

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 4, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REZONING RELATED TO GPA-13885

RESCIND PREVIOUS ACTION - ZON-13889 - PUBLIC HEARING - APPLICANT/OWNER: JOSE SANDOVAL - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 0.38 acres at 2750 Harris Avenue (APN 139-25-410-017), Ward 3 (Reese). The Planning Commission (5-1 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:

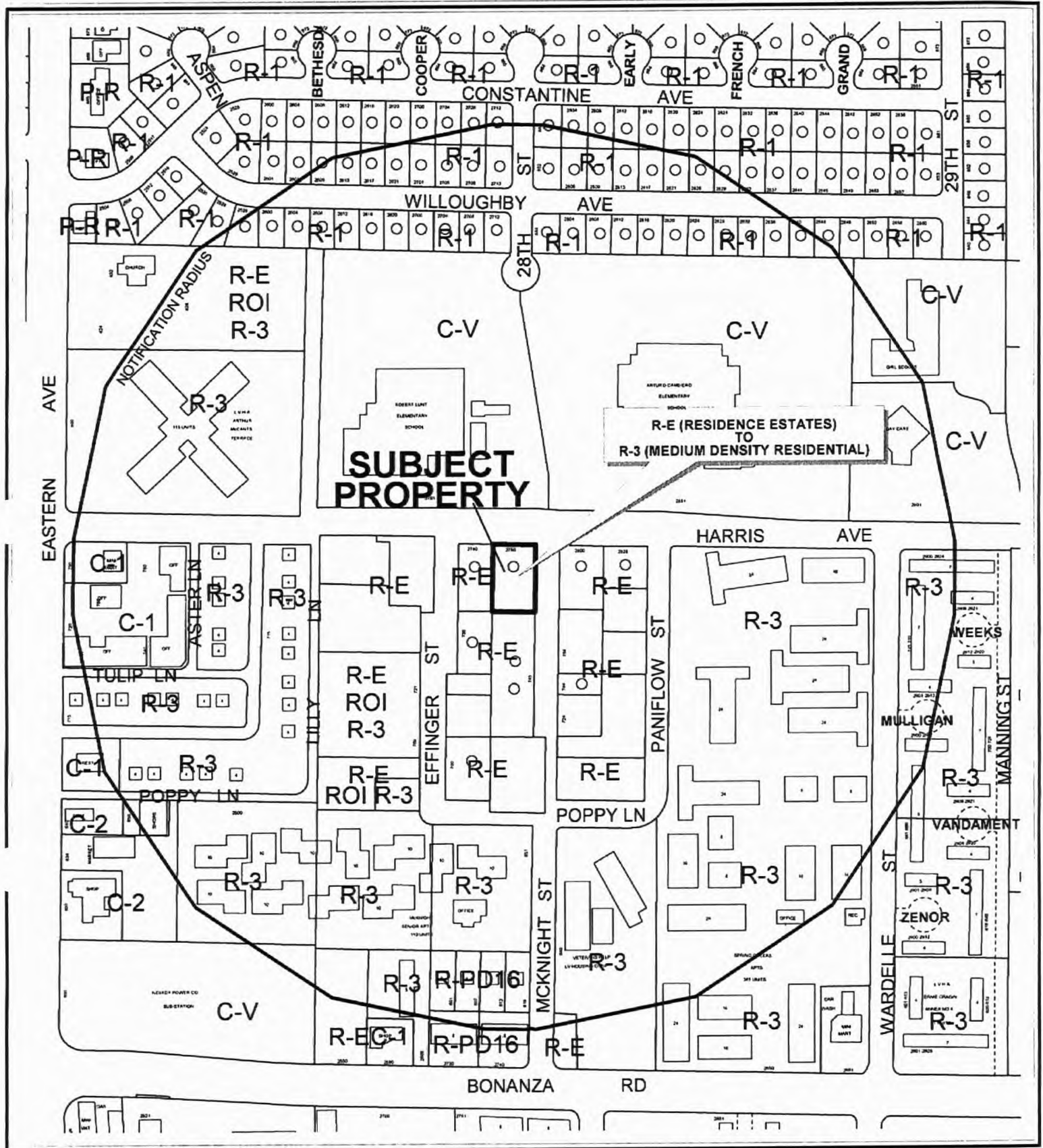
The Planning Commission (5-1 vote) and staff recommend APPROVAL, subject to conditions.

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 the Rescission for Items 72-75

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



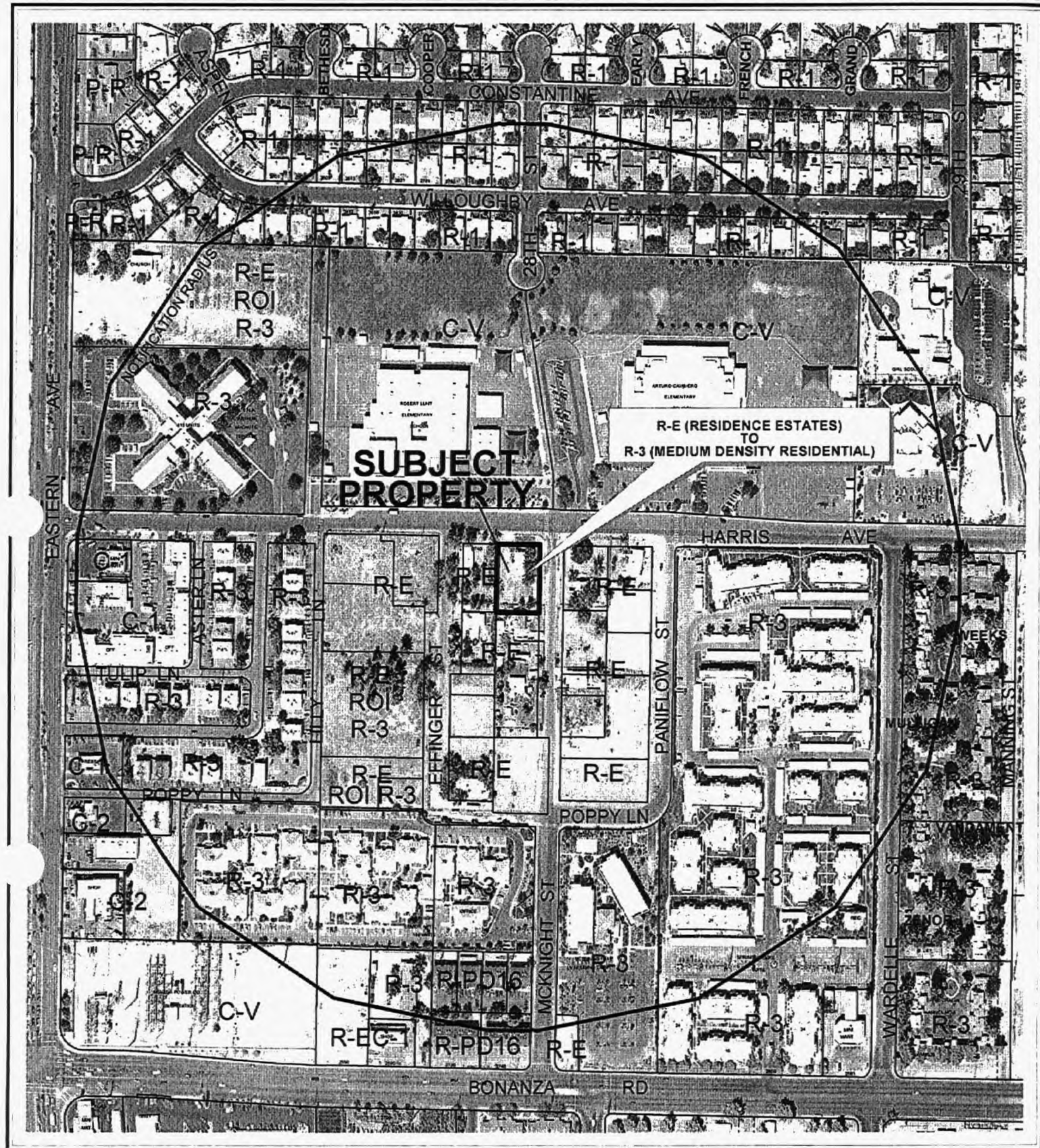
CASE: **ZON-13889**

RADIUS: 1000 FT

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

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





CASE: ZON-13889

RADIUS: 1000 FT

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

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 16, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-13889 - APPLICANT/OWNER: JOSE SANDOVAL

**** CONDITIONS ****

The Planning Commission (5-1/rt vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A General Plan Amendment (GPA-13885) to M (Medium Density Residential) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit is hereby granted.
3. A Site Development Plan Review (SDR-13886) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate a 15 foot radius on the southwest corner of Harris Avenue and McKnight Street. Also a Quit Claim deed must be recorded to correct the rights-of-way along Harris Avenue and McKnight Street prior to the approval of construction drawings or the issuance of any permits for this site. Contact the Right-of-Way section of the Department of Public Works for assistance in preparing the needed documents.
5. Construct all incomplete half-street improvements on Harris Avenue and McKnight Street adjacent to this site concurrent with development of this site.
6. Extend public sewer in McKnight Street to the southern edge of this site at a size, depth and location acceptable to the Collection System Planning section of the Department of Public Works. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

APPLICATION REQUEST

This application is a Request for a Rezoning from: R-E (Residence Estates) to: R-3 (Medium Density Residential) on 0.38 acre at 2750 Harris Avenue.

EXECUTIVE SUMMARY

The site consists of a single parcel that is currently occupied by a single-family home. The request is compatible with medium density development to the east, west and south of the subject parcel, and is located in a pocket of R-E (Residential Estates) lots, over half of which are vacant. Staff recommends approval, subject to approval of the related Master Plan Amendment to an M (Medium Density Residential) land use designation on a portion of the site and a Site Development Plan Review application for development of the overall site.

BACKGROUND INFORMATION

A) Related Actions

- 07/13/06 The Planning Commission recommended approval of companion item GPA-13885 and denial of companion items VAR-13888 and SDR-13886 concurrently with this application.
- 07/13/06 The Planning Commission voted 5-1/rt to recommend APPROVAL (PC Agenda Item #32/ejb).

B) Pre-Application Meeting

- 05/17/06 A pre-application meeting was held to discuss the applicable General Plan Amendment, Rezoning, Site Development Plan Review and Variance on the subject property.

C) *Neighborhood Meetings*

06/20/06 A neighborhood meeting sponsored by the applicant was held at the East Las Vegas Senior Center at 250 North Eastern Avenue. No citizens were in attendance.

D) Code Enforcement Information

Code Enforcement indicates that there is an open violation of an illegally un-permitted structure on the subject property. The violation has been ongoing since 03/07/06. Code Enforcement also indicates that they are in the process of citing the owner for the subject violation.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.38 Acres

B) Existing Land Use

Subject Property:	Single Family Residence
North:	Elementary School
South:	Single Family Residence
East:	Single Family Residence
West:	Single Family Residence

C) *Planned Land Use*

Subject Property:	L (Low Density Residential) – proposed M (Medium Density Residential)
North:	PF (Public Facilities)
South:	L (Low Density Residential)
East:	M (Medium Density Residential)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates) proposed R-3 (Limited Multiple Residence)
North:	C-V (Civic)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates)
West:	R-E (Residence Estates)

E) General Plan Compliance

The subject site is located within the Southeast Sector of the General Plan with an L (Low Density Residential) land use designation, which allows for residential development of up to 5.49 dwelling units per acre. A concurrent application proposed to amend the General Plan to M (Medium Density Residential) which allows for density up to 25.49 dwelling units per acre. The proposed rezoning to the R-3 (Medium Density Residential) zoning district is consistent with the proposed Medium Density Residential General Plan designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Rural Preservation Overlay District		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

F) Density

EXISTING ZONING	PERMITTED DENSITY	PROPOSED ZONING	PERMITTED DENSITY	GENERAL PLAN	PERMITTED DENSITY
R-E	2.49 du/ac 0.95 total units on 0.38 acres	R-3	25.49 du/ac 9.69 units on 0.38 acres	L	5.49 du/ac

The subject request proposes to change the zoning from R-E (Residential Estates) to R-3 (Limited Multiple Residence). There is an accompanying General Plan Amendment (GPA-13885) proposal to change the designation on the subject parcel from L (Low Density Residential), which allows up to 5.49 dwelling units per acre to M (Medium Density Residential), which allows up to 25.49 dwelling units per acre.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	6,500 Square Feet	16,550 Square Feet	Y
Min. Setbacks			
• Front	20 Feet	8 Feet	N
• Side	5 Feet	10 Feet	Y
• Corner	5 Feet	10 Feet	Y
• Rear	20 Feet	8 Feet	N
Max. Building Height	2 Stories / 35 Feet	2 Stories/ 22 Feet	Y

The applicant has requested an accompanying Variance (VAR-13888) to allow for an eight foot front yard setback where 20 feet is the minimum required and a rear yard setback of eight feet where 20 feet is the minimum required.

B) General Analysis and Discussion

The purpose of the R-3 (Limited Multiple Residence) District is to provide for the development of a variety of multi-family units such as duplexes, townhouses and medium density apartments. The R-3 (Limited Multiple Residence) District is consistent with the policies of the M (Medium Density Residential) category of the Master Plan. The applicant has submitted a companion General Plan Amendment (GPA-13885) to change the planned land use designation from L (Low Density Residential) to M (Medium Density Residential). The request is appropriate, as there are existing multi-family development to the east, south and west of the area of vacant land and sporadic single-family homes that the subject parcel sits within. An elementary school occupies the parcel to the north across Harris Avenue. A change to R-3 would be consistent with surrounding multi-family residential uses, and also follow the trend of the area.

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."

There is a companion General Plan Amendment (GPA-13885) with this item. The request is for M (Medium Density Residential) land use designation. The R-3 (Limited Multiple Residence) zone would be in conformance with this General Plan designation. With approval of the General Plan Amendment (GPA-13885) the proposal will be in conformance 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."

The proposed 8-unit multi-family residential project will be compatible with the surrounding area. The General Plan reflects M (Medium Density Residential) on the eastern side of the project site and PF (Public Facility) to the north.

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

The community is in need of affordable housing opportunities. This project will help in providing an affordable product to individuals that could not otherwise afford housing.

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

The proposed development gains access off of McKnight Street, adjacent to Harris Avenue. These are both standard city streets. The streets surrounding the development will provide adequate access to and from the proposed development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

11

ASSEMBLY DISTRICT 28

SENATE DISTRICT 2

NOTICES MAILED 93 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-13889 APN: 139-25-410-017
Name of Property Owner: Jose Sandoval
Name of Applicant: Jose Sandoval

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 _____

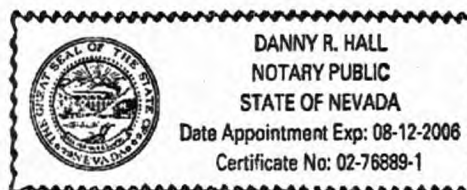
Signature of Property Owner: J. Sandoval

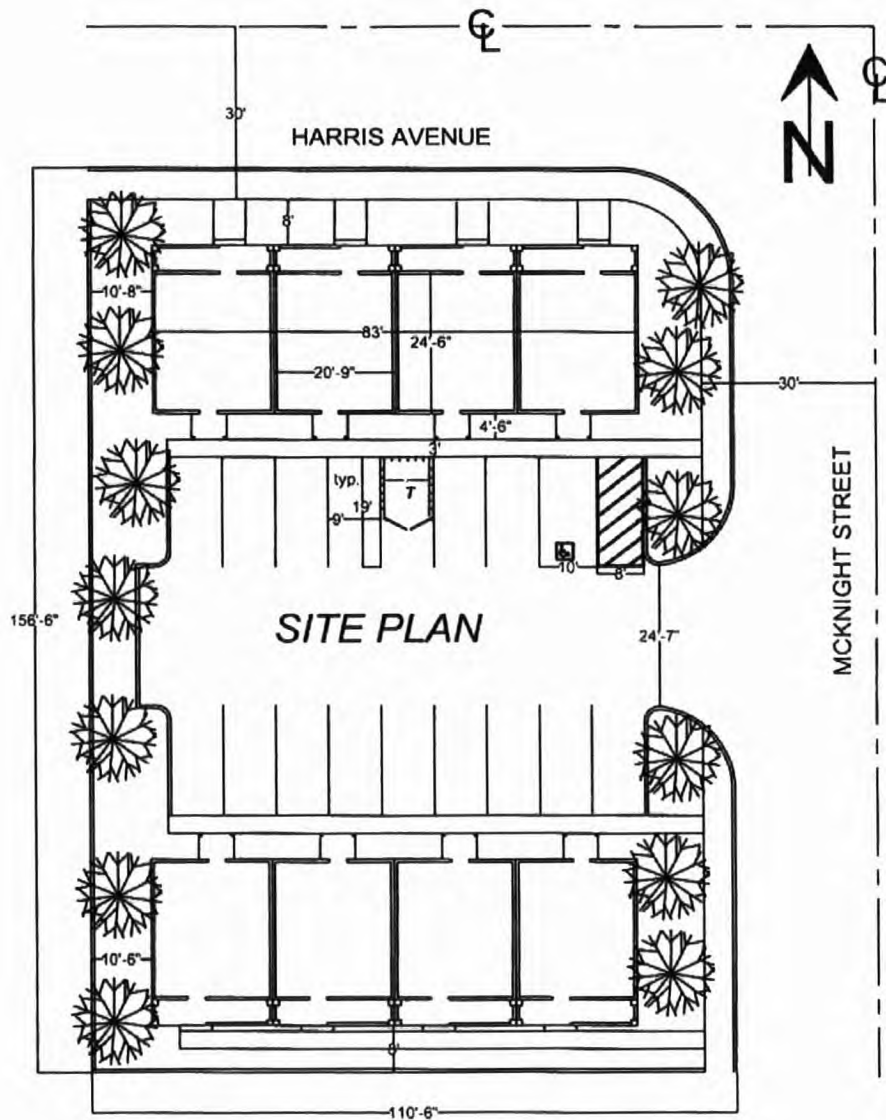
Print Name: Jose Sandoval

Subscribed and sworn before me

This 30TH day of MAY, 2006

Danny R. Hall
Notary Public in and for said County and State





LANDSCAPE SCHEDULE

20' DESERT TREE -- MESQUITE, PALO VERDE,
DESERT WILLOW

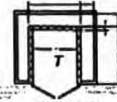


PALM TREE

DESERT SHRUBS -- LANTANA, RANGER SAGES, CASSIAS,
RUSSIAN SAGE, VARIOUS PENSTEMONS

GROUND COVERS -- VARIOUS
COLORED GRAVELS RANDOMLY
OVERCAST WITH MINUS 6" ROCKS

HARRIS McNIGHT CORNER
2750 HARRIS AVENUE
APN 139-25-410-017
SCALE $\frac{1}{16}" = 1'-0"$



TYPICAL
TRASH
ENCLOSURE

ASSESSOR'S PARCEL NUMBER
139-25-410-017

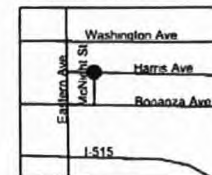
LOT COVERAGE ANALYSIS

TOTAL FOOTPRINT ALL UNITS = 4,067 SF
TOTAL BLACKTOP = 5,600 SF
TOTAL LOT SIZE = 15,794 SF
TOTAL LANDSCAPE AREA = 6,127 SF
FOOTPRINT TO LOT SIZE RATIO = 1:4
PERCENTAGE OF LOT COVERAGE = 26%

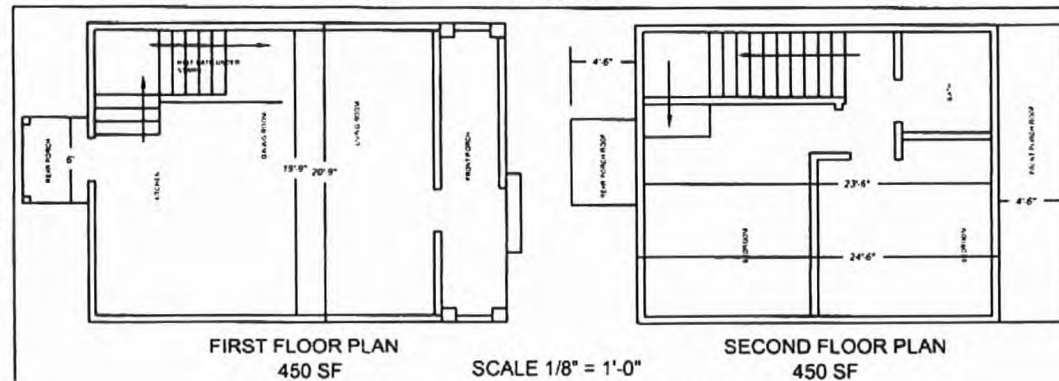
PARKING ANALYSIS

8 TWO BEDROOM UNITS REQUIRES 16
PARKING SPACES

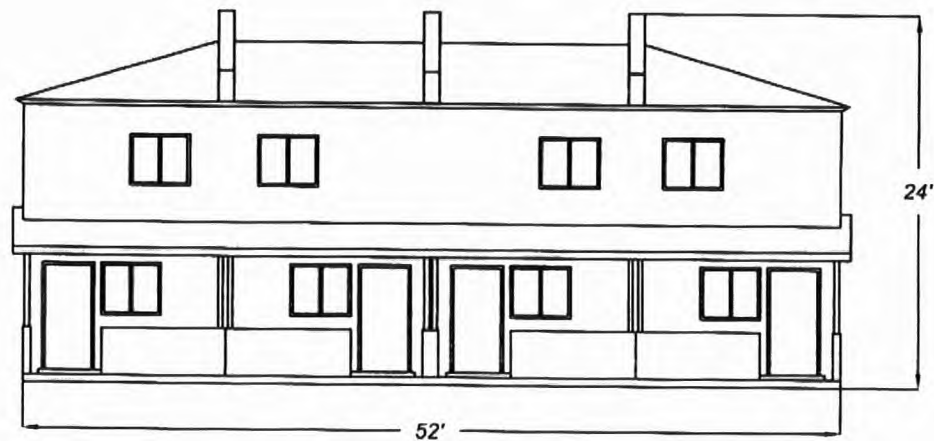
16 SPACES ARE SHOWN
INCLUDES ONE VAN ACCESSABLE
HANDICAP SPACE



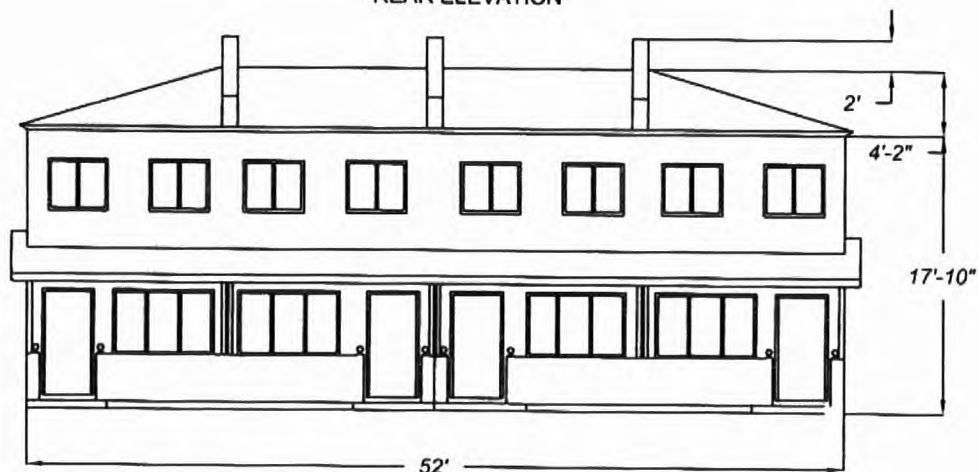
VICINITY MAP
no scale



GPA-13888 ZON-13889
VAR-13888 SDR-13886
07-13-06 PC

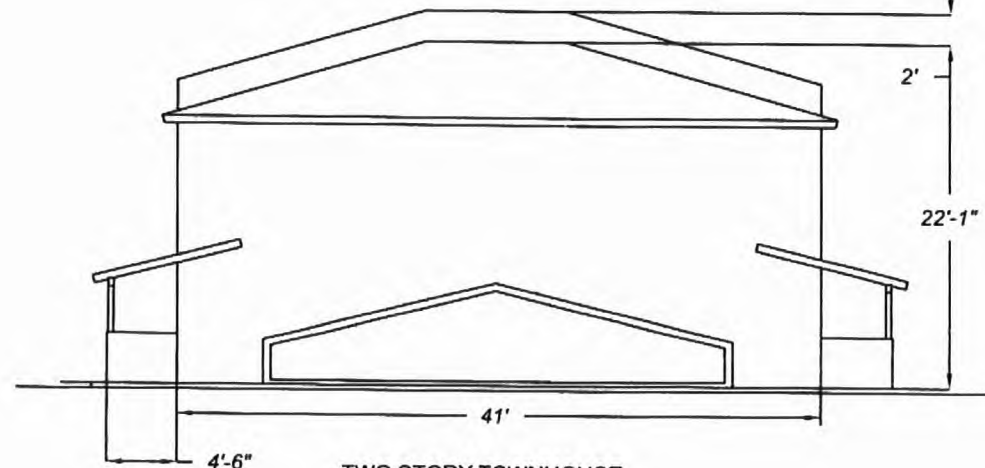
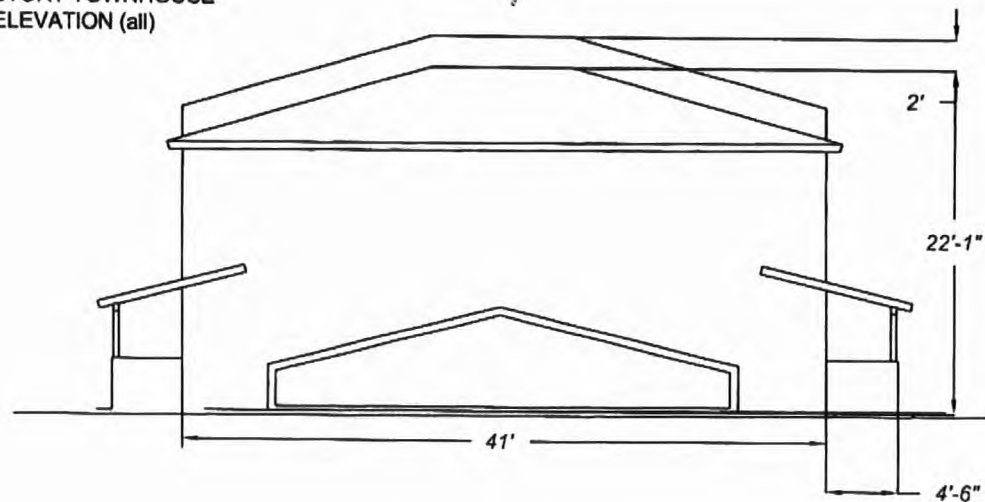


REAR ELEVATION



FRONT ELEVATION

TWO STORY TOWNHOUSE
SIDE ELEVATION (all)



TWO STORY TOWNHOUSE
SIDE ELEVATION (all)

GPA-13888 ZON-13889
VAR-13888 SDR-13886
07-13-06 PC

RECEIVED



- Zoning, Planning, Building & Land Use
- Development Services
- Permit Tracking
- Local Government Regulations
- Legislative & Administrative Representation
- Business, Gaming, Liquor & Privileged Licenses

June 26, 2006

City of Las Vegas
Planning & Development
741 S. Fourth St.
Las Vegas, NV 89101

SUBJECT: JUSTIFICATION LETTER -- General Plan Amendment, Zone Change, Site Design Review and Variances

The name of this proposal is: **Harris / Mc Knight Corner**

1. This land use application will produce an environment of stable and desirable character consistent with the objectives of Title 19 and the General Plan due to the area in which it will service.
2. The purpose is to make the necessary applications to allow for a zone change from R-E to R-3. To properly affect this we hereby apply for a general plan amendment from L to M. We will develop this property to consist of two 4-plex units to be of a town house design.
3. The total gross acreage for this site is 0.38 acres. The APN is 139-25-410-0217.
4. The General Plan surrounding this project is "L", excepting Public to the north.
5. We are asking for a variance for building set-back requirements of the rear from 20' to 10'-6" and the front from 20' to 11'-6". In addition we would ask for a proximity slope variance as our buildings are 22' in height.
6. All studies necessary to bring this application forward are to the current code will be conducted.

If I can be of any additional assistance in any of this at any time, please do not hesitate to call me at 596-7400 (or 277-3733).

Sincerely,



Mark Sabraw

**GPA-13885 ZON-13889
VAR-13888 SDR-13886
08/10/06 PC REVISED**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 4, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE RELATED TO GPA-13885 AND ZON-13889

RESCIND PREVIOUS ACTION - VAR-13888 - PUBLIC HEARING - APPLICANT/OWNER: JOSE SANDOVAL - Request for a Variance TO ALLOW A FRONT YARD SETBACK OF EIGHT FEET WHERE 20 FEET IS REQUIRED, A REAR YARD SETBACK OF EIGHT FEET WHERE 20 FEET IS REQUIRED AND A RESIDENTIAL ADJACENCY SETBACK OF EIGHT FEET WHERE 66 FEET IS REQUIRED on 0.38 acres at 2750 Harris Avenue (APN 139-25-410-017), R-E (Residence Estates) Zone [PROPOSED: R-3 (Medium Density Residential) Zone], Ward 3 (Reese). The Planning Commission (3-3 tie vote) and staff recommend DENIAL

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 tie vote) and staff recommend DENIAL.

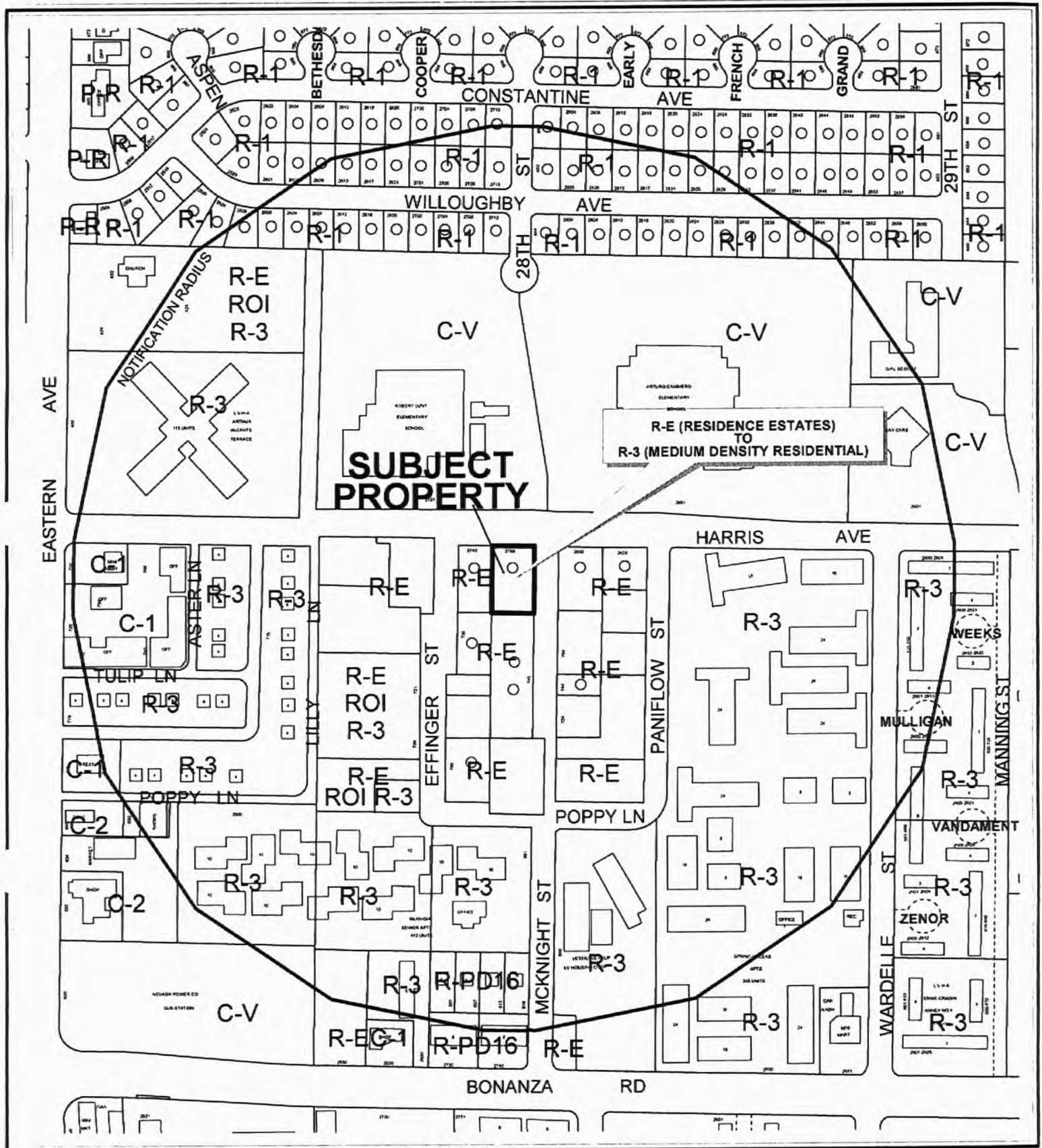
BACKUP DOCUMENTATION:

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

Motion made by GARY REESE to Approve the Rescission for Items 72-75

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

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



CASE: **VAR-13888**

RADIUS: 1000 FT

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

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 16, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-13888 - APPLICANT/OWNER: JOSE SANDOVAL

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission's motion for approval failed with a 3-3 tie vote, therefore, no recommendation will be forwarded to City Council.

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-13889), General Plan Amendment (GPA-13885) and Site Development Plan Review (SDR-13886) 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 ****

APPLICATION REQUEST

This application is a request for a Variance to allow a front yard setback of eight feet where 20 feet is required, a rear yard setback of eight feet where 20 feet is required and a residential adjacency setback of eight feet where 66 feet is required on 0.38 acre at 2750 Harris Avenue.

EXECUTIVE SUMMARY

The proposed multi-family development requests setbacks of eight feet where 20 feet is required. The landscape buffer on the north side of the property bordering Harris Avenue is eight feet where 10 feet is required. Additionally, the buildings as proposed are too close to existing single-family properties to meet Residential Adjacency Standards. All of the inadequacies listed above violate the R-3 (Medium Density Residential) development standards. Since the buildings could have been designed to conform to Zoning Code standards, the recommendation is for denial.

BACKGROUND INFORMATION

A) *Related Actions*

- 07/13/06 The Planning Commission recommended approval of companion items GPA-13885 and ZON-13889 and denial of SDR-13886 concurrently with this application.
- 07/13/06 The Planning Commission's motion for approval failed with a 3-3 tie vote, (PC Agenda Item #33/ejb).

B) *Pre-Application Meeting*

- 05/17/06 A pre-application meeting was held to discuss the applicable General Plan Amendment, Rezoning, Site Development Plan Review and Variance on the subject property.

C) *Neighborhood Meetings*

06/20/06 A neighborhood meeting sponsored by the applicant was held at the East Las Vegas Senior Center at 250 North Eastern Avenue. No citizens were in attendance.

D) Code Enforcement Information

Code Enforcement indicates that there is an open violation of an illegally un-permitted structure on the subject property. The violation has been ongoing since 03/07/06. Code Enforcement also indicates that they are in the process of citing the owner for the subject violation.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.38 Acres

B) Existing Land Use

Subject Property:	Single Family Residence
North:	Elementary School
South:	Single Family Residence
East:	Single Family Residence
West:	Single Family Residence

C) *Planned Land Use*

Subject Property:	L (Low Density Residential) – proposed M (Medium Density Residential)
North:	PF (Public Facilities)
South:	L (Low Density Residential)
East:	M (Medium Density Residential)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates) proposed R-3 (Limited Multiple Residence)
North:	C-V (Civic)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates)
West:	R-E (Residence Estates)

E) General Plan Compliance

The subject site is located within the Southeast Sector of the General Plan with an L (Low Density Residential) land use designation, which allows for residential development of up to 5.49 dwelling units per acre. A concurrent application proposed to amend the General Plan to M (Medium Density Residential) which allows for density up to 25.49 dwelling units per acre. The proposed rezoning to the R-3 (Medium Density Residential) zoning district is consistent with the proposed Medium Density Residential General Plan designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Rural Preservation Overlay District		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Requested	Compliance
Min. Lot Size	6,500 Square Feet	16,550 Square Feet	Y
Min. Setbacks			
• Front	20 Feet	8 Feet	N
• Side	5 Feet	10 Feet	Y
• Corner	5 Feet	10 Feet	Y
• Rear	20 Feet	8 Feet	N
Max. Building Height	2 Stories / 35 Feet	2 Stories/ 22 Feet	Y
Trash Enclosure	50 Feet	49 Feet	N

The subject deviation for front and rear yard setbacks is 60%. The subject deviation for the trash enclosure is less than 1%. A condition of approval of the accompanying Site Development Plan Review is imposed to require the trash enclosure be moved to a minimum of 50 feet from the nearest residentially zoned property.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, the following Residential Adjacency Standards apply to the subject proposal:

- a) Proximity slope. The proposed multi-family development does not meet the 3:1 residential adjacency slope to a R-E (Residential Estates) zoned property as required by Title 19.08.060 with a maximum building height of 22 feet. The multi-family development is required to be located a minimum of 66 feet from the adjacent single family property line and the site plan shows 8 feet. The subject deviation is 88%.
- b) Building setback. The adjoining western property is zoned R-E and has a minimum side yard setback of 10 feet. Residential Adjacency Standards state that the side yard setback of the proposed multi-family development must match the side setback of the single family home. The applicant provides 10 feet where 10 feet is required; therefore there is no deviation.

B) General Analysis and Discussion

The variances requested are related to setbacks and the residential adjacency requirement. The two buildings on the site are located 10 feet, 8 inches from single family properties where 66 feet is required, the front and rear yard setbacks do not conform to R-3 (Medium Density Residential) standards. The buildings can be designed in a different configuration that allows for compliance with R-3 development standards; therefore, denial is recommended.

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 selecting a building design that does not conform to the requirements set forth by the requested zoning category. Alternative site and building design would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

11

ASSEMBLY DISTRICT 28

SENATE DISTRICT 2

NOTICES MAILED 99 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-13888 APN: 139-25-410-07
Name of Property Owner: Jose Sandoval
Name of Applicant: Jose Sandoval

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: _____

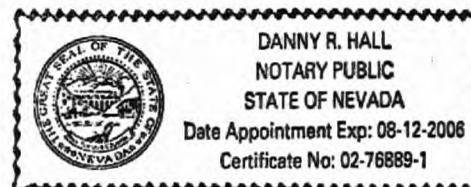
Signature of Property Owner: J. Sandoval

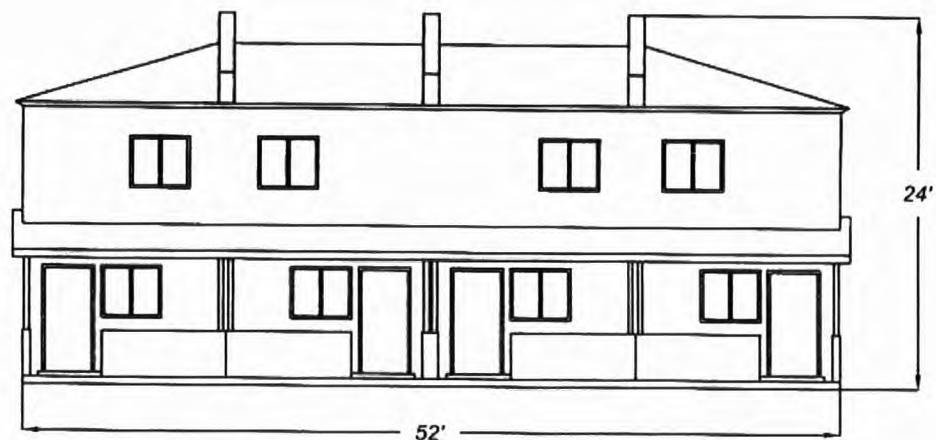
Print Name: Jose Sandoval

Subscribed and sworn before me

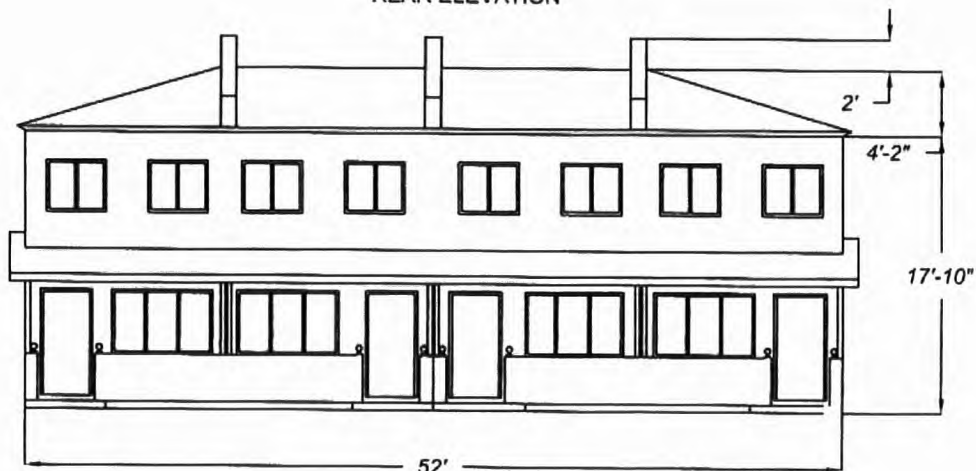
This 30th day of May, 2006

Danny R. Hall
Notary Public in and for said County and State



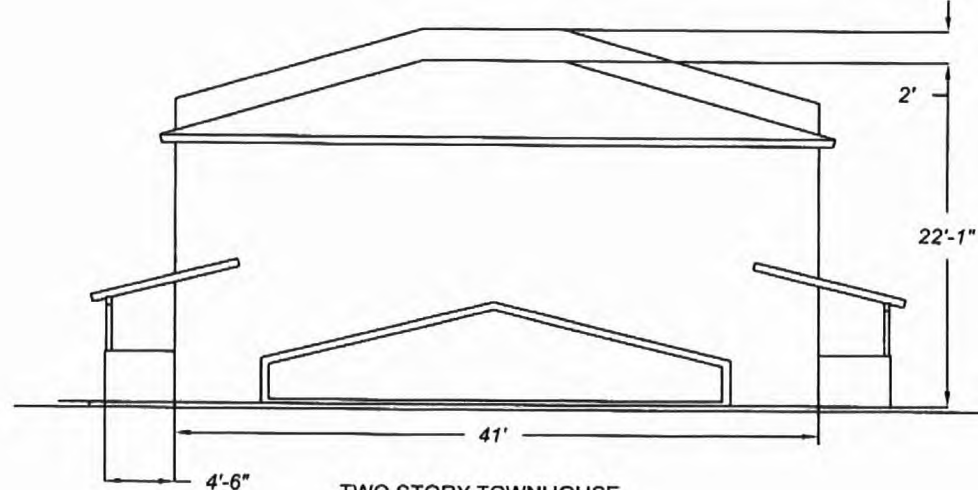
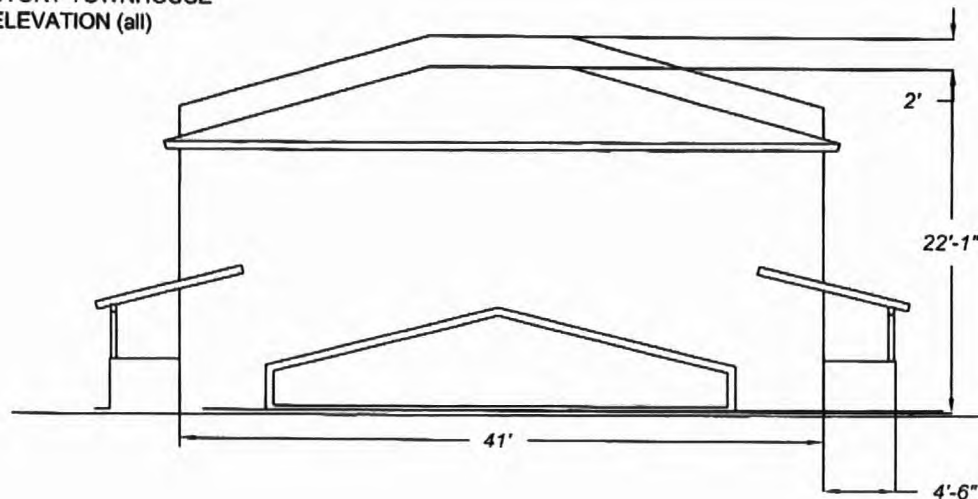


REAR ELEVATION



FRONT ELEVATION

TWO STORY TOWNHOUSE
SIDE ELEVATION (all)



TWO STORY TOWNHOUSE
SIDE ELEVATION (all)

GPA-13888 ZON-13889
VAR-13888 SDR-13886
07-13-06 PC

RECEIVED



- Zoning, Planning, Building & Land Use
- Development Services
- Permit Tracking
- Local Government Regulations
- Legislative & Administrative Representation
- Business, Gaming, Liquor & Privileged Licenses

June 26, 2006

City of Las Vegas
Planning & Development
741 S. Fourth St.
Las Vegas, NV 89101

SUBJECT: JUSTIFICATION LETTER -- General Plan Amendment, Zone Change, Site Design Review and Variances

The name of this proposal is: **Harris / Mc Knight Corner**

1. This land use application will produce an environment of stable and desirable character consistent with the objectives of Title 19 and the General Plan due to the area in which it will service.
2. The purpose is to make the necessary applications to allow for a zone change from R-E to R-3. To properly affect this we hereby apply for a general plan amendment from L to M. We will develop this property to consist of two 4-plex units to be of a town house design.
3. The total gross acreage for this site is 0.38 acres. The APN is 139-25-410-0217.
4. The General Plan surrounding this project is "L", excepting Public to the north.
5. We are asking for a variance for building set-back requirements of the rear from 20' to 10'-6" and the front from 20' to 11'-6". In addition we would ask for a proximity slope variance as our buildings are 22' in height.
6. All studies necessary to bring this application forward are to the current code will be conducted.

If I can be of any additional assistance in any of this at any time, please do not hesitate to call me at 596-7400 (or 277-3733).

Sincerely,



Mark Sabraw

**GPA-13885 ZON-13889
VAR-13888 SDR-13886
08/10/06 PC REVISED**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 4, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-13885, ZON-13889 AND VAR-13888

RESCIND PREVIOUS ACTION - SDR-13886 - PUBLIC HEARING - APPLICANT/OWNER: JOSE SANDOVAL - Request for a Site Development Plan Review FOR AN EIGHT UNIT APARTMENT COMPLEX AND A WAIVER OF LANDSCAPE BUFFER WIDTH on 0.38 acres at 2750 Harris Avenue (APN 139-25-410-017), R-E (Residence Estates) Zone [PROPOSED: R-3 (Medium Density Residential) Zone], Ward 3 (Reese). The Planning Commission (3-3 tie vote) and staff recommend DENIAL

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 tie vote) and staff recommend DENIAL.

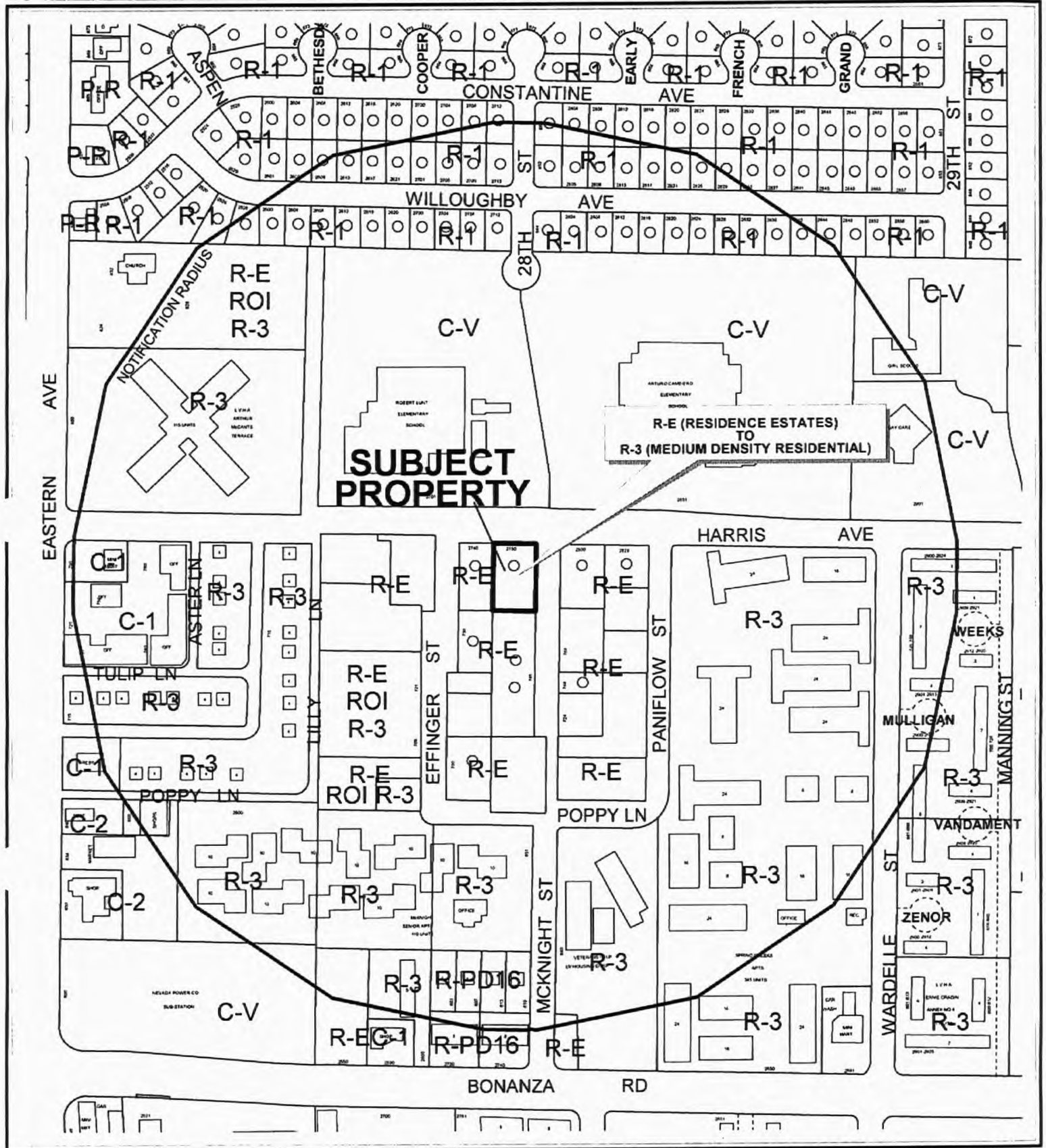
BACKUP DOCUMENTATION:

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

Motion made by GARY REESE to Approve the Rescission for Items 72-75

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

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



CASE: **SDR-13886**

RADIUS: 1000 FT

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

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 16, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-13886 - APPLICANT/OWNER: JOSE SANDOVAL

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission's motion for approval failed with a 3-3 tie vote, therefore, no recommendation will be forwarded to City Council.

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-13889), General Plan Amendment (GPA-13885) and Variance (VAR-13888) 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 05/30/06, except as amended by conditions herein.
4. Waivers from 19.12.040 are hereby approved, to allow an eight foot perimeter landscape buffer where 10 feet is the minimum required, to allow no trees on the north and south property lines where six on the north side and six on the south side are required, to allow seven trees on the west property line where eight are required, and to allow no parking lot landscape fingers where two are required.
5. A landscape plan must be submitted reflecting the correct number and type of trees and landscape fingers in the parking area as required in Title 19.12.040 and Title 19.10.010.
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. The trash enclosure is located 49 feet from the nearest residentially zoned property on site plans date stamped 05/30/06. The must be relocated at a minimum of 50 feet from any residentially zoned property.
8. Air conditioning units shall not be mounted on rooftops.

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 luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. 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.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. Coordinate with the City Surveyor to determine whether a Merger and Re-Subdivision Map or other map is necessary; comply with the recommendations of the City Surveyor.
15. Provide a Site Visibility Restriction Zone at the southwest corner of Harris Avenue and McKnight Street.
16. All 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.
17. Site development to comply with all applicable conditions of approval for ZON-13889 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

This application is a request for a Site Development Plan Review for an eight unit apartment complex and a waiver of landscape buffer requirements on 0.38 acre at 2750 Harris Avenue.

EXECUTIVE SUMMARY

The site plan for this project shows two, two-story multi-family residential buildings. The site is adjacent to R-E (Residential Estates) single family homes on the east, west and south sides. There is an accompanying Rezoning request (ZON-13889) to R-3. This site configuration does not meet front and rear yard setbacks, Residential Adjacency standards, and it is not compatible with the adjacent properties which are significantly lower in density than the proposed site. The site is also designed with landscape buffers that do not meet the adjacent right-of-way or adjacent existing single family residential standards. Therefore, staff recommends denial of this request.

BACKGROUND INFORMATION

A) *Related Actions*

- 07/13/06 The Planning Commission recommended approval of companion items GPA-13885 and ZON-13889 and ended in a tie vote of item VAR-13888 concurrently with this application.
- 07/13/06 The Planning Commission's motion for approval failed with a 3-3 tie vote, (PC Agenda Item #34/ejb).

B) *Pre-Application Meeting*

- 05/17/06 A pre-application meeting was held to discuss the applicable General Plan Amendment, Rezoning, Site Development Plan Review and Variance on the subject property.

C) *Neighborhood Meetings*

06/20/06 A neighborhood meeting sponsored by the applicant was held at the East Las Vegas Senior Center at 250 North Eastern Avenue. No citizens were in attendance.

D) Code Enforcement Information

Code Enforcement indicates that there is an open violation of an illegally un-permitted structure on the subject property. The violation has been ongoing since 03/07/06. Code Enforcement also indicates that they are in the process of citing the owner for the subject violation.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.38 Acres

B) Existing Land Use

Subject Property:	Single Family Residence
North:	Elementary School
South:	Single Family Residence
East:	Single Family Residence
West:	Single Family Residence

C) *Planned Land Use*

Subject Property:	L (Low Density Residential) – proposed M (Medium Density Residential)
North:	PF (Public Facilities)
South:	L (Low Density Residential)
East:	M (Medium Density Residential)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates) proposed R-3 (Limited Multiple Residence)
North:	C-V (Civic)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates)
West:	R-E (Residence Estates)

E) General Plan Compliance

The subject site is located within the Southeast Sector of the General Plan with an L (Low Density Residential) land use designation, which allows for residential development of up to 5.49 dwelling units per acre. A concurrent application proposed to amend the General Plan to M (Medium Density Residential) which allows for density up to 25.49 dwelling

units per acre. The proposed rezoning to the R-3 (Medium Density Residential) zoning district is consistent with the proposed Medium Density Residential General Plan designation.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Rural Preservation Overlay District		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

PROJECT DESCRIPTION

The proposed development consists of eight, two-bedroom units within two buildings. The buildings are arranged on the north and south ends of the property with the parking area in the center. Both of the residential buildings have a height of 22 feet, 1 inch.

Primary access to the site is from McKnight Street. A total of 16 parking spaces are provided where 16 are required.

Landscape buffers are provided on the perimeter of the site. However, the landscape buffer on the north property line along Harris Avenue is shown as eight feet where 10 feet is the minimum required and the landscape buffer on the west side of the property, adjacent to a single family residence, is 10 feet, 8 inches where a 15 feet buffer is required. Miscellaneous desert shrubs are shown along the north and south property lines where trees of at least 24" box in size are required at one tree/20 linear feet. There is also a deficiency in the number of trees provided along the west property line.

The submitted floor plan shows a two bedroom, two-story unit, 900 square feet in size.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Requested	Compliance
Min. Lot Size	6,500 Square Feet	16,550 Square Feet	Y
Min. Setbacks			
• Front	20 Feet	8 Feet	N
• Side	5 Feet	10 Feet	Y
• Corner	5 Feet	10 Feet	Y
• Rear	20 Feet	8 Feet	N
Max. Building Height	2 Stories / 35 Feet	2 Stories/ 22 Feet	Y
Trash Enclosure	50 Feet	49 Feet	N

An accompanying Variance (VAR-13888) is requested to allow an eight foot front yard and rear yard setback where 10 feet is the minimum required setback. Staff recommends denial.

The trash enclosure is currently noted at 49 feet from the nearest residentially zoned property line where 50 feet is the minimum distance required. A condition will be added to the Site Development Plan Review request to require the trash enclosure be moved to a minimum of 50 feet from the residential property line.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, the following Residential Adjacency Standards apply to the subject proposal:

- a) Proximity slope. The proposed multi-family development does not meet the 3:1 residential adjacency slope to an R-E (Residential Estates) zoned property as required by Title 19.08.060 with a maximum building height of 22 feet. The multi-family development is required to be located a minimum of 66 feet from the adjacent single family property line and the site plan shows 8 feet. The subject deviation is 88%.
- b) Building setback. The adjoining western property is zoned R-E and has a minimum side yard setback of 10 feet. Residential Adjacency Standards state that the side yard setback of the proposed multi-family development must match the side setback of the single family home. The applicant provides 10 feet where 10 feet is required; therefore there is no deviation.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Multi-family – Two bedrooms	N/A	1.75 spaces per unit, plus 1 guest space for every six units	16	1	16	1

The proposed 8-unit, multi-family proposal meets the parking requirements set forth in Title 19.10.

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree / 6 Spaces	3 Trees	4 Trees
Buffer:			
• Min. Trees	1 Tree/20 Linear Feet	8 Trees	7 Trees
• Min. Zone Width	10 Feet – along Harris Avenue 15 Feet – buffer between multi-family and single family residences		8 Feet 10 Feet, 8 Inches

The proposal does not meet the minimum landscape buffer width requirement both along Harris Avenue and between the proposed multi-family use and adjacent single family use. The subject deviation along Harris Avenue is 20% and the subject deviation along the west property line is 47%. A waiver of perimeter landscape buffer requirements accompanies this Site Development Plan Review.

The submitted site plan does not reflect the required number of trees in the buffer area. A condition of approval will be added to the Site Development Plan Review to require the correct number and type trees required per Title 19.12.040.

The submitted site plan does not show the parking lot landscape finger requirement of one finger for every six spaces.

B) General Analysis and Discussion

- Zoning

The site is currently zoned R-E (Residence Estates) on 0.38 acre, [L (Low Density Residential) Master Plan Designation]. The applicant requests an amendment to the

General Plan to change the existing L (Low Density Residential) land use designation on the site to M (Medium Density Residential), which would allow up to 25.49 units per acre. The applicant is also requesting a Rezoning (ZON-13889) to R-3 (Limited Multiple Residence) to allow a net density of 21.05 units per acre for this project.

- Site Plan

The site is bound by single family homes on the east, west and south sides, and an elementary school across the street to the north. The cluster of single family residential property where the site sits is surrounded by multi-family uses. The proposal of two, two-story buildings adjacent to single family residences at a distance of 8 feet from the single family home property line is inappropriate, and is grounds for denial of this Site Development Plan Review.

- Waivers

The site requires a Waiver of perimeter and parking area landscape requirements. The applicant requests a perimeter landscaping buffer of eight feet where 10 feet is required, a perimeter landscape buffer adjacent to a single family residence of 10 feet, 8 inches where 15 feet is required, and zero parking lot fingers where two are required. Staff does not support the request for a waiver of perimeter buffer landscaping, as the buffer area is necessary in order to protect neighboring residential properties from the impact a new, multi-family residential development would have on the area. Staff can support the request for a waiver of parking lot fingers, as the site provides two landscaping strips on either end of the parking area as part of the provided landscape buffer.

- Elevation

The proposed two, two-story buildings are 22 feet, 1 inch in height. Because this property is being proposed for multi-family residences and is adjacent to an R-E (Residence Estates) lot, Residential Adjacency requirements apply. As part of the accompanying Variance request (VAR-13888), the applicant requests a Residential Adjacency standard of 8 feet where 66 feet is required.

- Floor Plan

The submitted floor plan shows a two-bedroom, 900 square foot, two-story design.

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 land use is appropriate for the area; however, the development as proposed is too intense in the context of single-family development adjacent to the east, west and south of the subject property. The structures are proposed to be too close to existing developments.

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;”**

There is a companion General Plan Amendment (GPA-13885) with this item. The request is for M (Medium Density Residential) land use designation. The R-3 (Limited Multiple Residence) zone would be in conformance with this General Plan designation. With approval of the General Plan Amendment (GPA-13885) the proposal will be in conformance with the General Plan.

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

Primary site ingress and egress is proposed from McKnight Street, a 50-foot Right-of-Way. Traffic from the proposed development entering onto Harris Avenue from McKnight Street will increase, but this should not have a significant negative impact on the neighborhood as a whole.

4. **“Building and landscape materials are appropriate for the areas and for the City;”**

Building materials are typical of apartment and condominium buildings in the Las Vegas Valley. Landscaping materials are drought-tolerant and compatible with existing development.

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

The proposed elevations do not illustrate compliance with Residential Adjacency Standards along the south and west perimeter of the site. Therefore, they are not compatible with existing single-family development in the area.

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

The development will be subject to inspections, and appropriate measures will be taken to protect the public health, safety and general welfare.

