employer) category license was processed in by the Department of Finance and Business Services. This license (P11-00557) was approved by the Planning and Development Department on 06/28/06. This license was originally issued by Business Services on 06/30/05 but is under review for a change of location as of 05/11/06. This license has not been re-issued due to a Fire Department denial as of 06/29/06. This license is listed for suite B7 at 3851 Pennwood Avenue.
10/18/05	A business license for a T18 (Miscellaneous Telephone Sales/Service - A business which sells telephones, cellular phones, and other miscellaneous accessories) category license was processed in by the Department of Finance and Business Services. This license (T18-00683) was approved by the Planning and Development Department on 10/21/05 and issued by Business Services on 11/07/05. This license is listed for suite G2 at 3851 Pennwood Avenue.

10/19/05	A building permit application, plan check L-1841-05, was submitted for the site. This was for a Non-work Certificate of Occupancy for a rental office. This permit (05007418) was reviewed by the Planning and Development Department and issued by the Building and Safety Department the same day as submitted.
10/19/05	A business license for a W11 (Mini Warehouse - Any person who operates a facility divided into individual spaces for storing personal property which are rented or leased to individual occupants who have access to those units but do not conduct a business there from) category license was processed in by the Department of Finance and Business Services. This license (W11-00005) was approved by the Planning and Development Department on 01/31/06 and issued by Business Services on 01/31/06. This license is listed for suite B26 at 3851 Pennwood Avenue.
10/21/05	A business license for a P27 (Personal Services - Any business that provides personal services, including without limitation a wake-up service, reminder service, errand service, vehicle registration service, personal chef, cook, shopping service or pet sitting service) category license was processed in by the Department of Finance and Business Services. This license (P27-00314) was denied by the Planning and Development Department on 11/22/06, pending verification of adequate parking. This license was originally issued by Business Services on 11/04/05 but is under review for a change of location (updated suite number, same building) as of 11/07/06. This license has not been re-issued as of 01/09/07. This license is listed for suite B6 at 3851 Pennwood Avenue.
01/31/06	A building permit application, plan check L-3018-06, was submitted for the site. This was for a Non-work Certificate of Occupancy for a general retail location. This permit (06000721) was reviewed by the Planning and Development Department and issued by the Building and Safety Department the same day as submitted.
01/31/06	A business license for a C07 (Clothing Store - New retail clothing sales) category license was processed in by the Department of Finance and Business Services. This license (C07-03484) was approved by the Planning and Development Department on 02/08/06 and issued by Business Services on 02/15/06. This license is listed for suite B23 at 3851 Pennwood Avenue.
02/21/06	A building permit application, plan check L-0292-06, was submitted for the site. This was for a Non-work Certificate of Occupancy for a general retail location. This permit (06001377) was reviewed by the Planning and Development Department and issued by the Building and Safety Department the same day as submitted.
08/18/06	A building permit application, plan check L-3485-06, was submitted for the site. This is for a tenant improvement to obtain a Certificate of Occupancy for a restaurant expansion. This application (739306) was reviewed and problemed by the Planning and Development Department on 12/01/06 due to parking concerns. There are outstanding reviews within the Building and Safety Department portion of the review and no permit has been issued.

10/03/06	A business license for a M21 (Merchandise Broker - Any person who acts as an agent for others in negotiating contracts, purchases, the sale of goods, wares or services and who does not take possession of the merchandise) category license was processed in by the Department of Finance and Business Services. This license (M21-00938) was approved by the Planning and Development Department on 10/05/06 and issued by Business Services on 10/20/06. This license is listed for suite B5 at 3851 Pennwood Avenue.
10/03/06	A business license for a T18 (Miscellaneous Telephone Sales/Service - A business which sells telephones, cellular phones, and other miscellaneous accessories) category license was processed in by the Department of Finance and Business Services. This license (T18-00705) was approved by the Planning and Development Department on 10/05/06 and issued by Business Services on 10/20/06. This license is listed for suite B5 at 3851 Pennwood Avenue.
10/30/06	A business license for a C23 (Check Cashing Service Limited - Service of cashing checks for a fee, service charge or other consideration as a service that is supplemental to a retail business that otherwise does not provide services normally associated with a financial institution. The term does not include a general financial institution, specified financial institution, or any business that provides any kind of loan, cash advance, or deferred deposit service) category license was processed in by the Department of Finance and Business Services. This license (C23-98869) was denied by the Planning and Development Department on 11/14/06, pending approval of a parking variance. This license has not been re-issued as of 01/08/07. This license is listed for suite B1 at 3851 Pennwood Avenue.
<i>Pre-Application Meeting</i>	
11/22/06	A pre-application meeting was held and elements of this application were discussed. It was noted that the site plan was to identify all uses on-site. Additionally, various parking standards were identified along with disability accessible and loading space standards. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	
<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.33

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office, other than Listed and General Retail	LI/R (Light Industrial / Research)	M (Industrial)
	Mini-warehouse	LI/R (Light Industrial / Research)	M (Industrial)
North	Multi-Family Residential	H (High Density Residential)	R-4 (High Density Residential)
South	Auto Repair Garage - Major	LI/R (Light Industrial / Research)	M (Industrial)
East	General Retail	LI/R (Light Industrial / Research)	M (Industrial)
West	Multi-Family Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

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

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 Size	n/a	n/a	n/a
Min. Lot Width	100 Feet	420	Y
Min. Setbacks			
• Front	10 Feet	21 Feet	Y
• Side	10 Feet	0 Feet	N *
• Corner	10 Feet	n/a	n/a
• Rear	0 Feet	0 Feet	Y

* Site plan approval per Rezoning (Z-0017-72) approved side setbacks of zero feet.

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

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree / 6 Spaces	7 Trees	0 Trees	N*
Buffer:				
Min. Trees	1 Tree / 30 Linear Feet	12 Trees	0 Trees	N*
TOTAL		19 Trees	0 Trees	N*
Min. Zone Width	15 Feet @ ROW			N*

* Site plan approval per Rezoning (Z-0017-72) approved zero parking area trees and depicted a four-foot wide perimeter landscape buffer at the right-of-way. Per condition six of that 1972 approval, landscaping along Pennwood Avenue was to be to Planning Department standards. However, staff can find no evidence that the Planning Department approved or required landscaping prior to the completion of this development.

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

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office, Other Than Listed	6,567 SF	1 space / 300 SF GFA	21 Spaces	1 Space	8 Spaces	1 Space	N*
Mini-Storage Facility	32,809 SF 119 Units	1 space / 50 Storage Units spread throughout plus min. 5 spaces on exterior of security fence	8 Spaces		3 Spaces		N*
General Personal Service	308 SF	1 space / 250 SF GFA	2 Spaces		1 Space		N*
Furniture/Apppliance Store	561 SF	1 space / 500 SF of GFA	2 Spaces		1 Space		N*

Bakery - Delicatessen/ Donut Shop	1,848 SF	1 space / 100 SF GFA	18 Spaces	1 Space	8 Spaces	1 Space	N*
General Retail, Other Than Listed	7,240 SF	1 space / 175 SF GFA	40 Spaces	2 Spaces	16 Spaces		N*
SubTotal	49,556 SF		91 Spaces	4 Spaces	37 Spaces	2 Spaces	N*
TOTAL (including handicap)			95 Spaces		39 Spaces		N*
Percent Deviation					≈ 58.95% Reduction		
Loading Spaces		3 Spaces at 30,000 to 50,000 SF of GFA	3 Spaces		3 Spaces		Y

* If approved the companion Variance (VAR-18625) would allow 39 parking spaces where 95 parking spaces are the minimum required.

Summary of Site Differences – Per Z-0017-72 Site Plan and Current Site Plan				
	<i>Per Z-0017-72</i>	<i>Current</i>	<i>Difference</i>	<i>Percent Change</i>
Uses:				
Mini-warehouse Storage Facility (SF)	42,120 SF	32,809 SF	-8,580 SF	≈ 20.37% Reduction
Office (SF)	7,436 SF	4,801 SF	-2,635 SF	≈ 35.44% Reduction
Retail (SF)	Not Allowed	11,946 SF	+11,946 SF	100% Increase
Total Tenantable SF for non Mini-warehouse Storage Use(s)	7,436 SF	16,747 SF	+9,311 SF	≈ 125.21% Increase
Total Available Buildings' Square Footage per Site Plan	49,556 SF	49,556 SF	0 SF	0%
Parking Spaces Required	24 Spaces	95 Spaces	+71 Spaces	≈ 295.83% Increase
Parking Spaces Provided	24 Spaces	39 Spaces	+15 Spaces	≈ 62.5 % Increase

Waivers		
Request	Requirement	Staff Recommendation
To provide zero feet of perimeter landscape buffer along the northern interior lot line at the ROW	15 FT	Denial
To provide no landscaping planters in the parking lot	7 – 5 FT Planters w/ 1 - 24” Min. Box Tree per Planter	Denial

ANALYSIS

The subject property is designated as LI/R (Light Industrial/Research) under the Southeast Sector Plan of the General Plan. This category allows areas appropriate for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distributions, and research, development and testing laboratories. The existing buildings are currently used for a variety of retail and office uses at the front of the property and provides mini-storage facilities for the remainder of the property which are in compliance with the General Plan.

The M (Industrial) zoning district is intended to provide for heavy manufacturing industries in locations where they will be compatible with and not adversely impact adjacent land uses. This district is intended to be located away from all residential development. The uses established at this location are permissible in an M (Industrial) zoning district which is compatible with the LI/R (Light Industrial/Research) General Plan designation.

The site is within the McCarran International Airport Overlay Map portion of the Airport Overlay District. This is a developed site and is in compliance with Title 19.06.080 (B) which allows a “structure to a height up to thirty five feet above the surface of the land on any parcel” without a height limitation review or prohibition.

The site encompasses two parcels with existing buildings built across the lot lines. Additionally, should the parcels in the future become separate sites the site will placed out of conformance with development standards for the M (Industrial) zoning district? For this reason a condition has been added that prior to the issuance of any building or grading permits that a reversionary parcel map or administrative joining consolidating the parcels be recorded.

The expansion of uses and the increase in square footage devoted to the non mini-storage facility uses requires several deviations from development standards, including a parking variance (VAR-18625) which is also being heard concurrently with this item. Staff is recommending denial on the variance due to the self-imposed hardship generated by the project exceeding the scope of the original approvals for this site.

- Site Plan

The site lies 200 feet east of the intersection of Pennwood Avenue and South Valley View Boulevard. This is an existing mini-storage facility with retail and office uses.

The expansion of uses beyond just office uses and the increase in the amount of square footage devoted to non mini-storage facility uses requires 95 parking spaces. The submitted site plan indicates 39 spaces will be provided, including two handicap spaces depicted as van accessible. As noted above, a variance (VAR-18625) has been requested for an approximate 58.95 percent reduction in the number of required parking spaces and if approved would grant relief from the city standards.

Other than the addition of parking spaces the site remains the same as previously approved in 1972. There are a number of floor plan changes that have altered the sites suitability for the expanded uses located on-site.

- Landscape Plan

The rezoning (Z-0017-72) case that approved the M (Industrial) zoning designation and the siting for this development called for landscaping only at the right-of-way per condition six. The applicant is requesting that the perimeter landscaping buffer requirement, illustrated at four feet per the 1972 site plan, along the right-of-way be waived. Under the current development standards the perimeter landscape buffer requirement would be a 15-foot wide buffer with a minimum 24-inch box tree planted every 20 feet on center.

Further, the applicant is requesting that no parking area landscape planters be required. The rezoning (Z-0017-72) case showed no parking lot landscaping. The requested wavier would allow the applicant to add parking spaces without being required to add the parking lot landscaping planters.

- Elevations/Floor Plan

The building photos depict single story buildings of a mini-storage facility design with the Pennwood Avenue facing building having a storefront façade on the north elevation. The building pictures show that the non mini-storage facility uses have expanded from the previous approval of just the central building to include the end units of the building that wraps around the property in a horse shoe shape.

The floor plan shows that each tenant space previously approved at a depth of 26 feet have been increased to 50 feet without prior approval of the Planning and Development Department. The increased square footage and an unapproved increase in allowable uses have placed the development out of compliance with Title 19. During the public hearing on the development of this location in 1972 it was clear that the tenant spaces were to allow small office spaces to compliment the mini-storage facility activities not be a retail

center. Further, the floor plan expands retail and office uses to the end units of the horse shoe shaped building that wraps around the east-, south-, and western sides of the property where they were not previously allowed. The total existing tenantable retail and office space is 16,747 compared to the 7,436 square feet of office space that was approved per the 1972 zoning case (Z-0017-72).

The development has exceeded the intensity that was approved for this site which has necessitated the need for the companion variance and resulted in a failure to meet the original conditions of approval. Due to the intensity, lack of verifiable permits for tenant improvements, unapproved expansion of uses, deviations and waivers required, staff is recommending denial of this application.

FINDINGS

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

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

The proposed development is not compatible with adjacent development in the surrounding area due to the increased intensity of uses, landscaping wavier requests and deviations from parking standards.

- 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;**

This proposed site plan is in compliance with the general plan designation of LI/R (Light Industrial/Research) and the M (Industrial) zoning district on the site. However, the site is not consistent with Title 19.10 and Title 19.12 landscaping requirements. Further, the proposed site plan requires approval of a variance for a deviation of the parking standards.

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

The subject site is adjacent to Pennwood Avenue, a 80-foot wide local street that should be adequate to support the proposed use.

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

The building elevations depict design and materials that provide an acceptable building and are compatible with the surrounding multi-family residential developments.

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 existing mini-storage facility, retail, and office development is compatible with other development in the area from a building elevation, design characteristics and aesthetic features point of view.

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

The existing mini-storage facility, retail, and office development is subject to regular building and business licensing inspections and therefore should not compromise the public health, safety or welfare; however, the lack of a Certificate of Occupancy for multiple tenant spaces indicate that work may have been done on-site without the proper inspections.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

ASSEMBLY DISTRICT 8

SENATE DISTRICT 11

NOTICES MAILED 339 [Mailed with VAR-18625]

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-19214** APN: 162-07702-002, 003
Name of Property Owner: LA FERIA INVESTMENT PROPERTIES
Name of Applicant: RAYRON ROSALES

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: _____

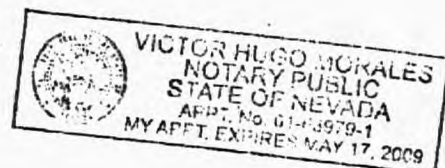
Signature of Property Owner: Rayron Rosales

Print Name: RAYRON ROSALES

Subscribed and sworn before me

This 4 day of December, 2006

Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-19214 APN: 162-07-702-002 & 003

Name of Property Owner: La Feria Investment Properties Llc.

Name of Applicant: La Feria Investment Properties Llc.

Name of Representative: Bayron Rosales

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: _____

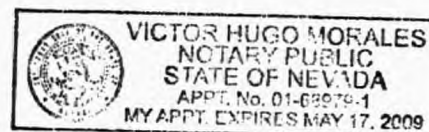
Signature of Property Owner: Bayron Rosales

Print Name: Bayron Rosales

Subscribed and sworn before me

This 13 day of January, 2007

Notary Public in and for said County and State



3851 PENNWOOD AVENUE PROPERTY PARKING REQUIREMENTS

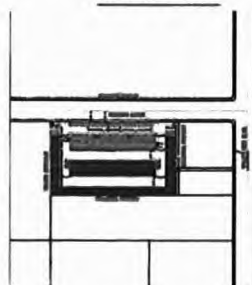
REQUIREMENT	REQUIREMENT	REQUIREMENT	REQUIREMENT	REQUIREMENT	REQUIREMENT
LA VEGAS RESIDENTIAL	RETAIL	15-18	400/PM	100 RES/1	12
LA VEGAS RES.	RETAIL	15-18	1100	170/1	7
RETAIL/STOCK	RETAIL	15-18	1100	170/1	7
RETAIL/STOCK	OFFICE	15-18	100	100/1	6
LA VEGAS RESIDENT	RETAIL	15-18	1100	170/1	10
RETAIL/STOCK	RETAIL	15-18	1100	170/1	6
RETAIL/STOCK	RETAIL	15-18	1100	170/1	7
RETAIL/STOCK	RETAIL	15-18	1100	170/1	7
RETAIL/STOCK	RETAIL	15-18	1100	170/1	10
RETAIL/STOCK	RETAIL	15-18	1100	170/1	7
LA VEGAS RESIDENT	RETAIL	15-18	1100	170/1	6
RETAIL/STOCK	OFFICE	15-18	100	100/1	5
RETAIL/STOCK	OFFICE	15-18	100	100/1	11
RETAIL/STOCK	OFFICE	15-18	100	100/1	6
TOTAL SPACES REQUIRED					60
TOTAL SPACES PROVIDED					30
TOTAL ACCESSIBLE SPACES REQUIRED (15% MINIMUM OF TOTAL)					9
TOTAL ACCESSIBLE SPACES PROVIDED					2



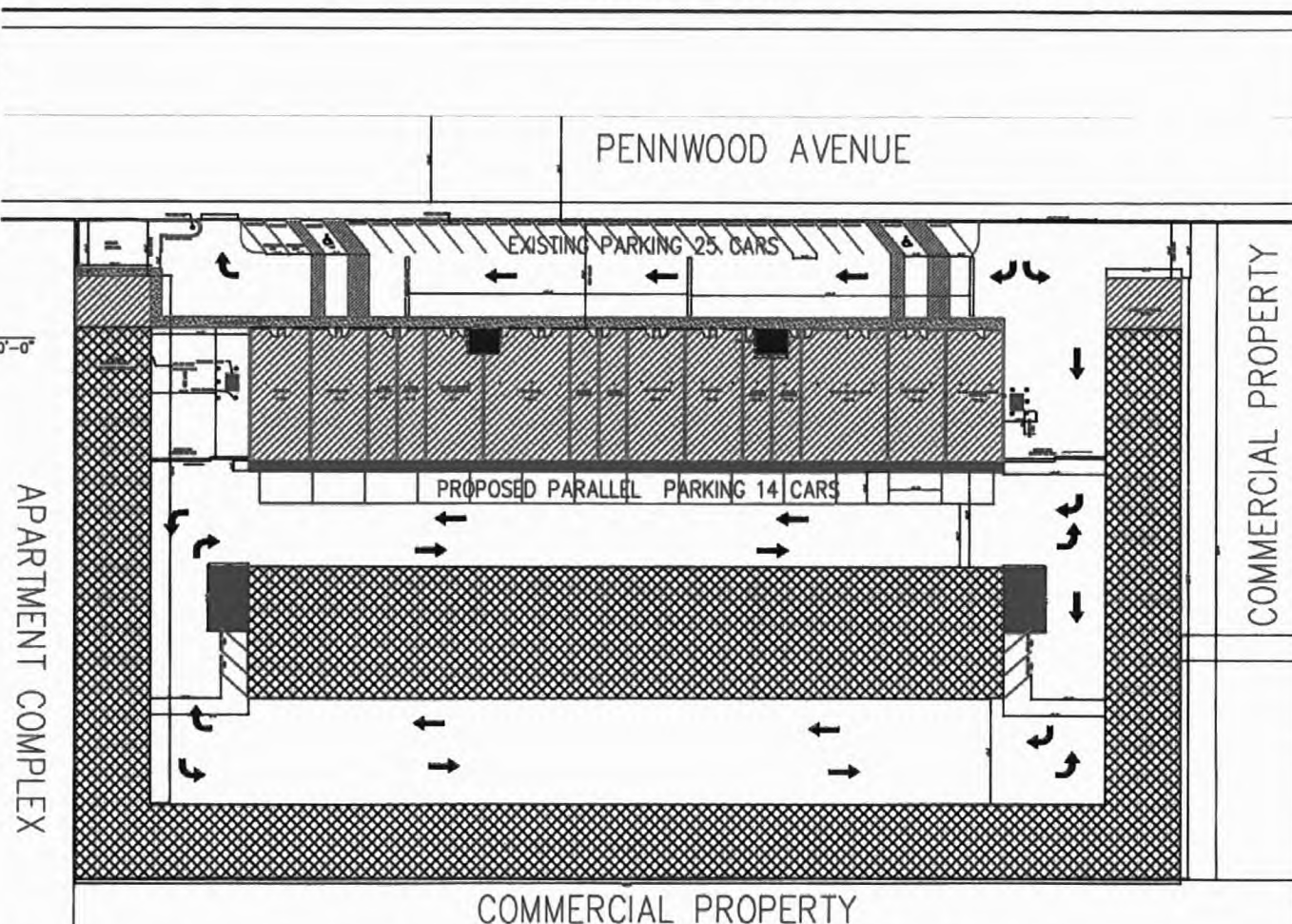
SITE PLAN
SCALE: 1" = 20'-0"

PARKING AREAS	
7 REGULAR SPACES	30 SPACES
7 ACCESSIBLE SPACES	2 SPACES
TOTAL SPACES	41 SPACES

VICINITY MAP



NO SITE LANDSCAPING
LANDSCAPING WAIVER REQUIRED
APARTMENT COMPLEX



NOTE: RENTERS OF STORAGE SPACES PARK FOR LOADING AND UN-LOADING PURPOSES ONLY

RECEIVED
JAN 31 2007

VAR-18625 SDR-19214
REVISED 02/22/07 PC

LA FERIA INVESTMENT PROPERTIES, LLC
STORAGE/WAREHOUSE IMPROVEMENT
3851 PENNWOOD AVE
LAS VEGAS, NEVADA 89102

DEBOARD CONSTRUCTION COMPANY
GENERAL CONTRACTOR L.C. 49004
800 N. HAWKWOOD BLVD. SUITE 300
PHOENIX (702) 874-7575, FAX (702) 874-4286

PROPOSED SITE PLAN
SITE-REV



BLD A FACING SOUTH



SDR-19214

02/22/07 PC

RECEIVED
2
JAN 12 2007

BLD B B-1 FACING SOUTH



7

BLD B B 10-12 FACING SOUTH



SDR-19214
02/22/07 PC

8

BLD B B 11-13 FACING SOUTH

JAN 12 2007



13

BLD B B-2G FACING SOUTH



14

BLD G G1-2 FACING SOUTH



17

BLD B REAR B6-8 FACING NORTH



SDR-19214

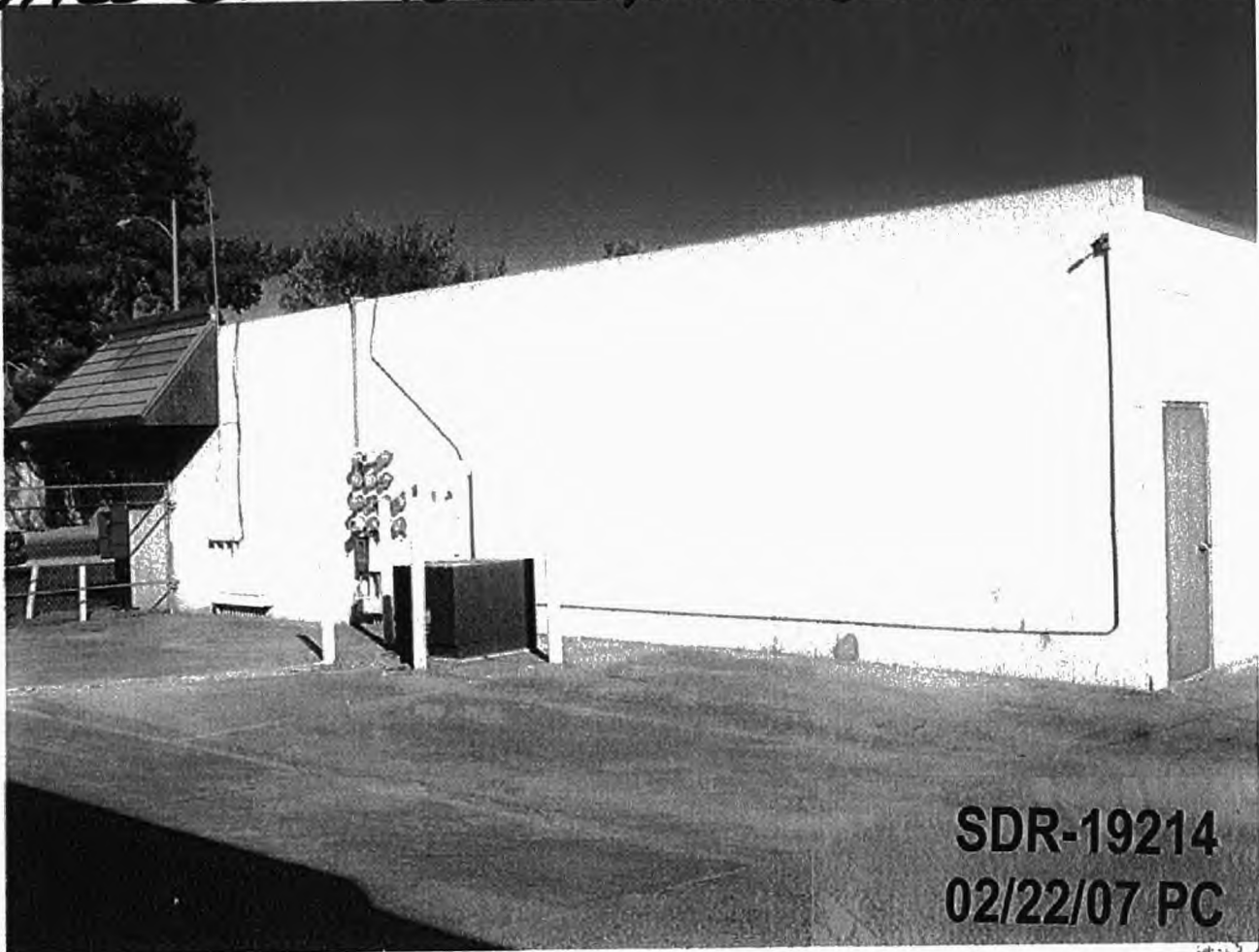
02/22/07 PC

18

BLD B REAR B1-8 FACING EAST



25
SPACE BTWN BLD B/C AND D/E FACE EAST



SDR-19214
02/22/07 PC

26
BLD B B-1 FACING NE SIDE



VAR-18625 & SDR-19214 - APPLICANT/OWNER: LE FERIA, LLC
3851 PENNWOOD AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

12/26/06



VAR-18625 & SDR-19214 - APPLICANT/OWNER: LE FERIA, LLC
3851 PENNWOOD AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

12/26/06



VAR-18625 & SDR-19214 - APPLICANT/OWNER: LE FERIA, LLC
3851 PENNWOOD AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

12/26/06



VAR-18625 & SDR-19214 - APPLICANT/OWNER: LE FERIA, LLC
3851 PENNWOOD AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

12/26/06



VAR-18625 & SDR-19214 - APPLICANT/OWNER: LE FERIA, LLC
3851 PENNWOOD AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

12/26/06



VAR-18625 & SDR-19214 - APPLICANT/OWNER: LE FERIA, LLC
3851 PENNWOOD AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

12/26/06



VAR-18625 & SDR-19214 - APPLICANT/OWNER: LE FERIA, LLC
3851 PENNWOOD AVENUE
FEBRUARY 22, 2007 PLANNING COMMISSION

12/26/06

LA FERIA, LLC & LA FERIA INVESTMENT PROPERTIES, LLC
P.O BOX 27495 LAS VEGAS NEVADA 89126
Phone: 702-222-1033 Fax: 702-966-9761

To: City of Las Vegas
Planning Commission
Planning and Development Department
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Re: Justification for Site Development Plan Review for 3851 Pennwood Drive

To Whom It May Concern,

La Feria Investment Properties, llc, with Bayron Rosales as their representative, come before this Honorable Planning Commission requesting a Site Development Plan Review for the property located at 3851 Pennwood Drive. This property is located just west of Valley View Ave. on Pennwood in one of the cities most highly dense neighborhoods.

The property owned by La Feria Investment Properties, llc is directly across from two Apartment Complexes, is bordered to the West by residential condominiums/ apartments and to the south and east by commercial entities, a strip mall complex and a Seven-Eleven respectively. The neighborhood is pedestrian and mostly Hispanic.

The businesses which have come to be Tenants at 3851 Pennwood are owned by and cater to the Hispanic Community which has come to call this neighborhood home. They are family owned and operated providing a variety of services necessary for this family orientated neighborhood. Services offered to the community include a DMV services business, a Tax and Accounting Service, a furniture store, a 99 Cent Store, as well as a clothing store, a boutique and a deli/bakery. These are the primary businesses which provide this community with the services needed by all members of the City of Las Vegas.

Site Development Plan Review of this property is necessary because (1) as purchased by the present owners this property has no landscaping as was proposed to the City in 1977, by the owners at that time, when a request to use the spaces fronting Pennwood Ave., Bld."B", as office Spaces was approved, and (2) as the property has progressed since 1977 the renters of Bld. "B" have expanded their businesses to include Bld. "C", the connected Storage Spaces.

SDR-19214
02/22/07 PC

LA FERIA, LLC & LA FERIA INVETMENT PROPERTIES, LLC

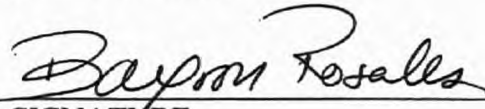
P.O BOX 27495 LAS VEGAS NEVADA 89126

Phone: 702-222-1033 Fax: 702-966-9761

The owners of this property respectfully pray that Site Development Plan Review will amend the usage as approved in 1977 to allow the businesses in the areas fronting Pennwood Ave (Bld's "B" and "C" and Bld. A 1-6, Bld G1-6 beyond the proposed security gates) allowing the necessity for family owned businesses in this neighborhood which provides the services necessary for the Citizens of Las Vegas which live in the area and are the patrons of the tenants at 3851 Pennwood, which creates the revenue of the Tenants of 3851 Pennwood with each business owner paying all required fees and taxes required by the City to maintain operation in their present status.

Respectfully Submitted for La Feria Investment Properties, llc by:

Bayron Rosales
(PRINT NAME)


SIGNATURE

SDR-19214
02/22/07 PC

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

THE MEADOWS MOBILE HOME PARK

2900 South Valley View Boulevard

Las Vegas, NV 89102

(702) 876-3660

February 15, 2007

Planning and Development Department
Current Planning Division
Andrew P. Reed, Planning Supervisor
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

Re: VAR-18625
SDR-19214

→ PROTEST

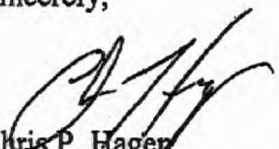
Dear Mr. Reed:

We strenuously oppose both of the above referenced applications.

We have been encouraged by the redevelopment of the neighborhood and landscaping has provided the enhanced curb appeal versus the historically industrial neighborhood. We have spent considerable money on landscaping and would expect the city to reinforce this landscape buffer and required parking minimum.

Thank you for your consideration.

Sincerely,


Chris P. Hager
Vice President

CPH:mmd

2007 FEB 16 12:21 PM
CITY OF LAS VEGAS
PLANNING DEPARTMENT

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE

VAR-19098 - PUBLIC HEARING - APPLICANT/OWNER: KRYFAM, LP - Request for a Variance TO ALLOW 74 PARKING SPACES WHERE 87 SPACES ARE REQUIRED on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive (APN 125-27-410-004), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted after final agenda – Revised Site Plan dated 03-19-2007 and abeyance request by Nigro Development for Items 104-107
6. Backup referenced from the 02-22-07 Planning Commission Meeting Item 29

Motion made by GARY REESE to Hold in Abeyance Items 89-91, Item 96, Item 101, Items 104-107 to 4/04/2007; Items 94 and 95 to 4/18/2007; and TABLE Items 97-100

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

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

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-19098 - APPLICANT/OWNER: KRYFAM, LP

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-19100) and Site Development Plan Review (SDR-19097) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow 74 parking spaces where 87 spaces are required on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive.

The request does not meet the criteria for the approval of variances, as the hardship is self-created and the applicant could revise the development plan in order to comply with parking requirements.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/07/98	The City Council approved a rezoning (Z-76-98) of this site to TC (Towncenter) as part of a larger overall request.
02/22/07	The Planning Commission recommended approval of companion items VAR-19447, SUP-19100 and SDR-19097 concurrently with this application.
	The Planning Commission voted 4-1/sd-1/rt to recommend APPROVAL (PC Agenda Item #29/ar).
<i>Pre-Application Meeting</i>	
12/12/06	The applicant was informed that this proposal would require a waiver of the Towncenter standard which requires a minimum 330 foot separation between a hotel and any detached single-family dwelling.
<i>Neighborhood Meeting</i>	
02/12/07	A neighborhood meeting was held at the Cimarron Rose Community Center, located at 5591 North Cimarron Road.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.83 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
North	Convenience store	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
South	Ann Road	Ann Road	Ann Road
East	Convenience store	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
West	Tavern	TC (Towncenter)	TC-SC (Towncenter Service Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
T-C Town Center District	X		N

The proposed hotel does not comply with the Towncenter standards because it is located within 330 feet of single family detached development (considered within SUP-19100) and because it proposes a four story structure where two stories is the maximum permitted (considered within VAR-19447).

DEVELOPMENT STANDARDS

Per the Towncenter Development Standards Manual:

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	
Hotel	87 rooms	1 space per room	87 spaces	4 spaces	74 spaces	4 spaces	N*
TOTAL			87 spaces	4 spaces	74 spaces	4 spaces	
Loading Spaces			1 space		1 space		Y
Percent Deviation					15 %		

Because there is no hardship associated with this variance, staff is recommending denial.