PLANNING COMMISSION ACTION

The Planning Commission recommended fire sprinklers in all units and the applicant concurred. This condition would be appropriate to add, if approved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

11

ASSEMBLY DISTRICT 28

SENATE DISTRICT 2

NOTICES MAILED 93 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-13886 APN: 139-25-410-017
Name of Property Owner: Jose Sandoval
Name of Applicant: Jose Sandoval

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 _____

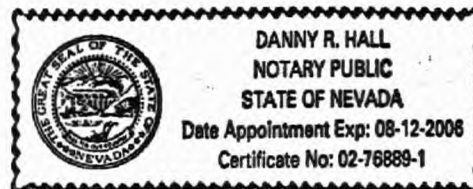
Signature of Property Owner: Jose Sandoval

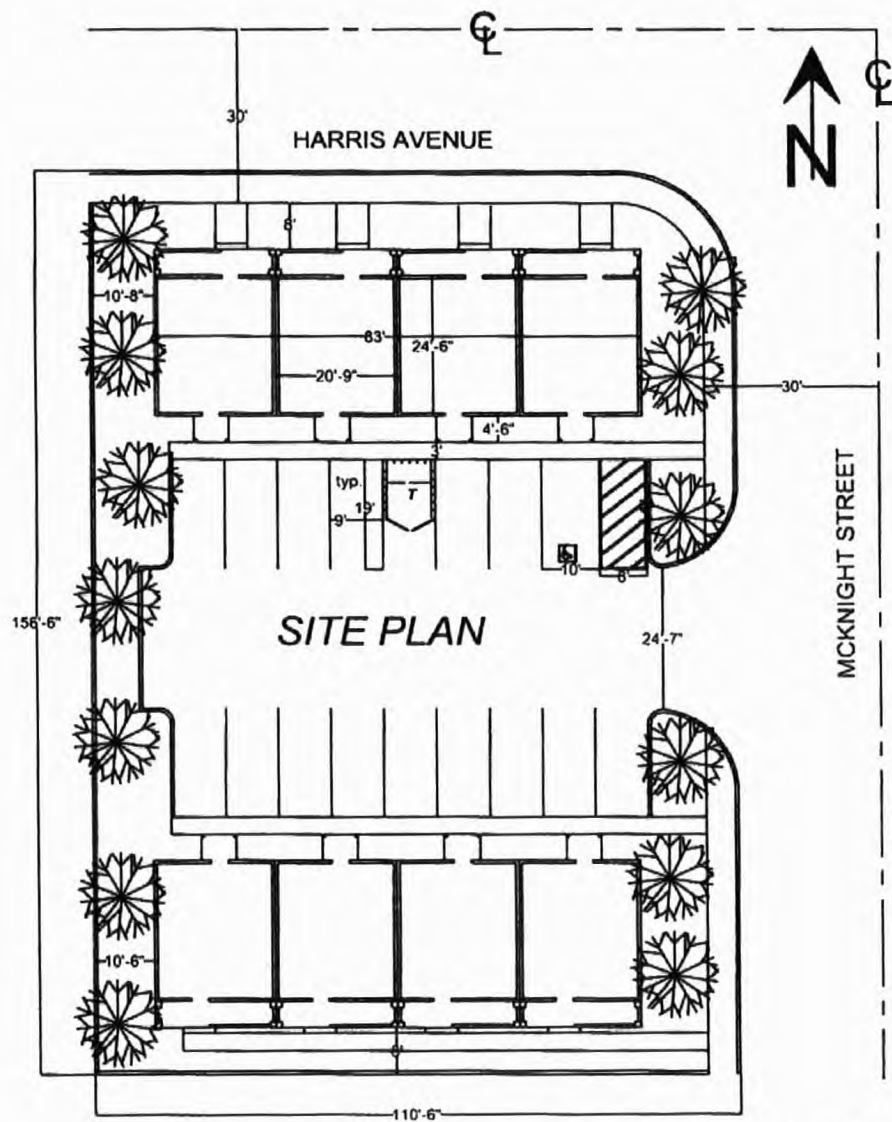
Print Name: Jose R. Sandoval

Subscribed and sworn before me

This 30TH day of May, 2006

Danny R. Hall
Notary Public in and for said County and State





LANDSCAPE SCHEDULE

20' DESERT TREE -- MESQUITE, PALO VERDE,
DESERT WILLOW

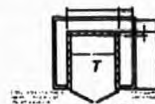


PALM TREE

DESERT SHRUBS -- LANTANA, RANGER SAGES, CASSIAS,
RUSSIAN SAGE, VARIOUS PENSTEMONS

GROUND COVERS -- VARIOUS
COLORED GRAVELS RANDOMLY
OVERCAST WITH MINUS 6" ROCKS

HARRIS McNIGHT CORNER
2750 HARRIS AVENUE
APN 139-25-410-017
SCALE $\frac{1}{16}" = 1'-0"$



TYPICAL
TRASH
ENCLOSURE

ASSESSOR'S PARCEL NUMBER
139-25-410-017

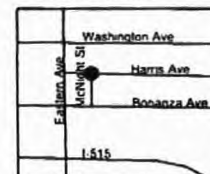
LOT COVERAGE ANALYSIS

TOTAL FOOTPRINT ALL UNITS = 4,067 SF
TOTAL BLACKTOP = 5,600 SF
TOTAL LOT SIZE = 15,794 SF
TOTAL LANDSCAPE AREA = 6,127 SF
FOOTPRINT TO LOT SIZE RATIO = 1 : 4
PERCENTAGE OF LOT COVERAGE = 26%

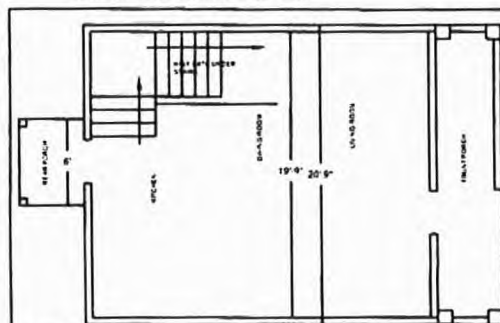
PARKING ANALYSIS

8 TWO BEDROOM UNITS REQUIRES 16
PARKING SPACES

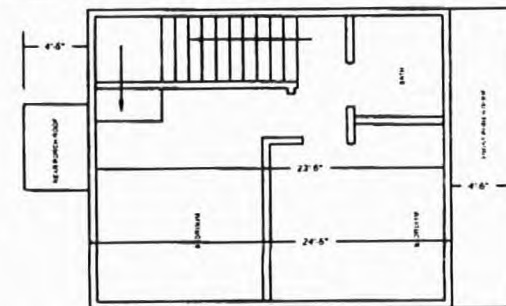
16 SPACES ARE SHOWN
INCLUDES ONE VAN ACCESSABLE
HANDICAP SPACE



VICINITY MAP
no scale



FIRST FLOOR PLAN
450 SF

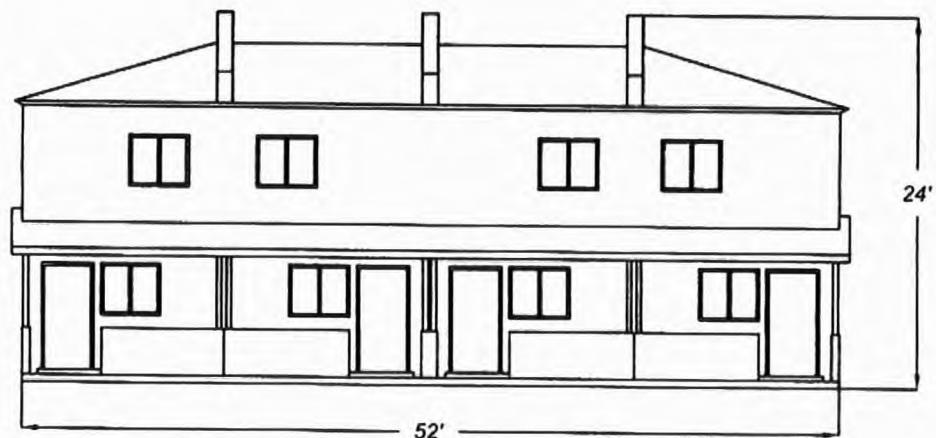


SECOND FLOOR PLAN
450 SF

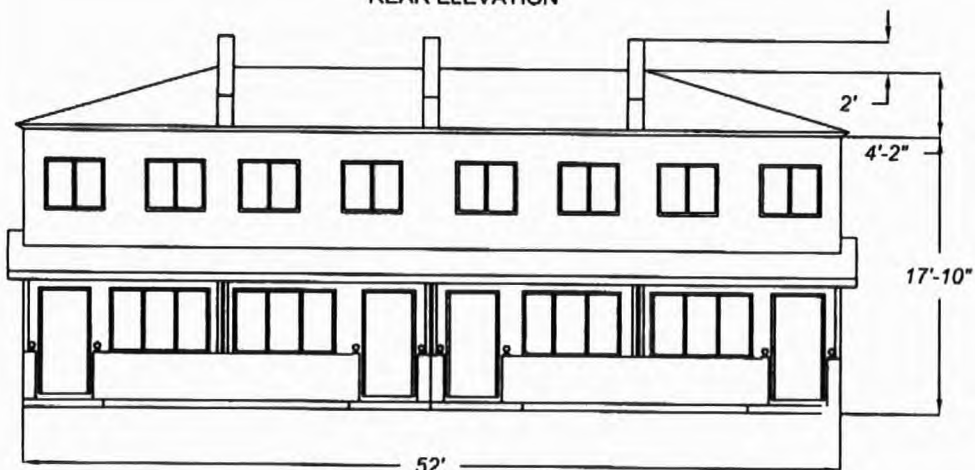
SCALE $\frac{1}{8}" = 1'-0"$

RECEIVED
MAY 30 2006

GPA-13888 ZON-13889
VAR-13888 SDR-13886
07-13-06 PC

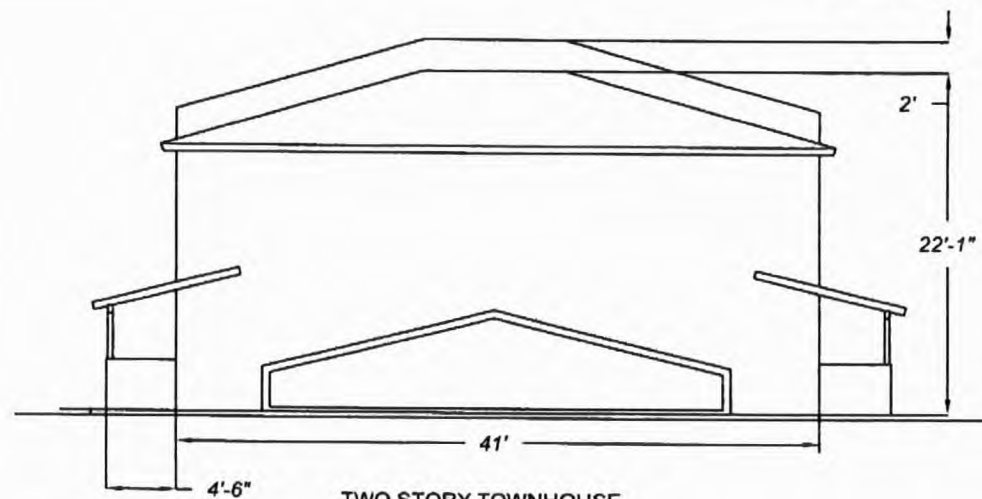
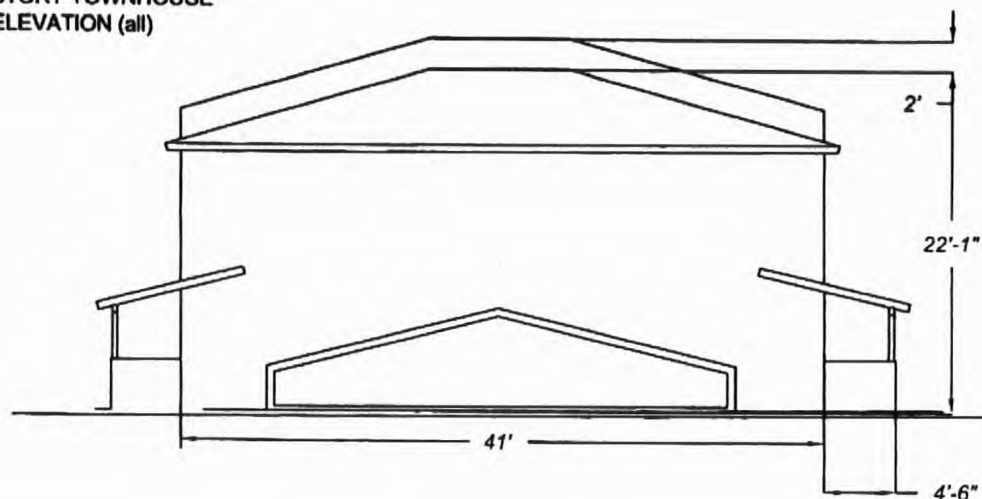


REAR ELEVATION



FRONT ELEVATION

TWO STORY TOWNHOUSE
SIDE ELEVATION (all)

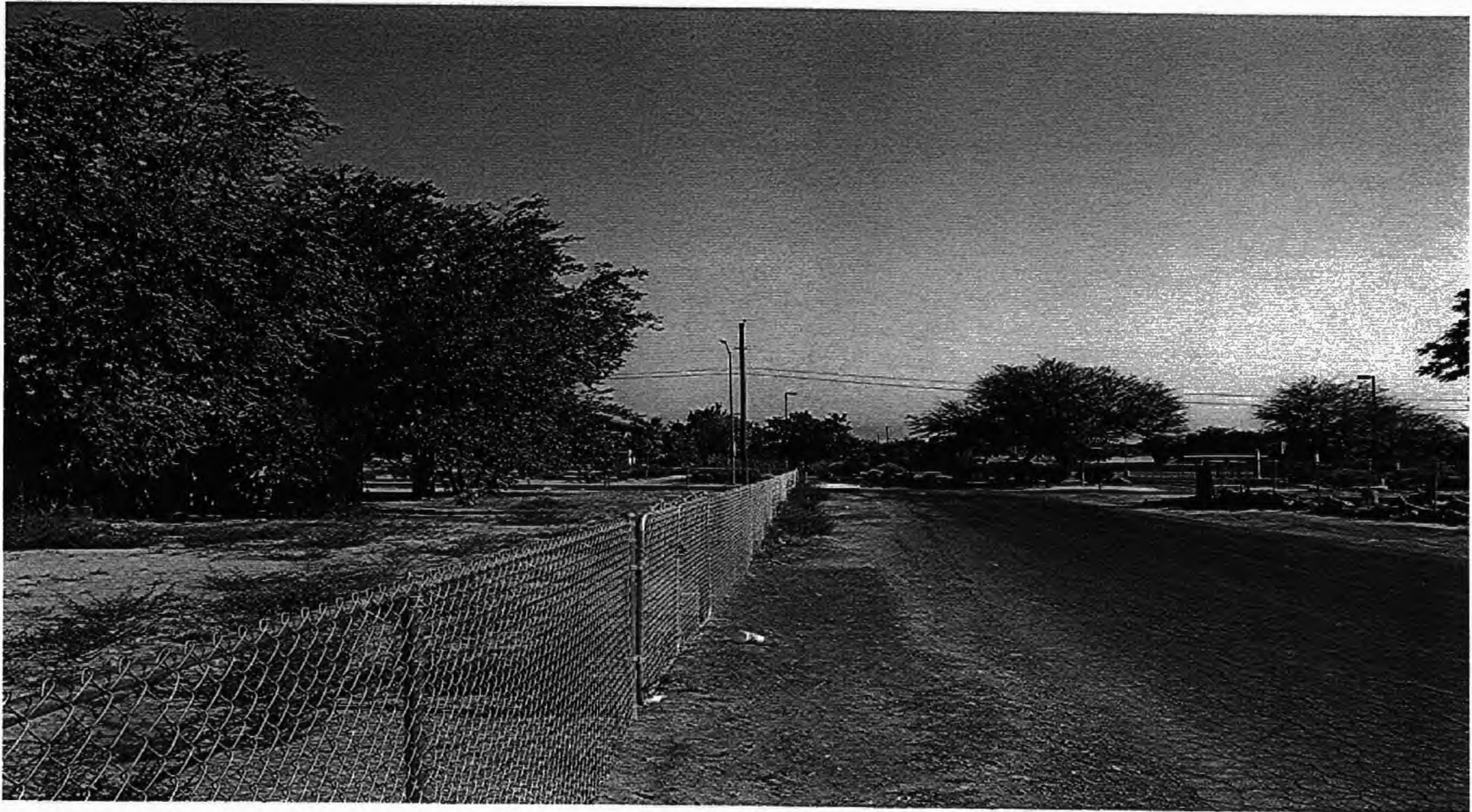


TWO STORY TOWNHOUSE
SIDE ELEVATION (all)

RECEIVED
MAY 30 2006

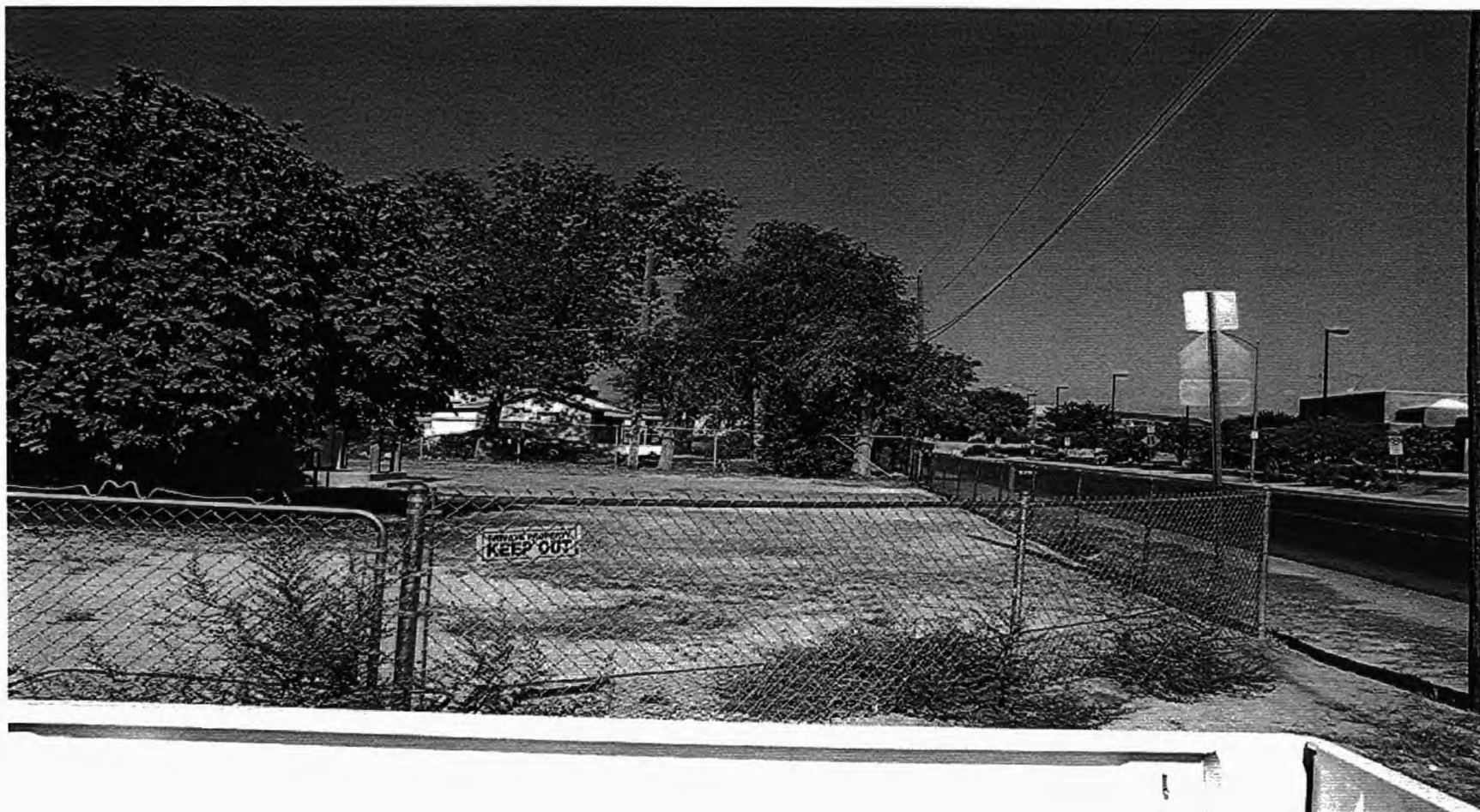
GPA-13888 ZON-13889
VAR-13888 SDR-13886
07-13-06 PC

SDR 13886				
Jose Sandoval				
2750 E Harris				
Proposed 8 unit apartment complex.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	APARTMENT [DWELL]	8	6.72	54
AM Peak Hour			0.51	4
PM Peak Hour			0.62	5
(heaviest 60 minutes)				
Existing traffic on all nearby streets: no counts available for McKnight in this vicinity.				
Harris Avenue				
Average Daily Traffic (ADT)	1,261			
PM Peak Hour	101			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Harris Avenue	3000			
McKnight Street	3000			
This project will add approximately 54 trips per day on Harris and McKnight. This will increase expected volumes by about 4 percent on Harris. Harris is at about 42 percent				
of capacity. This project will use about 2 percent of the capacity of McKnight.				
Based on Peak Hour use, this development will add roughly 5 additional cars into the area; which works out to about one every twelve minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



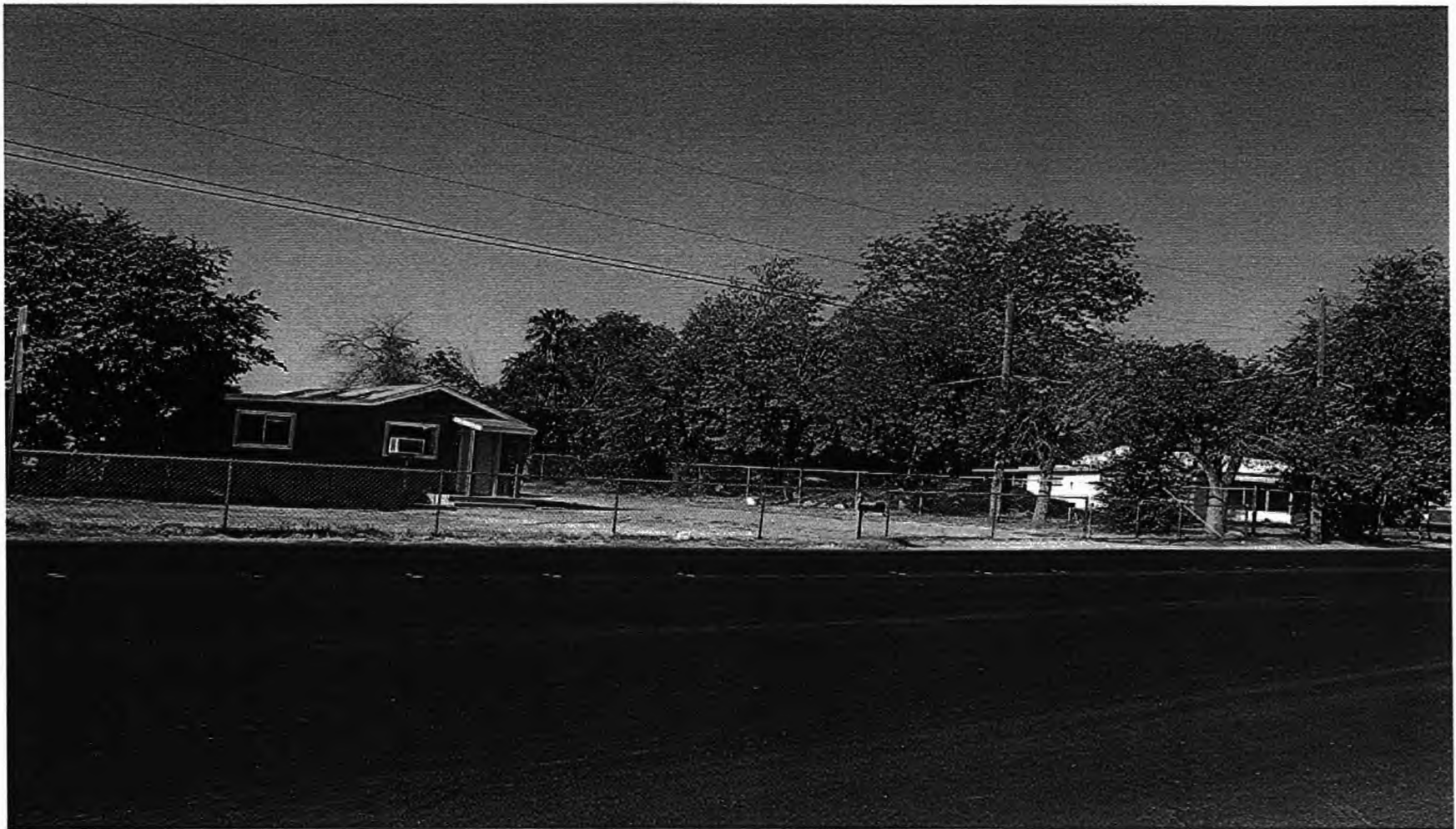
GPA-13885, ZON-13889, VAR-13888, & SDR-13886 - APPLICANT/OWNER: JOSE SANDOVAL
2750 HARRIS AVENUE
JULY 13, 2006 PLANNING COMMISSION

06/29/06



GPA-13885, ZON-13889, VAR-13888, & SDR-13886 - APPLICANT/OWNER: JOSE SANDOVAL
2750 HARRIS AVENUE
JULY 13, 2006 PLANNING COMMISSION

06/29/06



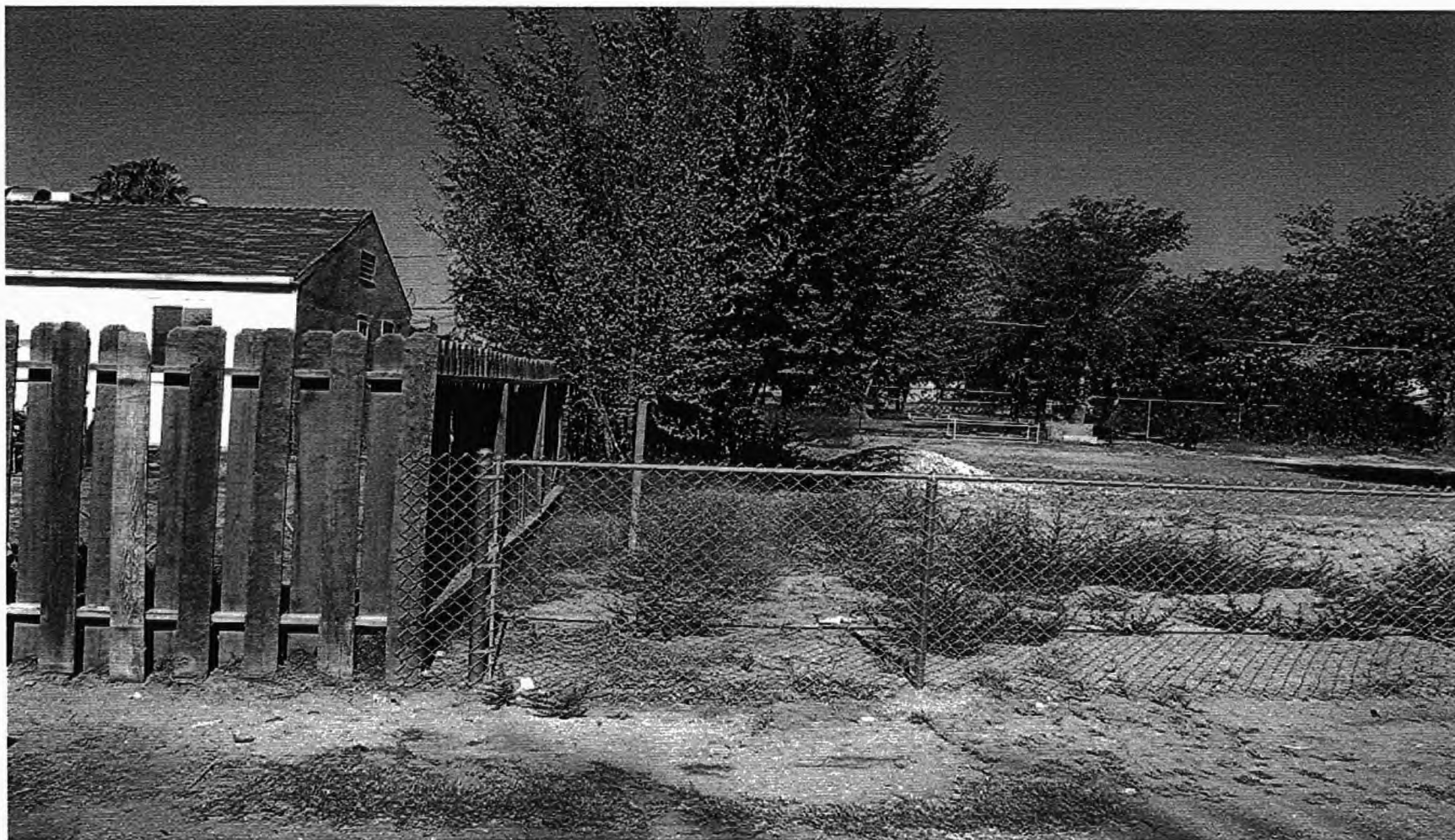
GPA-13885, ZON-13889, VAR-13888, & SDR-13886 - APPLICANT/OWNER: JOSE SANDOVAL
2750 HARRIS AVENUE
JULY 13, 2006 PLANNING COMMISSION

06/29/06



GPA-13885, ZON-13889, VAR-13888, & SDR-13886 - APPLICANT/OWNER: JOSE SANDOVAL
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GPA-13885, ZON-13889, VAR-13888, & SDR-13886 - APPLICANT/OWNER: JOSE SANDOVAL
2750 HARRIS AVENUE
JULY 13, 2006 PLANNING COMMISSION

06/29/06



- Zoning, Planning, Building & Land Use
- Development Services
- Permit Tracking
- Local Government Regulations
- Legislative & Administrative Representation
- Business, Gaming, Liquor & Privileged Licenses

June 26, 2006

City of Las Vegas
Planning & Development
741 S. Fourth St.
Las Vegas, NV 89101

SUBJECT: JUSTIFICATION LETTER -- General Plan Amendment, Zone Change, Site Design Review and Variances

The name of this proposal is: *Harris / Mc Knight Corner*

1. This land use application will produce an environment of stable and desirable character consistent with the objectives of Title 19 and the General Plan due to the area in which it will service.
2. The purpose is to make the necessary applications to allow for a zone change from R-E to R-3. To properly affect this we hereby apply for a general plan amendment from L to M. We will develop this property to consist of two 4-plex units to be of a town house design.
3. The total gross acreage for this site is 0.38 acres. The APN is 139-25-410-0217.
4. The General Plan surrounding this project is "L", excepting Public to the north.
5. We are asking for a variance for building set-back requirements of the rear from 20' to 10'-6" and the front from 20' to 11'-6". In addition we would ask for a proximity slope variance as our buildings are 22' in height.
6. All studies necessary to bring this application forward are to the current code will be conducted.

If I can be of any additional assistance in any of this at any time, please do not hesitate to call me at 596-7400 (or 277-3733).

Sincerely,



Mark Sabraw

**GPA-13885 ZON-13889
VAR-13888 SDR-13886
08/10/06 PC REVISED**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 4, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

GENERAL PLAN AMENDMENT

GPA-13885 - PUBLIC HEARING - APPLICANT/OWNER: JOSE SANDOVAL - Request to Amend a portion of the Southeast Sector of the General Plan FROM: L (LOW DENSITY RESIDENTIAL) TO: M (MEDIUM DENSITY RESIDENTIAL) on 0.38 acres at 2750 Harris Avenue (APN 139-25-410-017), 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.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting documentation
4. Justification Letter

Motion made by GARY REESE to Approve

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 76-79.

SANDRA MONTGOMERY, 8610 South Eastern Avenue, appeared on behalf of the applicant and stated she met with COUNCILMAN REESE to request this item be brought back before the City Council for approval.

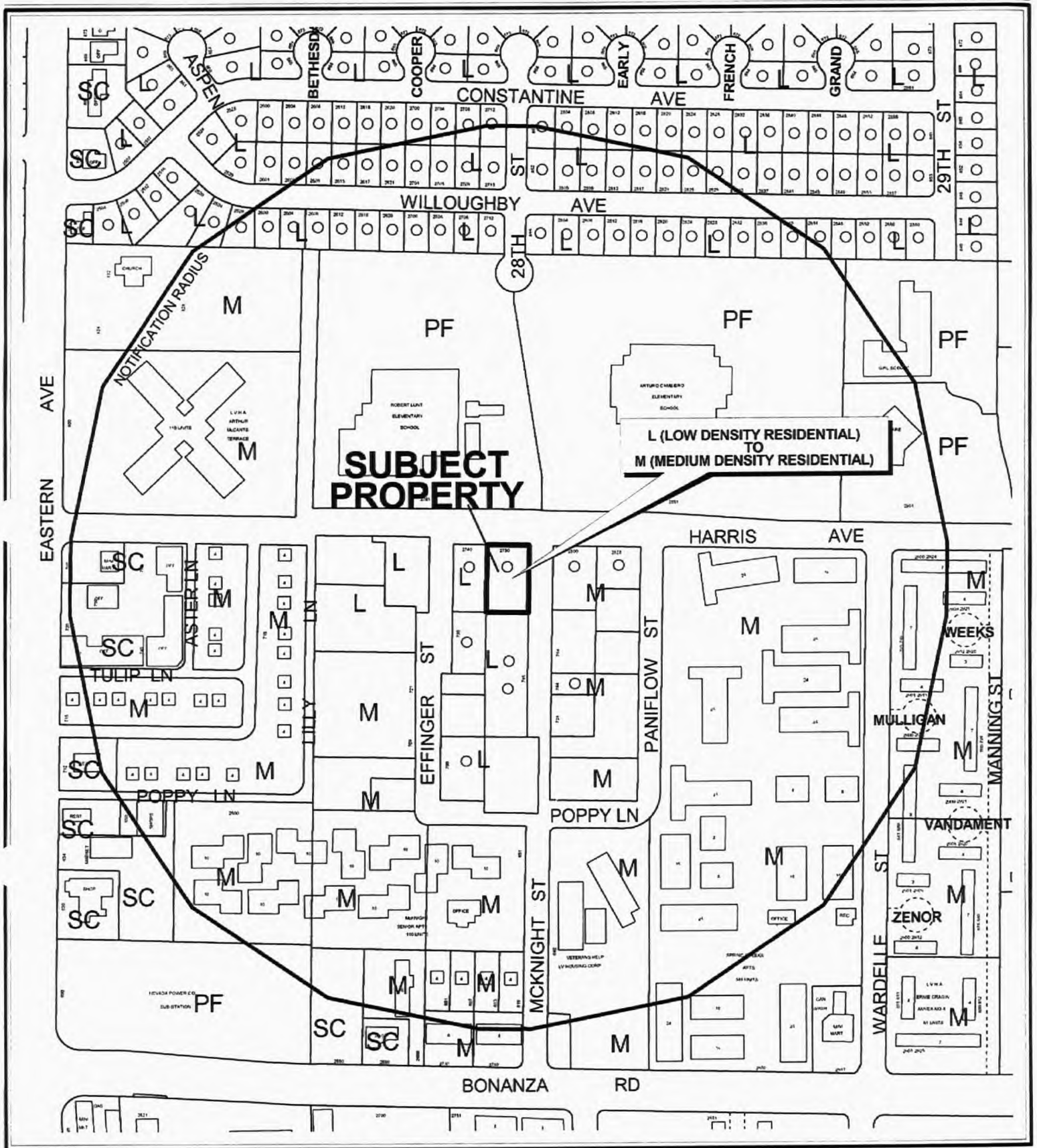
MARGO WHEELER, Director of Planning and Development Department, added a condition to Item 78. COUNCILMAN REESE indicated that this project would compliment the five-story senior center in the vicinity.

CITY COUNCIL MEETING OF: APRIL 4, 2007

Regarding Item 79, COUNCILMAN REESE pointed out there will be sufficient landscaping. MS. WHEELER read amendments to Conditions 3 and 4 and deleted Conditions 5 and 7 on Item 79.

MAYOR GOODMAN declared the Public Hearing closed for Items 76-79.





CASE: GPA-13885

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

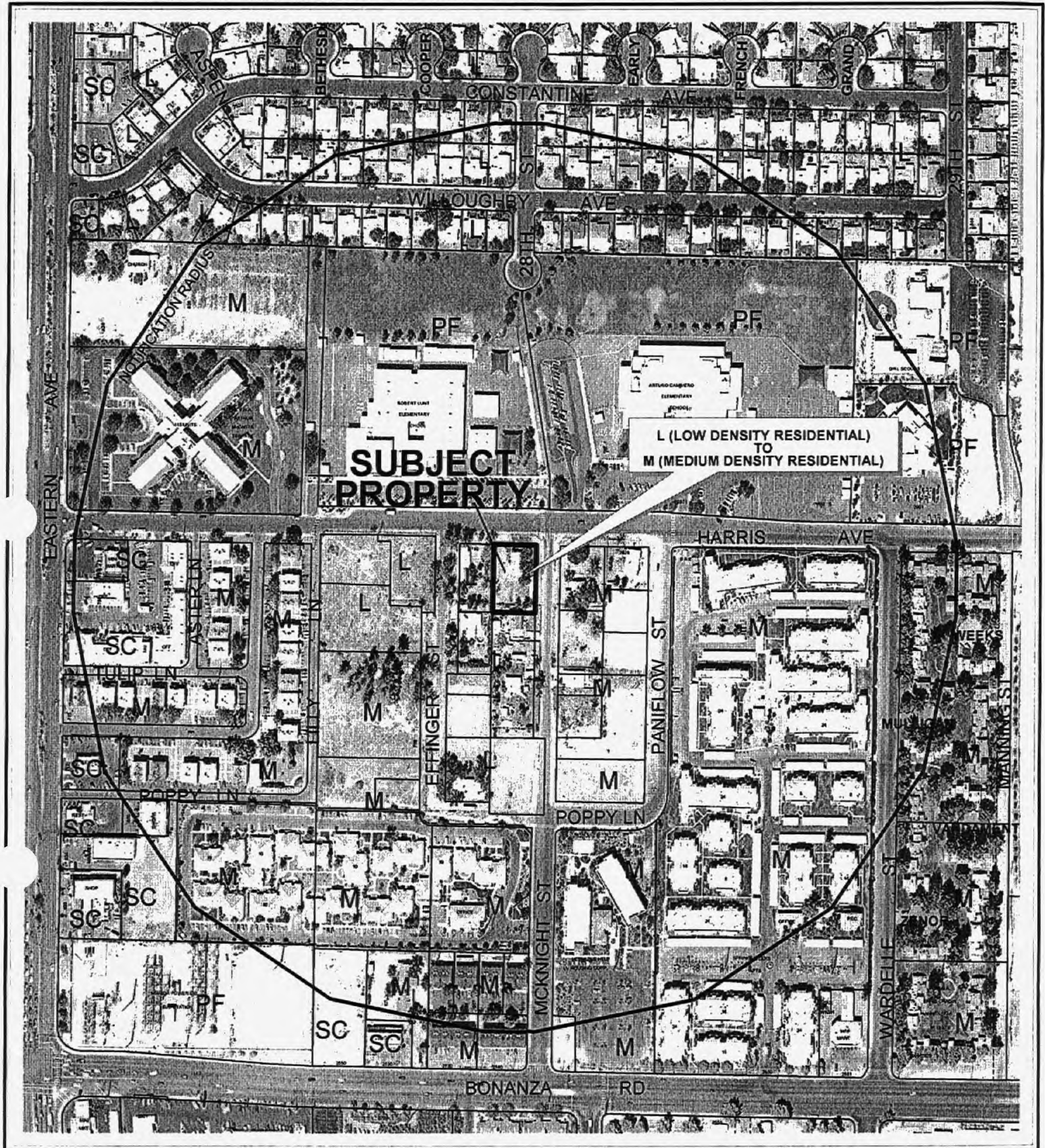
L (LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

M (MEDIUM DENSITY RESIDENTIAL)

0 300 600 Feet





CASE: **GPA-13885**

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

L (LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

M (MEDIUM DENSITY RESIDENTIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 4, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: GPA-13885 - GENERAL APPLICANT/OWNER: JOSE SANDOVAL

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a Request to Amend a portion of the Southeast Sector of the General Plan from: L (Low Density Residential) to: M (Medium Density Residential) on 0.38 acres at 2750 Harris Avenue.

EXECUTIVE SUMMARY

This application seeks to change the General Plan land use designation of the subject property located at 2750 Harris Avenue from L (Low Density Residential) to M (Medium Density Residential). This item will be accompanied by the following applications:

ZON-13889 – This is a request to rezone the subject property from R-E (Residence Estates to R-3 (Limited Multiple Residence). Staff recommends approval.

VAR-13888 – This is a request to allow a front yard setback of eight feet where 20 feet is required, a rear yard setback of eight feet where 20 feet is required and a residential adjacency setback of eight feet where 66 feet is required. Staff recommends denial.

SDR-13886 – This is a request for an eight unit apartment complex on 0.38 acre. Staff recommends denial.

BACKGROUND DATA:

- | | |
|----------|---|
| 03/12/92 | The Planning Commission approved the three Land Use Sector Maps of the General Plan. |
| 08/18/99 | The City Council approved GPA-23-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 dwelling units per acre, Medium Low Density Residential to allow up to 8 dwelling units per acre, and Medium Density Residential up to 25 dwelling units per acre. |
| 09/06/99 | The City Council approved GPA-10-00 to amend portions of the Southeast Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996. |
| 09/06/00 | The City Council approved the Las Vegas 2020 Master Plan. This site is within the Southeast Sector Area as described in the Plan. |

07/13/06 The Planning Commission recommended approval of companion item ZON-13889 and denial of companion items VAR-13888 and SDR-13886 concurrently with this application.

07/13/06 The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #31/ejb).

DETAILS OF APPLICATION REQUEST

Site Area: 0.38 Net Acres

EXISTING LAND USE

Subject Property	Single Family Residence
North	Elementary School
South	Single Family Residence
East	Single Family Residence
West	Single Family Residence

PLANNED LAND USE

Subject Property	L (Low Density Residential) – proposed M (Medium Density Residential)
North	PF (Public Facilities)
South	L (Low Density Residential)
East	M (Medium Density Residential)
West	L (Low Density Residential)

EXISTING ZONING

Subject Property	R-E (Residence Estates) proposed R-3 (Limited Multiple Residence)
North	C-V (Civic)
South	R-E (Residence Estates)
East	R-E (Residence Estates)
West	R-E (Residence Estates)

<i>SPECIAL DISTRICTS/ZONES</i>	YES	NO
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE		X

The subject site is not associated with any Special Plan Area and is not located within the Rural Preservation Overlay District.

EXISTING GENERAL PLAN DESIGNATION	PERMITTED DENSITY	PROPOSED GENERAL PLAN DESIGNATION	PERMITTED DENSITY
L	5.49 du/ac	M	25.49 du/ac

The subject requests proposes to change the land use designation on the subject parcel from L (Low Density Residential), which allows up to 5.49 dwelling units per acre to M (Medium Density Residential), which allows up to 25.49 dwelling units per acre.

DEFINITIONS

RNP (Rural Neighborhood Preservation) (Zero to 2.0 dwelling units per acre). The predominant residential lifestyle of these areas is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals.

In accordance with an interlocal agreement signed January 2, 2002, the City and Clark County designate those areas recognized for the above-described lifestyle as Rural Neighborhood Preservation areas. These areas are shown on Map 3 of the Centennial Hills Sector Plan. The Interlocal describes areas within the Centennial Hills Sector as "Excepted Areas". The Excepted Areas" are those that will be annexed in to the City only by request of the individual property owners. Map 3 shows a boundary that encompasses those parcels that are within the "Excepted Areas" of the Interlocal and represents the limits of the Rural Neighborhood Preservation neighborhoods.

Parcels in the excepted areas at the time of the signing of the Interlocal shall remain Rural Neighborhood Preservation areas whether the parcels annex into the city or not.

L (Low Density Residential) (3.6 to 5.5 units/gross acre.) This category permits single-family detached homes, manufactured homes on individual lots, gardening, residential planned developments, and planned community developments. Local supporting uses such as parks, other recreation facilities, schools, and churches are allowed in this category.

M (Medium Residential)(12.5 to 25.49 dwelling units/gross acre.) The Medium Residential category permits a maximum of 25.49 dwelling units per gross acre. This category includes a higher density variety of multifamily unit types, up to three stories in height.

INTERAGENCY ISSUES

No special planning areas are associated with the proposed site.

ANALYSIS

The parcel proposed to be redesignated to M (Medium Density Residential) is composed of one, 16,550 square foot residential lot. The site gains access to Harris Street, which also serves an elementary school across the street to the north and multi-family units to the east and west. The subject property abuts vacant land to the west planned for L (Low Density Residential) uses. In addition, lands to the south of the subject property are designated L (Low Density Residential), many of which are also vacant. These properties are surrounded on the east, west and south sides by M (Medium Density Residential), and are occupied by multi-family residences.

FINDINGS

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

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

In regard to "1":

The proposed M (Medium Density Residential) designation is an appropriate land use for the subject area, given the site's location adjacent to existing M (Medium Density Residential) to the east. Properties to the west and south are designated L (Low Density Residential); however, there is additional existing M (Medium Density Residential) to the south and east of the subject parcel and the trend in the area is to higher density uses.

In regard to "2":

The proposed rezoning to R-3 (Medium Density Residential) would allow up to 25.49 units per acre adjacent to single-family development on the west and south. However, as long as any proposed project conforms to the R-3 (Medium Density Residential) standards of the Zoning Code (especially concerning bulk, height and setback requirements), the impact to these properties should be minimal.

In regard to "3":

There will be adequate transportation, recreation, utility, and other facilities to accommodate any proposed multi-family residential project. Upon future development of the property, all necessary off-site improvements will be required. The site is serviced by the Northeast Area Command of the Las Vegas Metropolitan Police Department with a substation approximately 0.5 mile from the subject site at 831 North Mojave. Fire Station #8, which is approximately two miles away at 805 North Mojave Road, is the closest city facility to the site. Freedom Park, at 850 North Mojave, is the closest city park to the site.

In regard to "4":

There are no other adopted plans or policies that apply to this application.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on 06/20/06 a neighborhood meeting sponsored by the applicant, Jose Sandoval, was held at the East Las Vegas Senior Center at 250 North Eastern Avenue. No citizens were in attendance.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

11

ASSEMBLY DISTRICT 28

SENATE DISTRICT 2

NOTICES MAILED 92 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-13885 APN: 139-25-410-017
Name of Property Owner: Jose Sandoval
Name of Applicant: Jose Sandoval

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: _____

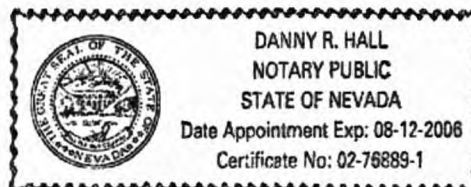
Signature of Property Owner: J. Sandoval

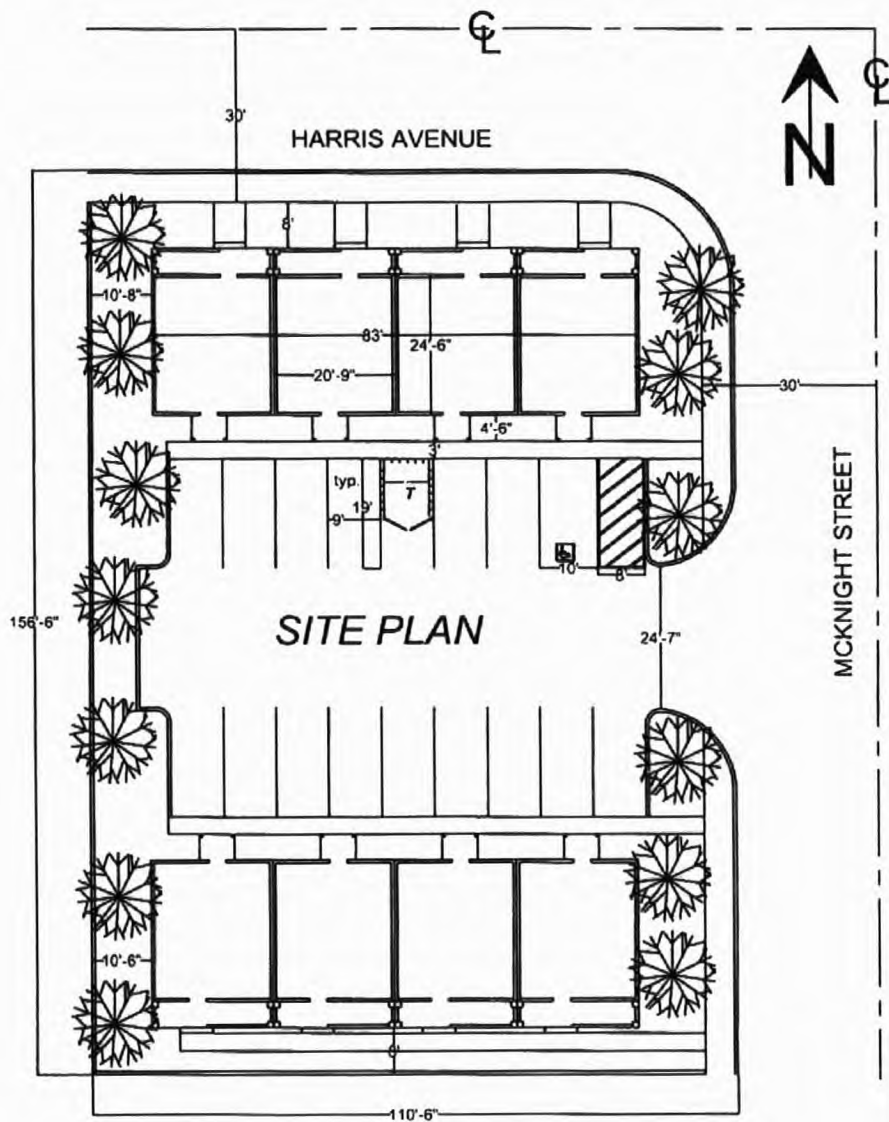
Print Name: Jose R. Sandoval

Subscribed and sworn before me

This 30th day of May, 2006

Danny A. Hall
Notary Public in and for said County and State





LANDSCAPE SCHEDULE

20' DESERT TREE -- MESQUITE, PALO VERDE,
DESERT WILLOW

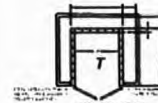


PALM TREE

DESERT SHRUBS -- LANTANA, RANGER SAGES, CASSIAS,
RUSSIAN SAGE, VARIOUS PENSTEMONS

GROUND COVERS -- VARIOUS
COLORED GRAVELS RANDOMLY
OVERCAST WITH MINUS 6" ROCKS

HARRIS McNIGHT CORNER
2750 HARRIS AVENUE
APN 139-25-410-017
SCALE $\frac{1}{16}" = 1'-0"$



TYPICAL
TRASH
ENCLOSURE

ASSESSOR'S PARCEL NUMBER
139-25-410-017

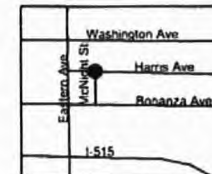
LOT COVERAGE ANALYSIS

TOTAL FOOTPRINT ALL UNITS = 4,067 SF
TOTAL BLACKTOP = 5,600 SF
TOTAL LOT SIZE = 15,794 SF
TOTAL LANDSCAPE AREA = 6,127 SF
FOOTPRINT TO LOT SIZE RATIO = 1:4
PERCENTAGE OF LOT COVERAGE = 26%

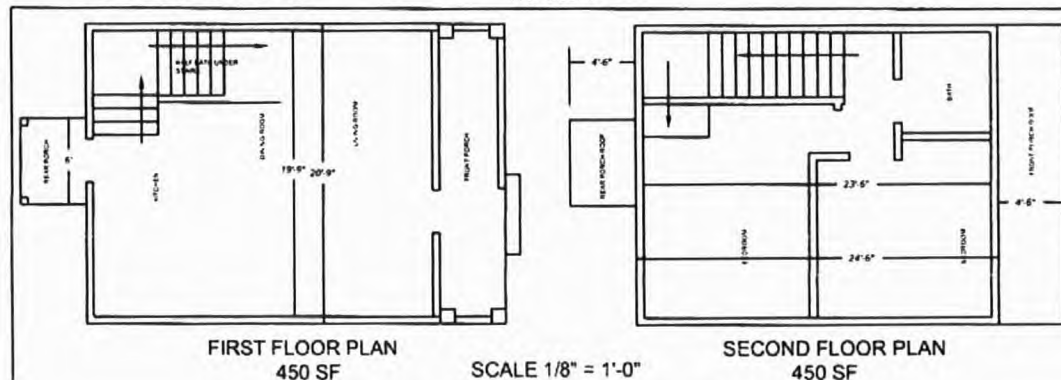
PARKING ANALYSIS

8 TWO BEDROOM UNITS REQUIRES 16
PARKING SPACES

16 SPACES ARE SHOWN
INCLUDES ONE VAN ACCESSIBLE
HANDICAP SPACE



VICINITY MAP
no scale

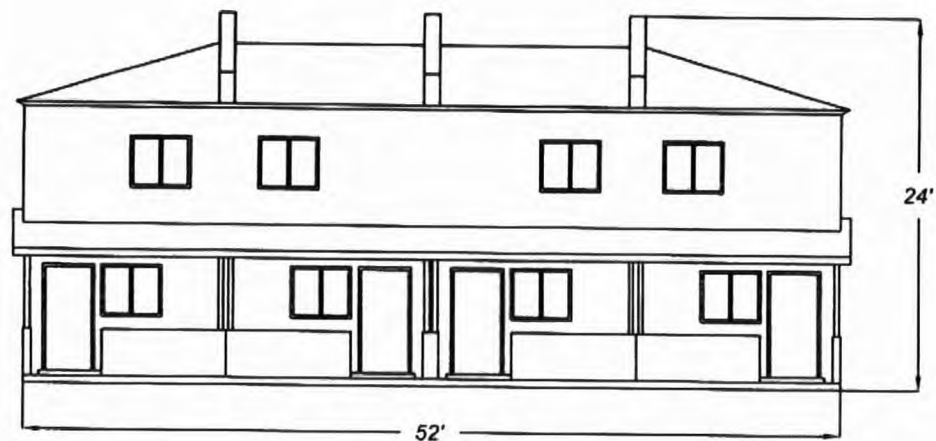


FIRST FLOOR PLAN
450 SF

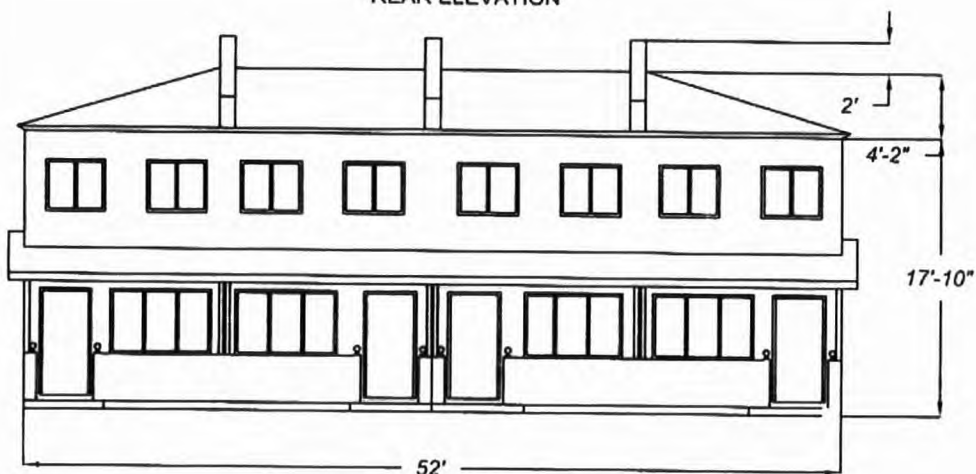
SCALE $\frac{1}{8}" = 1'-0"$

SECOND FLOOR PLAN
450 SF

GPA-13888 ZON-13889
VAR-13888 SDR-13886
07-13-06 PC

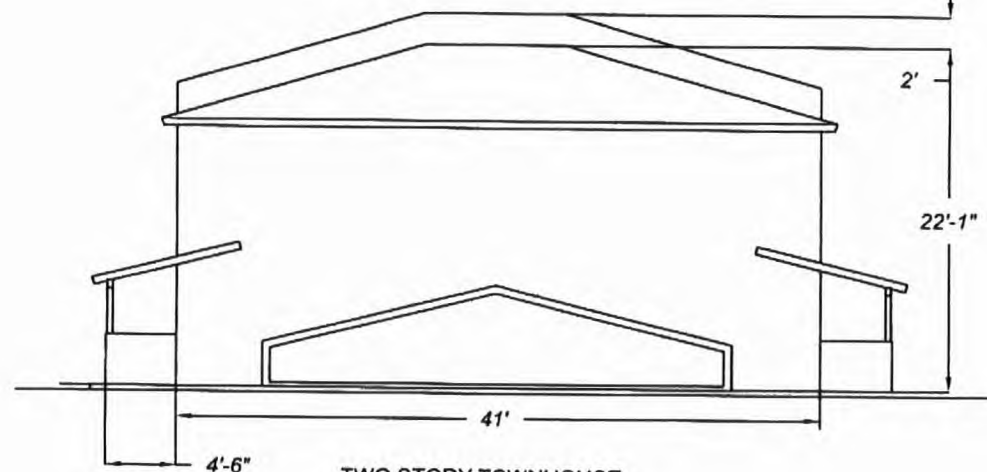
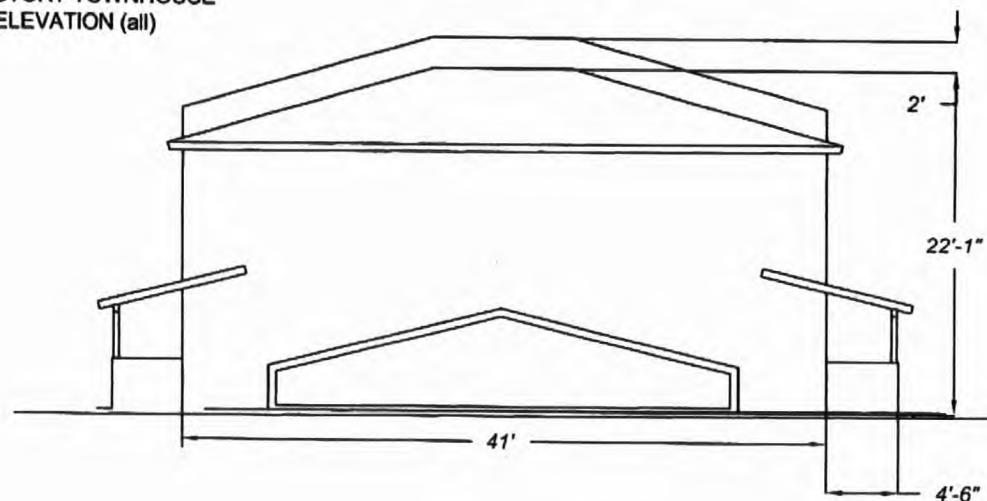


REAR ELEVATION



FRONT ELEVATION

TWO STORY TOWNHOUSE
SIDE ELEVATION (all)



TWO STORY TOWNHOUSE
SIDE ELEVATION (all)

GPA-13888 ZON-13889
VAR-13888 SDR-13886
07-13-06 PC

RECEIVED



Land Use Consultants

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

February 16, 2007

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

Subject: Justification Letter--- General Plan Amendment, Zone Change & Site Design Review

The Name of this Proposal is: Harris and McKnight Corner

1. This land use application will produce an environment of stable and desirable character consistent with the objectives of Title 19 and the General Plan due to the area in which it will serve.
2. The purpose is to make necessary applications to allow for a zone change from R-E to R-3. To properly affect this we hereby apply for a general plan amendment from L to M. We will develop this property to consist of six units in townhouse style.
3. The total gross acreage for this site is 0.38 acres.
4. All studies necessary to bring this application forward are to the current code.
5. The APN is: 139-25-410-017

If you have any further questions do not hesitate to call at 702-312-2435. Thank you.

Sincerely,

Sandra Montgomery
Associate Planner

ZON-13889
VAR-13888
SDR-13886
04-04-07 CC

RECEIVED
FEB 22 2007

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 4, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

REZONING RELATED TO GPA-13885

ZON-13889 - PUBLIC HEARING - APPLICANT/OWNER: JOSE SANDOVAL - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on 0.38 acres at 2750 Harris Avenue (APN 139-25-410-017), Ward 3 (Reese). The Planning Commission (5-1 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 (5-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

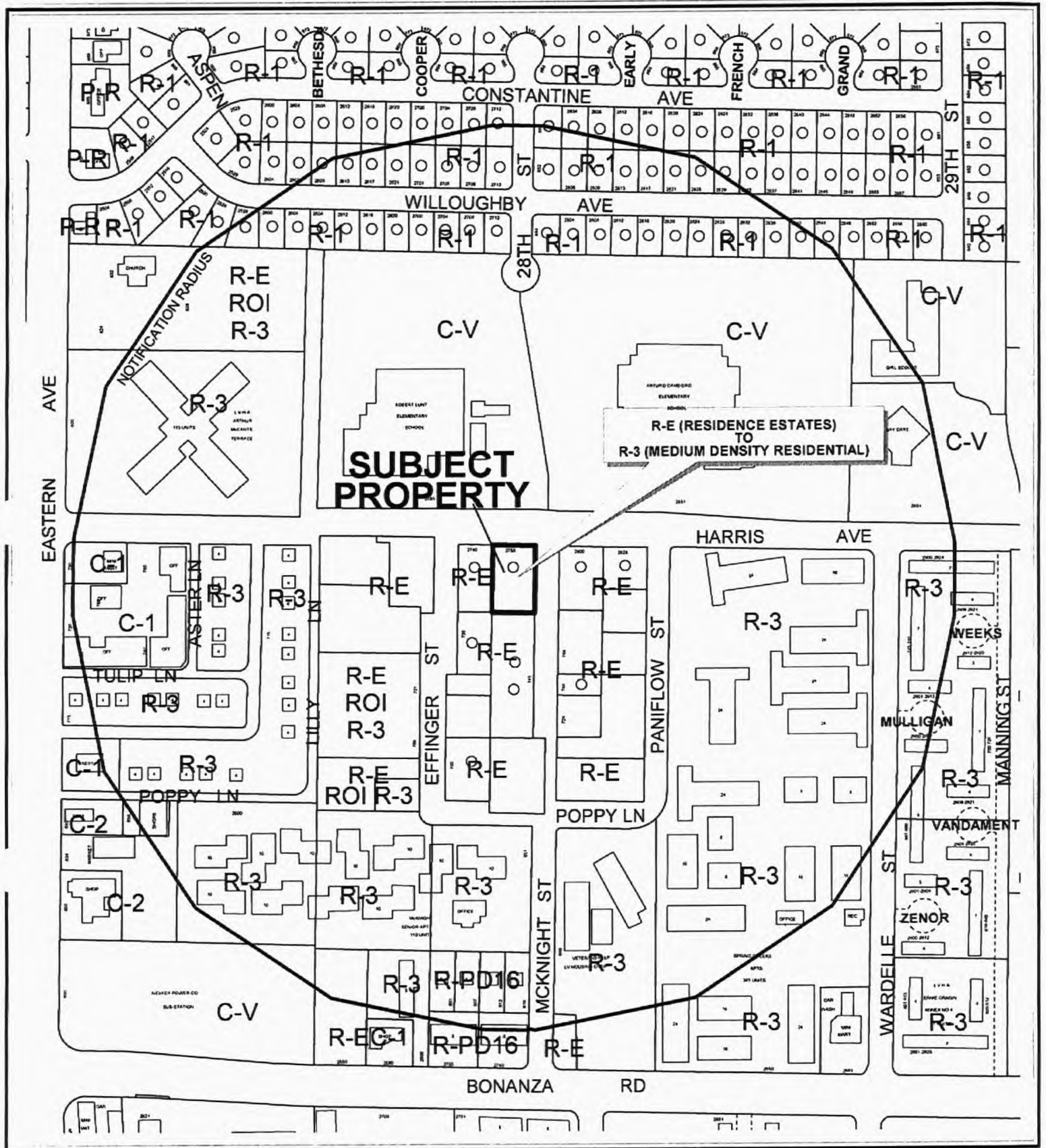
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting documentation
4. Justification Letter

Motion made by GARY REESE to Approve Subject to Conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
BRENDA J. WILLIAMS, 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 76 for related discussion.



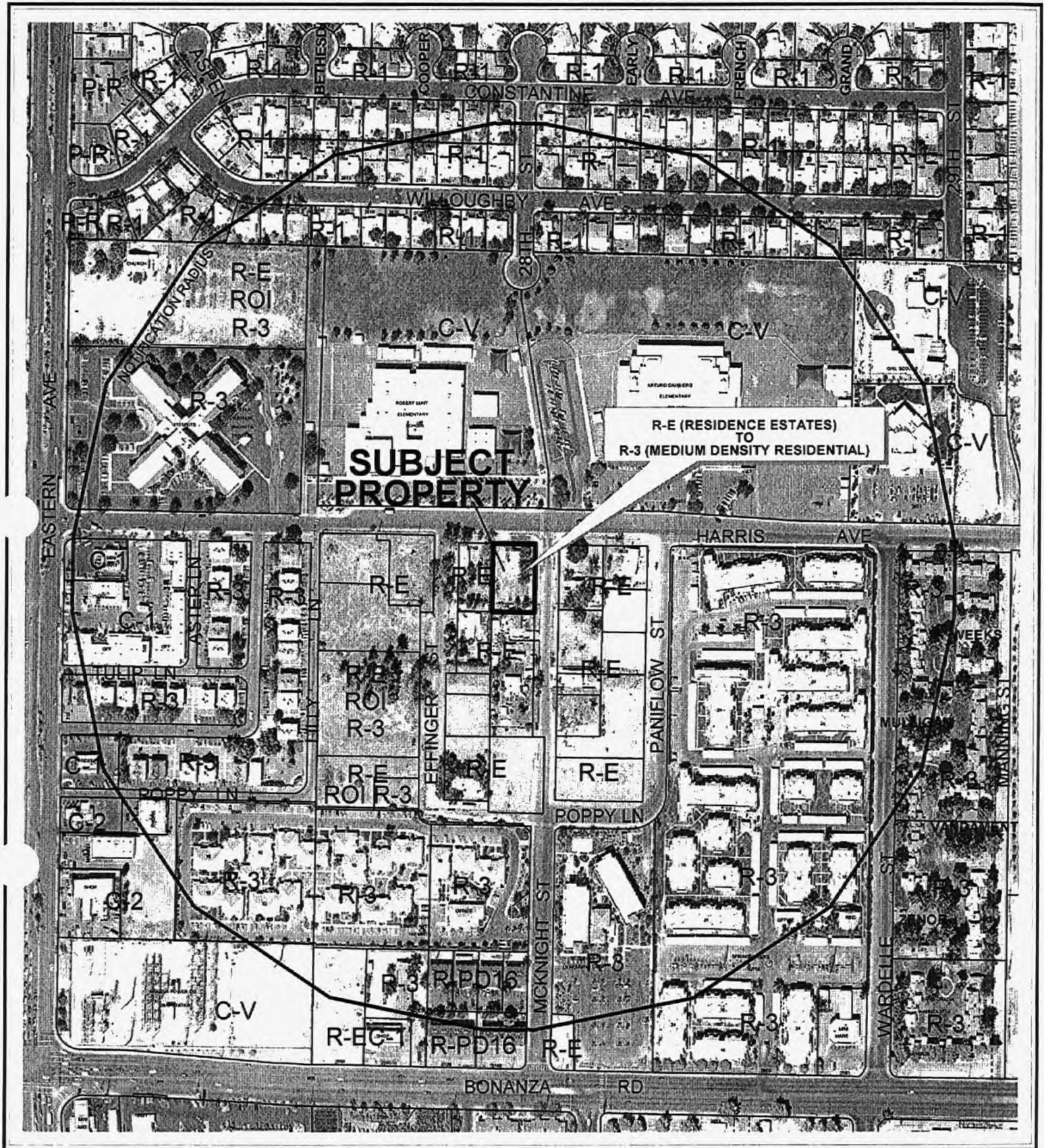
CASE: **ZON-13889**

RADIUS: 1000 FT

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

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





CASE: **ZON-13889**

RADIUS: 1000 FT

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

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 4, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-13889 - APPLICANT/OWNER: JOSE SANDOVAL

**** CONDITIONS ****

The Planning Commission (5-1/rt vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A General Plan Amendment (GPA-13885) to M (Medium Density Residential) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit is hereby granted.
3. A Site Development Plan Review (SDR-13886) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate a 15 foot radius on the southwest corner of Harris Avenue and McKnight Street. Also a Quit Claim deed must be recorded to correct the rights-of-way along Harris Avenue and McKnight Street prior to the approval of construction drawings or the issuance of any permits for this site. Contact the Right-of-Way section of the Department of Public Works for assistance in preparing the needed documents.
5. Construct all incomplete half-street improvements on Harris Avenue and McKnight Street adjacent to this site concurrent with development of this site.
6. Extend public sewer in McKnight Street to the southern edge of this site at a size, depth and location acceptable to the Collection System Planning section of the Department of Public Works. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

APPLICATION REQUEST

This application is a Request for a Rezoning from: R-E (Residence Estates) to: R-3 (Medium Density Residential) on 0.38 acre at 2750 Harris Avenue.

EXECUTIVE SUMMARY

The site consists of a single parcel that is currently occupied by a single-family home. The request is compatible with medium density development to the east, west and south of the subject parcel, and is located in a pocket of R-E (Residential Estates) lots, over half of which are vacant. Staff recommends approval, subject to approval of the related Master Plan Amendment to an M (Medium Density Residential) land use designation on a portion of the site and a Site Development Plan Review application for development of the overall site.

BACKGROUND INFORMATION

A) *Related Actions*

- 08/16/06 The City Council denied this request along with companion requests for a General Plan Amendment (GPA-13885), a Variance (VAR-13888), and a Site Development Plan Review (SDR-13886). The Planning Commission and staff recommended approval.
- 02/15/07 The Planning Department received notice from the City Council office that this request along with companion requests for a General Plan Amendment (GPA-13885), a Variance (VAR-13888), and a Site Development Plan Review (SDR-13886) were to be rescinded and reheard. The items were placed on the 04/04/07 City Council agenda.
- 03/13/07 The Planning Department received revised plans for the subject property. The plans show a new design that includes a reduction in the number of units and an increase in the building height.

B) *Pre-Application Meeting*

- 05/17/06 A pre-application meeting was held to discuss the applicable General Plan Amendment, Rezoning, Site Development Plan Review and Variance on the subject property.

C) *Neighborhood Meetings*

06/20/06 A neighborhood meeting sponsored by the applicant was held at the East Las Vegas Senior Center at 250 North Eastern Avenue. No citizens were in attendance.

D) Code Enforcement Information

Code Enforcement indicates that there is an open violation of an illegally un-permitted structure on the subject property. The violation has been ongoing since 03/07/06. Code Enforcement also indicates that they are in the process of citing the owner for the subject violation.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.38 Acres

B) Existing Land Use

Subject Property:	Single Family Residence
North:	Elementary School
South:	Single Family Residence
East:	Single Family Residence
West:	Single Family Residence

C) *Planned Land Use*

Subject Property:	L (Low Density Residential) – proposed M (Medium Density Residential)
North:	PF (Public Facilities)
South:	L (Low Density Residential)
East:	M (Medium Density Residential)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates) proposed R-3 (Limited Multiple Residence)
North:	C-V (Civic)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates)
West:	R-E (Residence Estates)

E) General Plan Compliance

The subject site is located within the Southeast Sector of the General Plan with an L (Low Density Residential) land use designation, which allows for residential development of up to 5.49 dwelling units per acre. A concurrent application proposed to amend the General Plan to M (Medium Density Residential) which allows for density up to 25.49 dwelling units per acre. The proposed rezoning to the R-3 (Medium Density Residential) zoning district is consistent with the proposed Medium Density Residential General Plan designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Rural Preservation Overlay District		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

F) Density

EXISTING ZONING	PERMITTED DENSITY	PROPOSED ZONING	PERMITTED DENSITY	GENERAL PLAN	PERMITTED DENSITY
R-E	2.49 du/ac 0.95 total units on 0.38 acres	R-3	25.49 du/ac 9.69 units on 0.38 acres	L	5.49 du/ac

The subject request proposes to change the zoning from R-E (Residential Estates) to R-3 (Limited Multiple Residence). There is an accompanying General Plan Amendment (GPA-13885) proposal to change the designation on the subject parcel from L (Low Density Residential), which allows up to 5.49 dwelling units per acre to M (Medium Density Residential), which allows up to 25.49 dwelling units per acre.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	6,500 Square Feet	16,550 Square Feet	Y
Min. Setbacks			
• Front	20 Feet	10 Feet	N
• Side	5 Feet	20 Feet	Y
• Corner	5 Feet	50 Feet	Y
• Rear	20 Feet	15 Feet	N
Max. Building Height	2 Stories / 35 Feet	3 Stories/ 33 Feet	N

The applicant has requested an accompanying Variance (VAR-13888) to allow for a ten-foot front yard setback where 20 feet is the minimum required and a rear yard setback of 15 feet where 20 feet is the minimum required.