ANALYSIS

This site is currently undeveloped. The applicant proposes to develop a four story, 87 room hotel in the south portion of the site. Per the Zoning Code, a hotel of this size requires 87 parking spaces. A total of 74 spaces are provided in a parking lot located north of the hotel. The applicant has submitted a variance (VAR-19098) to address this deficiency. Staff finds there is no hardship associated with the site and is unable to support this variance.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by not providing the required number of parking spaces for the existing and proposed uses. The provision of additional parking spaces or a change in the development plan 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

13

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 375 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-19098** APN: 125-27-410-004

Name of Property Owner: KRFAM LP

Name of Applicant: Nigro Development

Name of Representative: Brad Jones

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: _____

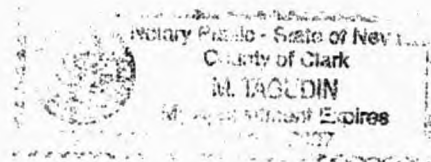
Signature of Property Owner: _____

Print Name: Wayne Krygier

Subscribed and sworn before me

This 4 day of January, 2007

M. Taoudin
Notary Public in and for said County and State



January 4, 2007

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

**RE: HOLIDAY INN EXPRESS
PROJECT NO: 06-180
JUSTIFICATION LETTER
APN #125-27-410-004**

To Whom It May Concern:

We are requesting a Special Use Permit, Site Development Review, Waiver of Development Standards and Variance to allow a Hotel use in a SC-TC (Service Commercial – Town Center) Zone.

The current zoning of this property, Service Commercial, allows a hotel with a Special Use Permit therefore the current zoning is appropriate. The project is bounded on the North, East and West by same zone designation properties. These are developed with a Convenience Store with gas pumps on the North across Sky Point, a Convenience Store w/ gas pumps and a Retail Building on the East, and a Tavern on the West. The South is bounded by the Ann Road/ US-95 Interchange. The Northeast corner of Sky Point Drive and Tenaya Way is the back of a Residential Development, the Grand Entries Subdivision.

We are requesting a Waiver of Development Standard to reduce the required 330' separation from a residential development. This project is a non-gaming, non-dining, non-entertaining hotel. The only food service for this hotel will be to provide a continental style breakfast meal for its guests. The intent of this hotel is to serve the local residential community, and the family and friends who visit who wish to stay closer to the family than to the entertaining portion of the city.

The front parking encroaches into the 15' landscape setback by less than twelve inches for a width of approximately three feet. This encroachment is allowed by the Town Center Development Standards Manual in Section D.2.B.8.c. so no waiver is required for this minor encroachment.

We are also requesting a Variance for the quantity of required "on-site" parking spaces. The hotel requires 87 parking spaces. Due to the slender nature of this site we are able to provide a total of 74 spaces. These spaces are a combination of standard, compact and accessible space as permitted by the Development Standards. We are requesting a reduction of 13 spaces which is 14.9%. We feel that by the nature of the non-gaming, non-entertaining hotel and the cross access of the properties to the East and West the reduction shall not have an adverse affect on the roadways or local community.

We feel that the proposed 87 room Hotel is well suited for the neighborhood. The design features a combination of cement plaster finish and stone veneer with a hip roof. The building has a residential feel and will blend nicely with the adjacent Tavern.

**VAR-19098
02/22/07 PC**

We respectfully request the City of Las Vegas grant approval for this project as shown on the accompanying plans. We ask that this submittal be used for approval of the Site Development Review.

Thank you for your consideration in this matter. Should you have any further questions or require additional information please call our office.

Sincerely,

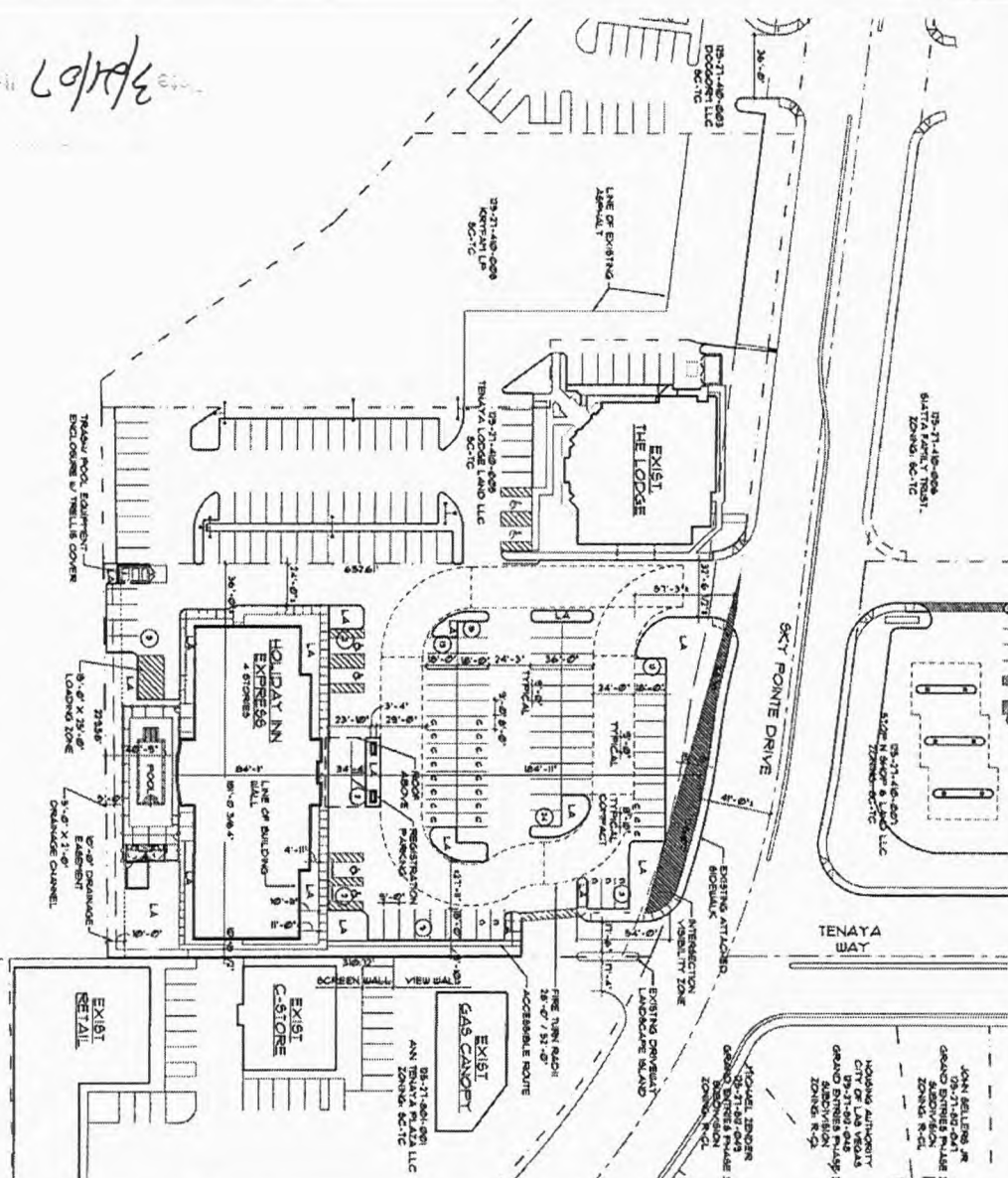
A handwritten signature in black ink, appearing to read 'Ray Finkel', with a long horizontal flourish extending to the right.

Ray Finkel
Project Manager

cc: 6180 JL.doc

VAR-19098
02/22/07 PC

601-201# 6/17/20



ARCHITECTURAL SITE PLAN
SCALE: 1"=30'-0"

RECEIVED
MAR 19 2007

VAR-19098
VAR-19447
SUP-19100
SDR-19097
03-21-07 CC

PROJECT DATA

DATE AREA	REQUIRED	PROVIDED	7/31/74	7/31/74
			(S.F.)	(S.F.)
LANDSCAPE	20%	75%	26712.8	85
CONCRETE DRIVEWAY			6'-10"	
ALL PLANTINGS			PROVIDED	
ROCK			8'-0"	
RESIDENTIAL DOOR ROOFAST			20'-0"	
REAR PLANTINGS			4'-0"	
2nd FLOOR			11'-0"	
2nd FLOOR ROOFS (each 100')			12'-0"	
PORT COVERAGE			12'-0"	
LOT COVERAGE			14'-0"	
LANDSCAPE CALCULATIONS:				
REQUIRED			85	
PROVIDED			85	
REMAINING			0	
REMARKS:				
REMARKS: 1. (S.F.) CONTACT SPACES (8' X 8')				
REMARKS: 2. LANDSCAPE SPACES (11' X 8')				
REMARKS: 3. LANDSCAPE SPACES (14' X 8')				
REMARKS: 4. LANDSCAPE SPACES (12' X 8')				

PROJECT LOCATION

	NO. OF OBS.	NO. OF OBS.	ACC. DEL. QUER.	EXT. DEL. QUER.	ACC. DEL. QUER.	100
4th FLOOR	11	5	1	1	1	2
3rd FLOOR	11	5	1	1	1	3
2nd FLOOR	6	3	1	0	1	2
1st FLOOR	4	4	1	1	1	3
IN FLOOR	11	4	1	3	1	6
TOTAL	55				4	

GENERAL NOTES:

1. SEE CIVIL DRAWINGS FOR ALL LAYOUT DIMENSIONS, INFORMATION, AND PLANTING.
2. SEE CIVIL DRAWINGS FOR ALL SITE LAYOUT DIMENSIONS, CURBS, OUTLETS, AND PLANTING.
3. SEE CIVIL, PLUMBING, AND ELECTRICAL DRAWINGS FOR UTILITY LINES.
4. SEE CIVIL DRAWINGS FOR ALL GRADING AND DRAINAGE INFORMATION.
5. SEE LAYOUT 1 TO BE COORDINATED WITH CIVIL DRAWINGS. # DISCREPANCIES EXIST. THE CIVIL DRAWINGS WILL TAKE PRECEDENCE OVER THE LAYOUT. NOTIFY THE ARCHITECT OF ANY DISCREPANCIES.
6. ALL SITE CONCRETE SHALL RECEIVE REINFORCED PLAIN JOINTS AT 3'-0" O.C. AND TOLDED JOINTS AT 1'-0" O.C.
7. ALL CONCRETE WALLS, LAMPHOUSES, ETC. SHALL RECEIVE LIGHT SMOOTH FINISH.
8. SCORE ALL PLANTER AREAS ABOUT 1000 DIAMOND TX THERMITE.
9. SCORE ALONG ACCESSIBLE ROUTE ALL NOT EXCEEDED 5% IN SLOPE OF TRAVEL, AND TX CROSSBOLTS.
10. BUILDING AND SITE BOUNDARY SHALL BE IN ACCORDANCE WITH AN APPROVED SHOT POCKET TO BE USED FOR SEPARATE ANALYTICAL



As returned to service these drawings and specifications are the property of the architect and may not be reproduced or used for any purpose without the architect's written consent. Copies of the drawings and specifications retained by the client may be utilized only for their use and for occupying the project for which they were prepared, and not for construction of any other projects. Any use or reproduction of this drawing in whole or in part by any means whatsoever is strictly prohibited. These documents are not final and ready for use, and therefore not valid unless they are sealed, signed, and dated. See 623.160 graphic design standards, etc.

sheet title - ARCHITECTURAL SITE PLAN SUP., SDR, VAR SUBMITTAL	
Date: 02-08-2017 1-3-DWG: Drawing: Drawn by: Checked by: Project No.: Revision No.: EIR: 15-00000-1 Project:	AS101 S.3.d 02 00 00

project title •



SW CORNER OF
SYPHONIE DRIVE
AND TENAYA WAY
LAS VEGAS, NEVADA

pacific design concepts, llc
3005 w. horizon ridge parkway, suite 200
henderson, nevada 89052
(702) 454-5842 fax (702) 454-7842



City of Las Vegas
City Clerks office
400 Stewart Ave
Las Vegas, Nevada 89101

Re: VAR 19098, VAR 19447, SUP 19100, SDR 19097

To Whom It May Concern:

Nigro Development and KRYFAM LP would like to hold the above noted applications for 2 weeks. We ask that the applications be heard on the April 4, 2007 City Council agenda.

Please feel free to contact me with any questions you may have.

Brad Jones
Land Development / Project Manager
Nigro Development

CC: Marisa Tagudin, Amland Development
Andy Reed, City of Las Vegas
Sheila Lambert, City of Las Vegas

2007 MAR 21 A 9:37

RECEIVED
CITY CLERK

3965 SOUTH DURANGO DR. SUITE 106
LAS VEGAS, NEVADA 89147
ph 702.247.1920
fax 702.247.1916
nigrodevelopment.net

Date 3/21/07 Item # 104-107

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

	Date	Time	# of Available Spaces	Daily Avg. Spaces Available	
				Daily Avg. %	Daily Avg. Spaces Available
La Quinta Inn # of rooms 128 # of available spaces 128	2/14/2007	9:00 AM	104	75%	96.5
	2/14/2007	7:00 PM	89		
	2/15/2007	7:30 AM	83	65%	83
	2/16/2007	7:00 PM	108	84%	108
	2/17/2007	6:00 PM	70	55%	70

	Date	Time	# of Available Spaces	Daily Avg. Spaces Available	
				Daily Avg. %	Daily Avg. Spaces Available
Hampton Inn # of rooms 127 # of available spaces 127	2/14/2007	9:00 AM	95	72%	91.5
	2/14/2007	7:00 PM	88		
	2/15/2007	7:30 AM	88	54%	88
	2/16/2007	7:00 PM	101	80%	101
	2/17/2007	6:00 PM	105	83%	105

	Date	Time	# of Available Spaces	Daily Avg. Spaces Available	
				Daily Avg. %	Daily Avg. Spaces Available
Siena Extended Stay # of rooms 300 # of available spaces 325	2/14/2007	9:00 AM	200	61%	197
	2/14/2007	12:00 PM	218		
	2/14/2007	6:00 PM	173		
	2/15/2007	9:00 AM	193	63%	205
	2/15/2007	12:00 PM	234		
	2/15/2007	6:00 PM	188		
	2/16/2007	9:00 AM	169	56%	182
	2/16/2007	12:00 PM	222		
	2/16/2007	6:00 PM	155		
	2/17/2007	9:00 AM	170	57%	185
	2/17/2007	12:00 PM	215		
	2/17/2007	6:00 PM	171		
	2/18/2007	9:00 AM	93	43%	138
	2/18/2007	12:00 PM	197		
	2/18/2007	6:00 PM	125		

	Date	Time	# of Cars	Daily Avg. Cars	
				Daily Avg. %	Daily Avg. Cars
Tenaya Lodge # of available spaces 69	2/16/2007	7:00 PM	51	74%	51
	2/17/2007	6:00 PM	22	32%	22
	2/18/2007	5:45 PM	31	45%	31

	Date	Time	# of Cars	Daily Avg. Cars	
				Daily Avg. %	Daily Avg. Cars
Mulligans # of available spaces 65	2/14/2007	9:00 AM	26	45%	29
	2/14/2007	12:00 PM	23		
	2/14/2007	6:00 PM	39		
	2/15/2007	9:00 AM	22	45%	30
	2/15/2007	12:00 PM	35		
	2/15/2007	6:00 PM	33		
	2/16/2007	9:00 AM	18	48%	31
	2/16/2007	12:00 PM	31		
	2/16/2007	6:00 PM	45		
	2/17/2007	9:00 AM	21	39%	26
	2/17/2007	12:00 PM	34		
	2/17/2007	6:00 PM	22		
	2/18/2007	9:00 AM	14	23%	15
	2/18/2007	12:00 PM	21		
	2/18/2007	6:00 PM	10		

Submitted at Planning Commission

Date 2/22/07 Item # 29-32

Telephone Protest/ Approval Log

Meeting Date: 2/22/07

Case Number: VAR 19098

Date: 2/21/07

Name: Raythell Berry

Address: 7012 Glas Shipper

Phone: 655 - 2741



PROTEST



APPROVE

Date: _____

Name: _____

Address: _____

Phone: _____



PROTEST



APPROVE

Date: _____

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PROTEST



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PROTEST



APPROVE

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

VARIANCE RELATED TO VAR-19098

VAR-19447 - PUBLIC HEARING - APPLICANT/OWNER: KRYFAM, LP - Request for a Variance TO ALLOW A FOUR-STORY HOTEL WHERE TWO STORIES ARE THE MAXIMUM PERMITTED on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive (APN 125-27-410-004), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 02-22-07 Planning Commission Meeting Item 30

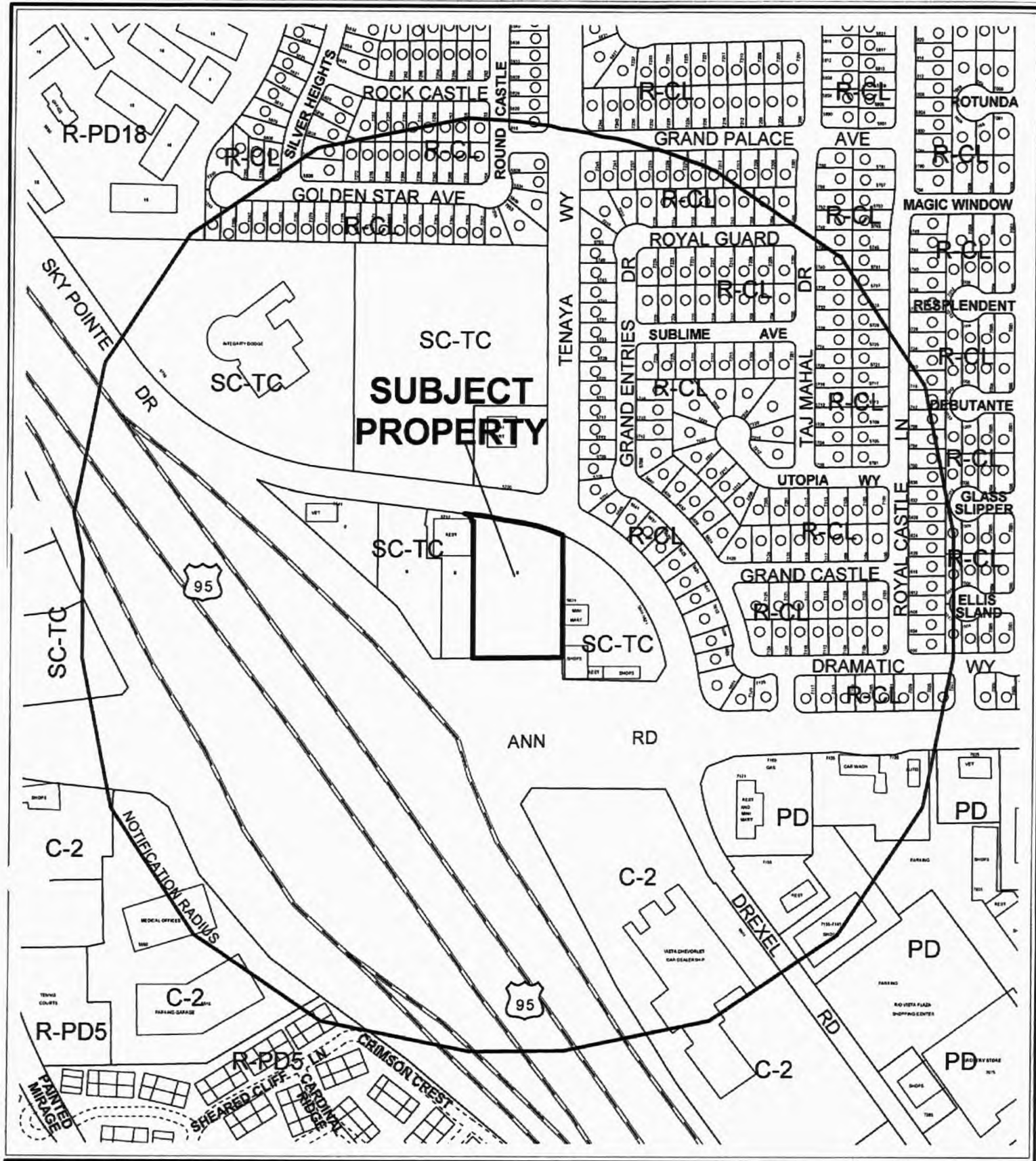
Motion made by GARY REESE to Hold in Abeyance Items 89-91, Item 96, Item 101, Items 104-107 to 4/04/2007; Items 94 and 95 to 4/18/2007; and TABLE Items 97-100

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

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

Minutes:

See Item 104 for related backup.



CASE: **VAR-19447**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC-TC (SERVICE-COMMERCIAL) SPECIAL LAND USE DESIGNATION]

0 400 800 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-19447 - APPLICANT/OWNER: KRYFAM, LP

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-19100) and Site Development Plan Review (SDR-19097) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Variance to allow a four story hotel where two stories are the maximum permitted on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive.

The request does not meet the criteria for the approval of variances, as the hardship is self-created and the applicant could revise the development plan in order to comply with height requirements.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/07/98	The City Council approved a rezoning (Z-76-98) of this site to TC (Towncenter) as part of a larger overall request.
02/22/07	The Planning Commission recommended approval of companion items VAR-19098, SUP-19100 and SDR-19097 concurrently with this application. The Planning Commission voted 4-1/sd-1/rt to recommend APPROVAL (PC Agenda Item #30/ar).
<i>Pre-Application Meeting</i>	
12/12/06	The applicant was informed that this proposal would require a waiver of the Towncenter standard which requires a minimum 330 foot separation between a hotel and any detached single-family dwelling.
<i>Neighborhood Meeting</i>	
02/12/07	A neighborhood meeting was held at the Cimarron Rose Community Center, located at 5591 North Cimarron Road.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.83 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
North	Convenience store	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
South	Ann Road	Ann Road	Ann Road
East	Convenience store	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
West	Tavern	TC (Towncenter)	TC-SC (Towncenter Service Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
T-C Town Center District	X		N

The proposed hotel does not comply with the Towncenter standards because it is located within 330 feet of single family detached development (considered within SUP-19100) and because it proposes a four story structure where two stories is the maximum permitted (considered within VAR-19447).

DEVELOPMENT STANDARDS

Per the Towncenter Development Standards Manual:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	1.83	Y
Min. Lot Width	N/A	220 Feet	Y
Min. Setbacks			
• Front	15 Feet	169 Feet	Y
• Side	10 Feet	10 Feet	Y
• Rear	20 Feet	41 Feet	Y
Max. Lot Coverage	N/A	18 %	Y
Max. Building Height	Two stories	Four stories	N*

*This issue will be considered under Variance VAR-19447.

Per Title 19.08.06, the following standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	205 Feet	260 Feet	Y
Adjacent development matching setback	15 Feet	260 Feet	Y
Trash Enclosure	50 Feet	440 Feet	Y

ANALYSIS

This site is currently undeveloped. The applicant proposes to develop a four story, 87 room hotel in the south portion of the site. Access to Sky Pointe Drive will be provided by two existing driveways. Landscape buffers that comply with Towncenter standards and include Rio Grande Ash, Chitalpa and assorted five gallon shrubs are provided along the appropriate property lines. Planter islands with 24 inch box Shoestring Acacia are shown within the parking lot. The elevations depict a plaster exterior with a decorative stone veneer accent. A maximum overall building height of 68 feet three inches is shown.

The Special Use Permit conditions for a hotel in the TC-SC (Towncenter-Service Commercial) require a minimum height of three stories. The development standards of the TC-SC district require structures that exceed two stories in height to be located on a parcel that is larger than 20 acres in size, and require the building to be set back at least 50 feet from all property lines. This application meets neither of these criteria and staff recommends denial.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing a four story structure where two stories are the maximum permitted. 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

13

ASSEMBLY DISTRICT

13

SENATE DISTRICT

9

NOTICES MAILED 375 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-19447 APN: 125-27-410-004

Name of Property Owner: KRFAM LP

Name of Applicant: NIGRO DEVELOPMENT

Name of Representative: Brad Jones

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: Wayne Krygier

Subscribed and sworn before me

This 4 day of January, 20 07

M. Luedin
Notary Public in and for said County and State

January 4, 2007

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

**RE: HOLIDAY INN EXPRESS
PROJECT NO: 06-180
JUSTIFICATION LETTER
APN #125-27-410-004**

To Whom It May Concern:

We are requesting a Special Use Permit, Site Development Review, Waiver of Development Standards and Variance to allow a Hotel use in a SC-TC (Service Commercial – Town Center) Zone.

The current zoning of this property, Service Commercial, allows a hotel with a Special Use Permit therefore the current zoning is appropriate. The project is bounded on the North, East and West by same zone designation properties. These are developed with a Convenience Store with gas pumps on the North across Sky Point, a Convenience Store w/ gas pumps and a Retail Building on the East, and a Tavern on the West. The South is bounded by the Ann Road/ US-95 Interchange. The Northeast corner of Sky Point Drive and Tenaya Way is the back of a Residential Development, the Grand Entries Subdivision.

We are requesting a Waiver of Development Standard to reduce the required 330' separation from a residential development. This project is a non-gaming, non-dining, non-entertaining hotel. The only food service for this hotel will be to provide a continental style breakfast meal for its guests. The intent of this hotel is to serve the local residential community, and the family and friends who visit who wish to stay closer to the family than to the entertaining portion of the city.

The front parking encroaches into the 15' landscape setback by less than twelve inches for a width of approximately three feet. This encroachment is allowed by the Town Center Development Standards Manual in Section D.2.B.8.c. so no waiver is required for this minor encroachment.

We are also requesting a Variance for the quantity of required "on-site" parking spaces. The hotel requires 87 parking spaces. Due to the slender nature of this site we are able to provide a total of 74 spaces. These spaces are a combination of standard, compact and accessible space as permitted by the Development Standards. We are requesting a reduction of 13 spaces which is 14.9%. We feel that by the nature of the non-gaming, non-entertaining hotel and the cross access of the properties to the East and West the reduction shall not have an adverse affect on the roadways or local community.

We feel that the proposed 87 room Hotel is well suited for the neighborhood. The design features a combination of cement plaster finish and stone veneer with a hip roof. The building has a residential feel and will blend nicely with the adjacent Tavern.

**VAR-19447
02/22/07 PC**

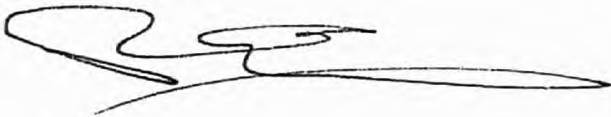
January 4, 2007

Page 2 of 2

We respectfully request the City of Las Vegas grant approval for this project as shown on the accompanying plans. We ask that this submittal be used for approval of the Site Development Review.

Thank you for your consideration in this matter. Should you have any further questions or require additional information please call our office.

Sincerely,

A handwritten signature in black ink, appearing to be 'Ray Finkel', with a long horizontal flourish extending to the right.

Ray Finkel
Project Manager

cc: 6180 JL.doc

VAR-19447
02/22/07 PC

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

	Date	Time	# of Available Spaces	Daily Avg.	
				%	Spaces Available
La Quinta Inn # of rooms 128 # of available spaces 128	2/14/2007	9:00 AM	104	75%	96.5
	2/14/2007	7:00 PM	89		
	2/15/2007	7:30 AM	83	65%	83
	2/16/2007	7:00 PM	108	84%	108
	2/17/2007	6:00 PM	70	55%	70

	Date	Time	# of Available Spaces	Daily Avg.	
				%	Spaces Available
Hampton Inn # of rooms 127 # of available spaces 127	2/14/2007	8:00 AM	95	72%	91.5
	2/14/2007	7:00 PM	88		
	2/15/2007	7:30 AM	68	54%	68
	2/16/2007	7:00 PM	101	80%	101
	2/17/2007	6:00 PM	105	83%	105

	Date	Time	# of Available Spaces	Daily Avg.	
				%	Spaces Available
Sierra Extended Stay # of rooms 300 # of available spaces 325	2/14/2007	9:00 AM	200	61%	197
	2/14/2007	12:00 PM	218		
	2/14/2007	6:00 PM	173		
	2/15/2007	9:00 AM	193	63%	205
	2/15/2007	12:00 PM	234		
	2/15/2007	6:00 PM	188		
	2/16/2007	9:00 AM	169	66%	182
	2/16/2007	12:00 PM	222		
	2/16/2007	6:00 PM	155		
	2/17/2007	9:00 AM	170	57%	185
	2/17/2007	12:00 PM	215		
	2/17/2007	6:00 PM	171		
	2/18/2007	9:00 AM	83	43%	138
	2/18/2007	12:00 PM	197		
	2/18/2007	6:00 PM	125		

	Date	Time	# of Cars	Daily Avg.	
				%	Cars
Tenaya Lodge # of available spaces 69	2/16/2007	7:00 PM	51	74%	51
	2/17/2007	6:00 PM	22	32%	22
	2/18/2007	5:45 PM	31	45%	31

	Date	Time	# of Cars	Daily Avg.	
				%	Cars
Mulligans # of available spaces 65	2/14/2007	9:00 AM	26	45%	29
	2/14/2007	12:00 PM	23		
	2/14/2007	6:00 PM	39		
	2/15/2007	9:00 AM	22	46%	30
	2/15/2007	12:00 PM	35		
	2/15/2007	6:00 PM	33		
	2/16/2007	9:00 AM	18	48%	31
	2/16/2007	12:00 PM	31		
	2/16/2007	6:00 PM	45		
	2/17/2007	9:00 AM	21	39%	26
	2/17/2007	12:00 PM	34		
	2/17/2007	6:00 PM	22		
	2/18/2007	9:00 AM	14	23%	15
	2/18/2007	12:00 PM	21		
	2/18/2007	6:00 PM	10		

Submitted at Planning Commission

Date 2/22/07 Item # 29-32

Telephone Protest/ Approval Log

Meeting Date: 2/22/07

Case Number: VAR 19447

Date: 2/21/07
Name: Rayshell Perry
Address: 7012 Glass Mipper
Phone: 655.2741
☒ PROTEST ☐ APPROVE

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

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT RELATED TO VAR-19098 AND VAR-19447

SUP-19100 - PUBLIC HEARING - APPLICANT/OWNER: KRYFAM, LP - Request for a Special Use Permit FOR A HOTEL WITH A WAIVER TO ALLOW A DISTANCE SEPARATION OF 80 FEET FROM A RESIDENTIAL USE WHERE 330 FEET IS THE MINIMUM REQUIRED at the southwest corner of Tenaya Way and Sky Pointe Drive (APN 125-27-410-004), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 02-22-07 Planning Commission Meeting Item 31

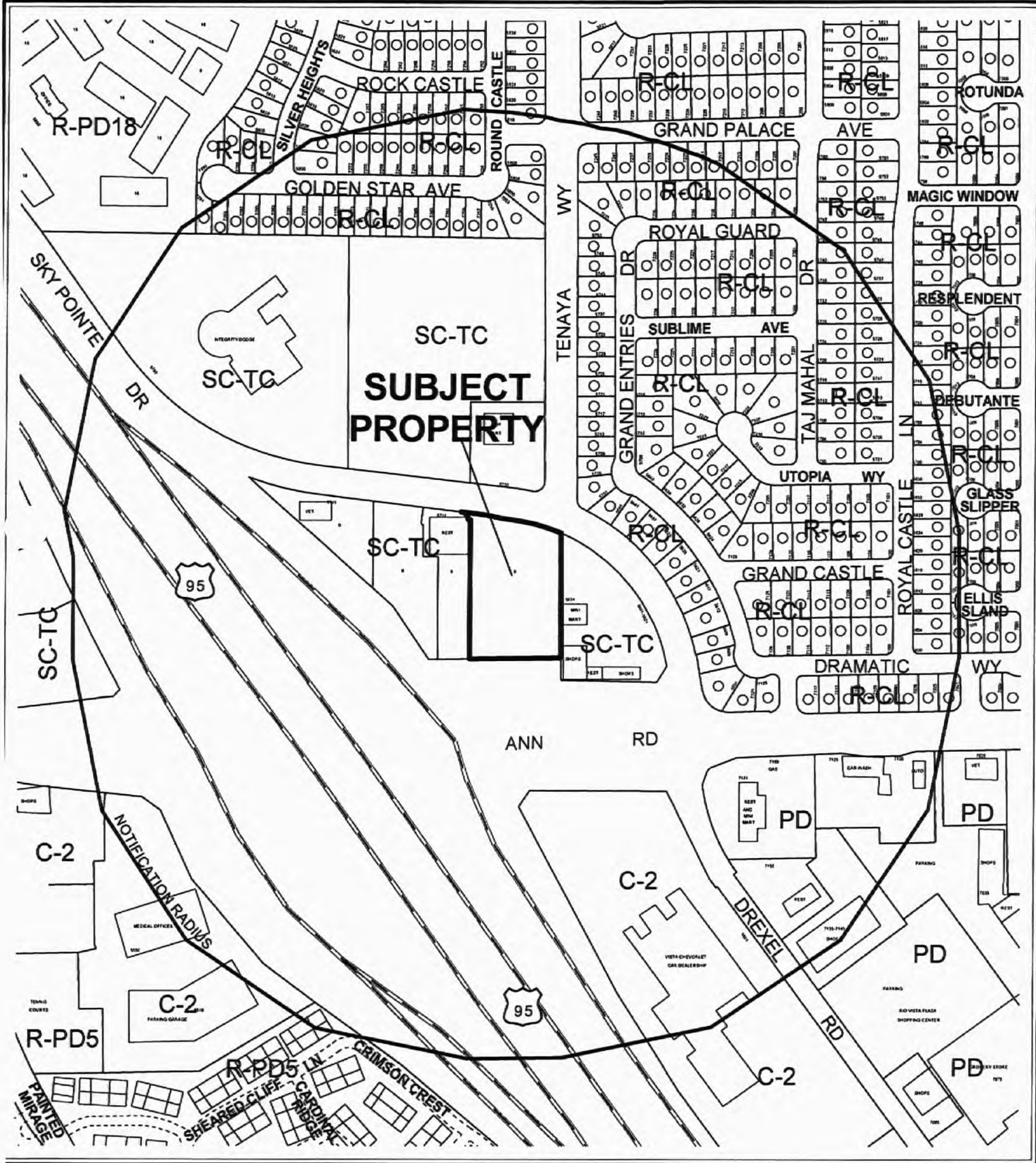
Motion made by GARY REESE to Hold in Abeyance Items 89-91, Item 96, Item 101, Items 104-107 to 4/04/2007; Items 94 and 95 to 4/18/2007; and TABLE Items 97-100

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

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

Minutes:

See Item 104 for related backup.