B) General Analysis and Discussion

The purpose of the R-3 (Limited Multiple Residence) District is to provide for the development of a variety of multi-family units such as duplexes, townhouses and medium density apartments. The R-3 (Limited Multiple Residence) District is consistent with the policies of the M (Medium Density Residential) category of the Master Plan. The applicant has submitted a companion General Plan Amendment (GPA-13885) to change the planned land use designation from L (Low Density Residential) to M (Medium Density Residential). The request is appropriate, as there are existing multi-family development to the east, south and west of the area of vacant land and sporadic single-family homes that the subject parcel sits within. An elementary school occupies the parcel to the north across Harris Avenue. A change to R-3 would be consistent with surrounding multi-family residential uses, and also follow the trend of the area.

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."

There is a companion General Plan Amendment (GPA-13885) with this item. The request is for M (Medium Density Residential) land use designation. The R-3 (Limited Multiple Residence) zone would be in conformance with this General Plan designation. With approval of the General Plan Amendment (GPA-13885) the proposal will be in conformance 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."

The proposed six-unit multi-family residential project will be compatible with the surrounding area. The General Plan reflects M (Medium Density Residential) on the eastern side of the project site and PF (Public Facility) to the north.

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

The community is in need of affordable housing opportunities. This project will help in providing an affordable product to individuals that could not otherwise afford housing.

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

The proposed development gains access off of McKnight Street, adjacent to Harris Avenue. These are both standard city streets. The streets surrounding the development will provide adequate access to and from the proposed development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

11

ASSEMBLY DISTRICT 28

SENATE DISTRICT 2

NOTICES MAILED 92 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-13889 APN: 139-25-410-017
Name of Property Owner: Jose Sandoval
Name of Applicant: Jose Sandoval

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: _____

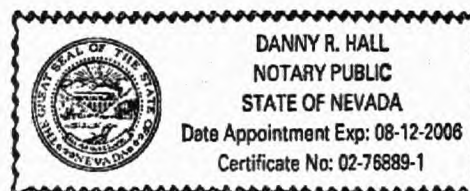
Signature of Property Owner: J. Sandoval

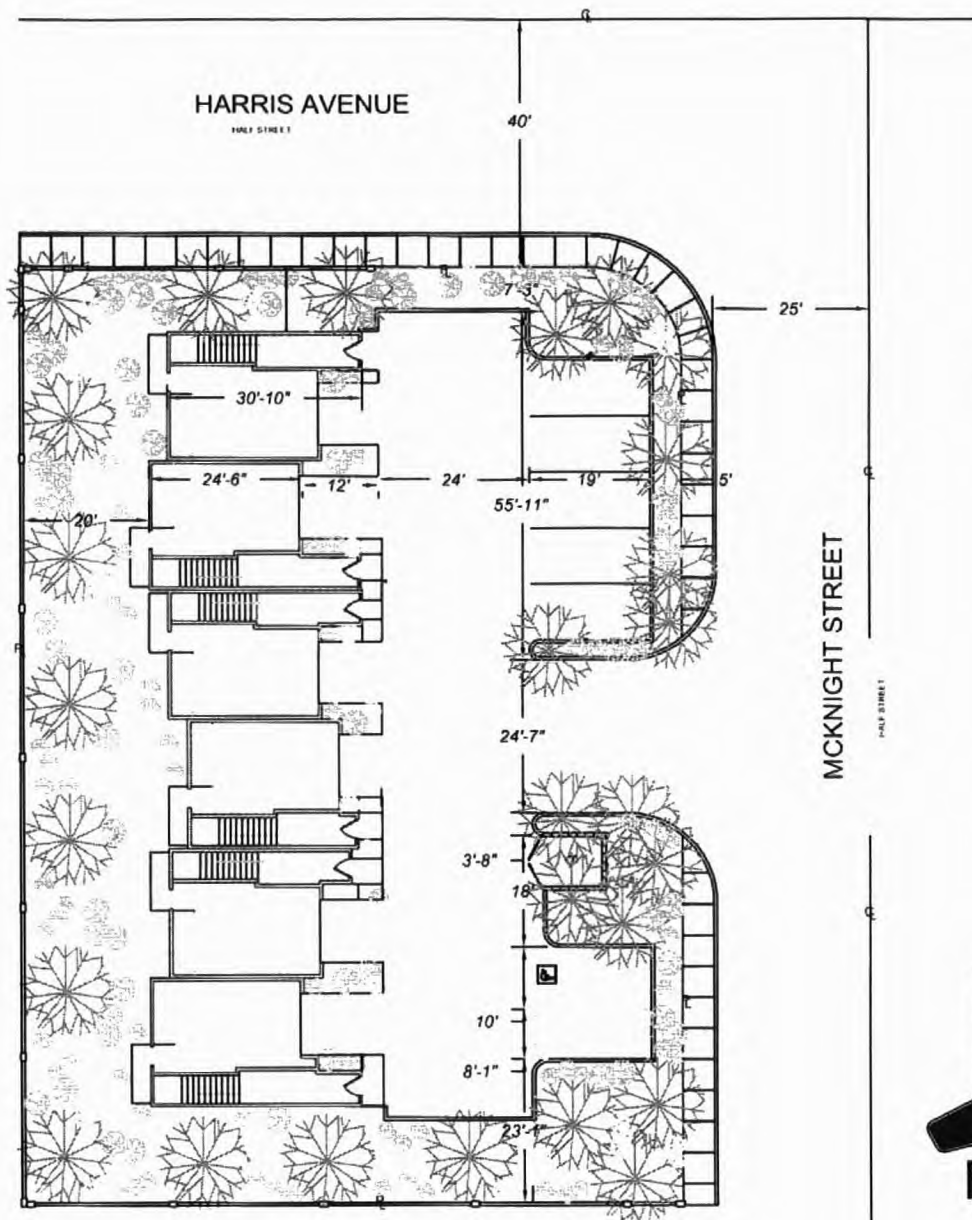
Print Name: Jose Sandoval

Subscribed and sworn before me

This 30TH day of MAY, 2006

Danny R. Hall
Notary Public in and for said County and State





LANDSCAPE SCHEDULE

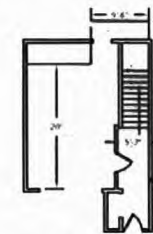
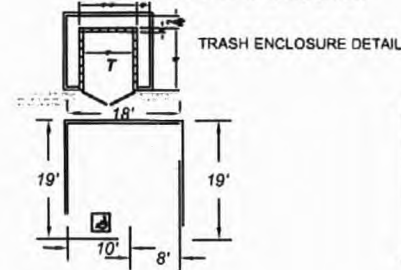
TREES
 MONDALE PINE 15 GAL 20' oc 7
 CHILEAN MESQUITE 1 GAL. RANDOM 10
 DESERT WILLOW AND PALO VERDE 15 GAL 5 EA.

SHRUBS
 TEXAS RANGERS GREEN & SILVER CLOUD 5 GAL.
 RANDOM SPACING 25 EA.
 CASIAS SICKLE LEAF, FEATHERY, GRFEEN 5 GAL.
 RANDOM SPACING 25 EA.

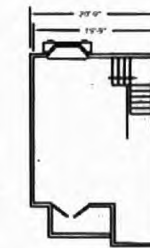
GROUND COVER - MINUS $\frac{2}{3}$ READ GRAVELS

BLOCK WALL DETAIL - SOUTH, WEST & NORTH
 ROWS CONC. STD FENCE 6" INTERLOCK
 50% 11" FACE BLOCK, 8 COURSE S. PLASTER
 EVERY 22" AND AT CORNERS

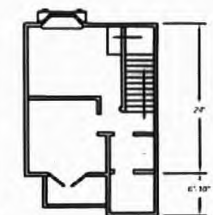
R_L PROPERTY LINE INDICATOR
 Q STREET CENTER LINE INDICATOR



FIRST FLOOR
PLAN
510 sf



SECOND
FLOOR PLAN
510 sf



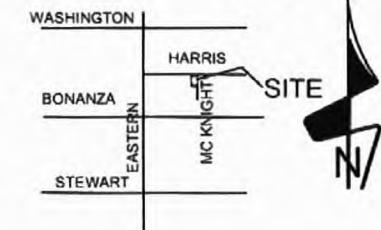
THIRD FLOOR
PLAN
510 sf

FLOOR PLANS

PARKING ANALYSIS

SIX APARTMENT UNITS IN TOWNHOUSE STYLE
 TWO SPACES PER UNIT = 12
 TWELVE SHOWN - 6 IN GARAGES, SIX IN LOT
 INCLUDES 1 VAN ACCESSABLE SPACE

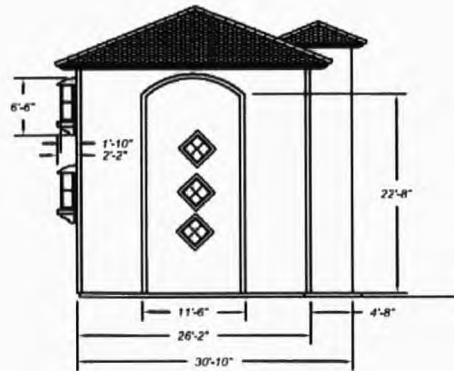
VICINITY MAP no scale



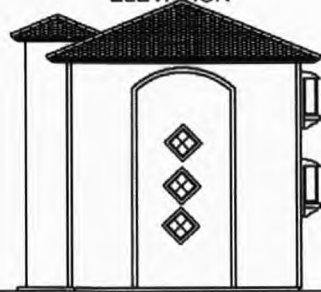
RECEIVED
 MAR 13 2007

ZON-13889
 VAR-13888
 SDR-13886
 04-04-07 CC

ASSESSOR'S PARCEL NUMBER
 139-25-410-017
 SITE PLAN WITH FLOOR PLANS
 MC KNIGHT MCTOWNHOMES



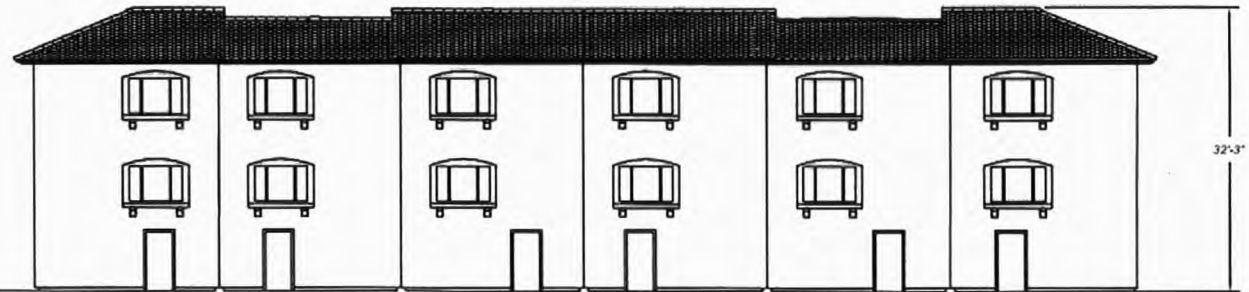
SOUTH SIDE
ELEVATION



NORTH SIDE ELEVATION



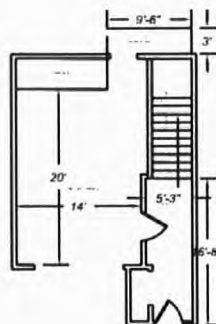
FRONT
ELEVATION
(EAST)



REAR ELEVATION (WEST)

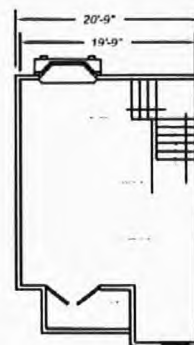
MATERIALS OF CONSTRUCTION

STUCCO OVER WOOD FRAME
MISSION CONCRETE ROOF TILES
STUCCO AND CERAMIC TILE TRIM
ROOF FACIA WOOD AND STUCCO
REAR WINDOW WOOD AND STUCCO
ALUMINUM GARAGE DOORS



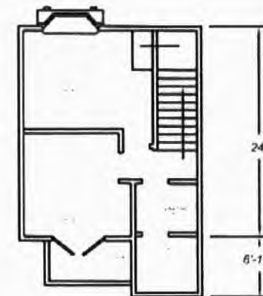
FIRST FLOOR
PLAN

510 sf



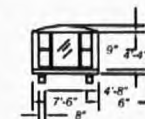
SECOND
FLOOR PLAN

510 sf



THIRD FLOOR
PLAN

510 sf



BAY WINDOW DETAIL

RECEIVED
FEB 22 2007

ELEVATIONS AND FLOOR PLANS

MC KNIGHT MCTOWNHOMES

ZON-13889 SCALE $\frac{1}{8}" = 1'-0"$

VAR-13888

SDR-13886

04-04-07 CC



Land Use Consultants

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

February 16, 2007

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

Subject: Justification Letter--- General Plan Amendment, Zone Change & Site Design Review

The Name of this Proposal is: Harris and McKnight Corner

1. This land use application will produce an environment of stable and desirable character consistent with the objectives of Title 19 and the General Plan due to the area in which it will serve.
2. The purpose is to make necessary applications to allow for a zone change from R-E to R-3. To properly affect this we hereby apply for a general plan amendment from L to M. We will develop this property to consist of six units in townhouse style.
3. The total gross acreage for this site is 0.38 acres.
4. All studies necessary to bring this application forward are to the current code.
5. The APN is: 139-25-410-017

If you have any further questions do not hesitate to call at 702-312-2435. Thank you.

Sincerely,

Sandra Montgomery
Associate Planner

ZON-13889
VAR-13888
SDR-13886
04-04-07 CC

RECEIVED
FEB 22 2007

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 4, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE RELATED TO GPA-13885 AND ZON-13889

VAR-13888 - PUBLIC HEARING - APPLICANT/OWNER: JOSE SANDOVAL - Request for a Variance TO ALLOW A FRONT YARD SETBACK OF EIGHT FEET WHERE 20 FEET IS REQUIRED, A REAR YARD SETBACK OF EIGHT FEET WHERE 20 FEET IS REQUIRED AND A RESIDENTIAL ADJACENCY SETBACK OF EIGHT FEET WHERE 66 FEET IS REQUIRED on 0.38 acres at 2750 Harris Avenue (APN 139-25-410-017), R-E (Residence Estates) Zone [PROPOSED: R-3 (Medium Density Residential) Zone], Ward 3 (Reese). NOTE: THIS APPLICATION IS BEING AMENDED TO ALLOW A FRONT YARD SETBACK OF TEN FEET WHERE 20 FEET IS REQUIRED, A REAR YARD SETBACK OF FIFTEEN FEET WHERE 20 FEET IS REQUIRED AND A RESIDENTIAL ADJACENCY SETBACK OF 15 FEET WHERE 96.75 FEET IS REQUIRED. The Planning Commission (3-3 tie vote on a motion for denial) NO RECOMMENDATION. Staff recommends DENIAL

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 tie vote on a motion for denial) NO RECOMMENDATION. Staff recommends DENIAL.

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 and the following added condition as read for the record:

A. Approval is for a Variance of residential adjacency of 15' where 96.75' is required only.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

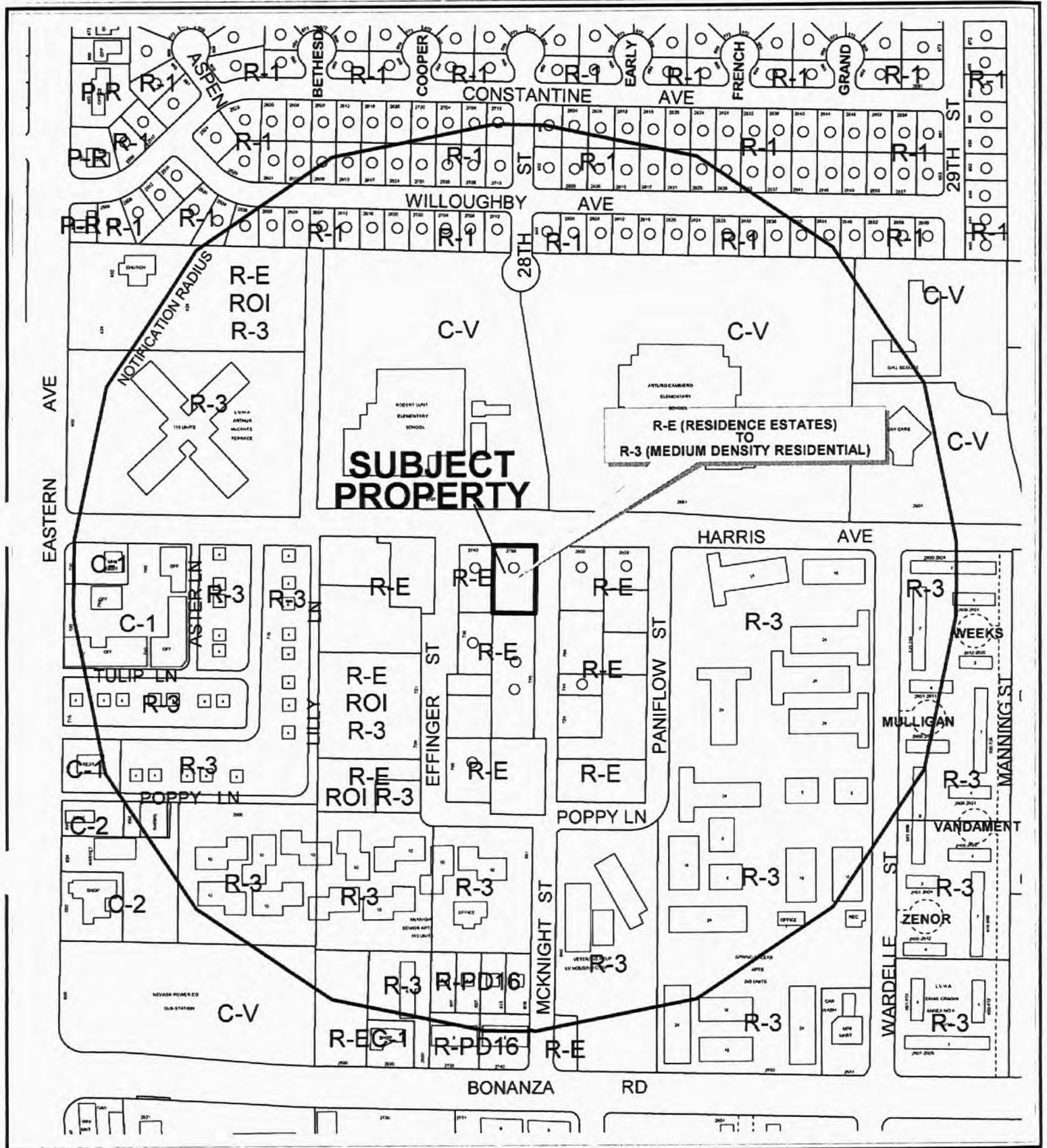
BRENDA J. WILLIAMS, LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

CITY COUNCIL MEETING OF: APRIL 4, 2007

Minutes:

See Item 76 for related discussion.





CASE: **VAR-13888**

RADIUS: 1000 FT

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

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 4, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-13888 - APPLICANT/OWNER: JOSE SANDOVAL

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission's motion for approval failed with a 3-3 tie vote, therefore, no recommendation will be forwarded to City Council.

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-13889), General Plan Amendment (GPA-13885) and Site Development Plan Review (SDR-13886) 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 ****

APPLICATION REQUEST

This application is a request for a Variance to allow a front yard setback of ten feet where 20 feet is required, a rear yard setback of fifteen feet where 20 feet is required and a residential adjacency setback of 15 feet where 96.75 feet is required on 0.38 acre at 2750 Harris Avenue.

EXECUTIVE SUMMARY

The proposed multi-family development requests setbacks of ten and fifteen feet where 20 feet is required. Additionally, the buildings as proposed are too close to existing single-family properties to meet Residential Adjacency Standards. All of the inadequacies listed above violate the R-3 (Medium Density Residential) development standards. Since the buildings could have been designed to conform to Zoning Code standards, the recommendation is for denial.

BACKGROUND INFORMATION

A) *Related Actions*

- 08/16/06 The City Council denied this request along with companion requests for a General Plan Amendment (GPA-13885), a Rezoning (ZON-13889), and a Site Development Plan Review (SDR-13886). The Planning Commission's motion for approval failed with a 3-3 tie vote. Staff recommended denial.
- 02/15/07 The Planning Department received notice from the City Council office that this request along with companion requests for a General Plan Amendment (GPA-13885), a Rezoning (ZON-13889), and a Site Development Plan Review (SDR-13886) were to be rescinded and reheard. The items were placed on the 04/04/07 City Council agenda.
- 03/13/07 The Planning Department received revised plans for the subject property. The plans show a new design that includes a reduction in the number of units and an increase in the building height.

B) *Pre-Application Meeting*

- 05/17/06 A pre-application meeting was held to discuss the applicable General Plan Amendment, Rezoning, Site Development Plan Review and Variance on the subject property.

C) *Neighborhood Meetings*

06/20/06	A neighborhood meeting sponsored by the applicant was held at the East Las Vegas Senior Center at 250 North Eastern Avenue. No citizens were in attendance.
----------	---

D) Code Enforcement Information

Code Enforcement indicates that there is an open violation of an illegally un-permitted structure on the subject property. The violation has been ongoing since 03/07/06. Code Enforcement also indicates that they are in the process of citing the owner for the subject violation.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.38 Acres

B) Existing Land Use

Subject Property:	Single Family Residence
North:	Elementary School
South:	Single Family Residence
East:	Single Family Residence
West:	Single Family Residence

C) *Planned Land Use*

Subject Property:	L (Low Density Residential) – proposed M (Medium Density Residential)
North:	PF (Public Facilities)
South:	L (Low Density Residential)
East:	M (Medium Density Residential)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates) proposed R-3 (Limited Multiple Residence)
North:	C-V (Civic)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates)
West:	R-E (Residence Estates)

E) General Plan Compliance

The subject site is located within the Southeast Sector of the General Plan with an L (Low Density Residential) land use designation, which allows for residential development of up to 5.49 dwelling units per acre. A concurrent application proposed to amend the General Plan to M (Medium Density Residential) which allows for density up to 25.49 dwelling units per acre. The proposed rezoning to the R-3 (Medium Density Residential) zoning district is consistent with the proposed Medium Density Residential General Plan designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Rural Preservation Overlay District		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Requested	Compliance
Min. Lot Size	6,500 Square Feet	16,550 Square Feet	Y
Min. Setbacks			
• Front	20 Feet	10 Feet	N
• Side	5 Feet	20 Feet	Y
• Corner	5 Feet	50 Feet	Y
• Rear	20 Feet	15 Feet	N
Max. Building Height	2 Stories / 35 Feet	3 Stories/ 33 Feet	N
Trash Enclosure	50 Feet	50 Feet	Y

The subject deviation for front yard setback is 50% and for the rear yard setback is 25%.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, the following Residential Adjacency Standards apply to the subject proposal:

- a) Proximity slope. The proposed multi-family development does not meet the 3:1 residential adjacency slope to a R-E (Residential Estates) zoned property as required by Title 19.08.060 with a maximum building height of 32 feet 5 inches. The multi-family development is required to be located a minimum of 96.75 feet from the adjacent single family property line and the site plan shows 15 feet. The subject deviation is 84%.
- b) Building setback. The adjoining western property is zoned R-E and has a minimum side yard setback of 10 feet. Residential Adjacency Standards state that the side yard setback of the proposed multi-family development must match the side setback of the single family home. The applicant provides 20 feet where 10 feet is required; therefore there is no deviation.

B) General Analysis and Discussion

The variance requested is related to setbacks and the residential adjacency requirement. The building on the site is located 15 feet from single family properties where 96.75 feet is required, the front and rear yard setbacks do not conform to R-3 (Medium Density Residential) standards. The buildings can be designed in a different configuration that allows for compliance with R-3 development standards; therefore, denial is recommended.

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 selecting a building design that does not conform to the requirements set forth by the requested zoning category. Alternative site and building design would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 28

SENATE DISTRICT 2

NOTICES MAILED 92 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-13888 APN: 139-25-410-017

Name of Property Owner: Jose Sandoval

Name of Applicant: Jose Sandoval

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: _____

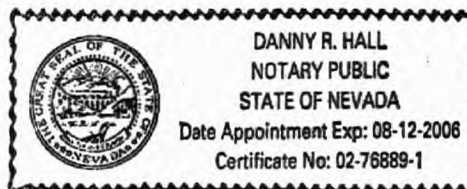
Signature of Property Owner: J. Sandoval

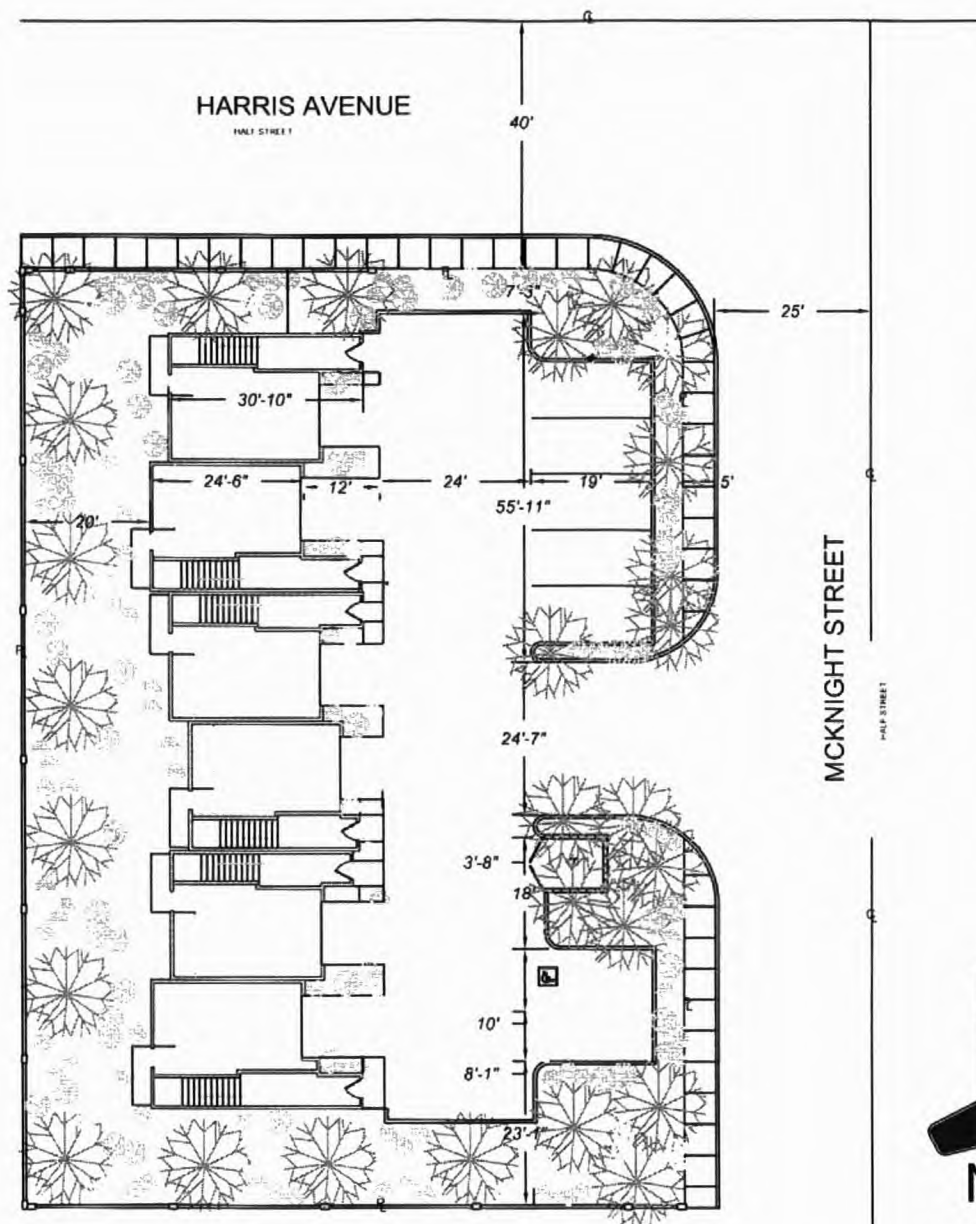
Print Name: Jose Sandoval

Subscribed and sworn before me

This 30th day of May, 2006

Danny R. Hall
Notary Public in and for said County and State





HARRIS AVENUE

PAV STREET

40'

25'

MCKNIGHT STREET

PAV STREET

LANDSCAPE SCHEDULE

TREES

MONDALE PINE 15 GAL 20' oc 7
CHILEAN MESQUITE 1 GAL. RANDOM 10
DESERT WILLOW AND PALO VERDE 15 GAL 5 EA.

SHRUBS

TEXAS RANGERS GREEN & SILVER CLOUD 5 GAL.
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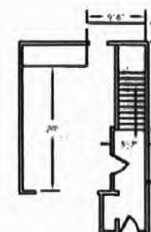
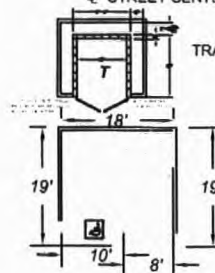
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BLOCK WALL DETAIL - SOUTH, WEST & NORTH

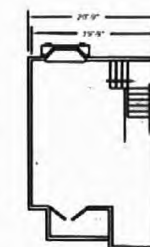
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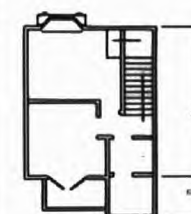
TRASH ENCLOSURE DETAIL



FIRST FLOOR
PLAN
510 sf



SECOND
FLOOR PLAN
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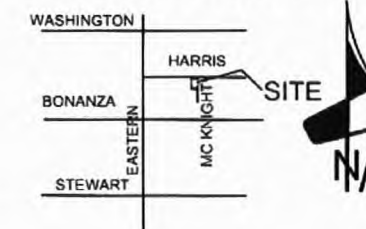
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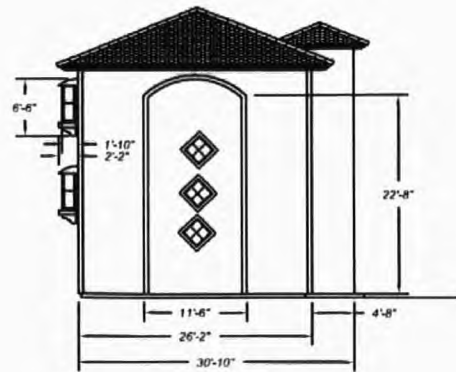
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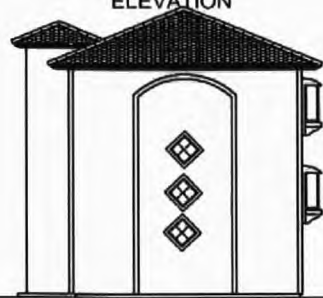
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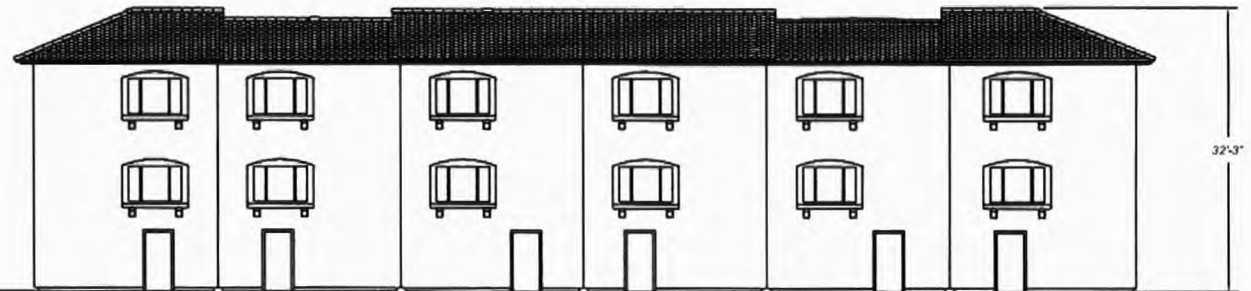
SOUTH SIDE
ELEVATION



NORTH SIDE ELEVATION



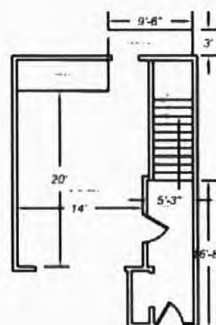
FRONT
ELEVATION
(EAST)



REAR ELEVATION (WEST)

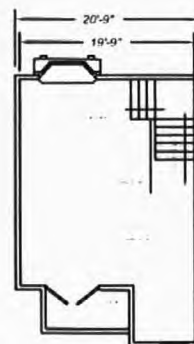
MATERIALS OF CONSTRUCTION

STUCCO OVER WOOD FRAME
MISSION CONCRETE ROOF TILES
STUCCO AND CERAMIC TILE TRIM
ROOF FACACIA WOOD AND STUCCO
REAR WINDOW WOOD AND STUCCO
ALUMINUM GARAGE DOORS



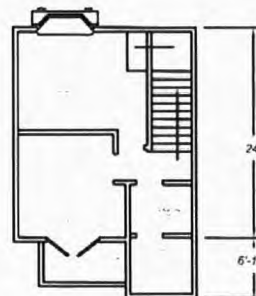
FIRST FLOOR
PLAN

510 sf



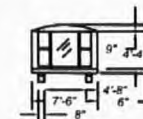
SECOND
FLOOR PLAN

510 sf



THIRD FLOOR
PLAN

510 sf



BAY WINDOW DETAIL

RECEIVED
FEB 22 2007

ELEVATIONS AND FLOOR PLANS

MC KNIGHT MCTOWNHOMES

ZON-13889 SCALE $\frac{1}{8}" = 1'-0"$

VAR-13888

SDR-13886

04-04-07 CC



Land Use Consultants

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

February 16, 2007

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

Subject: Justification Letter--- General Plan Amendment, Zone Change & Site Design Review

The Name of this Proposal is: Harris and McKnight Corner

1. This land use application will produce an environment of stable and desirable character consistent with the objectives of Title 19 and the General Plan due to the area in which it will serve.
2. The purpose is to make necessary applications to allow for a zone change from R-E to R-3. To properly affect this we hereby apply for a general plan amendment from L to M. We will develop this property to consist of six units in townhouse style.
3. The total gross acreage for this site is 0.38 acres.
4. All studies necessary to bring this application forward are to the current code.
5. The APN is: 139-25-410-017

If you have any further questions do not hesitate to call at 702-312-2435. Thank you.

Sincerely,

Sandra Montgomery
Associate Planner

ZON-13889
VAR-13888
SDR-13886
04-04-07 CC

RECEIVED
FEB 22 2007

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 4, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-13885, ZON-13889 AND VAR-13888

SDR-13886 - PUBLIC HEARING - APPLICANT/OWNER: JOSE SANDOVAL - Request for a Site Development Plan Review FOR AN EIGHT UNIT APARTMENT COMPLEX AND A WAIVER OF LANDSCAPE BUFFER WIDTH on 0.38 acres at 2750 Harris Avenue (APN 139-25-410-017), R-E (Residence Estates) Zone [PROPOSED: R-3 (Medium Density Residential) Zone], Ward 3 (Reese). NOTE THIS APPLICATION IS BEING AMENDED TO SIX UNITS. The Planning Commission (3-3 tie vote on a motion for denial) NO RECOMMENDATION. Staff recommends DENIAL

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 tie vote on a motion for denial) NO RECOMMENDATION. Staff recommends DENIAL

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 amending Conditions 3 and 4 as read for the record and deleting Conditions 5 and 7:

3. All development shall be in conformance with the site plan and landscape plan, and building elevations, date stamped 03/13/07 for a maximum of six units, except as amended by conditions herein.

4. Waivers from 19.12.040 are hereby approved, to allow a seven foot perimeter landscape buffer where 12 feet is the minimum required.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

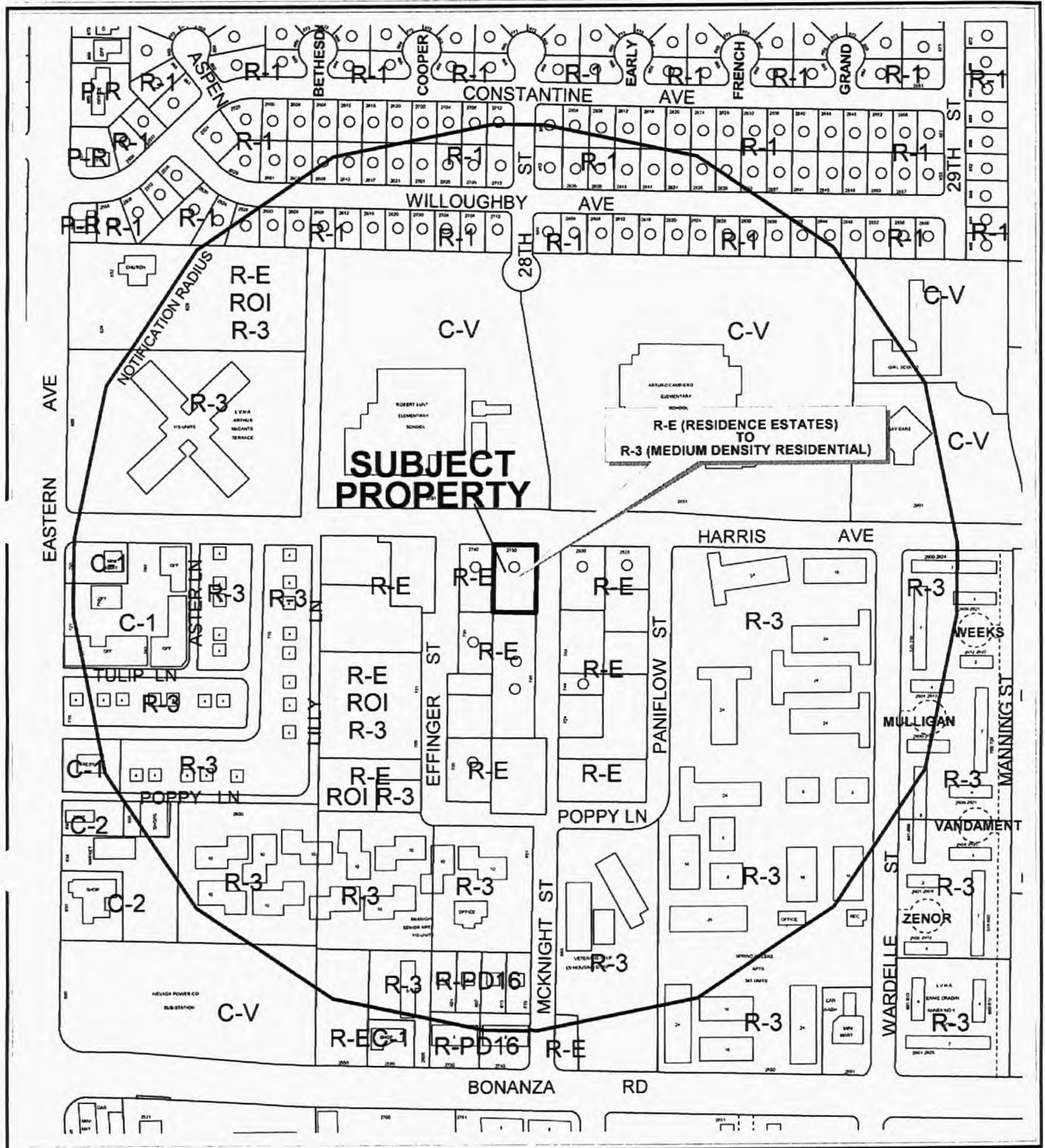
CITY COUNCIL MEETING OF: APRIL 4, 2007

BRENDA J. WILLIAMS, 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 76 for related discussion.





CASE: **SDR-13886**

RADIUS: 1000 FT

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

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

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 4, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-13886 - APPLICANT/OWNER: JOSE SANDOVAL

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission's motion for approval failed with a 3-3 tie vote, therefore, no recommendation will be forwarded to City Council.

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-13889), General Plan Amendment (GPA-13885) and Variance (VAR-13888) 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 03/13/07, except as amended by conditions herein.
4. Waivers from 19.12.040 are hereby approved, to allow a seven-foot perimeter landscape buffer where 10 feet is the minimum required along Harris Avenue and to allow a four-foot perimeter landscape buffer width along Mc Knight Street where 10 feet is the minimum required.
5. A revised landscape plan shall be submitted prior to the time application is made for a building permit reflecting the correct number (28) and type of trees and as required in Title 19.12.040 and Title 19.10.010.
6. A revised site plan shall be submitted prior to the time application is made for a building permit reflecting a handicapped space that meet City of Las Vegas requirements for a van accessible parking space.
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. Air conditioning units shall not be mounted on rooftops.

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 luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. 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.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. Coordinate with the City Surveyor to determine whether a Merger and Re-Subdivision Map or other map is necessary; comply with the recommendations of the City Surveyor.
15. Provide a Site Visibility Restriction Zone at the southwest corner of Harris Avenue and McKnight Street.
16. All 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.
17. Site development to comply with all applicable conditions of approval for ZON-13889 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

This application is a request for a Site Development Plan Review for a six unit apartment complex and a waiver of landscape buffer requirements on 0.38 acre at 2750 Harris Avenue.

EXECUTIVE SUMMARY

The site plan for this project shows a three-story multi-family residential building. The site is adjacent to R-E (Residential Estates) single family homes on the east, west, and south sides. There is an accompanying Rezoning request (ZON-13889) to R-3. This site configuration does not meet Residential Adjacency standards, and it is not compatible with the adjacent properties which are significantly lower in density than the proposed site. The site is also designed with landscape buffers that do not meet the adjacent right-of-way standards. Therefore, staff recommends denial of this request.

BACKGROUND INFORMATION

A) *Related Actions*

- 08/16/06 The City Council denied this request along with companion requests for a General Plan Amendment (GPA-13885), a Rezoning (ZON-13889), and a Variance (VAR-13888). The Planning Commission's motion for approval failed with a 3-3 tie vote. Staff recommended denial.
- 02/15/07 The Planning Department received notice from the City Council office that this request along with companion requests for a General Plan Amendment (GPA-13885), a Rezoning (ZON-13889), and a Variance (VAR-13888) were to be rescinded and reheard. The items were placed on the 04/04/07 City Council agenda.
- 03/13/07 The Planning Department received revised plans for the subject property. The plans show a new design that includes a reduction in the number of units and an increase in the building height.

B) *Pre-Application Meeting*

- 05/17/06 A pre-application meeting was held to discuss the applicable General Plan Amendment, Rezoning, Site Development Plan Review and Variance on the subject property.

C) *Neighborhood Meetings*

06/20/06 A neighborhood meeting sponsored by the applicant was held at the East Las Vegas Senior Center at 250 North Eastern Avenue. No citizens were in attendance.

D) Code Enforcement Information

Code Enforcement indicates that there is an open violation of an illegally un-permitted structure on the subject property. The violation has been ongoing since 03/07/06. Code Enforcement also indicates that they are in the process of citing the owner for the subject violation.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 0.38 Acres

B) Existing Land Use

Subject Property:	Single Family Residence
North:	Elementary School
South:	Single Family Residence
East:	Single Family Residence
West:	Single Family Residence

C) *Planned Land Use*

Subject Property:	L (Low Density Residential) – proposed M (Medium Density Residential)
North:	PF (Public Facilities)
South:	L (Low Density Residential)
East:	M (Medium Density Residential)
West:	L (Low Density Residential)

D) Existing Zoning

Subject Property:	R-E (Residence Estates) proposed R-3 (Limited Multiple Residence)
North:	C-V (Civic)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates)
West:	R-E (Residence Estates)

E) General Plan Compliance

The subject site is located within the Southeast Sector of the General Plan with an L (Low Density Residential) land use designation, which allows for residential development of up to 5.49 dwelling units per acre. A concurrent application proposed to amend the General Plan to M (Medium Density Residential) which allows for density up to 25.49 dwelling

units per acre. The proposed rezoning to the R-3 (Medium Density Residential) zoning district is consistent with the proposed Medium Density Residential General Plan designation.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Rural Preservation Overlay District		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance		X

PROJECT DESCRIPTION

The proposed development consists of six, two-bedroom units. The building is arranged on near the center of the property with the parking area along the eastern side of the site. The three-story residential buildings have a height of 32 feet, 5 inches.

Primary access to the site is from McKnight Street. A total of 12 parking spaces are provided where 12 are required.

Landscape buffers are provided on the perimeter of the site. However, the landscape buffer on the north property line along Harris Avenue is shown as seven feet where 10 feet is the minimum required. Along Mc Knight Street a landscape buffer of four feet is shown where 10 feet is required. There is a deficiency in the number of trees provided along the perimeter of the development, a condition of approval shall be added to require compliance with standards.

The submitted floor plan shows a two bedroom, three-story unit, 1,530 square feet in size.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Requested	Compliance
Min. Lot Size	6,500 Square Feet	16,550 Square Feet	Y
Min. Setbacks			
• Front	20 Feet	10 Feet	N
• Side	5 Feet	20 Feet	Y
• Corner	5 Feet	50 Feet	Y
• Rear	20 Feet	15 Feet	N
Max. Building Height	2 Stories / 35 Feet	3 Stories/ 33 Feet	N
Trash Enclosure	50 Feet	50 Feet	Y

An accompanying Variance (VAR-13888) is requested to allow a ten-foot front yard setback and a 15-foot rear yard setback where 20 feet is the minimum required setback. Staff recommends denial.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, the following Residential Adjacency Standards apply to the subject proposal:

- a) Proximity slope. The proposed multi-family development does not meet the 3:1 residential adjacency slope to an R-E (Residential Estates) zoned property as required by Title 19.08.060 with a maximum building height of 32.5 feet. The multi-family development is required to be located a minimum of 96.75 feet from the adjacent single family property line and the site plan shows 15 feet. The subject deviation is 84%.
- b) Building setback. The adjoining western property is zoned R-E and has a minimum side yard setback of 10 feet. Residential Adjacency Standards state that the side yard setback of the proposed multi-family development must match the side setback of the single family home. The applicant provides 20 feet where 10 feet is required; therefore there is no deviation.

A3) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	Units	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Multi-family – Two bedrooms	Six	1.75 spaces per unit	11	1	11	1
Guest spaces	Six	1 guest space for every six units	1	0	1	0
Total			12	1	12	1*

The proposed six-unit, multi-family proposal meets the parking requirements set forth in Title 19.10.

*It is noted that the provided handicapped accessible space does not meet the City of Las Vegas' minimum requirements. A condition of approval shall be added requiring compliance with standards.

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree / 6 Spaces	1 Tree	4 Trees
Buffer:			
• Min. Trees	1 Tree/20 Linear Feet	27 Trees	20 Trees
• Min. Zone Width	10 Feet – along Harris Avenue and Mc Knight Street		4 Feet*
	15 Feet – buffer between multi-family and single family residences		15 Feet

*The four-foot landscape buffer is along Mc Knight Street. A seven-foot landscape buffer is provided along a portion of Harris Avenue. Waivers are requested to permit this deviation from standards.

The submitted site plan does not reflect the required number of trees in the buffer area. A condition of approval will be added to the Site Development Plan Review to require the correct number and type trees required per Title 19.12.040.

B) General Analysis and Discussion

- Zoning

The site is currently zoned R-E (Residence Estates) on 0.38 acre, [L (Low Density Residential) Master Plan Designation]. The applicant requests an amendment to the

General Plan to change the existing L (Low Density Residential) land use designation on the site to M (Medium Density Residential), which would allow up to 25.49 units per acre. The applicant is also requesting a Rezoning (ZON-13889) to R-3 (Limited Multiple Residence) to allow a net density of 21.05 units per acre for this project.

- Site Plan

The site is bound by single family homes on the east, west and south sides, and an elementary school across the street to the north. The cluster of single family residential property where the site sits is surrounded by multi-family uses. The proposal of a three-story building adjacent to single family residences at a distance of 15 feet from the single family home property line is inappropriate, denial of this Site Development Plan Review is recommended.

- Elevation

The proposed three-story buildings are 32 feet, 5 inches in height. Because this property is being proposed for multi-family residences and is adjacent to an R-E (Residence Estates) lot, Residential Adjacency requirements apply. As part of the accompanying Variance request (VAR-13888), the applicant requests a Residential Adjacency standard of 15 feet where 96.75 feet is required.

- Waivers

The waivers that are requested for the proposed project include a four-foot landscape buffer along Mc Knight Street (60% deviation) and a seven-foot landscape buffer is provided along a portion of Harris Avenue (30% deviation).

- Floor Plan

The submitted floor plan shows a two-bedroom, 1,530 square foot, two-story design. This includes the garage.

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 land use is appropriate for the area; however, the development as proposed is too intense in the context of single-family development adjacent the subject property. The structures are proposed to be too close to existing developments. Three-story development is inappropriate for this location. The proposed development is not compatible with the area and denial of this request is recommended.

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;”**

There is a companion General Plan Amendment (GPA-13885) with this item. The request is for M (Medium Density Residential) land use designation. The R-3 (Limited Multiple Residence) zone would be in conformance with this General Plan designation. With approval of the General Plan Amendment (GPA-13885) the proposal will be in conformance with the General Plan.

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

Primary site ingress and egress is proposed from McKnight Street, a 50-foot Right-of-Way. Traffic from the proposed development entering onto Harris Avenue from McKnight Street will increase, but this should not have a significant negative impact on the neighborhood as a whole.

4. **“Building and landscape materials are appropriate for the areas and for the City;”**

Building materials are typical of apartment and condominium buildings in the Las Vegas Valley. Landscaping materials are drought-tolerant and compatible with existing development.

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

The proposed three-story elevations are not in compliance with Residential Adjacency Standards along the south and west perimeter of the site. Therefore, they are not compatible with existing single-family development in the area.

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

The development will be subject to inspections, and appropriate measures will be taken to protect the public health, safety and general welfare.

PLANNING COMMISSION ACTION

The Planning Commission recommended fire sprinklers in all units and the applicant concurred. This condition would be appropriate to add, if approved.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

11

ASSEMBLY DISTRICT 28

SENATE DISTRICT 2

NOTICES MAILED 92 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-13886 APN: 139-25-410-017
Name of Property Owner: Jose Sandoval
Name of Applicant: Jose Sandoval

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): _____

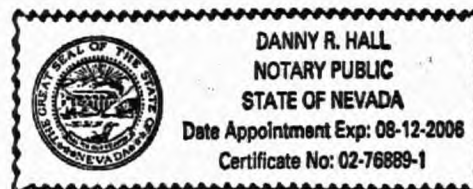
APN _____

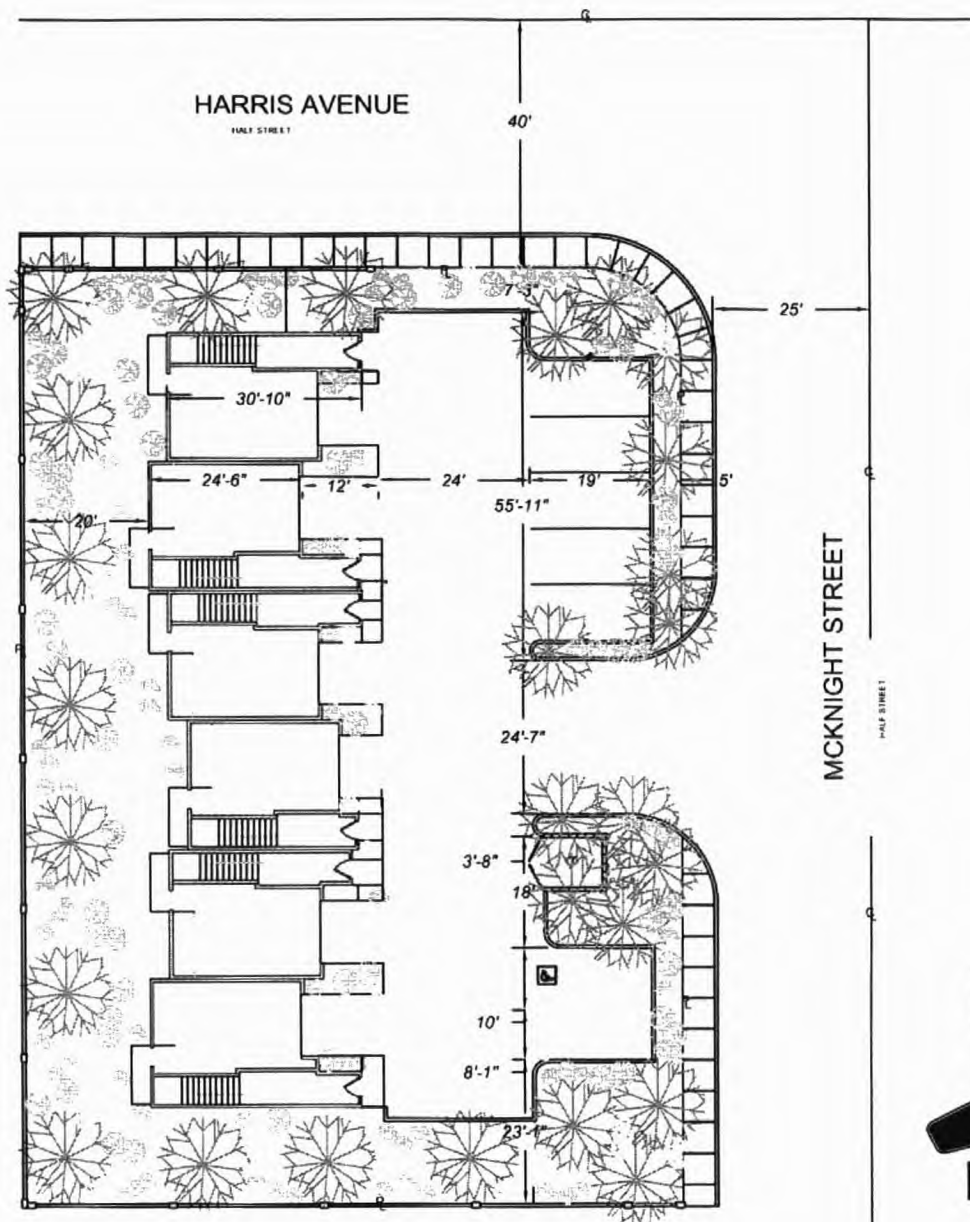
Signature of Property Owner: Jose Sandoval

Print Name: Jose R. Sandoval

Subscribed and sworn before me

This 30th day of May, 2006
Danny R. Hall
Notary Public in and for said County and State





LANDSCAPE SCHEDULE

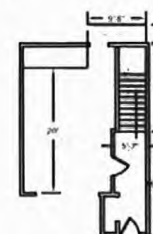
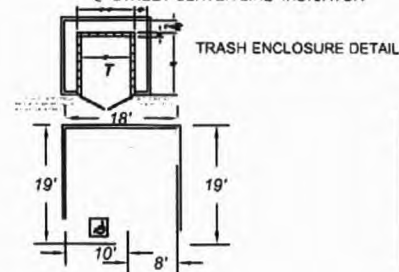
TREES
 MONDALE PINE 15 GAL 20' oc 7
 CHILEAN MESQUITE 1 GAL. RANDOM 10
 DESERT WILLOW AND PALO VERDE 15 GAL 5 EA.

SHRUBS
 TEXAS RANGERS GREEN & SILVER CLOUD 5 GAL.
 RANDOM SPACING 25 EA.
 CASIAS SICKLE LEAF, FEATHERY, GRFEEN 5 GAL.
 RANDOM SPACING 25 EA.

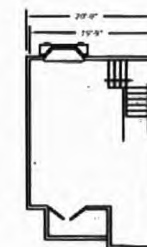
GROUND COVER - MINUS $\frac{1}{2}$ READ GRAVELS

BLOCK WALL DETAIL - SOUTH, WEST & NORTH
 ROSE CONC. STD FENCE 6" INTER LOCK
 SPL. 11" FACE BLOCK, 8 COURSES - PEDESTALS
 EVERY 20' AND AT CORNERS

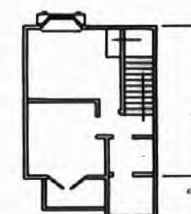
R. PROPERTY LINE INDICATOR
 Q. STREET CENTER LINE INDICATOR



510 sf



510 sf



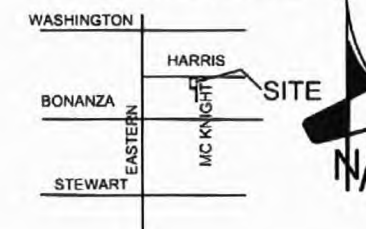
510 sf

FLOOR PLANS

PARKING ANALYSIS

SIX APARTMENT UNITS IN TOWNHOUSE STYLE
 TWO SPACES PER UNIT = 12
 TWELVE SHOWN - 6 IN GARAGES, SIX IN LOT
 INCLUDES 1 VAN ACCESSABLE SPACE

VICINITY MAP no scale



ZON-13889
 VAR-13888
 SDR-13886
 04-04-07 CC



RECEIVED
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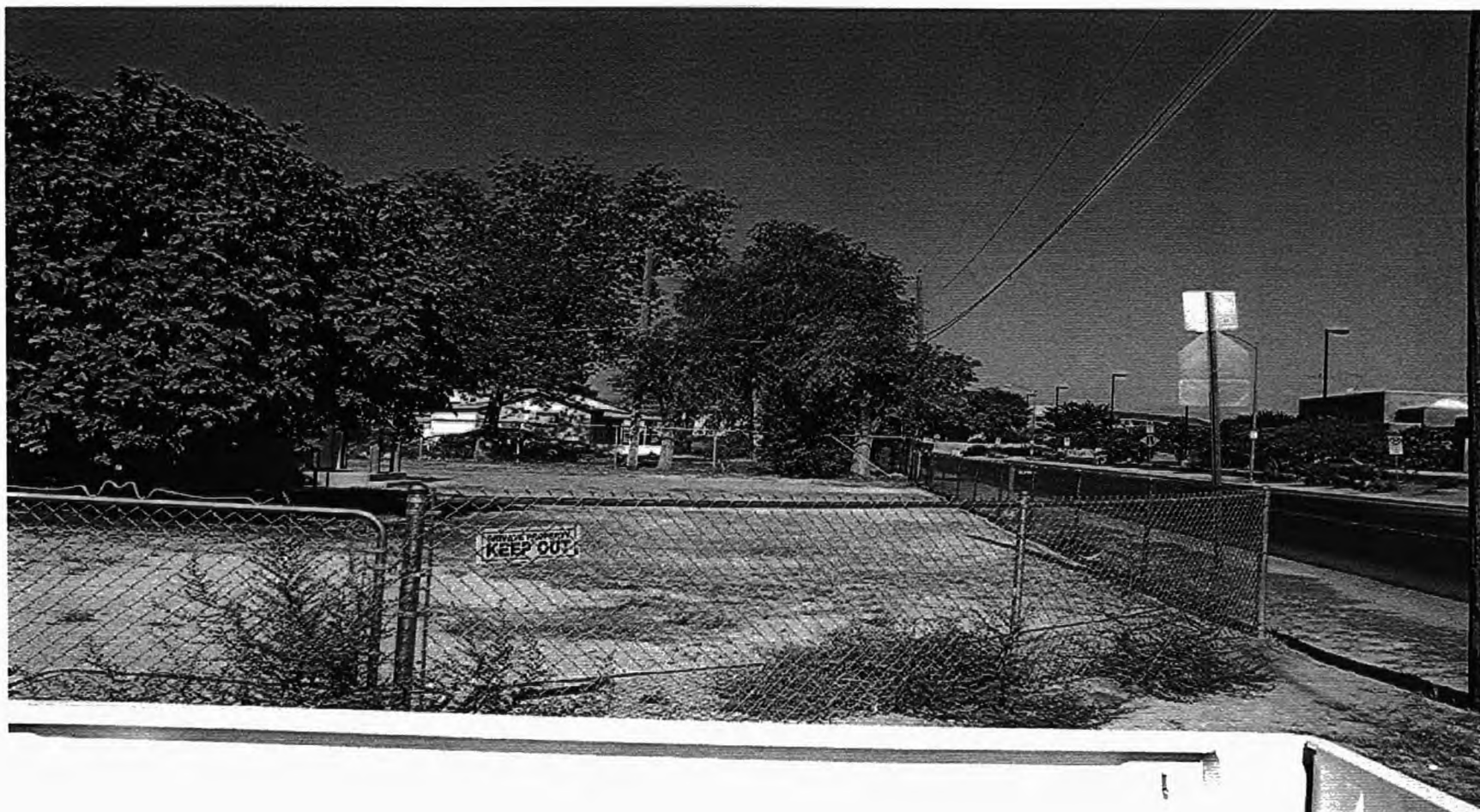
ASSESSOR'S PARCEL NUMBER
 139-25-410-017
 SITE PLAN WITH FLOOR PLANS
 MC KNIGHT MCTOWNHOMES

SDR 13886				
Jose Sandoval				
2750 E Harris				
Proposed 8 unit apartment complex.				
Traffic produced by proposed development:				
New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	APARTMENT [DWELL]	8	6.72	54
AM Peak Hour			0.51	4
PM Peak Hour			0.62	5
<i>(heaviest 60 minutes)</i>				
Existing traffic on all nearby streets: no counts available for McKnight in this vicinity.				
Harris Avenue				
Average Daily Traffic (ADT)	1,261			
PM Peak Hour	101			
<i>(heaviest 60 minutes)</i>				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Harris Avenue	3000			
McKnight Street	3000			
This project will add approximately 54 trips per day on Harris and McKnight. This will increase expected volumes by about 4 percent on Harris. Harris is at about 42 percent of capacity. This project will use about 2 percent of the capacity of McKnight.				
Based on Peak Hour use, this development will add roughly 5 additional cars into the area; which works out to about one every twelve minutes.				
Note that this report assumes all traffic from this development uses all named streets.				