CASE: **SUP-19100**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC-TC (SERVICE-COMMERCIAL) SPECIAL LAND USE DESIGNATION]



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-19100 - APPLICANT/OWNER: KRYFAM, LP

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-19097) if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a hotel with a waiver to allow a distance separation of 80 feet from a residential use where 330 feet is the minimum required on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive.

The proposed hotel is not consistent with the Town Center Development Standards because it is located approximately 80 feet from single family residential where a separation of 330 feet is required, and because a height of four stories is proposed where the Town Center Standards limit the height of a building on this site to two stories.

The proposed development is not compatible with Title 19 as only 74 spaces are provided where 87 spaces are required.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/07/98	The City Council approved a rezoning (Z-76-98) of this site to TC (Towncenter) as part of a larger overall request.
02/22/07	The Planning Commission recommended approval of companion items VAR-19098, VAR-19447 and SDR-19097 concurrently with this application. The Planning Commission voted 4-1/sd-1/rt to recommend APPROVAL (PC Agenda Item #31/ar).
<i>Pre-Application Meeting</i>	
12/12/06	The applicant was informed that this proposal would require a waiver of the Towncenter standard which requires a minimum 330 foot separation between a hotel and any detached single-family dwelling.
<i>Neighborhood Meeting</i>	
02/12/07	A neighborhood meeting was held at the Cimarron Rose Community Center, located at 5591 North Cimarron Road.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.83 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
North	Convenience store	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
South	Ann Road	Ann Road	Ann Road

East	Convenience store	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
West	Tavern	TC (Towncenter)	TC-SC (Towncenter Service Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
T-C Town Center District	X		N

The proposed hotel does not comply with the Towncenter standards because it is located within 330 feet of single family detached development (considered within SUP-19100) and because it proposes a four story structure where two stories is the maximum permitted (considered within VAR-19447).

DEVELOPMENT STANDARDS

Per the Towncenter Development Standards Manual:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	1.83	Y
Min. Lot Width	N/A	220 Feet	Y
Min. Setbacks			
• Front	15 Feet	169 Feet	Y
• Side	10 Feet	10 Feet	Y
• Rear	20 Feet	41 Feet	Y
Max. Lot Coverage	N/A	18 %	Y
Max. Building Height	Two stories	Four stories	N*

*This issue will be considered under related Variance VAR-19447.

Per Title 19.08.06, the following standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	205 Feet	260 Feet	Y
Adjacent development matching setback	15 Feet	260 Feet	Y
Trash Enclosure	50 Feet	440 Feet	Y

Per the Towncenter Standards, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree /6 Spaces	13 Trees	16 Trees	Y
Buffer: Min. Trees	1 Tree/20 Linear Feet	6 Trees	6 Trees	Y
Min. Zone Width	15 Feet along Sky Pointe Drive		14 feet for a three foot section; 15 feet along remainder	N*

This waiver is minor and staff has no objection to its approval.

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	
Hotel	87 rooms	1 space per room	87 spaces	4 spaces	74 spaces	4 spaces	N*
TOTAL			87 spaces	4 spaces	74 spaces	4 spaces	
Loading Spaces			1 space		1 space		Y
Percent Deviation					15 %		

The parking shortage will be considered concurrently as related Variance VAR-19098. Because there is no hardship associated with this variance, staff is recommending denial.

ANALYSIS

This site is currently undeveloped. The applicant proposes to develop a four story, 87 room hotel in the south portion of the site. Per the Zoning Code, a hotel of this size requires 87 parking spaces. A total of 74 spaces are provided in a parking lot located north of the hotel. The applicant has submitted a variance (VAR-19098) to address this deficiency. Staff finds there is no hardship associated with the site and is unable to support this variance.

Access to Sky Pointe Drive will be provided by two existing driveways. Landscape buffers that comply with Towncenter standards and include Rio Grande Ash, Chitalpa and assorted five gallon shrubs are provided along the appropriate property lines. Planter islands with 24 inch box Shoestring Acacia are shown within the parking lot. The elevations depict a plaster exterior with a decorative stone veneer accent. A maximum overall building height of 68 feet three inches is shown.

The Special Use Permit conditions for a hotel in the TC-SC (Towncenter-Service Commercial) require a minimum height of three stories. The development standards of the TC-SC district require structures that exceed two stories in height to be located on a parcel that is larger than 20 acres in size, and require the building to be set back at least 50 feet from all property lines. This application meets neither of these criteria and staff recommends denial.

FINDINGS

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

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

The proposed hotel is not consistent with the Town Center Development Standards because it is located approximately 80 feet from single family residential where a separation of 330 feet is required, and because a height of four stories is proposed where the Town Center Standards limit the height of a building on this site to two stories.

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

The development standards of the TC-SC district require structures that exceed two stories in height to be located on a parcel that is larger than 20 acres in size, and require the building to be set back at least 50 feet from all property lines. Because this application meets neither of these criteria staff finds this use is too intense for this site.

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

The proposed use will not adversely impact streets in the vicinity of this 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 proposed development will be subject to regular inspections for permitting and licensing and will therefore, not compromise the public health, safety, and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 13

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 375 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-19100** APN: 125-27-410-004

Name of Property Owner: KRFAM LP

Name of Applicant: NIGRO DEVELOPMENT

Name of Representative: Brad Jones

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

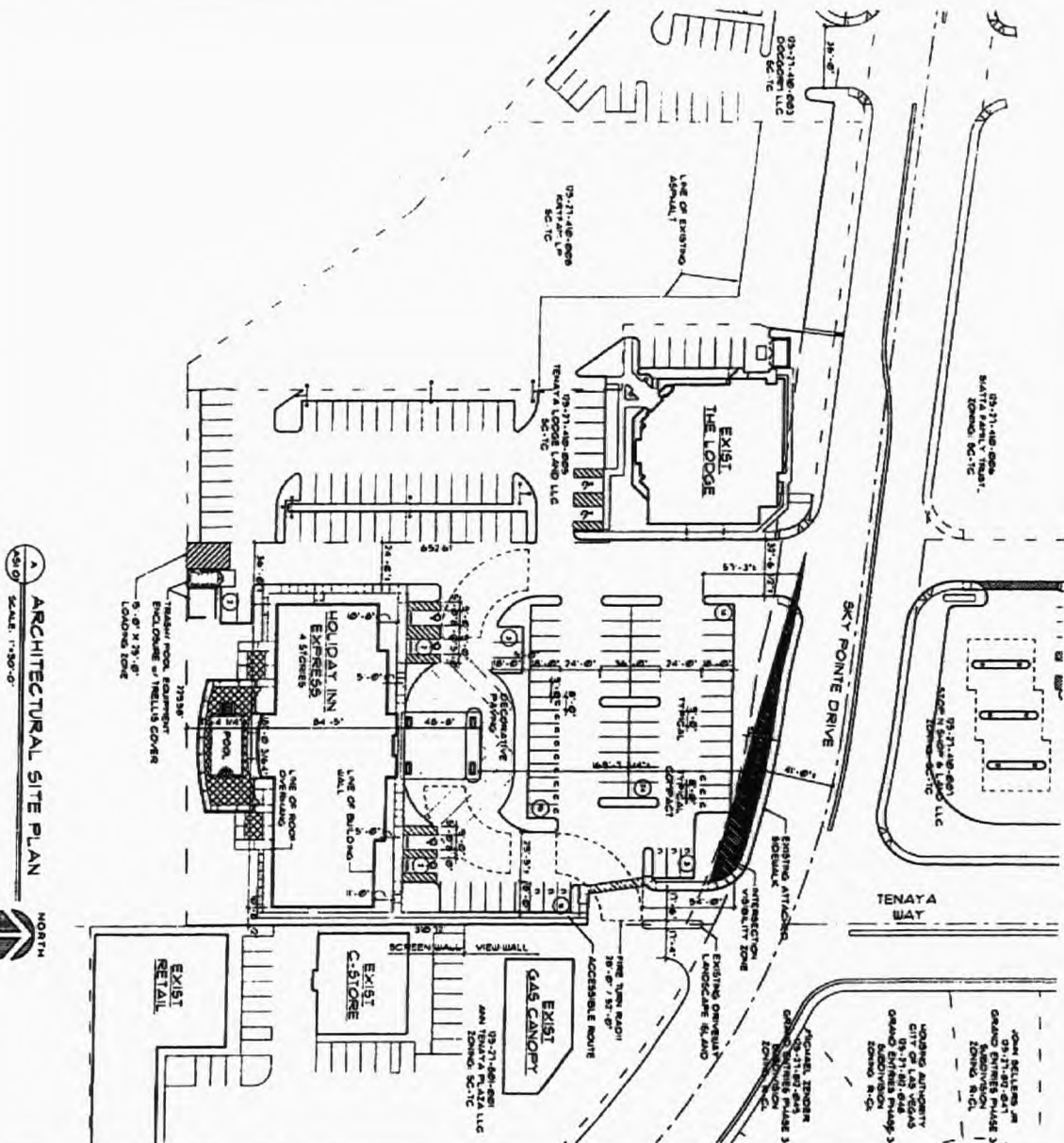
Signature of Property Owner: [Signature]

Print Name: Wayne Krygier

Subscribed and sworn before me

This 4 day of January, 20 07

M. Lueden
Notary Public in and for said County and State



ARCHITECTURAL SITE PLAN
SCALE: 1"=30'-0"



NORTH

SUP-19100

02/22/07 PC

PROJECT DATA

[illegible]

PROJECT LOCATION

		ROOM COUNT					
		REAR DBL OCEAN	ACG OCEAN BUTTE	BRT OCEAN BUTTE	ACC OCEAN KIDS		
4th FLOOR	11	5	1	1		25	
3rd FLOOR	6	4	1			15	
2nd FLOOR	3	2	1	0		23	
1st FLOOR	11	4			4	14	
TOTAL	35		3			57	

GENERAL NOTES:

- [illegible]



Sheet title -
**ARCHITECTURAL
SITE PLAN**
SUP, SDR, VAR SUBMITTAL



**Holiday Inn
EXPRESS**

SW CORNER OF
SKYDOME DRIVE
AND IENAYA WAY
LAS VEGAS, NEVADA

pacific design concepts, llc
3005 w horizon ridge parkway, suite 200
henderson, nevada 89052
(702) 454-5842 fax (702) 454-7842

AS1.01

January 4, 2007

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

**RE: HOLIDAY INN EXPRESS
PROJECT NO: 06-180
JUSTIFICATION LETTER
APN #125-27-410-004**

To Whom It May Concern:

We are requesting a Special Use Permit, Site Development Review, Waiver of Development Standards and Variance to allow a Hotel use in a SC-TC (Service Commercial – Town Center) Zone.

The current zoning of this property, Service Commercial, allows a hotel with a Special Use Permit therefore the current zoning is appropriate. The project is bounded on the North, East and West by same zone designation properties. These are developed with a Convenience Store with gas pumps on the North across Sky Point, a Convenience Store w/ gas pumps and a Retail Building on the East, and a Tavern on the West. The South is bounded by the Ann Road/ US-95 Interchange. The Northeast corner of Sky Point Drive and Tenaya Way is the back of a Residential Development, the Grand Entries Subdivision.

We are requesting a Waiver of Development Standard to reduce the required 330' separation from a residential development. This project is a non-gaming, non-dining, non-entertaining hotel. The only food service for this hotel will be to provide a continental style breakfast meal for its guests. The intent of this hotel is to serve the local residential community, and the family and friends who visit who wish to stay closer to the family than to the entertaining portion of the city.

The front parking encroaches into the 15' landscape setback by less than twelve inches for a width of approximately three feet. This encroachment is allowed by the Town Center Development Standards Manual in Section D.2.B.8.c. so no waiver is required for this minor encroachment.

We are also requesting a Variance for the quantity of required "on-site" parking spaces. The hotel requires 87 parking spaces. Due to the slender nature of this site we are able to provide a total of 74 spaces. These spaces are a combination of standard, compact and accessible space as permitted by the Development Standards. We are requesting a reduction of 13 spaces which is 14.9%. We feel that by the nature of the non-gaming, non-entertaining hotel and the cross access of the properties to the East and West the reduction shall not have an adverse affect on the roadways or local community.

We feel that the proposed 87 room Hotel is well suited for the neighborhood. The design features a combination of cement plaster finish and stone veneer with a hip roof. The building has a residential feel and will blend nicely with the adjacent Tavern.

**SUP-19100
02/22/07 PC**

We respectfully request the City of Las Vegas grant approval for this project as shown on the accompanying plans. We ask that this submittal be used for approval of the Site Development Review.

Thank you for your consideration in this matter. Should you have any further questions or require additional information please call our office.

Sincerely,

A handwritten signature in black ink, appearing to be 'Ray Finkel', with a long horizontal stroke extending to the right.

Ray Finkel
Project Manager

cc: 6180 JL.doc

SUP-19100
02/22/07 PC

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

	Date	Time	# of Available Spaces	Daily Avg. Spaces Available	
				Daily Avg. %	Daily Avg. Spaces Available
La Quinta Inn # of rooms 128 # of available spaces 128	2/14/2007	9:00 AM	104	75%	96.5
	2/14/2007	7:00 PM	89		
	2/15/2007	7:30 AM	83	65%	83
	2/16/2007	7:00 PM	108	84%	108
	2/17/2007	8:00 PM	70	55%	70

	Date	Time	# of Available Spaces	Daily Avg. Spaces Available	
				Daily Avg. %	Daily Avg. Spaces Available
Hampton Inn # of rooms 127 # of available spaces 127	2/14/2007	8:00 AM	95	72%	91.5
	2/14/2007	7:00 PM	88		
	2/15/2007	7:30 AM	88	54%	88
	2/16/2007	7:00 PM	101	80%	101
	2/17/2007	6:00 PM	105	83%	105

	Date	Time	# of Available Spaces	Daily Avg. Spaces Available	
				Daily Avg. %	Daily Avg. Spaces Available
Siena Extended Stay # of rooms 300 # of available spaces 325	2/14/2007	9:00 AM	200	61%	197
	2/14/2007	12:00 PM	218		
	2/14/2007	6:00 PM	173		
	2/15/2007	9:00 AM	193	63%	205
	2/15/2007	12:00 PM	234		
	2/15/2007	6:00 PM	188		
	2/16/2007	9:00 AM	169	56%	182
	2/16/2007	12:00 PM	222		
	2/16/2007	6:00 PM	155		
	2/17/2007	9:00 AM	170	57%	185
	2/17/2007	12:00 PM	215		
	2/17/2007	6:00 PM	171		
	2/18/2007	9:00 AM	83	43%	138
	2/18/2007	12:00 PM	197		
	2/18/2007	6:00 PM	125		

	Date	Time	# of Cars	Daily Avg. Cars	
				Daily Avg. %	Daily Avg. Cars
Tenaya Lodge # of available spaces 69	2/16/2007	7:00 PM	51	74%	51
	2/17/2007	6:00 PM	22	32%	22
	2/18/2007	5:45 PM	31	45%	31

	Date	Time	# of Cars	Daily Avg. Cars	
				Daily Avg. %	Daily Avg. Cars
Mulligans # of available spaces 65	2/14/2007	9:00 AM	26	45%	29
	2/14/2007	12:00 PM	23		
	2/14/2007	6:00 PM	39		
	2/15/2007	9:00 AM	22	46%	30
	2/15/2007	12:00 PM	35		
	2/15/2007	6:00 PM	33		
	2/16/2007	9:00 AM	18	48%	31
	2/16/2007	12:00 PM	31		
	2/16/2007	6:00 PM	45		
	2/17/2007	9:00 AM	21	39%	26
	2/17/2007	12:00 PM	34		
	2/17/2007	6:00 PM	22		
	2/18/2007	9:00 AM	14	23%	15
	2/18/2007	12:00 PM	21		
	2/18/2007	6:00 PM	10		

Submitted at Planning Commission

Date 2/22/07 Item # 29-32

Telephone Protest/ Approval Log

Meeting Date: 2/22/07

Case Number: SWP 19100

Date: 2/22/07
Name: Rayshell Berry
Address: 7012 Glass Slipper
Phone: 655-2741
☒ 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

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-19098, VAR-19447 AND SUP-19100

SDR-19097 - PUBLIC HEARING - APPLICANT/OWNER: KRYFAM, LP - Request for a Site Development Plan Review FOR A FOUR-STORY, 50,478 SQUARE FOOT HOTEL WITH A WAIVER TO ALLOW PERIMETER LANDSCAPE BUFFER WIDTH OF 14 FEET FOR A THREE FOOT SECTION WHERE 15 FEET IS THE MINIMUM REQUIRED on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive (APN 125-27-410-004), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (4-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Backup referenced from the 02-22-07 Planning Commission Meeting Item 32

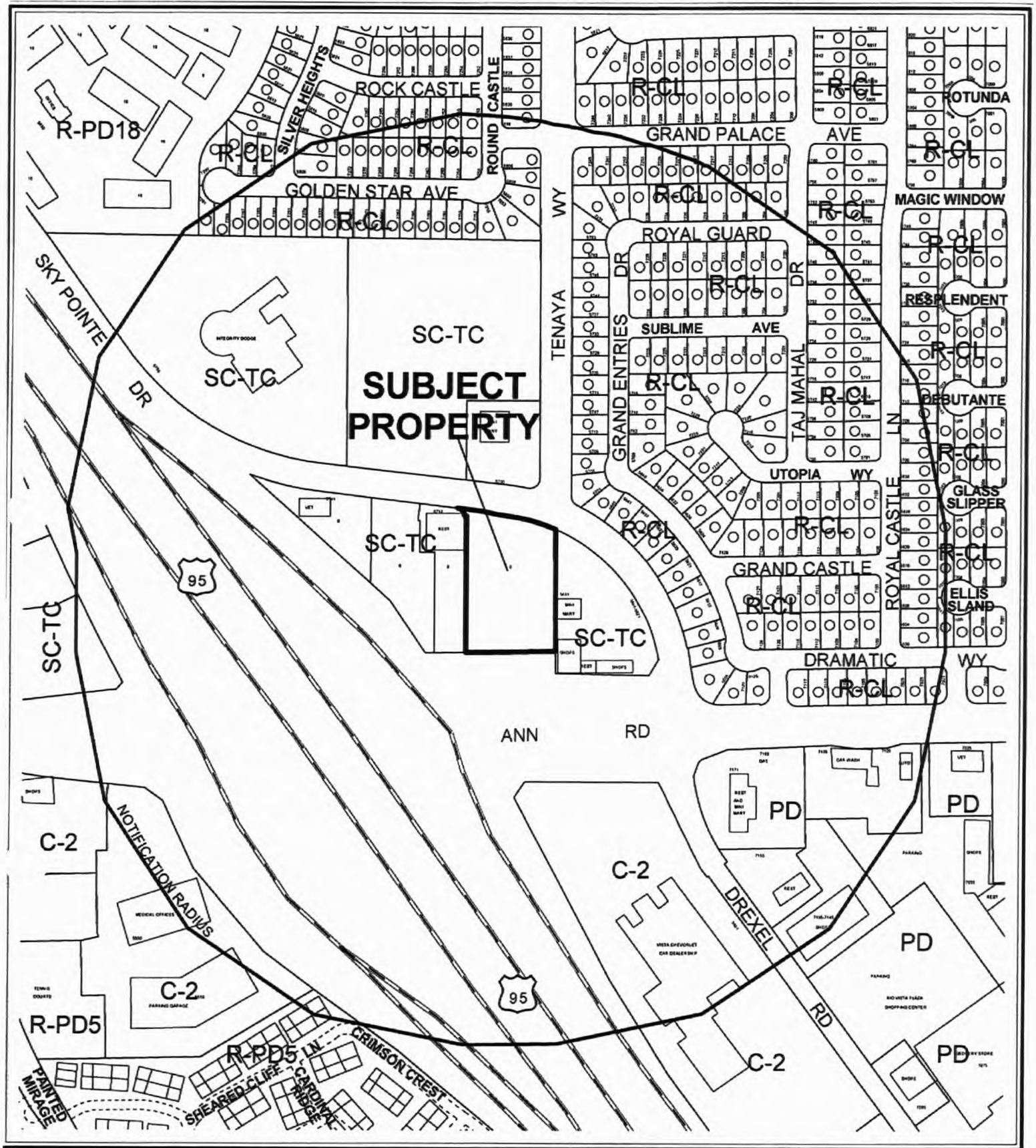
Motion made by GARY REESE to Hold in Abeyance Items 89-91, Item 96, Item 101, Items 104-107 to 4/04/2007; Items 94 and 95 to 4/18/2007; and TABLE Items 97-100

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

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

Minutes:

See Item 104 for related backup.



CASE: **SDR-19097**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC-TC (SERVICE-COMMERCIAL) SPECIAL LAND
USE DESIGNATION]

0 400 800 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-19097 - APPLICANT/OWNER: KRYFAM, LP

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Variance (VAR-19098) and Special Use Permit (SUP-19100) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped (01/08/07), except as amended by conditions herein.
4. A Waiver from Title 19.12.040 is hereby approved, to allow a perimeter landscape buffer width of 14 feet for a three foot section where 15 feet is the minimum required.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A Master Sign Plan shall be submitted for approval of the Centennial Hills Architectural Review Committee—Town Center (CHARC-TC) prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
16. 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.
17. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development

activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

18. 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.
19. Site development to comply with all applicable conditions of approval for Z-76-98, the Ann/Tenaya Commercial Center and all other site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a four-story, 50,478 square foot hotel with a waiver to allow a perimeter landscape buffer width of 14 feet for a three foot section where 15 feet is the minimum required on 1.83 acres at the southwest corner of Tenaya Way and Sky Pointe Drive

The proposed hotel is not consistent with the Town Center Development Standards because it is located approximately 80 feet from single family residential where a separation of 330 feet is required, and because a height of four stories is proposed where the Town Center Standards limit the height of a building on this site to two stories.

The proposed development is not compatible with Title 19 as only 74 spaces are provided where 87 spaces are required.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/07/98	The City Council approved a rezoning (Z-76-98) of this site to TC (Towncenter) as part of a larger overall request.
02/22/07	The Planning Commission recommended approval of companion items VAR-19098, VAR-19447 and SUP-19100 concurrently with this application. The Planning Commission voted 4-1/sd-1/rt to recommend APPROVAL (PC Agenda Item #32/ar).
<i>Pre-Application Meeting</i>	
12/12/06	The applicant was informed that this proposal would require a waiver of the Towncenter standard which requires a minimum 330 foot separation between a hotel and any detached single-family dwelling.
<i>Neighborhood Meeting</i>	
02/12/07	A neighborhood meeting was held at the Cimarron Rose Community Center, located at 5591 North Cimarron Road.
<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.83 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
North	Convenience store	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
South	Ann Road	Ann Road	Ann Road
East	Convenience store	TC (Towncenter)	TC-SC (Towncenter Service Commercial)
West	Tavern	TC (Towncenter)	TC-SC (Towncenter Service Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
T-C Town Center District	X		N

The proposed hotel does not comply with the Towncenter standards because it is located within 330 feet of single family detached development (considered within SUP-19100) and because it proposes a four story structure where two stories is the maximum permitted (considered within VAR-19447).

DEVELOPMENT STANDARDS

Per the Towncenter Development Standards Manual:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	1.83	Y
Min. Lot Width	N/A	220 Feet	Y
Min. Setbacks			
• Front	15 Feet	169 Feet	Y
• Side	10 Feet	10 Feet	Y
• Rear	20 Feet	41 Feet	Y
Max. Lot Coverage	N/A	18 %	Y
Max. Building Height	Two stories	Four stories	N*

*This issue will be considered under related Variance VAR-19447.

Per Title 19.08.06, the following standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	205 Feet	260 Feet	Y
Adjacent development matching setback	15 Feet	260 Feet	Y
Trash Enclosure	50 Feet	440 Feet	Y

Per the Towncenter Standards, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree /6 Spaces	13 Trees	16 Trees	Y
Buffer: Min. Trees	1 Tree/20 Linear Feet	6 Trees	6 Trees	Y
Min. Zone Width	15 Feet along Sky Pointe Drive		14 feet for a three foot section; 15 feet along remainder	N*

This waiver is minor and staff has no objection to its approval.

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	
Hotel	87 rooms	1 space per room	87 spaces	4 spaces	74 spaces	4 spaces	N*
TOTAL			87 spaces	4 spaces	74 spaces	4 spaces	
Loading Spaces			1 space		1 space		Y
Percent Deviation					15 %		

The parking shortage will be considered concurrently as related Variance VAR-19098. Because there is no hardship associated with this variance, staff is recommending denial.

Waivers		
Request	Requirement	Staff Recommendation
A perimeter landscape buffer width of 14 feet for a three foot section.	15 feet	Approval

ANALYSIS

This site is currently undeveloped. The applicant proposes to develop a four story, 87 room hotel in the south portion of the site. Per the Zoning Code, a hotel of this size requires 87 parking spaces. A total of 74 spaces are provided in a parking lot located north of the hotel. The applicant has submitted a variance (VAR-19098) to address this deficiency. Staff finds there is no hardship associated with the site and is unable to support this variance.

Access to Sky Pointe Drive will be provided by two existing driveways. Landscape buffers that comply with Towncenter standards and include Rio Grande Ash, Chitalpa and assorted five gallon shrubs are provided along the appropriate property lines. Planter islands with 24 inch box Shoestring Acacia are shown within the parking lot. The elevations depict a plaster exterior with a decorative stone veneer accent. A maximum overall building height of 68 feet three inches is shown.

The Special Use Permit conditions for a hotel in the TC-SC (Towncenter-Service Commercial) require a minimum height of three stories. The development standards of the TC-SC district require structures that exceed two stories in height to be located on a parcel that is larger than 20 acres in size, and require the building to be set back at least 50 feet from all property lines. This application meets neither of these criteria and staff recommends denial.

FINDINGS

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

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

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

In regard to “1”:

Because the proposed use is located approximately 80 feet from single family residential where a separation of 330 feet is required, it is not compatible with development in the area.

In regard to “2”:

The proposed hotel is not consistent with the Town Center Development Standards because it is located approximately 80 feet from single family residential where a separation of 330 feet is required, and because a height of four stories is proposed where the Town Center Standards limit the height of a building on this site to two stories.

The proposed development is not compatible with Title 19 as only 74 spaces are provided where 87 spaces are required.

In regard to “3”:

The proposed use will not adversely impact streets in the vicinity of this site.

In regard to “4”:

The building and landscape materials are compatible with development in this area of the city.

In regard to “5”:

As stated above, the proposed use is located approximately 80 feet from single family residential where a separation of 330 feet is required, and it is not compatible with development in the area.

In regard to “6”:

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

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

13

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 377 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-19097** APN: 125-27-410-004
Name of Property Owner: Krfam. LP
Name of Applicant: Nigro Development
Name of Representative: Brad Jones

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: _____

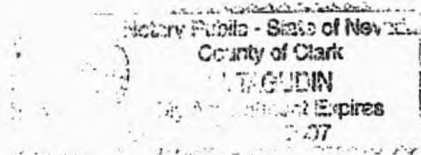
Signature of Property Owner: _____

Print Name: Wayne Krygier

Subscribed and sworn before me

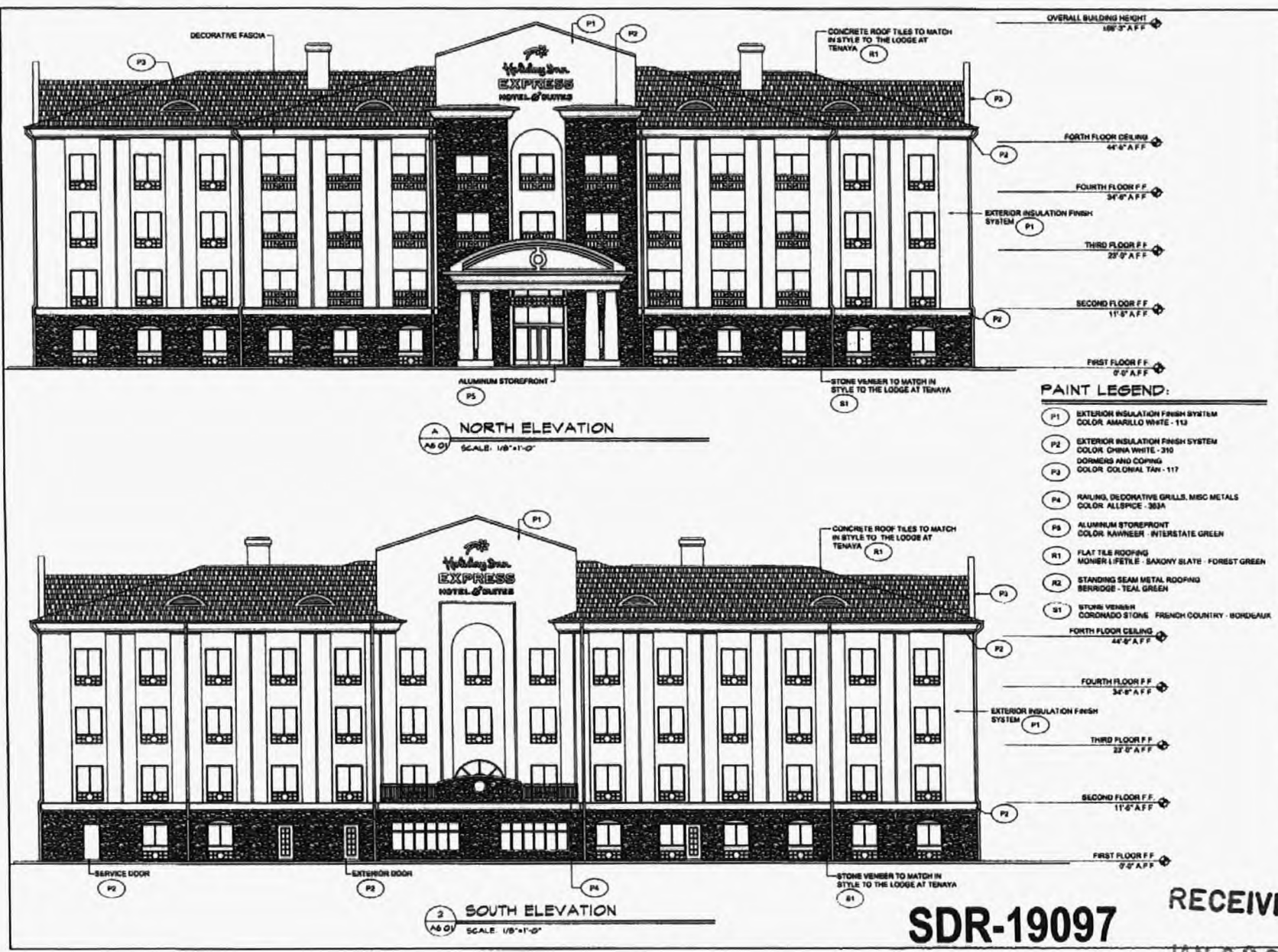
This 18 day of December, 2006

M. Gudrin
Notary Public in and for said County and State



- JAN 08 2007

P:\04-19097\Drawings\Architectural\01\01-01.dwg 1/25/2007 9:30 AM by: [unclear]



SDR-19097
02/22/07 PC

RECEIVED
JAN 08 2007

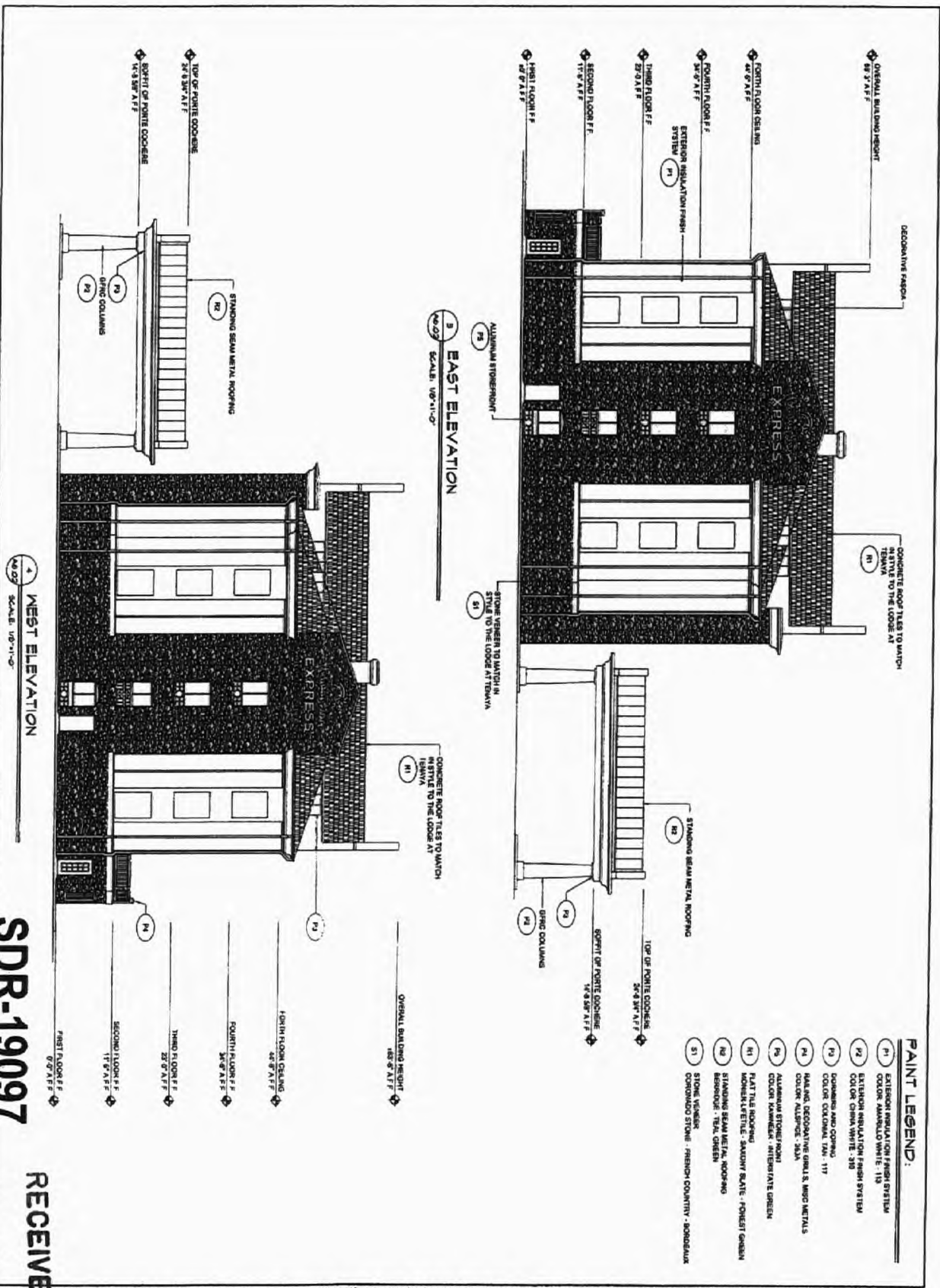
pacific design concepts, llc
3005 W. HORIZON RIDGE PARKWAY, SUITE 200
HENDERSON, NEVADA 89052
(702) 454-5842 FAX (702) 454-7942

PROJECT INFO:
IN COME OF
HOLIDAY INN
EXPRESS

EXTERIOR ELEVATIONS
S.U.P. SDR, VAR SUBMITTAL

Drawn by: [unclear]
Checked by: [unclear]
Approved by: [unclear]
Date: 1/25/2007

Sheet No: A6.01



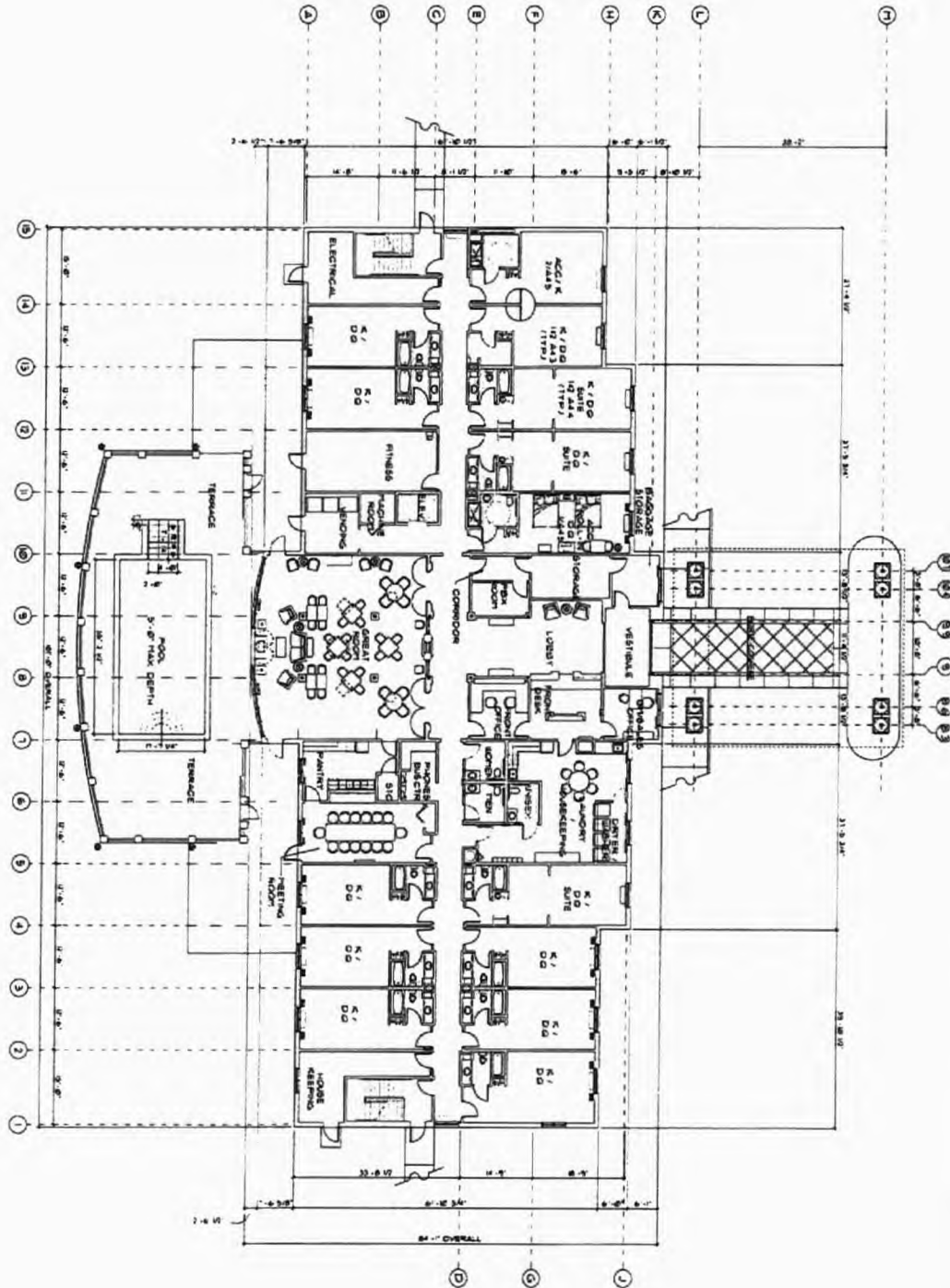
SDR-19097
02/22/07 PC

RECEIVED
JAN 08 2007

sheet title -
**EXTERIOR
ELEVATIONS**
SUP, SDR, VAR SUBMITTAL

project title -
**Holiday Inn
EXPRESS**
IN CORNER OF
BRICKER BOULEVARD
AND TENAYA WAY
LAS VEGAS, NEVADA

pacific design concepts, llc
3005 W. HORIZON RIDGE PARKWAY, SUITE 200
HENDERSON, NEVADA 89052
(702) 454-5842 fax (702) 454-7842



1st FLOOR PLAN
SDR-19097

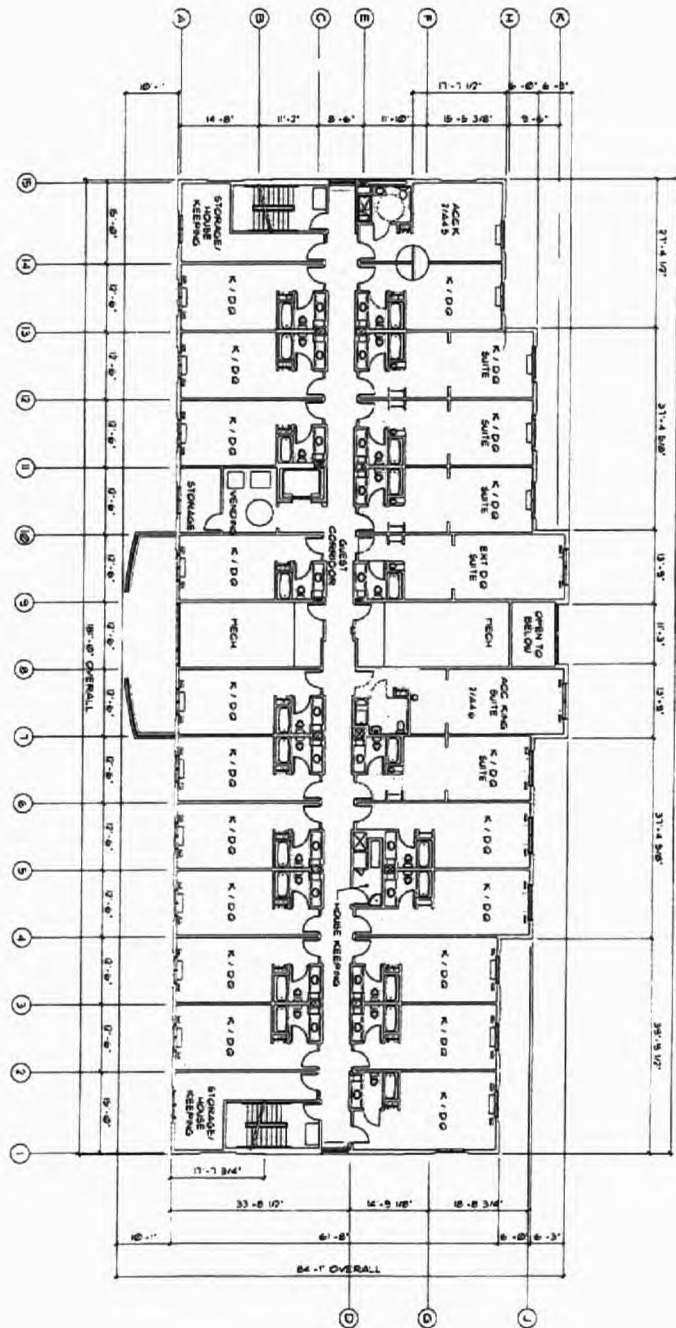


RECEIVED

02/22/07 PC

JAN 08 2007

1st FLOOR FLOOR PLAN SUP, SDR, VAR SUBMITTAL		PROJECT: 19097 BY: CORNELIUS REV: 1/9/2007 140 VEGAS, NEVADA	pacific design concepts, llc 3005 W. HORIZON RIDGE PARKWAY, SUITE 200 HENDERSON, NEVADA 89052 (702) 454-5842 fax (702) 454-7842
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2nd FLOOR PLAN
SDR-19097

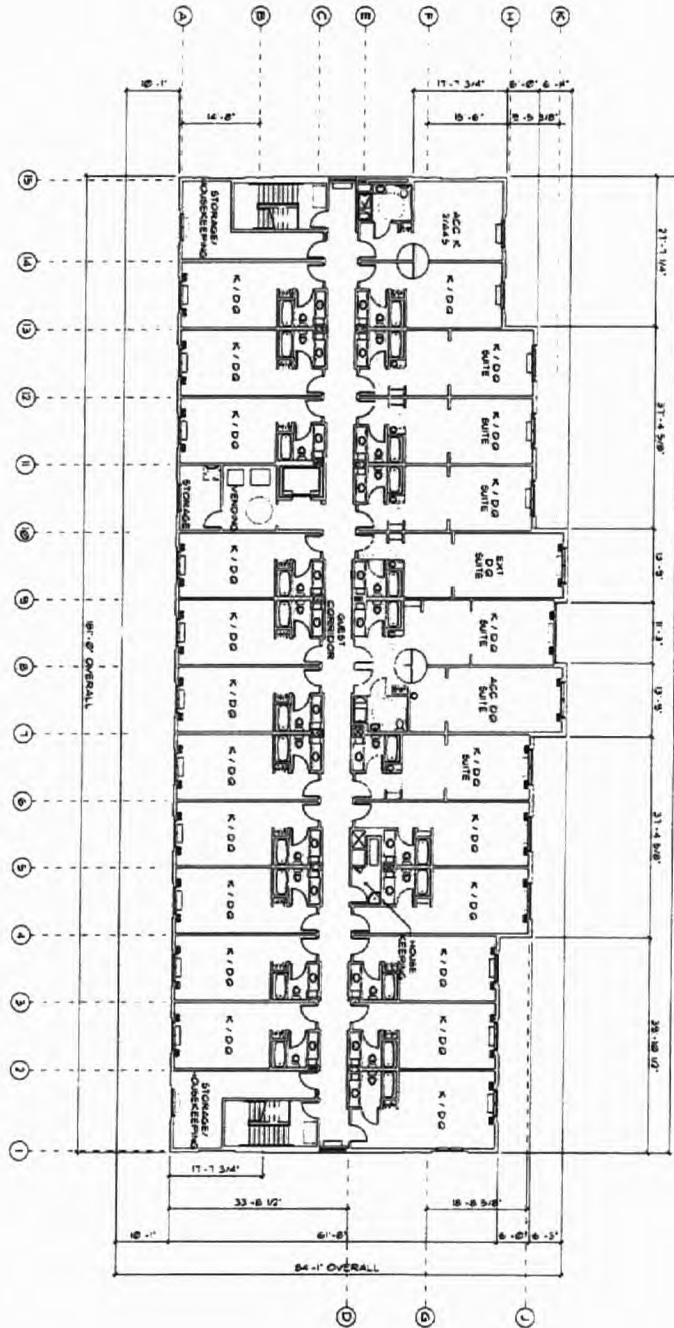
RECEIVED



02/22/07 PC

JAN 08 2007

PROJECT TITLE: 2nd FLOOR FLOOR PLAN SUP, SDR, VAR SUBMITTAL DATE: 1/5/2007 DESIGNED BY: [Signature] CHECKED BY: [Signature] DATE: 1/5/2007 SCALE: 1/8"=1'-0" PROJECT NO: A102	PROJECT TITLE: 2nd FLOOR FLOOR PLAN SUP, SDR, VAR SUBMITTAL DATE: 1/5/2007 DESIGNED BY: [Signature] CHECKED BY: [Signature] DATE: 1/5/2007 SCALE: 1/8"=1'-0" PROJECT NO: A102	PROJECT TITLE: 2nd FLOOR FLOOR PLAN SUP, SDR, VAR SUBMITTAL DATE: 1/5/2007 DESIGNED BY: [Signature] CHECKED BY: [Signature] DATE: 1/5/2007 SCALE: 1/8"=1'-0" PROJECT NO: A102	pacific design concepts, llc 3005 W. HORIZON RIDGE PARKWAY, SUITE 200 HENDERSON, NEVADA 89052 (702) 454-5842 fax (702) 454-7842
--	--	--	--



3rd and 4th FLOOR PLANS
SCALE: 1/8"=1'-0"

SDR-19097



RECEIVED
A103

02/22/07 PC

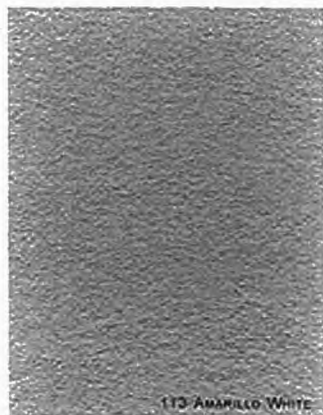
JAN 08 2007

3rd and 4th FLOOR
FLOOR PLANS
SUP, SDR, VAR SUBMITTAL



SW CORNER OF
SUNSHINE DRIVE
AND TENAYA WAY
LAS VEGAS, NEVADA

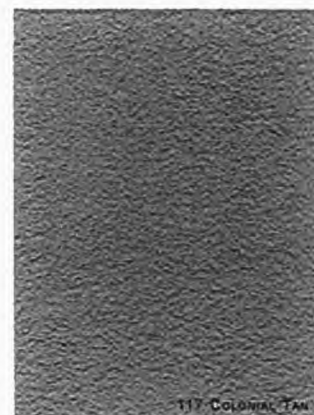
pacific design concepts, llc
3005 W. HORIZON RIDGE PARKWAY, SUITE 200
HENDERSON, NEVADA 89052
(702) 454-5642 fax (702) 454-7842



Primary EIFS Color
Amarillo White



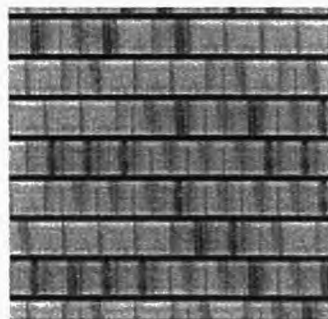
Secondary EIFS Color
China White



Dormer and Coping Color
Colonial Tan



Railing, Decorative Grills
and Misc. Metals
Allspice



Primary Roofing Tiles
Monier Lifetile - Forest Green



Stone Veneer
Coronado Stone
French Country - Bordeaux



Standing Seam Metal Roof
Berridge - Teal Green



Aluminum Storefront
Kawneer -
Interstate Green

Holiday Inn Express at Skypointe and Tenaya

pacific design concepts, llc

SDR-19097
02/22/07 PC

RECEIVED
JAN 08 2007



3005 w horizon ridge parkway, suite 200 henderson, nevada 89052ph. 454-5842



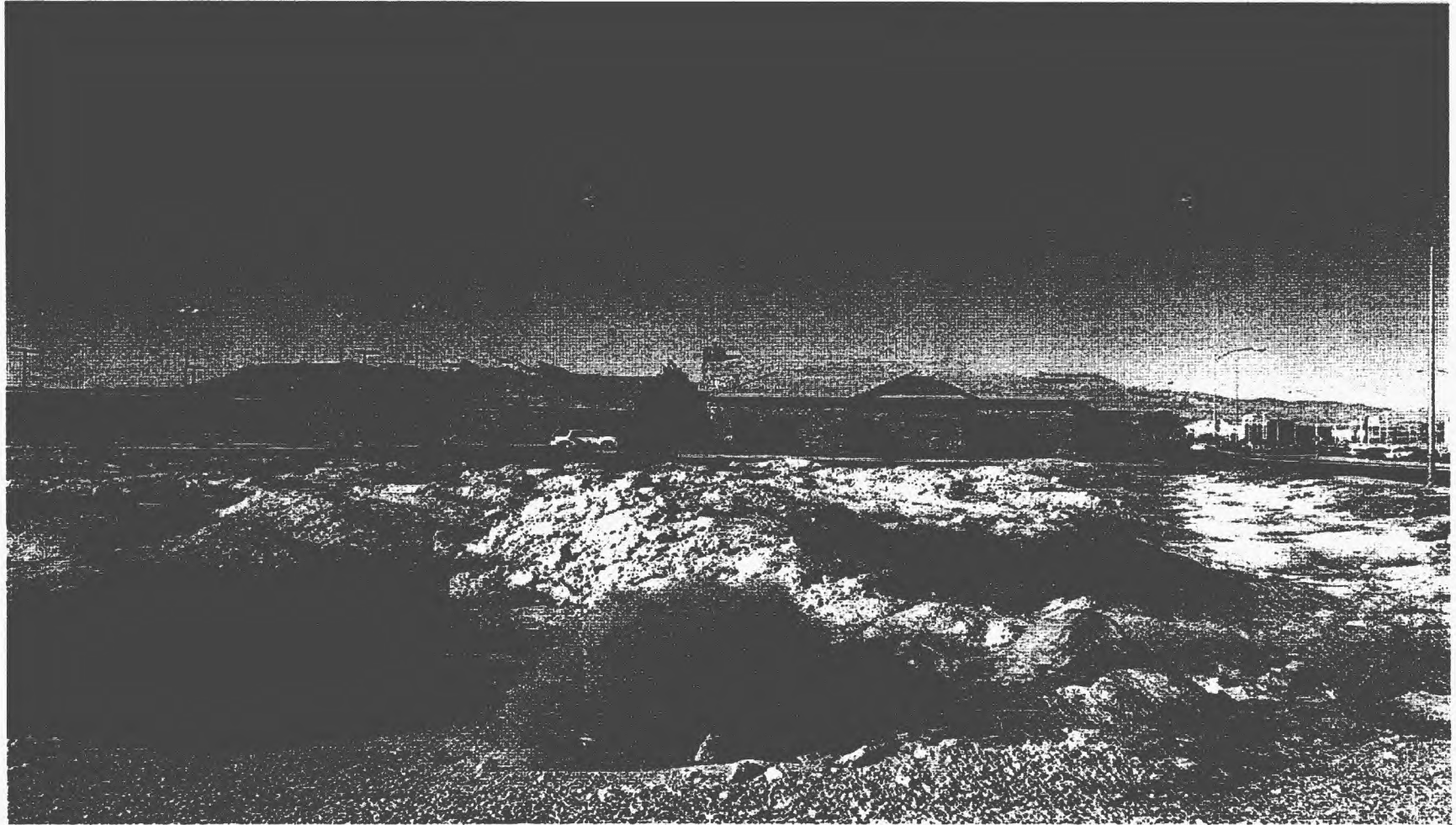
VAR-19098, VAR-19447, SUP-19100 & SDR-19097 - VARIANCE - PUBLIC HEARING -
APPLICANT/OWNER: KRYFAM, LP
SOUTHWEST CORNER OF TENAYA WAY AND SKY POINTE DRIVE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



VAR-19098, VAR-19447, SUP-19100 & SDR-19097 - VARIANCE - PUBLIC HEARING -
APPLICANT/OWNER: KRYFAM, LP
SOUTHWEST CORNER OF TENAYA WAY AND SKY POINTE DRIVE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



VAR-19098, VAR-19447, SUP-19100 & SDR-19097 - VARIANCE - PUBLIC HEARING -
APPLICANT/OWNER: KRYFAM, LP
SOUTHWEST CORNER OF TENAYA WAY AND SKY POINTE DRIVE
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07

January 4, 2007

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

**RE: HOLIDAY INN EXPRESS
PROJECT NO: 06-180
JUSTIFICATION LETTER
APN #125-27-410-004**

To Whom It May Concern:

We are requesting a Special Use Permit, Site Development Review, Waiver of Development Standards and Variance to allow a Hotel use in a SC-TC (Service Commercial – Town Center) Zone.

The current zoning of this property, Service Commercial, allows a hotel with a Special Use Permit therefore the current zoning is appropriate. The project is bounded on the North, East and West by same zone designation properties. These are developed with a Convenience Store with gas pumps on the North across Sky Point, a Convenience Store w/ gas pumps and a Retail Building on the East, and a Tavern on the West. The South is bounded by the Ann Road/ US-95 Interchange. The Northeast corner of Sky Point Drive and Tenaya Way is the back of a Residential Development, the Grand Entries Subdivision.

We are requesting a Waiver of Development Standard to reduce the required 330' separation from a residential development. This project is a non-gaming, non-dining, non-entertaining hotel. The only food service for this hotel will be to provide a continental style breakfast meal for its guests. The intent of this hotel is to serve the local residential community, and the family and friends who visit who wish to stay closer to the family than to the entertaining portion of the city.

The front parking encroaches into the 15' landscape setback by less than twelve inches for a width of approximately three feet. This encroachment is allowed by the Town Center Development Standards Manual in Section D.2.B.8.c. so no waiver is required for this minor encroachment.

We are also requesting a Variance for the quantity of required "on-site" parking spaces. The hotel requires 87 parking spaces. Due to the slender nature of this site we are able to provide a total of 74 spaces. These spaces are a combination of standard, compact and accessible space as permitted by the Development Standards. We are requesting a reduction of 13 spaces which is 14.9%. We feel that by the nature of the non-gaming, non-entertaining hotel and the cross access of the properties to the East and West the reduction shall not have an adverse affect on the roadways or local community.

We feel that the proposed 87 room Hotel is well suited for the neighborhood. The design features a combination of cement plaster finish and stone veneer with a hip roof. The building has a residential feel and will blend nicely with the adjacent Tavern.

SDR-19097 02/22/07 PC

We respectfully request the City of Las Vegas grant approval for this project as shown on the accompanying plans. We ask that this submittal be used for approval of the Site Development Review.

Thank you for your consideration in this matter. Should you have any further questions or require additional information please call our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ray Finkel', with a long horizontal flourish extending to the right.

Ray Finkel
Project Manager

cc: 6180 JL.doc

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

	Date	Time	# of Available Spaces	Daily Avg. Spaces Available	
				Daily Avg. %	Daily Avg. Spaces Available
La Quinta Inn # of rooms 128 # of available spaces 128	2/14/2007	9:00 AM	104	75%	96.5
	2/14/2007	7:00 PM	89		
	2/15/2007	7:30 AM	83	65%	83
	2/16/2007	7:00 PM	108	84%	108
	2/17/2007	6:00 PM	70	55%	70

	Date	Time	# of Available Spaces	Daily Avg. Spaces Available	
				Daily Avg. %	Daily Avg. Spaces Available
Hampton Inn # of rooms 127 # of available spaces 127	2/14/2007	9:00 AM	95	72%	91.5
	2/14/2007	7:00 PM	88		
	2/15/2007	7:30 AM	88	54%	88
	2/16/2007	7:00 PM	101	80%	101
	2/17/2007	6:00 PM	105	83%	105

	Date	Time	# of Available Spaces	Daily Avg. Spaces Available	
				Daily Avg. %	Daily Avg. Spaces Available
Siena Extended Stay # of rooms 300 # of available spaces 325	2/14/2007	9:00 AM	200	61%	197
	2/14/2007	12:00 PM	210		
	2/14/2007	6:00 PM	173		
	2/15/2007	9:00 AM	193	63%	205
	2/15/2007	12:00 PM	234		
	2/15/2007	6:00 PM	188		
	2/16/2007	9:00 AM	169	56%	182
	2/16/2007	12:00 PM	222		
	2/16/2007	6:00 PM	155		
	2/17/2007	9:00 AM	170	57%	185
	2/17/2007	12:00 PM	216		
	2/17/2007	6:00 PM	171		
	2/18/2007	9:00 AM	83	43%	138
	2/18/2007	12:00 PM	197		
	2/18/2007	6:00 PM	125		

	Date	Time	# of Cars	Daily Avg. Cars	
				Daily Avg. %	Daily Avg. Cars
Tenaya Lodge # of available spaces 69	2/16/2007	7:00 PM	51	74%	51
	2/17/2007	6:00 PM	22	32%	22
	2/18/2007	5:45 PM	31	45%	31

	Date	Time	# of Cars	Daily Avg. Cars	
				Daily Avg. %	Daily Avg. Cars
Mulligans # of available spaces 65	2/14/2007	8:00 AM	26	45%	29
	2/14/2007	12:00 PM	23		
	2/14/2007	6:00 PM	39		
	2/15/2007	9:00 AM	22	46%	30
	2/16/2007	12:00 PM	35		
	2/16/2007	6:00 PM	33		
	2/16/2007	9:00 AM	18	48%	31
	2/16/2007	12:00 PM	31		
	2/16/2007	6:00 PM	45		
	2/17/2007	9:00 AM	21	39%	26
	2/17/2007	12:00 PM	34		
	2/17/2007	6:00 PM	22		
	2/18/2007	9:00 AM	14	23%	15
	2/18/2007	12:00 PM	21		
	2/18/2007	6:00 PM	10		

Submitted at Planning Commission

Date 2/22/07 Item # 29-32

Telephone Protest/ Approval Log

Meeting Date: 2/22/07

Case Number: SDR 19097

Date: 2/21/07
Name: Rayshell Berry
Address: 7012 Glass Slipper
Phone: 655-2741
☒ PROTEST ☐ APPROVE

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

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

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

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

VAR-19297 - PUBLIC HEARING - APPLICANT: AMERICAN CHILD CARE PROPERTIES, LLC - OWNER: DAVIDSON INVESTMENT REAL ESTATE, LP - Request for a Variance TO ALLOW A PROPOSED BUILDING 11 FEET FROM THE REAR PROPERTY LINE WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED on 1.45 acres at the southwest corner of Bonanza Road and Page Street (APN 140-32-101-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

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

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

BACKUP DOCUMENTATION:

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

Motion made by GARY REESE to Approve Subject to Conditions

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

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

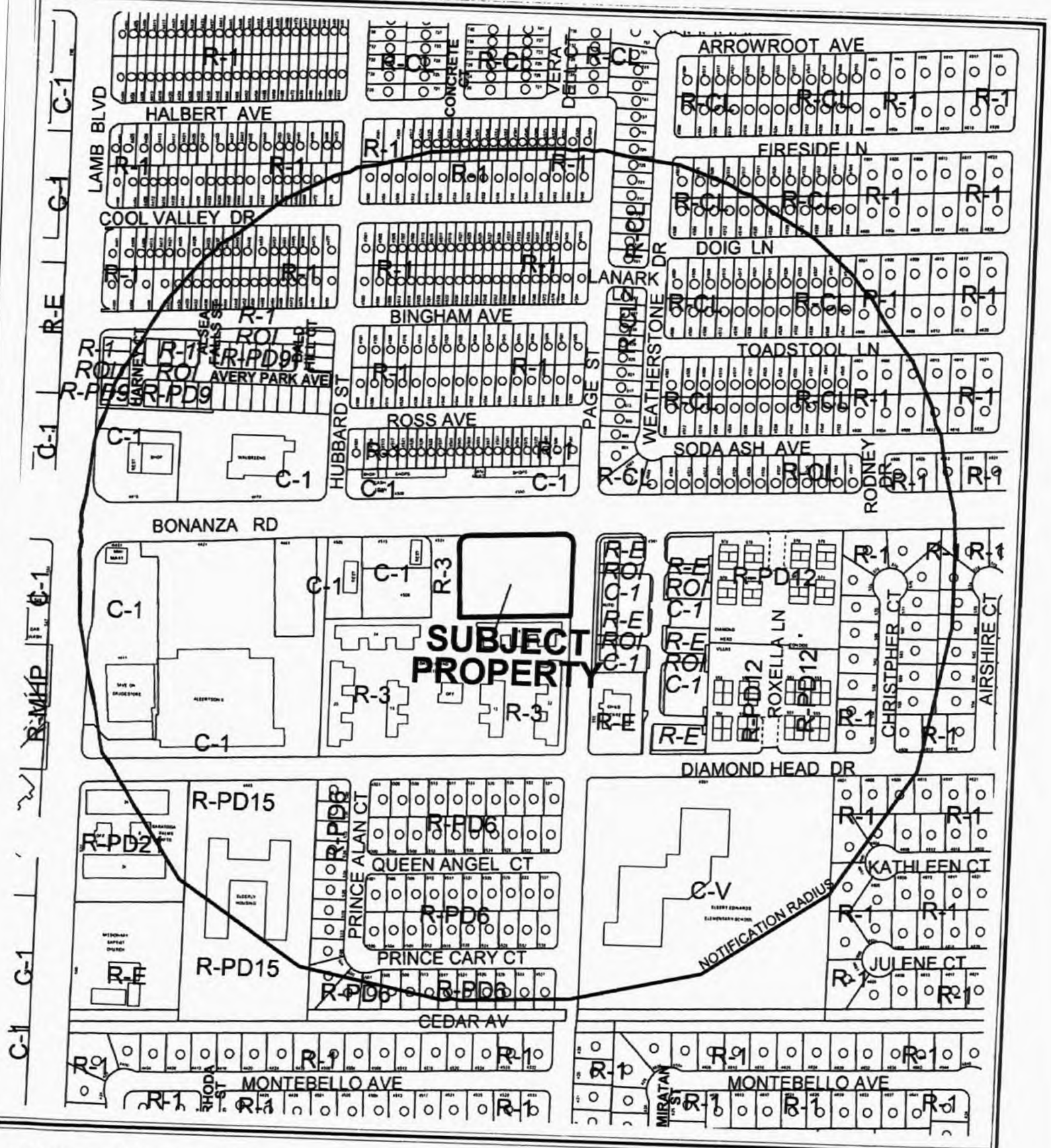
Minutes:

MAYOR GOODMAN declared the Public Hearing open on Items 108 and 109.

RICK POFF appeared on behalf of the applicant and respectfully requested approval.

TOM McGOWAN, Las Vegas resident, asked the Council to approve the applications.

MAYOR GOODMAN declared the Public Hearing closed on Items 108 and 109.



CASE: **VAR-19297**
RADIUS: 1000 FT
ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-19297 - APPLICANT: AMERICAN CHILD CARE
PROPERTIES, LLC - OWNER: DAVIDSON INVESTMENT REAL ESTATE, LP**

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-19116) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Variance to allow an 11-foot rearyard setback where 20-feet is required on 1.45 acres located at the southwest corner of Bonanza Road and Page Street. Companion Site Development Plan Review (SDR-19116) to allow construction of a 15,119 square foot child care center shall be considered with this request. Human health and public safety will not be significantly compromised with implementation of this request therefore staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/26/98	The City Council approved a request for a Rezoning (Z-0018-98) on property located on the south side of Bonanza Road from R-E (Residence Estates) to C-1 (Limited Commercial) associated with a proposed commercial office and retail center use.
07/19/95	The City Council approved a request for a Plot Plan and Building Elevation Review [Z-145-94 (1)]for a proposed mini-storage facility located on the southwest corner of Bonanza Road and Page Street.
01/04/95	The City Council approved a request for reclassification (Z-0145-94) of property located on the south side of Bonanza Road and the west side of Page Street from R-E (Residences Estates) to C-1 (Limited Commercial) associated with a proposed mini-storage facility.
05/10/90	The Planning Commission approved a request (U-0060-90) for a temporary leasing trailer on property located on the south side of Bonanza Road west of Page Street.
05/18/88	The City Council approved the Reclassification (Z-0020-88) of Property located on the southwest corner of Bonanza Road and Page Street from R-E (Residence Estates) to C-1 (Limited Commercial) associated with a proposed Shopping Center and Theater.
04/14/83	The City Planning Commission approved a request for reclassification (Z-0026-83) of property generally located on the southwest corner of Bonanza Road and Page Street from R-E (Residential Estates) to R-PD21 (Residential Planned District 21 Units Per Acre).
02/22/07	The Planning Commission recommended approval of companion item SDR-19116 concurrently with this application. The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #34/ja).
<i>Related Building Permits/Business Licenses</i>	
None	None

Pre-Application Meeting	
12/28/06	A Pre-application meeting was held with the applicant. Planning staff advised the applicant that the proposal is a permissible use in the C-1 (Limited Commercial) Zone and the potential need for a Waiver of required parking lot landscaping. Building and Safety Department staff informed the project requires a safe and accessible access route to the street.
Neighborhood Meeting	
A Neighborhood meeting is not required for this type of application nor was one held.	