06/29/06

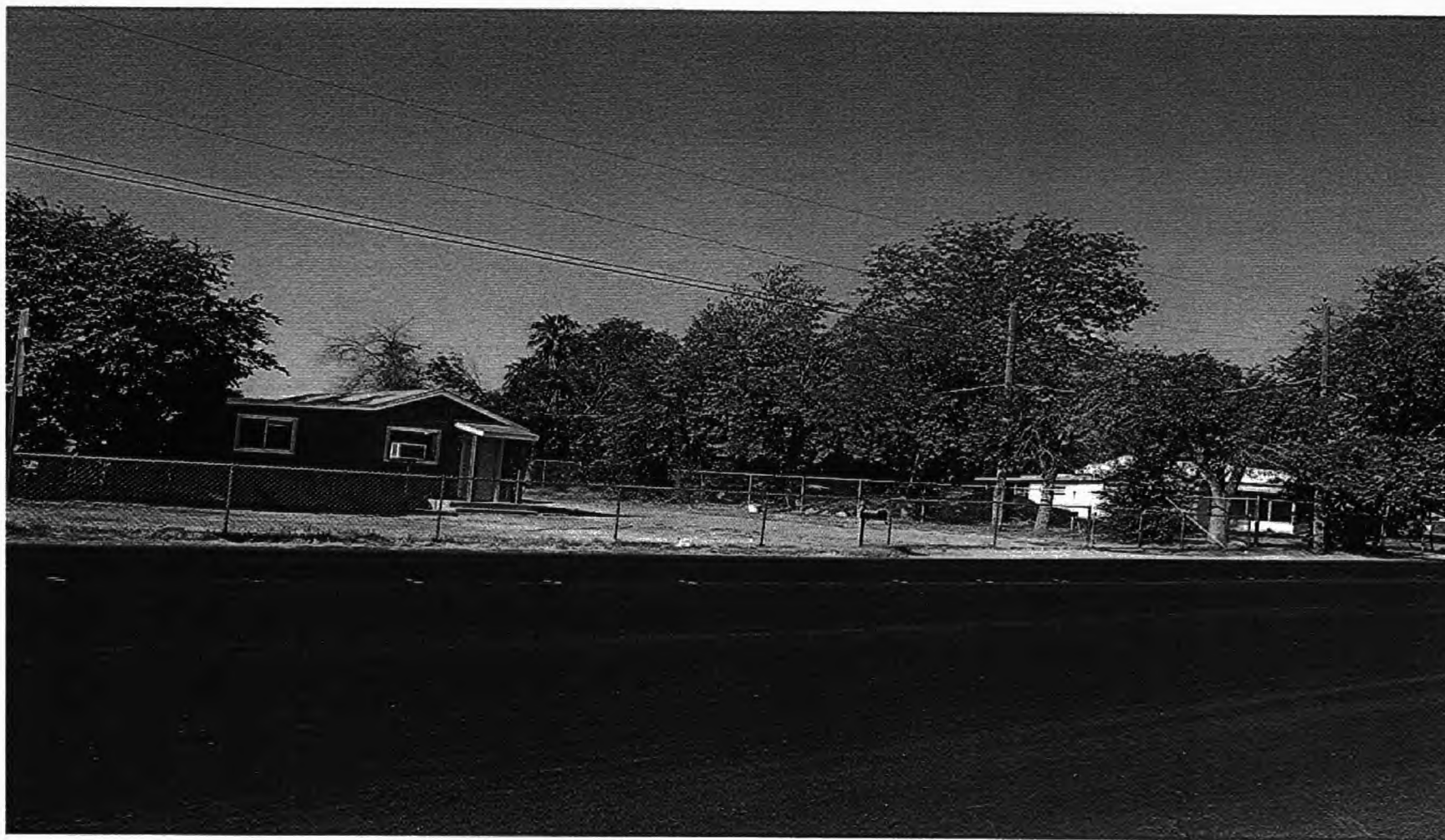
6PA-13885, ZON-13889, VAR-13888, & SDR-13886 - APPLICANT/OWNER: JOSE SANDOVAL
2750 HARRIS AVENUE
JULY 13, 2006 PLANNING COMMISSION





GPA-13885, ZON-13889, VAR-13888, & SDR-13886 - APPLICANT/OWNER: JOSE SANDOVAL
2750 HARRIS AVENUE
JULY 13, 2006 PLANNING COMMISSION

06/29/06



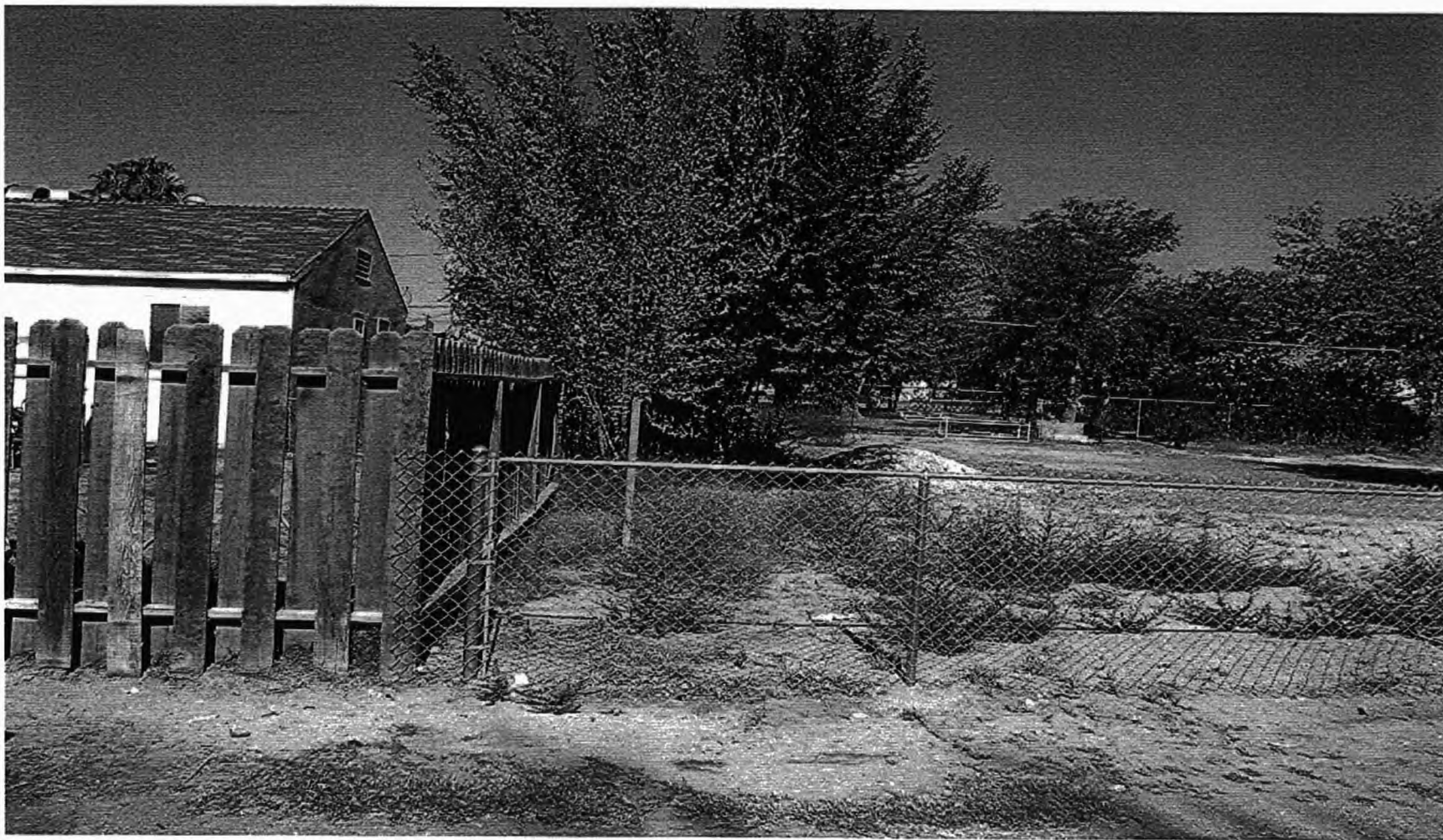
GPA-13885, ZON-13889, VAR-13888, & SDR-13886 - APPLICANT/OWNER: JOSE SANDOVAL
2750 HARRIS AVENUE
JULY 13, 2006 PLANNING COMMISSION

06/29/06



GPA-13885, ZON-13889, VAR-13888, & SDR-13886 - APPLICANT/OWNER: JOSE SANDOVAL
2750 HARRIS AVENUE
JULY 13, 2006 PLANNING COMMISSION

06/29/06



GPA-13885, ZON-13889, VAR-13888, & SDR-13886 - APPLICANT/OWNER: JOSE SANDOVAL
2750 HARRIS AVENUE
JULY 13, 2006 PLANNING COMMISSION

06/29/06



Land Use Consultants

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

February 16, 2007

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

Subject: Justification Letter--- General Plan Amendment, Zone Change & Site Design Review

The Name of this Proposal is: Harris and McKnight Corner

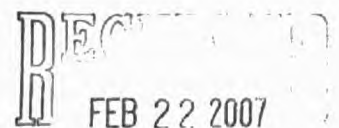
1. This land use application will produce an environment of stable and desirable character consistent with the objectives of Title 19 and the General Plan due to the area in which it will serve.
2. The purpose is to make necessary applications to allow for a zone change from R-E to R-3. To properly affect this we hereby apply for a general plan amendment from L to M. We will develop this property to consist of six units in townhouse style.
3. The total gross acreage for this site is 0.38 acres.
4. All studies necessary to bring this application forward are to the current code.
5. The APN is: 139-25-410-017

If you have any further questions do not hesitate to call at 702-312-2435. Thank you.

Sincerely,

Sandra Montgomery
Associate Planner

ZON-13889
VAR-13888
SDR-13886
04-04-07 CC



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 4, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

MAJOR MODIFICATION

MOD-19114 – ABEYANCE ITEM - 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. Revisions for the Cliff's Edge Development Standards
6. Submitted after Final Agenda – Builder Sign Guidelines

Motion made by STEVEN D. ROSS to Approve Subject to Conditions and adding the following conditions as read for the record:

- A. Approval is to allow three-story or 35 feet in height, whichever is less.
- B. A maximum of two a-frame signs shall be permitted at each community entrance.
- C. Illumination of the permanent entrance way sign shall be in accordance with 19.14 which permits illumination, subject to approval of the Planning and Development Department.

CITY COUNCIL MEETING OF: APRIL 4, 2007

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

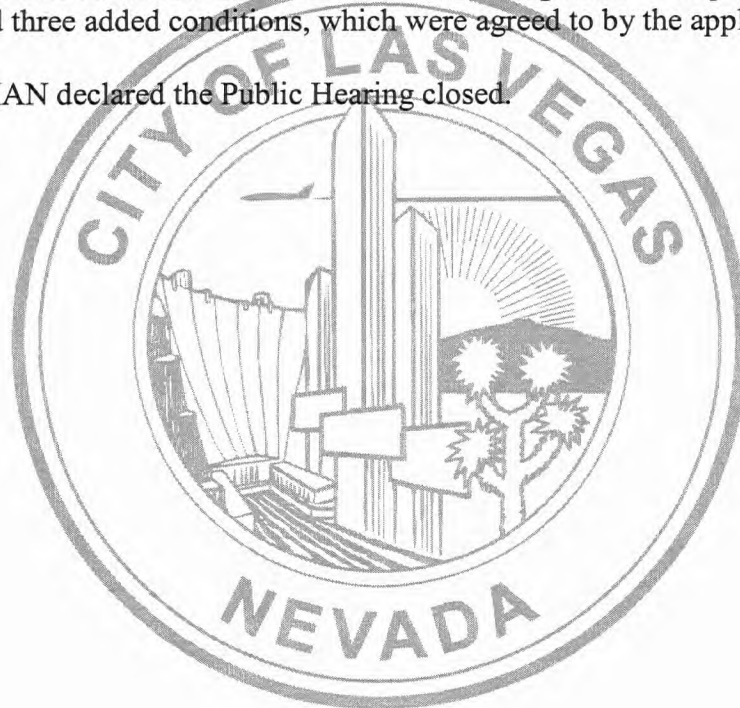
Minutes:

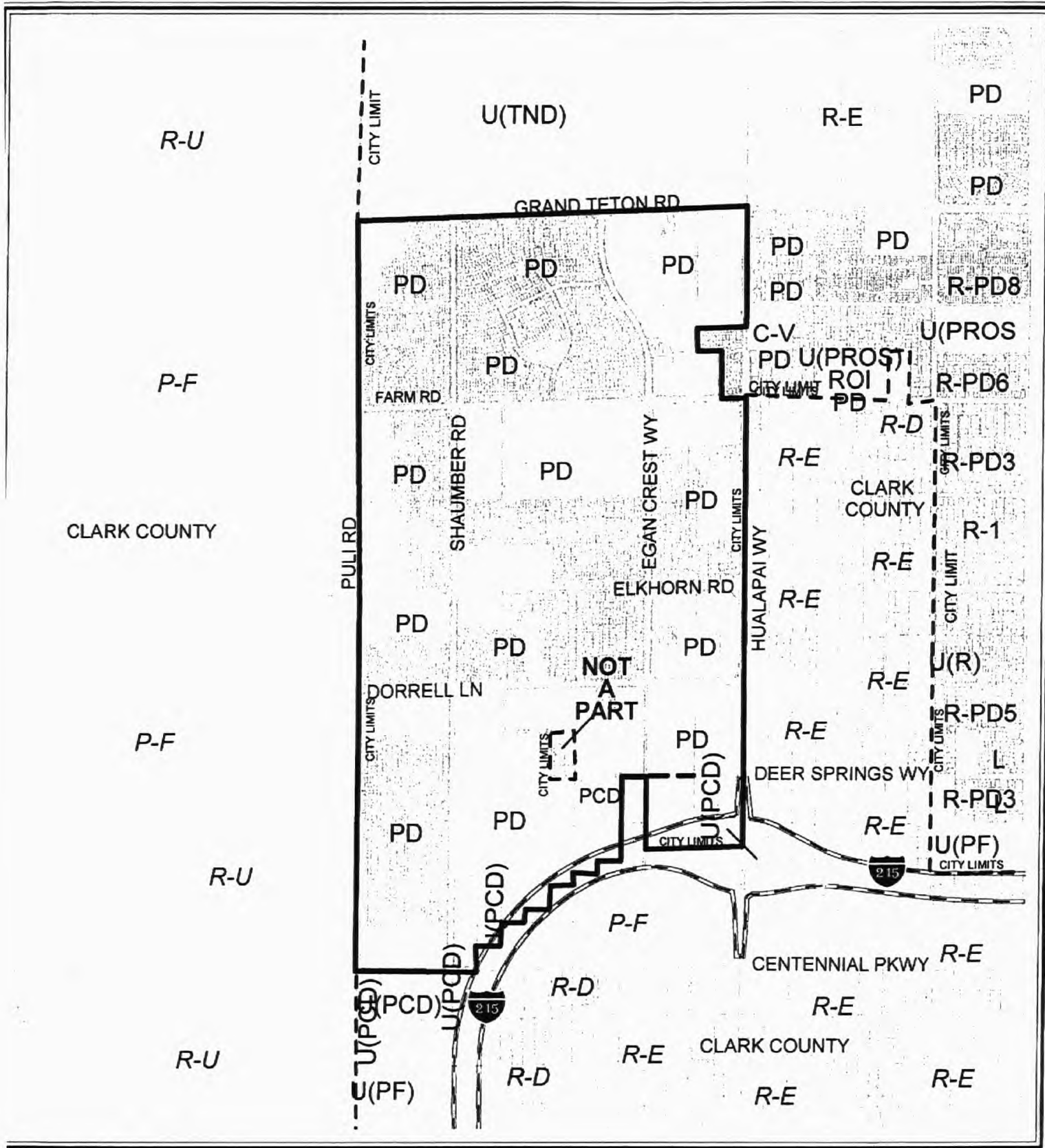
MAYOR GOODMAN declared the Public Hearing open.

LIZ SOROKAC, 3800 Howard Hughes Parkway, appeared on behalf of Focus Group and stated they worked with staff to come to an agreement.

COUNCILMAN ROSS indicated the developer met with area residents and that a new height was agreed upon. MARGO WHEELER, Director of Planning and Development Department, read into the record three added conditions, which were agreed to by the applicant.

MAYOR GOODMAN declared the Public Hearing closed.





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: APRIL 4, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

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

***THIS ITEM WAS HELD IN ABEYANCE FROM THE MARCH 21, 2007 CITY COUNCIL
MEETING AT THE REQUEST OF COUNCILMAN ROSS.***

**** 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
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<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:

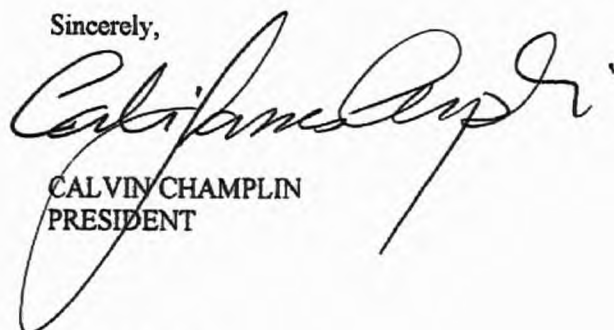
Cliff's Edge, LLC, as the Master Developer of the Cliff's Edge Master Plan, is requesting the attached major modification to the Plan on behalf of the property owners contained therein. This request would allow for modifications to the Cliffs Edge Land Use Plan and Land Use Tables and for a series of 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 ⁽⁴⁾	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

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.

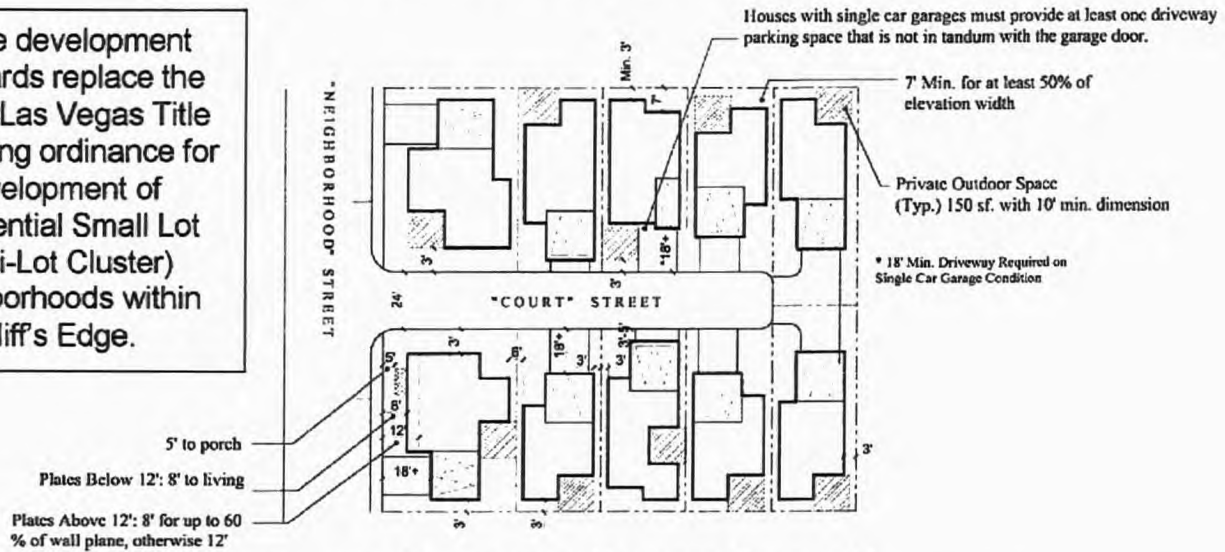
4) Three Story Product Standards

- Third story elements are limited to a maximum of 60% of the building footprint area.
- 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.
- 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.
- 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.
- Houses shall include a balcony on the front elevation.
- 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 Space³

Court Street Width
Parking

Use Easement Criteria (If Applicable)

Cumulative total of the following:

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

24'

Resident 2 Spaces / Unit
Guest 0.2 Spaces / Unit

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.

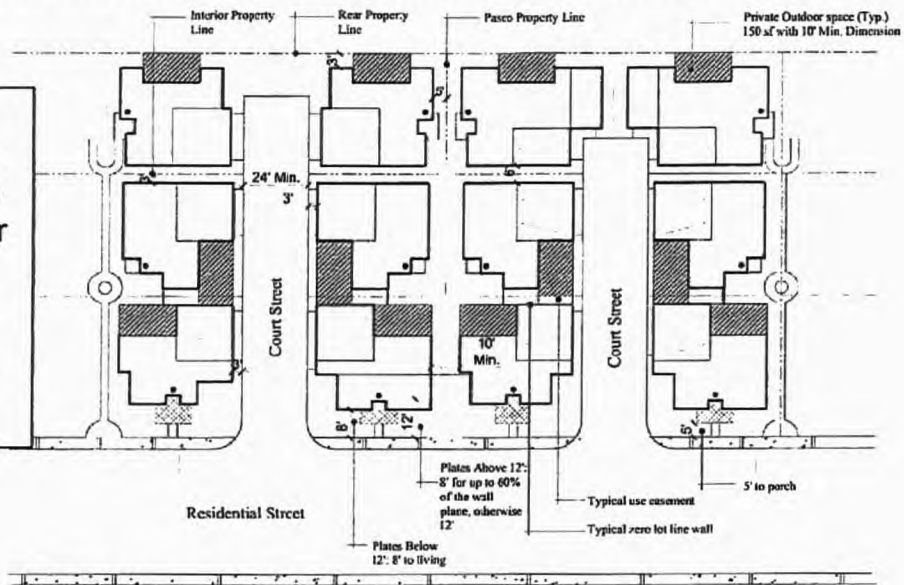
7) Three Story Product Standards

- 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

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

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	35' ⁶ (3-Stories) ⁷
-----------------------------	---

Private Outdoor Space

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

Drive Aisle Width

Parking	Resident
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
13	13
14	14
15	15
16	16
17	17
18	18
19	19
20	20
21	21
22	22
23	23
24	24
25	25
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73	73
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75	75
76	76
77	77
78	78
79	79
80	80
81	81
82	82
83	83
84	84
85	85
86	86
87	87
88	88
89	89
90	90
91	91
92	92
93	93
94	94
95	95
96	96
97	97
98	98
99	99
100	100

Guest	0.2 Spaces / Unit
-------	-------------------

Common Open Space

- 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

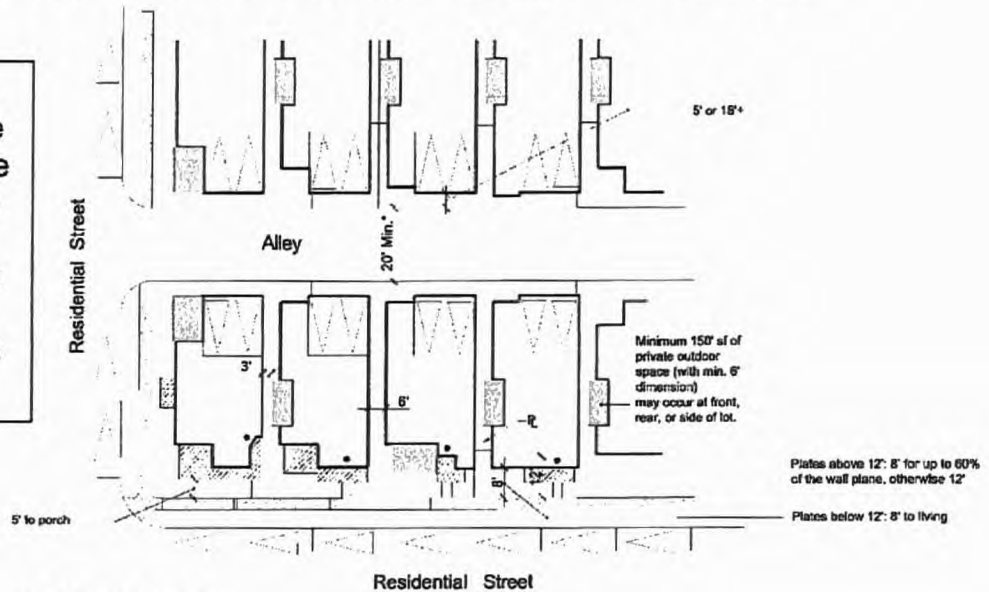
- a. Third story elements are limited to a maximum of 60% of the building footprint area.
- b. On 3-story dwellings, no more than 40% of the width of an exposed elevation (front or rear) may consist of a single continuous vertical wall plane. The remaining 3rd floor wall plane area, if any, shall be 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 ¹

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

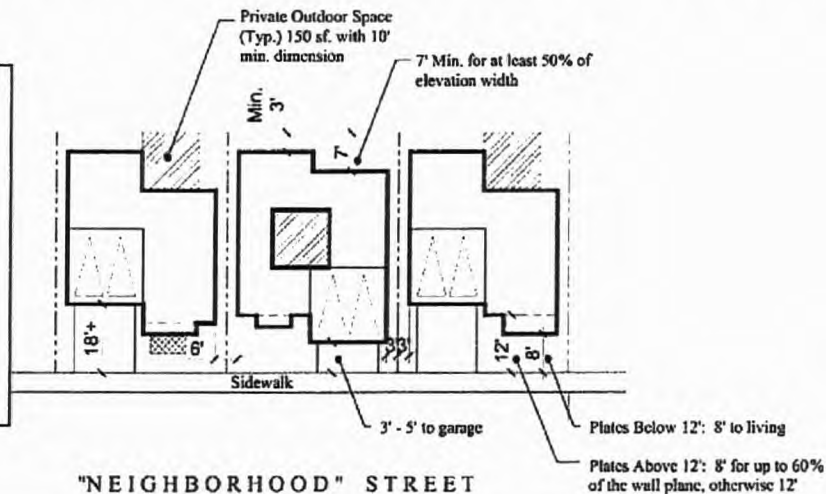
- a. Third story elements are limited to a maximum of 60% of the building footprint area.
- b. On 3-story dwellings, no more than 40% of the width of an exposed elevation (front or rear) may consist of a single continuous vertical wall plane. The remaining 3rd floor wall plane area, if any, shall be 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

- Side
- Rear

- Parcel Property Line

Garage Face Setback

Patio Cover Setback

2nd Story Balcony Setback

- Front
- Rear
- Side

3'

7' min. for at least 50% of the elevation width, otherwise 3'.

10'

Less than 5' or 18'+

5'

8'

7'

Not allowed except when adjacent to master plan roadways or community open space.

6'

Building Separation

Max. Building Height

Private Yard Space¹

35' ⁵ (3-Stories)⁶

150 Sq. Ft. with 10' Minimum Dimension

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

Cumulative total of the following:

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

Common Open Space²

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.

1. 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.
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

3.2.5 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 GARAGE⁴	Less than 5' or 18'+	20'
TURN-IN GARAGE	10'	10'
SIDE⁵		
• 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	<u>10' to living; 5' to porch</u>	<u>10' to living; 5' to porch</u>
• 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}	10'	10'
Story Decks		
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' ⁽⁶⁾ Side: 3' Rear: 5' if no window openings facing rear PL 10' if window openings face rear PL	Front: 15' ⁽⁶⁾ 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

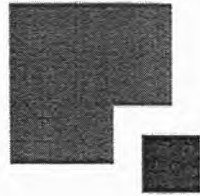
DESIGN VARIATION

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.



FOCUSTM
PROPERTY GROUP

Land for Living

Builder Sign Guidelines



PROVIDENCE

REVISED 2.02.07

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MOD-19114
04-18-07 CC

Submitted after final sign-off
Date *04-04-07* Item # *80*

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General Requirements

Conformance

A sign shall be erected, placed, established, relocated, painted, created, or maintained within the Master Planned Community of Providence only in conformance with the standards, procedures, exemptions and other requirements of Chapter 19.14 of the City of Las Vegas Municipal Code.

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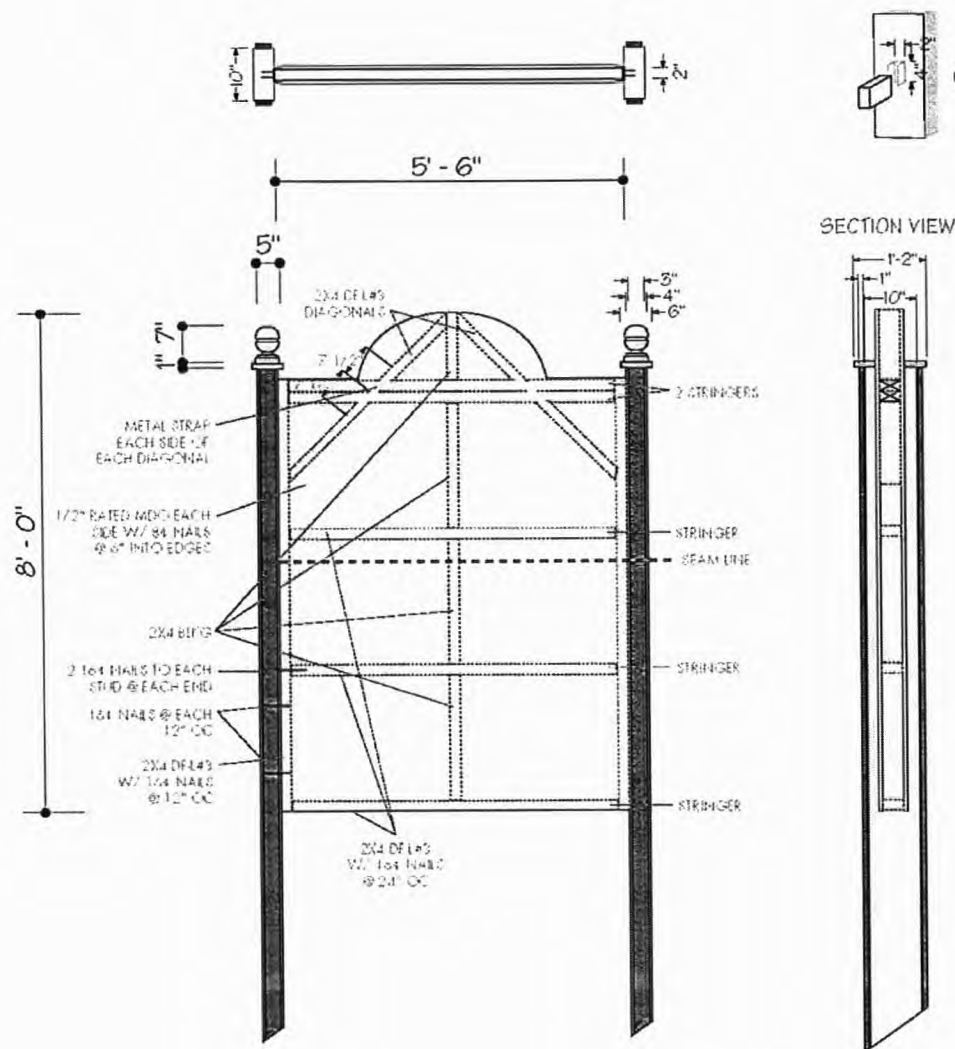
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1

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SCALE: 3/8" = 1' - 0"



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Builder Onsite Community Sign (Project Identification)

Construction details. See page 1 for design layout.

Minimum setbacks and separations.

- (a) 10 feet from any public right-of-way
- (b) 50 feet from any other on-premise, off-premise or subdivision development sale sign.

Additional standards. The sign shall be a freestanding sign that is firmly secured in the ground, as approved by the Building Official.

Illumination permitted. Direct white light or internal illumination only.

Certificate required. Yes. The certificate application shall be accompanied by:

- (a) A site plan that clearly depicts the location of the proposed sign; description, drawing or picture of the proposed sign and description of the means by which it will be secured; and
- (b) Written authorization of the placement of the sign from the owner(s) of the property or from the owner's duly authorized agent on which the sign is to be located.

Duration of Certificate. The certificate shall be valid for 24 months or until the last unit or lot is sold, whichever occurs first. At the time, the sign shall be removed unless a new certificate has been obtained. The property owner(s) and certificate holder shall each be responsible for maintenance and removal of the sign.

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Kiosk Sign

An internal kiosk sign program will be used to not only highlight the individual neighborhood names, but also the guest builders of those neighborhoods. The kiosks will be located at all critical locations providing direction to all neighborhoods. Structures are constructed of metal and will have removable panels. For safety reasons the hierarchy or order in which the panels will appear on the sign, will be determined by the following system: left turn panels will be installed first or at the top of the sign face, right turn panels will follow, and straight ahead panels will be last or at the bottom. There will be a maximum of six panels per sign face and only one panel per subdivision will be allowed. These kiosks are intended to be temporary and will be removed when the neighborhoods are occupied. Any deviation of these guidelines must be approved by the Focus Property Group, Design Review Committee.

Minimum setbacks and separations.

(a) 50 feet from any other on-premise, off-premise or subdivision development sale sign.

Additional standards. The sign shall be a freestanding sign that is firmly secured in the ground, as approved by the Building Official.

Illumination permitted. Direct white light or internal illumination only.

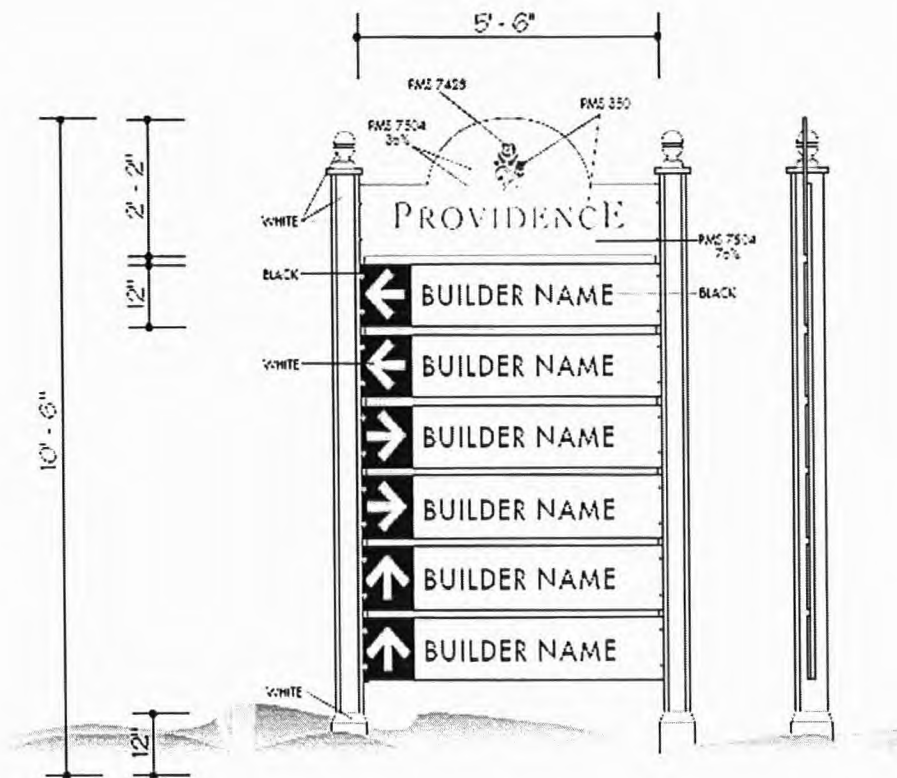
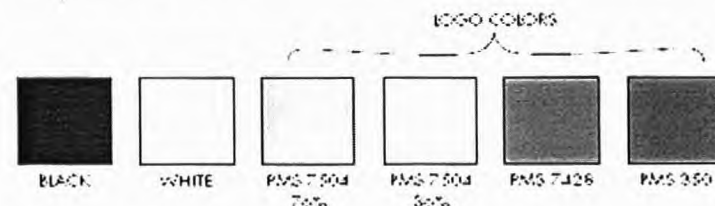
Certificate required. Yes. The certificate application shall be accompanied by:

- A site plan that clearly depicts the location of the proposed sign; description, drawing or picture of the proposed sign and description of the means by which it will be secured; and
- Written authorization of the placement of the sign from the owner(s) of the property or from the owner's duly authorized agent on which the sign is to be located.

Duration of Certificate. The certificate shall be valid for 24 months or until the last unit or lot is sold, whichever occurs first. At the time, the sign shall be removed unless a new certificate has been obtained. The property owner(s) and certificate holder shall each be responsible for maintenance and removal of the sign.

SPECS

- Metal structure & panels, powder coated
- Logo, arch & tagline copy are smooth, with 1/4" thick acrylic cutout flower & "Providence"
- Metal posts & custom metal finials to match Island Post Cap #JT41 jumbo 6" Queen Anne

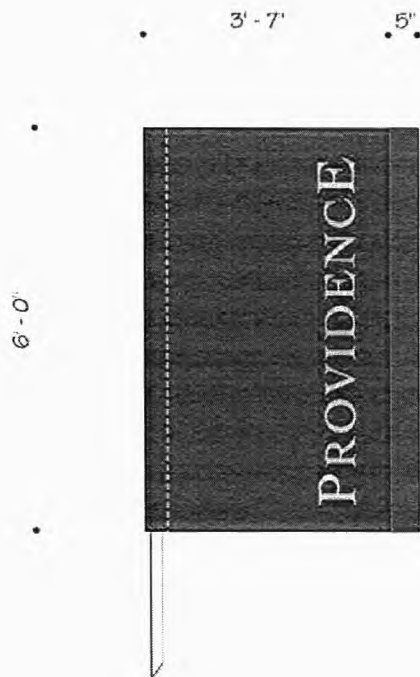


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Community Flags

Temporary community flags will be used in clusters around the main community entrances. These flags will serve to alert the public of ongoing sales activity within Providence. The design style of these flags is determined by the builder. Community flags or builder flags may be used. The maximum number of flags allowed per community is 15 (fifteen). Maximum size is 30 (thirty) square feet per flag. Any deviation of these guidelines must be approved by the Focus Property Group, Design Review Committee.

Standards:

1. Minimum setback: five feet from all property lines
2. Illumination permitted: no
3. City of Las Vegas sign certificate required: no

6X4 FLAGS

- SUB -- 2-PANEL NOAH LAMPORT FLAG MATERIAL WITH SCREENPRINTED LOGO & 4" SIDE SLEEVE
- LEFT SIDE -- #UV342/FOREST GREEN
- RIGHT SIDE -- #31521/MAROON
- LOGO TYPE -- WHITE
- POLE -- STANDARD WHITE 21' FLAG POLE



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Banners

No banners are permitted on walls or trailers. Any deviation of these guidelines must be approved by the Focus Property Group, Design Review Committee.

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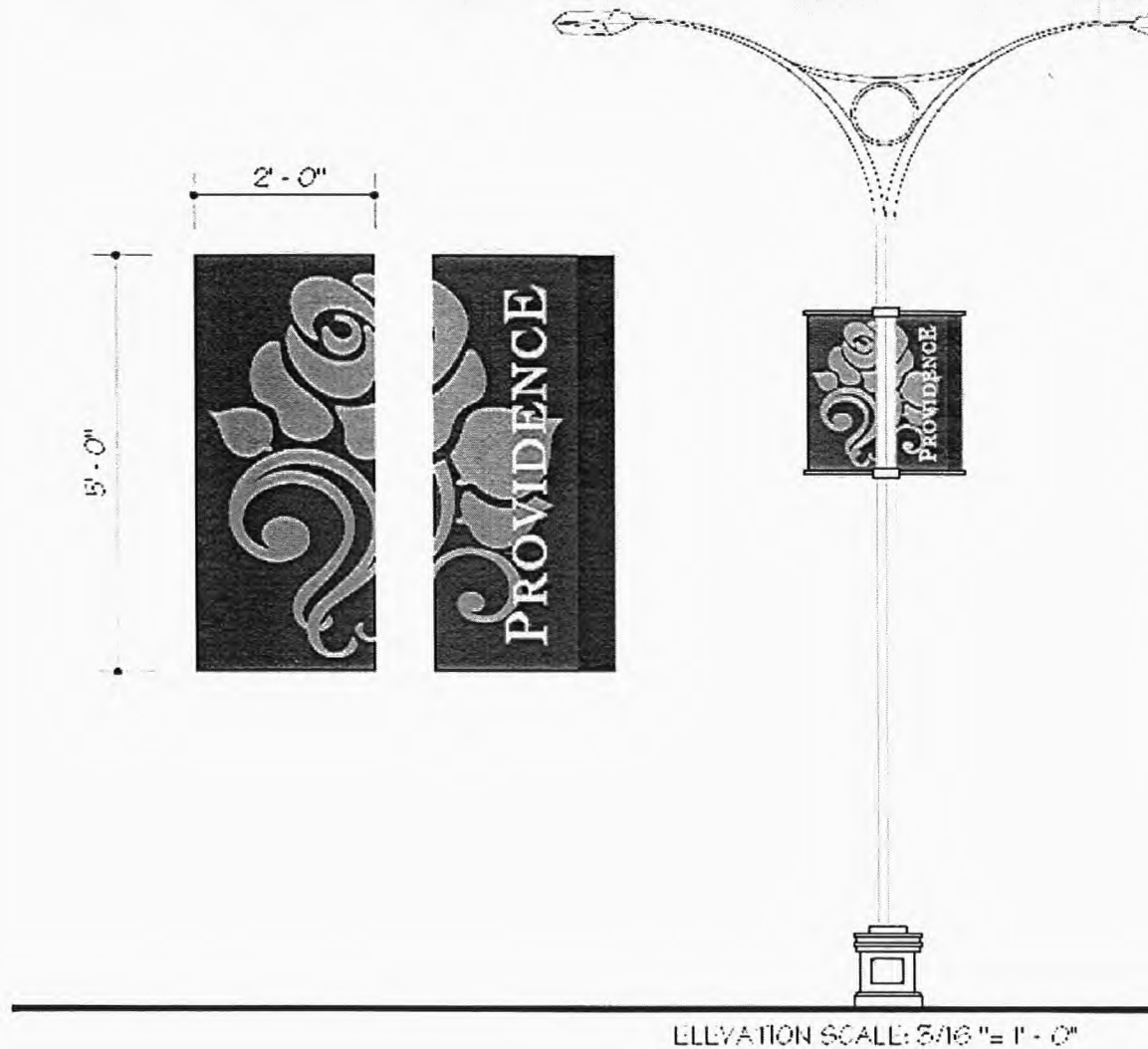
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04-18-07 CC

Avenue Banners

Community avenue banners are changeable banners that line the main streets within the master planned community of Providence. They will identify and decorate the community and help to announce community events, openings and seasons. Banners associated with subdivision opening will not contain any advertising copy other than the name and logo of the builder and/or the subdivision. The use and location of these banners will be regulated by the master developer.

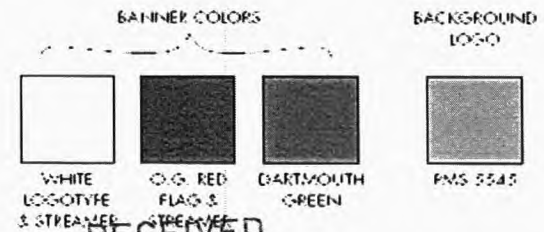
SPECS

- 1 & 2-panel banner material with screenprinted graphics & logotype



SCALE: 1/2" = 1' - 0"


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A-Frames

Temporary a-frame signs are allowed at community entrances only. These signs will serve to alert the public of ongoing sales activity within Providence. The design style of these signs, with the exception of the 6 inch high "at Providence" color band, will be determined by the builder, and does not need to be submitted to the Focus Property Group, Design Review Committee for approval. Single- or double-faced a-frame signs are allowed. Required sign size is 4 feet high by 4 feet wide. Any deviation of these guidelines must be approved by the Focus Property Group, Design Review Committee.

City of Las Vegas sign certificate required.

- (a) A temporary sign certificate is required for a temporary special event.
- (b) The certificate allows the holder to display temporary event signs on the lot where the event is to occur. Temporary special event signs may be displayed by the same business licence holder on the same lot up to four times in any one calendar year. The aggregate time of display of such sign shall not exceed 60 days in any calendar year.

SPECS

- Single- or double-faced wood, cut to shape with boxed-in sides & hand holds
- "at Providence" is white on pms 350/green
- Portions of sign above & below "at Providence" to be determined by builder

8



PROVIDENCE

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Builder Onsite Signs

Temporary community onsite signs (sales information sign, model identification signs, and parking sign) are allowed at each community. These signs will serve to alert the public of ongoing sales activity within Providence. Each Builder is allowed one (1) sales information, and one (1) parking sign. The quantity of model identification signs and the design style of the onsite signs will be determined by the builder, and does not need to be submitted to Focus Property , Design Review Committee for approval. Any deviation of these guidelines must be approved through the Focus Property Group, Design Review Committee for approval.

SPECS

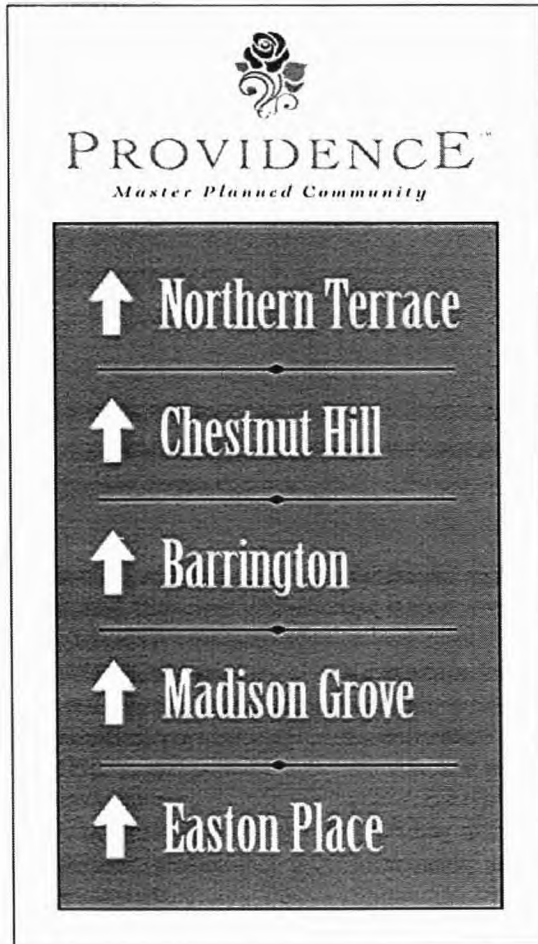
- To be determined by builder



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Community Onsite Signs

Signs to direct consumer traffic through master plan community and builder communities. Any deviation of these guidelines must be approved by the Focus Property Group, Design Review Committee.

Temporary kiosk signs (4 x 2) will be used until completion of landscape/streetscape at which time the permanent kiosks will be placed.

Locations of Signs:

Locations within full streetscapes and or median are allowed and will be determined by master developer as community deployment occurs.

Minimum setbacks and separations.

(a) 50 feet from any other on-premise, off-premise or subdivision development sale sign.

Additional standards. The sign shall be a freestanding sign that is firmly secured in the ground, as approved by the Building Official.

Illumination permitted. Direct white light or internal illumination only.

Certificate required. Yes. The certificate application shall be accompanied by:

(a) A site plan that clearly depicts the location of the proposed sign; description, drawing or picture of the proposed sign and description of the means by which it will be secured; and

(b) Written authorization of the placement of the sign from the owner(s) of the property or from the owner's duly authorized agent on which the sign is to be located.

Duration of Certificate. The certificate shall be valid for 24 months or until the last unit or lot is sold, whichever occurs first. At the time, the sign shall be removed unless a new certificate has been obtained. The property owner(s) and certificate holder shall each be responsible for maintenance and removal of the sign.

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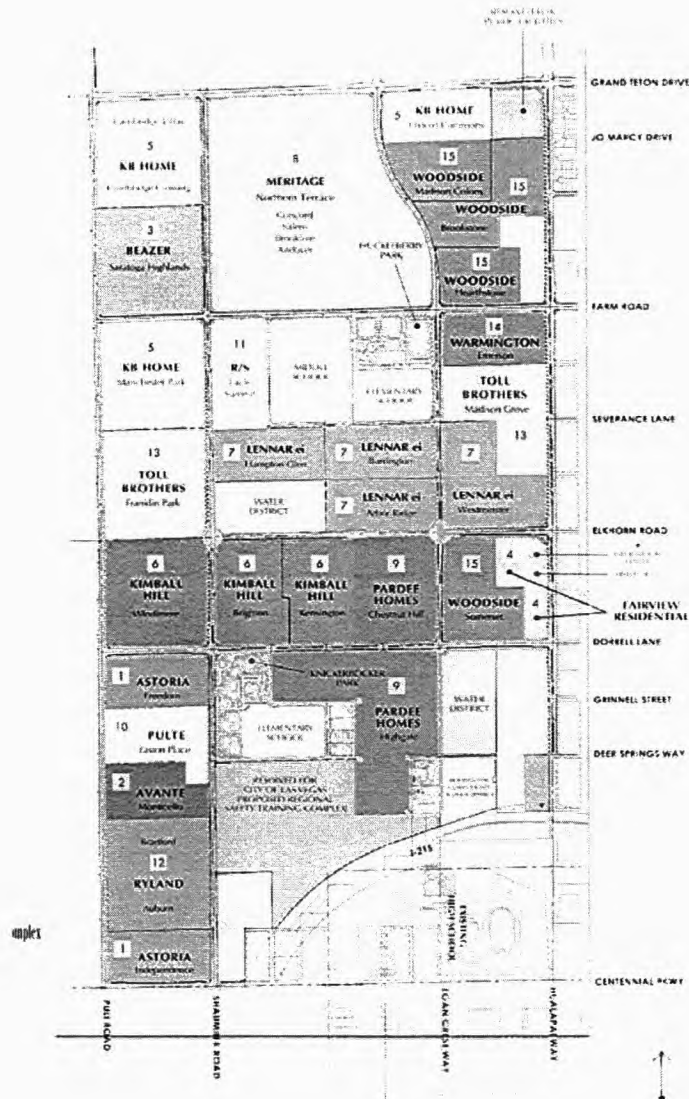
FEB 1 2007

Map of Temporary Community Onsite Signs

Signs to direct consumer traffic through master plan community and builder communities. Any deviation of these guidelines must be approved by the Focus Property Group, Design Review Committee. Temporary kiosk signs (4 x 2) will be used until completion of landscape/streetscape at which time the permanent kiosks will be placed.

Locations of Signs:

Locations within full streetscapes and or median are allowed and will be determined by master developer as community deployment occurs.



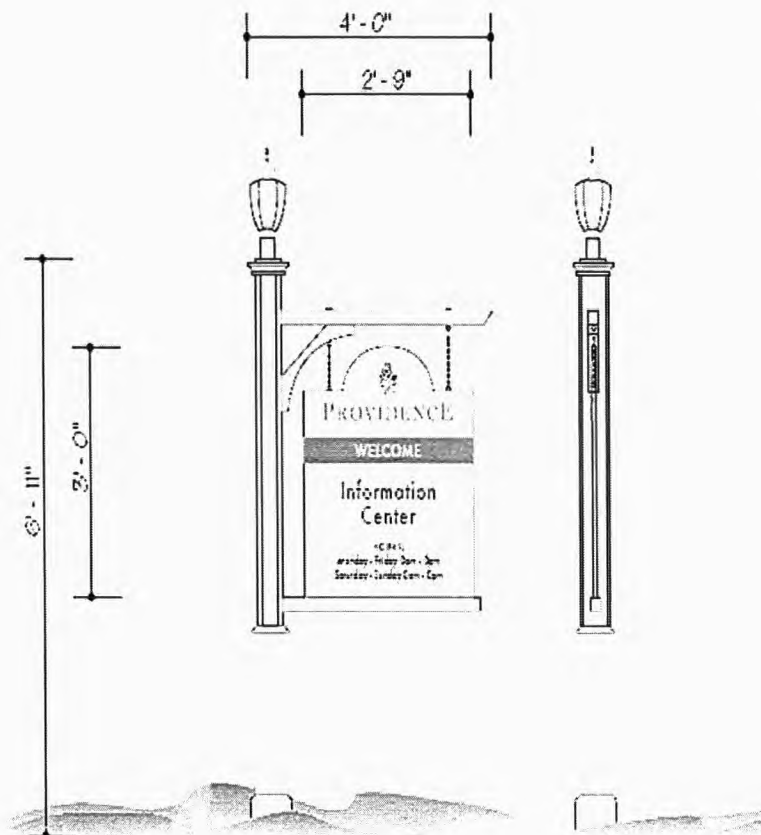
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 PROVIDENCE

Minimum setbacks and separations.
 10 feet from any public right-of-way
 50 feet from any other on-premise, off-premise or subdivision development sale sign.

Additional standards. The sign shall be a freestanding sign that is firmly secured in the ground, as approved by the Building Official.

Illumination permitted. Direct white light or internal illumination only.

Certificate required. Yes. The certificate application shall be accompanied by:

A site plan that clearly depicts the location of the proposed sign; description, drawing or picture of the proposed sign and description of the means by which it will be secured; and

Written authorization of the placement of the sign from the owner(s) of the property or from the owner's duly authorized agent on which the sign is to be located.

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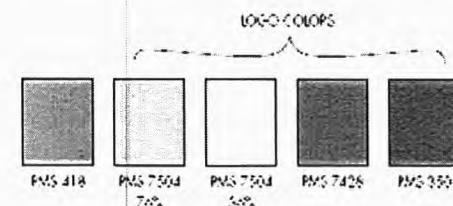
MOD-19114
04-18-07 CC

Sales Information Sign

Individual builder sales information signs are per builders specifications and do not need to be approved. This is an example of the style of sign that will be at the Providence Information Center.

SPECS

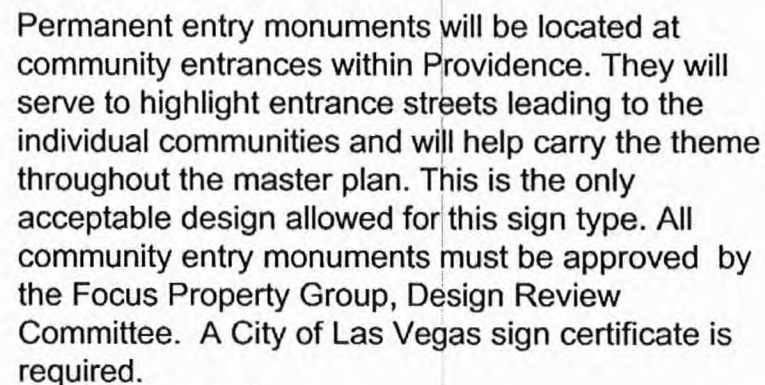
- Wood post structure painted white, with lantern
- Wood or metal hanging sign face with painted backgrounds
- Logo: arch & tagline copy are smooth, with 1/4" thick acrylic cutout flower & "Providence"



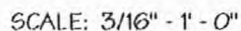
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Kimball Hill at Providence	Cambridge Crossings at Providence
Seneca Falls at Providence	Pavilions at Providence



- Radiused, split-faced monument
- 2'h x 6"w white travertine pieces, laid vertically, butt-joined & inset into cinder block
- Inlaid border, copy & logo leaves are inblasted & infilled pms 350/dark green
- Logo rose is inblasted & infilled pms 7428/maroon
- Font is Times Roman, tracking 25



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Future Site Sign #1 Neighborhood Park

Temporary future site signs will be constructed to inform potential homeowners of permanent buildings that will be present within the master planned community of Providence. The design style of these signs is consistent with the precedent established by the kiosk directional signs. Each location will be allowed 1 (one) future site sign, and will be regulated by the master developer.

Minimum setbacks and separations.

10 feet from any public right-of-way

50 feet from any other on-premise, off-premise or subdivision development sale sign.

Additional standards. The sign shall be a freestanding sign that is firmly secured in the ground, as approved by the Building Official.

Illumination permitted. Direct white light or internal illumination only.

Certificate required. Yes. The certificate application shall be accompanied by: A site plan that clearly depicts the location of the proposed sign; description, drawing or picture of the proposed sign and description of the means by which it will be secured; and

Written authorization of the placement of the sign from the owner(s) of the property or from the owner's duly authorized agent on which the sign is to be located.

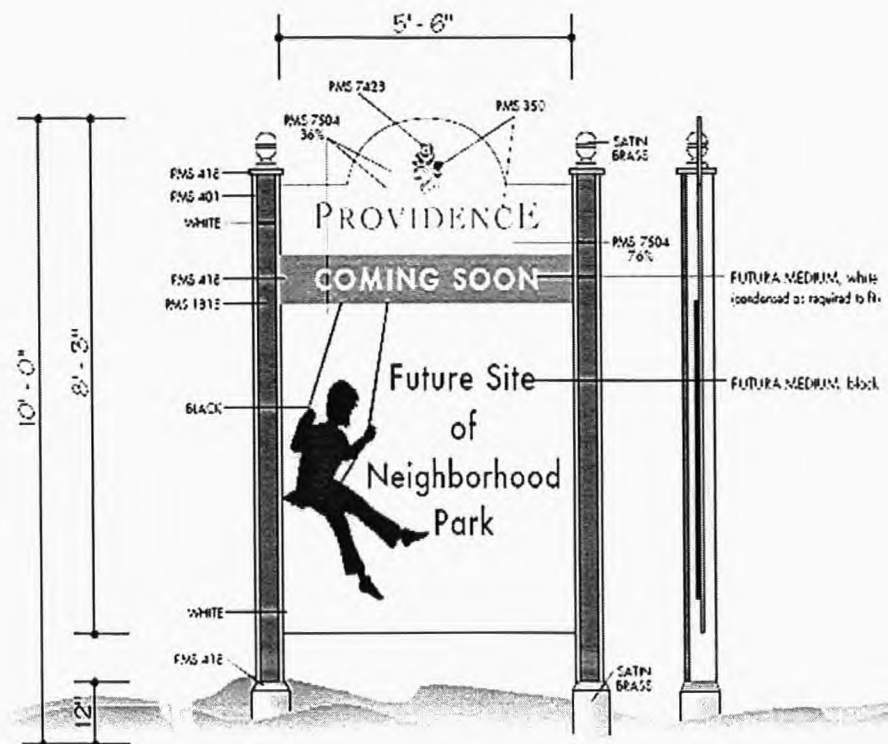
Duration of Certificate. The certificate shall be valid for 24 months or until the last unit or lot is sold, whichever occurs first. At the time, the sign shall be removed unless a new certificate has been obtained. The property owner(s) and certificate holder shall each be responsible for maintenance and removal of the sign

SPECS

- Wood face, cut to shape & painted
- Logo: arch & tagline copy are smooth, with 1/4" thick acrylic cutout flower & "Providence"
- Wood posts: cedar Island Post Cap #JT41 jumbo 6" Queen Anne finials painted to match satin brass

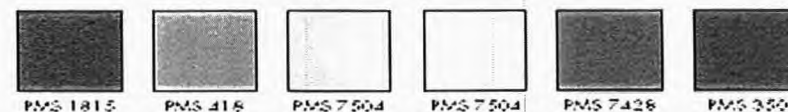
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PROVIDENCE

LOGO COLORS



MOD-19114
04-18-07 CC

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 4, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**
REZONING

ZON-17242 – ABEYANCE ITEM - PUBLIC HEARING – APPLICANT/OWNER: TOUSA HOMES, INC. - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 2.86 acres at the northwest corner of Bradley Road and Deer Springs Way (APN 125-24-203-022), Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL

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

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest letter by Rock D. Halverson and protest petition

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

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 81-83.

DAVID CLAPSADDLE, GC Garcia, 1711 Whitney Mesa Drive, Henderson, appeared on behalf of the applicant together with CHASE JENKINS. MR. CLAPSADDLE indicated the property is located on the northwest corner of Bradley Road and Deer Springs Way. The applications were held in abeyance to further work out issues with neighbors. He outlined conditions proposed at

CITY COUNCIL MEETING OF: APRIL 4, 2007

the meeting, which include the construction of a wall along Deer Springs Way and along the western property. The new plan depicts two 18,000 square foot lots. Coach lighting will be installed along the three existing lots. A condition was also added to mitigate the concern about drainage.

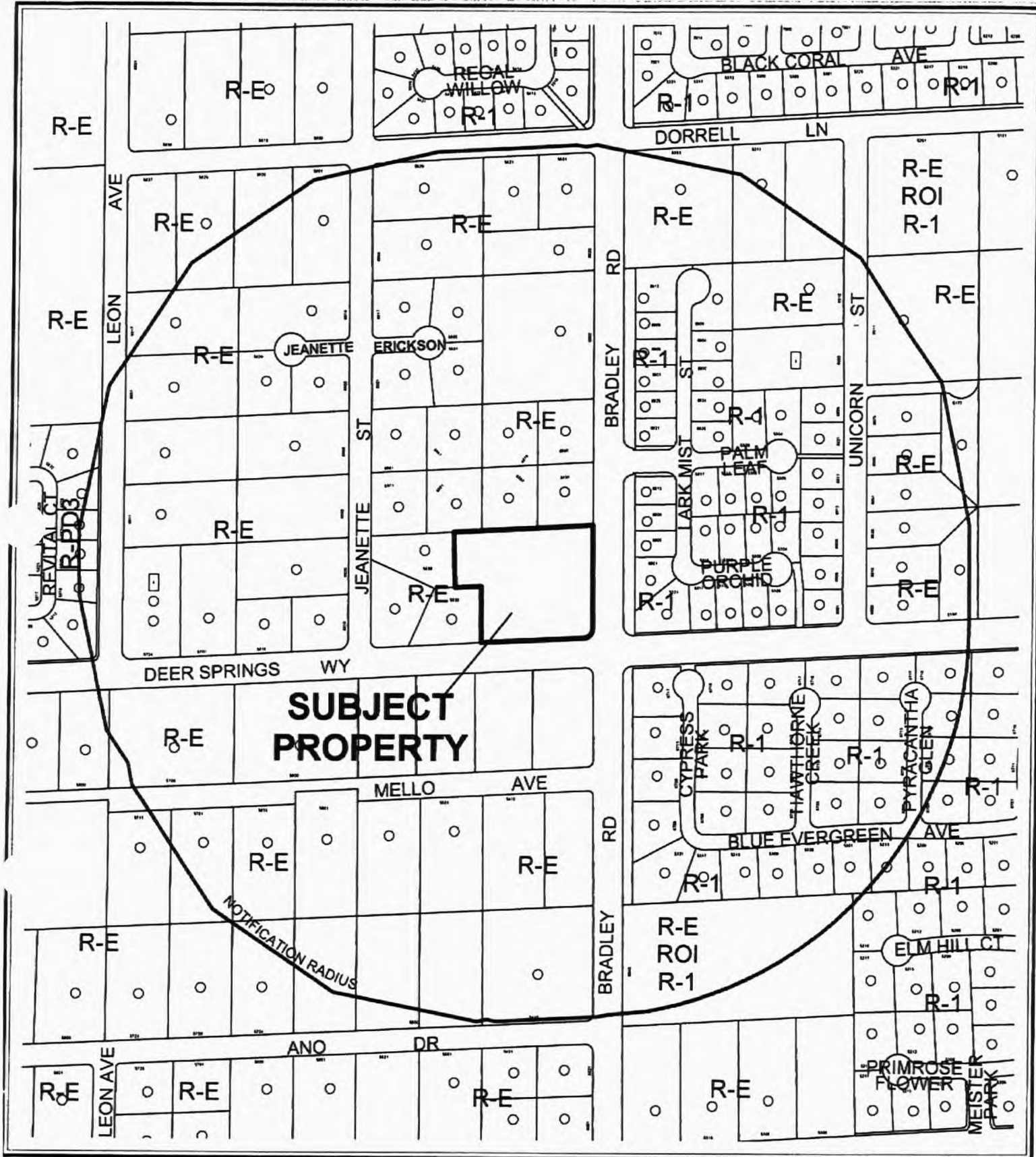
COUNCILMAN ROSS agreed that this process has been long and was appreciative of MR. CLAPSADDLE addressing all the residents' concerns.

MARGO WHEELER, Director of Planning and Development, read for the record amendments to Conditions 5 and 6 and additional conditions for Item 83. MR. CLAPSADDLE concurred with the amendments and additions.

MAYOR GOODMAN declared the Public Hearing closed for Items 81-83.

COUNCILMAN ROSS asked that Item 83 be recalled so that the site plan date stamp could be amended to 4/4/07.





CASE: ZON-17242

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)

0 200 400 Feet





CASE: **ZON-17242**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 4, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - ZON-17242 - APPLICANT/OWNER: TOUSA HOMES, INC.

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

**** CONDITIONS ****

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

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-17247) 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. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the northwest corner of Bradley Road and Deer Springs Way and grant a traffic signal chord easement.
4. Construct all incomplete half-street improvements, including appropriate transitional paving, on Bradley Road and Deer Springs Way adjacent to this site 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. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. A working sanitary sewer connection shall be in place prior to final inspection of any units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed within 24 months of approval of construction drawings. No partial bond releases will be allowed until all perimeter roadway improvements are in place.

6. Coordinate with the Collection Systems Planning Section of the Department of Public Works to extend public sewer in the private street to the existing residences west of this site at a location and to a depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from R-E (Residence Estates) to R-PD2 (Residential Planned Development - 2 Units Per Acre).

The proposed rezoning to and R-PD2 (Residential Planned Development – 2 Units Per Acre) is not considered appropriate for this location. The parcel does not meet the minimum lot size for Residential Planned Development and a Variance (VAR-17244) is required. The lot sizes that result from this rezoning are approximately 4,000 square feet smaller than what is currently permitted on this property. The setbacks that would result are more closely related to those of the R-D (Single-family Residential-Restricted) District than the current R-E (Residence Estates) District. Due to these factors denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/06	The Planning Commission recommended approval of companion items VAR-17244 and SDR-17247 concurrently with this application. The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #27/ng).
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this development.	
<i>Pre-Application Meeting</i>	
09/15/06	A pre-application meeting was held. It was noted that the site was located in the Rural Preservation Overlay District Buffer. The applicant stated that these would be a mix of one and two-story homes and that the cul-de-sac would align with the western portion that is already developed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.86
Net Acres	2.26

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single-family Residential	L (Low Density Residential)	R-E (Residence Estates)
North	Single-family Residential	L (Low Density Residential)	R-E (Residence Estates)
South	Undeveloped	L (Low Density Residential)	R-E (Residence Estates)
East	Single-family Residential	ML (Medium Low Density Residential)	R-1 (Single-family Residential)
West	Single-family Residential	L (Low Density Residential)	R-E (Residence Estates)

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

DEVELOPMENT STANDARDS

Per Title 19.06 the following Development Standards apply:

Standard	Provided
Min. Lot Size	16,030 SF
Min. Lot Width	91.79 Feet
Min. Setbacks	
• Front	20 Feet
• Side	10 Feet
• Corner	15 Feet
• Rear	25 Feet
Max. Building Height	29.5 Feet

Existing Zoning	Permitted Density	Units Allowed	Proposed Zoning	Permitted Density	General Plan	Permitted Density
R-E (Residence Estates)	2 Units per Acre	Seven (Only Five are Proposed)	R-PD2 (Residential Planned Development – 2 Units Per Acres)	2.49 Units per Acre	L (Low Density Residential)	5.49 Units Per Acre)

Per Title 19.06.040, the following parking standards apply:

Open Space

Residential Planned Developments with less than 12 units are not required to provide open space. This development proposes five-lots and open space is not required. It is noted that the applicant is providing a six-foot streetscape area along Bradley Road (Common Lot A) that includes landscaping that meets Code requirements. The applicant is requesting a waiver of the streetscape requirements along Deer Springs Way.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement

The project is required to provide a minimum of two parking spaces per unit. Each unit proposes a minimum of a two car garage, while most units include a three car garage. This meets Title 19.10 parking requirements.

ANALYSIS

The proposed rezoning is not considered appropriate. The parcel does not meet the requirements of Title 19.06.040 for Residential Planned Development as it is less than five acres in area. The subject property is 43 percent deficient in acreage. This deviation requires a Variance (VAR-17244) and denial of that variance is recommended. It is further noted that this rezoning to an R-PD2 (Residential Planned Development – 2 Units Per Acre) District would permit the applicant to develop one additional lot on the property than what would currently be permitted under the R-E (Residence Estates) District. The result is lot sizes of just over 16,000 square feet where 20,000 square feet is currently the minimum permitted. The smaller lots create shorter setbacks. The proposed development standards make the site incompatible with the surrounding neighborhood. Denial of this request is recommended.

FINDINGS

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

1. “The proposal conforms to the General Plan.”

The proposed R-PD2 (Residential Planned Development – 2 Units Per Acre) District would be in compliance with the General Plan, which is L (Low Density Residential). It is noted that this General Plan Designation is not reflective of the development in the neighborhood. The area is primarily R-E (Residence Estates) zoned with lot sizes of over 20,000 square feet. This is more typical of the RNP (Rural Neighborhood Preservation) land use designation. While the proposed development conforms to the General Plan, the proposal is considered to be incompatible with the surrounding area due to smaller lot sizes, the required Variance, and waivers of streetscape standards.

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 single-family residential use is compatible with the area; however, the proposed design includes lot sizes that are smaller than adjacent lots and additional deviations from standards that make the proposed project incompatible with the area.

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

Growth and development factors do not indicate the need for this rezoning. The applicant is simply gaining an additional lot over what would otherwise be permissible under the current zoning designation.