Details of Application Request	
Site Area	
Gross Acres	1.44 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant	SC (Service Commercial)	C-1 (Limited Commercial)
North	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
South	Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Commercial	GC (General Commercial)	R-E (Residential Estates)
West	Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.050, the following Commercial Development Standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	NA	NA	Y
Min. Lot Width	100 feet	213	Y
Min. Setbacks			
• Front	20	124	Y
• Side	10	18	Y
• Corner	15	15	Y
• Rear	20	11	N
Min. Distance Between Buildings	NA	NA	Y
Max. Lot Coverage	50 percent	24 percent	Y
Max. Building Height	NA	NA	Y
Trash Enclosure	Screened and Enclosed	Screened and Enclosed	Y
Mech. Equipment	Screened	Yes	Y

Pursuant to Title 19.12.040, the following Landscape Standards apply:

<i>Landscaping and Open Space Standards</i>				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces 1 island/6 spaces	8 Trees 8 islands = 8 Trees	3 Trees 5 islands and 5 Trees	N
Buffer: Min. Trees	1 Trees/20 Linear Feet (adjacent to residential)	14 Trees (South Prop. Line) 10 (West Prop. Line)	18 Trees 12 Trees	Y Y
	1 Trees/30 Linear Feet (Adjacent to commercial or industrial)	6 Trees (East Prop. Line) 8 Trees (North Prop. Line)	7 Trees 14 Trees	Y Y
TOTAL		54	59	Y
Min. Zone Width	15 Feet (adjacent to Right-of-Way) 8 Feet (along interior lot lines)		15 Feet 8 Feet	Y
Wall Height	6 Feet		6 Feet	Y

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	
	15,119 sf	1 space/st aff member + 1 space for every 10 children	26 staff 23 children	2	50	2	Y
SubTotal							
TOTAL (including handicap)			49		50		Y
Loading Spaces			1		1		N

<i>Waivers</i>		
<i>Request</i>	<i>Requirement</i>	<i>Staff Recommendation</i>
Parking lot landscaping	1 landscaped island for every 6 spaces and 1 Tree for every 6 spaces	Approve

ANALYSIS

The project proposes construction of a 15,119 square foot child care center on a 1.45 acre vacant dirt lot. The requested Variance (VAR-19297) is to permit an 11 foot rear yard setback where 20 feet is required.

- General Plan and Zoning**

The project site is designated in the General Plan for SC (Service Commercial) use and the underlying zone is classified as C-1 (Limited Commercial) consistent with the SC category. Existing land uses surrounding the project site include multi-family residential to the south and west, and commercial to the north and east.

- **Site Plan**

The project site plan depicts the construction of a one-story 15,199 square foot child care center on a vacant 1.45 acre parcel. Vehicular access to the project site will be provided on Page Street. A companion Variance (VAR-19297) application shall be considered to allow encroachment into the rear yard setback. Beyond the rear property is driveway access road for an existing multi-family residential development. The driveway is landscaped along the residential driveway and an existing 6 foot tall brick wall runs along the western and southern residential property lines.

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.”

Vehicular access to the project site and parking area will be provided along the legal front - Page Street. Automobile access from Bonanza Road is not recommended by Public Works. The limited site access and range of design alternatives is considered a hardship therefore staff is recommending approval of the Variance.

PLANNING COMMISSION ACTION

At the Planning Commission Meeting there was one speaker in opposition.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT 10

SENATE DISTRICT 3

NOTICES MAILED 459 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-19297** APN: 140-32-101-005
Name of Property Owner: Davidson Investment Real Estate LP
Name of Applicant: Tutor Time Child Care Center

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): N/A

APN: _____

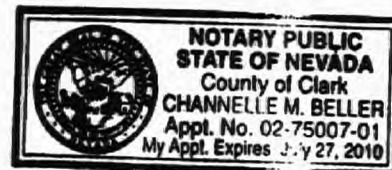
Signature of Property Owner: Steven E. Davidson, Trustee

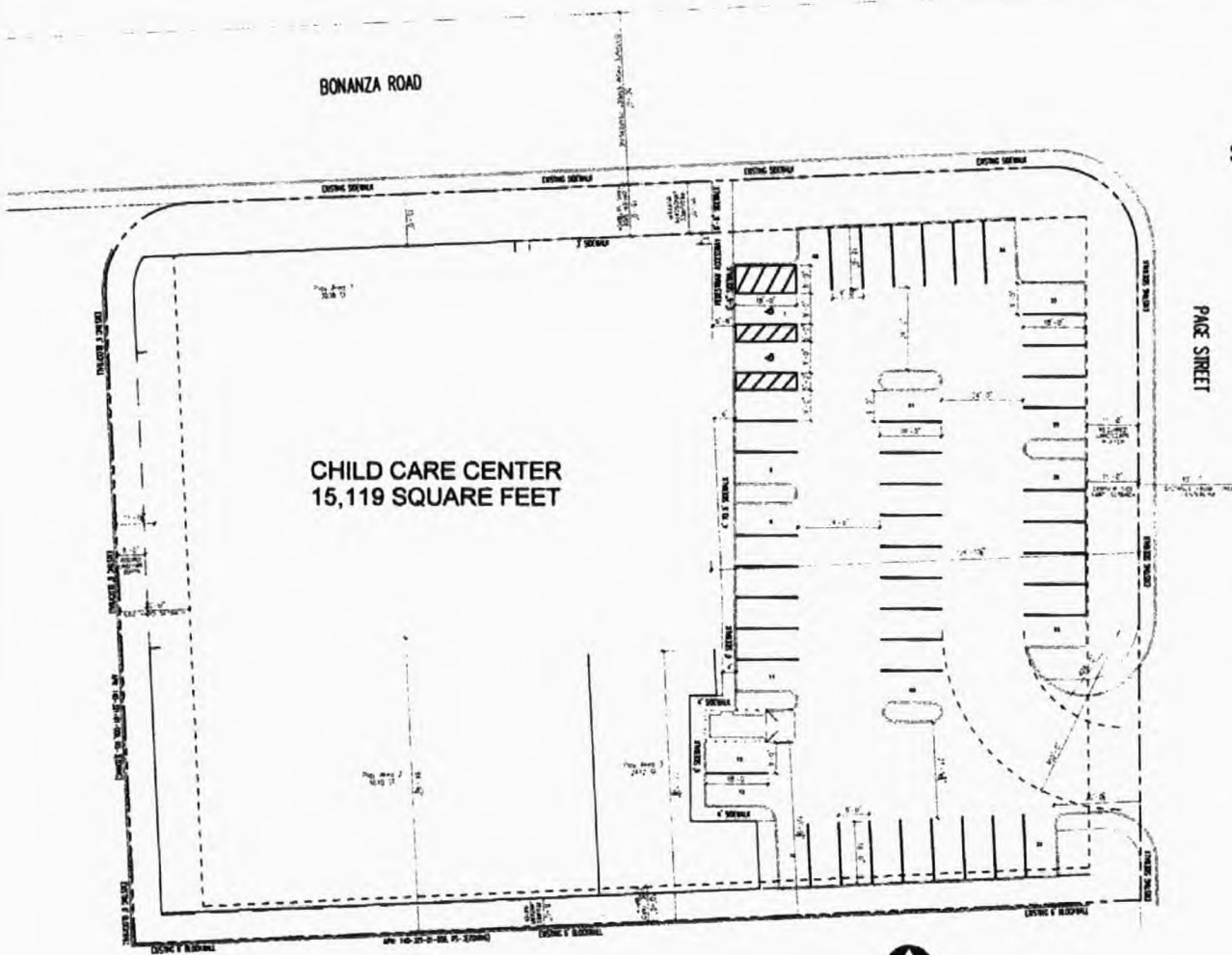
Print Name: STEVEN E Davidson, Htr.

Subscribed and sworn before me

This 22nd day of January, 2007

Chanelle M. Beller
Notary Public in and for said County and State





CHILD CARE CENTER
15,119 SQUARE FEET

① Proposed Site Plan
1/18" = 1'-0"



SITE INFO / ZONING CLASSIFICATION

PROPOSED PROJECT: 15,119 SQ. FT.
LOT AREA: 1.00 ACRES
ZONING: 15-10-20-0-01, P-1 (1000)
PROPOSED ZONING: 15-10-20-0-01, P-1 (1000)

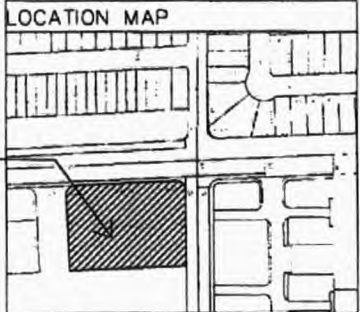
LOT COVERAGE

MAXIMUM PERMITTED: 15.0%
MAXIMUM: 15.0%
MINIMUM: 15.0%
MAXIMUM: 15.0%

DETACHES:
FRONT: 30' MIN.
OTHER SIDE: 15' MIN.
REAR: 15' MIN.

PARKING:
THICKNESS: 15' MIN.
TOTAL PARKING: 15' MIN.
TOTAL PARKING: 15' MIN.

TRASH ENCLOSURE:
15' MIN.



SITE

PACE STREET

PLANT MATERIAL SCHEDULE

PLANT NAME / BOTANICAL NAME	QTY	SIZE
ALLEYWAY PINE PINUS MEXICANUS	24"	BOX
SEA TREE MIMOSA ALBISIA JULIBRIS ALBA	24"	BOX
CHILEAN MESQUITE (THORNLESS) PROSOPIS CHILENSIS	24"	BOX
PURPLE LEAF PLUM FRAXINUS	15	GAL
DESERT BIRD OF PARADISE CALLIPALMA CALIFORNICA	15	GAL
SWAMP FOUNTAIN GRASS PENSTEMON ALPINEUS	5	GALLON
FOUNTAIN GRASS PENSTEMON SETACEUS	5	GALLON
VARIOUS DESERT PERENNIALS LANTANA / CAZABA / GERANIUM	1	GALLON
ROCK OUTCROPPING FIELD LOCATION TBD w/ DESIGNER	TBD	
	N/A	

ALL PLANTS ON SITE MUST CONFORM WITH TITLE 30 REQ

PLANTING GENERAL NOTES

- ALL PLANT AND MATERIAL LOCATIONS ARE TO BE FIELD LOCATED AND APPROVED BY DESIGNER PRIOR TO FINAL DESIGN IMPLEMENTATION.
- LANDSCAPE CONTRACTOR TO COORDINATE WITH EXISTING CONTRACTOR WHERE REQ FOR PLANTER AREAS TO ENSURE POSITIVE DRAINAGE IS CONFORMANT WITH CIVIL ENGINEER REQUIREMENTS. KEEP ALL PLANTING A MINIMUM OF 3'-0" FROM BUILDING FOUNDATIONS AND UNDERGROUND SEWER. EXHIBIT POSITIVE DRAINAGE AWAY FROM STRUCTURES.
- PROVIDE MIN. OF 3" OF DECOMPOSED GRANITE (DG) - TYPE AS PERMITTED BY SUBMITTER (DESIGN NEVER RECOMMENDED) AT ALL PLANTED LOCATIONS USED TO WITHIN 1' OF TOP OF ADJACENT CURBS & SIDEWALKS.
- DO NOT INSTALL/PROP - PROVIDE PRE-EXISTENT HERBICIDE TO PLANTER SOILS. INSTALL DG RAKE SMOOTH AND WATER TO FULL DEPTH OF DG. LET DRY AND APPLY LIGHT SCARIFY SURFACE RELEASES THE LARGE GRANULES ON TOP LAYER.
- REFER TO FINAL LANDSCAPE DESIGN FOR IRRIGATION SPECIFICATIONS.
- KEEP TREE PLANTING A MIN. OF 3'-0" FROM ALL UTILITIES. PLANTING MUST BE 100% IN COMPLIANCE WITH ALL CITY ORDINANCES AND REGULATIONS.

VAR-19297 RECEIVED A-1

02/22/07 PC

2007

Project: Bonanza Site
Location: Bonanza & Pace Road
Owner: American Child Care Properties

SA 1/18/07 02/22/07



2007 02/22/07

REVISION

NO.	DESCRIPTION
1	1/18/07
2	2/22/07
3	3/1/07
4	3/1/07
5	3/1/07
6	3/1/07
7	3/1/07
8	3/1/07
9	3/1/07
10	3/1/07

DRAWN BY: NGC
APPROVED BY: NGC
DATE: 11/21/06
PROJECT NUMBER: 445A2006
SCALE: As Noted

SHEET NUMBER

1 OF 1

VORNSAND CONSULTING
Planning & Zoning Services

2564 WIGWAM PARKWAY, #308
HENDERSON, NEVADA 89074
Phone (702) 896-2932
Fax (702) 896-2932
Email landuseplanning@earthlink.net

RE: Justification Letter - APN 140-32-101-005

The applicant, American Child Care Properties LLC, is requesting a Variance to reduce the required rear setback from 20 feet to 11 feet adjacent to an R-3 zoned apartment complex. The Variance is in conjunction with a Site Development Plan Review (SDR-19116) to develop a 15,119 square foot child care center in a C-1 zoning district on a 1.45 acre parcel at the Southwest corner of Bonanza Road and Page Street.

The need for a Variance is created by taking the access to the site from Page Street rather than Bonanza Road. There is no access to Bonanza Road thus making Page Street the legal front of the property. According to Public Works, Page Street is preferable for access to the site from a traffic standpoint. A 125 foot front setback is proposed from Page Street to the front of the building. The adjacent property to the West is zoned R-3 and is developed as an apartment complex. However, the reduced setback is adjacent to the landscaped driveway entrance area of the complex and not adjacent to any buildings. Additional landscaping can also be added along the West property line in excess of code requirements to provide for an additional buffer along the adjacent landscaped driveway. A setback of 78 feet is proposed to the South property line where the closest row of apartment buildings exist.

The proposed child care center is a needed asset in this community. It will serve a public purpose allowing for a professional child care facility to serve the residential uses in this area. The site has sufficient public safety, transportation and utility facilities and services available to serve the subject property while maintaining sufficient levels of service to existing developments.

SINCERELY



John Vornsand, AICP

VAR-19297
02/22/07 PC

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-19297

SDR-19116 - PUBLIC HEARING - APPLICANT: AMERICAN CHILD CARE PROPERTIES, LLC - OWNER: DAVIDSON INVESTMENT REAL ESTATE, LP - Request for a Site Development Plan Review FOR A ONE-STORY, 15,119 SQUARE FOOT CHILD CARE CENTER on 1.45 acres at the southwest corner of Bonanza Road and Page Street (APN 140-32-101-005), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

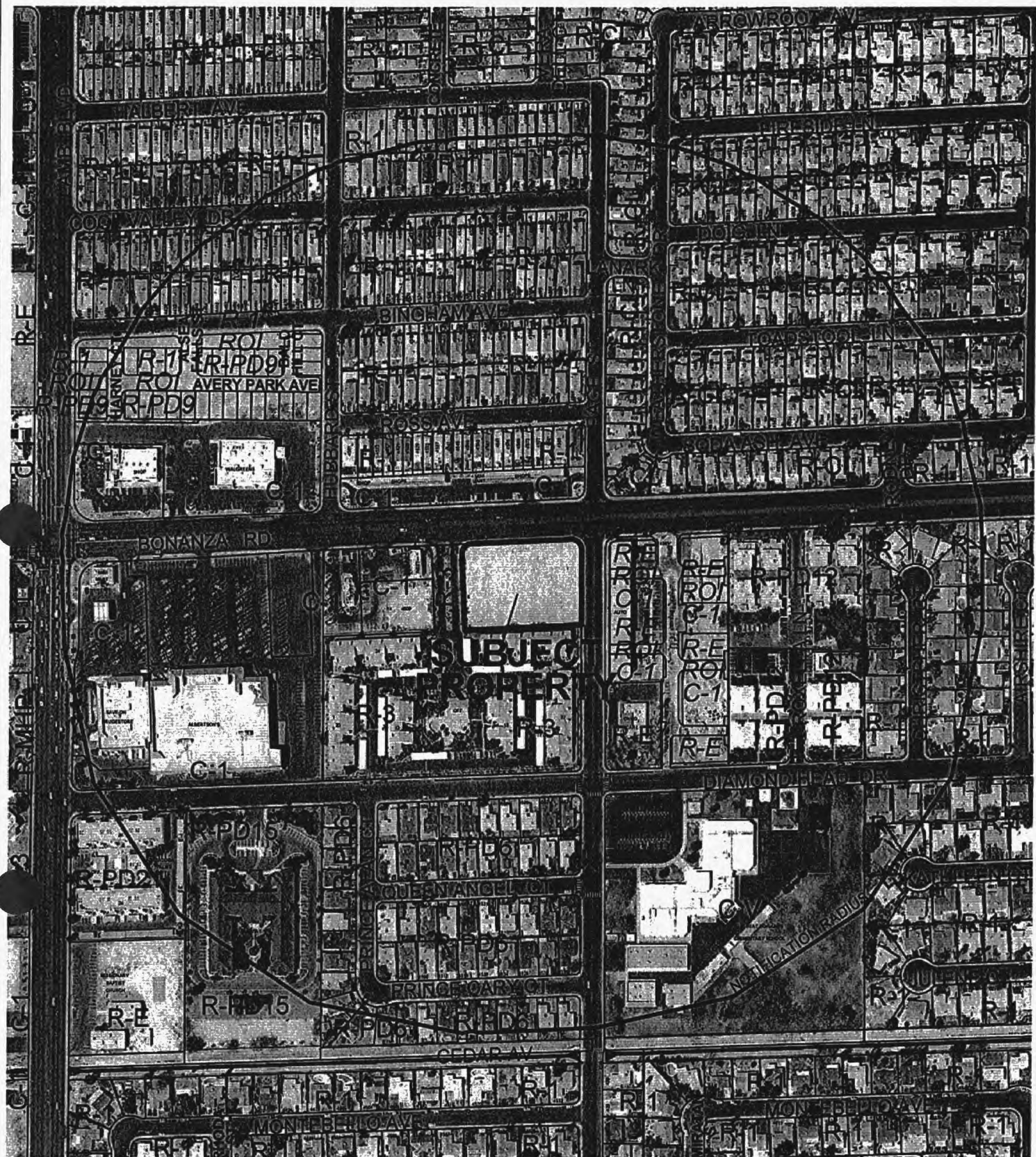
Motion made by GARY REESE to Approve Subject to Conditions

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

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

Minutes:

See Item 108 for related discussion.



CASE: **SDR-19116**

RADIUS: 1000 FT

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

0 500 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-19116 - APPLICANT: AMERICAN CHILD CARE PROPERTIES, LLC - OWNER: DAVIDSON INVESTMENT REAL ESTATE, LP

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (VAR-19297) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 01/19/07, except as amended by conditions herein.
4. A Waiver from 19.10.010 is hereby approved, to allow five parking lot islands and five trees where eight islands and eight trees are required.
5. A revised plan elevations shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit, to reflect a screened and covered trash enclosure.
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: 8 foot high block walls along residential property lines.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

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

Public Works

15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
16. Construct all incomplete half-street improvements on Bonanza Road (sidewalk) adjacent to this site concurrent with development of this site.
17. Submit an application for a deviation from Standard Drawing #222a for the driveway accessing this site from Page Street.
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. 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.
20. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the 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.
21. Site development to comply with all applicable conditions of approval for Z-18-98 and all other site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The project is a request for a Site Development Plan Review for a one-story 15,119 square foot child care center on a vacant 1.45 acre parcel located at the southwest corner of Bonanza Road and Page Street. A companion Variance (VAR-19297) shall be considered with this request. The proposal will develop upon an underutilized parcel and will benefit surrounding commercial, residential, and educational uses therefore staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/26/98	The City Council approved a request for a Rezoning (Z-0018-98) on property located on the south side of Bonanza Road from R-E (Residence Estates) to C-1 (Limited Commercial) associated with a proposed commercial office and retail center use.
01/04/95	The City Council approved a request for reclassification (Z-0145-94) of property located on the south side of Bonanza Road and the west side of Page Street from R-E (Residences Estates) to C-1 (Limited Commercial) associated with a proposed mini-storage facility.
07/19/95	The City Council approved a request for a Plot Plan and Building Elevation Review [Z-145-94 (1)]for a proposed mini-storage facility located on the southwest corner of Bonanza Road and Page Street.
05/10/90	The Planning Commission approved a request (U-0060-90) for a temporary leasing trailer on property located on the south side of Bonanza Road west of Page Street.
05/18/88	The City Council approved the Reclassification (Z-0020-88) of Property located on the southwest corner of Bonanza Road and Page Street from R-E (Residence Estates) to C-1 (Limited Commercial) associated with a proposed Shopping Center and Theater.
04/14/83	The City Planning Commission approved a request for reclassification (Z-0026-83) of property generally located on the southwest corner of Bonanza Road and Page Street from R-E (Residential Estates) to R-PD21 (Residential Planned District 21 Units Per Acre).
02/22/07	The Planning Commission recommended approval of companion item VAR-19297 concurrently with this application. The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #35/ja).
<i>Related Building Permits/Business Licenses</i>	
None	None

Pre-Application Meeting	
12/28/06	A Pre-application meeting was held with the applicant. Planning staff advised the applicant that the proposal is permissible use in the C-1 (Limited Commercial) Zone and the potential need for a Waiver of required parking lot landscaping. Building and Safety Department staff informed the project requires a safe and accessible access route to the street.
Neighborhood Meeting	
A Neighborhood meeting is not required for this type of application nor was one held.	

Details of Application Request	
Site Area	
Gross Acres	1.44 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant	SC (Service Commercial)	C-1 (Limited Commercial)
North	Commercial	SC (Service Commercial)	C-1 (Limited Commercial)
South	Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)
East	Commercial	GC (General Commercial)	R-E (Residential Estates)
West	Residential	M (Medium Density Residential)	R-3 (Medium Density Residential)

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

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.050, the following Commercial Development Standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	NA	NA	Y
Min. Lot Width	100 feet	213	Y
Min. Setbacks			
• Front	20	124	Y
• Side	10	18	Y
• Corner	15	15	Y
• Rear	20	11	N

Min. Distance Between Buildings	NA	NA	Y
Max. Lot Coverage	50 percent	24 percent	Y
Max. Building Height	NA	NA	Y
Trash Enclosure	Screened and Covered	Screened and Covered	Y
Mech. Equipment	Screened	Yes	Y

Pursuant to Title 19.12.040, the following Landscape Standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces 1 island/6 spaces	8 Trees 8 islands = 8 Trees	3 Trees 5 islands and 5 Trees	N
Buffer: Min. Trees	1 Trees/20 Linear Feet (adjacent to residential) 1 Trees/30 Linear Feet (Adjacent to commercial or industrial)	14 Trees (South Prop. Line)	18 Trees	Y
		10 (West Prop. Line)	12 Trees	Y
		6 Trees (East Prop. Line)	7 Trees	Y
		8 Trees (North Prop. Line)	14 Trees	Y
TOTAL		54	59	Y
Min. Zone Width	15 Feet (adjacent to Right-of-Way) 8 Feet (along interior lot lines)		15 Feet 8 Feet	Y
Wall Height	6 Feet		6 Feet	Y

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	
	15,119 sf	1 space/st aff member + 1 space for every 10 children	26 staff 23 children	2	50	2	Y
SubTotal							
TOTAL			49		50		Y
Loading Spaces			1		1		Y

Waivers		
Request	Requirement	Staff Recommendation
Parking lot landscaping	1 landscaped island for every 6 spaces and 1 Tree for every 6 spaces	Approve

ANALYSIS

The project proposes the construction of child care center, play areas, parking lot, and associated landscape and hardscape improvements. Enrollment at the center is projected to be 232 children ranging from infant age to school age children, and 26 staff members.

- General Plan and Zoning

The project site is designated in the General Plan for SC (Service Commercial) use and the underlying zone is classified as Limited Commercial (C-1) consistent with the SC category. The Child Care Center is a permitted use within the C-1 Zone and is subject to the Conditional Use Regulations. Existing land uses surrounding the project site include multi-family residential to the south and west, and commercial to the north and east.

- Site Plan

The project site plan depicts the construction of a one-story 15,199 square foot child care center on a vacant 1.45 acre parcel. Vehicular access to the project site will be provided on Page Street. A companion Variance (VAR-19297) application shall be considered to allow encroachment into the rear yard setback.

- Elevations

The proposed single level structure will be 23 feet tall at the highest point of the building primary entryway with the top of the majority of the structure at 17 feet. The building will be constructed utilizing a Dryvit system with sand finish and painted with natural tones with desert accents.

- Floorplan

The project floorplan will comprise of classrooms, office, restroom, lounge and kitchen space, and associated storage.

- Parking

Per Title 19 Child Care Center parking requirements are 1 space for each staff member and 1 space for each 10 children. The project as proposed provides adequate parking as 50 parking spaces (49 are required) are depicted on the site plan. One loading space will be provided as well.

- Landscaping

Parking lot landscaping does not meet Title 19 standards for commercial uses as the proposal lacks the required parking lot islands and associated trees. A 3,038 square foot play area will be situated along the northern property line and a 12,022 square foot play area will be constructed along the southern property line adjacent to the existing multi-family residential use. Both play areas will be screened and the requirement to increase the existing 6 foot wall to a height of 8 feet along the southern property line consistent with the Conditional Use Regulations for Child Care Centers, will be incorporated into the proposal as a project condition.

FINDINGS

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

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

The proposed project will complement adjacent development as educational institutions, commercial, and multi-family residential uses are located within the project area.

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

The project conforms to the General Plan and Title 19. A condition will be incorporated into the project to ensure compliance with residential screening requirements.

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

Adequate vehicular access will be made via Page Street and no significant vehicle trips will be generated from implementation of the proposal.

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

The building exterior in combination with the proposed landscape improvements will result in an improvement upon an undeveloped dirt lot.

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 contemporary architectural design will assist in upgrading this area of the city and potentially the maintenance of existing surrounding structures.

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

The project requires compliance with the Conditional Use Regulations including residential screening in accordance with Title 19.04 for Child Care Centers. Human Health and Public Safety will not be degraded as a result of the project.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

4

ASSEMBLY DISTRICT 10

SENATE DISTRICT 3

<u>NOTICES MAILED</u>	458 by Planning Department
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<u>APPROVALS</u>	0
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<u>PROTESTS</u>	0
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PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number **SDR-19116** APN: 110-32-101-005

Name of Property Owner: DAVIDSON INVESTMENT REAL ESTATE LP

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: _____

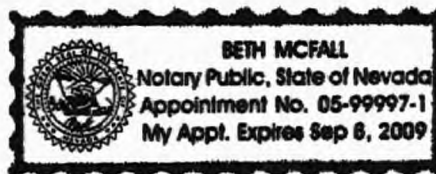
Signature of Property Owner: *Stewart E. Davidson*

Print Name: Stewart E Davidson, Managing Member

Subscribed and sworn before me

This 7 day of December, 2006

Beth Mufall
Notary Public in and for said County and State



	
800'S South Plaza Henderson, Nevada 89074 Tel: (702) 831-1337 Fax: (702) 831-1178	
REVISION	
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DRAWN BY NCC APPROVED BY NCC DATE 11/21/08 PROJECT NUMBER 465A2008 SCALE As Noted	
SHEET NUMBER A-1	



VAR-19297 & SDR-19116 - APPLICANT: AMERICAN CHILD CARE PROPERTIES, LLC - OWNER:
DAVIDSON INVESTMENT REAL ESTATE, LP
SOUTHWEST CORNER OF BONANZA ROAD AND PAGE STREET
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



VAR-19297 & SDR-19116 - APPLICANT: AMERICAN CHILD CARE PROPERTIES, LLC - OWNER:
DAVIDSON INVESTMENT REAL ESTATE, LP
SOUTHWEST CORNER OF BONANZA ROAD AND PAGE STREET
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



VAR-19297 & SDR-19116 - APPLICANT: AMERICAN CHILD CARE PROPERTIES, LLC - OWNER:
DAVIDSON INVESTMENT REAL ESTATE, LP
SOUTHWEST CORNER OF BONANZA ROAD AND PAGE STREET
FEBRUARY 22, 2007 PLANNING COMMISSION

VORNSAND CONSULTING
Planning & Zoning Services

2564 WIGWAM PARKWAY, #308
HENDERSON, NEVADA 89074
Phone (702) 896-2932
Fax (702) 896-2932
Email landuseplanning@earthlink.net

RE: Justification Letter - APN 140-32-101-005

The applicant, American Child Care Properties LLC, is requesting a Variance to reduce the required rear setback from 20 feet to 11 feet adjacent to an R-3 zoned apartment complex. The Variance is in conjunction with a Site Development Plan Review (SDR-19116) to develop a 15,119 square foot child care center in a C-1 zoning district on a 1.45 acre parcel at the Southwest corner of Bonanza Road and Page Street.

The need for a Variance is created by taking the access to the site from Page Street rather than Bonanza Road. There is no access to Bonanza Road thus making Page Street the legal front of the property. According to Public Works, Page Street is preferable for access to the site from a traffic standpoint. A 125 foot front setback is proposed from Page Street to the front of the building. The adjacent property to the West is zoned R-3 and is developed as an apartment complex. However, the reduced setback is adjacent to the landscaped driveway entrance area of the complex and not adjacent to any buildings. Additional landscaping can also be added along the West property line in excess of code requirements to provide for an additional buffer along the adjacent landscaped driveway. A setback of 78 feet is proposed to the South property line where the closest row of apartment buildings exist.

The proposed child care center is a needed asset in this community. It will serve a public purpose allowing for a professional child care facility to serve the residential uses in this area. The site has sufficient public safety, transportation and utility facilities and services available to serve the subject property while maintaining sufficient levels of service to existing developments.

SINCERELY



John Vornsand, AICP

02/22/07 PC

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

WAIVER

WVR-18085 - PUBLIC HEARING - APPLICANT/OWNER: JOSE LOPEZ - Request for a Waiver to Title 18.12.160 TO ALLOW 180 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED at the southeast corner of Maverick Street and Jo Marcy Drive (APN 125-14-506-001), R-E (Residence Estates) Zone, Ward 6 (Ross). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

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

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

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open on Items 110 and 111.

LARRY BUZBEE, Civil Works, appeared on behalf of the applicant and showed aerial photos of the subject site and the adjacent sites, which included the Lamplight Glen residential gated community and historical horse properties.

Although MR. BUZBEE'S presentation was nice, COUNCILMAN REESE sought clarification relative to the photos shown.

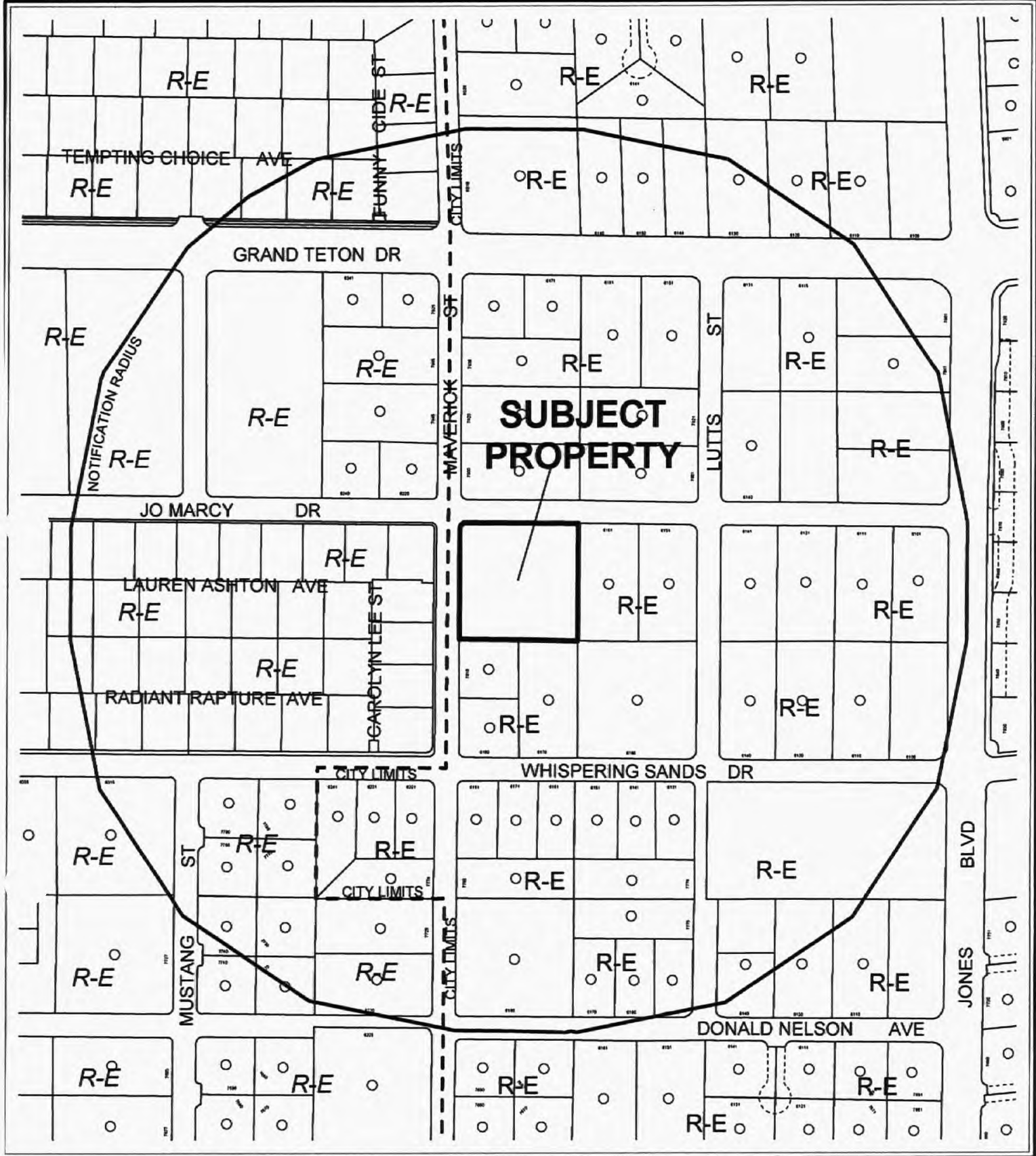
CITY COUNCIL MEETING OF: MARCH 21, 2007

Although COUNCILMAN ROSS appreciated MR. BUZBEE'S presentation, he agreed that it was somewhat vague. To assist Council, COUNCILMAN ROSS verified with MR. BUZBEE that the applicant's desire is to build four, 2-story homes on 20,000 square foot lots, with a private gated street. The Councilman supported the applicant's request, as he was familiar with the project and comfortable with the proposal. He also appreciated and supported the applicant's efforts in building fabulous half-acre homes in the northwest area.