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

Site access is provided from Deer Springs Way, an 80-foot Secondary Collector. This street will provide adequate access to the proposed development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 150 by Planning and Development Dept

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-17242** APN: 125-24-203-022
Name of Property Owner: Tousa Homes
Name of Applicant: Wright Engineers

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: _____

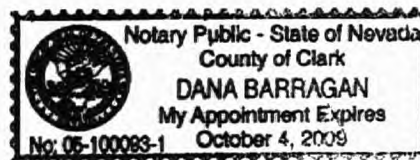
Print Name: _____

Cheryl Kypreos

Subscribed and sworn before me

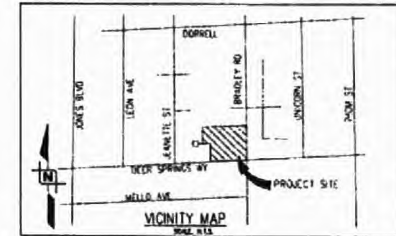
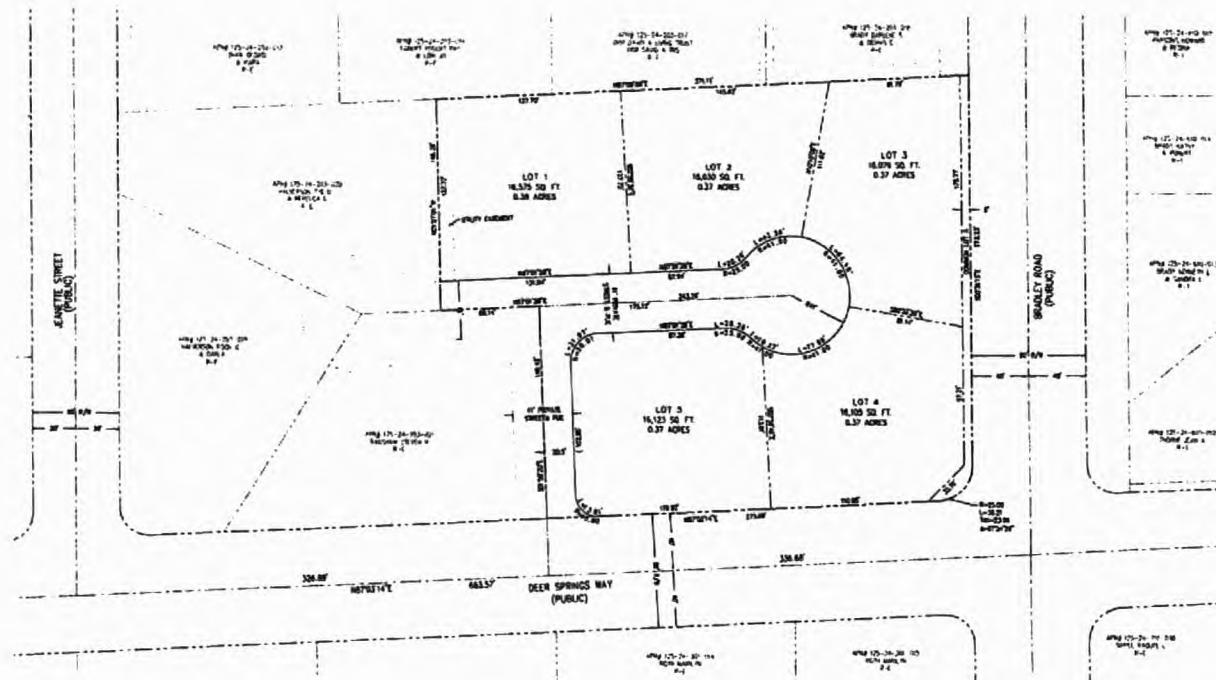
This 21st day of September 2006

Dana Barragan
Notary Public in and for said County and State

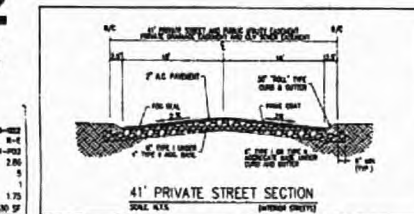
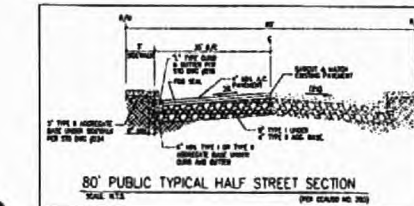
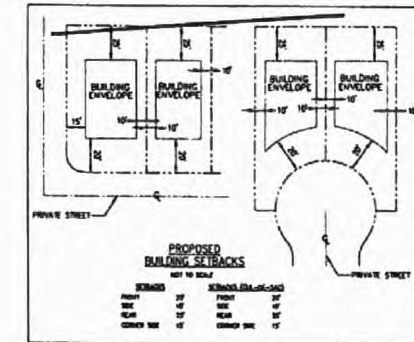


SITE PLAN FOR FALCON CREST UNIT 1 BY ENGLE HOMES

R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT-2 UNITS PER ACRE)
APN# 125-24-203-022



RECEIVED
OCT 02 2006



**ZON-17242
12/21/06 PC**

OWNER INFORMATION
APN# 125-24-203-022
ENGLE HOMES
1215 N. GARDEN AVE.
LOS ANGELES, CA 90012

DEVELOPER
ENGLE HOMES
1215 N. GARDEN AVE.
LOS ANGELES, CA 90012

ENGINEER
WRIGHT
1215 N. GARDEN AVE.
LOS ANGELES, CA 90012

DATE: 12/21/06
APPROVED: [Signature]
PROJECT NO.: 125-24-203-022
SHEET NO.: 1 OF 1

WRIGHT
client driven
1215 N. GARDEN AVE.
LOS ANGELES, CA 90012
WWW.WRIGHTENGINEERS.COM

NO.	DATE	BY	CHKD.
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2			
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NO.	DATE	BY	CHKD.
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SEAL
12/21/06
1 OF 1
SHEET NO. 1



September 28, 2006

City of Las Vegas
Planning and Development Department
731 South 4th Street
Las Vegas, Nevada
89101

Dear Ladies/Gentlemen:

Please accept this letter from Wright Engineers on behalf of our client, Tousa Homes, Inc., as the justification for related requests for a Rezoning, a Variance and a Site Development Plan Review for development of property located at the northwest corner of Deer Springs Way and Bradley Road, also known as Falcon Crest Unit 1 (APN 125-24-203-022).

Our client intends to develop five single-family homes on the site. The site is currently designated L (Low Density Residential) in the City's Master Plan, which allows for densities up to 5.5 u.p.a. The site is currently zoned R-E (Residence Estates).

The applicant is requesting a conforming Rezoning from the R-E district to the R-PD2 (Residential Planned Development - 2 Units per Acre) on the subject site. Although the density of the proposed project, at 2.86 u.p.a., is far below the Low Density threshold of 5.5 u.p.a., the intent is to match the scale and density of the surrounding properties in the area. All of the proposed lots exceed 16,000 s.f. in area, which is in scale with nearby development. A Site Development Plan Review for the project is also being submitted. This site plan conforms to Title 19 regulations, with the exception of the minimum site size requirement of 5 acres for R-PD developments (a request for a Variance to this requirement is also being filed), and a waiver of the perimeter landscaping strip along Deer Springs Way (the one on Bradley Road is being provided). The reason for this waiver is to have the project match the lots to the west of the cul-de-sac entrance, where no landscape buffer exists. This waiver is requested as part of this Site Development Plan Review.

The proposed rural density residential development will be compatible with surrounding residential uses, and will be a logical and attractive use of an infill parcel that will be designed to compliment the area.

Thank you for your consideration.

Sincerely,


Gary Leebold, AICP
Director of Planning

ZON-17242
12/21/06 PC

Protest

Date: 02-15-07

Hello Mayor Goodman, Councilman Ross, and Planning Commissioners, I am the residence and owner of 5510 Deer Springs Way of Las Vegas Nevada 89131 for the last 16 years and I built this house and helped develop the private entrance road and private cul-de-sac to the addresses of 5510, 5500, and 5520 Deer Springs way at the corner of Deer Springs Way and Jeanette. Me and my family are in PROTEST against this rezoning of (ZON-17242; VAR-17244; SDR-17247) and would like to keep the quality of life that we planed and paid for and in no way agree or allow the rezoning of our cul-de-sac or give up the writes or easements to the developers or city to our private drive way and private cul-de-sac our for the new homes proposed to have access to our private drive way our private cul-de-sac.

We also would like to keep or agree to the following:

1. Retain our private drive way and private cul-de-sac as is
2. Retain our well and water as is
3. Retain our power as is as we are on The Sloan Grid
4. Retain our R-E zoning
5. Retain our horse zoning
6. No Street lights
7. No Side walks or curbs
8. meet all elevation concerns and flood issues which may arise from the new elevations
9. Have other community new homes entrance from Bradley
10. Lot sizes to measure ½ acre (not to the middle of the street)
11. Retaining and keeping of No association fees
12. Absolutely No CC&RS proposed by new developers

RECEIVED
CITY CLERK

2007 FEB 21 A 10:39

We the residence of Deer Springs way, unanimously agree to the above noted and hereby accept this by signing the attached page.

Thank You for you time and consideration of the situation and issues that are concerning to me my family and neighbors.

From: Rock D Halverson 43 years old and 43 years living and native to Las Vegas, Nevada.

Submitted after final agenda

Date 2/21/07 Item # 102-104

Protest signing sheet to Rezoning of (ZON-17242; VAR-17244: SDR-17247)

Name	Signature	Address	Phone#	Cell
Rock Halverson	[Signature]	5510 Deersprings Way	658-5619	413-3441
Valerie Schram	[Signature]	5700 Mello Ave	395-8900	419-3193
GEORGE R Cole	[Signature]	5701 MELLO AVE	207-2306	
Lori Cole	[Signature]	5701 MELLO AVE	207-2306	303-2543
Shirley Green	[Signature]	5700 Mello Ave	645-0375	245-7096
Linda Suarez	[Signature]	5711 Mello	369-1957	
Andre Suarez	[Signature]	5711 Mello	369-1957	
G. Sheldon Green, M.D.	[Signature]	5700 Mello Ave	645-0375	
Maurice Lynn	[Signature]	5501 Mello Ave	645-1538	
Kay Lynn	[Signature]	5501 Mello Ave	645-1538	
Timus Suarez	[Signature]	5711 Mello Ave	400-0122	
Tara Suarez	[Signature]	5711 Mello Ave	400-0122	
TRICIA GESLER	[Signature]	5810 Mello Ave	658-8624	
Bryan GESLER	[Signature]	5810 Mello Ave	658-8624	
SHARON GESLER	[Signature]	6048 Starlight	870-1308	
MIKE GESLER	[Signature]	6048 Starlight	870-1308	
EARL PELRY	[Signature]	5850 Mello	645-0310	
Gary Keltz	[Signature]	4727 Fairway	526-7066	
MIKE HENDRIX	[Signature]	5711 Mello Ave	658-5251	
Grace Hendrix	[Signature]	" "	645-7606	
Marcia Geil	[Signature]	5921 Mello Ave	658-9326	
Barbara Sue Geil	[Signature]	" "	658-9325	
Robert G. Geil	[Signature]	" "	" "	
Wanda S Mancuso	[Signature]	6820 Jeanette St	301-1444	
Mitzi Springatt	[Signature]	6841 Jeanette St	395-1300	
Kelly J Myers	[Signature]	6801 Jeanette St	636-1503	
Todd Myers	[Signature]	6801 JEANETTE ST	636-1503	
George THAW	[Signature]	6801 JEANETTE ST	644-4760	
Tupia K. Myers	[Signature]	6900 Jeanette St	431-4497	
Todd C. Andrews	[Signature]	5609 Jeanette Cir	395-0835	
MARIC DIXON	[Signature]	5600 DORRILL DR LV NV	810-8053	
Arnette Brown-Barker	[Signature]	9312 Palwood	89149	
Ken Taul	[Signature]	5501 DORRILL	8913	
GURBET FURMAN	[Signature]	8025 RUSSELL RD	8913	
William A. JONES	[Signature]	6920 BRADLEY RD	8913	
Wanda S. Jones	[Signature]	6920 BRADLEY RD	8913	
Brian W. Astle	[Signature]	6880 Bradley Rd	8913	
Josh Astle	[Signature]	6880 Bradley Rd	8913	
Brent Springall	[Signature]	6841 Jeanette St	8913	
Ana M. Salas	[Signature]	6800 Bradley Rd	8913	
Ana Briza Salas	[Signature]	6800 Bradley Rd	8913	

Protest signing sheet to Rezoning of (ZON-17242; VAR-17244: SDR-17247)

	Name	Signature	Address	Phone#
age 43	Rock D Halverson	Rock D Halverson	5510 Deersprings way,	658-5619
age 42	Dana Halverson	Dana Halverson	5510 Deersprings way	658-5619
age 22	BLADE HALVERSON	BLADE	5510 DEER SPRING LN	769-110
age 17	Kanad Halverson	Konrad Halverson	5510 Deersprings way	658-5619
	Steve R. Baggshaw	Steve R. Baggshaw	5520 Deersprings	645-6209
	Rebecca L Baggshaw	Rebecca L Baggshaw	5520 Deersprings	645-6209
	JIM COX	JIM COX	1116 BOSTON BLVD N. LV.	982-0055
	AL COWGER	AL COWGER	5920 APRIL LN LV NV	893-1963

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 4, 2007

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE RELATED TO ZON-17242

VAR-17244 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: TOUSA HOMES, INC. - Request for a Variance TO ALLOW A RESIDENTIAL PLANNED DEVELOPMENT ON 2.86 ACRES WHERE FIVE ACRES IS THE MINIMUM REQUIRED on 2.86 acres at the northwest corner of Bradley Road and Deer Springs Way (APN 125-24-203-022), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

49

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

1

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

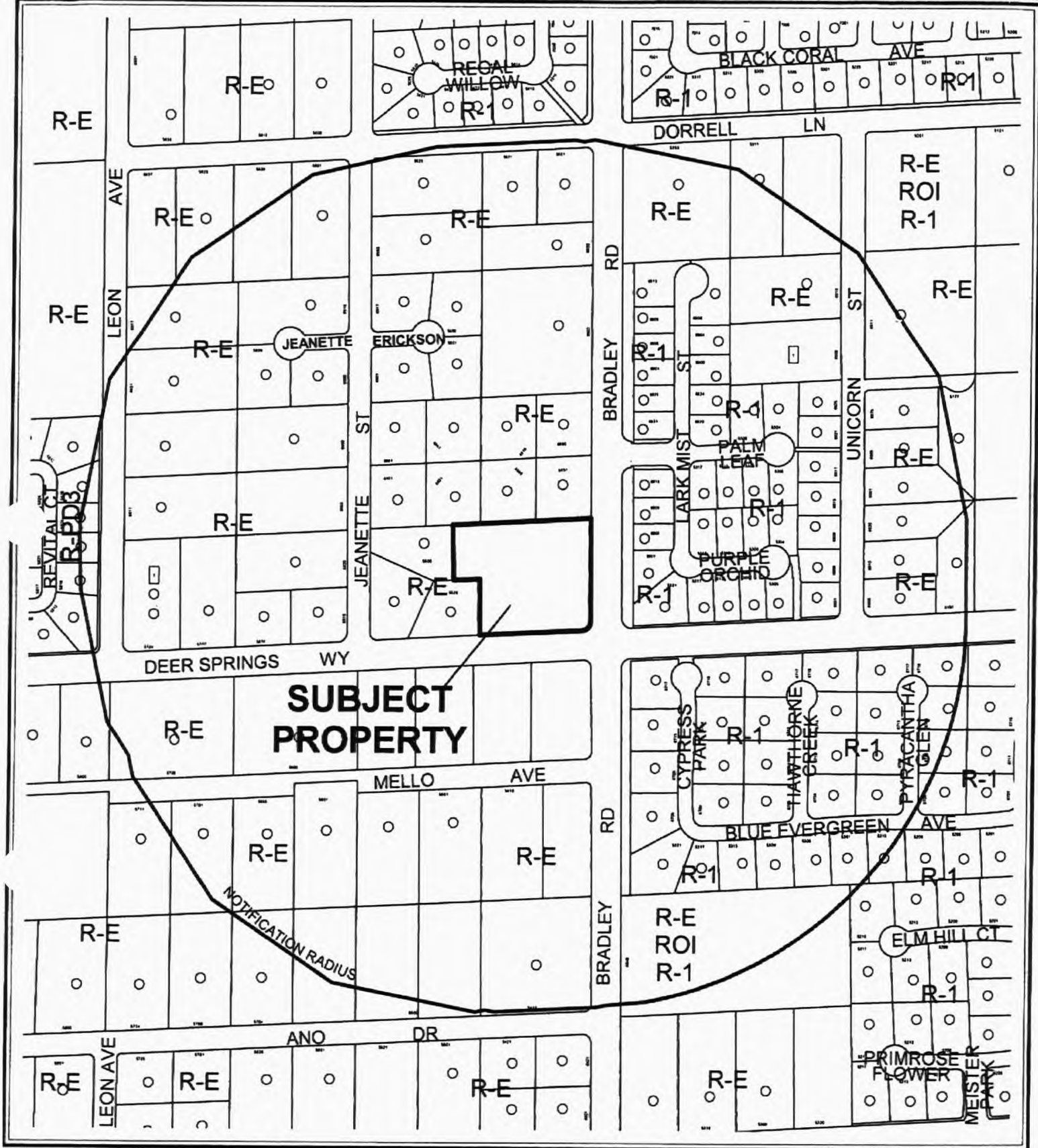
1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest letter and support letter revoking protest letter from Roger D. Schafer
6. Protest letter from Rock D. Halverson and protest petition

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

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
 BRENDA J. WILLIAMS, 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 81 for related discussion.



CASE: VAR-17244

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 4, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - VAR-17244 - APPLICANT/OWNER: TOUSA HOMES, INC.

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

**** CONDITIONS ****

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

Planning and Development

1. Minimum lot size of 16,000 square feet.
2. Conformance to the Conditions of Approval for Rezoning (ZON-17242) and Site Development Plan Review (SDR-17247), if approved.
3. 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

Request for a Variance to allow a residential planned development on 2.86 acres where five acres is the minimum required.

The proposed development is located on 2.86 gross acres. Per Title 19.06.040 a Residential Planned Development shall be located on a minimum of five acres. The proposed location is only 57 percent of the required area. This is a 43 percent deviation from Title 19.06.040 standards. The proposed deviation is considered a self-imposed hardship as it is the applicant's choice to rezone the property to accommodate the proposed development; therefore, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/06	The Planning Commission recommended approval of companion items ZON-17242 and SDR-17247 concurrently with this application. The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #28/ng).
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this development.	
<i>Pre-Application Meeting</i>	
09/15/06	A pre-application meeting was held. It was noted that the site was located in the Rural Preservation Overlay District Buffer. The applicant stated that these would be a mix of one and two-story homes and that the cul-de-sac would align with the western portion that is already developed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.86
Net Acres	2.26

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single-family Residential	L (Low Density Residential)	R-E (Residence Estates)
North	Single-family Residential	L (Low Density Residential)	R-E (Residence Estates)
South	Undeveloped	L (Low Density Residential)	R-E (Residence Estates)

East	Single-family Residential	ML (Medium Low Density Residential)	R-1 (Single-family Residential)
West	Single-family Residential	L (Low Density Residential)	R-E (Residence Estates)

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

DEVELOPMENT STANDARDS

Per Title 19.06 the following Development Standards apply:

<i>Standard</i>	<i>Provided</i>
Min. Lot Size	16,030 SF
Min. Lot Width	91.79 Feet
Min. Setbacks	
• Front	20 Feet
• Side	10 Feet
• Corner	15 Feet
• Rear	25 Feet
Min. Distance Between Buildings	20 Feet
Max. Building Height	29.5 Feet

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-E (Residence Estates)	2 Units Per Acre	Seven (Only Five are Proposed)	R-PD2 (Residential Planned Development – 2 Units Per Acre)	2.49 Units Per Acre	L (Low Density Residential)	5.49 Units Per Acre

Open Space

Per Title 19.06.040 Residential Planned Developments with less than 12 dwelling units are not required to provide open space. This development proposes five-lots and open space is not required. It is noted that the applicant is providing a six-foot streetscape area along Bradley Road (Common Lot A) that includes landscaping that meets Code requirements. The applicant is requesting a waiver of the streetscape requirements along Deer Springs Way.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement

The project provides a minimum of two parking spaces per dwelling unit. Each unit proposes to have a minimum of a two car garage, while most units include a three car garage. This meets Title 19.10 parking requirements.

ANALYSIS

The proposed development is located on 2.86 gross acres. Per Title 19.06.040 a Residential Planned Development shall be located on a minimum of five acres. The proposed location is only 57 percent of the required area. This is a 43 percent deviation from Title 19.06.040 standards.

Per Title 19.06.040 for the R-PD (Residential Planned Development) District the minimum site area that is eligible for rezoning to the R-PD (Residential Planned Development) zoning district is five acres. Any additional tract which contains less than the minimum site area, but which is contiguous to property previously zoned R-PD (Residential Planned Development), may also be zoned R-PD (Residential Planned Development) by the City Council if it otherwise qualifies for the R-PD (Residential Planned Development) zoning designation. Both such properties must be owned by or be under the control of the same property owner. This particular development is an infill parcel. The adjacent parcels are zoned R-E (Residence Estates).

The site does not meet the intent of the R-PD (Residential Planned Development) District as defined in Title 19.06.040. The proposed deviation is considered a self-imposed hardship as it is the applicant's choice to rezone the property to accommodate the proposed development; therefore, denial of this request is recommended.

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 through requesting a zoning district that does not meet Code requirements. Alternative zoning would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 153 by City Clerk

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

VAR-17244

Case Number: _____ APN: 125-24-203-022

Name of Property Owner: Tousa Homes

Name of Applicant: Wright Engineers

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): _____

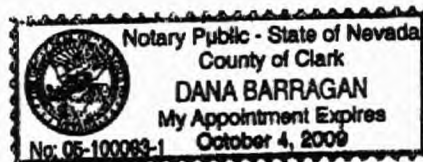
APN: _____

Signature of Property Owner: Cheryl Kypreos

Print Name: Cheryl Kypreos

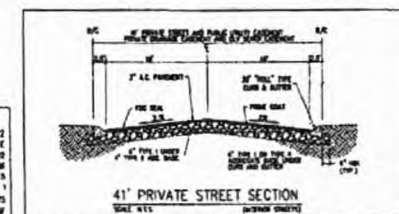
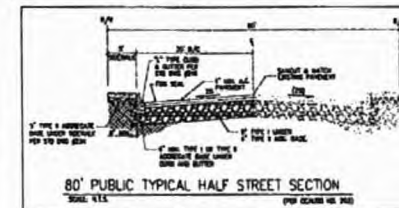
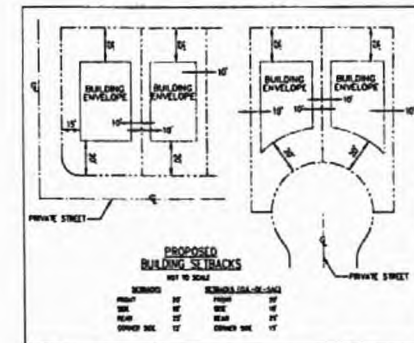
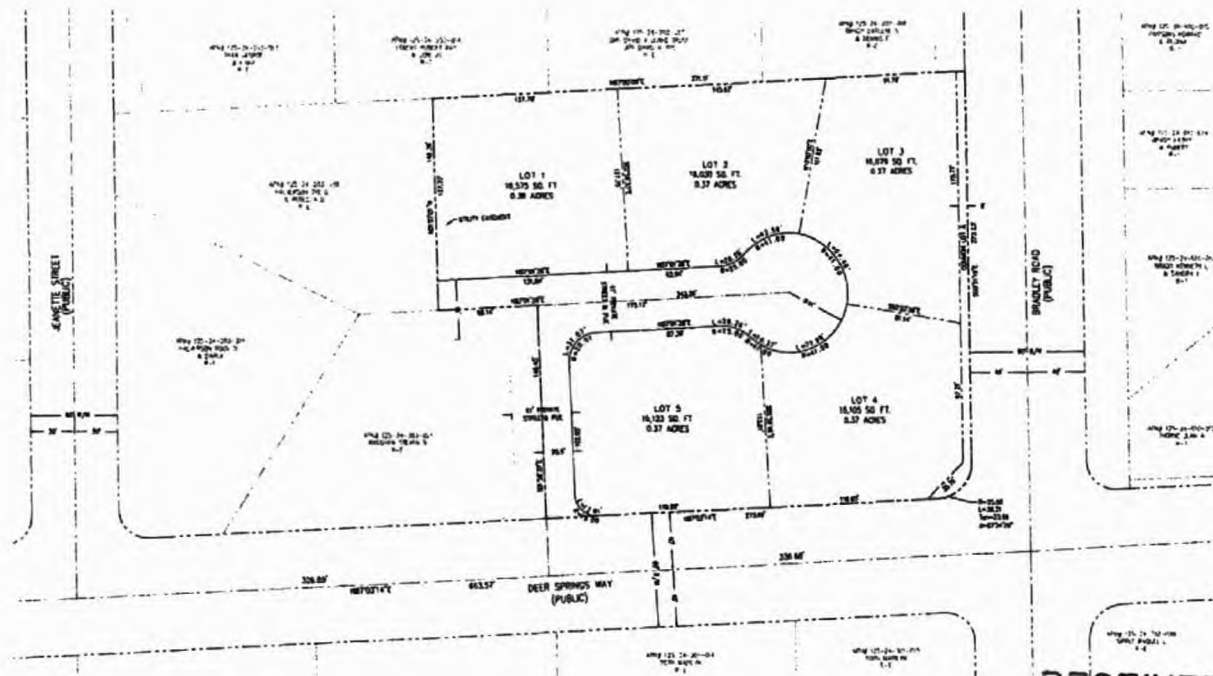
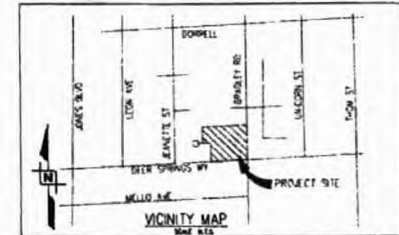
Subscribed and sworn before me

This 21st day of September, 20 06
Dana Barragan
Notary Public in and for said County and State



SITE PLAN FOR FALCON CREST UNIT 1 BY ENGLE HOMES

R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT-2 UNITS PER ACRE)
APN# 125-24-203-022



RECEIVED
OCT 02 2006

VAR-17244
12/21/06 PC

OWNER INFORMATION
APN 125-24-203-022
ENGLE HOMES
1000 N. SHAWAN AVE.
LOS ANGELES, CA 90015

DEVELOPER
ENGLE HOMES
1000 N. SHAWAN AVE.
LOS ANGELES, CA 90015

ENGINEER
JAMES W. WILSON
1000 N. SHAWAN AVE.
LOS ANGELES, CA 90015

SITE DATA
ASSESSING PARCEL NUMBER 125-24-203-022
CURRENT ZONING R-E
PROPOSED ZONING R-PD2
GROSS ACRES 2.36
NUMBER OF LOTS 5
COMMON LOTS 1
SAL/C 1.75
APPROXIMATE LOT SIZE 16,630 SF

WRIGHT
Civil Engineer
1000 N. SHAWAN AVE.
LOS ANGELES, CA 90015
PH 213.200.1000 FAX 213.200.1001
WWW.WRIGHTENGINEERS.COM

REV	DATE	BY	REVISION

DATE	DATE
12/21/06	12/21/06
12/21/06	12/21/06
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12/21/06	12/21/06





September 28, 2006

City of Las Vegas
Planning and Development Department
731 South 4th Street
Las Vegas, Nevada
89101

Dear Ladies/Gentlemen:

Please accept this letter from Wright Engineers on behalf of our client, Touse Homes, Inc., as the justification for related requests for a Rezoning, a Variance and a Site Development Plan Review for development of property located at the northwest corner of Deer Springs Way and Bradley Road, also known as Falcon Crest Unit 1 (APN 125-24-203-022).

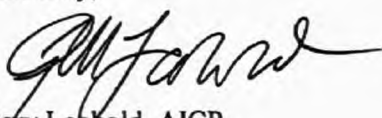
Our client intends to develop five single-family homes on the site. The site is currently designated L (Low Density Residential) in the City's Master Plan, which allows for densities up to 5.5 u.p.a. The site is currently zoned R-E (Residence Estates).

The applicant is requesting a conforming Rezoning from the R-E district to the R-PD2 (Residential Planned Development - 2 Units per Acre) on the subject site. Although the density of the proposed project, at 2.86 u.p.a., is far below the Low Density threshold of 5.5 u.p.a., the intent is to match the scale and density of the surrounding properties in the area. All of the proposed lots exceed 16,000 s.f. in area, which is in scale with nearby development. A Site Development Plan Review for the project is also being submitted. This site plan conforms to Title 19 regulations, with the exception of the minimum site size requirement of 5 acres for R-PD developments (a request for a Variance to this requirement is also being filed), and a waiver of the perimeter landscaping strip along Deer Springs Way (the one on Bradley Road is being provided). The reason for this waiver is to have the project match the lots to the west of the cul-de-sac entrance, where no landscape buffer exists. This waiver is requested as part of this Site Development Plan Review.

The proposed rural density residential development will be compatible with surrounding residential uses, and will be a logical and attractive use of an infill parcel that will be designed to compliment the area.

Thank you for your consideration.

Sincerely,


Gary Leibold, AICP
Director of Planning

VAR-17244
12/21/06 PC

RECEIVED
CITY CLERK

Las Vegas City Council
ATT: Barbara Jo Ronemus-City Clerk
400 Stewart Avenue
Las Vegas, NV 89101

2007 JAN 10 A 10:39

January 9, 07

RE: Var-17244

ross

Dear Barbara, Council ~~Mack~~, Pro-Mayor Gary Reese and Beloved Mayor Oscar Goodman. My name is Roger J. Schafer of 6821 Jeanette Street, Las Vegas 89131 and the attached Request for a Notice of Hearing is why this letter which I hoped will be recognized and addressed during the Meeting January 17, 07 at 1:00 P.M.

Unfortunately I will be at work and unable to attend yet I do have several concerns as well as questions for the proposed Variance Changes and how they may effect myself, neighbors and the area itself.

Protest

Question Number 1) Will they have City Water and/or will the be on Well.
IF Well: Then has a recent study by an independant licensed Well Person taken current readings on the level of the well water and will it support these additional people.
After all water is a huge concern and thus allowing twice as much residents will have a severe impact and will deplete at an accelerated rate. A HUGE PART WHY THE INTIAL CODES/RULES are in Place prior.

Question Number 2) What will be the square footages of these proposed homes along with the lot size of each one?? Plus the Value of these proposed homes for none of wish to see our current/exsisting home drop in appraised value.

Question Number 3) When is the proposed construction to begin and also a tenative time along when the project should be fully completed?? Also would like to know the hours of operation and will it have an impact on my quality of life and health in terms of "DUST" and noise?

These are indeed concerns and questions which are very important and hopefully have been discussed. "IF" they have not since I will unable to attend hope that all of these questions and concerns will be investigated by the proper industry especially where the water is concerned...IF its city water and not well then of coarse do fully understand and no need to answer other than "City Water".

Page 1 of 2

Submitted and filed for record

Date *1/10/07* Item *#123*

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CITY CLERK

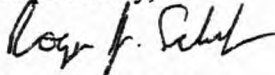
2007 JAN 10 A 10:39

However "IF" its going to be well water I fully expect a current reading and/also an independant research to see if we are capable of handel a 200% percent increase in water use verses what would be half if this variance is not approved.

I will state that this is directly in my backyard and will indeed have an impact and understand the need and development however they intial reasons these previous/current rules have been put in place is for all of us to follow <as we all have> and to ensure that all of us have the resources to live the lifestyle which we have and should be entitled to live.

Will appreciate your response and feel free to address it directly to me as well as the results of the soon to take place meeting and the final results.

Respectfully,



Roger J. Schafer
6821 Jeanette Street
Las Vegas, NV 89131

CC: Council Ross
CC: Gary Reese
CC: Oscar Goodman
CC: Las Vegas Water District

Page 2 of 2

RECEIVED
CITY CLERK

Las Vegas City Council

2001 FEB -5 A 10:43

February 01, 07

ATT: Charlie Kajkowski-Director of Public Works

400 E. Stewart Avenue

Las Vegas, NV 89101

Support

RE: Var-17244

Dear Barbara, Council Ross, Pro-Mayer Gary Reese, Charlie Kajkowski and the Best Mayor Ever Oscar Goodman. I, Roger J. "Derby" Schafer wish to thank you for the correspondances on the issues regarding the Variance 17244 and was especially impressed that Dave Clapsaddle Director of Planning from GCGARCIA stopped my home today.

Mr. Dave Clapsaddle answered not only my concerns and issues fully yet also my neighbors. We are all extremely happy with what we were told especially the water issue and the size/pricing of the homes.

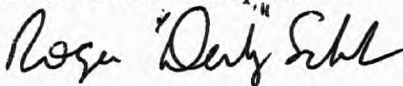
Thus am writing this letter to "THANK YOU" Each and Every One including Mr. Dave Clapsaddle for not only answering our questions and concerns yet also ensuring us that our homes and the water will not be in jeopardy of any nature.

I was Greatly impressed by this measure of taking the time and bringing over the plans and various stages along with being able to answer each and every question and past concern. Thus am writing this letter to let you know that we are all greatly happy and also a great concern of the unknow has now been answered and ensures that this project will be what I call a "Win-Win" good for all.

At this time I also would like to say how impressed I am by the Greatest Mayor Ever "Oscar Goodman" taking the time to write back and respond and did also Charlie Kajkowski Director of Public Works as well.

Not only do we live in the Worlds Greatest City we also have the Greatest Mayor , Council and Staff. Thus I do fully approve and look forward to the develop being completed as planned and Once again wish to Say "Thank You One and All."

With the Greatest Respect



Roger J. "Derby" Schafer
6821 Jeanette Street
Las Vegas, NV 89131

any questions feel free to call me directly on my personal cell 702-525-4782

Date 2/20/07 Item #103

Protest

Date: 02-15-07

Hello Mayor Goodman, Councilman Ross, and Planning Commissioners, I am the residence and owner of 5510 Deer Springs Way of Las Vegas Nevada 89131 for the last 16 years and I built this house and helped develop the private entrance road and private cul-de-sac to the addresses of 5510, 5500, and 5520 Deer Springs way at the corner of Deer Springs Way and Jeanette. Me and my family are in PROTEST against this rezoning of (ZON-17242; VAR-17244; SDR-17247) and would like to keep the quality of life that we planed and paid for and in no way agree or allow the rezoning of our cul-de-sac or give up the writes or easements to the developers or city to our private drive way and private cul-de-sac our for the new homes proposed to have access to our private drive way our private cul-de-sac.

We also would like to keep or agree to the following:

1. Retain our private drive way and private cul-de-sac as is
2. Retain our well and water as is
3. Retain our power as is as we are on The Sloan Grid
4. Retain our R-E zoning
5. Retain our horse zoning
6. No Street lights
7. No Side walks or curbs
8. meet all elevation concerns and flood issues which may arise from the new elevations
9. Have other community new homes entrance from Bradley
10. Lot sizes to measure 1/2 acre (not to the middle of the street)
11. Retaining and keeping of No association fees
12. Absolutely No CC&RS proposed by new developers

RECEIVED
CITY CLERK

2007 FEB 21 A 10:39

We the residence of Deer Springs way, unanimously agree to the above noted and hereby accept this by signing the attached page.

Thank You for you time and consideration of the situation and issues that are concerning to me my family and neighbors.

From: Rock D Halverson 43 years old and 43 years living and native to Las Vegas, Nevada.

Submitted after final agenda

Date 2/21/07 Item # 102-104

Protest signing sheet to Rezoning of (ZON-17242; VAR-17244; SDR-17247)

Name	Signature	Address	Phone#	Cell
Rock Halverson	[Signature]	5510 Deersprings Way	658-5619	413-3441
Valerie Schram	[Signature]	5700 Mello Ave	395-8900	cell 419-3193
GEORGE R Cole	[Signature]	5701 MELLO AVE	207-2306	
Lori Cole	[Signature]	5701 MELLO AVE	207-2306	303-2543
Elmus Green	[Signature]	5700 Mello Ave	645-0375	245-7096
Linda Suarez	[Signature]	5711 Mello	369-1957	
Andre Suarez	[Signature]	5711 Mello	369-1957	
G sheldon Green, M.D	[Signature]	5700 Mello Ave	645-0375	
MAURICE Lynn	[Signature]	5501 Mello Ave	645-1538	
Lay Lynn	[Signature]	5501 Mello Ave	645-1538	
Timus Suarez	[Signature]	5711 Mello Ave	400-0122	
Tara Suarez	[Signature]	5711 Mello Ave	400-0122	
TRICIA GESLER	[Signature]	5810 Mello Ave	656-8624	
Bryan GESLER	[Signature]	5810 Mello Ave	656-8624	
SHARON GESLER	[Signature]	6048 Stordist	970-1308	
MIKE GESLER	[Signature]	6048 Stordist	970-1308	
EARL PELRY	[Signature]	5850 Mello	645-0310	
Gary Keltz	[Signature]	47217 Fairway	526-7066	
MIKE HENDRIX	[Signature]	5741 Mello Ave	658-5251	
Grace Hendrix	[Signature]	" " "	645-9606	
Marcia Geil	[Signature]	5921 Mello Ave	658-9326	
Barbara Sue Geil	[Signature]	" " "	658-9325	
Robert G. Geil	[Signature]	" " "	" " "	
Anna S Mancuso	[Signature]	6820 Jeanette St	301-1444	
Mitzi Springatt	[Signature]	6841 Jeanette St	395-1300	
Kelly J Myers	[Signature]	6801 Jeanette St	636-1503	
Todd Myers	[Signature]	6801 JEANETTE ST	636-1503	
Georgette THAW	[Signature]	6801 JEANETTE ST	644-4760	
Tudith K. Morris	[Signature]	6900 Jeanette St	431-4947	
Todd C. Andrews	[Signature]	5609 Jeanette Cir.	395-0835	
MARIC Dixon	[Signature]	5600 DORRILL DR LV NV	810-8053	
Arnette Brown-Barker	[Signature]	9312 Palwood	89149	
Ken Lamb	[Signature]	5501 DORRILL	8913	
Gabe Fittman	[Signature]	8025 RUSSELL RD	8913	
William A. JONES	[Signature]	6920 BRADLEY RD	8913	
Wanda S. Jones	[Signature]	6920 BRADLEY RD	8913	
Brian W Astle	[Signature]	6880 Bradley Rd.	8913	
Josh Astle	[Signature]	6880 Bradley Rd	8913	
Brent Springall	[Signature]	6891 Jeanette St	8913	
Ana Mrs. Salas	[Signature]	6800 Bradley Rd	8913	
Ana Briza Salas	[Signature]	6800 Bradley Rd	8913	

Protest signing sheet to Rezoning of (ZON-17242; VAR-17244; SDR-17247)

	Name	Signature	Address	Phone#
age 43	Rock D Halverson	<i>Rock D Halverson</i>	5510 Deersprings way,	658-5619
age 42	Darla Halverson	<i>Darla Halverson</i>	5510 Deer Springs way	658-5619
age 22	BLADE HALVERSON	<i>Blade Halverson</i>	5510 DEER SPRING LN	769-110
age 17	Konrad Halverson	<i>Konrad Halverson</i>	5510 Deer Springs way	658-5619
	Steve R. Bagshaw	<i>Steve R. Bagshaw</i>	5520 Deersprings	645-6209
	Rebecca L Bagshaw	<i>Rebecca L Bagshaw</i>	5520 Deerspring	645-6209
	Jen Con	<i>Jen Con</i>	1116 BOSTON BAY AVE N.L.V.	982-0055
	AL COURGER	<i>Al Courger</i>	5920 APRIL LN LV NV	893-1963

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 4, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-17242 AND VAR-17244

SDR-17247 – ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: TOUSA HOMES, INC. - Request for a Site Development Plan Review FOR A PROPOSED FIVE-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT AND A WAIVER OF THE STREETSCAPE REQUIREMENTS on 2.86 acres at the northwest corner of Bradley Road and Deer Springs Way (APN 125-24-203-022), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

49

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest letter from Rock D. Halverson and protest petition
6. Submitted after Final Agenda – Revised Plan

Motion made by STEVEN D. ROSS to Approve Subject to Conditions amending Conditions 3 and 6, replacing Condition 5 and the following added conditions as read for the record:

3. All development shall be in conformance with the site plan, date stamped 4/4/07, landscape plan, and building elevations, date stamped 10/2/06, except as amended by conditions herein.
5. Lots 1 and 5 on the site plan dated 4/3/07 shall be a minimum net lot size of 18,000 square feet. Lots 2, 3, and 4 shall be a minimum of 15,000 square feet. Maximum building height shall be two stories or 29.5, whichever is less.
6. The setbacks for this development shall be a minimum of 25 feet to the front of the house, as measured from back of sidewalk or from back of curb if no sidewalk is provided, 10 feet to the

CITY COUNCIL MEETING OF: APRIL 4, 2007

front of the house for homes that face a cul-de-sac, as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 30 feet in the rear.

A. The applicant shall construct a six-foot high decorative block wall along Jeanette Street, Deer Springs Way and the northern property line. The wall shall extend along both sides of the interior private drive to an equal distance north of Deer Springs Way.

B. The costs of any improvement to the interior street used by both the existing residents and the future residents of the five lot subdivision shall be borne solely by the applicant.

C. Prior to the submittal of civil improvement plans to the City of Las Vegas, the applicant shall meet with the owners of the three residential properties abutting the site to discuss the drainage plans for the project.

D. The owners of the three residential properties abutting the site shall not be required to become part of any future Homeowners Association.

E. Lighting along the interior cul-de-sac shall be limited to coach lighting. Such lighting shall be placed along both sides of the interior cul-de-sac. The applicant shall meet with the owners of the three residential properties prior to installation of the coach lighting.

F. The five lot subdivision shall tie into City water and sewer and have access to the private well used by the existing residents.

G. The owners of Lots 1 and 5 of the five lot subdivision may have horses in conformance to Title 19.

H. The existing residents shall continue to be on the Sloan Grid for electrical power.

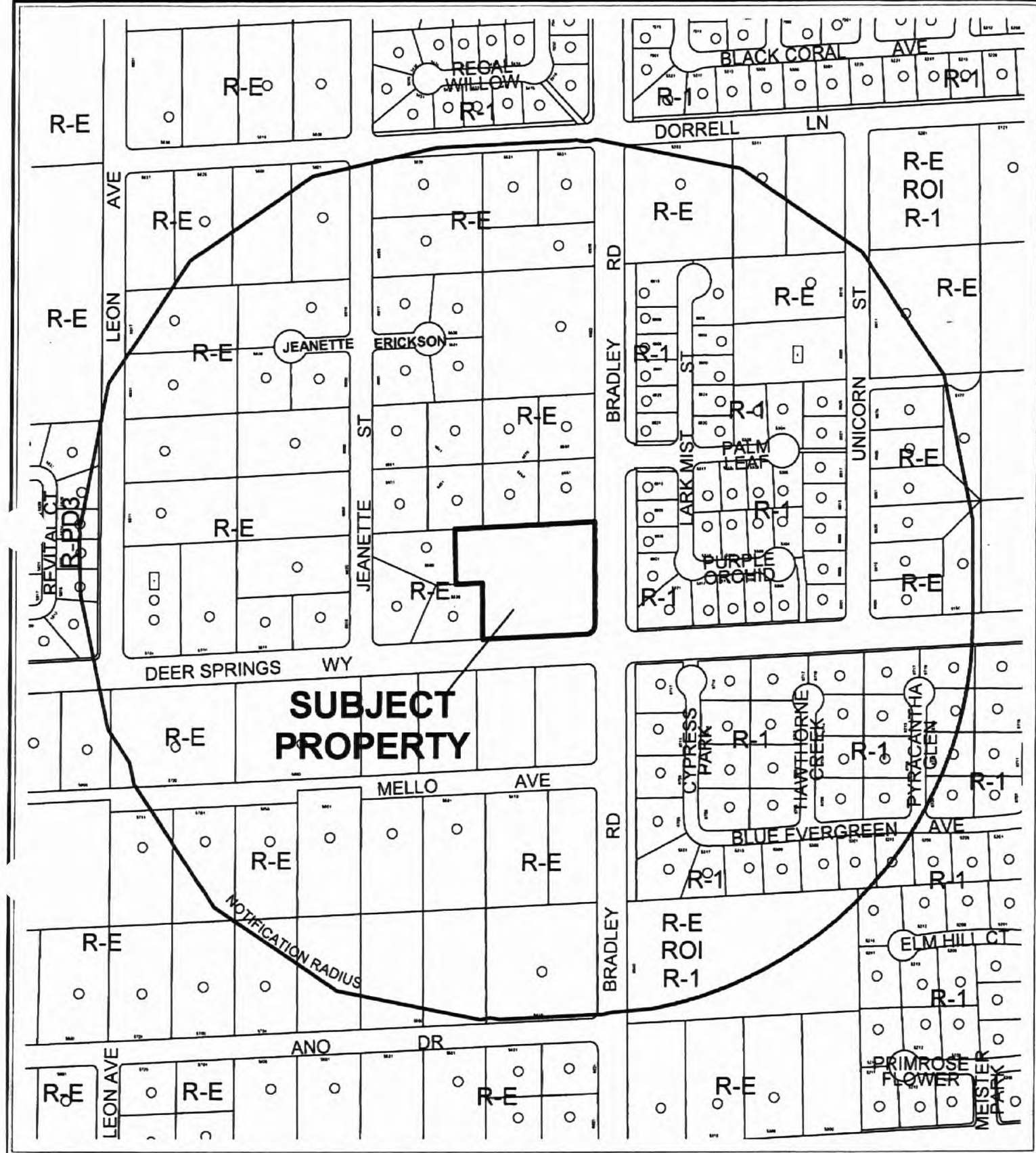
Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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

NOTE: A previous motion for approval with amended conditions by ROSS was reconsidered by motion by ROSS. Both motions carried unanimously.

Minutes:

See Item 81 for related discussion.



CASE: SDR-17247

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 4, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SDR-17247 - APPLICANT/OWNER: TOUSA HOMES, INC.

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

**** CONDITIONS ****

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

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (ZON-17242) and Variance (VAR-12244), if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 10/02/06, except as amended by conditions herein.
4. A Waiver from streetscape requirements is hereby approved, to allow no streetscape along Deer Springs Way where six feet of streetscape is required.
5. The standards for this development shall include a Minimum lot size of 16,030 square feet and Building height shall not exceed two stories or 29.5 feet, whichever is less.
6. The setbacks for this development shall be a minimum of 20 feet to the front of the house, as measured from back of sidewalk or from back of curb if no sidewalk is provided, 10 feet on the side, 15 feet on the corner side, and 25 feet in the rear.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

9. 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.
10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
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. The private entry street shall not be gated.
15. 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.
16. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-17242 and all other applicable site-related actions.
17. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
18. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The proposed development is for a five-lot single-family residential subdivision. The site would be accessed by a cul-de-sac off Deer Springs Way. The project requires a Variance to allow a Residential Planned Development on less than five acres and a waiver of streetscape requirements along Deer Springs Way. These deviations are not supported as they are due to the applicants design choices. The proposed development standards more closely match the R-D (Single-family Residential-Restricted) District than the R-E (Residence Estates) that is currently in place on the site and is most prevalent in the area. The rezoning would permit five lots where four lots would be permitted under the current designation. Due to the deviations from standards and smaller lot sizes than the adjacent property, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/21/06	The Planning Commission recommended approval of companion items ZON-17242 and VAR-17244 concurrently with this application. The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #29/ng).
<i>Related Building Permits/Business Licenses</i>	
There are no permits or licenses related to this development.	
<i>Pre-Application Meeting</i>	
09/15/06	A pre-application meeting was held. It was noted that the site was located in the Rural Preservation Overlay District Buffer. The applicant stated that these would be a mix of one and two-story homes and that the cul-de-sac would align with the western portion that is already developed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	2.86
Net Acres	2.26

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single-family Residential	L (Low Density Residential)	R-E (Residence Estates)
North	Single-family Residential	L (Low Density Residential)	R-E (Residence Estates)
South	Undeveloped	L (Low Density Residential)	R-E (Residence Estates)

East	Single-family Residential	ML (Medium Low Density Residential)	R-1 (Single-family Residential)
West	Single-family Residential	L (Low Density Residential)	R-E (Residence Estates)

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

DEVELOPMENT STANDARDS

Per Title 19.06 the following Development Standards apply:

<i>Standard</i>	<i>Provided</i>
Min. Lot Size	16,030 SF
Min. Lot Width	91.79 Feet
Min. Setbacks	
• Front	20 Feet
• Side	10 Feet
• Corner	15 Feet
• Rear	25 Feet
Max. Building Height	29.5 Feet

<i>Residential Adjacency Standards</i>
Residential Adjacency Standards do not apply to the proposed development.

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-E (Residence Estates)	2 Units Per Acre	Seven (Only Five are Proposed)	R-PD2 (Residential Planned Development – 2 Units Per Acre)	2.49 Units Per Acre	L (Low Density Residential)	5.49 Units Per Acre)

Open Space

Per Title 19.06.040 Residential Planned Developments with less than 12 dwelling units are not required to provide open space. This development is proposing five-lots and is not required to provide open space. It is noted that the applicant is providing a six-foot streetscape area along Bradley Road (Common Lot A) that includes landscaping that meets Code requirements. The applicant is requesting a waiver of the streetscape requirements along Deer Springs Way.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement

The project is required to provide a minimum of two parking spaces per dwelling unit. Each unit is proposed to have a minimum of a two car garage, while most units include a three car garage. This meets Title 19.10 parking requirements.

Waivers

Request	Requirement	Staff Recommendation
Streetscape requirements along Deer Springs Way. The applicant is requesting no streetscape and would like rural standards in this area.	6 Feet	This waiver is not supported and the applicant should provide the streetscape along Deer Springs Way.

ANALYSIS

The proposed development would consist of five lots. The smallest lot is 16,030 square feet. The largest lot is 16,575 square feet. The current R-E (Residence Estates) zone permits a minimum lot size of 20,000 square feet; therefore, with the current zoning a total of four lots would be permitted. The setbacks that are proposed are similar to the setbacks for the R-D (Single-family Residential-Restricted) District. These setbacks are much less than what is permitted in the R-E (Residence Estates) Zone. Elevations show one and two story homes. Materials will consist of stucco and Spanish tile. Colors will be white and tan stucco with tan and green accents.

Per Title 19.06.040 for the R-PD (Residential Planned Development) District the minimum site area that is eligible for rezoning to the R-PD (Residential Planned Development) zoning district is five acres. Any additional tract which contains less than the minimum site area, but which is contiguous to property previously zoned R-PD (Residential Planned Development), may also be zoned R-PD (Residential Planned Development) by the City Council if it otherwise qualifies for the R-PD (Residential Planned Development) zoning designation. Both such properties must be owned by or be under the control of the same property owner. This particular development is an infill parcel. The adjacent parcels are zoned R-E (Residence Estates). The site does not meet the intent of the R-PD (Residential Planned Development) District as defined in Title 19.06.

The proposed development would have five lots and would not require open space. It is noted that streetscape is required along both Bradley Road and Deer Springs Way. The applicant is providing the required six-foot wide streetscape along Bradley Road; however, a waiver is requested for the streetscape along Deer Springs Way. This is in an effort to maintain a rural appearance to the property. This waiver is not supported as the applicant has the room to provide for this landscaping and is opting not to provide the streetscape based on their design choices.

The homes are single and two-story homes. These homes range in size from 3,300 to 4,800 square feet and typically feature three-car garages. Design and color schemes are typical of development in this area.

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 considered compatible with the area. The adjacent cul-de-sac features three lots built to R-E standards. The proposed development consists of five lots and the proposed standards more closely match those of the R-D District.

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

The proposed development is not consistent with Title 19. The project requires a Variance (VAR-17244) to allow a Residential Planned Development on less than five acres. Additionally, the project does not meet the intent of the Residential Planned Development District as defined in Title 19.06.040. The site also requires a waiver of streetscape standards along Deer Springs Way, as designed. Due to these several deviations from Title 19, denial of this request is recommended.

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

Site access is provided from Deer Springs Way an 80-foot Secondary Collector. This street will provide adequate access to the proposed development.

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

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

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

Elevations and design characteristics are not unsightly or obnoxious and will be harmonious and compatible with development in the area.

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

The proposed development will not compromise the public health or the general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 150 by Planning and Development Dept

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-17247** APN: 125-24-203-022
Name of Property Owner: Tousa Homes
Name of Applicant: Wright Engineers

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: _____

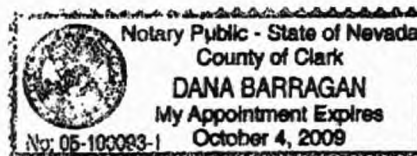
Signature of Property Owner: _____

Print Name: _____

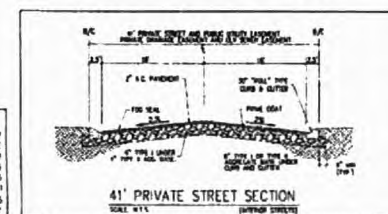
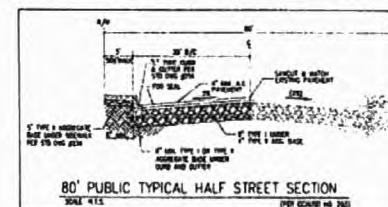
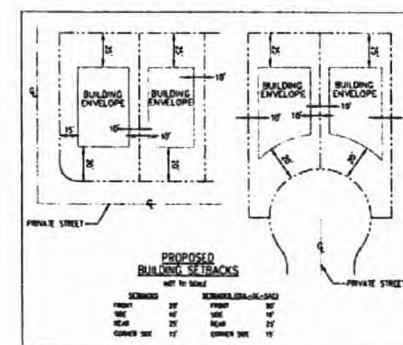
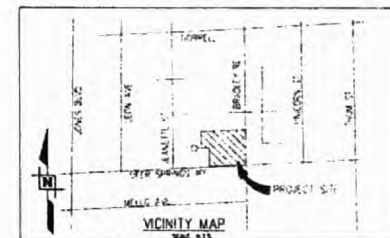
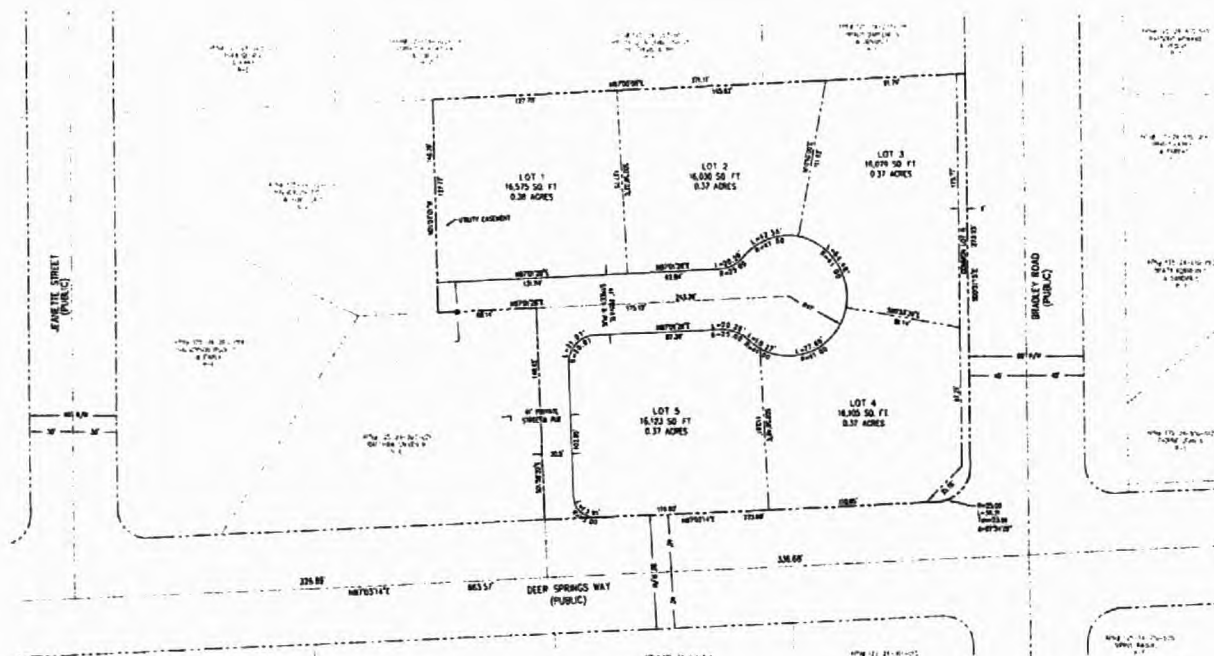
Cheryl Kypreas

Subscribed and sworn before me

This 21st day of September 2006
Dana Barragan
Notary Public in and for said County and State



R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT-2 UNITS PER ACRE)
APN# 125-24-203-022



RECEIVED
OCT 02 2006

SDR-17247
12/21/06 PC

SITE DATA

ASSESSORS PARCEL NUMBER	125-24-203-02
CURRENT ZONING	R-
PROPOSED ZONING	R-PD
GROSS ACRES	2.8
NUMBER OF LOTS	
COMMON LOTS	
DU/FAC	1.7
MINIMUM LOT SIZE	16,000

OWNER INFORMATION
 NAME (PRINT) _____
 TITLE (PRINT) _____
 FIRM (PRINT) _____
 ADDRESS _____
 CITY _____ STATE _____ ZIP _____
 PHONE () _____
 FAX () _____
 E-MAIL _____

DEVELOPER
 1975 N. GARDEN AVE.
 LAG BEACH, CA 92653

ENGINEER
SPURRY ENGINEERING
P.O. BOX 1000
LAS VEGAS, NEVADA 89120
TEL (702) 433-7000 FAX (702) 736-0171

WRIGHT

4425 E. 9TH AVE. S.W. VANCOUVER, BC V6M 2K6
P: 604.273.7000 F: 604.273.7001 WWW.GENTINGMEX.COM
WWW.GENTINGMEX.COM

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DATE _____

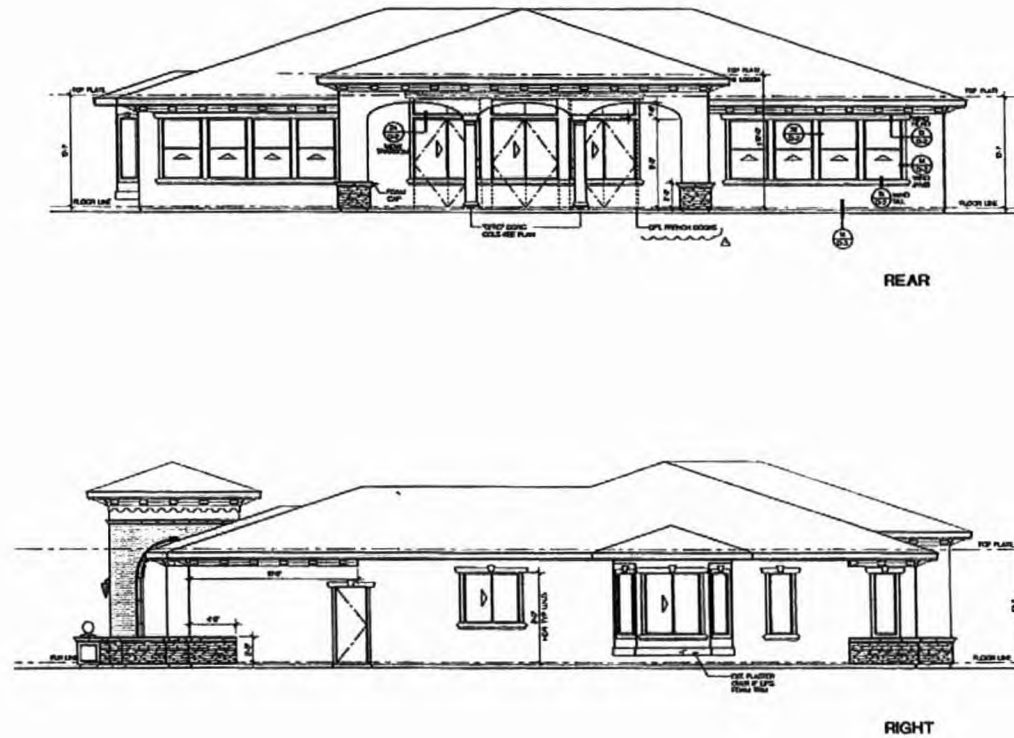
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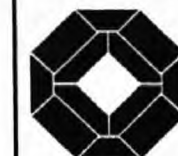


EXTERIOR ELEVATIONS SCALE: 1/8" = 1'-0" 1

No.	Date	Revised / Description
1	3/10/06	BLDG DEPT. SUBMITTAL
2	3/10/06	BLDG DEPT. REVISIONS
3	3/10/06	BLDG DEPT. REVISIONS
4	3/10/06	BLDG DEPT. REVISIONS
5	3/10/06	BLDG DEPT. REVISIONS
6	3/10/06	BLDG DEPT. REVISIONS
7	3/10/06	BLDG DEPT. REVISIONS
8	3/10/06	BLDG DEPT. REVISIONS
9	3/10/06	BLDG DEPT. REVISIONS
10	3/10/06	BLDG DEPT. REVISIONS

Project: **BENNINGTON PARK**

TOUSA HOMES Inc. d.b.a. ENGLE HOMES
 7872 WEST SAHARA
 LAS VEGAS, NV 89117
 2004-0777



KTOYGROUP, INC.
 ARCHITECTS
 1000 S. RAMPART BLVD., SUITE 100
 LAS VEGAS, NV 89102
 702.735.1234
 WWW.KTOYGROUP.COM

Principal in Charge: **J. TULLY**
 Project Director: **M. FOWLER**
 Project Manager: **H. SCHWAB**
 Project Designer: **J. TAN**
 Checked By:

Sheet Title:
PLAN 1
"B" EXTERIOR ELEVATIONS

Sheet No.: **A1.6A**

OCT 9 2006
SDR-17247
12/21/06 PC

No.	Date	Revised / Description
1		3/10/05, BLDG. DEPT. SUBMITTAL
2		4/10/05, BLDG. DEPT. REVISION
3		5/10/05, BLDG. DEPT. REVISION
4		
5		
6		
7		
8		
9		
10		

Project: **BENNINGTON PARK**

TOUSA HOMES Inc., d.b.a. ENGLE HOMES
 7872 WEST SARAH
 LAS VEGAS, NV 89117
 2004-0777

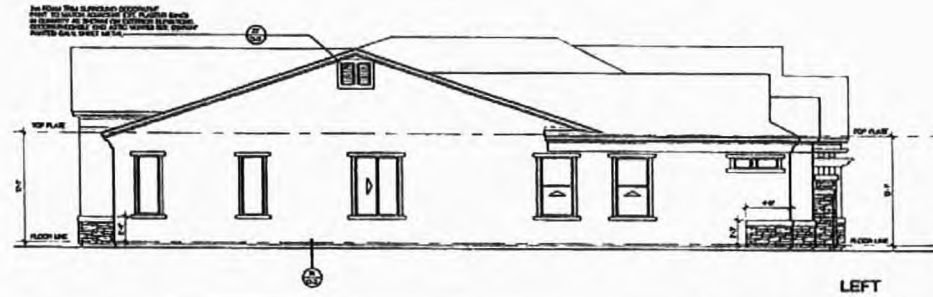
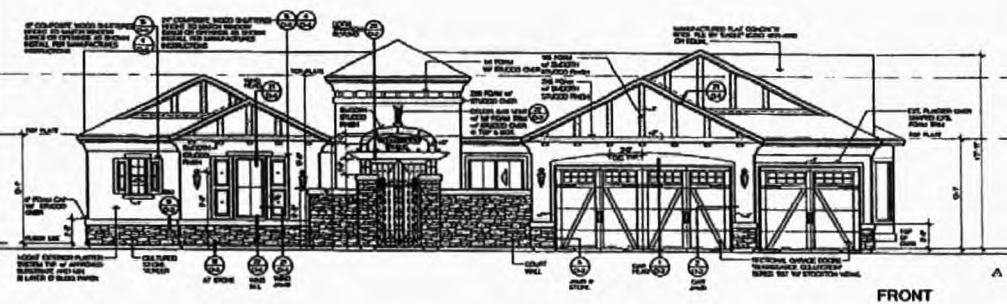
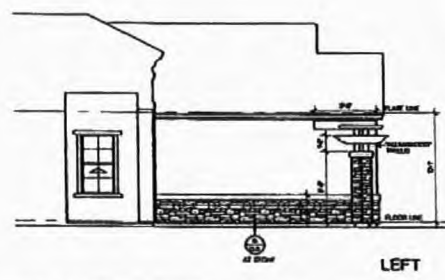
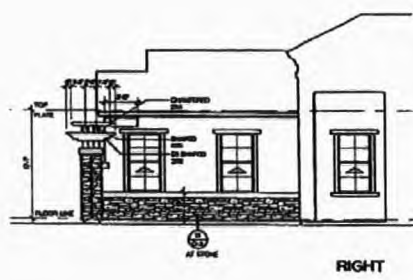


KTGY GROUP, INC.
 ARCHITECTS
 3000 S. LAS VEGAS BLVD., SUITE 100
 LAS VEGAS, NV 89102
 (702) 735-1000
 FAX (702) 735-1001
 WWW.KTGYGROUP.COM

Prepared by: **A. TALLY**
 Project Director: **M. FOULDER**
 Project Manager: **M. SCHARLA**
 Project Designer: **A. TALL**
 Checked By: **A. TALL**

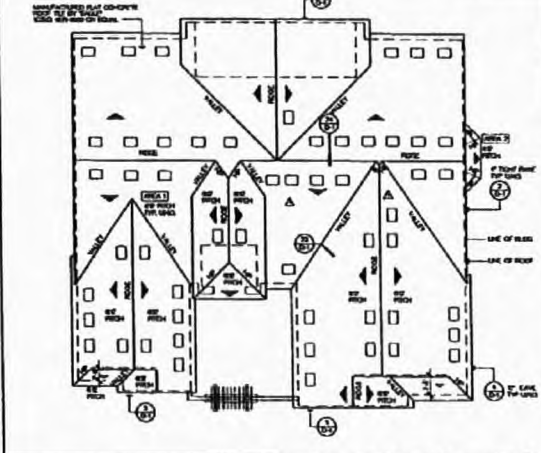
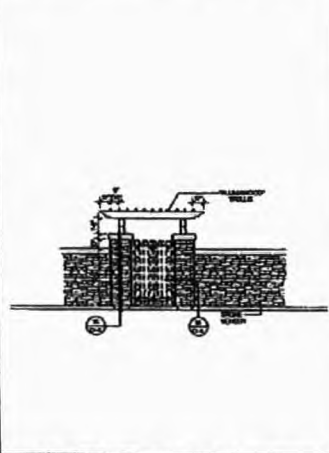
Sheet Title:
PLAN 1
"C" EXTERIOR ELEVATIONS
"C" ROOF PLAN

A1.7



FRONT PORCH PARTIAL ELEVATION SCALE: 1/8" = 1'-0" 3

EXTERIOR ELEVATIONS SCALE: 1/8" = 1'-0" 1



ATTIC VENTILATION	
ALL ATTIC VENTILATION SHALL BE PROVIDED BY THE FOLLOWING: 1. SOLID ROOF VENTILATION SHALL BE PROVIDED BY THE FOLLOWING: 2. SOLID ROOF VENTILATION SHALL BE PROVIDED BY THE FOLLOWING:	
AREA 1	100 SF
AREA 2	100 SF
AREA 3	100 SF
AREA 4	100 SF
AREA 5	100 SF
AREA 6	100 SF
AREA 7	100 SF
AREA 8	100 SF
AREA 9	100 SF
AREA 10	100 SF

TRELLIS FRONT ELEVATION SCALE: 1/8" = 1'-0" 5

FRONT ELEVATION w/o GARDEN WALL SCALE: 1/8" = 1'-0" 4

"C" ROOF PLAN SCALE: 1/8" = 1'-0" 2

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SDR-17247
12/21/06 PC

No.	Date	Revised / Description
1	11/15/10	1. INITIAL DESIGN
2	11/15/10	2. REVISED DESIGN
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100	11/15/10	100. REVISED DESIGN

BENNINGTON PARK

**TOUSA HOMES Inc. dba
ENGLE HOMES
7872 WEST SARAH
LAS VEGAS, NV 89117
2004-0777**

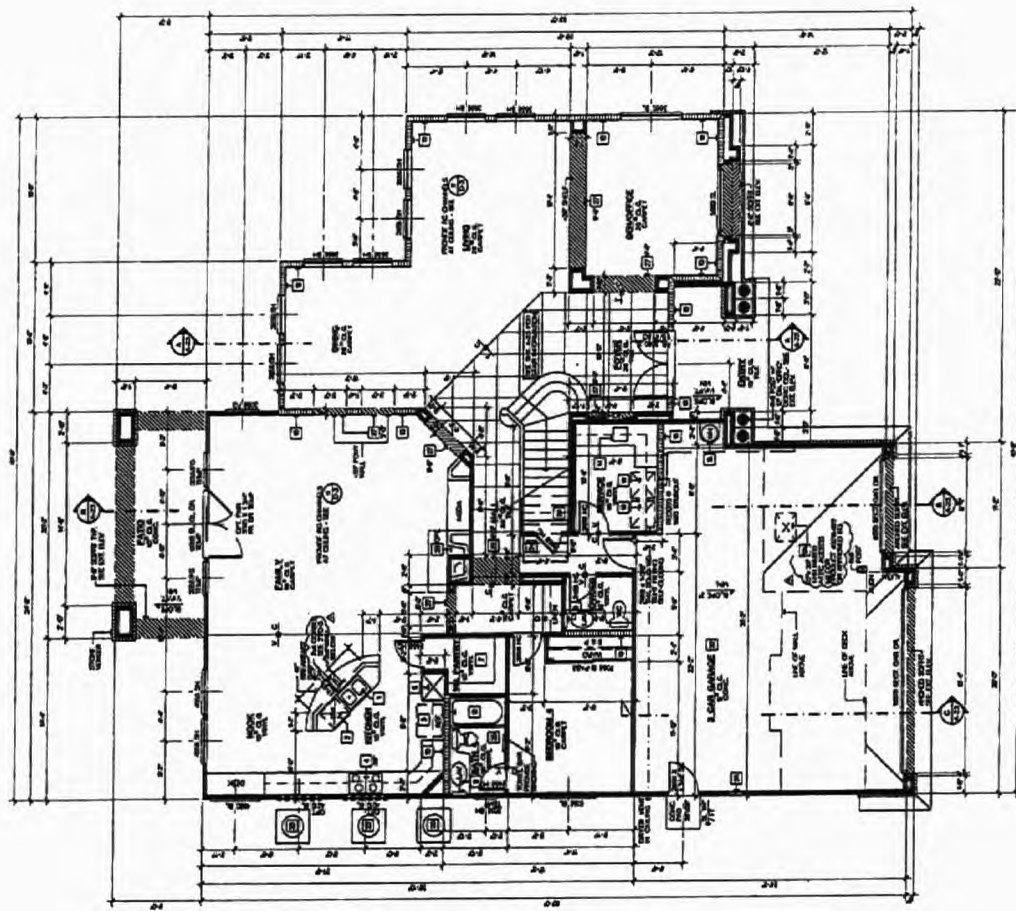


KTOY GROUP, INC.
10000 W. LAS VEGAS BLVD.
SUITE 100
LAS VEGAS, NV 89135
(702) 735-1000
www.ktoygroup.com

Project in Charge:
Project Manager:
Project Designer:
Checker:

Project Name:
Project Location:
Project Date:

A2.1



SQUARE FOOTAGE

Room	Area
Garage	1,000 SF
Living Room	1,200 SF
Dining Room	800 SF
Kitchen	600 SF
Bathroom	400 SF
Hall	200 SF
Staircase	100 SF
Entry	100 SF
Front Porch	100 SF
Back Porch	100 SF
Pool	1,000 SF
Deck	500 SF
Other	100 SF
Total	7,000 SF



FLOOR PLANS

SDR-17247
12/21/06 PC

This is a detailed architectural floor plan for a two-unit residential building. The plan is oriented with a north arrow pointing towards the top right. The overall dimensions are 30'-0" wide by 48'-0" deep. The plan shows two main living areas, each with a kitchen, living room, and dining area. There are two bedrooms, two bathrooms, and a central hall. The plan includes numerous dimensions, room labels, and structural details like doors, windows, and stairs. A large open area on the right is labeled "OPEN TO LIVING BELOW". The plan is oriented with a north arrow pointing towards the top right.