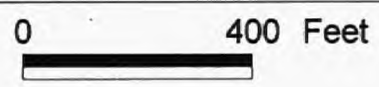
TOM McGOWAN concurred with COUNCILMAN ROSS' comments and felt the presentation was credible. He asked the Council to approve the applications.

MAYOR GOODMAN declared the Public Hearing closed on Items 110 and 111.





CASE: **WVR-18085**
RADIUS: 1000 FT
ZONING OF SUBJECT PROPERTY: R-E (RESIDENCE ESTATES)





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

RADIUS: 1000 FT

CASE: WVR-18085

0 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: WVR-18085 – APPLICANT/OWNER: JOSE LOPEZ

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-18084) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Waiver to Title 18.12.160 to allow approximately 180 feet between street intersections where 220 feet is the minimum distance separation required adjacent to the southeast corner of Maverick Street and Jo Marcy Drive. This intersection is needed to provide the entrance to a four-lot single-family residential subdivision.

The applicant indicates that the proposed entrance from Maverick Street would be compatible with the rural area and the limited scope of this project. Staff is recommending approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/09/06	Staff received a Parcel Map (PMP-13512) for review for a four lot parcel map. This is an administrative review pending approval of this wavier of Title 18.12.160 and a Special Use Permit (SUP-18084) for private streets.
01/25/07	The Planning Commission held this application and a companion Special Use Permit (SUP-18084) in abeyance until the 02/8/07 PC.
02/08/07	The Planning Commission held this application and a companion Special Use Permit (SUP-18084) in abeyance until the 02/22/07 PC.
02/22/07	The Planning Commission recommended approval (4-2/se,bg) of companion item SUP-18084 concurrently with this application. The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #17/rts).
<i>Related Building Permits/Business Licenses</i>	
This is an undeveloped lot with no building permits or business licenses related to this project approved or under review.	
<i>Pre-Application Meeting</i>	
09/05/06	A pre-application was held and elements of this application were discussed. It was noted that the justification letter should include specifics about the intersection separation and that it should indicate whether the wavier is acceptable to Traffic Engineering and Fire Engineering. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.08

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	DR (Desert Rural Density Residential)	R-E (Residence Estates)
North	Single-Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
South	Single-Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Single-Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	Single-Family Residential	Clark County (RNP)	Clark County

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

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 Size	20,000 SF	21,084 SF	Y
Min. Lot Width	100 Feet	141 Feet	Y
Min. Setbacks			
• Front	35 Feet *	>35 Feet	Y
• Side	10 Feet	>10 Feet	Y
• Corner	15 Feet	>15 Feet	Y
• Rear	35 Feet	>35 Feet	Y
Max. Building Height	2 Stories/35 Feet	2 Stories/35 Feet	Y

* Lots which front onto a public street shall maintain a minimum front yard setback of fifty feet. The minimum front setback for an attached, open porte-cochere is thirty feet. Lots which front onto a private street or a private access easement shall maintain a minimum setback of thirty feet from the edge of the private street access easement; provided, however, where such lots are located on a cul-de-sac or a street knuckle, the minimum front yard setback shall be twenty feet from the edge of the private street or access easement.

Existing Zoning	Permitted Density	Units Allowed
R-E (Residence Estates)	2.0 Units Per Acre	4 Units
Proposed Zoning	Permitted Density	Units Allowed
R-E (Residence Estates)	2.0 Units Per Acre	4 Units
General Plan	Permitted Density	Units Allowed
DR (Desert Rural Density Residential)	2.49 Units Per Acre	5 Units

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Single-Family Residential	4	2 Spaces/Dwelling Unit	8 Spaces	0 Spaces	8 Spaces	0 Spaces	Y
TOTAL (including handicap)	4	2 Spaces/Dwelling Unit	8 Spaces		8 Spaces		Y

Waivers		
Request	Requirement	Staff Recommendation
Waiver of Title 18.12.160: To allow 180 feet btw intersections	220 feet btw intersections	PW Recommends – Approval

ANALYSIS

This request is not a Zoning Code compliance issue but a request for a Waiver in Title 18.12.160 of the Subdivision Ordinance to allow approximately 180 feet between street intersections where 220 feet is the minimum distance separation.

Specifically, Title 18.12.160 states:

“Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred and twenty feet, measured from centerline to centerline. Intersections of streets providing service internally within a subdivision, where they do not intersect arterial or major streets, shall be offset a minimum of one hundred twenty five feet.”

Public Works has no objection to the request for a Waiver of Title 18.12.160 to allow 180 feet between street intersections where 220 feet is the minimum distance separation required for property located on the southeast corner of Maverick Street and Jo Marcy Drive.

Public Works notes that this site is the subject of a Special Use Permit (SUP-18084); all site-related conditions of approval are addressed with those actions. Staff is recommending approval as Public Works has no objection to this request.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

The proposed design does not appear to present turn conflicts, nor is it expected to hinder area traffic flows. The hardship generating the request for the Waiver is real, given the shape and location of the parcel and scale of the project; therefore, approval of the Waiver is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

ASSEMBLY DISTRICT

13

SENATE DISTRICT

9

<u>NOTICES MAILED</u>	92 by Planning Department
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<u>APPROVALS</u>	0
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<u>PROTESTS</u>	0
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PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **WVR-18085** APN: 125-14-506-001

Name of Property Owner: Jose Lopez

Name of Applicant: Lana Manning-Civilworks, Inc.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

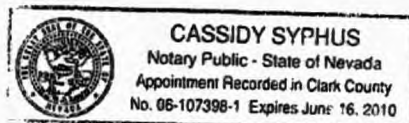
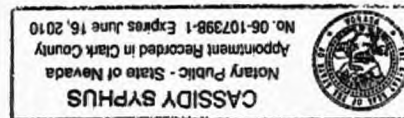
Signature of Property Owner: Jose Gilpardo Lopez

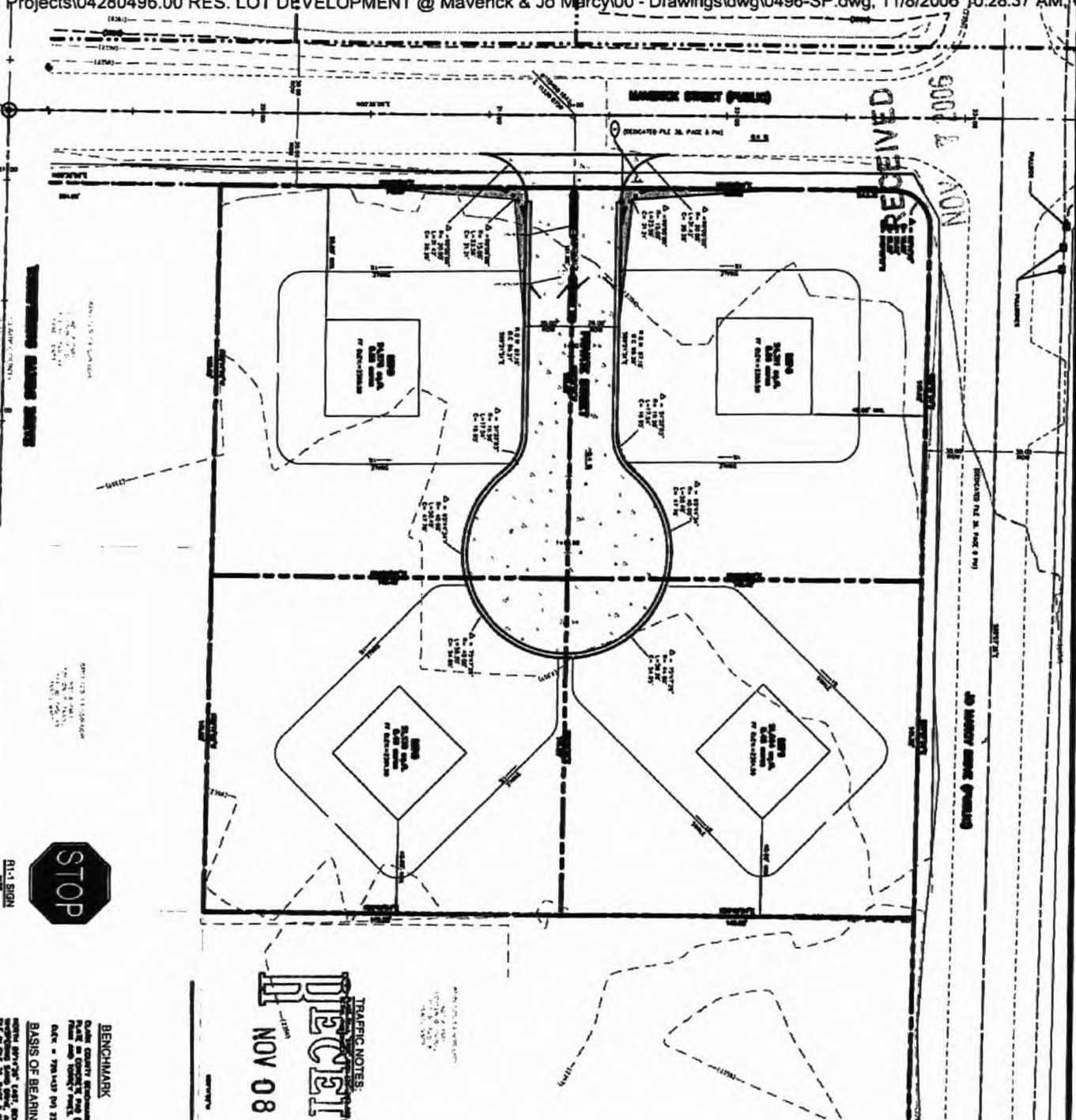
Print Name: Jose Lopez

Subscribed and sworn before me

This 18 day of September 20 06

Cassidy Syphus
Notary Public in and for said County and State





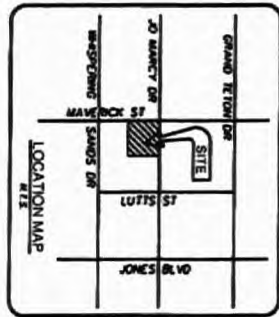
RECEIVED
NOV 08 2006

BENCHMARK
Cedar County Benchmark Station 1000.00
Point is located on the corner of the corner of
the lot shown on the plan.
Date = 7/10/03 (10 3000.00) (10 3000.00)

02/22/07 PC
WVR-18085

LEGEND

	10' to 15' lot width
	15' to 20' lot width
	20' to 25' lot width
	25' to 30' lot width
	30' to 35' lot width
	35' to 40' lot width
	40' to 45' lot width
	45' to 50' lot width
	50' to 55' lot width
	55' to 60' lot width
	60' to 65' lot width
	65' to 70' lot width
	70' to 75' lot width
	75' to 80' lot width
	80' to 85' lot width
	85' to 90' lot width
	90' to 95' lot width
	95' to 100' lot width



LAS CABAÑAS
• MAVERICK & JO MARCY
OWNER/DEVELOPER: JOSE LOPEZ
2100 CARROLL STREET
LAS VEGAS, NEVADA 89118
PH: (702) 333-8348

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November 6, 2006

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

**SUBJECT: REQUEST FOR WAIVER OF DEVELOPMENT STANDARDS
APN#-125-14-506-001**

To Whom It May Concern:

We respectfully request your consideration for approval for the above-referenced application. This is a proposed 4 lot residential subdivision situated on approximately 2.08 acres, located at cross streets Jo Marcy and Maverick. The current zoning on this parcel is RE, which shall remain.

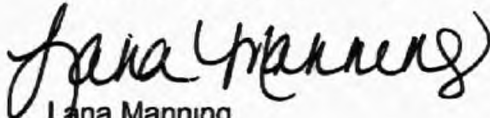
We are requesting a Waiver of Development Standards of Title 18, Section 18.12.160 Intersections-Length- Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred twenty feet from centerline to centerline. We are requesting an approval of a street length of 180' where 220' is required. City of Las Vegas Traffic and Fire are in support of this application. Given the size and shape of the subject parcel as well as the rural setting, conforming to this standard would place an undue burden on our Client.

Accompanying this application is also a Special Use Permit application and a Deviation from Standards.

Thank you for your consideration, please contact me at 876-3474 if you need additional information.

Respectfully,

CIVILWORKS, INC.



Lana Manning
Agency Processor

LJM:iam

RECEIVED
NOV 08 2006

Civil Works

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**WVR-18085
02/22/07 PC**

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT RELATED TO WVR-18085

SUP-18084 - PUBLIC HEARING - APPLICANT/OWNER: JOSE LOPEZ - Request for a Special Use Permit FOR PRIVATE STREETS at the southeast corner of Maverick Street and Jo Marcy Drive (APN 125-14-506-001), R-E (Residence Estates) Zone, Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (4-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

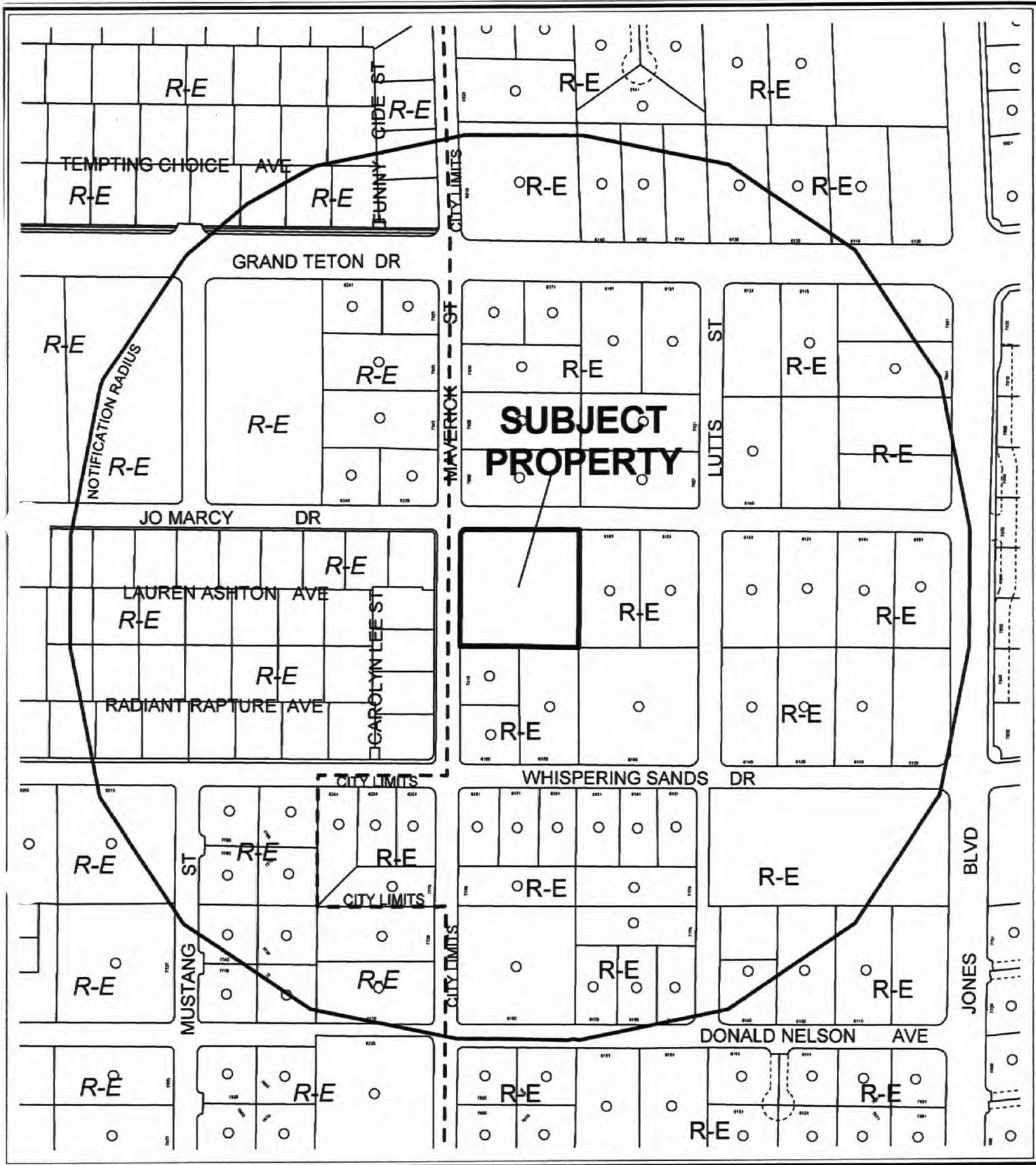
Motion made by STEVEN D. ROSS to Approve Subject to Conditions

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

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

Minutes:

See Item 110 for related discussion.



CASE: **SUP-18084**

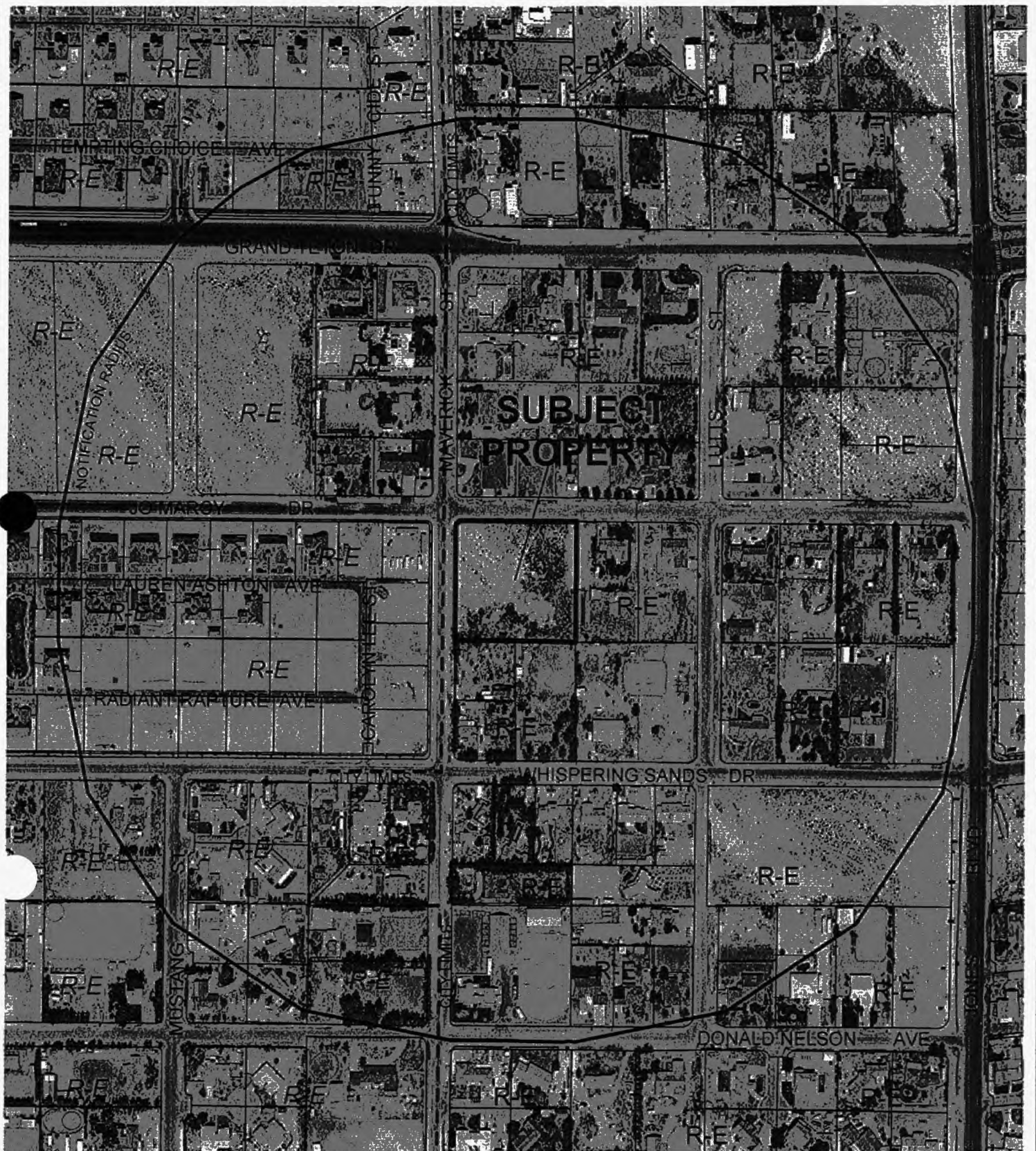
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

0 400 Feet





CASE: SUP-18084

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

0 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-18084 – APPLICANT/OWNER: JOSE LOPEZ

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (4-2/se/bg vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04 for Private Streets use.
2. Approval of and conformance to the Conditions of Approval for Waiver (WVR-18085) and Parcel Map (PMP-13512) shall be required.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

5. The private street shall be granted as a public utility easement (P.U.E), City of Las Vegas public sewer easement and public drainage easement to be privately maintained by the Homeowners' Association.
6. A Homeowners' Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All private improvements and landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
7. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for Private Streets in a single-family subdivision adjacent to the southeast corner of Maverick Street and Jo Marcy Drive. The project would create a four-lot single-family subdivision with access from Maverick Street.

This is a proposal for a new development with no existing streets and therefore unlike the conversion to private streets within an existing residential subdivision which is a Conditional Use, a Special Use Permit is required. The Private Streets use is not compatible with adjacent development, and therefore denial is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/09/06	Staff received a Parcel Map (PMP-13512) for review for a four lot parcel map. This is an administrative review pending approval of this Special Use Permit to allow the Private Streets use and a Wavier of Title 18.12.160 (WVR-18085).
01/25/07	The Planning Commission held this application and a companion Wavier of Title 18.12.160 (WVR-18085) in abeyance until the 02/8/07 PC.
02/08/07	The Planning Commission held this application and a companion Wavier of Title 18.12.160 (WVR-18085) in abeyance until the 02/22/07 PC.
02/22/07	The Planning Commission recommended approval of companion item WVR-18085 concurrently with this application. The Planning Commission voted 4-2/se/bg to recommend APPROVAL (PC Agenda Item #18/rts).
<i>Related Building Permits/Business Licenses</i>	
This is an undeveloped lot with no building permits or business licenses related to this project approved or under review.	
<i>Pre-Application Meeting</i>	
09/05/06	A pre-application was held and elements of this application were discussed. It was noted that a wavier for intersection offsets was needed due to the 180 feet proposed offset where 220 feet is required. Additionally, it was noted that Traffic Engineering had no problem with the wavier of intersection separation and that the applicant must work with Fire Engineering regarding the gating of the private street. Further, Land Development discussed a drainage study and half-street improvements. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	

Details of Application Request	
Site Area	
Net Acres	2.08

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	DR (Desert Rural)	R-E (Residence Estates)
North	Single-Family Residential	DR (Desert Rural)	R-E (Residence Estates)
South	Single-Family Residential	DR (Desert Rural)	R-E (Residence Estates)
East	Single-Family Residential	DR (Desert Rural)	R-E (Residence Estates)
West	Single-Family Residential	Clark County (RNP)	Clark County

Existing Zoning	Permitted Density	Units Allowed
R-E (Residence Estates)	2.0 DUA	4 Units
Proposed Zoning	Permitted Density	Units Allowed
R-E (Residence Estates)	2.0 DUA	4 Units
General Plan	Permitted Density	Units Allowed
DR (Desert Rural)	2.49 DUA	5 Units

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

INTERAGENCY ISSUES

Pursuant to Ordinance No. 5477, the proposed project is deemed to be a "Project of Regional Significance" for the following reasons:

- 1) Any Special Use Permit within 500' of the City Boundary

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures is as follows:

- 1) Flood Control requires a technical drainage study of the subject project to address and mitigate the drainage impact to the vicinity areas. The drainage study must be prepared by a Nevada registered civil engineer and submitted to the City of Las Vegas Flood Control Division for review and approval.
- 2) Las Vegas Valley Water District has determined that the project will not have a significant impact on the capacity of the District's water supply system.
- 3) Wastewater collection system has determined that the project will have minimal impacts.

The Planning Commission shall consider the Environmental Impact Assessment and the proposed mitigation measures prior to make a decision on the proposal.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	20,000 SF	21,084 SF	Y
Min. Lot Width	100 Feet	141 Feet	Y
Min. Setbacks			
• Front	35 Feet *	>35 Feet	Y
• Side	10 Feet	>10 Feet	Y
• Corner	15 Feet	>15 Feet	Y
• Rear	35 Feet	>35 Feet	Y
Max. Building Height	2 Stories/35 Feet	2 Stories/35 Feet	Y

* Lots which front onto a public street shall maintain a minimum front yard setback of fifty feet. The minimum front setback for an attached, open porte-cochere is thirty feet. Lots which front onto a private street or a private access easement shall maintain a minimum setback of thirty feet from the edge of the private street access easement; provided, however, where such lots are located on a cul-de-sac or a street knuckle, the minimum front yard setback shall be twenty feet from the edge of the private street or access easement.

Existing Zoning	Permitted Density	Units Allowed	Proposed Zoning	Permitted Density	General Plan	Permitted Density
R-E (Residence Estates)	2.0 Units/Acre	4 Units	R-E (Residence Estates)	2.0 Units/Acre	DR (Desert Rural)	2.49 Units/Acre

Pursuant to Title 19.10, the following parking standards apply:

in accordance with Title 18.12, the following parking standards apply.

Parking Requirement							
Use	Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Single-Family Residential	4	2 Spaces Per Unit	8 Spaces	0 Spaces	8 Spaces	0 Spaces	Y
TOTAL (including handicap)	4	2 Spaces Per Unit	8 Spaces		8 Spaces		Y
Waivers							
Request			Requirement		Staff Recommendation		
Wavier of Title 18.12.160: To allow 180 feet btw intersections			220 feet btw intersections		PW Recommends - Approval		

ANALYSIS

This is a request for a Special Use Permit for Private Streets use in a single-family subdivision adjacent to the southeast corner of Maverick Street and Jo Marcy Drive. The conversion to private streets within an existing residential subdivision is a Conditional Use; however, because the proposed project is a new development with no existing streets, a Special Use Permit is required.

The project would create a four-lot single-family subdivision with entry to the site via a proposed private, gated entrance accessed from Maverick Street. The proposed internal street is a 40-foot wide private cul-de-sac.

The subject site is located within the Centennial Hills Sector of the General Plan. The site is categorized as DR (Desert Rural) under the General Plan with an R-E (Residence Estates) zoning designation. The DR (Desert Rural) designation allows a maximum of 2.49 dwelling units per gross acre. This category is a generally rural environment that permits greater privacy and some non-commercial raising of domestic animals. The zoning of R-E (Residence Estates) is in conformance with the DR (Desert Rural Density Residential) land use designation.

The site is located within the Rural Preservation Overlay District buffer area. The Rural Preservation Overlay District allows for a density of two units per acre. This project has a land use designation of DR (Desert Rural Density Residential), which allows a density of up to 2.49 units per acre. However, R-E (Residence Estates) zoning only allows a density of up to two units per acre which is in conformance with the provisions of this overlay district and is in keeping with the nature of the buffer area.

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed Private Streets use. In the area, there are no existing gated private streets. Further, the Private Streets use is not compatible with adjacent development. Staff is recommending denial because of the incompatibility of the Private Streets use with adjacent development.

Conditions:

Private Streets [All Residential Districts]

- (1) Eligibility as Conditional Use. Private streets are permitted pursuant to the following provisions only if:
 - (a) The streets are public streets within an existing subdivision that are proposed to be converted to private streets; and
 - (b) All the lots within the subdivision conform to the minimum lot size requirements of Title 19.
- (2) Design and Construction Standards. Unless otherwise approved by the City Council or otherwise provided by means of a specific regulation governing private streets, every private street shall conform to the same standards that govern the design and construction of public streets.
- (3) Access Restrictions. The entrances to all private streets must be marked with a sign stating that it is a private street. Guard houses, access control gates and cross arms may be constructed. All restricted access entrances shall be manned twenty-four hours every day or provide an alternative means of ensuring access to the subdivision by the City and other emergency and utility service providers with appropriate identification. If the association fails to maintain reliable access as required to provide City services, the City may enter the subdivision and remove any gate or device which is a barrier to access at the sole expense of the association. The association documents shall contain provisions in conformity with this paragraph which may not be amended without the written consent of the City.
- (4) Access Restricted Entrance Design Standards. Any private street which has access control gates or cross arms must be of a break-away design. A turn-around space must be located in front of any restricted access entrance to allow vehicles denied access to safely exit onto public streets. Any guardhouse, or other entry feature designed as a drive-through, must have a minimum clearance of fourteen feet in height above the road surface.
- (5) Streets Excluded. Streets shown on the Master Plan of Streets and Highways shall not be used, maintained, or constructed as private streets. Also, the department may deny the creation of any other private street if it is determined that the private street would have any of the following effects:
 - (a) Negatively affect traffic circulation on public streets;
 - (b) Impair access to property either on-site or off-site to the subdivision;

- (c) Impair access to or from public facilities including schools, parks and libraries; or
 - (d) Delay the response time of emergency vehicles.
-
- (6) **Property Owners' Associations Required.** Subdivisions developed with private streets must have a mandatory property owners' association which includes all property served by private streets. The association shall own and be responsible for the maintenance of private streets and appurtenances. The association documents must establish a reserve fund for the maintenance of streets and other improvements. Such documents are subject to review and approval by the City to ensure that adequate provision for maintenance has been made.
 - (7) **Private Street Requirements.** Private streets must be located on property that is separately owned by a property owners' association or is subject to perpetual access easements running in favor of the owners of lots within the subdivision. Private streets must include provision for appropriate easements to be granted to the City and to other utility providers allowing necessary use and access for utilities and the maintenance thereof. The easements must also provide the City and protective service providers with the same right of access they would have if the streets were public streets.
 - (8) **Waiver of Services.** The subdivision final map, property deeds and property owners association documents shall note that certain City services shall not be provided on private streets. Among the services which will not be provided are: routine police patrols, enforcement of traffic and parking ordinances, preparation of accident reports and other services which may not be reasonably or properly available within a particular development. All private regulatory signs shall conform to State of Nevada regulations.
 - (9) **Special Use Permit.** In cases where a Special Use Permit is required to allow private streets that do not conform to the provisions of Paragraphs (1) through (5) above, the provisions of Paragraphs (1) through (8) above are minimum standards that shall presumptively apply to a Special Use Permit for this use. The prohibitions and requirements in Paragraphs (5) through (8) are not waivable in connection with a Special Use Permit approval.

FINDINGS

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

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

There are no existing gated private streets in the area. The 40-foot private street is not compatible with existing surrounding land uses.

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

The subject site is suitable for the forty foot (40') wide private street within the proposed four-lot residential subdivision.

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

The proposed development will have access from Maverick Street, a 55-foot local street right-of-way, which will provide adequate ingress/egress for the proposed single-family development.

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

The proposed private streets will be subject to inspections for compliance to Title 18 (Subdivision Ordinance) requirements and to City design standards and therefore will not compromise the public health, safety and welfare or the overall objectives of the General Plan.

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

PLANNING COMMISSION ACTION

There was significant discussion at the Planning Commission Meeting regarding the appropriateness of gating small communities in this area of the city.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

12

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 111 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-18084** APN: 125-14-506-001

Name of Property Owner: Jose Lopez

Name of Applicant: Lana Manning-Civilworks, Inc.

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

☐ Yes

☒ No

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

City Official: _____

Partner(s): _____

APN: _____

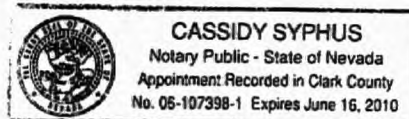
Signature of Property Owner: JOSE GUILLERMO LOPEZ

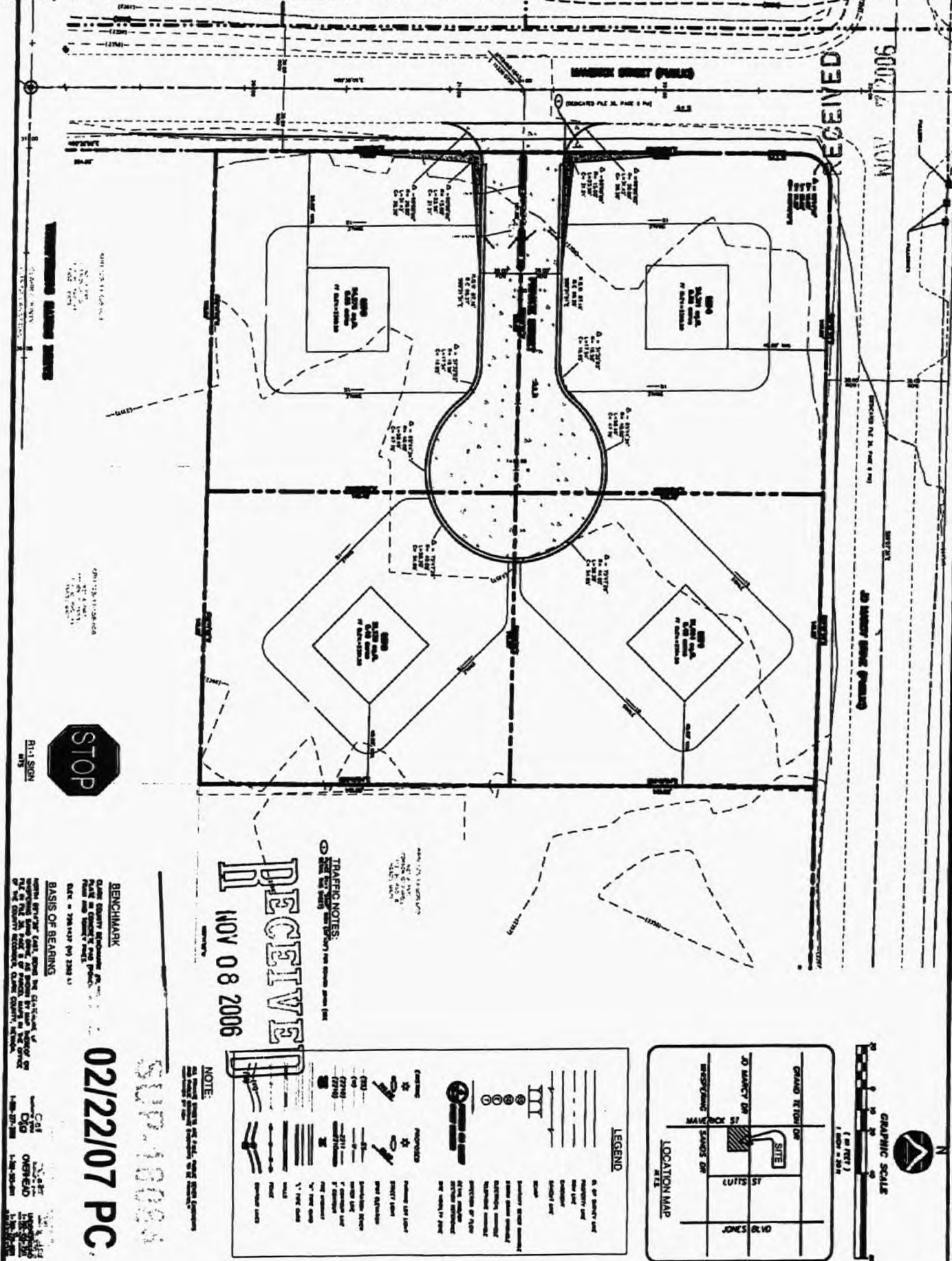
Print Name: Jose Lopez

Subscribed and sworn before me

This 18 day of September, 2006

Cassidy Syphus
Notary Public in and for said County and State





LAS CABANAS • MAVERICK & JO MARCY

OWNER/DEVELOPER: JOSE LOPEZ
2186 CARMEL STREET
LAS VEGAS, NEVADA 89118
PH: (702) 832-6246

CivilWorks Inc.

Engineering with "accessible" solutions tailored to your "specific" needs.
7625 Dean Martin Drive, Suite #101 • Las Vegas, NV 89129-5875
Office # (702) 876-3474 • Fax # (702) 876-1323



WVR-18085 & SUP-18084 - APPLICANT/OWNER: JOSE LOPEZ
SOUTHEAST CORNER OF MAVERICK STREET AND JO MARCY DRIVE
FEBRUARY 22, 2007 PLANNING COMMISSION

11/20/06

November 7, 2006

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

**SUBJECT: REQUEST FOR SPECIAL USE PERMIT
APN#-125-14-506-001**

To Whom It May Concern:

We respectfully request your consideration for approval for the above-referenced application. This is a proposed 4 lot residential subdivision situated on approximately 2.08 acres, located at cross streets Jo Marcy and Maverick. The current zoning on this parcel is RE, which shall remain.

On behalf of our Client, we are requesting a Special Use Permit to allow construction of a Private Street within a proposed gated subdivision. This being a gated community with access limited to the Homeowners and their guests, traffic on this street will be very minimal as there is no through access. We are requesting this Special Use Permit because we are not in conformance of the provisions outlined in Title 19.04 – Private Streets, paragraphs 1-5. Emergency vehicle access has been addressed through meetings with City of Las Vegas Fire Chief who is in agreement with this request.

Accompanying this application is a Waiver Of Development Standards application and a Deviation from Standards.

Thank you for your consideration, please contact me at 876-3474 if you need additional information.

Respectfully,

CIVILWORKS, INC.



Lana Manning
Agency Processor

LJM:iam

RECEIVED
NOV 08 2006

Civil Works

Engineering with "sensible" solutions tailored to your "specific" needs

7625 Dean Martin Drive, Suite #101 • Las Vegas, NV 89139-5917
Office: 702.876.3474 • Fax: 702.876.1323

SUP. 12/15/06
02/22/07 PC

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

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT

SUP-19105 - PUBLIC HEARING - APPLICANT: 1 HOUR BAIL BONDS - OWNER: LEWIS CENTER PARKING, LLC - Request for a Special Use Permit FOR A BAIL BOND SERVICE at 321 South Casino Center Boulevard (APN 139-34-201-020), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

Motion made by GARY REESE to Approve Subject to Conditions

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

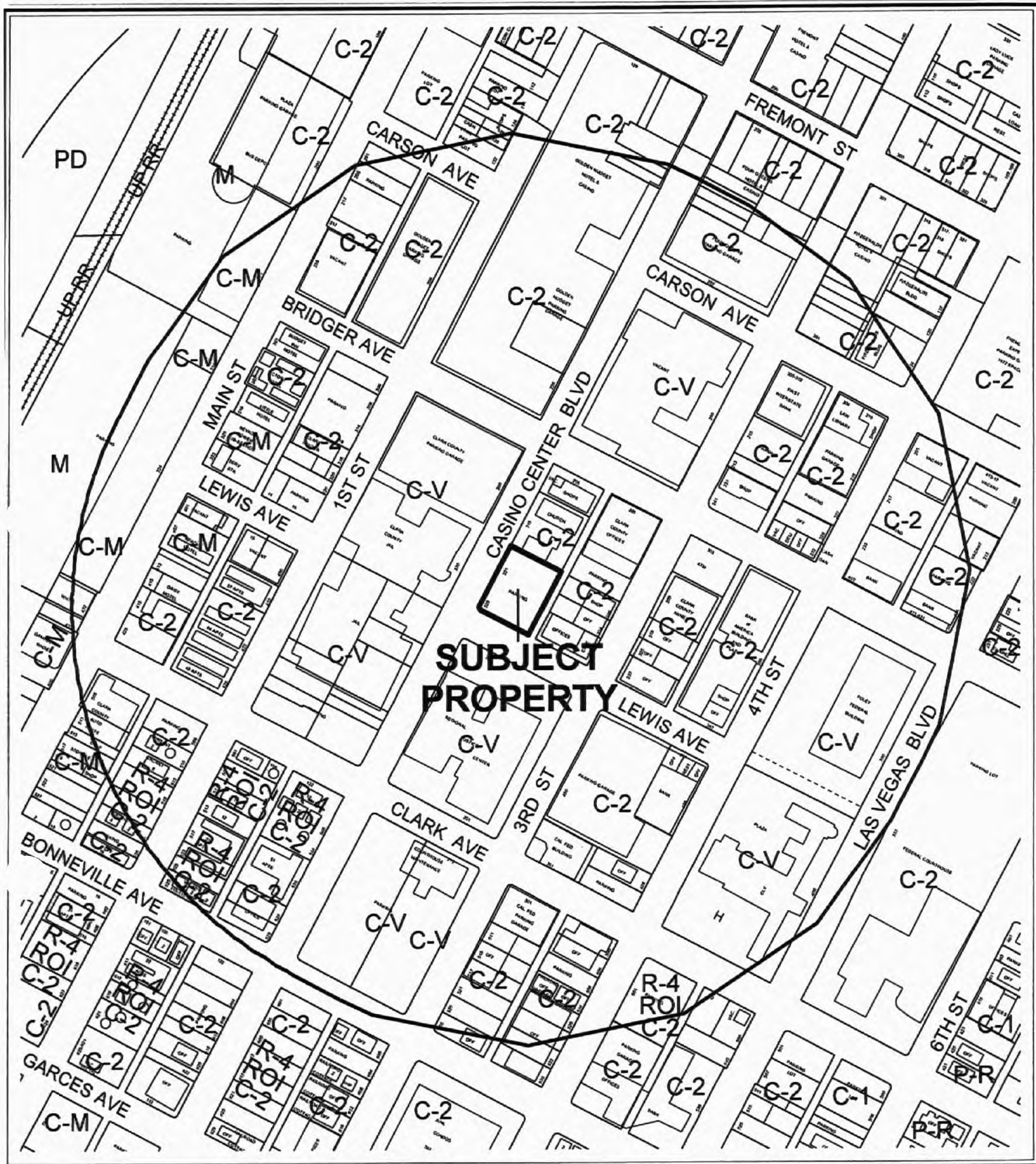
Minutes:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY FRANK COCA appeared on behalf of the applicant.

TOM McGOWAN, Las Vegas resident, questioned the applicant's corporate headquarters address. MR. COCA was unsure of the complete address but informed MR. McGOWAN that the address was local, on Casino Center Boulevard. MR. McGOWAN supported the application.

MAYOR GOODMAN declared the Public Hearing closed.



CASE: SUP-19105

RADIUS: 1000 FT

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



CASE: **SUP-19105**

RADIUS: 1000 FT

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-19105 - APPLICANT: 1 HOUR BAIL BONDS - OWNER:
LEWIS CENTER PARKING, LLC**

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-1298) except as amended herein.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Special Use Permit for a Bail Bond Service at 321 South Casino Center Boulevard, in the ground-level commercial portion of the Lewis Center Parking Garage.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/24/63	The City Commissioners approved the zoning request (Z-0159-62) from C-1 (Limited Commercial) to C-2 (General Commercial). The Planning Commission recommended approval on 01/22/63.
02/09/03	The City Council approved a Site Development Plan Review (SDR-1298) for a proposed eight level parking garage with 17,959 square feet of ground level retail. Planning Commission and staff recommended approval.
10/01/03	The City Council approved a General Plan Amendment (GPA-2497) to amend the City of Las Vegas Downtown Development Plan Map (Map 9) of the Las Vegas Redevelopment Plan from Industrial to Commercial and from Industrial to Mixed Use for properties bounded by Charleston Boulevard to the north, Third Street to the east, Commerce Street to the west and Colorado Street to the south, including the subject site. Planning Commission and staff recommended approval.
01/05/05	The City Council approved an Extension of Time for an approved Site Development Plan Review (SDR-1298) for a proposed eight level parking garage with 17,959 square feet of ground level retail. Staff recommended approval.
01/25/07	The Planning Commission approved a Special Use Permit (SUP-18695) for a Bail Bond Establishment on the subject site. Staff recommended approval. The current application is for an unrelated Bail Bond Establishment in addition to that previously considered.
02/22/07	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #36/rl).
<i>Related Building Permits/Business Licenses</i>	
05/03/05	Building Permit issued for 321 South Casino Center Boulevard for a Parking Garage for Certificate of Completion under plan check number C-127-03. Related permits issued for electrical, plumbing, and on-sites hardscapes for the subject site under this plan check number.
11/30/06	Civil Improvement Plan (#18394) issued for Lewis Center Parking Garage.
<i>Pre-Application Meeting</i>	
12/20/06	A pre-application meeting was held and the application requirements for a special use permit for a Bail Bond Establishment were addressed. Applicant was asked to provide adjacent uses identified on plans, and that each use requires a separate Special Use Permit.

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

Details of Application Request	
Site Area	
Net Acres	0.56

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Parking Garage (under construction)	C (Commercial)	C-2 (General Commercial)
North	Church	C (Commercial)	C-2 (General Commercial)
South	Regional Justice Center	PF (Public Facility)	C-V (Civic)
East	Offices, Retail	C (Commercial)	C-2 (General Commercial)
West	Clark County Detention Center	PF (Public Facility)	C-V (Civic)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Downtown Centennial Plan	X		Y
Redevelopment Plan Area	X		Y
Special Districts/Zones			
Special Purpose and Overlay Districts			
Downtown Overlay District	X		Y
A-O (Airport Overlay) District 200-Foot Buffer	X		Y
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 Feet	122 Feet	Yes
Min. Setbacks			
• Front	Zero Lot Line	Zero Lot Line	Yes
• Side	10 Feet	0 Feet	No*
• Corner	15 Feet	18 Feet	Yes
• Rear	20 Feet	0 Feet	No*
Max. Lot Coverage	NA	120 Feet	NA
Max. Building Height	NA	100%	NA
Trash Enclosure	Screened	Screened	Y
Mech. Equipment	Screened	Screened	Y

*Waivers were granted to address side and rear setback deficiencies with the Approval of SDR-1298.

** Building Height limits are not automatically applied in the Office Core of the Downtown Centennial Plan. The subject site complies with the Height Limits associated with the Airport Overlay District.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement - Downtown								
Use	Gross Area Number Units	Floor or of	Base Parking Requirement		Provided		Compliance	
			Parking Ratio	Parking		Parking		
				Regular	Handi- capped	Regular	Handi- capped	
Parking Structure (143,370 Square Feet) Retail (17,900 Square Feet)	17,900 Square feet		1 parking space per 250 Square Feet	69	3	413	10	Y

The proposed project exceeds the requirements of Title 19.10.

ANALYSIS

- Zoning

The subject property is located in the southeast sector plan of the General Plan. The site is designated as C (Commercial). The Commercial category is part of the Downtown Centennial Plan. The Commercial category allow for commercial uses that are normally allowed within the O (Office), SC (Service Commercial), and GC (General Commercial) Master Plan land use categories. The proposed use as a Bail Bonds Office is in compliance with the General Plan.

The subject site is further located in the Office Core district of the Downtown Centennial Plan. Development within this overlay district are exempt from the automatic application of the standard parking requirements. The eight-level parking structure, within which the proposed use is located, provides 423 parking spaces, ten of which are designated as handicap accessible.

The site is located in a C-2 (General Commercial) zone. The C-2 (General Commercial) zone is intended to provide the broadest scope of compatible services for both the general and traveling public. This district should be located away from low and medium density residential development and may be used as a buffer between retail and industrial uses. The C-2 (General Commercial) zone is consistent with the General Commercial category of the General Plan. The site is in compliance with the General Commercial District.

- Use

The proposed use as a Bail Bonds Office is permissible in the C-2 (General Commercial) zone with approval of a Special Use Permit. This application is intended to fulfill that requirement.

- Conditions

There are no special conditions related to the proposed use as a Bail Bonds Office.

FINDINGS

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

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

The surrounding land use is intended for this and other similar types of office, commercial, and retail uses. The proposed use as a Bail Bond Establishment is harmonious with the surrounding development. The location of the proposed business adjacent to the Regional Justice Center is further appropriate to the Bail Bond use.

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

The site is suitable for the type and intensity of land use proposed as this area is zoned and designated for this and other similar uses.

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

The proposed Bail Bond Establishment will be within the ground-level commercial portion of a parking garage structure that will be accessed solely from Casino Center Boulevard which is identified on the Master Plan of Streets and Highways as a Secondary (80-foot) Arterial. This road has adequate capacity to serve the proposed use. The project will not have any negative traffic impact.

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 Bail Bond Establishment is a state licensed business and the site would be subject to inspections and would therefore not compromise public health and safety.

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

The use will conform to all conditions of Title 19.04 associated with the propose Bail Bond Establishment use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

19

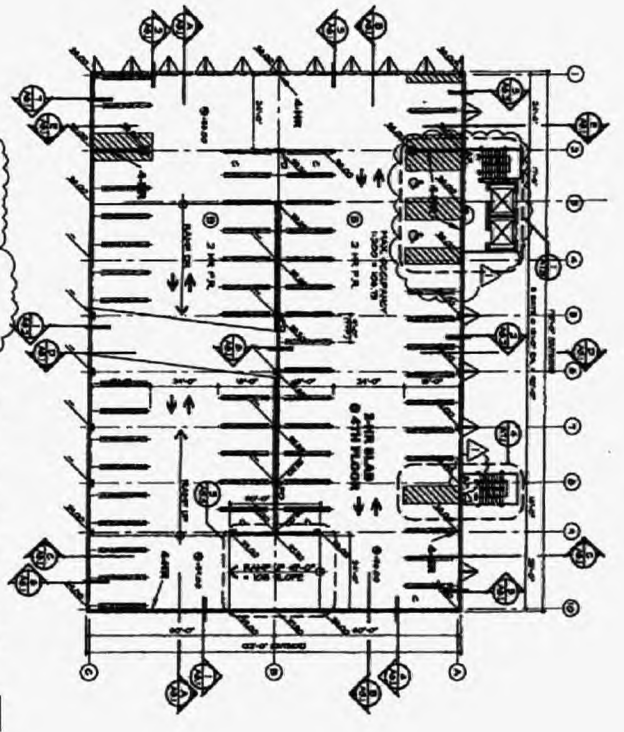
ASSEMBLY DISTRICT 9

SENATE DISTRICT 5

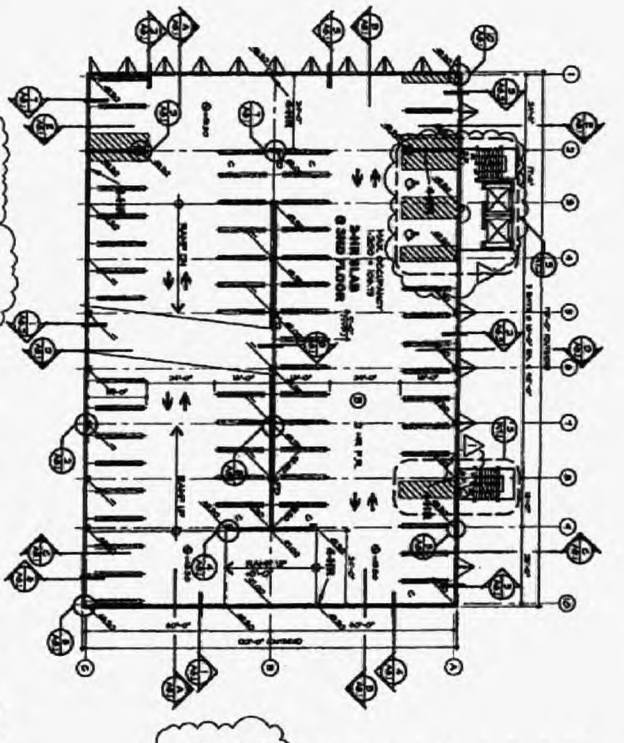
NOTICES MAILED 71 by City Clerk

APPROVALS 0

PROTESTS 0

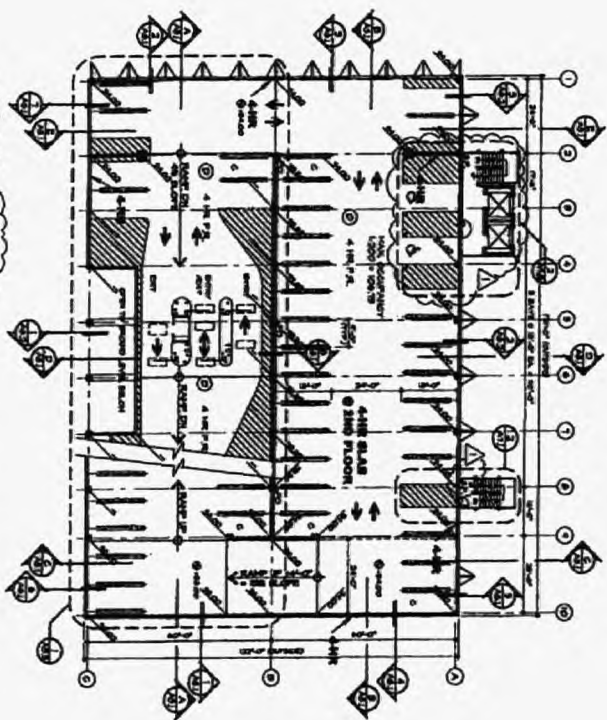


FOURTH LEVEL PLAN
NORTH

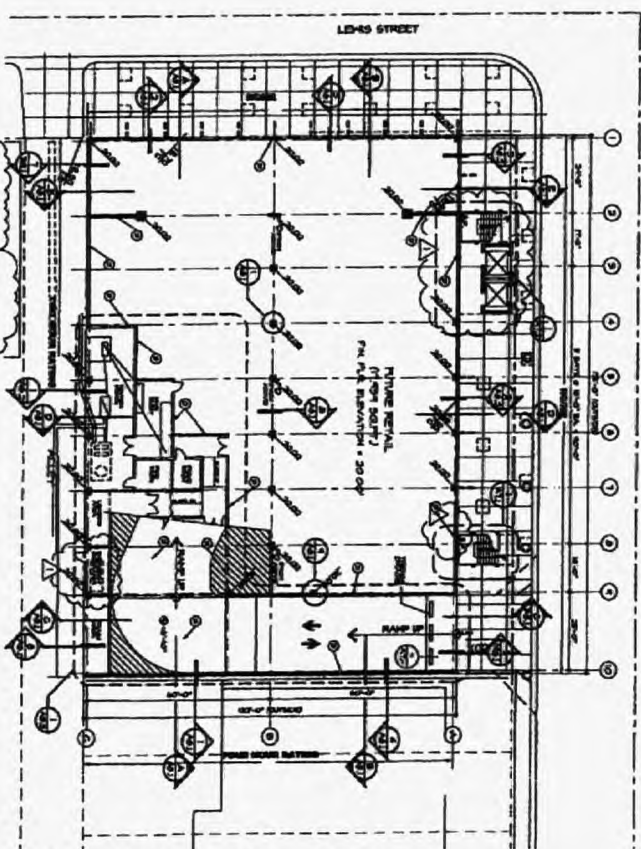


THIRD LEVEL PLAN
NORTH

- GENERAL NOTES:
1. See notes on sheet 1 of parking structure.
 2. All dimensions are in feet and inches.
 3. All dimensions are to the center of the column.
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SECOND LEVEL PLAN
NORTH



GROUND LEVEL PLAN
NORTH

8/16/04 CITY COMMENTS - CLVP # C-127-03

02/22/07 PC
SUP-19105

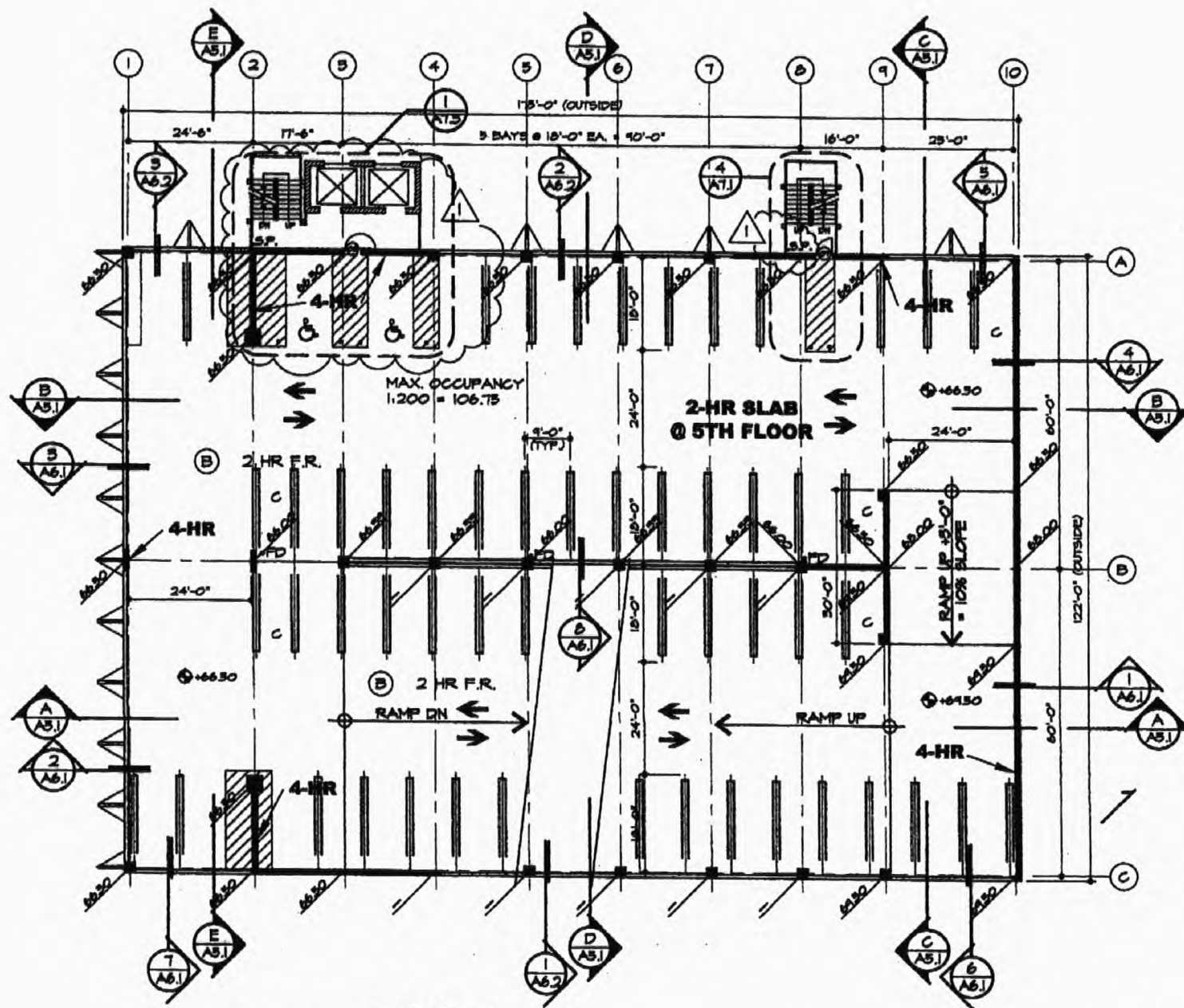
LEWIS STREET PARKING STRUCTURE
FOR
LEWIS CENTER PARKING, L.L.C.
LAS VEGAS, NEVADA

DAVIDSON, INC.
4411 Corporate Blvd.
Las Vegas, Nevada 89121
Tel: (702) 735-1000
Fax: (702) 735-1001

RENDERING
S. MITCH
STRUCTURAL
ENGINEER
1000 W. Sahara Ave.
Suite 1000
Las Vegas, NV 89106
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Fax: (702) 735-1001



GROUND - FOURTH
LEVEL PLANS



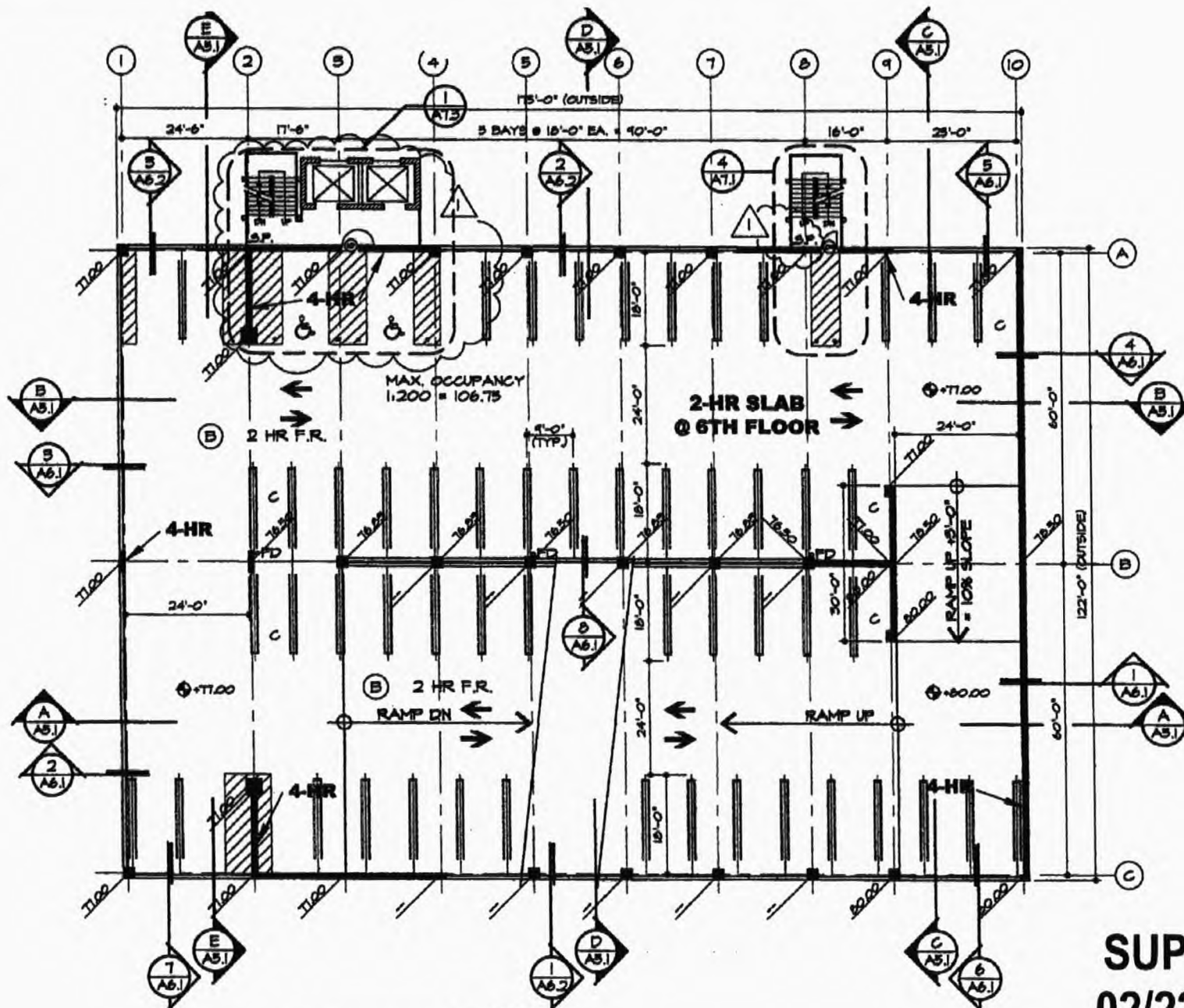
FIRE RATINGS WALLS AND FLOORS

FIFTH LEVEL PLAN

SCALE: 1/16" = 1'-0"



NORTH



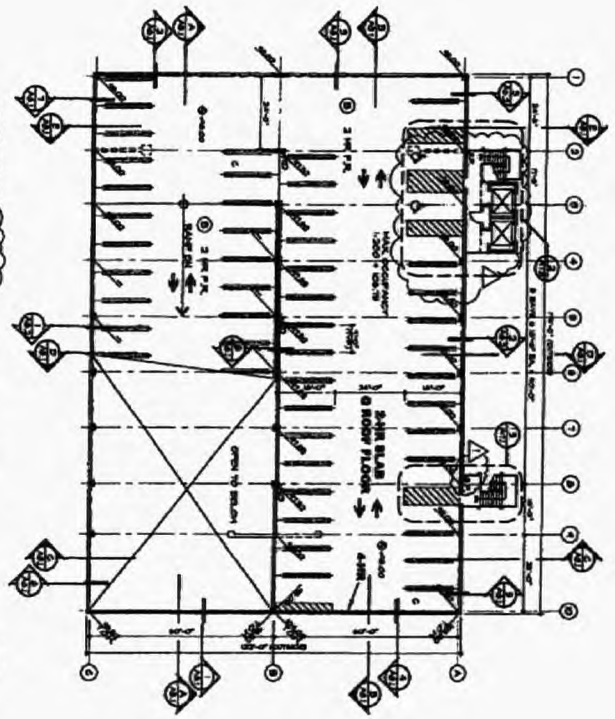
SUP-19105
02/22/07 PC

FIRE RATINGS WALLS AND FLOORS

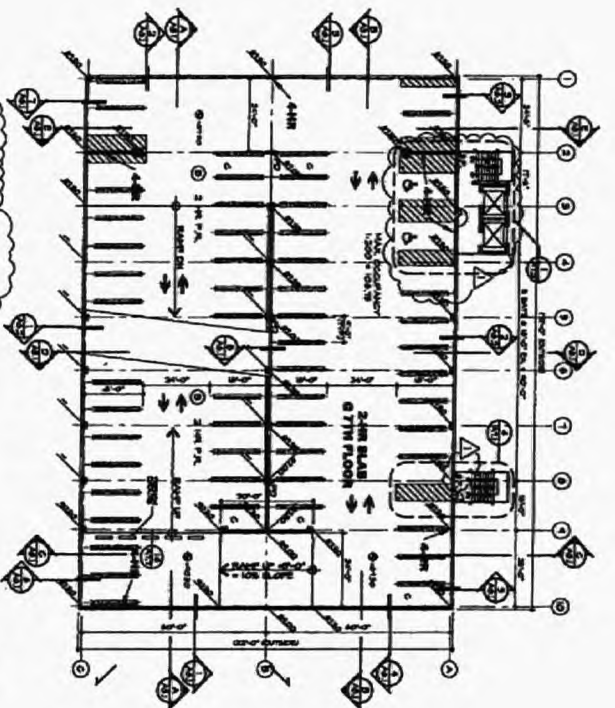
SIXTH LEVEL PLAN

SCALE: 1/16" = 1'-0"