Room Labels and Dimensions:

- Living Room:** 12'-0" x 12'-0"
- Dining Room:** 10'-0" x 10'-0"
- Kitchen:** 10'-0" x 10'-0"
- Bedroom 1:** 10'-0" x 10'-0"
- Bedroom 2:** 10'-0" x 10'-0"
- Bathroom:** 5'-0" x 5'-0"
- Hall:** 4'-0" x 4'-0"
- Staircase:** 4'-0" x 4'-0"
- Open to Living Below:** 12'-0" x 12'-0"

Structural Details:

- Doors:** Indicated by arcs and labels like "DOOR" or "DOOR TO HALL".
- Windows:** Indicated by double lines and labels like "WINDOW" or "WINDOW TO HALL".
- Stairs:** Indicated by a curved line and labels like "UP" or "DOWN".
- Structural Walls:** Indicated by thick lines.
- Partitions:** Indicated by thin lines.

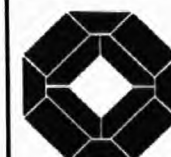
Other Labels:

- WATER BATH**
- MASTER BEDROOM**
- REAR CLOSET**
- OPEN TO LIVING BELOW**
- STAIRS**
- DOOR TO HALL**
- WINDOW TO HALL**
- DOOR TO KITCHEN**
- DOOR TO BATH**
- DOOR TO BEDROOM**
- DOOR TO CLOSET**
- DOOR TO PORCH**
- DOOR TO GARAGE**
- DOOR TO DRIVEWAY**
- DOOR TO PORCH**
- DOOR TO GARAGE**
- DOOR TO DRIVEWAY**

No.	Date	Issue / Description
1		3/20/06: BLDG DEPT. SUBMITTAL
2		3/20/06: BLDG DEPT. REVISIONS
3		3/20/06: BLDG DEPT. REVISIONS
4		3/20/06: BLDG DEPT. REVISIONS
5		3/20/06: BLDG DEPT. REVISIONS
6		3/20/06: BLDG DEPT. REVISIONS
7		3/20/06: BLDG DEPT. REVISIONS
8		3/20/06: BLDG DEPT. REVISIONS
9		3/20/06: BLDG DEPT. REVISIONS
10		3/20/06: BLDG DEPT. REVISIONS

Project: **BENNINGTON PARK**

TOUSA HOMES Inc., d.b.a. ENGLE HOMES
 7872 WEST SAHARA
 LAS VEGAS, NV 89117
 2004-0777

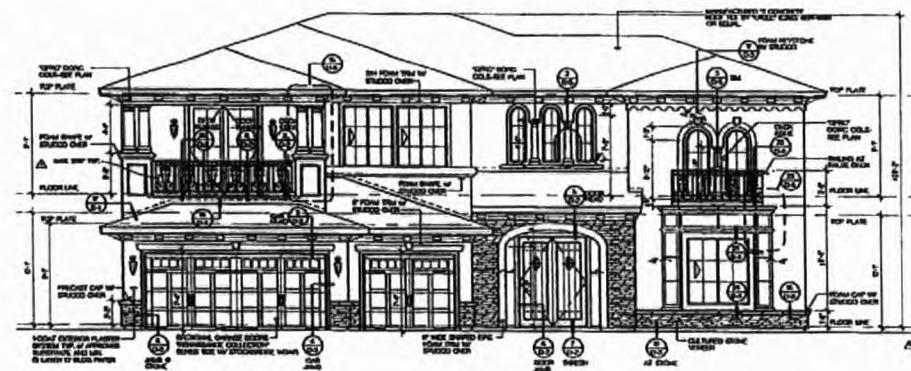


KTGYGROUP, INC.
 10000 S. RAYMOND AVE.
 SUITE 100
 LAS VEGAS, NV 89138
 702.735.1100

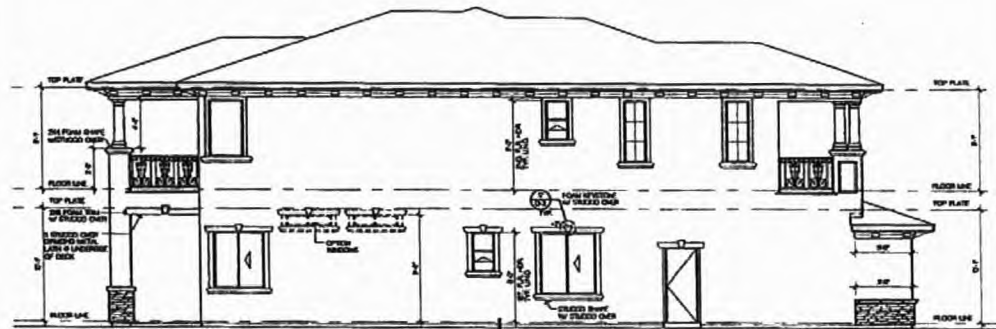
Principal in Charge: **A. TULLY**
 Project Designer: **M. FOWLER**
 Project Manager: **M. BOWEN**
 Project Designer: **A. TULLY**

Sheet Title: **PLAN 2**
"B" EXTERIOR ELEVATIONS
"B" ROOF PLAN

Sheet No.: **A2.6**



FRONT



LEFT

ATTIC VENTILATION

ALL VENTILATION SHALL BE PROVIDED BY MEANS OF MECHANICAL OR NATURAL MEANS. MECHANICAL VENTILATION SHALL BE PROVIDED BY MEANS OF MECHANICAL EXHAUST FANS OR MECHANICAL INTAKE SYSTEMS. NATURAL VENTILATION SHALL BE PROVIDED BY MEANS OF MECHANICAL EXHAUST FANS OR MECHANICAL INTAKE SYSTEMS.

ITEM	DESCRIPTION	QTY	UNIT
1	MECHANICAL EXHAUST FAN	1	EA
2	MECHANICAL INTAKE SYSTEM	1	EA
3	MECHANICAL EXHAUST FAN	1	EA
4	MECHANICAL INTAKE SYSTEM	1	EA
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8	MECHANICAL INTAKE SYSTEM	1	EA
9	MECHANICAL EXHAUST FAN	1	EA
10	MECHANICAL INTAKE SYSTEM	1	EA

"B" ROOF PLAN SCALE: 1/8" = 1'-0" 2

EXTERIOR ELEVATIONS SCALE: 1/8" = 1'-0" 1

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[illegible]

FIRST FLOOR PLAN AND OPTIONS

SCALE. VP. NP	1
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[illegible]

Project • BENNINGTON PARK

**TOUSA HOMES Inc. d.b.a.
ENGLE HOMES
7872 WEST SAHARA
LAS VEGAS, NV 89117
2004-0777**



KITZGROUP, INC.
Substation Planning
10000 MITCHELL AVENUE
MIRAMONTE, CA 91761
805/251-2020
CITY OF LOS ANGELES
San Jose, California

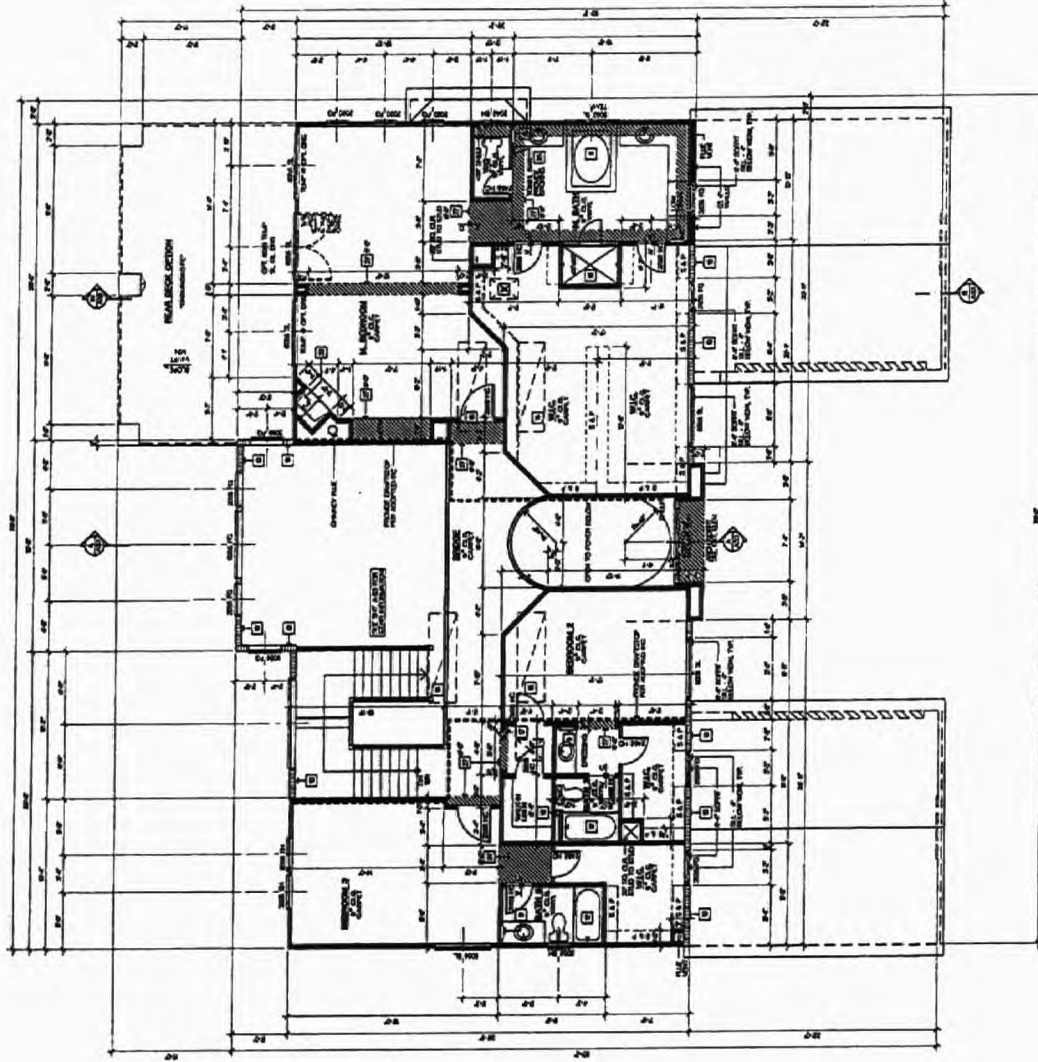
Principal in Charge •
Project Director •
Project Manager •
Project Designer •
Checked By •

A. TULLY
M. FOWLER
M. SCHUBERT
A. YSAM

Grand Total :
PLAN 3
"A" SECOND FLOOR PLAN
AND OPTION

A3.1A

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SECOND FLOOR PLAN AND OPTION

1	7246 100.00
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**TOUSA HOMES Inc. d.b.a.
ENGLE HOMES
7872 WEST SARARA
LAS VEGAS, NV 89117
2004-0777**



1975 BRUNNEN, ROYAL
BRYANT, CA 94511

ONE EIGHT
ONE EIGHT FIVE

From, California

Principal in Charge • J. FULLY
Project Director • M. FOWLER
Project Manager • N. SOANNA
Project Designer • J. TAN
Checked By •

Sheet Title •
PLAN 3
"A" EXTERIOR ELEVATIONS
"A" ROOF PLAN

Sheet No. •

A3.4

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

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12/21/06 PC

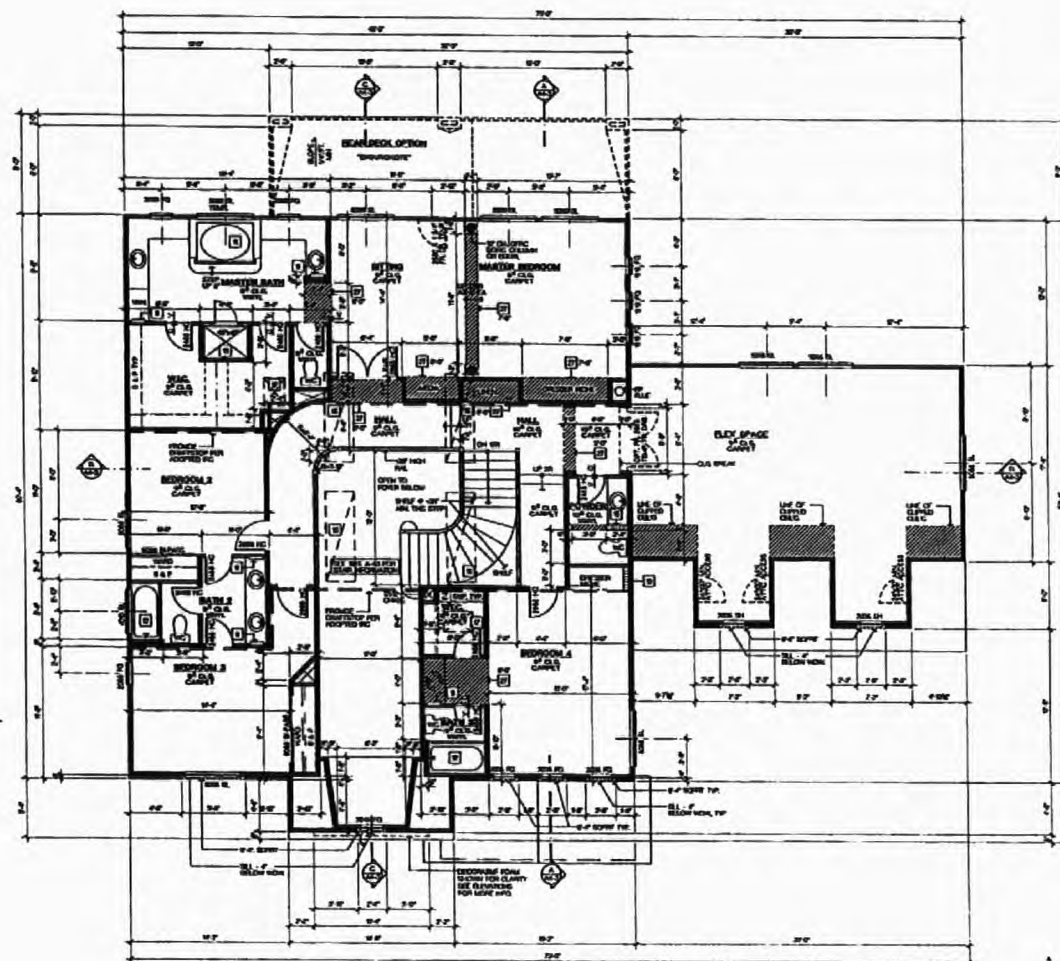


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12/21/06 PC
SDR-17247

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1 BATHROOM 5
OPTION



SECOND FLOOR PLAN AND OPTIONS

SCALE: 1/8" = 1'-0"

REVISIONS		No.	Date	Issue / Description
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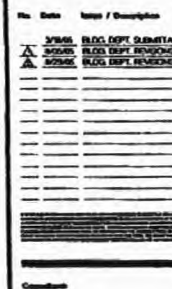
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100. SEE SHEET 10-100 FOR NOTES.

SQUARE FOOTAGE

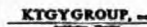
FLOOR AREA	2750 S.F.
POOR FLOOR	2750 S.F.
SECOND FLOOR	2750 S.F.
TOTAL	4500 S.F.
GARAGE	744 S.F.
REAR PATIO	264 S.F.
REAR DECK	264 S.F.
ENTRY - ELEV. 1st	24 S.F.
ENTRY - ELEV. 2nd	24 S.F.
ENTRY - ELEV. 3rd	24 S.F.
ENTRY - ELEV. 4th	24 S.F.
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ENTRY - ELEV. 99th	24 S.F.
ENTRY - ELEV. 100th	24 S.F.

Project: **BENNINGTON PARK**

TOUSA HOMES Inc. d.b.a.
ENGLE HOMES
7872 WEST SAHARA
LAS VEGAS, NV 89117
2004-0



**TOUSA HOMES Inc. d.b.a.
ENGLE HOMES**
7872 WEST SAHARA
LAS VEGAS, NV 89117
2004-0777



1986 MITCHELL, GARY
BRYAN, CA 94001

1986 WILSON
2411 MAIN FLD
BRYAN, California

Common Name

Principal in Charge - J. TULLY
Project Director - M. POWLETT
Project Manager - R. SCHUBA
Project Designer - J. TULLY
Checked By -

Sheet Title -
PLAN 4
"A" EXTERIOR ELEVATIONS
"A" ROOF PLAN

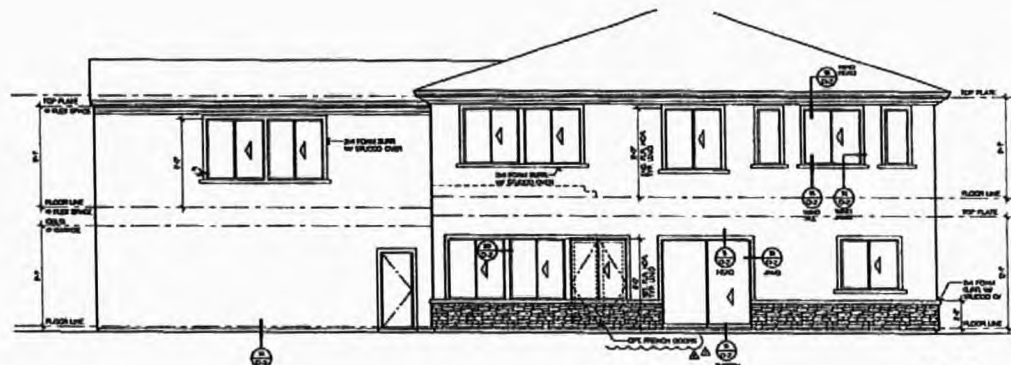
Share No. _____

A4.4



SDR-17247
12/21/06 PC

OCT 02 2006



REAR

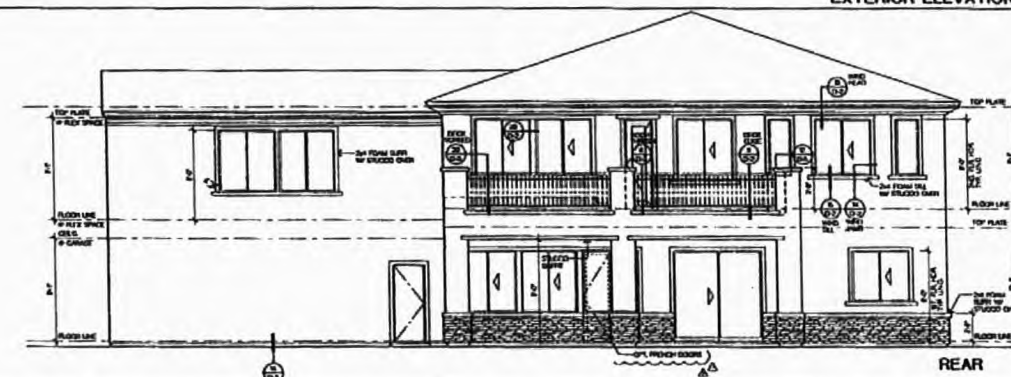


RIGHT

EXTERIOR ELEVATIONS

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

1



REAR

DECK OPTION ELEVATION

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

2

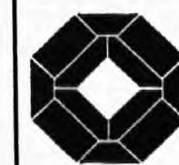
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2	2000	REAR DEPT. REMODEL
3	2000	REAR DEPT. REMODEL
4	2000	REAR DEPT. REMODEL
5	2000	REAR DEPT. REMODEL
6	2000	REAR DEPT. REMODEL
7	2000	REAR DEPT. REMODEL
8	2000	REAR DEPT. REMODEL
9	2000	REAR DEPT. REMODEL
10	2000	REAR DEPT. REMODEL

Comments:

Product: **BENNINGTON PARK**



TOUSA HOMES Inc. d.b.a.
ENGLE HOMES
7872 WEST SAHARA
LAS VEGAS, NV 89117
2004-0777



KTOYGROUP, Inc.
1000 KENNEDY BLVD.
SUITE 100
ALPHARETTA, GA 30004
404.444.4444
www.ktoygroup.com

Licensed Designer

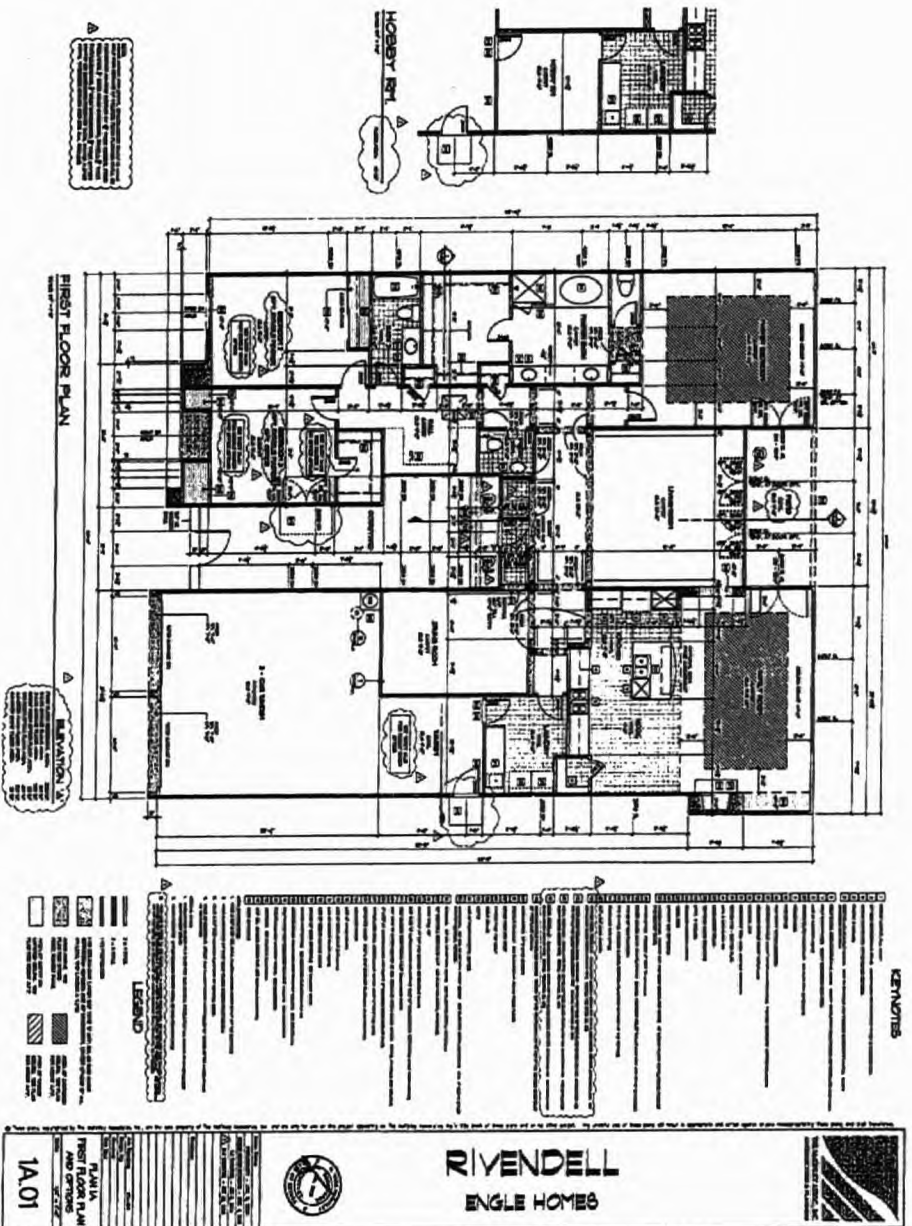
Principal in Charge: **J. TALLY**
Principal Designer: **M. FOWLER**
Principal Designer: **R. SCHWAB**
Principal Designer: **J. TALL**

Sheet Title:
PLAN 4
"A" EXTERIOR ELEVATIONS

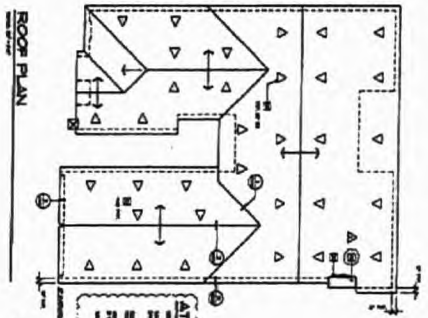
Sheet No.:

A4.4A

SDR-17247
12/21/06 PC



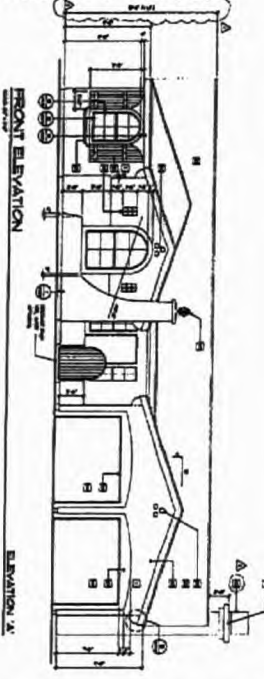
OCT 02 2006
SDR-17247
12/21/06 PC



ATTIC VENT SCHEDULE

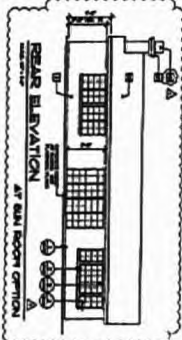
For 1/2" x 4" Joists

Roof Pitch	Attic Vent Area (sq. ft.)
12/12	1.00
10/12	1.25
8/12	1.50
6/12	1.75
4/12	2.00
3/12	2.25
2/12	2.50
1 1/2/12	2.75
1/12	3.00



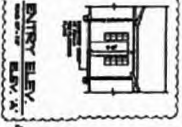
FRONT ELEVATION

ELEVATION X



REAR ELEVATION

AT REAR PORCH OPTION



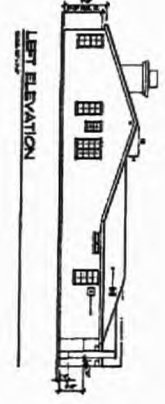
ENTRY ELEV.

ELEV. X

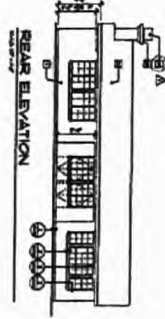


ENTRY ELEV. OPTION

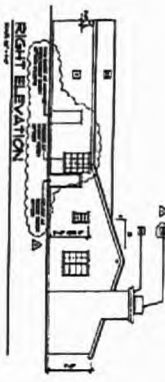
ELEV. X



LEFT ELEVATION



REAR ELEVATION



RIGHT ELEVATION

- ELEVATION NOTES**
1. All elevations are shown in elevation X.
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DIXIE HOME
ENGINEERING

PLAN 1A
EXC. ELEVATIONS
AND ROOF PLAN
1A04

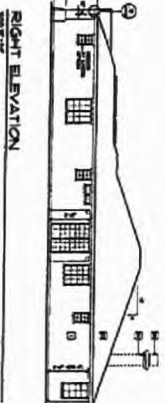
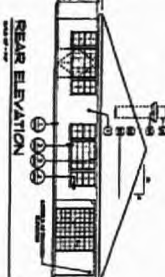
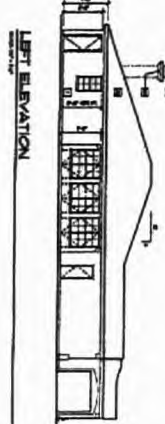
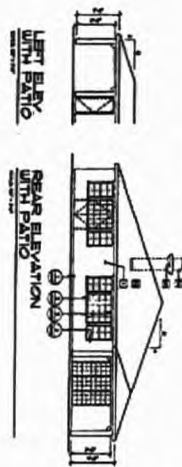
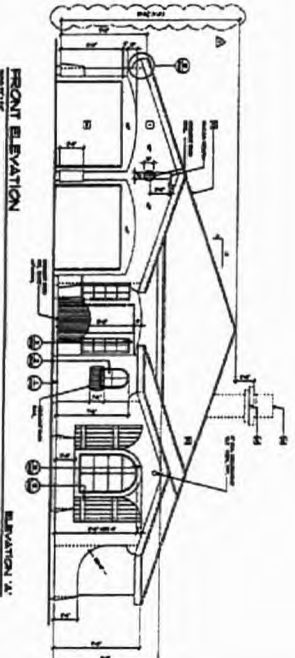
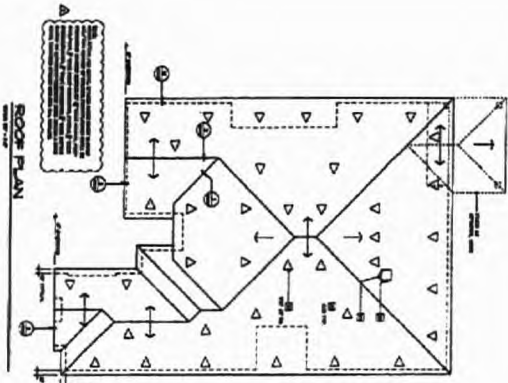
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12/21/06 PC
SDR-17247



PLAN 2A
FIRST FLOOR PLAN
2A.01

12/21/06 PC
SDR-17247



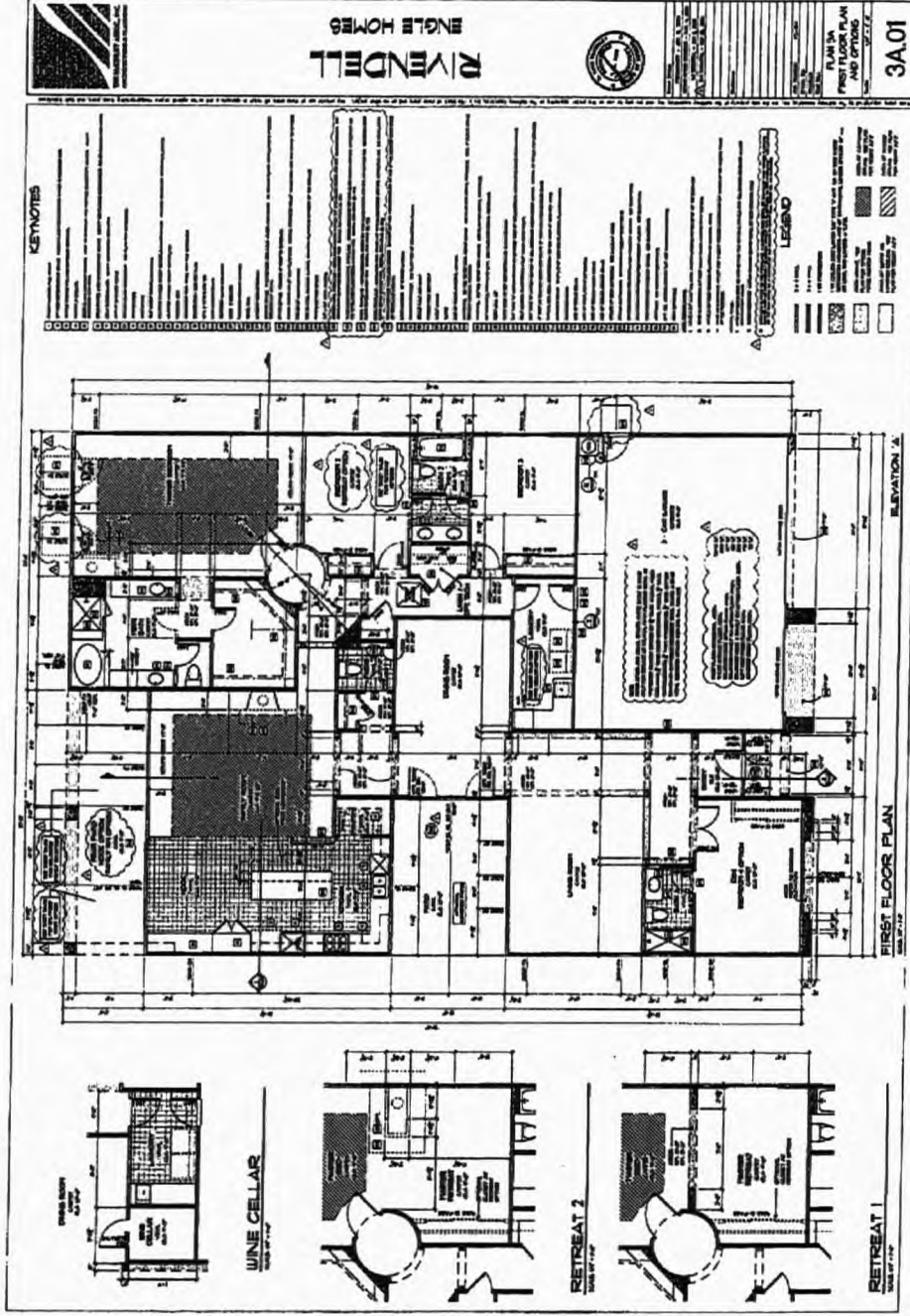
ATTIC VENT SCHEDULE

When the temperature inside the house is 70°F or higher, the attic vent should be open. When the temperature inside the house is 70°F or lower, the attic vent should be closed.

1. **What is the difference between a "strong" and a "weak" acid?**
A strong acid is one that completely dissociates in water, while a weak acid only partially dissociates.
2. **What is the difference between a "strong" and a "weak" base?**
A strong base is one that completely dissociates in water, while a weak base only partially dissociates.
3. **What is the difference between a "strong" and a "weak" electrolyte?**
A strong electrolyte is one that completely dissociates into ions in solution, while a weak electrolyte only partially dissociates.
4. **What is the difference between a "strong" and a "weak" acid-base indicator?**
A strong acid-base indicator is one that changes color at a sharp pH value, while a weak acid-base indicator changes color over a range of pH values.
5. **What is the difference between a "strong" and a "weak" acid-base titration?**
A strong acid-base titration is one in which the acid and base are both strong, while a weak acid-base titration is one in which at least one of the reactants is weak.
6. **What is the difference between a "strong" and a "weak" acid-base buffer?**
A strong acid-base buffer is one that can resist changes in pH over a wide range of concentrations, while a weak acid-base buffer can only resist changes in pH over a narrow range of concentrations.
7. **What is the difference between a "strong" and a "weak" acid-base catalyst?**
A strong acid-base catalyst is one that speeds up the reaction of an acid and a base, while a weak acid-base catalyst does not.
8. **What is the difference between a "strong" and a "weak" acid-base reagent?**
A strong acid-base reagent is one that is used to determine the concentration of an acid or base, while a weak acid-base reagent is not.
9. **What is the difference between a "strong" and a "weak" acid-base indicator?**
A strong acid-base indicator is one that changes color at a sharp pH value, while a weak acid-base indicator changes color over a range of pH values.
10. **What is the difference between a "strong" and a "weak" acid-base titration?**
A strong acid-base titration is one in which the acid and base are both strong, while a weak acid-base titration is one in which at least one of the reactants is weak.

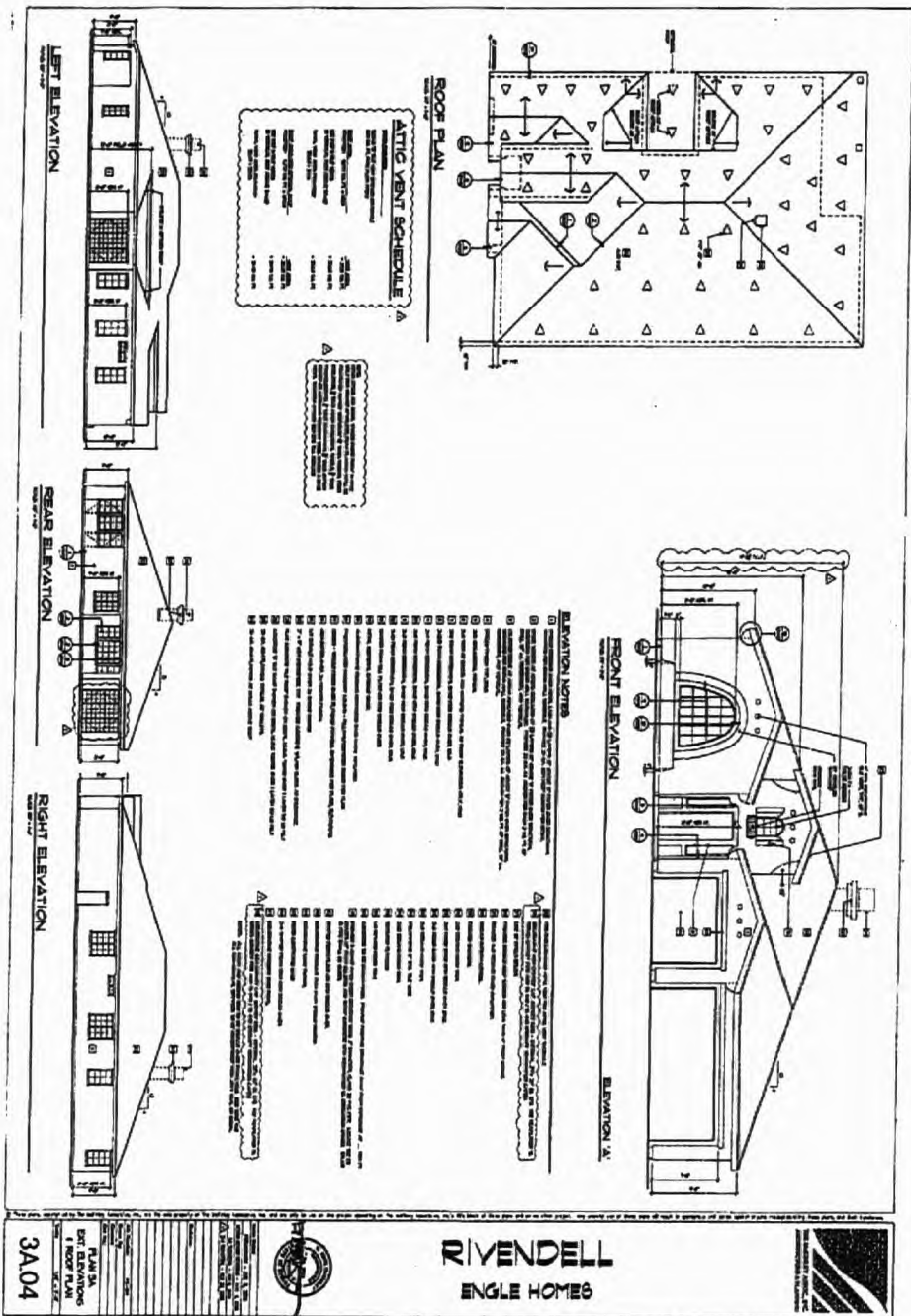
[illegible]

 RIVENDELL ENGLE HOMES		
	PLAN 2A 100' x 100' x 100' x 100'	
2A.05		



OCT 02 2006

SDR-17247
12/21/06 PC



OCT 02 2006

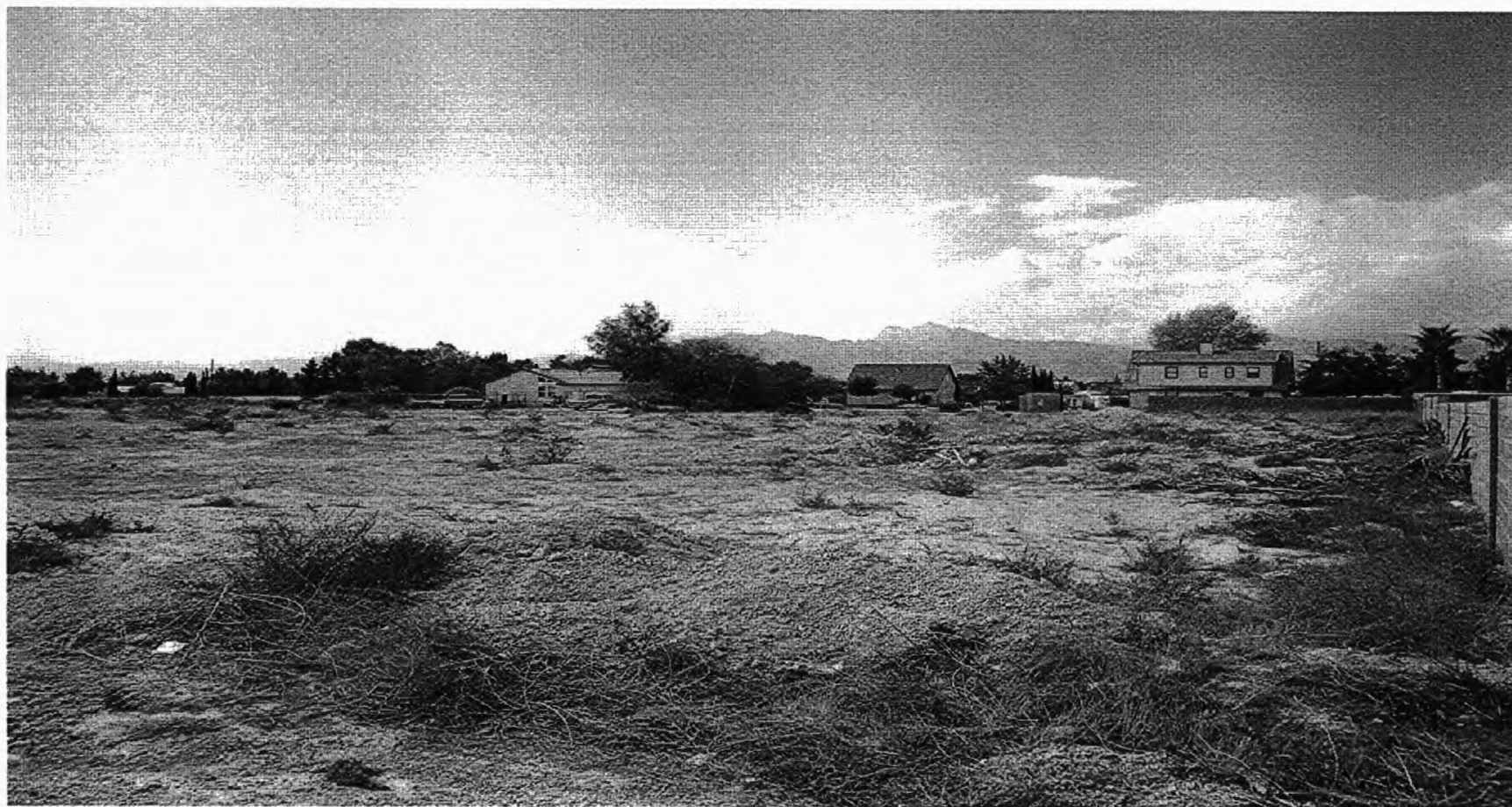
SDR-17247
12/21/06 PC

SDR 17247				
Wright Engineers				
NWC Deer Springs & Bradley				
Proposed 5 lot single family development.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SINGLE FAMILY DETACHED [DWELL]	5	9.57	48
AM Peak Hour			0.75	4
PM Peak Hour <i>(heaviest 60 minutes)</i>			1.01	5
Existing traffic on all nearby streets:				
Deer Springs Way				
Average Daily Traffic (ADT)	516			
PM Peak Hour <i>(heaviest 60 minutes)</i>	41			
Bradley Road				
Average Daily Traffic (ADT)	1,329			
PM Peak Hour <i>(heaviest 60 minutes)</i>	106			
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			
	Capacity			
Deer Springs Way	49115			
Bradley Road	16200			
This project will add approximately 46 trips per day on Deer Springs and Bradley. This will increase expected volumes by about nine percent percent on Deer Springs and about four percent on Bradley. Deer Springs is at about 1 percent of capacity and Bradley is at about 8 percent of capacity.				
Based on Peak Hour use, this development will add roughly 9 additional cars into the area; which works out to about one every twelve minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



ZON-17242, VAR-17244 & SDR-17247 - APPLICANT/OWNER: TOUSA HOMES, INC.
NORTHWEST CORNER OF BRADLEY ROAD AND DEER SPRINGS WAY
NOVEMBER 16, 2006 PLANNING COMMISSION

10/10/06



ZON-17242, VAR-17244 & SDR-17247 - APPLICANT/OWNER: TOUSA HOMES, INC.
NORTHWEST CORNER OF BRADLEY ROAD AND DEER SPRINGS WAY
NOVEMBER 16, 2006 PLANNING COMMISSION

10/10/06



September 28, 2006

City of Las Vegas
Planning and Development Department
731 South 4th Street
Las Vegas, Nevada
89101

Dear Ladies/Gentlemen:

Please accept this letter from Wright Engineers on behalf of our client, Touse Homes, Inc., as the justification for related requests for a Rezoning, a Variance and a Site Development Plan Review for development of property located at the northwest corner of Deer Springs Way and Bradley Road, also known as Falcon Crest Unit 1 (APN 125-24-203-022).

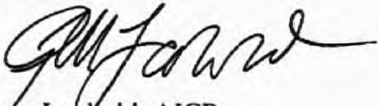
Our client intends to develop five single-family homes on the site. The site is currently designated L (Low Density Residential) in the City's Master Plan, which allows for densities up to 5.5 u.p.a. The site is currently zoned R-E (Residence Estates).

The applicant is requesting a conforming Rezoning from the R-E district to the R-PD2 (Residential Planned Development - 2 Units per Acre) on the subject site. Although the density of the proposed project, at 2.86 u.p.a., is far below the Low Density threshold of 5.5 u.p.a., the intent is to match the scale and density of the surrounding properties in the area. All of the proposed lots exceed 16,000 s.f. in area, which is in scale with nearby development. A Site Development Plan Review for the project is also being submitted. This site plan conforms to Title 19 regulations, with the exception of the minimum site size requirement of 5 acres for R-PD developments (a request for a Variance to this requirement is also being filed), and a waiver of the perimeter landscaping strip along Deer Springs Way (the one on Bradley Road is being provided). The reason for this waiver is to have the project match the lots to the west of the cul-de-sac entrance, where no landscape buffer exists. This waiver is requested as part of this Site Development Plan Review.

The proposed rural density residential development will be compatible with surrounding residential uses, and will be a logical and attractive use of an infill parcel that will be designed to compliment the area.

Thank you for your consideration.

Sincerely,



Gary Leebold, AICP
Director of Planning

SDR-17247
12/21/06 PC

Protest

Date: 02-15-07

Hello Mayor Goodman, Councilman Ross, and Planning Commissioners, I am the residence and owner of 5510 Deer Springs Way of Las Vegas Nevada 89131 for the last 16 years and I built this house and helped develop the private entrance road and private cul-de-sac to the addresses of 5510, 5500, and 5520 Deer Springs way at the corner of Deer Springs Way and Jeanette. Me and my family are in PROTEST against this rezoning of (ZON-17242; VAR-17244; SDR-17247) and would like to keep the quality of life that we planed and paid for and in no way agree or allow the rezoning of our cul-de-sac or give up the writes or easements to the developers or city to our private drive way and private cul-de-sac our for the new homes proposed to have access to our private drive way our private cul-de-sac.

We also would like to keep or agree to the following:

1. Retain our private drive way and private cul-de-sac as is
2. Retain our well and water as is
3. Retain our power as is as we are on The Sloan Grid
4. Retain our R-E zoning
5. Retain our horse zoning
6. No Street lights
7. No Side walks or curbs
8. meet all elevation concerns and flood issues which may arise from the new elevations
9. Have other community new homes entrance from Bradley
10. Lot sizes to measure 1/2 acre (not to the middle of the street)
11. Retaining and keeping of No association fees
12. Absolutely No CC&RS proposed by new developers

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CITY CLERK
2007 FEB 21 A 10:39

We the residence of Deer Springs way, unanimously agree to the above noted and hereby accept this by signing the attached page.

Thank You for you time and consideration of the situation and issues that are concerning to me my family and neighbors.

From: Rock D Halverson 43 years old and 43 years living and native to Las Vegas, Nevada.

Submitted after final agenda

Date 2/21/07 Item # 102-104

Protest signing sheet to Rezoning of (ZON-17242; VAR-17244: SDR-17247)

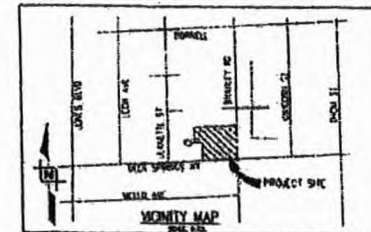
Name	Signature	Address	Phone#	Cell
Rock Halverson	[Signature]	5510 Deersprings Way	658-5619	413-3441
Valerie Schram	[Signature]	5700 Mello Ave	395-8900	419-3193
GEORGE R Cole	[Signature]	5701 Mello Ave	207-2306	
Lori Cole	[Signature]	5701 Mello Ave	207-2306	303-2543
Elmus Green	[Signature]	5700 Mello Ave	645-0375	245-7096
Linda Suarez	[Signature]	5711 Mello Ave	369-1957	
Andre Suarez	[Signature]	5711 Mello Ave	369-1957	
G Shelton Green, M.D.	[Signature]	5700 Mello Ave	645-0375	
Maurice Lynn	[Signature]	5501 Mello Ave	645-1538	
Kay Lynn	[Signature]	5501 Mello Ave	645-1538	
Finus Suarez	[Signature]	5711 Mello Ave	400-0127	
Tara Suarez	[Signature]	5711 Mello Ave	400-0122	
TRICIA GESLER	[Signature]	5810 Mello Ave	658-8624	
Bryan GESLER	[Signature]	5810 Mello Ave	658-8624	
SHARON GESLER	[Signature]	6048 Stordist	970-1308	
MIKE GESLER	[Signature]	6048 Stordist	970-1308	
EARL PELRY	[Signature]	5850 Mello	645-0310	
Gary Keltz	[Signature]	49217 Fairway	526-7066	
MIKE HENDRIX	[Signature]	5741 Mello Ave	658-5251	
Grace Hendrix	[Signature]	" " "	645-7606	
Marcia Geil	[Signature]	5921 Mello Ave	658-9326	
Barbara Sue Geil	[Signature]	" " "	658-9325	
Robert G. Geil	[Signature]	" " "	" " "	
Quana S Mancuso	[Signature]	6820 Jeanette St	301-1444	
Mitzi Springall	[Signature]	6841 Jeanette St	395-1300	
Kelly J Myers	[Signature]	6801 Jeanette St	636-1503	
Todd Myers	[Signature]	6801 JEANETTE ST	636-1503	
Georgette Thompson	[Signature]	6801 JEANETTE ST	644-4760	
Todd C. Andrews	[Signature]	6909 Jeanette St	431-4447	
MARC DIXON	[Signature]	5609 Jeanette Cir	395-0835	
Arnette Brown-Barker	[Signature]	5600 Dorrell Dr LV NV	810-8053	
Ken Lamb	[Signature]	9312 Palwood	89149	
GUST AVANZANO	[Signature]	5501 DOORILL DR	8913	
William A. Jones	[Signature]	6920 BRADLEY RD	8913	
Wanda S. Jones	[Signature]	6920 BRADLEY RD	89131	
Brian W Astle	[Signature]	6880 Bradley Rd.	89131	
Josh Astle	[Signature]	6880 Bradley Rd	89131	
Brent Springall	[Signature]	6841 Jeanette St	89131	
Ana Mrs. Salas	[Signature]	6800 Bradley Rd	89131	
Ana Briza Salas	[Signature]	6800 Bradley Rd	89131	

Protest signing sheet to Rezoning of (ZON-17242; VAR-17244; SDR-17247)

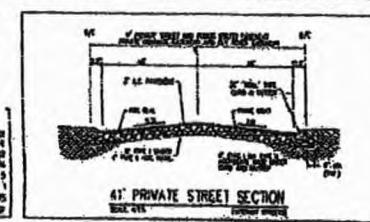
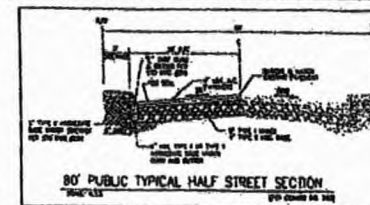
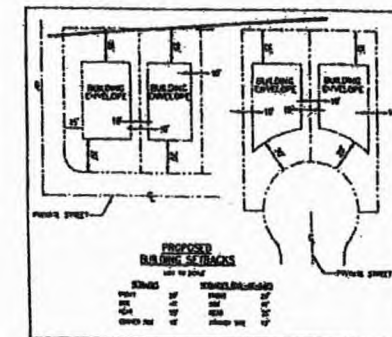
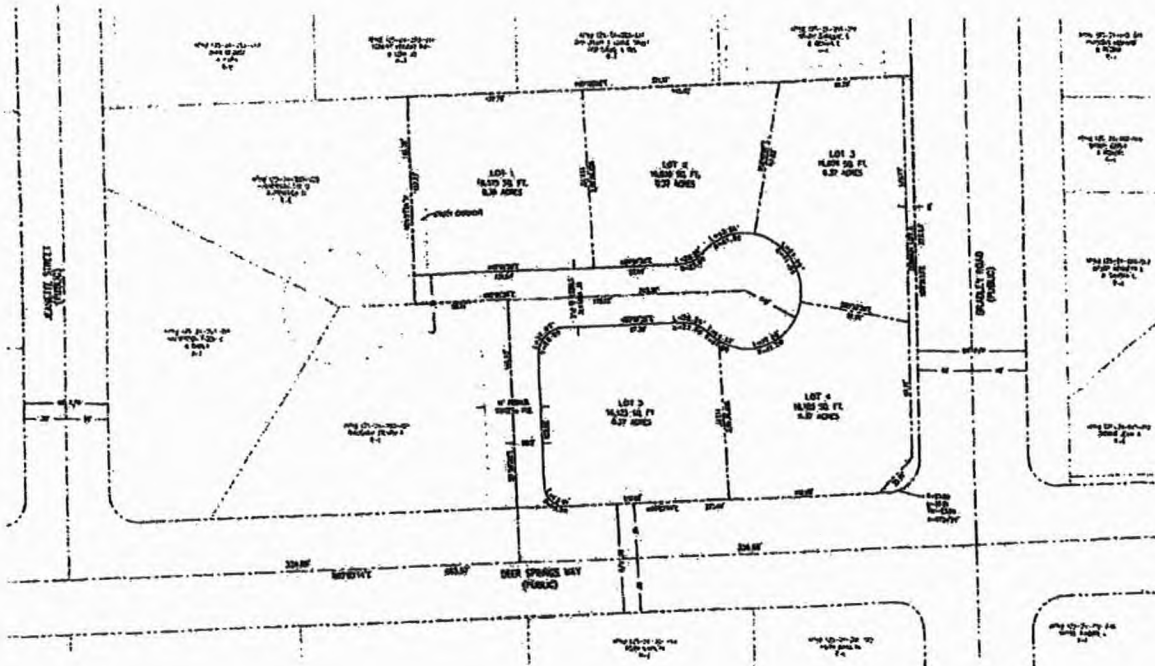
	Name	Signature	Address	Phone#
age 43	Rock D Halverson	<i>Rock D Halverson</i>	5510 Deersprings way,	658-5619
age 42	Darla Halverson	<i>Darla Halverson</i>	5510 Deer Springs way	658-5619
age 22	BLADE HALVERSON	<i>Blade Halverson</i>	5510 DEER SPRING LN	769-110
age 17	Konrad Halverson	<i>Konrad Halverson</i>	5510 Deer Springs way	658-5619
	Stefan Bask	<i>Stefan Bask</i>	5520 Deersprings	645-6209
	Steven R. Baskin	<i>Steven R. Baskin</i>		
	Rebecca L Baskin	<i>Rebecca L Baskin</i>	5520 Deerspring	645-6209
	Jen Cox	<i>Jen Cox</i>	1116 BOSTON BAY AVE N.L.V.	982-0055
	AL COURGER	<i>Al Courger</i>	5920 APRIL LN LV NV	893-1963

SITE PLAN FOR FALCON CREST UNIT 1 BY ENGLE HOMES

R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT-2 UNITS PER ACRE)
APN# 125-24-203-022



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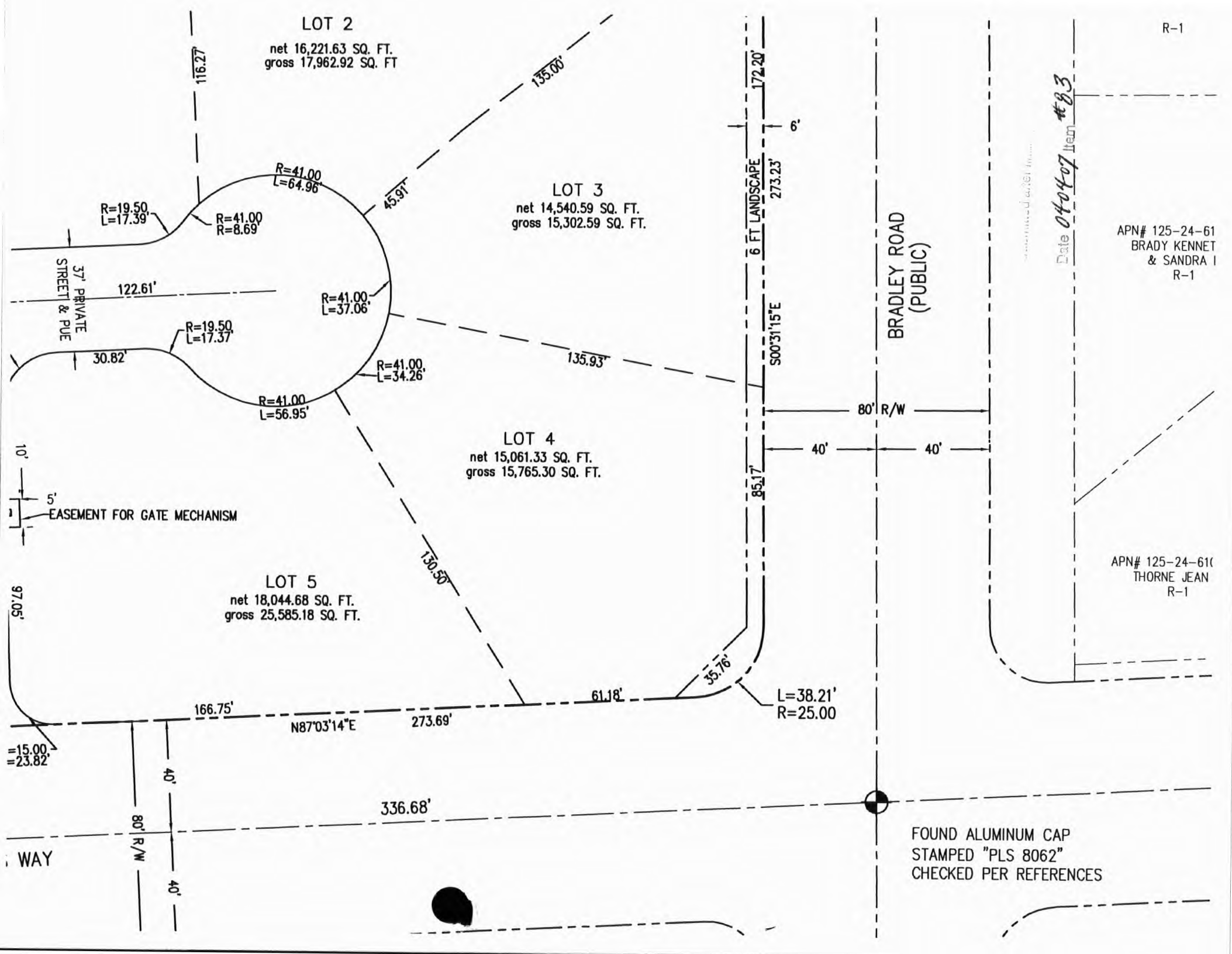


ZON-17242
12/21/06 PC

OWNER INFORMATION
DEVELOPER
ENGINEER

DATE: 12/21/06
PROJECT: FALCON CREST UNIT 1
SHEET: 1 OF 1

WRIGHT PLANNING DIVISION	
DATE: 12/21/06	PROJECT: FALCON CREST UNIT 1
SHEET: 1 OF 1	SITE PLAN - DEER SPRINGS WAY



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 4, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
REZONING

ZON-19070 – ABEYANCE ITEM - 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 84, 85-89, 90-92, and 98 to 4/18/2007

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

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

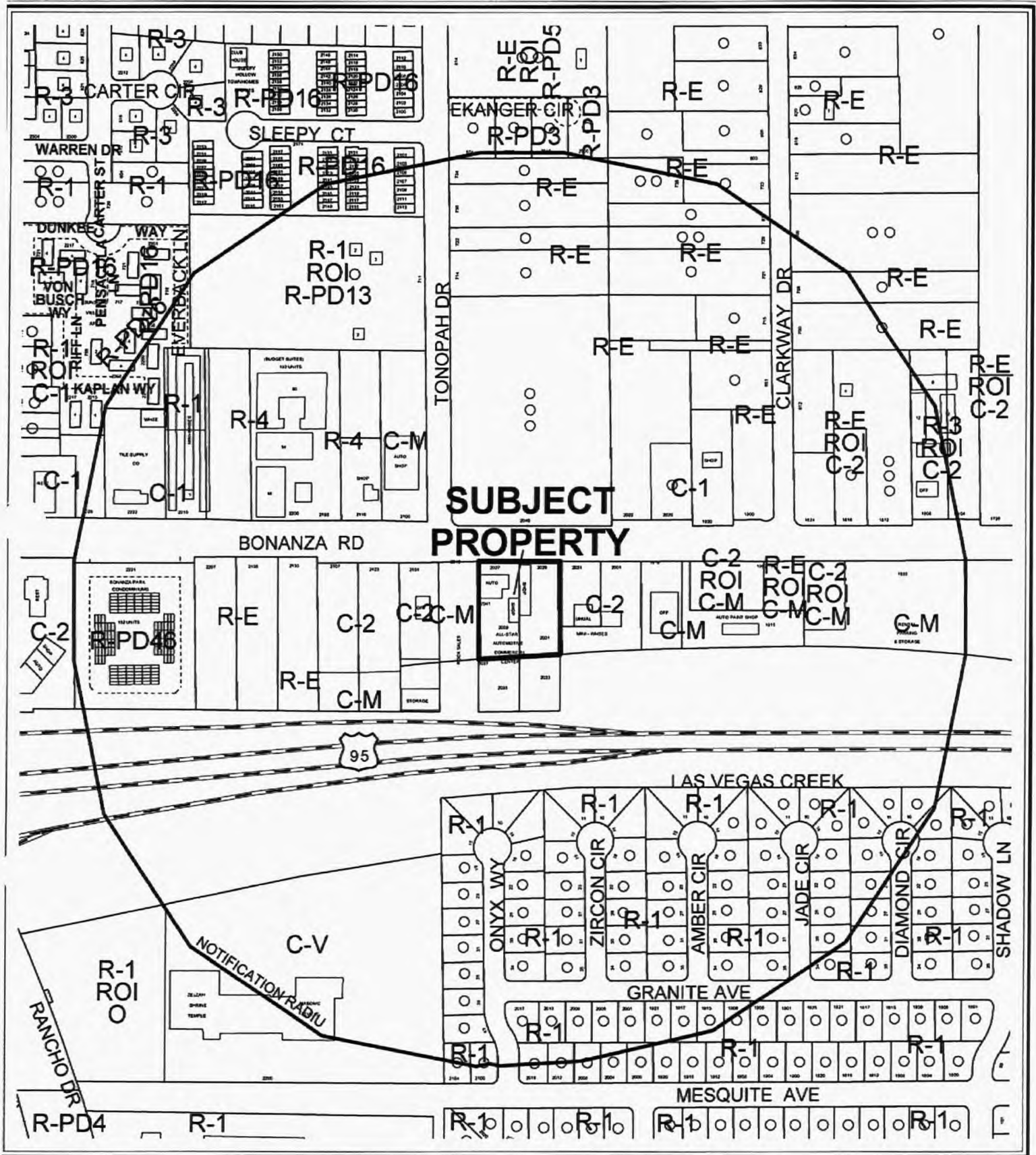
Minutes:

COUNCILWOMAN WILLIAMS understood the abeyance request, but she has serious concerns about the rezoning request. In the staff report she did not see any specific reasons for the rezoning or the applicant's intentions. She stressed she will be vigilant about what goes on in Ward 5. MAYOR GOODMAN pointed out that before the Council meeting applicants are encouraged to contact the Councilperson representing that specific Ward to explain the request. He asked that staff contact All Star Automotive to meet with COUNCILWOMAN WILLIAMS.

CITY COUNCIL MEETING OF: APRIL 4, 2007

MARGO WHEELER, Director of Planning and Development Department, replied she already has done so.





CASE: ZON-19070

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)



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: **APRIL 4, 2007**
DEPARTMENT: **PLANNING AND DEVELOPMENT**
ITEM DESCRIPTION: **ZON-19070 - APPLICANT/OWNER:** **ALL STAR**
AUTOMOTIVE, INC.

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

**** 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			
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

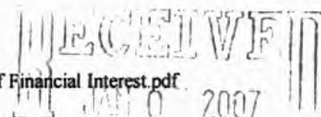
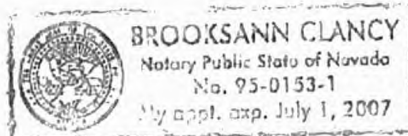
APN N/A

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





ZON-19070

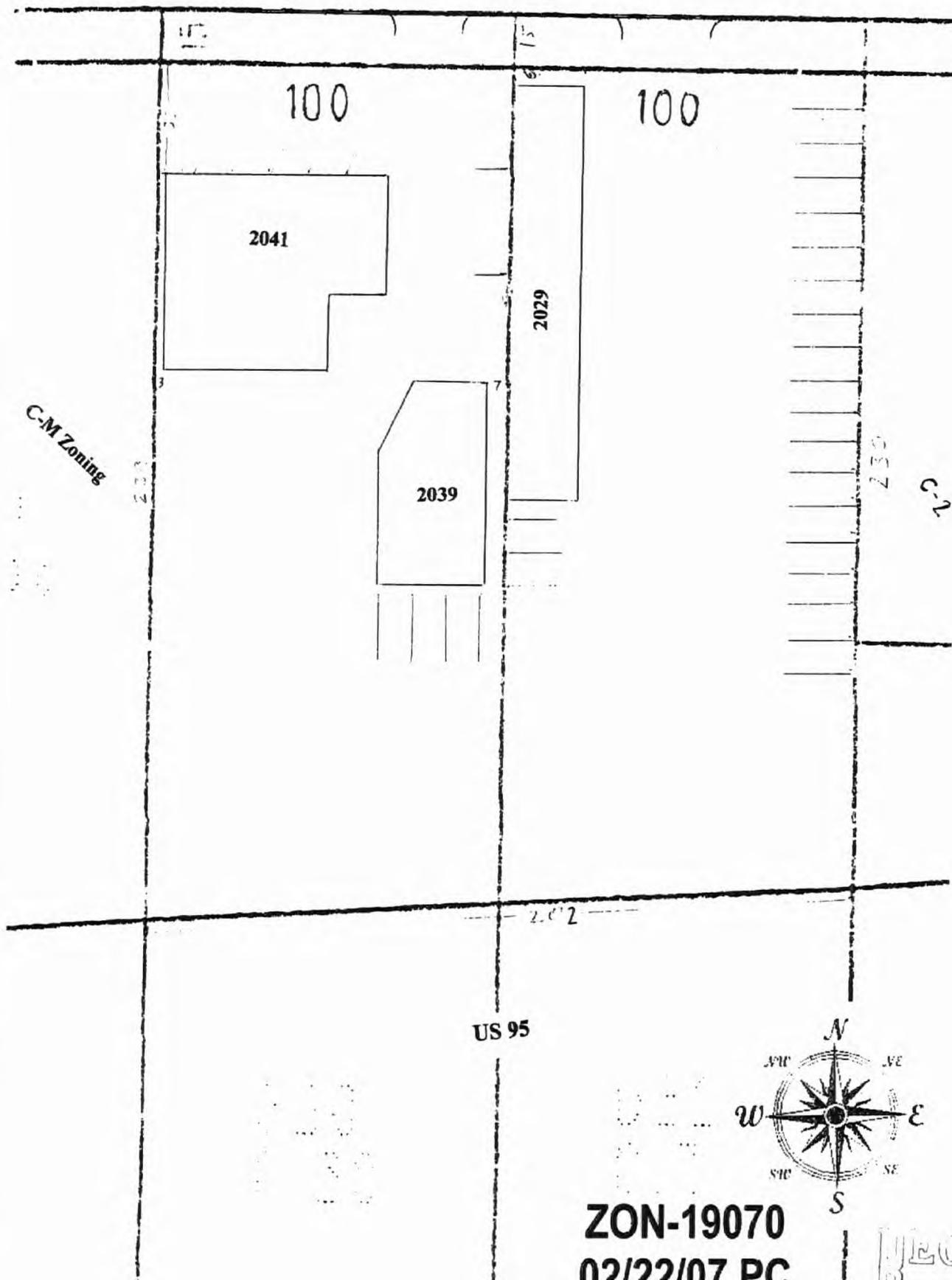
02/22/07 PC



ZON-19070
02/22/07 PC

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JAN 07 2007

BONANZA ROAD



US 95



ZON-19070
02/22/07 PC

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 JUN 10 2007

BUILDING SIZE:

2029 - 2800 sq ft

2039 - 1600 sq ft

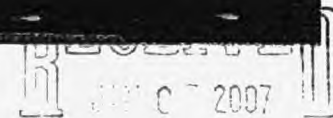
2041 - 3300 sq ft

PARKING: 37

1" = 20'



ZON-19070
02/22/07 PC





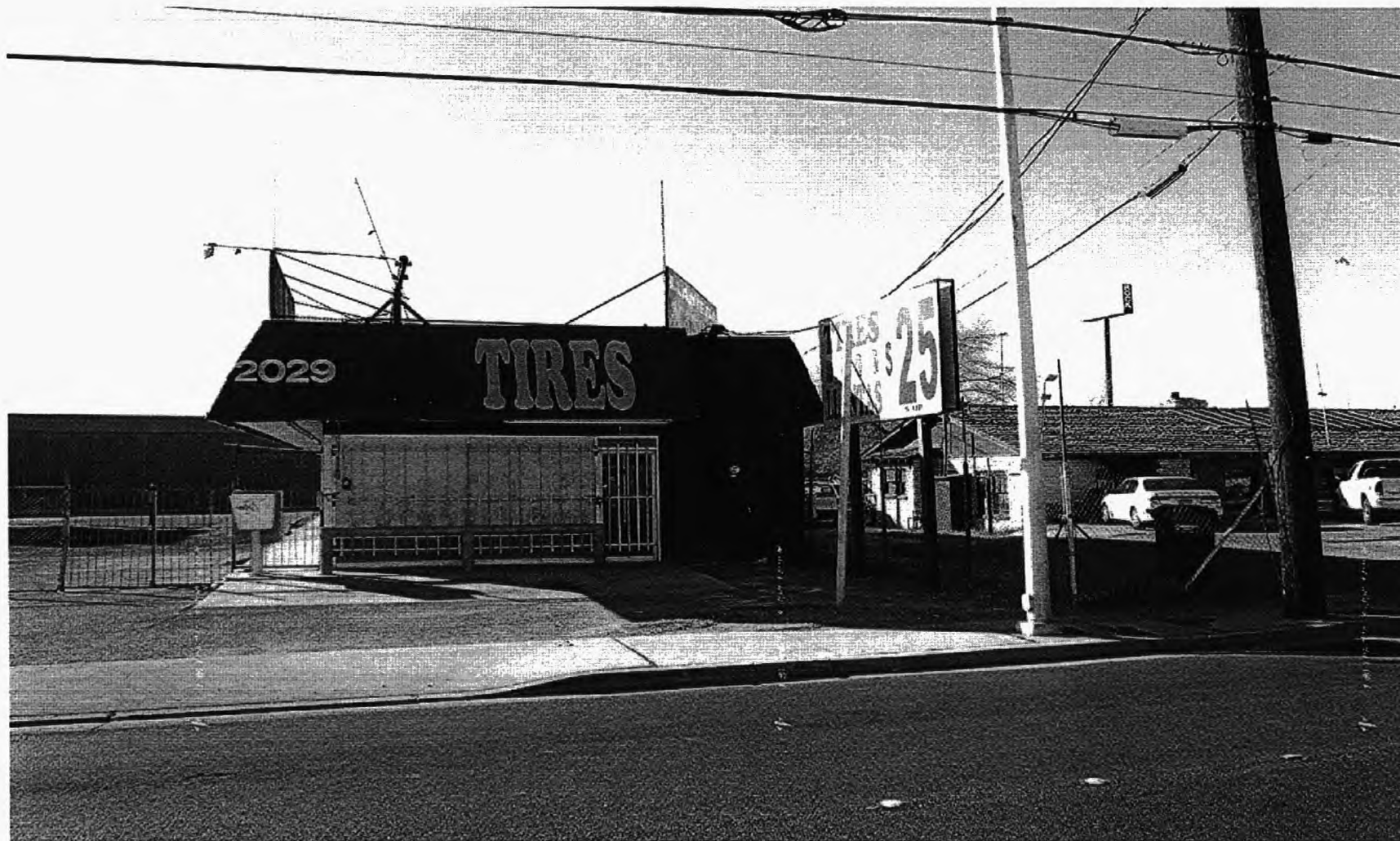
ZON-19070 - APPLICANT/OWNER: ALL STAR AUTOMOTIVE, INC.
2029-2041 BONANZA ROAD
FEBRUARY 22, 2007 PLANNING COMMISSION

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

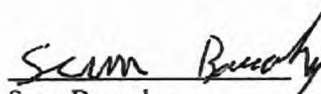
Dear Sirs,

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

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March 27, 2007

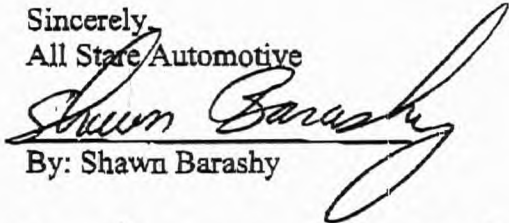
City Clerk
Vicky Darling

Re: ZON 19070

Dear Vicky,

Please postpone the hearing of application ZON 19070 schedule to be heard April 4, 2007 at City Council until April 18th, 2007.

Sincerely,
All State Automotive


By: Shawn Barashy

(702) 296-8886

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2007 MAR 28 P 4:05

Submitted after final review

Date 3/28/07 Item #84

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 4, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**
VARIANCE

VAR-19098 – ABEYANCE ITEM - 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****1****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. Revised Site Plan dated 03-19-2007
6. Submitted after Final Agenda – Protest letter from K. Singh and abeyance request from Attorney Chris Kaempfer for Items 85-88
7. Backup referenced from the 02-22-07 Planning Commission Meeting Item 29

Motion made by GARY REESE to Hold in Abeyance Items 84, 85-89, 90-92, and 98 to 4/18/2007

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 4, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-19098 - APPLICANT/OWNER: KRYFAM, LP

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

**** 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: _____

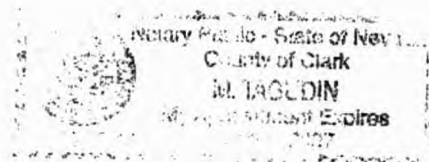
Signature of Property Owner: _____

Print Name: Wayne Kryzjer

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 be 'Ray Finkel', with a long horizontal flourish extending to the right.

Ray Finkel
Project Manager

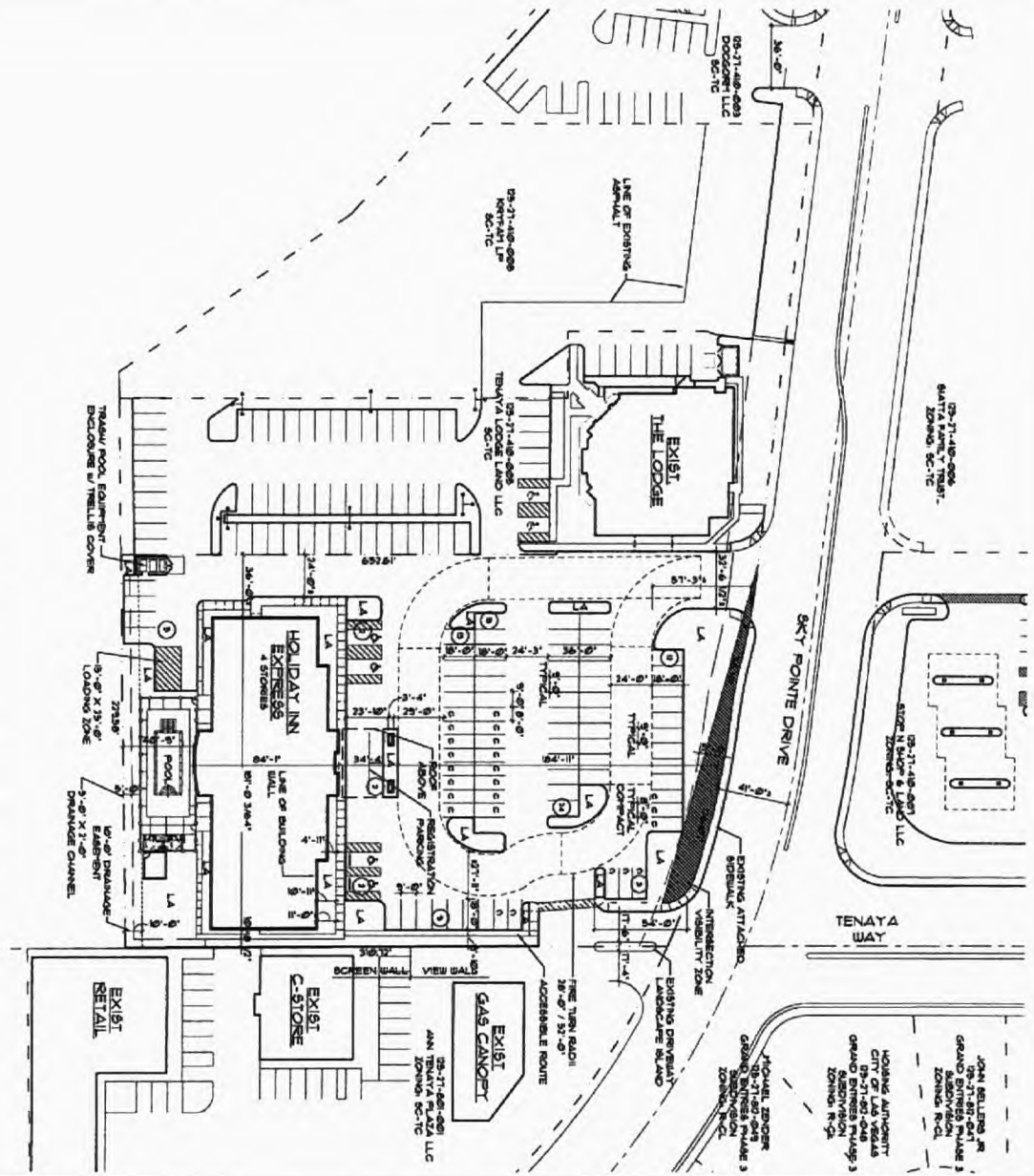
cc: 6180 JL.doc

VAR-19098
02/22/07 PC

VAR-19098
VAR-19447
SUP-19100
SDR-19097
03-21-07 CC

RECEIVED
MAR 19 2007

ARCHITECTURAL SITE PLAN
SCALE: 1"=50'-0"



PROJECT DATA:

ADDRESS/OWNER	DATE	PROJECT
1000 S. TENAYA WAY SCT. PONTI DRIVE LAS VEGAS, NV 89102	03-21-07	VAR-19098
OWNER	REQUIRED	PROVIDED
DESIGNER	REQUIRED	PROVIDED
DATE	REQUIRED	PROVIDED
PROJECT NO.	REQUIRED	PROVIDED
PROJECT NAME	REQUIRED	PROVIDED
PROJECT LOCATION	REQUIRED	PROVIDED
PROJECT DESCRIPTION	REQUIRED	PROVIDED
PROJECT DRAWING NO.	REQUIRED	PROVIDED
PROJECT SCALE	REQUIRED	PROVIDED
PROJECT STATUS	REQUIRED	PROVIDED
PROJECT COMMENTS	REQUIRED	PROVIDED

PROJECT LOCATION:



GENERAL NOTES:

- SEE LANDSCAPE DRAWINGS FOR LANDSCAPING INFORMATION.
- SEE CIVIL DRAWINGS FOR ALL SITE LAYOUT, DRAINAGE, CULVERTS, AND PLANTINGS.
- SEE CIVIL, PLUMBING, AND ELECTRICAL DRAWINGS FOR UTILITY LINES.
- SEE CIVIL DRAWINGS FOR ALL DRAINAGE AND DRAINAGE INFORMATION.
- SITE LAYOUT IS TO BE COORDINATED WITH CIVIL DRAWINGS. IF DISCREPANCIES EXIST, THE CIVIL DRAWINGS SHALL TAKE PRECEDENCE OVER THIS DRAWING. NOTIFY THE ARCHITECT OF ANY DISCREPANCIES.
- ALL SITE CONCRETE SHALL RECEIVE REINFORCED PLAN JOINTS AT 5'-0" O.C. AND TOoled JOINTS AT 3'-0" O.C.
- ALL CONCRETE WALLS, LANDINGS, ETC. SHALL RECEIVE LIGHT BRUSH FINISH.
- GRADE ALL PLANTER AREAS AROUND BUILDINGS TO THIRTY-ONE (31) INCHES ABOVE FINISHED GRADE.
- GRADE ALL PLANTER AREAS AROUND BUILDINGS TO THIRTY-ONE (31) INCHES ABOVE FINISHED GRADE.
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- GRADE ALL PLANTER AREAS AROUND BUILDINGS TO THIRTY-ONE (31) INCHES ABOVE FINISHED GRADE.

sheet title: **ARCHITECTURAL SITE PLAN**

SUP, SDR, VAR SUBMITTAL

AS101 8.3d

project title: **Holiday Inn EXPRESS**

200 CORNER OF SOUTHERN 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

RECEIVED
CITY CLERK

April 3, 2007

2007 APR -3 P 3:31

OBJECTION TO SUP-19100/VARIANCE-19477 & 19098 & SDR-19097

Protest

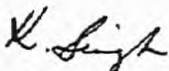
Dear Honorable Members of City Council,

I am writing this letter to object to the Sup-19100, Variances 19477 & 19098 & SDR 19097. I have been a long term resident of Las Vegas and an original owner of the home that is affected by these suggested changes.

It is unfortunate that Kryfam, LP has the approval for a hotel (two storeys). Moreover, due to the existence of this realty, the hotel changes the landscape of law abiding, peaceful and hard working neighborhood where both young couples and retirees live. It is a folly to suggest that such a change to our neighborhood does not affect us but it does. I am very concerned about a four storey hotel allowed to co-exist in a neighborhood where Las Vegasans retire in and play in.

While, members of this council may feel growth is good, it is not in this case. Allowing the suggested changes will no doubt bring in a non-residential citizens, more traffic and crime. As you are well aware, last week various media sources indicated that Las Vegas has now become one of the most dangerous places to live. While at this very moment, I have not seen this in my neighborhood, I will with the suggested changes. I urge and implore committee members to safeguard and protect this charming and endearing neighborhood. Finally, I would like each member to consider whether or not they would like a hotel less than a half mile affect their Shangri La. **Please vote "NO" to all the proposed changes.**

Sincerely,



Mr. K. Singh

P.O. Box 36382

Las Vegas, Nevada 89130

Submitted after initial review

Date 04-03-07 Item # 85-88

**KUMMER
KAEMPFER**

**KUMMER KAEMPFER BONNER
RENSHAW & FERRARIO**

ATTORNEYS AT LAW

LAS VEGAS OFFICE

CHRISTOPHER L. KAEMPFER

ckaempfer@kkbrf.com
702.792.7054

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3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
5585 Kietzke Lane
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.852.3982

SUMMERLIN OFFICE
3425 Cliff Shadows Parkway
Suite 150
Las Vegas, NV 89129
Tel: 702.693.4260
Fax: 702.939.8457

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.882.1311
Fax: 775.882.0257

April 3, 2007

VIA FACSIMILE - 382-4803

City Clerk
City of Las Vegas
400 E. Stewart, 1st Fl.
Las Vegas, NV 89101

**Re: City of Las Vegas, City Council Hearing, Wednesday, April 4, 2007
VAR-19098, VAR-19447, SUP-19100, SDR-19097, ARC-20049
Item Nos. 85, 86, 87, 88, 89**

To Whom it May Concern:

This office represents the owner/applicant with regard to the above-referenced applications.

We respectfully request that these items be held for two weeks until the City Council hearing of April 18, 2007. We have revised our elevations to show a building of less height and need to meet with our neighbors concerning this revised plan. A two week extension will allow us an opportunity to meet with all interested parties.

Thank you for your consideration of our request.

Sincerely,

KUMMER KAEMPFER BONNER RENSCHAW & FERRARIO



Christopher L. Kaempfer

CLK/lcj



315149

Date

4/3/07

Item

85-
89

**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	81%	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
Teraya Lodge # of available spaces 89	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: VAR 19098

Date: 2/21/07

Name: Raythell 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: APRIL 4, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

VARIANCE RELATED TO VAR-19098

VAR-19447 – ABEYANCE ITEM - 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

1

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 84, 85-89, 90-92, and 98 to 4/18/2007

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

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

Minutes:

See Item 85 for related backup.



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 4, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: VAR-19447 - APPLICANT/OWNER: KRYFAM, LP

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

**** 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)

Special Districts/Zones	Yes	No	Compliance
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:

Standard	Required/Allowed	Provided	Compliance
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:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
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): _____

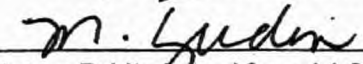
APN: _____

Signature of Property Owner: 

Print Name: Wayne Krygier

Subscribed and sworn before me

This 4 day of January, 20 07


Notary Public in and for said County and State

Notary Public
M. L. Linder
Not Expires
2007

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**

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-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	
				Daily Avg. %	Daily Avg. Spaces Available
La Quinta Inn # of rooms 126 # 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

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	2/17/2007	6:00 PM	105	83%	105

	Date	Time	# of Available Spaces	Daily Avg. Spaces Available	
				Daily Avg. %	Daily Avg. Spaces Available
Siens 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		
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	2/16/2007	12:00 PM	222		
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	2/17/2007	9:00 AM	170	57%	185
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	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
Tenzys 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	46%	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	8:00 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

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

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

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

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 4, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:****SPECIAL USE PERMIT RELATED TO VAR-19098 AND VAR-19447**

SUP-19100 – ABEYANCE ITEM - 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.****City Council Meeting****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****City Council Meeting****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 84, 85-89, 90-92, and 98 to 4/18/2007

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

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

Minutes:

See Item 85 for related backup.

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 4, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-19100 - APPLICANT/OWNER: KRYFAM, LP

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

**** 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: _____

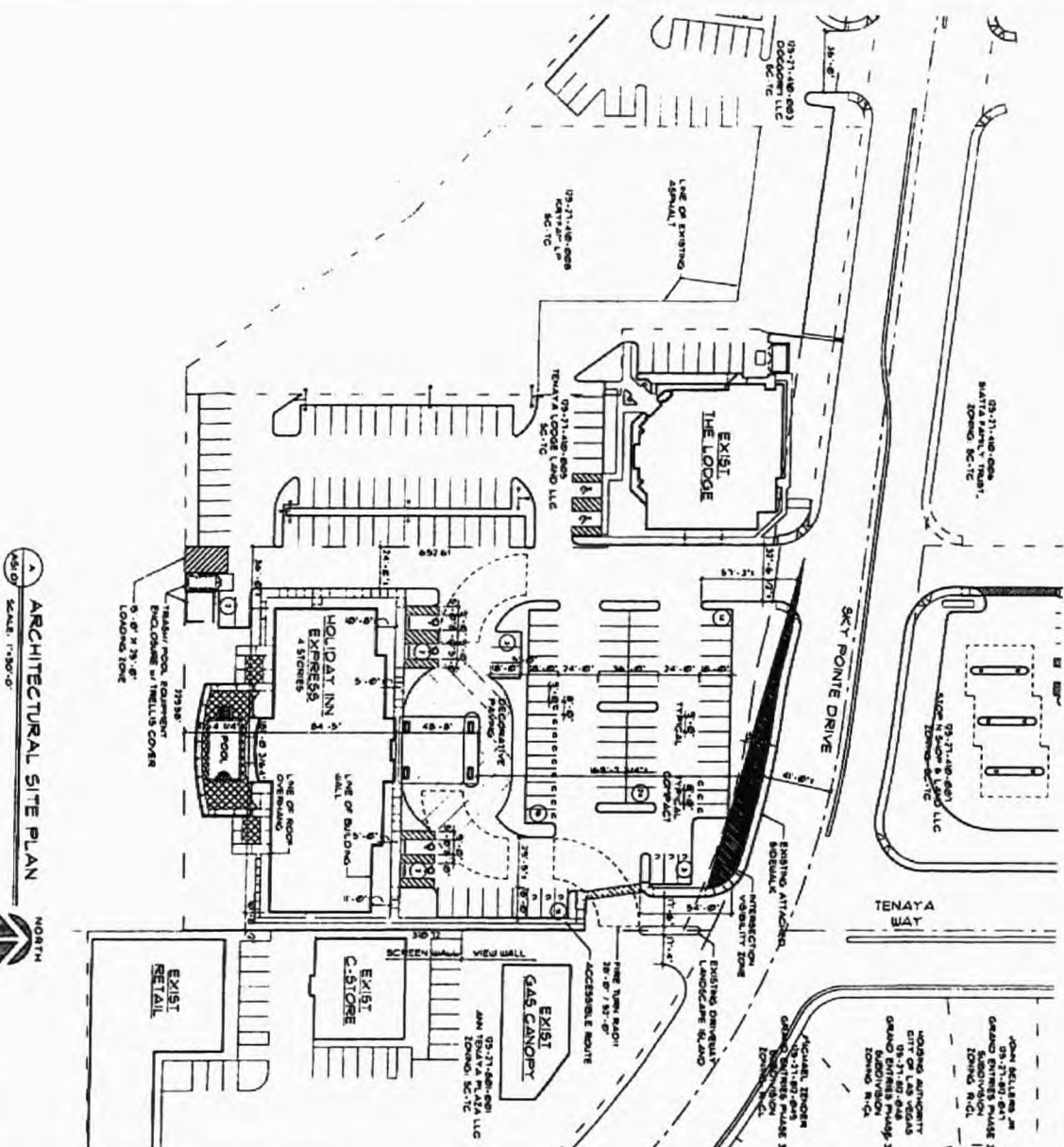
Signature of Property Owner: [Signature]

Print Name: Wayne Krygier

Subscribed and sworn before me

This 4 day of January, 20 07

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



ARCHITECTURAL SITE PLAN

SUP-19100

02/22/07 PC

PROJECT DATA

[illegible]

PROJECT LOCATION

ROOM COUNT										
4th FLOOR	5th FLOOR	6th FLOOR	7th FLOOR	8th FLOOR	TOTAL	RMO		AGC		TOTAL
						DBL	QLEN	DBL	QLEN	
11	5	1	1	1	19	1	1	1	1	35
16	4	1	1	1	23	1	1	1	1	29
3	3	1	0	1	8	1	1	1	1	13
11	4	4	3	4	36	4	4	4	4	60
55	11	7	3	7	83	7	7	7	7	28

GENERAL NOTES:

1. SEE LAYOUTS DRAWINGS FOR LANDSCAPING INFORMATION
2. SEE CIVIL DRAWINGS FOR ALL SITE LAYOUT INFORMATION CURBS, DUTIES AND PLANTINGS
3. SEE CIVIL, PLUMBING, AND ELECTRICAL DRAWINGS FOR UTILITIES
4. SEE CIVIL DRAWINGS FOR ALL GRADING AND DRAINAGE INFORMATION
5. SITE LAYOUT IS TO BE COORDINATED WITH CIVIL DRAWINGS & DISCREPANCIES EXIST. THE CIVIL DRAWINGS SHALL TAKE PRECEDENCE OVER THIS DRAWING. NOTIFY THE ARCHITECT OF ANY DISCREPANCIES
6. ALL NEW CONCRETE SHALL RECEIVE STANDARD M.W. JOINTS AT 3'-0" ON C&G AND TOOKED JOINTS AT 3'-0" ON
7. ALL CONCRETE WALLS, FLOORS ETC. SHALL RECEIVE 1:4:1 REINFORCING
8. LOCATE ALL PLANTERS AS FAR AWAY FROM BUILDING AS POSSIBLE
9. BLOCK AND/or ACCESSIBLE, 6" HOOT WALK, NOT EXCEED 34" IN WIDTH, 12" MAX. RISE, 1/4" MAX. SLOPE, 1/4" MAX. SLOPE IN DIRECTION OF TRAVEL, AND IN CROSS SECTION
10. BUILDING AND SITE HOUSED SHALL BE IN ACCORDANCE WITH ALL APPLICABLE CODES AND ORDINANCES
11. LANDSCAPED SOIL PACKAGED TO BE USED TO REVEAL VARIOUS PLANT



AS1.01

sheet title •
**ARCHITECTURAL
SITE PLAN**
SUP, SDR, VAR SUBMITTAL



pacific design concepts, llc
3005 w horizon ridge parkway, suite 200
henderson, nevada 89062
(702) 454-5842 fax (702) 454-7842

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:

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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 flourish 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**

La Quinta Inn
of rooms 128
of available spaces 128

Date	Time	# of Available Spaces	Daily Avg. %	Daily Avg. Spaces Available
2/14/2007	9:00 AM	104	75%	96.5
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Hampton Inn
of rooms 127
of available spaces 127

Date	Time	# of Available Spaces	Daily Avg. %	Daily Avg. Spaces Available
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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

Sierra Extended Stay
of rooms 300
of available spaces 325

Date	Time	# of Available Spaces	Daily Avg. %	Daily Avg. Spaces Available
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
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2/15/2007	6:00 PM	188		
2/16/2007	9:00 AM	169	56%	182
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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		

Tenaya Lodge
of available spaces 89

Date	Time	# of Cars	Daily Avg. %	Daily Avg. Cars
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

Mulligans
of available spaces 65

Date	Time	# of Cars	Daily Avg. %	Daily Avg. Cars
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: APRIL 4, 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 – ABEYANCE ITEM - 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

1

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 84, 85-89, 90-92, and 98 to 4/18/2007

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

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

Minutes:

See Item 85 for related backup.



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 4, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-19097 - APPLICANT/OWNER: KRYFAM, LP

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

**** 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: _____

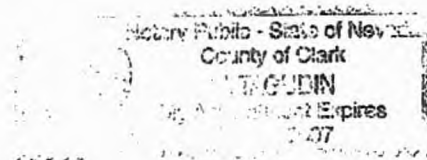
Signature of Property Owner: _____

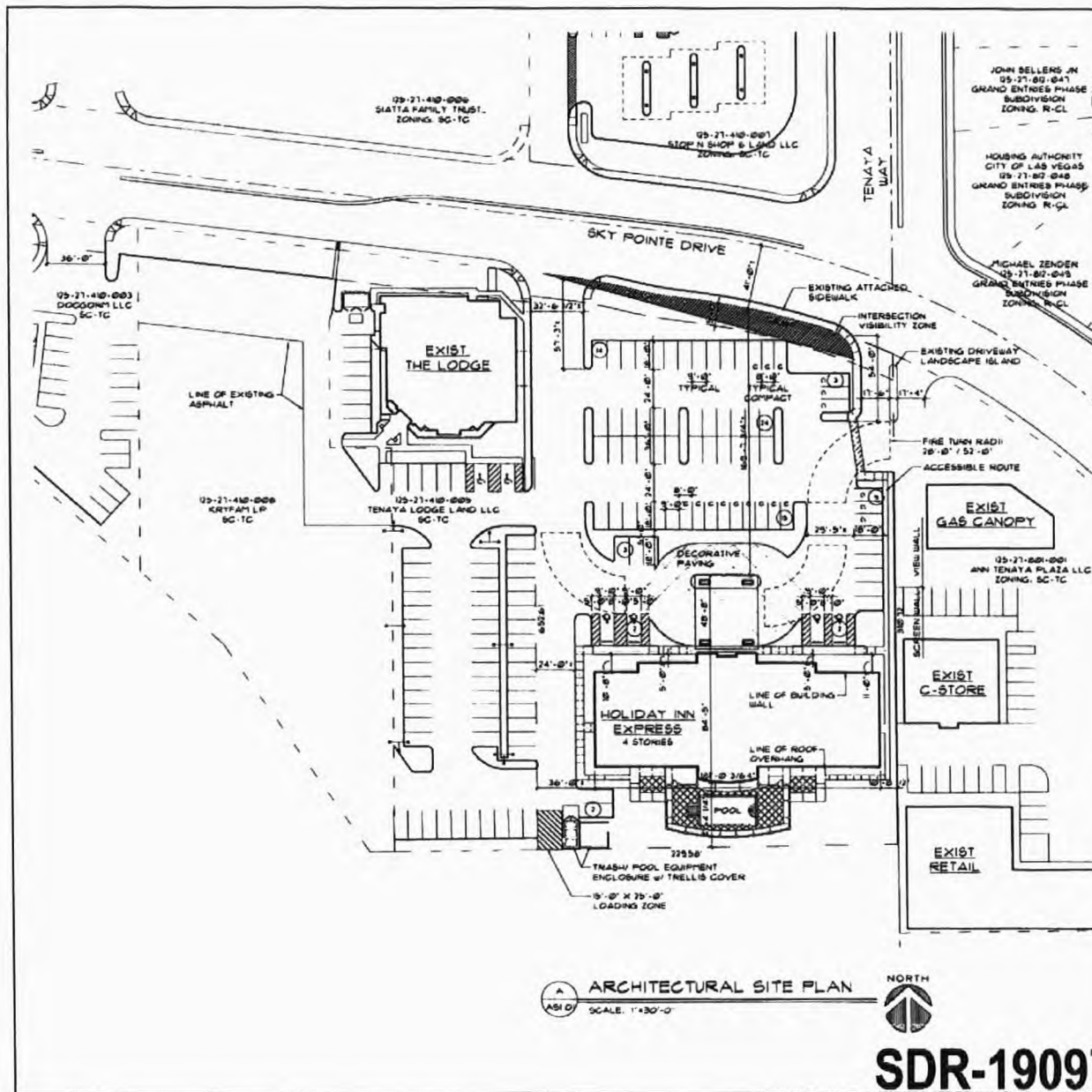
Print Name: Wayne Krygier

Subscribed and sworn before me

This 18 day of December, 20 06

M. Gudrin
Notary Public in and for said County and State





PROJECT DATA:

ASSESSING PARCEL NUMBER	125-21-410-004	
SITE AREA	75,195 SF (187 ACRES)	
CURRENT ZONING	SC-TC	
SETBACKS	REQUIRED	PROVIDED
FRONT	15'-0"	10'-0"
SIDES	15'-0"	10'-0" / 23'-5"
REAR	20'-0"	4'-0"
RESIDENTIAL ZONE BOUNDARY	N/A	N/A
BUILDING AREA		
1st FLOOR	4,558 SF	
2ND, 3RD & 4TH FLOORS (each floor)	10,458 SF	
MORTG CO-GHNE	1875 SF	
TOTAL BUILDING AREA	14,334 SF	
LOT COVERAGE	18.9%	
PARKING CALCULATIONS		
REQUIRED	81 SPACES	
1 SPACE PER GUEST ROOM		
PROVIDED	74 SPACES	
INCLUDING 10 (10) COMPACT SPACES (8' x 10')		
INCLUDING 4 HANDICAP SPACES (1 VAN, 3 REGULAR)		
PLUS 1 LOADING ZONE (15' x 25')		

ROOM COUNT

	KING/DBL QUEEN	KING/DBL QUEEN SUITE	ACC DBL QUEEN SUITE	EXT DBL QUEEN SUITE	ACC KING	TOTAL
4th FLOOR	11	1	1	1	1	15
3rd FLOOR	11	1	1	1	1	15
2nd FLOOR	11	1	1	1	1	15
1st FLOOR	11	1	1	1	1	15
TOTAL	44	4	4	4	4	61

PROJECT LOCATION:



GENERAL NOTES:

- SEE LANDSCAPE DRAWINGS FOR LANDSCAPING INFORMATION
- SEE CIVIL DRAWINGS FOR ALL SITE LAYOUT DIMENSIONS, CURBS, GUTTERS, AND PLANTERS
- SEE CIVIL PLUMBING AND ELECTRICAL DRAWINGS FOR UTILITY LINES
- SEE CIVIL DRAWINGS FOR ALL GRADING AND DRAINAGE INFORMATION
- SITE LAYOUT IS TO BE COORDINATED WITH CIVIL DRAWINGS IF DISCREPANCIES EXIST THE CIVIL DRAWINGS SHALL TAKE PRECEDENCE OVER THIS DRAWING. NOTIFY THE ARCHITECT OF ANY DISCREPANCIES
- ALL SITE CONCRETE SHALL RECEIVE WEAKENED PLAN JOINTS AT 8'-0" OC AND TIED JOINTS AT 3'-0" OC
- ALL CONCRETE WALKS, LANDINGS, ETC. SHALL RECEIVE LIGHT BROOM FINISH
- SLOPE ALL PLANTER AREAS AWAY FROM BUILDING 2% MINIMUM
- SLOPE ALONG ACCESSIBLE ROUTE WILL NOT EXCEED 3% IN DIRECTION OF TRAVEL AND 2% CROSS SLOPE
- BUILDING AND SITE SIGNAGE SHALL BE IN ACCORDANCE WITH AN APPROVED SIGN PACKAGE TO BE UNDER SEPARATE REVIEW

pacific design concepts, llc
3005 N. HORIZON RIDGE PARKWAY, SUITE 200
HENDERSON, NEVADA 89052
(702) 454-5842 Fax (702) 454-7842

PROJECT 1100
IN COME OF
HOLIDAY INN
EXPRESS

ARCHITECTURAL
SITE PLAN
S.D.P., S.D.R., VAR SUBMITTAL

AS101

SDR-19097

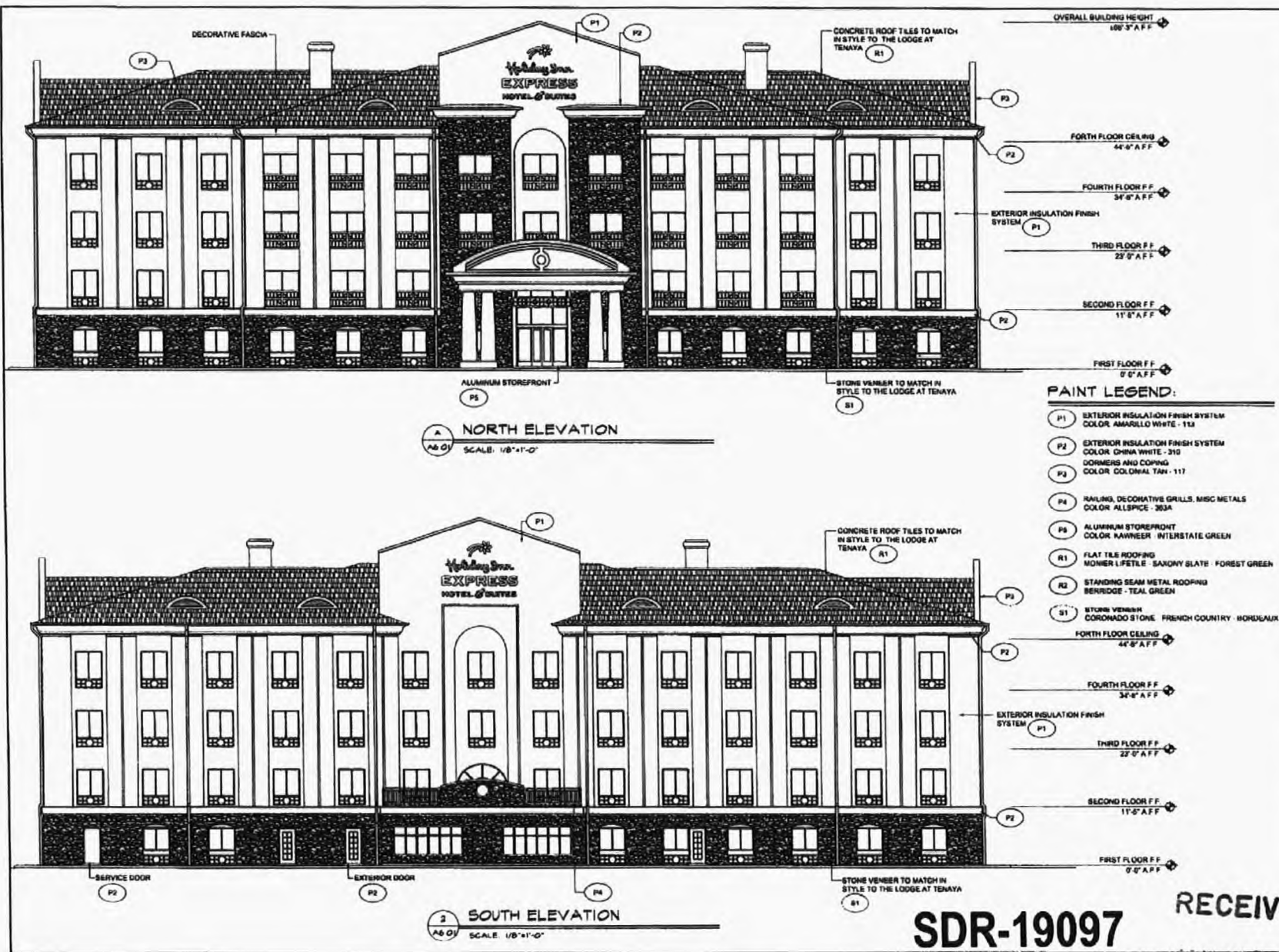
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3005 w. horizon ridge parkway, suite 200
henderson, nevada 89052
(702) 454-5842 fax (702) 454-7842

02/22/07 PC JAN 08 2007



- PAINT LEGEND:**
- (P1) EXTERIOR INSULATION FINISH SYSTEM
COLOR: AMARILLO WHITE - 113
 - (P2) EXTERIOR INSULATION FINISH SYSTEM
COLOR: CHINA WHITE - 210
 - (P3) DORMERS AND COPING
COLOR: COLONIAL TAN - 117
 - (P4) RAILING, DECORATIVE GRILLS, MISC METALS
COLOR: ALLSPICE - 303A
 - (P6) ALUMINUM STOREFRONT
COLOR: MAHWEER - INTERSTATE GREEN
 - (R1) FLAT TILE ROOFING
MONIER L'ESTILE - SAKONY SLATE - FOREST GREEN
 - (R2) STANDING SEAM METAL ROOFING
BENRIDGE - TEAL GREEN
 - (S1) STONE VENEER
CORONADO STONE - FRENCH COUNTRY - HORSOLAUX

PROJECT NAME: **Holiday Inn Express**

IN COME OF: **3005 W. HORIZON RIDGE PARKWAY, SUITE 200 HENDERSON, NEVADA 89053 (702) 454-5842 TBA (702) 454-7842**

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JAN 08 2007

SDR-19097

02/22/07 PC

EXTERIOR ELEVATIONS

SUP. SDR. VAR SUBMITTAL

Sheet No: **A6.01**

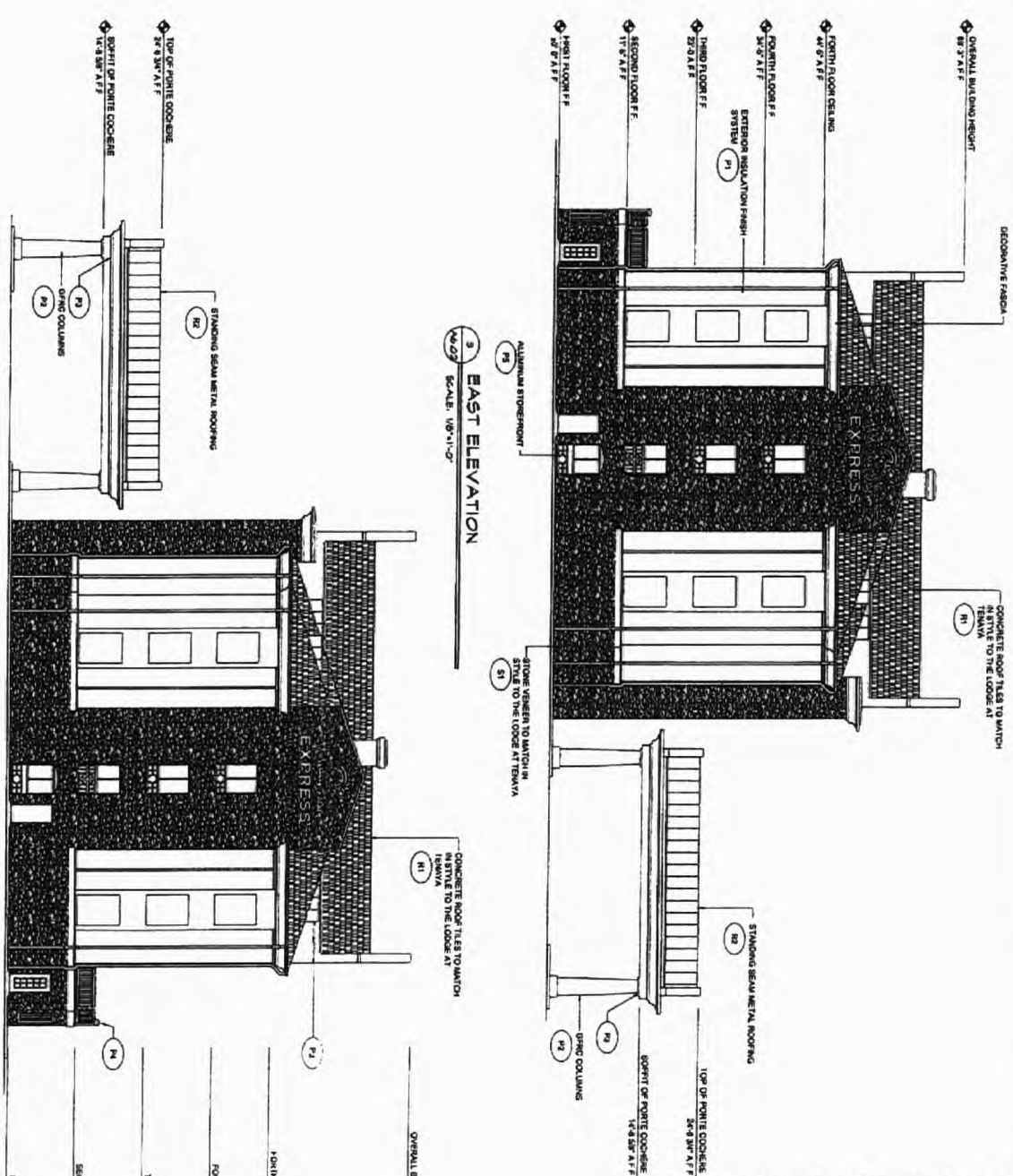
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Checked by: **...**

Project No: **...**

Scale: **...**

Notes: **...**



PAINT LEGEND:

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COLOR: INTERIOR WHITE - 119
- (P2) EXTENSION INSULATION FASH SYSTEM
COLOR: CHINA WHITE - 318
- (P3) DOWNERS AND CORING
COLOR: COCAINAL TAN - 117
- (P4) WALLS, DECORATIVE GRILLS, MISC METALS
COLOR: MUSEUM - 36A
- (P5) ALUMINUM STONEWORK
COLOR: MARBLEHART INTERSTATE GREEN
- (K1) PLANT TILE ROOFING
BRONZE LITTELE - SANDY BLATE - FOREST GREEN
- (K2) STANDING SEAM METAL ROOFING
BRONZE - ITAL GREEN
- (S1) STONE VENEER
CORONADO STONE - FRENCH COUNTRY - BORDOLIA

SDR-19097

02/22/07 PC

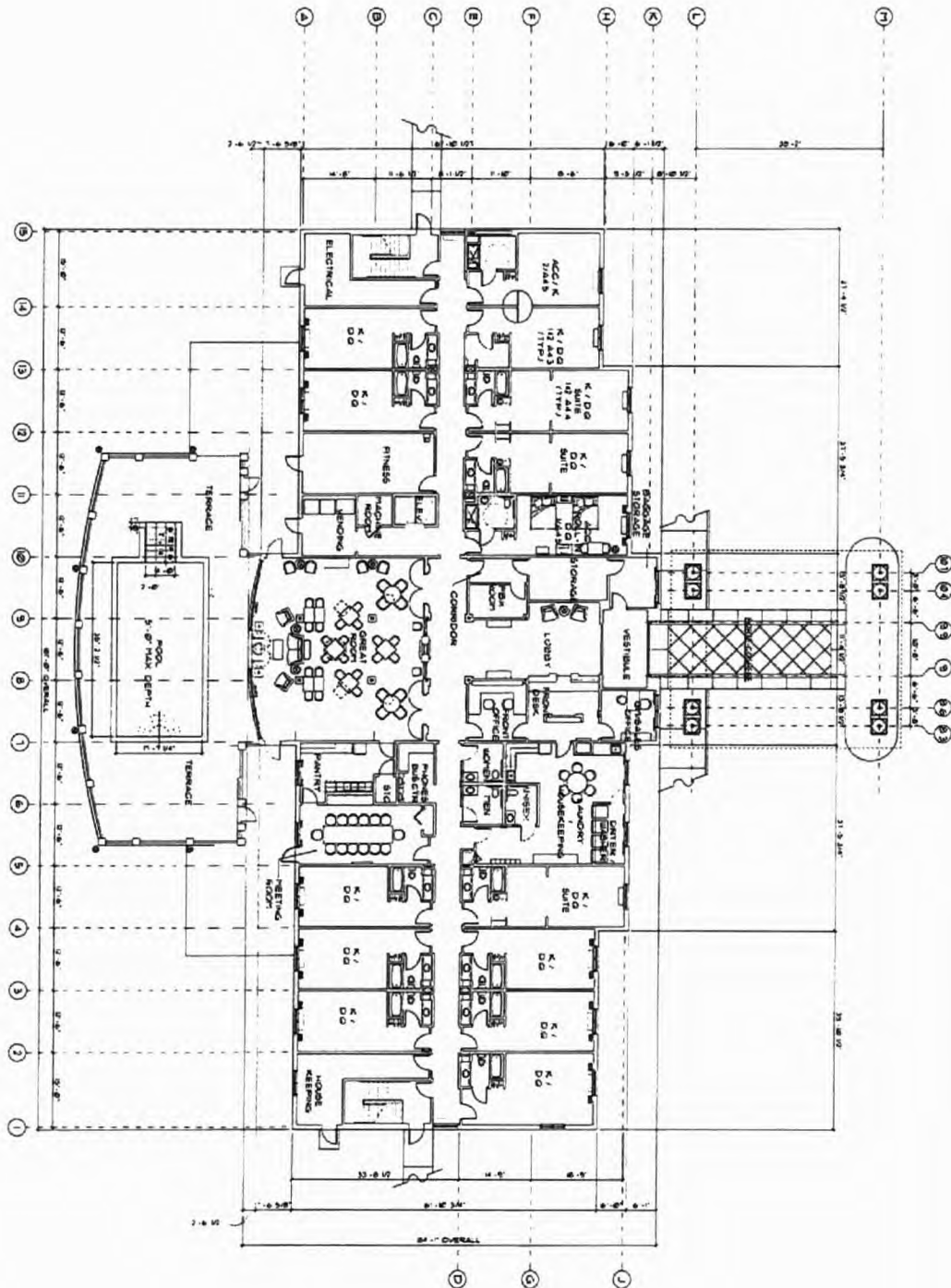
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2007 Title
EXTERIOR ELEVATIONS
SUP, SDR, VAR SUBMITTAL



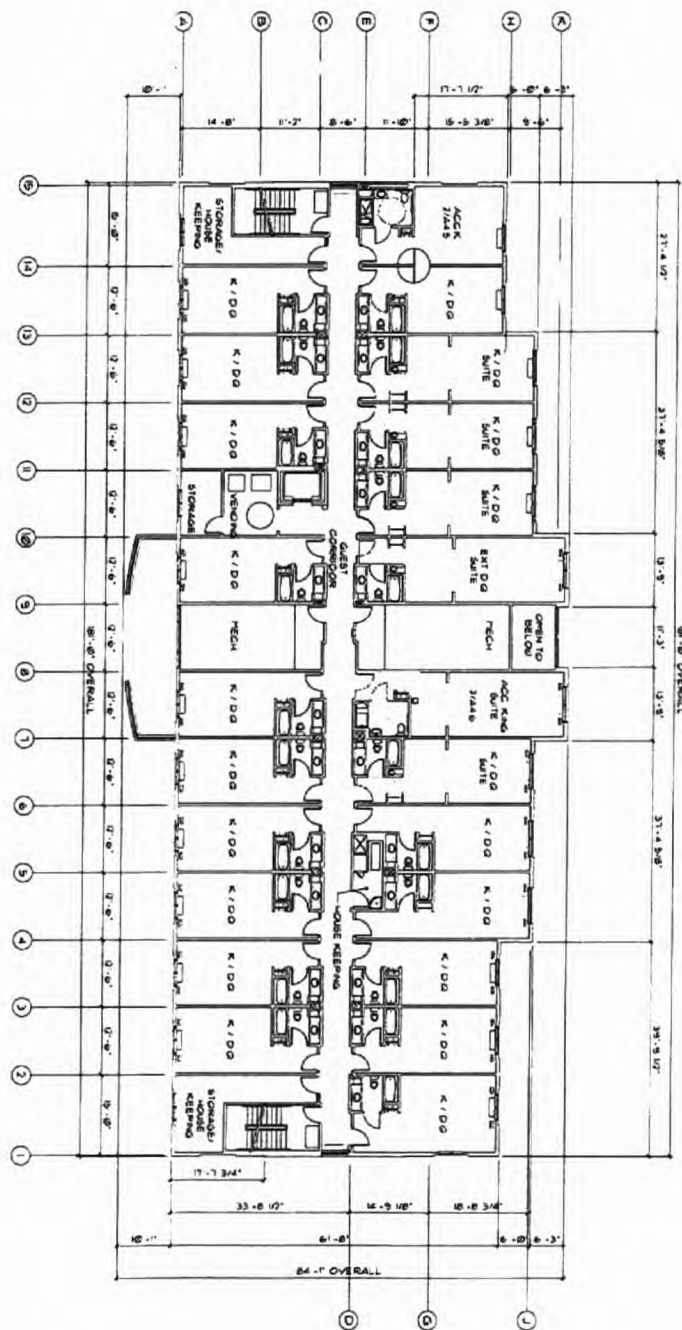
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HENDERSON, NEVADA 89052
(702) 454-5542 fax (702) 454-7542



SDR-19097
02/22/07 PC
JAN 08 2007

1st FLOOR PLAN
RECEIVED

PROJECT 1st FLOOR PLAN SUP, SDR, VAR SUBMITTAL	DATE 1/5/2007 BY RAY, TIM CHECKED BY RAY, TIM APPROVED BY RAY, TIM	PROJECT 1st FLOOR PLAN SUP, SDR, VAR SUBMITTAL	PROJECT 1st FLOOR PLAN SUP, SDR, VAR SUBMITTAL	PROJECT 1st FLOOR PLAN SUP, SDR, VAR SUBMITTAL	PROJECT 1st FLOOR PLAN SUP, SDR, VAR SUBMITTAL
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2nd FLOOR PLAN
SCALE: 1/4"=1'-0"
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A-2
SDR-19097

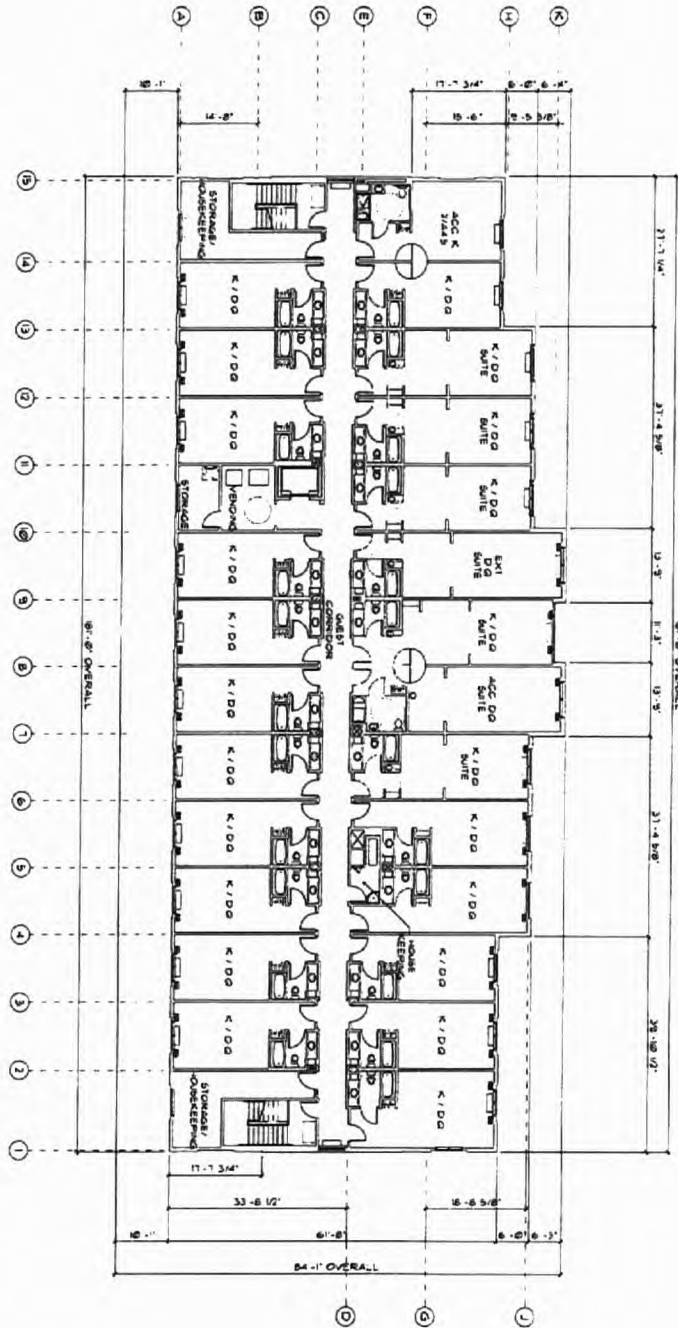
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02/22/07 PC

JAN 08 2007

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3rd and 4th FLOOR PLANS

SDR-19097

02/22/07 PC

JAN 08 2007



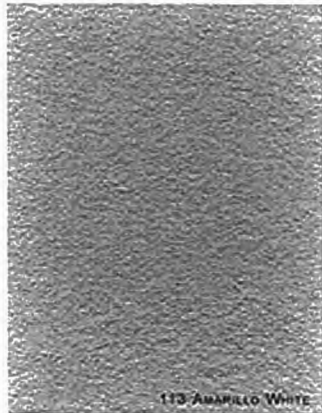
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3rd and 4th FLOOR
FLOOR PLANS
SUP, SDR, VAR SUBMITTAL



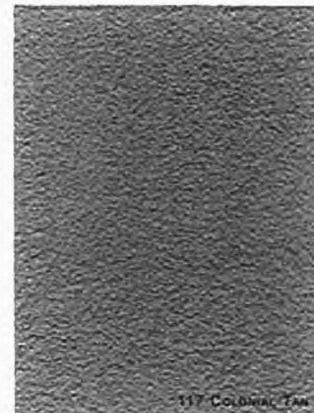
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HENDERSON, NEVADA 89052
(702) 454-5642 fax (702) 454-7642



Primary EIFS Color
Amarillo White



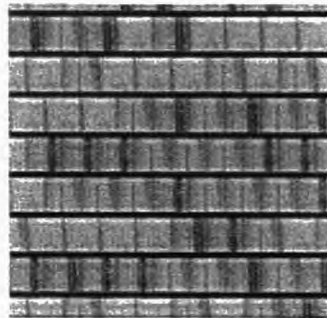
Secondary EIFS Color
China White



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

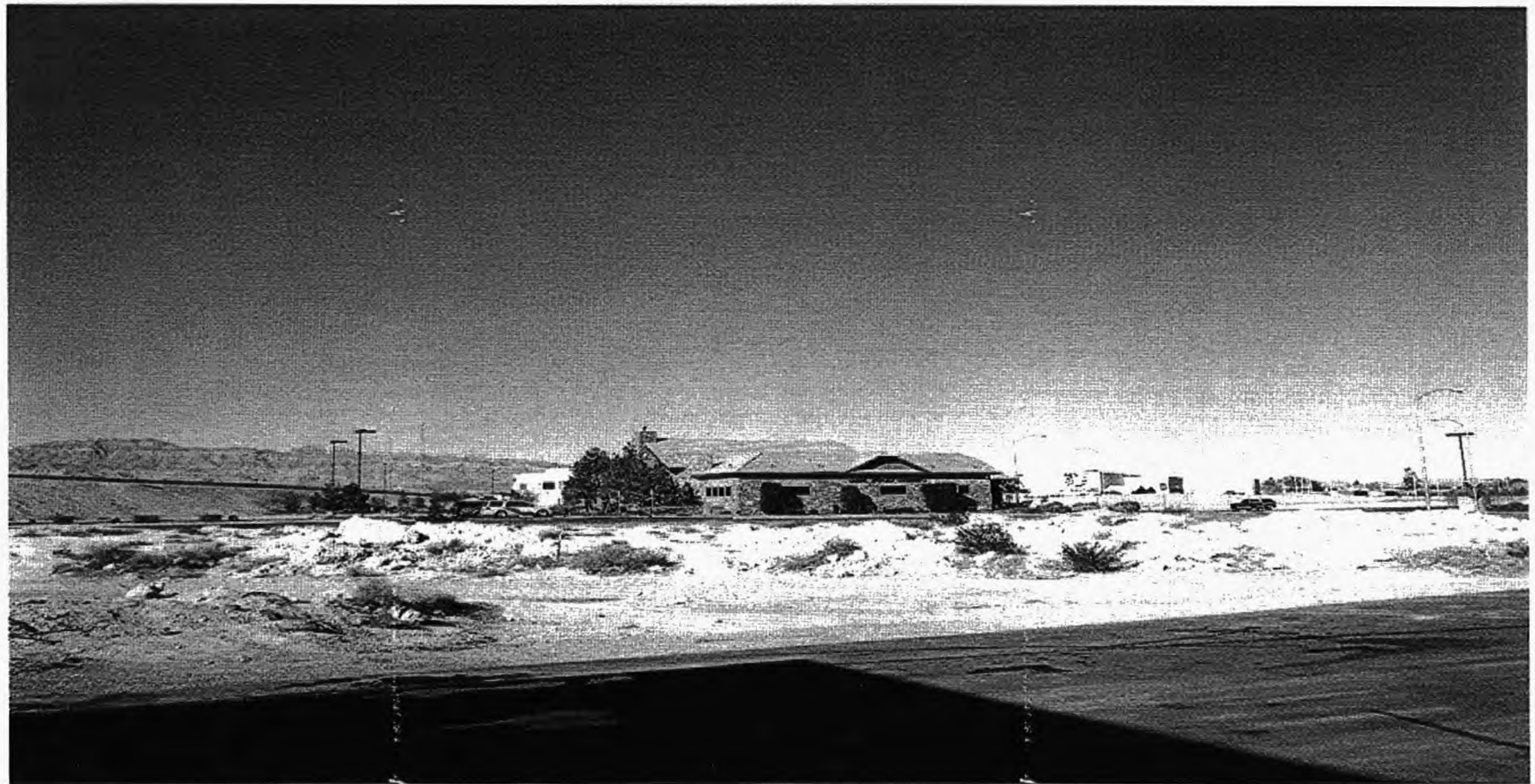
pacific design concepts, llc

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.