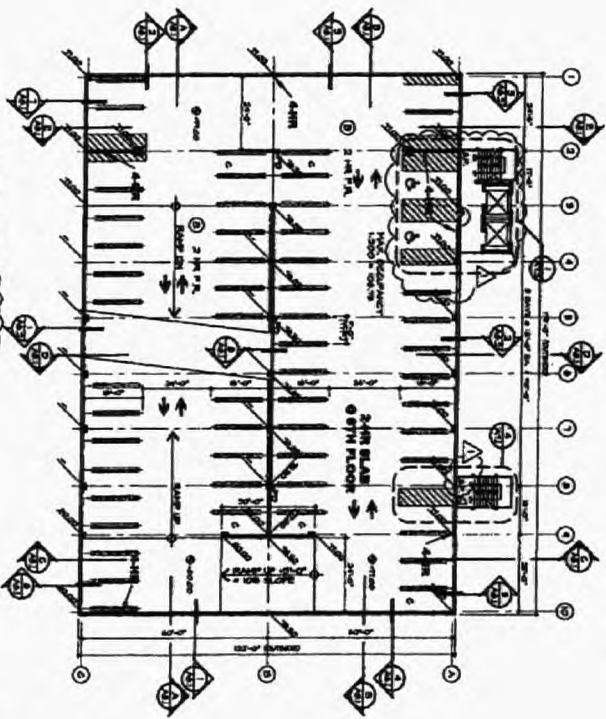


ROOF LEVEL PLAN
SCALE: 1/8" = 1'-0"
NORTH

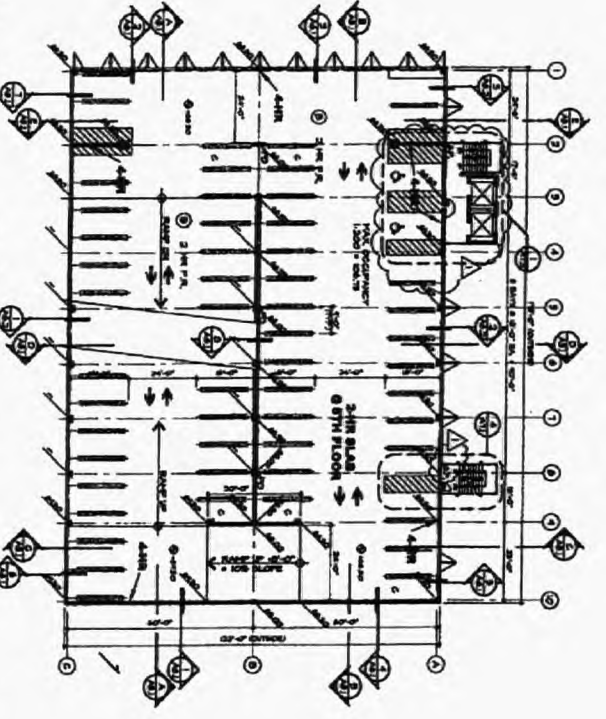


SEVENTH LEVEL PLAN
SCALE: 1/8" = 1'-0"
NORTH

- REVISIONS**
1. Add of concrete column bar of parking structure.
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SIXTH LEVEL PLAN
SCALE: 1/8" = 1'-0"
NORTH



FIFTH LEVEL PLAN
SCALE: 1/8" = 1'-0"
NORTH

SUP-19105
02/22/07 PC

8/16/04 CITY COMMENTS - CLVP # C-127-03

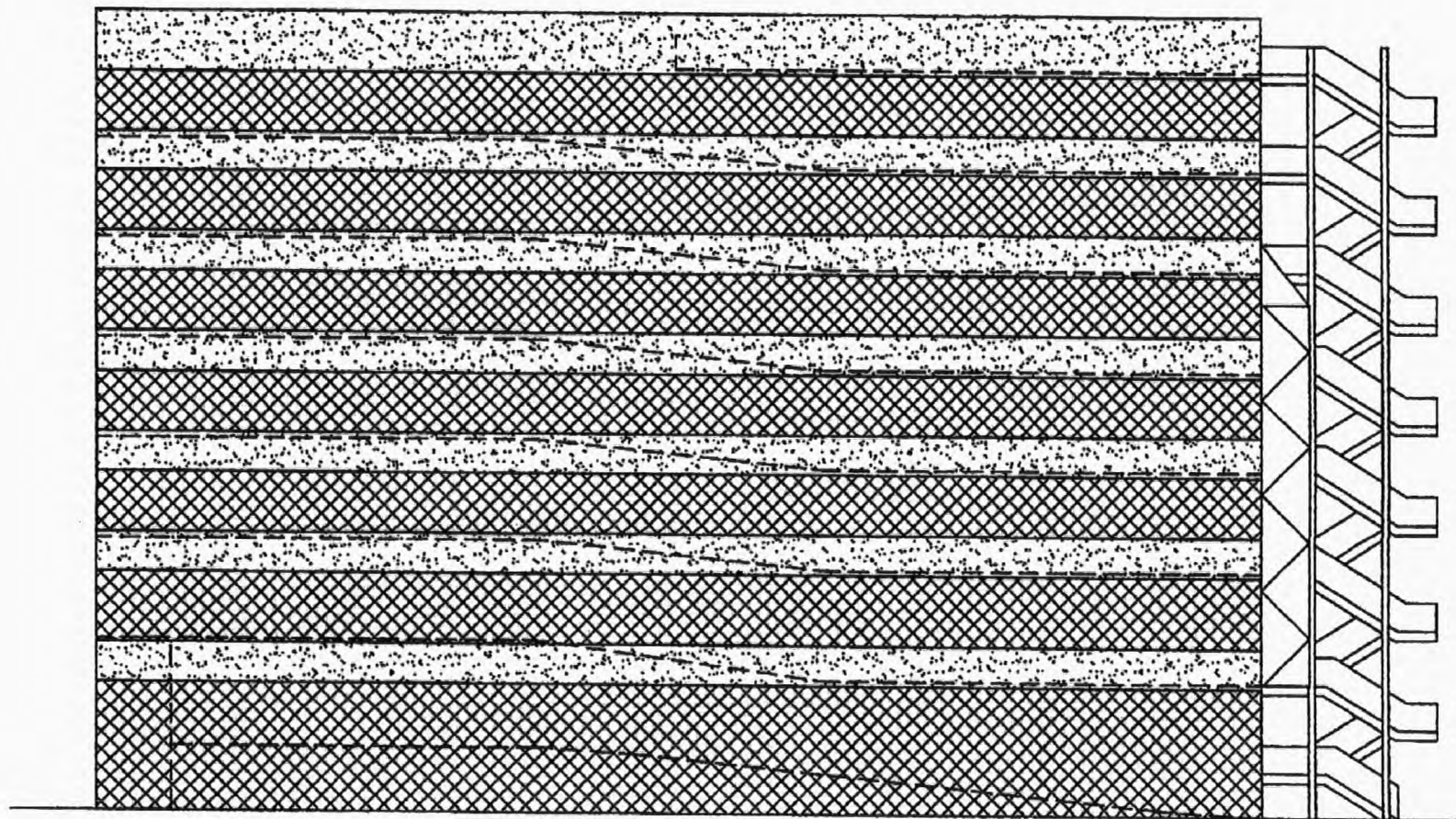
LEWIS STREET PARKING STRUCTURE
FOR
LEWIS CENTER PARKING, L.L.C.
LAS VEGAS, NEVADA

MENDENHALL
S. M. T. H.
STRUCTURAL
ENGINEERS
1111 W. WYOMING
SUITE 100
LAS VEGAS, NV 89101
TEL: 702.735.1111
FAX: 702.735.1112

DAVIDSON, INC.
1111 W. WYOMING
SUITE 100
LAS VEGAS, NV 89101
TEL: 702.735.1111
FAX: 702.735.1112



LEWIS STREET PARKING STRUCTURE
FOR
LEWIS CENTER PARKING, L.L.C.
LAS VEGAS, NEVADA

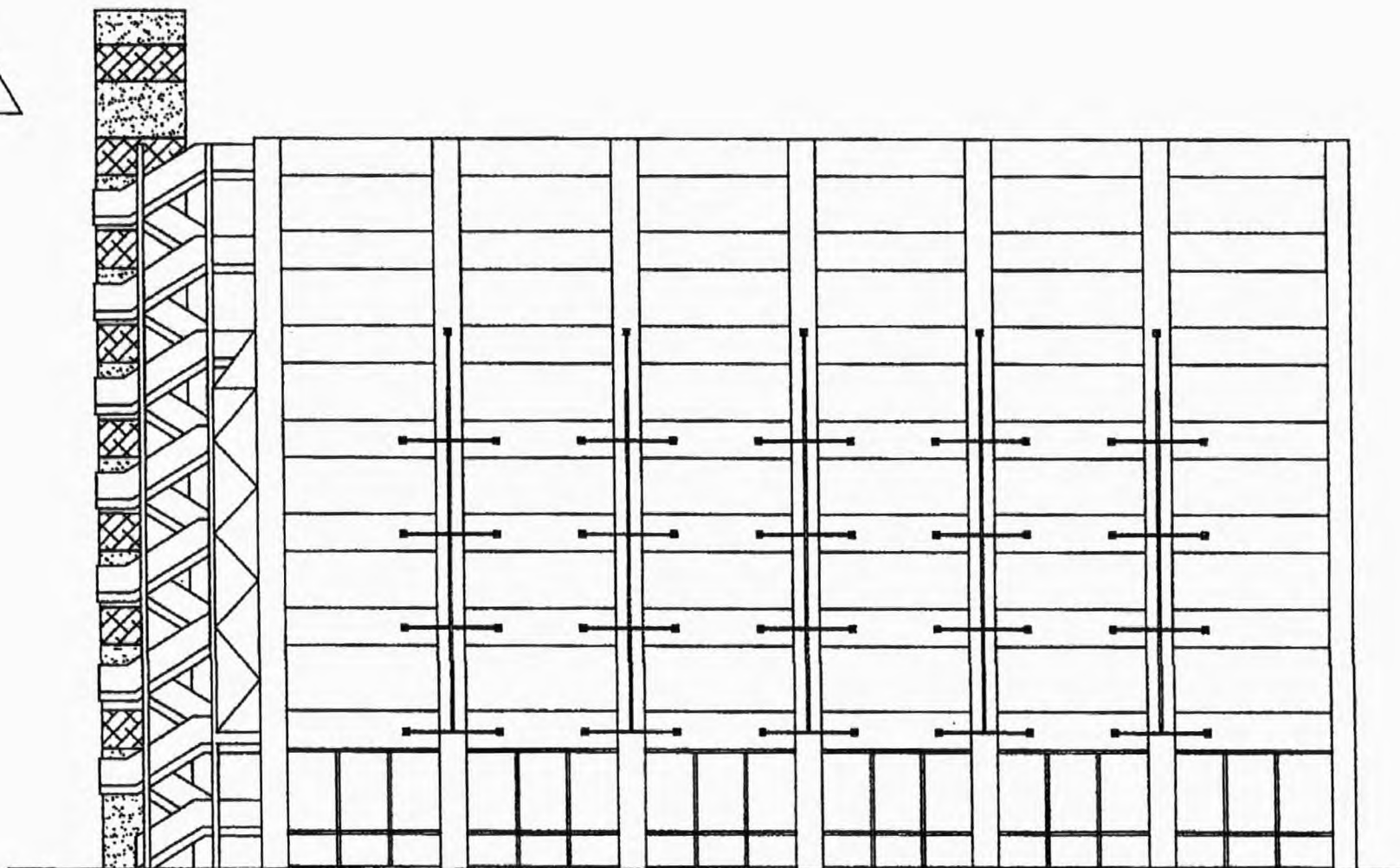


CHURCH

NORTH ELEVATION

SCALE: 1/16" = 1'-0"

SUP-19105
02/22/07 PC



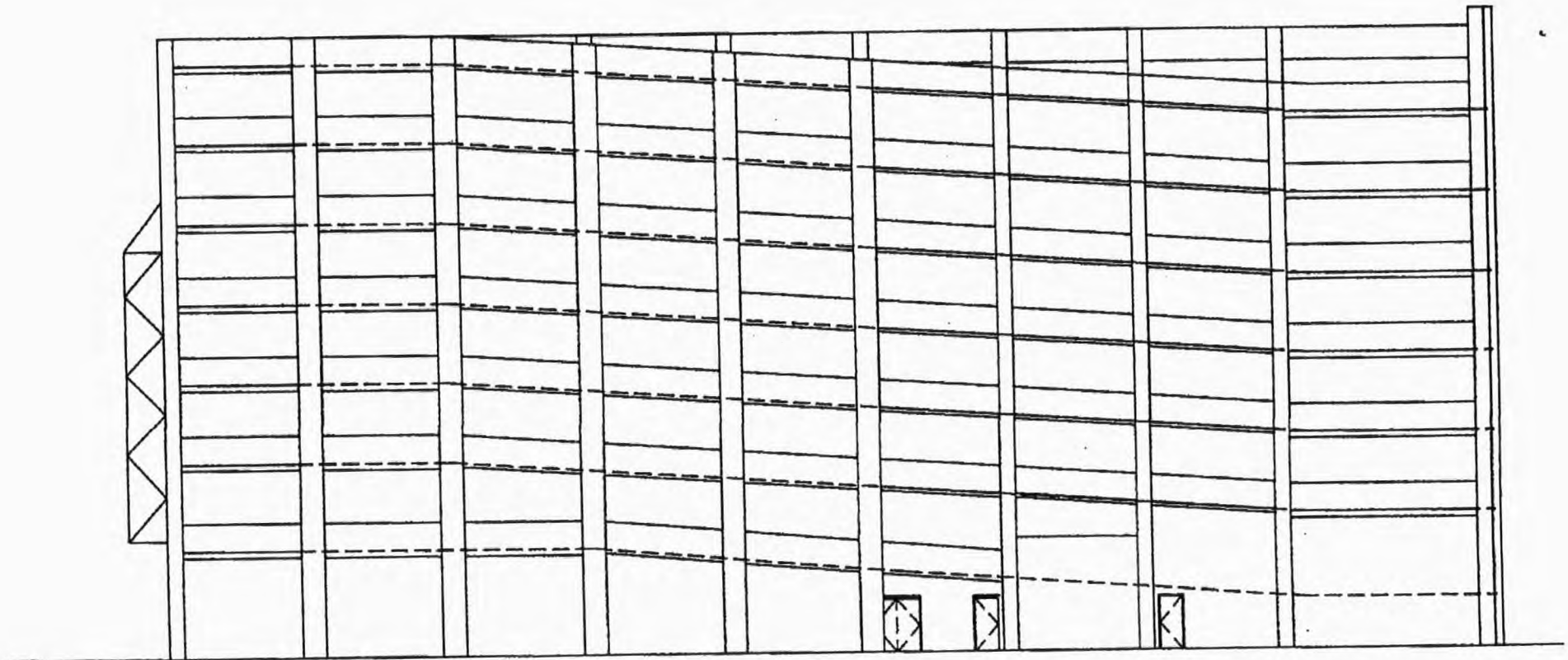
LEWIS STREET

SUP-19105

02/22/07 PC

SOUTH ELEVATION

SCALE: 1/16" = 1'-0"



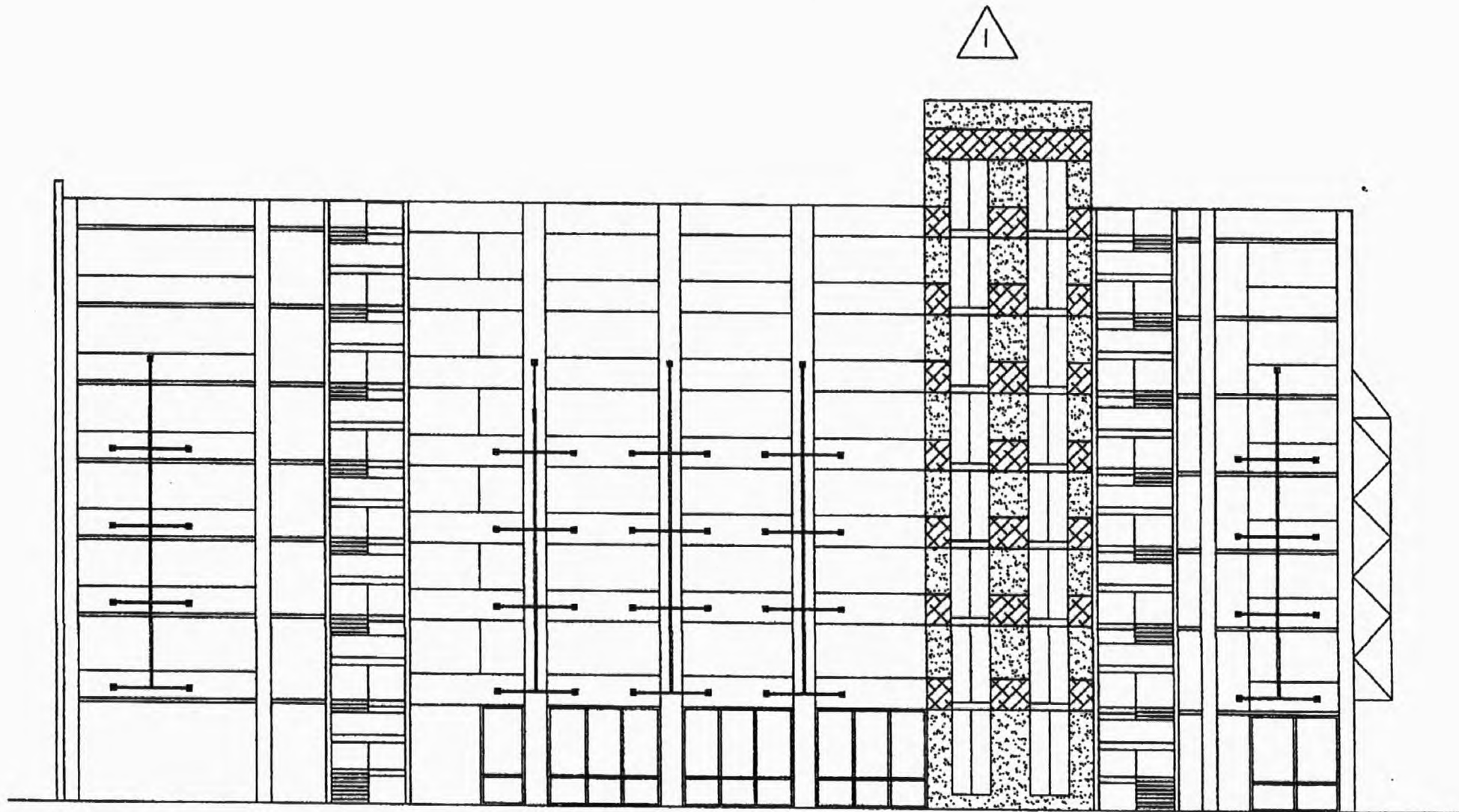
ALLEY

EAST ELEVATION

SCALE: 1/16" = 1'-0"

SUP-19105

02/22/07 PC



CASINO CENTER BLVD

SUP-19105
02/22/07 PC

WEST ELEVATION

SCALE: 1/16" = 1'-0"



SUP-19105 - APPLICANT: 1 HOUR BAIL BONDS - OWNER: LEWIS CENTER PARKING, LLC
321 SOUTH CASINO CENTER BOULEVARD
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07



SUP-19105 - APPLICANT: 1 HOUR BAIL BONDS - OWNER: LEWIS CENTER PARKING, LLC
321 SOUTH CASINO CENTER BOULEVARD
FEBRUARY 22, 2007 PLANNING COMMISSION

01/22/07

**1 Hour Bail Bonds
321 South Casino Center
Las Vegas, Nevada 89101**

December 15, 2006

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

To Whom It May Concern:

Please accept this Justification Letter in support of the Special Use Permit application and Pre-Application Conference Request Form submitted by 1 Hour Bail Bonds, LLC.

Specifically, 1 Hour Bail Bonds, LLC, requests a special use permit to operate a licensed bail bonds company at 321 South Casino Center. The location is a parking structure in downtown Las Vegas with office suites situated on the first floor. 1 Hour Bail Bonds, LLC, is requesting a special use permit for an 835 square foot suite on the first floor of the building as set forth in the site plan attached to this application.

The intended use of the suite is for a licensed bail bond company to operate and conduct business in the regular course. Use of the location as a bail bond operation supports the City's policies and regulations with regard to office and professional development and furthers the downtown expansion and progression of the legal district. The location is directly across from the Clark County Jail and is in close proximity to the Regional Justice Center. Accordingly, the addition of a bail bond office is in keeping with the subject matter and focus of the area. Moreover, a bail bond company in that setting offers essential and indispensable assistance to individuals in need of such services at a convenient and appropriate location.

Overall, 1 Hour Bail Bonds submits that a special use permit is appropriate for a bail bond office at 321 South Casino Center in downtown Las Vegas and respectfully requests approval of its applications.

Sincerely,



Paul Caruso

**SUP-19105
02/22/07 PC**

JAN 03 2007

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

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

Minutes:

SUP-19296, SUP-19340, VAR-19282, VAR-19353, VAR-19356, VAC-19032, VAC-19234 and VAC-19235 - 4/4/2007 Agenda



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

SUBJECT:

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

BACKUP DOCUMENTATION:

Submitted at meeting – Petition from Susan McMasters

Minutes:

MAYOR GOODMAN announced that LYNN BACHER is a law student at Boyd Law School and is working for the City Attorney's Office as an intern. She attended the University of Oregon for her undergraduate degree. He also proudly announced the arrival of his new grandchild, JACOB NICHOLAS GOODMAN. He weighed seven pounds, seven ounces, 19 inches long. Mother and child are doing very well.

MAYOR GOODMAN announced that COUNCILMAN ROSS' son, who he has not seen in two years, will be returning from Russia having completed his mission. ELDER MATTHEW ROSS will be picked up by his dad later in the evening.

DOROTHY BARNES congratulated MAYOR GOODMAN on his new grandchild and stated that children and grandchildren come before anything. She still feels victimized and abused by the system.

TOM McGOWAN, Las Vegas resident, stated that public censorship is a form of dictatorship throughout history. He is a candidate for Mayor for the City of Las Vegas and if elected he will involve the public in government and not only special interests. He will delegate authority and everyone will rise to that challenge. There will be a higher standard of excellence in every aspect of government. He will only require four years.

SUSAN McMASTERS, Ward 4 resident, appeared to speak about Kellogg-Zahre Dog Park located at Buffalo Drive and Washington Boulevard. She submitted signatures from 150 people allowing her to speak about the poor condition of the dog park. Four weeks ago she contacted COUNCILMAN BROWN'S office asking to be placed on the agenda to speak about this issue. She indicated that the 18-month old park is in dire straights from mismanagement and neglect. The grass is being overwatered in the middle of the day, every day. The grass roots and new seedlings are being drowned. Watering should be done in the middle of the night, not when people are using the park. It is shameful to waste water this way. This is unacceptable and everyone should be held accountable. This was brought to the attention of COUNCILMAN BROWN and JOHN BLACK of Leisure Services in September of last year. The park was to be

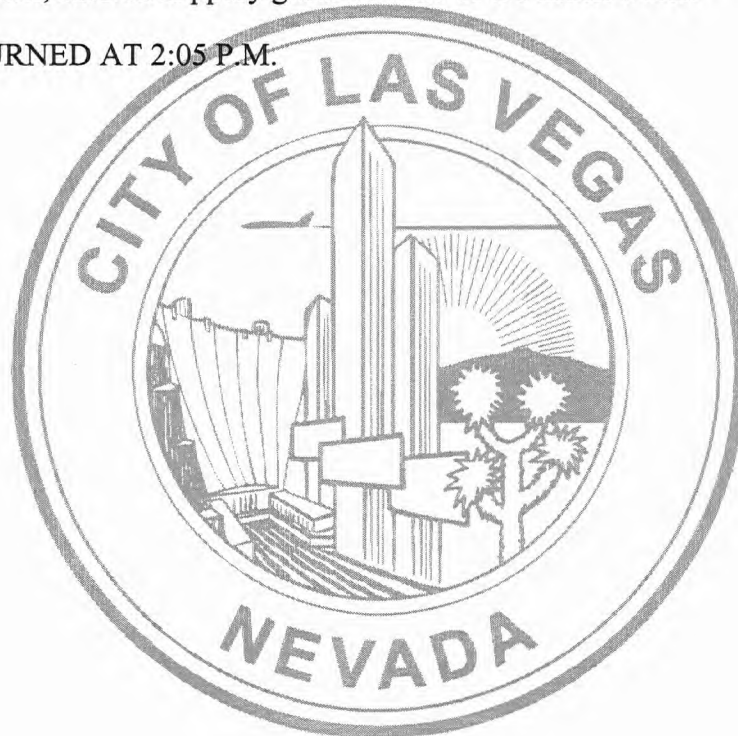
CITY COUNCIL MEETING OF: MARCH 21, 2007

power-washed on a regular basis, but has only been done twice. She was told that the park was badly designed. She feels the park was not excavated correctly. She reiterated that the park is new and is appalled at its condition. In September a complaint was filed with the Justice Department because none of the gates in the park are ADA compliant. She demanded a group meeting and to place this issue on the agenda because this is not acceptable.

CARL MEDONIC, Las Vegas resident, thanked City Hall staff for helping him find housing. He is thankful for the Las Vegas Rescue Mission who helps people in need.

CRAIG EARL stated that the dog park has been neglected and unkept. Holes in the park have been filled with sand but dogs dig through. Trash cans were placed near park benches and finally, after four months, they were moved. The park is still not ADA compliant. Many safety issues exist at this park, such as slippery grass because of too much water.

MEETING ADJOURNED AT 2:05 P.M.

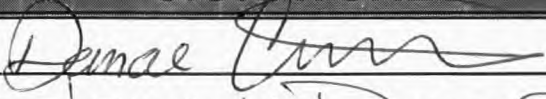


THIS IS TO CERTIFY THAT I CONSENT TO HAVE SUSAN MCMASTERS
AND/OR CRAIG EARL SPEAK ON MY BEHALF AT THE CITY COUNCIL
MEETING PERTAINING TO THE KELLOGG-ZAHRE DOG PARK ISSUES.

SIGNATURE	DATE	DOG(S) NAME(S)
MARK DUB	3/13/07	Shadow
Scott Wessinger	3-13-07	Logan, Boomer, Tank
Sarah H. Altzune	3-13-07	GLACIER, Denali
Mark	3-13-07	LADY
Don	3-13-07	Zeke / Archie
Rug Heskell	3/13/07	Sadie
Edie BACARDIA	3/13/07	FREE
Dino Cici	3/13/07	Nico
John Gough	3/13/07	SONNY
John A. My	3/13/07	BOOMER
Brotherly Sutter	3/13/07	CHARLIE
My Sutter	3/13/07	SHILOH
Charles Hest	3/13/07	Cubby
Mark Sch	3/13/07	Rusty
Ant Jachman	3/13/07	Abby
BA	3/13/07	VISION
Angela	3/13/07	SKOOTER
Kurt	3/13/07	Jordan
	3/13/07	WILHE

Submitted at City Council
Date 3/21/2007
Item 9

THIS IS TO CERTIFY THAT I CONSENT TO HAVE SUSAN MCMASTERS
AND/OR CRAIG EARL SPEAK ON MY BEHALF AT THE CITY COUNCIL
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SIGNATURE	DATE	DOG(S) NAME(S)
	3/11/07	Sasha Noir
James W. Daines	3-11-07	Jordan
Michelle Daines	3-11-2007	T. BEAR
Amelicia Herney	3/11/2007	Duke
Mike Hancey	3/11/07	Duke
MIKE APPEL	3/11/07	BRITT
Valerie Fried	3/11/07	Kona + Ginger
Dennis Pagan	3/13/07	Bean
Justin Smith	3/13/07	Chloe
Jeff Ellis	3/13/07	Jet
W. O. Park	3/13/07	MANY
Jeanne Bullock	3/13/07	ZEER
Jeremy Smith	3/13/07	Reggie Jet
Jeanette Garrett	"	Lady
Angelica Dreyer	3/13/07	Honey
C. Dunecker	3/13/07	Edith
KENT WILLIAMS	13 MAR 07	CASEY
James Macklow	13 Mar 07	Misha
Dora Zolig	13 03 07	Stormy

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SIGNATURE	DATE	DOG(S) NAME(S)
Yajun? Sheri Sandoval	3-8-07	Gypsy
John A. Enesa	3-8-07	Bleed
Karl Linsy Wood	3-8-07	Bailey + Kayla
Douglas Bump	3-8-07	Dallas
Atli Smith	3-9-07	Calymus
Crystal Cross	3-9-07	ROMEO
Rick INGRAM	3-9-07	EARL
Todd Bell	03/09/07	Caesar
Alm M. Hester	3/9/07	Caesar
Barbara Rector	3/9/07	Tasha, Sydney
James S. HUNTER	3/10/07	Tyson
Pat Hilly	3/10/07	Jezebel
Frank R. Rie	3/10/07	WRINGO
Tom R. Rie	3/10/07	Cassie
Bonnie M. Stary	3/10/07	Jake
Vicky Decker	3/11/07	Cody
Pat Hilly	3/11/07	Cody
Valerie Lantz	3/11/07	memo
Maribel Gomez	3/11/07	Tina & Macy

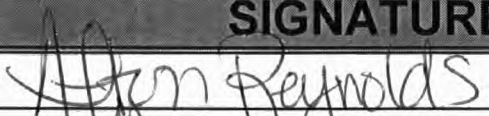
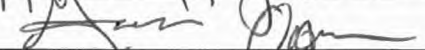
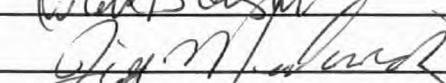
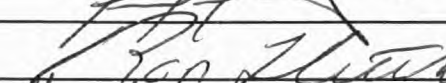
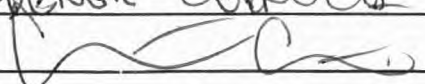
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SIGNATURE	DATE	DOG(S) NAME(S)
Joe Shelly	03/9/07	BRIE
Paula Doherty	03/9/07	ARNOLD
Donna Doherty	3/9/07	Chia
W. B. Brownson	3/9/07	Sage
Beverly Bush	3/9/07	Suki
Don Williams	3/9/07	Pete & Joey
Tammy McKenzie	3-9-07	Ruby
Debra Jones	3-9-07	Shelby
Don Hays	3-9-07	Rufus
Laurie Wanser	3-9-07	Rascal
CRISTO POLANCO	3-9-07	Kharma
Corey Sanders	3-10-07	KOA
Terry Doyle	3-10-07	Bella
Joie Muzzarelli	3-10-07	Pete & Chip
Christie LeBeau	3-10-07	Corey & Daisy
Wilfred L. Haslett	3-10-07	Glacier
Adan Alberio	3-11-07	INDIE
	3-11-07	Moo Shu

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SIGNATURE	DATE	DOG(S) NAME(S)
<i>[Signature]</i>	3/8/07	Tug & Dudley
Kristina Narmore	3/8/07	Black & White
Michael Moore	3/8/07	Dusty
Stephen & Holbert	3/8/07	EMI + VEGA
<i>[Signature]</i>	3-8-07	Cooper & Maggie
<i>[Signature]</i>	3-8-07	Diego
<i>[Signature]</i>	3-8-07	Rocco
Erin Delany	3-8-07	Zorro
Kathleen Wells	3/8/07	Kona & Bob
Megan Wright	3/8/07	Titus
Don Tatone	3/8/07	Noodle
Log Bush	3-8-07	Chase
Clarke Preisler	3-8-07	Zai/Chloe/Chad
James P. Mongrardo	3-8-07	Zena
Joe Lil	3-8-07	Kona and GINGER
David H.	3/8/07	Buddy And Britany
Crystal Smith	3-8-07	AJ
<i>[Signature]</i>	3-8-07	Sam
<i>[Signature]</i>	3-8-07	RAGE

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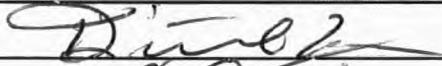
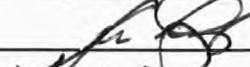
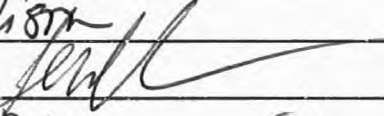
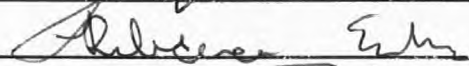
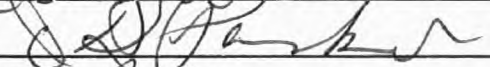
SIGNATURE	DATE	DOG(S) NAME(S)
	March 11, 2007	Buddah, Malele, Willy
	3-11-07	Shrimp, Dax, Norman
Keith Hawkins	3/11/07	Paolo & Bruno
Pick Barton	3/11/07	Paolo / Bruno
Deborah L. McElatch	3/11/07	Charlie
	3/11/07	Buffy
Robert Johnson	3-11-07	Buffy
Wendy Carson	3-11-07	BEAR
	3-11-07	Bear
	3-11-07	Lucas
	3-11-07	SAPD
Jan Lusk	3-11-07	MAIZIE
	3-11-07	Jake
Mary Ann Wilson	3-11-07	Jake, Teddy, Chief
Karla Lusk	3-11-07	Bruce's Girl
Jakob Canoch	3-11-07	Kiki
Jakob Canoch	3-11-07	Kiki
	3/11/07	Kiki
	3/11/07	I AM LUSK

ADA

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SIGNATURE	DATE	DOG(S) NAME(S)
Jeanne Landrey	3-14-07	Nikki + TASHA
Mary Daugherty	3-14-07	MAX
Michelle Thomas	3-14-07	
Diana Brown	3-15-07	Holly
Natalie Larsen	3-15-07	Gadget + Gizmo
Yvette Henry	3-15-07	Nicky
Ruth Hs	3-15-07	Buddy
Bob Fahn	3-15-07	Buddy
Richard Noel	3-15-07	Bailey
Ann Noel	3-15-07	Bailey
Pat Catalfio	3-15-07	Sandy & Mighty
Stacy Mathon	3-15-07	Doesha
Lorin Moore	3-15-07	Bailey
SD Smith	3-15-07	SHEUCH MAGGIE
Joette Maens	3-15-07	Chaps
Judy Farley	3-16-07	Mouse
Kelly Farley	3-16-07	Mouse
Kelly Clark	3-16-07	Daisy
Jeff Clark	3-16-07	Daisy

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SIGNATURE	DATE	DOG(S) NAME(S)
	3-15-07	SASHA
	3-15-07	Rocky & Adrian
Tim Turrell	3-15-07	-
Meghan Burke	3-15-07	Diego
J. Ellison	03-15-07	Spunkie
	3/16/07	Joshua
	3/16/07	Darius & Janya
Tim Smith	3/16/07	GABBY
Colleen	3/16/07	GABBI
Cathy Wacker	3/17/07	Taz
	3/17/07	KATIE
Mr. Pink	3/17/07	Katie
	3-18-07	Mr. Pink
	3-18-07	Mr. Pink
Lynn Slonin	3-18-07	Quincey + Jet
Camille Slonin	3-18-07	" "
Vikki Marshall	3-18-07	Zorro
Ronald Nikki Marshall	3-18-07	Prada