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	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	8:00 AM	26	45%	29
	2/14/2007	12:00 PM	23		
	2/14/2007	6:00 PM	39		
	2/15/2007	8:00 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: SDR-19097

Date: 2/21/07

Name: Rayshell Berry

Address: 7012 Glau 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: APRIL 4, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

MASTER SIGN PLAN AND WAIVER OF TOWN CENTER DESIGN STANDARDS

ARC-20049 - PUBLIC HEARING - APPLICANT: NIGRO DEVELOPMENT - OWNER: KRYFAM, LP - REQUEST FOR APPROVAL OF A MASTER SIGN PLAN AND WAIVERS OF THE TOWN CENTER DEVELOPMENT STANDARDS MANUAL FOR A 65' HIGH PYLON SIGN WHERE 24' HIGH IS THE LIMIT, TO ALLOW A PYLON SIGN ADVERTISING ONE TENANT WHERE MULTIPLE TENANTS IS REQUIRED AND FOR A 12' HIGH MONUMENT SIGN WHERE 8' HIGH IS THE LIMIT FOR A COMMERCIAL DEVELOPMENT, SKY POINTE HOTEL LOCATED ON THE SOUTHWEST CORNER OF TENAYA WAY AND SKY POINTE DRIVE (APN 125-27-410-004), TC (Town Center) Zone, Ward 6 (Ross). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

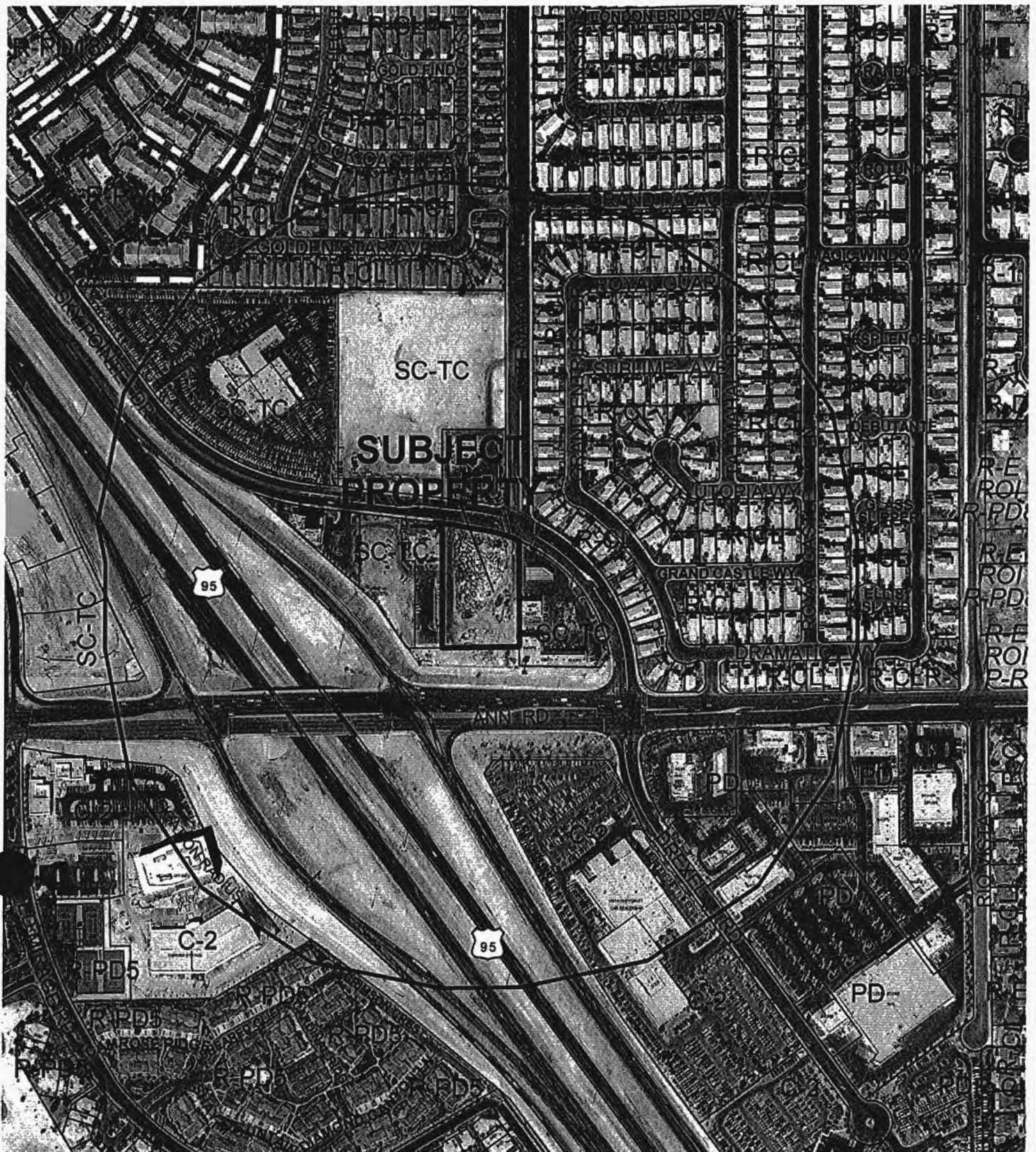
1. Location and Aerial Maps
2. Staff Report
3. Supporting Documentation
4. Justification Letter
5. ARC-20049 Action Letter
6. CHARC-TC Minutes of March 6, 2007

Motion made by GARY REESE to Hold in Abeyance Items 84, 85-89, 90-92, and 98 to 4/18/2007

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

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





CASE: **ARC-20049**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [SC-TC (SERVICE-COMMERCIAL) SPECIAL LAND
USE DESIGNATION]





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ARC-20049 APN: 125-27-410-004

Name of Property Owner: Kryfam 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: _____

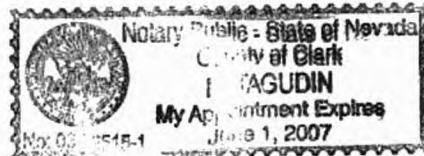
Signature of Property Owner: _____

Print Name: JENNIE KRYGIER

Subscribed and sworn before me

This 20 day of February, 20 07

M. Tudor
Notary Public in and for said County and State



Memorandum

City of Las Vegas Planning and Development Department

To: Centennial Hills Architectural Review Committee (CHARC)
From: Yorgo Kagafas, Urban Design Coordinator *YK*
CC: Flinn Fagg, Current Planning Manager
Date: March 6, 2007
Re: CHARC application #ARC-20049

APPLICATION REQUEST

A) Action Requested

This is a request for approval of a Master Sign Plan (ARC-20049) for a new commercial development, Holiday Inn Express, and Waivers of the Town Center Development Standards to allow for a 65' high pylon sign where 24' is the limit, to allow for a pylon sign for one tenant where advertisement for multiple tenants is required and to allow for a 12' high monument sign where 8' is the limit for APN 125-27-410-004 on 1.83 acres located at 5701 Sky Pointe Drive on the southwest corner of Sky Pointe Drive and Tenaya Way.

B) Applicant's Justification

The applicant requests review and approval of the proposed Master Sign Plan to comply with Town Center development standards. They state that the increased height is needed due to the lower elevation of the property in relation to the surrounding roadways.

BACKGROUND INFORMATION

A) Previous Actions

- 12/07/98 The City Council approved a rezoning (Z-76-98) of this site to TC (Town Center) as part of a larger overall request.
- 02/22/07 The Planning Commission approved Site Development Review Plan (SDR-19097) with a waiver of the perimeter landscape buffer width of 14 feet where 15 feet is required for a hotel. Variance (VAR-19098) for reduced parking and Special Use Permit (SUP-19100) to allow a hotel and reduce the distance requirement to 80 feet where 330 feet is required from a residential development. The item will be heard by City Council on 03/21/07.

B) Pre-Application Meeting

01/17/07 Staff met with the applicant for Holiday Inn Express and went over the CHARC requirements for submittal consideration. The applicant was notified that a Master Sign Plan was a requirement of the Town Center Development Standards Manual and that they would need to justify the three waivers needed for their request.

DETAILS OF APPLICATION REQUEST

A) Existing Land Use

Subject Property: Undeveloped Commercial
North: Commercial
South: Commercial
East: Commercial
West: Commercial

B) Planned Land Use

Subject Property: TC
North: TC
South: C
East: TC
West: TC

C) Existing Zoning

Subject Property: SC-TC (Service Commercial, Town Center)
North: SC-TC (Service Commercial, Town Center)
South: C (General Commercial)
East: SC-TC (Service Commercial, Town Center)
West: SC-TC (Service Commercial, Town Center)

D) General Plan Compliance

This site is located within the Town Center Plan Area of the Centennial Hills Sector Plan of the General Plan. The site is designated as SC-TC (Service Commercial – Town Center) within the Town Center Land Use Map, which allows low to medium intensity retail, office or other commercial uses that serve the local area.

ANALYSIS

A) Zoning Code Compliance

The proposed hotel project is permitted within the Service Commercial Zone of Town Center and recently received Planning Commission approval for a Site Development Plan Review.

A1) Sign Standards

The following new signage is proposed for the property:

- A) South Building Elevation: This elevation fronts Ann Road. Applicant is proposing a 204 +/- square feet standard wall signage with logo for the top center of the elevation.
- B) North Building Elevation: This elevation fronts on Sky Pointe Drive. Applicant is proposing a 204 +/- square feet standard wall signage with logo for the top center of the elevation.
- C) East Building Elevation: This elevation faces a commercial strip mall. Applicant is proposing a 153 +/- square feet standard wall signage with logo for the top center of the elevation that can be seen from Tenaya Way as well as the residential development to the east of Tenaya Way.
- D) West Building Elevation: This elevation faces a commercial building. Applicant is proposing a 153 +/- square feet standard wall signage with logo for the top center of the elevation.
- E) Pylon Sign: The applicant is proposing one 65-feet high pylon sign, with a 432 square feet double faced sign and logo. The sign sits on the southwest corner of the property and can be seen from Ann Road and US 95.
- F) Monument Sign: The applicant is proposing one 12-feet high monument sign, with an 82.6 square feet double faced sign and logo. The sign fronts on Sky Pointe Drive.

Monument Sign:

Standards	Allowed	Provided	Complies
Maximum Number	1/300' Street frontage 1 – Sky Pointe Drive (south)	1- Sky Pointe Drive (south)	Yes
Maximum Area	75 SF /sign	82.6 SF maximum	No
Maximum Height	8 Feet	12 Feet	No
Minimum Setback	5 Feet	5 Feet	Yes
Illumination	No fugitive light	H.O. Fluorescent Lamps	Yes

Pylon Sign:

Standards	Allowed	Provided	Complies
Maximum Number	One per Street frontage with tenant at least 20,000 square feet or greater in area 1 – Sky Pointe Drive (south)	Tenant is over 20,000 square feet in area 1- Sky Pointe Drive (south)	Yes
Maximum Number	One per Street frontage that advertises multiple tenants	Only one tenant	No
Maximum Area	N/A	N/A	Yes
Maximum Height	24 Feet	65 Feet	No
Minimum Setback	5 Feet	5 Feet	Yes
Illumination	No fugitive light	H.O. Fluorescent Lamps	Yes

Wall Signs:

Standards	Allowed	Provided	Complies
Maximum Number	Up to 15% of each building elevation	Less than 15% of each building elevation	Yes
Maximum Height	N/A	N/A	N/A
Illumination	No fugitive light	Internal, external (subject to approval)	Yes
Facing Residential Property	No	No	Yes
Above Ground Level	Yes –Hotels and buildings over 12 stories	Yes	Yes

A2) Residential Separation Standards

The proposed pylon sign is located on the southwest corner of the property with the nearest single-family residential property over 400' away from the sign and thus meets the 330' distance requirement.

B) General Analysis and Discussion

The applicant is requesting a signage package that requires three waivers of the Town Center Development Standards Manual. The first waiver would allow a 65' high pylon sign where the maximum height allowed is 24' in order for the signage to be visible from US 95 and Ann Road, both of which are much higher in elevation than the property in question. Although staff does not support the request, it should be noted that the City Council recently approved a 90' pylon sign on the west side of US 95 for just such a reason. The pylon sign would also need to have a waiver of the condition that pylon signs must advertise multiple tenants. In this case, there is only one tenant so a waiver is required. The third waiver is needed to allow a 12' high monument sign where 8' is the height limit permitted. The applicant states this is needed in order for guests to find the hotel once they exit off of US 95. Staff does not concur with any of the requested waivers.

The wall signage is minimal in design, size and consists of illuminated pan channel letters that is within the Town Center Development Standards Manual requirements.

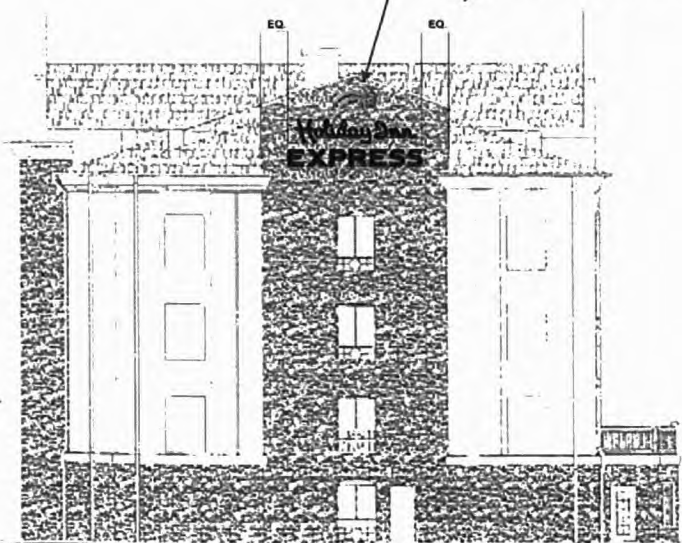
Staff Recommendation: APPROVAL, subject to the following conditions:

1. Conformance to the sign elevations and documentation dated February 21, 2007 as submitted in conjunction with this request, except as modified herein.
2. All signage shall have proper permits obtained through the Building and Safety Department.
3. No waivers are approved with this application. Wall signs shall be permitted as submitted; pylon sign and monument sign shall conform to Town Center Development Standards Manual.
4. Any additional signage for the development shall conform to this Master Sign Plan, or be submitted for review and approval by the Centennial Hills Architectural Review Committee-Town Center (CHARC-TC).



ARC-20049
CHARC-TC
03/06/07





ARC-20049
CHARC-TC
03/06/07

ARC-20049
CHARC-TC
03/06/07

ARC-20049
CHARC-TC
03/06/07



City of Las Vegas
Planning and Development Department
731 South 4th Street.
Las Vegas, Nevada 89101

Re: Holiday Inn Signage

To Whom It May Concern:

Nigro Development is proposing an Eighty-Seven room Holiday Inn Express Hotel at the SE corner of Sky Pointe Drive and Tenaya Way. Please find enclosed a sign package with this application. We are requesting a 65' tall pylon sign where 24' is the maximum height allowed in SC-TC. In addition, we are requesting a 12' tall sign on Sky Pointe Drive. The building signage consists of "Holiday Inn Express" and it's logo on all four sides at, or slightly above, the roof line on an architectural feature.

Signage and visibility are key in operating a hotel. This site will be nearly 27' lower than Ann Road and the adjacent on ramp to US 95 North. We are proposing to construct our 65' tall pylon sign on the South side of the Hotel. The code allows for a 24' tall pylon sign, however, it is evident that a 24' tall sign would not be seen as Ann Road would block such signage as shown in the attached renderings. By placing the pylon sign on the South side of the Hotel it will not be visible by residents as shown in 2 renderings. This sign is proportionate to the existing 65' tall Shell sign adjacent to us and the 55' tall Vista sign on the South side of Ann Road. We strongly believe that by placing this sign against the US 95 right of way it will have no impact on the surrounding neighbors while clearly identifying our hotel to vehicle traffic on US 95.

We are proposing a 12' tall sign along Sky Pointe. This is for directional signage only and will mark our entrance. Please feel free to contact me with any questions you may have.

Regards,

Brad Jones

Project Manager Land Development

3965 SOUTH DURANGO DR, SUITE 106
LAS VEGAS, NEVADA 89147

ph 702.247.1920
fax 702.247.1916

nigrodevelopment.net



March 6, 2007

Mr. Brad Jones
Nigro Development
3965 South Durango #106
Las Vegas, Nevada 89147

RE: ARC-20049

Dear Applicant:

The Centennial Hills Architectural Review Committee considered your request for approval of a Master Sign Plan and waivers of the Town Center Development Standards Manual for a 65' high pylon sign where 24' high is the limit, to allow a pylon sign advertising one tenant where multiple tenants is required and for a 12' high monument sign where 8' high is the limit for a commercial development, Sky Pointe Hotel located on the Southwest Corner of Tenaya Way and Sky Pointe Drive (APN 125-27-410-004), TC (Town Center) Zone, Ward 6 (Ross).

The Centennial Hills Architectural Review Committee voted to **APPROVE** your request subject to the following amended conditions of approval:

1. Conformance to the sign elevations and documentation dated February 21, 2007 as submitted in conjunction with this request, except as modified herein.
2. All signage shall have proper permits obtained through the Building and Safety Department.
3. One 8' high monument sign located on the northeast corner of the property with a 5' setback is APPROVED.
4. A waiver of the Town Center Development Standards Manual to allow a pylon sign advertising one tenant where multi-tenant advertising is required is APPROVED.
5. A waiver of the Town Center Development Standards Manual to allow a 65' high pylon sign where 24' high is the maximum permitted is APPROVED. Pylon sign must be at a 90 angle (southwest to northeast) from the building.
6. Any additional signage for the development shall conform to this Master Sign Plan, or be submitted for review and approval by the Centennial Hills Architectural Review Committee-Town Center (CHARC-TC).

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
WARD 5 (VACANT)

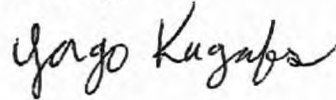
DOUGLAS A. SELBY
CITY MANAGER

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

This action by the Centennial Hills Architectural Review Committee on March 6, 2007 becomes final on March 17, 2007 unless a written appeal is filed with the City Clerk within ten days of the date of the Centennial Hills Architectural Review Committee's decision.

Sincerely,

A handwritten signature in cursive script, reading "Yorgo Kagafas".

Yorgo Kagafas, AICP
Urban Design Coordinator
Planning and Development Department
Comprehensive Planning Division

cc: Ms. Marisa Tagudin
KRYFAM LP
7140 Dean Martin Drive #1200
Las Vegas, NV 89118

YK:ah

**CITY OF LAS VEGAS
CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE (CHARC)
Tuesday March 6, 2007
12:00 P.M.
Development Services Center
731 South Fourth Street – Conference Room 2B
Las Vegas, NV 89101**

ANNOTATED MINUTES

Members Present

David Steinman
Andrea Allred
Jeff Gale
Ronni Council (arrived at 12:20 pm)

Members Excused

Sam Dunnam

Members Absent

Citizens

Steve Bauer (Shea Commercial)
Rich Hinshaw (YESCO)
Brad Jones (Nigro Dev)
Todd Nigro (Nigro Dev)

City Staff

Yorgo Kagafas
Angie Horn

ANNOUNCEMENT: OPEN MEETING LAW / CALL TO ORDER

The meeting was called to order by David Steinman at 12:03 p.m. This meeting has been properly noticed in accordance with the Open Meeting Law.

ITEM 1: APPROVAL OF FEBRUARY 6, 2007 MINUTES BY REFERENCE

Andrea Allred made a motion to accept the February 6, 2007 minutes. Jeff Gale seconded. Motion unanimously approved.

ITEM 2: ARC-20019

Request for approval of a Master Sign Plan and for waivers of Town Center Development Standards to allow wall signage to face an existing residential development that is outside of the Town Center limits and to allow wall signage on the second floor of Buildings "A" and "B" for a commercial / retail development, Shea at Tenaya Village located at 7425-7495 Azure Drive (APN 125-27-114-001), TC (Town Center) Zone, Ward 6 (Ross).

David Steinman opened the item to the committee for discussion. Yorgo Kagafas briefed the committee stating that this request is before CHARC to replace an existing Master Sign Plan with a new Master Sign Plan to reflect the new owner's sign criteria. They are requesting that the four monument signs and the locations that were previously approved with the first Master Sign Plan remain. They meet the Town Center Development Standards for size, location, and setback.

This application contains two waiver requests. The first would allow wall signage to face an existing residential development outside of the Town Center limits where no

such wall signage is permitted by code. This condition was put into place to protect the existing residential properties from negative effects of the proposed commercial development. Although the applicant is not proposing to illuminate such wall signs, staff does not recommend approval. If that was the only concern of the residents at the time, then wall signs would have been permitted without illumination. It is important to note that the residential property was built before this property was rezoned from residential to commercial and before the Town Center Development Standards were adopted.

The second waiver would permit wall signage on the second level of both buildings "A" and "B." Staff recommends approval of this waiver for north facing elevations only. This elevation faces only commercial development and the 215 freeway and would not impact any residential property. However, if the committee approves the first waiver and this waiver as requested, then signs would be clearly visible to the residential properties to the south. As a result, staff does not recommend approval of this waiver for south, east, or west facing elevations of buildings "A" and "B." Aside from the waivers for the location of the wall signs, the design, size, and colors for the proposed wall signs meets or exceeds the minimum standards for wall signs in the Town Center.

Staff recommends approval subject to the following conditions:

1. Conformance to the sign elevations, sign criteria and documentation as submitted and date stamped February 20, 2007 in conjunction with this request, except as modified herein.
2. The requested Waiver from the Town Center Development Standards to allow wall signage on the south elevations of all buildings and the west elevation of building "G" is **DENIED**.
3. The requested Waiver from Town Center Development Standards to allow wall signage above the ground level on buildings "A" and "B" is approved for the north elevations only.
4. All signage shall have proper permits obtained through the Building and Safety Department.
5. This approval replaces the sign plan approved under DIR-3572 for APN 125-27-114-001 only. DIR-3572 shall continue to apply for the remaining parcels that were included as part of that approval.
6. Any additional signage for the development shall require an amendment to the Master Sign Plan, approved by the Centennial Hills Architectural Review Committee-Town Center (CHARC-TC).

Mr. Kagafas presented a copy of the original Master Sign Plan to the committee for clarification of the targeted areas.

Steve Bauer, Vice President of Development for Shea Commercial, introduced both himself and Rich Hinshaw of Young Electric Sign Company to the committee. Mr. Bauer presented an overview of his company's sign criteria and the importance of their current request. He offered a solution (contingent on the committee's agreement) to having non-illuminated signs on the building facing south. In addition,

he does not need signs on the west face of Building G, and no signs on Buildings A and B above the first floor level on the south elevation.

David Steinman voiced concern regarding the issue of how the four approved monument signs would work for all occupants.

Andrea Allred stated that there were conditions put in place before the applicant's request was made and that the committee needs to abide by the intent of those conditions – to protect the residents. Ms. Allred further stated that there is no justification for signs of the south elevations nor on the second floor.

There was discussion among the committee members and the applicants.

Jeff Gale made a motion to approve Item 2 (ARC-20019) subject to the following amended conditions of approval:

1. Conformance to the sign elevations, sign criteria and documentation as submitted and date stamped February 20, 2007 in conjunction with this request, except as modified herein.
2. The requested Waiver from the Town Center Development Standards to allow non-illuminated ground level wall signage on the south elevations of all buildings is APPROVED.
3. The requested Waiver from Town Center Development Standards to allow second-level wall signage on buildings "A" and "B" is approved for the north elevations only.
4. All signage shall have proper permits obtained through the Building and Safety Department.
5. Any additional signage for the development shall require an amendment to the Master Sign Plan, approved by the Centennial Hills Architectural Review Committee-Town Center (CHARC-TC).

Motion was approved 3-1 with Andrea Allred opposing.

Yorgo Kagafas notified the applicant that the effective date of the letter of approval would reflect the ten (10) day written appeal process unless either a member of the City Council and/or the Planning Commission appealed this decision.

ITEM 3: ARC-20049

Request for approval of a Master Sign Plan and waivers of the Town Center Development Standards Manual for a 65' high pylon sign where 24' high is the limit, to allow a pylon sign advertising one tenant where multiple tenants is required and for a 12' high monument sign where 8' high is the limit for a commercial development, Sky Pointe Hotel located on the Southwest Corner of Tenaya Way and Sky Pointe Drive (APN 125-27-410-004), TC (Town Center) Zone, Ward 6 (Ross).

David Steinman opened the item to the committee for discussion. Yorgo Kagafas briefed the committee stating that this is a request for approval of a Master Sign

Plan for a new commercial development, Holiday Inn Express. The applicant is requesting a signage package that requires three waivers of the Town Center Development Standards Manual. The first waiver would allow a 65' high pylon sign where 24' high is maximum height permitted, the second would allow a pylon sign for one tenant where multiple tenants are required for a pylon sign in Town Center, and the third waiver would allow a 12' high monument sign where 8' high is the maximum height-limit permitted. The applicant states that the lot condition, which is located below the Ann Road and US 95 elevations, require the requested waivers. There is a pylon sign to the east of this property advertising the Shell Gas Station. However, this sign was approved prior to the adoption of the Town Center Development Standards which do not permit a pylon sign to advertise one tenant, you must advertise multiple tenants. If this waiver was granted, it would open the possibility of several pylon signs being located within a short distance of each other since there are several commercial lots to the west of this one with similar conditions.

The proposed wall signage would be clearly visible from Ann Road since most customers would know to exit on Ann Road to the Holiday Inn Express. This signage should be enough for customers to find it once they are on Ann Road. The wall signage proposed meets the Town Center Development Standards. Since the monument sign is located on Sky Pointe Drive and not visible from Ann Road, there is no need to increase the height to 12', as an 8' monument sign is just as visible as a 12' high one is in the case.

Staff recommends approval subject to the following conditions:

1. Conformance to the sign elevations and documentation dated February 21, 2007 as submitted in conjunction with this request, except as modified herein.
2. All signage shall have proper permits obtained through the Building and Safety Department.
3. No waivers are approved with this application. Wall signs shall be permitted as submitted; pylon sign and monument sign shall conform to Town Center Development Standards Manual.
4. Any additional signage for the development shall conform to this Master Sign Plan, or be submitted for review and approval by the Centennial Hills Architectural Review Committee-Town Center (CHARC-TC).

David Steinman requested applicants introduce themselves. Todd Nigro with Nigro Development introduced himself as the representative of the applicant stating that he was accompanied by Brad Jones also with Nigro Development.

Mr. Nigro commented that he wanted to address one of Staff's conditions of approval, Condition 3. They agree to reduce the monument sign to 8', but the primary issue is the pylon sign which sits in a 30' hole. It is important for the success of this project that it be visible from the highway. The sign does not materially impact the neighborhood and he believes this is a justifiable request to accommodate a limited-service hotel.

Andrea Allred questioned the height of the building and the sign. She feels a pylon sign here is redundant because the building already has a large sign on all four sides and can be seen from all directions.

There was discussion among committee members and the applicants regarding better representation of the angle of the pylon sign, when it can be seen from the highway, the sign's exact location, and waivers necessary for the pylon sign and the height.

Jeff Gale made a motion to approve Item 3 (ARC-20049) subject to the following amended conditions of approval:

1. Conformance to the sign elevations and documentation dated February 21, 2007 as submitted in conjunction with this request, except as modified herein.
2. All signage shall have proper permits obtained through the Building and Safety Department.
3. One 8' high monument sign located on the northeast corner of the property with a 5' setback is APPROVED.
4. A waiver of the Town Center Development Standards Manual to allow a pylon sign advertising one tenant where multi-tenant advertising is required is APPROVED.
5. A waiver of the Town Center Development Standards Manual to allow a 65' high pylon sign where 24' high is the maximum permitted is APPROVED. Pylon sign must be at a 90 degree angle (southwest to northeast) from the building.
6. Any additional signage for the development shall conform to this Master Sign Plan, or be submitted for review and approval by the Centennial Hills Architectural Review Committee-Town Center (CHARC-TC).

Motion was approved 3-1 with Andrea Allred opposing.

Yorgo Kagafas notified the applicant that the effective date of the letter of approval would reflect the ten (10) day written appeal process unless either a member of the City Council and/or the Planning Commission filed an appeal of this decision.

ITEM 4: CITIZENS PARTICIPATION

None

ITEM 5: SET NEXT MEETING DATE / ADJOURNMENT

There are two items to be heard by the Centennial Hills Architectural Review Committee next month; therefore the next meeting date is set for April 3, 2007.

David Steinman adjourned the meeting at 1:22 p.m. without objection.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 4, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:****SPECIAL USE PERMIT**

SUP-18347 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GRAND TETON LODGE LAND LLC - Request for a Special Use Permit FOR A PROPOSED 800 SQUARE FOOT CAR WASH, FULL SERVICE on 2.71 acres on the northeast corner of Grand Teton Drive and Durango Drive (APN 125-09-401-031), U [(Undeveloped) Zone, SC (Service Commercial) General Plan Designation] Under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****2****City Council Meeting****1****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL, subject to conditions.

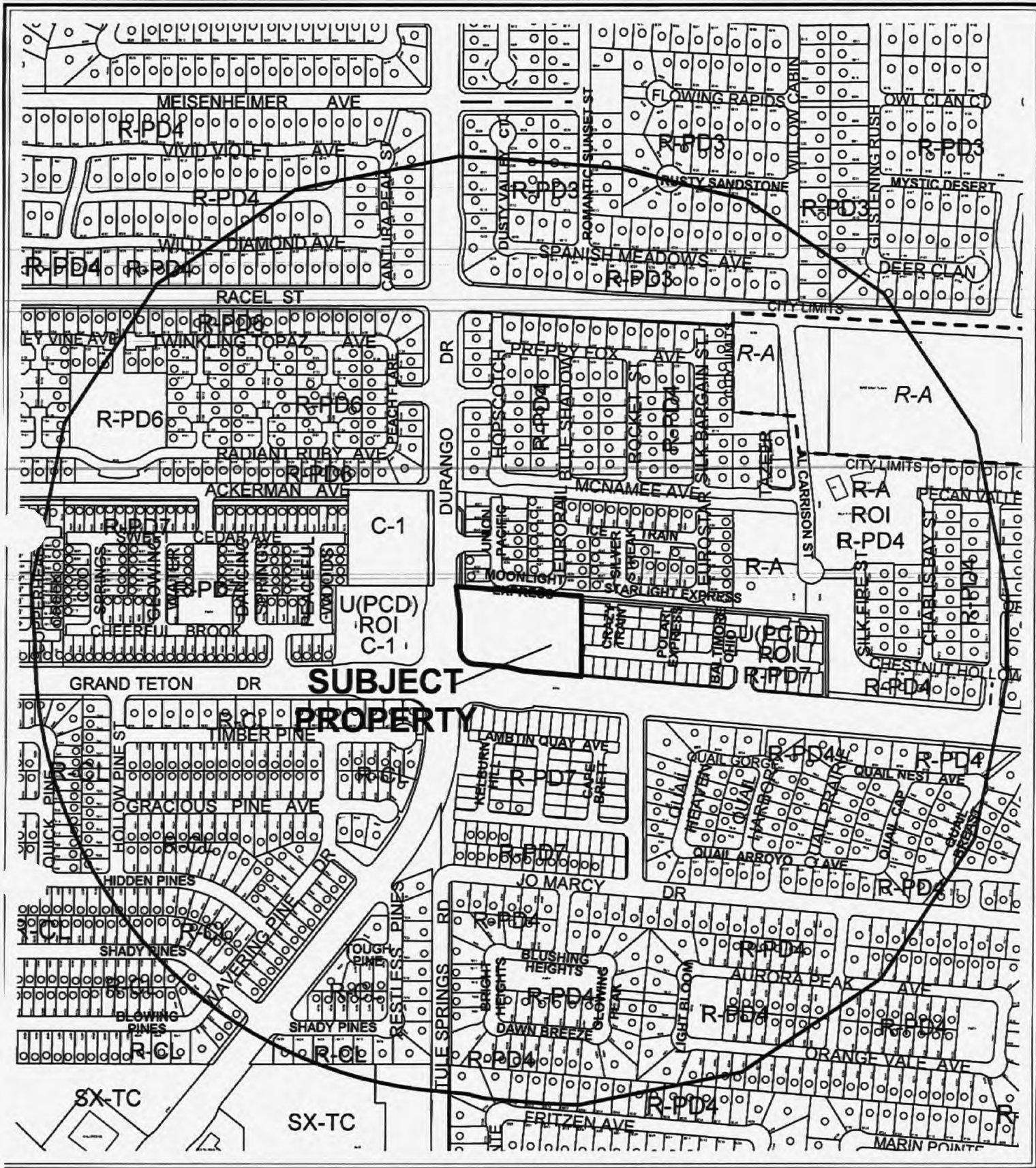
BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest letter by Gary R. Kronenberg
6. Submitted after Final Agenda – Abeyance Request from Richard Gallegos for Items 90-92
7. Backup referenced from the 02-08-07 Planning Commission Meeting Item 15

Motion made by GARY REESE to Hold in Abeyance Items 84, 85-89, 90-92, and 98 to 4/18/2007

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

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



CASE: SUP-18347

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

0 300 600 Feet



CASE: SUP-18347
RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER
RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 4, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - SUP-18347 - APPLICANT/OWNER: GRAND TETON LODGE LAND LLC

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

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-1-1/gt,sd vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-18349) and Special Use Permit (SUP-18630) 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 application is a request for a Special Use Permit for a proposed 800 square foot Car Wash, Full Service at the northeast corner of Grand Teton Drive and Durango Drive. An accompanying Special Use Permit (SUP-18630) for a Beer/Wine/Cooler Off-sale Establishment and a Site Development Plan Review (SDR-18349) for the Car Wash, a Service Station without automotive repair and a fast-food restaurant will be considered. An approved tavern is under construction at the subject site as well.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
3/17/99	The Board of County Commissioners approved the rezoning (ZC-1702-98) of the northeast corner of Durango Drive and Grand Teton Drive.
6/08/99	The City Council approved the annexation [A-28-99(A)] of the subject site. The effective date of the annexation was September 24, 1999.
6/21/00	The City Council approved a Special use Permit (U-0011-00) for a tavern at the subject site. The Planning Commission and staff recommended approval.
7/17/02	The City Council approved of an Extension of Time [U-0011-00(1)] for the approved Tavern. The Planning Commission and staff recommended approval.
03/17/04	The City Council approved a General Plan Amendment application (GPA-3483) from PCD (Planned Community Development) to SC (Service Commercial), a Rezoning (ZON-3509) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) and U (Undeveloped) [PCD (Planned Community Development) General Plan Designation], and a Review of Condition (ROC-2671) to remove a condition that restricted commercial development to the western portion of the subject site. The Planning Commission recommended approval of the GPA, ZON and ROC on 1/22/04 and tabled requests for a Special Use Permit (SUP-3513) for a proposed mini-warehouse facility, and a Site Development Plan Review application (SDR-3511) for a proposed 71,570 square foot office, tavern, mini-storage development. Staff recommended approval for all five applications.

04/06/05	The City Council approved a Special Use Permit (SUP-5691) for a Tavern and a Waiver from the distance separation requirements from an existing park, a Variance (VAR-5694) to allow a 24-foot setback where residential adjacency standards require a minimum of 73 feet, a Variance (VAR-5693) a Variance to allow 132 parking spaces where 148 spaces are the minimum required, and a Site Development Plan Review (SDR-5689) for a 6,115 square-foot tavern and a Waiver of trash enclosure separation. The Planning Commission recommended approval on 03/10/05 and staff recommended denial.
01/11/07	The Planning Commission held in abeyance a Special Use Permit (SUP-18347) for a proposed 800 square foot Car Wash, Full Service; a Special Use Permit (18630) for a proposed Beer/Wine/Cooler Off-sale Establishment and a Site Development Plan Review (SDR-18349) for the Car Wash, a Service Station without automotive repair and a fast-food restaurant with a drive-through. Staff recommended denial.
02/08/07	The Planning Commission recommended approval of companion items SU-18630 and SDR-18349 concurrently with this application. The Planning Commission voted 5-1-1/gt/sd to recommend APPROVAL (PC Agenda Item #15/rl).
<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/09/05	Business License L16-266-4-1214 issued for a Tavern issued to Tomfoolery, inactive effective 06/07/06.
06/07/06	Pending Business License requests created for The Lodge at Grand Teton including C05-96168-0-107791 for Tobacco Retailer, C08-96164-0-107791 for Coin Operated Amusements, C20-96167-7-850 for Convention Hall Gaming Tax, G01-96166-4-850 for Gaming-Restricted, and R09-96163-0-107791 for a Restaurant.
08/18/06	Building Permit C-0189-05 issued for a trash enclosure, on-site improvements and a Certificate of Occupancy for a tavern on the subject site.
<i>Pre-Application Meeting</i>	
11/13/06	At a Pre-application meeting, the applicant was told of the requirements for a site development plan review and the requirements for a special use permit. Additional detail was given regarding landscaping and parking requirements particular to the subject site.

Neighborhood Meeting

01/02/06	A neighborhood meeting was held at the Silverstone Golf Club 8600 Cupp Drive at 6:00 p.m. Attendance included three members of the development team, nine members of the public and one member of the Planning & Development staff. The following concerns were brought up by members of the public: • Concerns about the speaker box of the fast food pad • Area over saturated by alcohol uses • Request for a family restaurant • No 24 hrs uses Concerns about Day Care use at 7955 Quail Heaven being too close to uses.
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Details of Application Request

Site Area

Gross Acres	2.71
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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Tavern, Undeveloped	SC (Service Commercial)	U(SC) Undeveloped (Service Commercial) under Resolution of Intent to C-1 (Limited Commercial)
North	Single Family	PCD (Planned Community Development)	R-PD6 (Residential Planned Community – 6 Units per Acre)
South	Single Family (under construction)	PCD (Planned Community Development)	R-PD7 (Residential Planned Community – 7 Units per Acre)
East	Single Family (under construction)	PCD (Planned Community Development)	U(PCD) Undeveloped (Planned Community Development) under Resolution of Intent to R-PD7 (Residential Planned Community – 7 Units per Acre)
West	Undeveloped (proposed retail)	PCD (Planned Community Development)	U(PCD) Undeveloped (Planned Community Development) under Resolution of Intent to C-1 (Limited Commercial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts		X	N/A
Trails	X		Y*
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A

* The Trail Requirements related to the subject site are fully addressed in the companion application for Site Development Plan Review (SDR-18349).

DEVELOPMENT STANDARDS

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	115,730 Square Feet	Y
Min. Lot Width	100 Feet	220 Feet	Y
Min. Setbacks			
• Front	20 Feet	25 Feet	Y
• Side	10 Feet	16 Feet	Y
• Corner	15 Feet	24 Feet	Y
• Rear	20 Feet	80 Feet	Y
Max. Lot Coverage	50%	12%	Y
Max. Building Height	N/A	32.75 Feet	Y
Trash Enclosure	50 Feet from residential uses	62 Feet	Y
Mech. Equipment	Screened	Screened	Y
Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	79.5 Feet	105 Feet	Y
Adjacent development matching setback	10 Feet	80 Feet	Y
Trash Enclosure	50 Feet from residential uses	73 Feet	Y

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces 1 Finger/6 Spaces	22	23	Y N*

Buffer:				
Min. Trees				
North	1 Tree/20 Feet	21	20	N*
East	1 Tree/20 Feet	14	12	N*
South	1 Tree/30 Feet	13	18	Y
West	1 Tree/30 Feet	9	9	Y
TOTAL		79	82	Y
Min. Zone Width				
• East	15 Foot Buffer		15 Foot	Y
• North	8 Foot Buffer		10 Foot	Y
• West	8 Foot Buffer		8 Feet	Y
• South	15 Foot Buffer		20 Feet	Y

* Additional trees and parking lot fingers to be required by condition on related Site Development Plan Review (SDR-18349).

<i>Standards</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Wall Height			
East Property Line	Minimum 6 Feet, Maximum 8 Feet	8 Foot Block Wall	Y
North Property Line	Minimum 6 Feet, Maximum 8 Feet	8 Foot Block wall	Y

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi- capped	Regular	Handi- capped	
Tavern (Existing)	3,171 SF Public seating 3,204 SF Remainder	1:50 SF 1:200 SF	64 16				
Car Wash*	800 SF	NA	NA				
Service Station	4,056	1:250 SF	16				
Restaurant*	650 SF Public seating 2,050 SF Remainder	1:50 SF 1:200 SF	13 10				
Sub-Total			114	5	122	5	
TOTAL –Including Handicapped			119		127		Y

* The Restaurant Drive-Through and the Car Wash each provide six stacking spaces in addition to the above parking spaces provided.

ANALYSIS

- General

The subject site is located in the SC (Service Commercial) General Plan designation in the Centennial Hills Sector of the Las Vegas 2020 Master Plan. The proposed Car Wash, Full Service use is compatible with the SC designation. The proposed use will be in conjunction with a Service Station without automotive repair. In addition, the development includes a proposed fast food restaurant and an approved tavern. The combination of these uses, however, are too intense for the site and staff recommends denial.

- Zoning

The subject property is located in the C-1 zone. The C-1 zone is intended to provide for a variety of commercial, retail, restaurant and office uses including the proposed Car Wash, subject to the approval of a Special Use Permit.

- Use

Title 19.20 defines Car Wash (Full Service) as a car wash facility, typically operated in conjunction with a gas station, which customarily employs automatic or semiautomatic methods of cleaning. The proposed Car Wash, Full Service use is not compatible with the surrounding neighborhoods because of the type, intensity and number of uses proposed on this site, in combination with the approved tavern. Further, a condition of approval of a previously approved Site Development Plan Review (SDR-5689) read "No roll-up doors or drive-thru windows shall be allowed on this site." Therefore staff recommends denial.

- Conditions

The proposed Car Wash (Full Service) use meets the requirement below, as per Title 19.04; however, the use, particularly in concentration with the other uses at the subject site, is too intense for this location.

1. Each wash bay shall have a stacking lane that will accommodate at least six cars.

FINDINGS

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

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

The project is compatible with the General Plan land-use designation for the area and satisfies the requirements of the Zoning Code with respect to minimum separation distance requirements. The project, however, in combination with the other uses on this relatively small site is too intense for its location and not harmonious and compatible with the surrounding land uses. Therefore, staff recommends denial.

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

The intensity of the Car Wash, Full Service use, particularly in combination with the other proposed uses on this site are too intense in scope and number for the surrounding residential neighborhoods.

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 Car Wash, Full Service use will be accessed from Durango Drive and Grand Teton Drive, identified on the Master Plan of Streets and Highways as a 100-foot Primary Arterials and a 120-Foot Parkway Arterial, respectively. While these roads have adequate capacity, the proposed uses are too intense for this intersection.

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 Car Wash, Full Service use in combination with the other proposed and approved uses is too intense for the location; and therefore, staff finds that approval of the Special Use Permit will be inconsistent with the public health, safety, and welfare as well as the overall objectives of the General Plan.

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

The subject site meets all applicable conditions for a Car Wash, Full Service as per the requirements of Title 19.04; however, for the aforementioned reasons, this use is not appropriate for the subject site.

PLANNING COMMISSION ACTION

There was one speaker in opposition at the Planning Commission Meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 882 by City Clerk

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-18347** APN: 125-09-401-031Name of Property Owner: GRAND TETON LODGE LAND, LLCName of Applicant: GRAND TETON LODGE LAND, LLCName of Representative: PACIFIC DESIGN CONCEPTS

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: _____

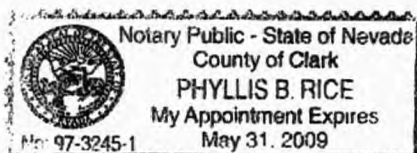
Signature of Property Owner: _____

Print Name: STUART APOLU

Subscribed and sworn before me

This 21st day of NOV, 20 06Phyllis B. Rice
Notary Public in and for said County and State

Revised 11-14-06



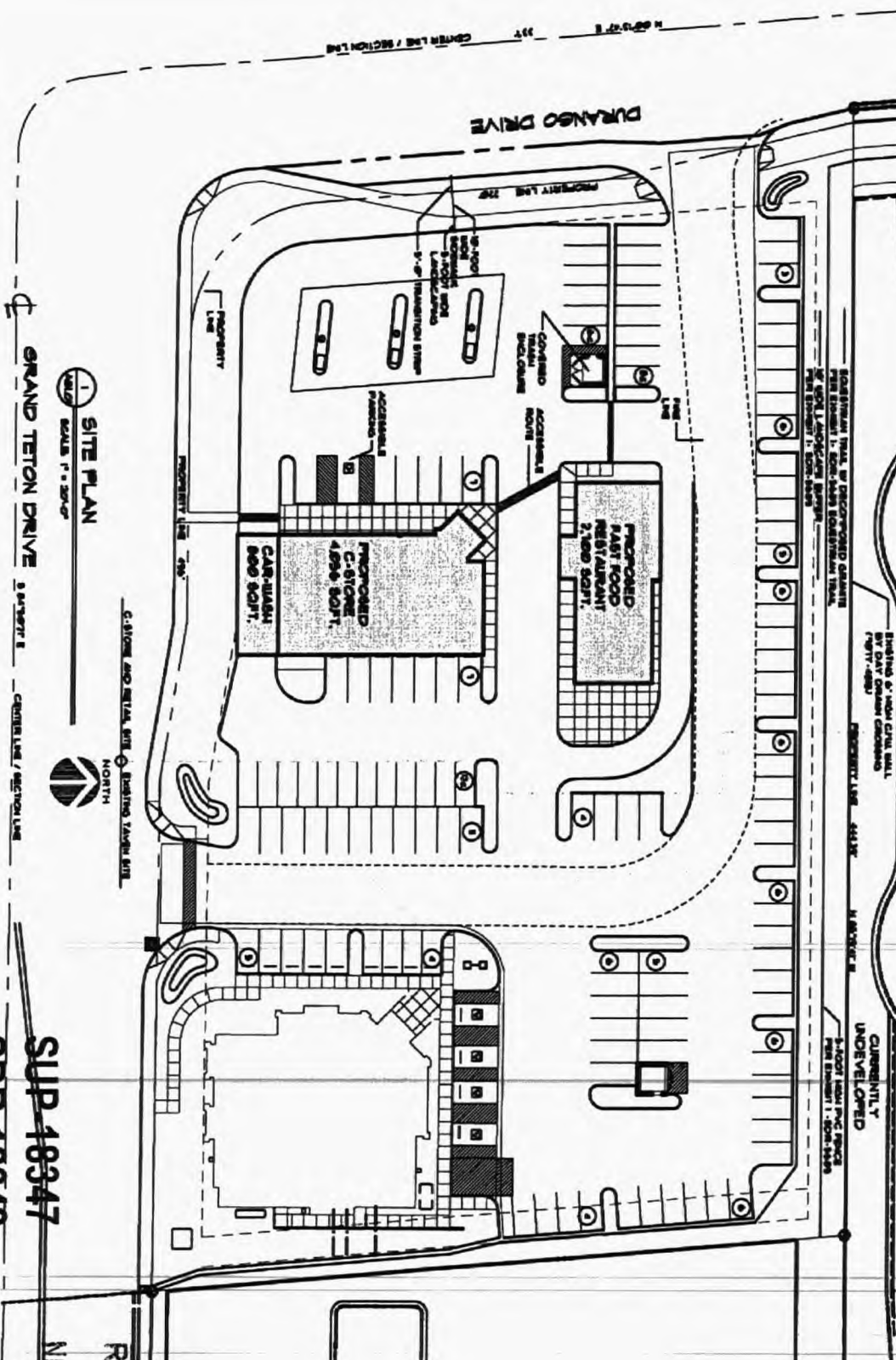
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SETHACKS
PACIFIC
NORTH
WEST
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SEN. DICK JARVIS
C-407-0434
C-510-0000
FAST FOOD RESTAURANT
BUCKINGHAM LODGE / TAVEL

REGIONS	PRO-CHOICE
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SE	38%
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PROJECT LOCATION:

SITE PLAN

SITE PLAN
SCALE: 1" = 20'-0"

GRAND TETON DRIVE

0 047677 0

CARTER LMS / SECTION LMS

RECEIVED

NOV 28 2006

~~SUP 18347~~

SDR-18349

02/08/07 PC

OR INVENTIONS OF 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 FURNISHED BY THE CLIENT MAY BE UTILIZED ONLY FOR THE USE AND FOR OCCUPANCY OF THE PROJECT FOR WHICH THEY WERE PREPARED, AND NOT FOR CONSTRUCTION OF ANY OTHER PROJECTS. ANY USE OR REPRODUCTION OF THE DRAWING IN WHOLE OR PART BY ANY MEANS WHATSOEVER IS STRICTLY PROHIBITED. THESE DOCUMENTS ARE NOT FINAL AND READY FOR USE, AND THEREFORE NOT VALID, UNLESS THEY ARE SIGNED, SEALED, AND DATED. NOT 637,800 POSITIVE DESIGN CONCEPTS, NO. 6.3000A.

Sheet 1110 •
**ARCHITECTURAL SITE
PLAN
LAND USE SUBMITTAL**

PRELIMINARY
NOT FOR
CONSTRUCTION

project title •
**C-STORE AT
GRAND TETON**
GRAND TETON DR. SOUTHWEST OF
LAS VEGAS, NEVADA

3005 w. horizon ridge parkway, suite 200
henderson, nevada 89052
(702) 454-5842 fax (702) 454 7842

AS101

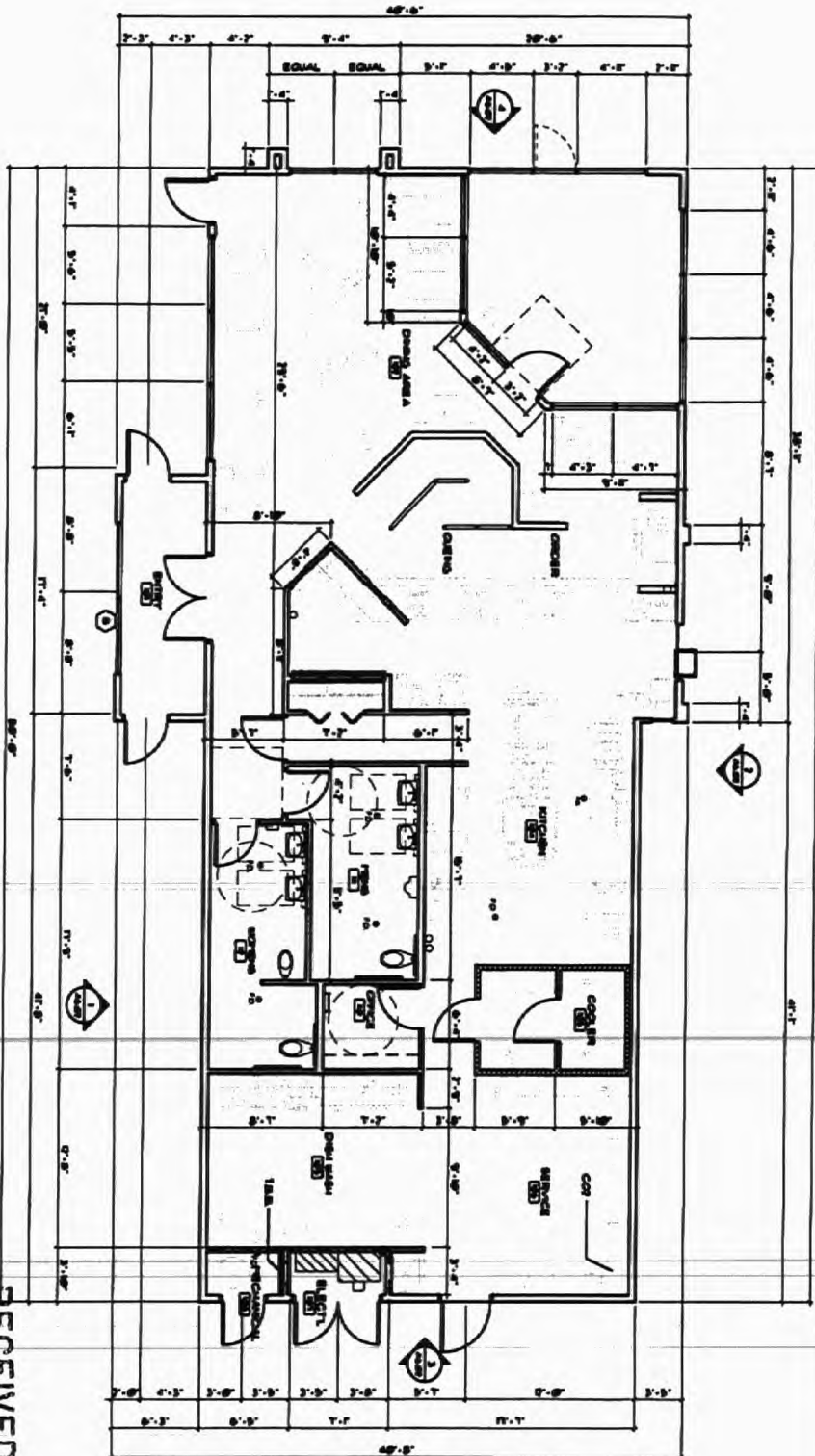
1 FLOOR PLAN
SCALE 1/8" = 1'-0"



SUP-18347

NOV 23 2006

RECEIVED



GENERAL NOTES

1. ALL PERSONS ARE TO FACE UP SHOW AND CENTER LINE OF CURBS AND COUNTRY ROAD.
2. FOR DOOR SPOOF TYPES AND SCHEDULES SEE SHEETS A101.
3. FOR ROOM FLOOR SCHEDULES SEE SHEET A102.
4. SEE DETAILS ALSO FOR WINDOW WALL, PARTIAL DETAILS.
5. SEE FINISHING MATERIALS AND FINISHES SCHEDULE AS REQUIRED AT SET LOCATIONS.
6. PROVIDE SOUND BATT INSULATION AT ALL WALL, CEILING WALLS.
7. PROVIDE SOUND BATT INSULATION FROM CLASSROOM, GYM, MUSIC, ETC.
8. SEE SCHEDULES FOR ALL OTHER FINISHING MATERIALS AND FINISHES SCHEDULE.

AS INSTRUMENTS OF 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, RETURNED BY THE CLIENT MAY BE UTILIZED ONLY FOR THEIR USE AND FOR OBTAINING THE PROJECT FOR WHICH THEY WERE PREPARED, AND NOT FOR CONSTRUCTION OF ANY OTHER PROJECT. ANY USE OR REPRODUCTION OF THE DRAWING IN WHOLE OR PART BY ANY MEANS WHATSOEVER IS STRICTLY PROHIBITED. THESE DOCUMENTS ARE NOT FINAL AND READY FOR USE, AND THEREFORE NOT VALID, UNLESS THEY ARE SIGNED, SEALED, AND DATED. NOT 620/NO PACIFIC DESIGN CONCEPTS, LLC © 2006

A102

FAST FOOD
FLOOR PLAN
LAND USE SUBMITTAL

PRELIMINARY
NOT FOR
CONSTRUCTION

PROJECT TITLE
**C-STORE AT
GRAND TETON**
ADDRESS
LAS VEGAS, NEVADA

pacific design concepts, llc
3005 W. HORIZON RIDGE PARKWAY, SUITE 200
HENDERSON, NEVADA 89052
(702) 454-5842 FAX (702) 454-7842

1
pacific design concepts, llc

3005 w. horizon ridge pkwy., #200, henderson, nv 89052 (702) 454-5842 fax (702) 454-7842

PDC

November 21, 2006

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

Attn: Planner

**RE: C-STORE AT GRAND TETON
APN: 125-09-401-031
JUSTIFICATION LETTER**

PROJECT NO: 06-182

Dear Planner,

We respectfully request favorable consideration for the above referenced project for a Special Use Permit.

The proposed Special Use Permit is to allow an automated car wash facility in conjunction with a convenience store with gas pumps.

The proposed special use permit is appropriate based on the following findings of facts;

- A. The proposed use can be conducted in a manner. That is harmonious and compatible with existing surrounding land uses, and with future surrounding land use as projected by the General Plan;
- B. The subject site is physically suitable for the type and intensity of land use being proposed;
- C. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use;
- D. Approval of the Special Use Permit at the site in question will be consistent with or compromise the public health, safety and welfare or the overall objectives of the General Plan.

Should you have any questions or require additional information please contact our office.

Sincerely,



Richard C. Gallegos
Principal

RCG/mt

Cc: 06-182.js.lt.sup.civ.cstore.grand.teton

**SUP-18347
SDR-18349
02/08/07 PC**

NOTICE OF PUBLIC HEARING

SPECIAL USE PERMIT

FEB. 24, 07

I VOTE NO FOR PERMIT
SUP-18347

KRONENBERG GARY R
8316 BLUSHING HEIGHTS AVE
LAS VEGAS NV 89131-4610

Gary R. Kronenberg

MEETING: CITY COUNCIL
DATE: MARCH 7, 2007
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-18347

APPLICANT/OWNER: GRAND TETON LODGE LAND LLC - REQUEST FOR A SPECIAL USE PERMIT FOR A PROPOSED 800 SQUARE FOOT CAR WASH, FULL SERVICE ON 2.71 ACRES ON THE NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE (APN 125-09-401-031), U [(UNDEVELOPED) ZONE, SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL), WARD 6 (ROSS).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S½) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 09, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada, 89101. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>



Protest

BEVERLY BRIDGES
ACTING CITY CLERK

2007 FEB 26 A 11:07

RECEIVED
CITY CLERK

SEE LOCATION MAP ON REVERSE SIDE

pacific design concepts, llc**PDC**

3005 w. horizon ridge pkwy., #200, henderson, nv 89052 (702) 454-5842 fax (702) 454-7842

April 2, 2007

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

Attn: John Korkosz

**RE: C-STORE AT GRAND TETON
SUP-18347
SUP-18630
SDR-18349****PROJECT NO: 06-182**

Dear John,

We respectfully request to hold in abeyance the above referenced items that are scheduled to be heard at the City Council meeting on 4-04-2007 for two (2) weeks until the April 18th City Council Agenda. We are continuing to work with our neighbors and conducting another neighborhood meeting and need additional time to continue to address the concerns of our neighbors.

Should you have any questions or require additional information please contact our office.

Sincerely,

Richard C. Gallegos
Principal

RCG/mt

Cc: 06-182 If hold.civ-john.korkosz 4-2-07
Stuart Apollo
John T. Moran III
Shella Lambert

2007 APR -3 P 3:12

RECEIVED
CITY CLERK

Submitted after final agenda

Date 04-03-07 Item # 90-92

**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**

NOTICE OF PUBLIC HEARING

Dec. 29, 06

1 note NO on

SUP-18347

Gary R. Kronenberg

12516110007
KRONENBERG GARY R
8316 BLUSHING HEIGHTS AVE
LAS VEGAS NV 89131-4610

Case: SUP-18347

SPECIAL USE PERMIT

MEETING: PLANNING COMMISSION
DATE: JANUARY 11, 2007
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-18347

APPLICANT/OWNER: GRAND TETON LODGE LAND LLC - REQUEST FOR A SPECIAL USE PERMIT FOR A PROPOSED 800 SQUARE FOOT CAR WASH, FULL SERVICE ON 2.71 ACRES ON THE NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE (APN 125-09-401-031), U [(UNDEVELOPED) ZONE, SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL), WARD 6 (ROSS).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S½) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 09, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objection thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. This request may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after discussion of the item. You will receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>.



JOHN KORKOSZ, PLANNING SUPERVISOR
PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

SEE LOCATION MAP ON REVERSE SIDE

ITEM # 34
CASE # SUP-18347
PC MTG 1-11-07

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 4, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SPECIAL USE PERMIT RELATED TO SUP-18347

SUP-18630 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GRAND TETON LODGE LAND LLC - Request for a Special Use Permit FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT IN A PROPOSED SERVICE STATION WITHOUT AUTOMOTIVE REPAIR on 2.71 acres on the northeast corner of Grand Teton Drive and Durango Drive (APN 125-09-401-031), U [(Undeveloped) Zone, SC (Service Commercial) General Plan Designation] Under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Protest letter by Gary R. Kronenberg
6. Backup referenced from the 02-08-07 Planning Commission Meeting Item 16

Motion made by GARY REESE to Hold in Abeyance Items 84, 85-89, 90-92, and 98 to 4/18/2007

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

Minutes:

See Item 90 for related backup.



SUP-18630

BEER/WINE/COOLER OFF-SALE

Business Licenses

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

- RELIGIOUS
- CITY PARKS
- SCHOOLS

- Subject Property
- 400 foot buffer



AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 4, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - SUP-18630 - APPLICANT/OWNER: GRAND
TETON LODGE LAND LLC

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

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-1-1/gt, sd vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-18349), 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. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Special Use Permit for a Beer/Wine/Cooler Off-Sale Establishment in a Proposed Service Station without Automotive Repair at the northeast corner of Grand Teton Drive and Durango Drive. This application is related to SUP-18347 and SDR-18349.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
3/17/99	The Board of County Commissioners approved the rezoning (ZC-1702-98) of the northeast corner of Durango Drive and Grand Teton Drive.
6/08/99	The City Council approved the annexation [A-28-99(A)] of the subject site. The effective date of the annexation was September 24, 1999.
6/21/00	The City Council approved a Special use Permit (U-0011-00) for a tavern at the subject site. The Planning Commission and staff recommended approval.
7/17/02	The City Council approved of an Extension of Time [U-0011-00(1)] for the approved Tavern. The Planning Commission and staff recommended approval.
03/17/04	The City Council approved a General Plan Amendment application (GPA-3483) from PCD (Planned Community Development) to SC (Service Commercial), a Rezoning (ZON-3509) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) and U (Undeveloped) [PCD (Planned Community Development) General Plan Designation], and a Review of Condition (ROC-2671) to remove a condition that restricted commercial development to the western portion of the subject site. The Planning Commission recommended approval of the GPA, ZON and ROC on 1/22/04 and tabled requests for a Special Use Permit (SUP-3513) for a proposed mini-warehouse facility, and a Site Development Plan Review application (SDR-3511) for a proposed 71,570 square foot office, tavern, mini-storage development. Staff recommended approval for all five applications.

04/06/05	The City Council approved a Special Use Permit (SUP-5691) for a Tavern and a Waiver from the distance separation requirements from an existing park, a Variance (VAR-5694) to allow a 24-foot setback where residential adjacency standards require a minimum of 73 feet, a Variance (VAR-5693) a Variance to allow 132 parking spaces where 148 spaces are the minimum required, and a Site Development Plan Review (SDR-5689) for a 6,115 square-foot tavern and a Waiver of trash enclosure separation. The Planning Commission recommended approval on 03/10/05 and staff recommended denial.
01/11/07	The Planning Commission held in abeyance a Special Use Permit (SUP-18347) for a proposed 800 square foot Car Wash, Full Service; a Special Use Permit (18630) for a proposed Beer/Wine/Cooler Off-sale Establishment and a Site Development Plan Review (SDR-18349) for the Car Wash, a Service Station without automotive repair and a fast-food restaurant with a drive-through. Staff recommended denial.
02/08/07	The Planning Commission recommended approval of companion items SUP-18630 and SDR-18349 concurrently with this application. The Planning Commission voted 5-1-1/gt/sd to recommend APPROVAL (PC Agenda Item #15/rl).

Related Relevant City Actions by P&D, Fire, Bldg., etc.

12/09/05	Business License L16-266-4-1214 issued for a Tavern issued to Tomfoolery, inactive effective 06/07/06.
06/07/06	Pending Business License requests created for The Lodge at Grand Teton including C05-96168-0-107791 for Tobacco Retailer, C08-96164-0-107791 for Coin Operated Amusements, C20-96167-7-850 for Convention Hall Gaming Tax, G01-96166-4-850 for Gaming-Restricted, and R09-96163-0-107791 for a Restaurant.
08/18/06	Building Permit C-0189-05 issued for a trash enclosure, on-site improvements and a Certificate of Occupancy for a tavern on the subject site.

Pre-Application Meeting

11/13/06	At a Pre-application meeting, the applicant was told of the requirements for a site development plan review and the requirements for a special use permit. Additional detail was given regarding landscaping and parking requirements particular to the subject site.
----------	---

Neighborhood Meeting	
01/02/06	A neighborhood meeting was held at the Silverstone Golf Club 8600 Cupp Drive at 6:00 p.m. Attendance included three members of the development team, nine members of the public and one member of the Planning & Development staff. The following concerns were brought up by members of the public: • Concerns about the speaker box of the fast food pad • Area over saturated by alcohol uses • Request for a family restaurant • No 24 hrs uses Concerns about Day Care use at 7955 Quail Heaven being too close to uses.

Details of Application Request	
Site Area	
Gross Acres	2.71

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Tavern, Undeveloped	SC (Service Commercial)	U(SC) Undeveloped (Service Commercial) under Resolution of Intent to C-1 (Limited Commercial)
North	Single Family	PCD (Planned Community Development)	R-PD6 (Residential Planned Community – 6 Units per Acre)
South	Single Family (under construction)	PCD (Planned Community Development)	R-PD7 (Residential Planned Community – 7 Units per Acre)
East	Single Family (under construction)	PCD (Planned Community Development)	U(PCD) Undeveloped (Planned Community Development) under Resolution of Intent to R-PD7 (Residential Planned Community – 7 Units per Acre)
West	Undeveloped (proposed retail)	PCD (Planned Community Development)	U(PCD) Undeveloped (Planned Community Development) under Resolution of Intent to C-1 (Limited Commercial)

<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		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	115,730 Square Feet	Y
Min. Lot Width	100 Feet	220 Feet	Y
Min. Setbacks			
• Front	20 Feet	25 Feet	Y
• Side	10 Feet	16 Feet	Y
• Corner	15 Feet	24 Feet	Y
• Rear	20 Feet	80 Feet	Y

Max. Lot Coverage	50%	12%	Y
Max. Building Height	N/A	32.75 Feet	Y
Trash Enclosure	50 Feet from residential uses	62 Feet	Y
Mech. Equipment	Screened	Screened	Y

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	79.5 Feet	105 Feet	Y
Adjacent development matching setback	10 Feet	80 Feet	Y
Trash Enclosure	50 Feet from residential uses	73 Feet	Y

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi- capped	Regular	Handi- capped	
Tavern (Existing)	3,171 SF Public seating 3,204 SF Remainder	1:50 SF 1:200 SF	64 16				
Car Wash*	800 SF	NA	NA				
Service Station	4,056	1:250 SF	16				
Restaurant*	650 SF Public seating 2,050 SF Remainder	1:50 SF 1:200 SF	13 10				
Sub-Total			114	5	122	5	
TOTAL –Including Handicapped			119		127		Y

* The Restaurant Drive-Through and the Car Wash each provide six stacking spaces in addition to the above parking spaces provided.

ANALYSIS

- General Plan and Zoning**

The subject site is located in the Centennial Hills Sector of the General Plan with a land-use designation of SC (Service Commercial). This designation allows for a variety of commercial uses that serve primarily local area patrons, including the proposed use. The subject site is under a Resolution of Intent to the C-1 (Limited Commercial) zoning district, within which the proposed Beer/Wine/Cooler Off-Sale Establishment use is permissible with a Special Use Permit.

- **Use**

The sale of beer/wine/coolers for consumption off-premise in conjunction with a car wash is an allowed use within the C-1 (Limited Commercial) Zoning District with the approval of a Special Use Permit. The reason for a special use permit is to ensure that a proposed use conducted in a manner that is harmonious and compatible with uses located on the same or surrounding properties. The process recognizes that, within a given zoning district, certain uses may be appropriate and compatible in some locations but not in others.

The Special Use Permit process allows a site-specific inquiry into the compatibility of a proposed use at a particular location, taking into account: the characteristics of the site and the surroundings; the relevant zoning and planning principles; and the input of the Planning Commission, City Council and other interested parties. The proposed Beer/Wine/Cooler Off-Sale Establishment use is not compatible with the surrounding neighborhoods because of the type, intensity and number of uses proposed on this site, in combination with the approved tavern. Therefore staff recommends denial.

- **Conditions**

The submitted documents indicate that the proposed use meets all of the applicable requirements for this special use from Title 19.04 listed below; however, the Beer/Wine/Cooler Off-Sale Establishment use is not appropriate at this particular location because of the type, intensity and number of uses proposed on this site.

The following conditions apply to the proposed use:

1. Except as otherwise provided in this Chapter, no retail establishment with accessory package liquor off-sale (hereinafter "establishment") shall be located within four hundred feet of any church, synagogue, child care facility licensed for more than twelve children, or City park.
2. Except as otherwise provided in Paragraph 3 below, the distances referred to in Paragraph 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purpose of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

- a. Any leasehold parcel; or
 - b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Paragraph 1.
3. In the case of an establishment property to be located on a parcel of at least eighty acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:
 - a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or
 - b. In the case of a proposed establishment which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property lines of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.
4. When considering a Special Use Permit application for an establishment which also requires a waiver of the distance limitation in Paragraph 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.
5. The minimum distance requirements in Paragraph 1 do not apply to:
 - a. An establishment which has a nonrestricted gaming license in connection with a hotel having two hundred or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of two hundred guest rooms after July 1, 1992; or
 - b. A proposed establishment having more than fifty thousand square feet of retail floor space.
6. All businesses which sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of the Las Vegas Municipal Code.
7. The minimum distance requirements set forth in paragraph 1, which are otherwise nonwaivable under the provisions of this subdivision, maybe be waived:
 - a. In accordance with the provisions of Section 19.040.050(A)(4) for any establishment which is proposed to be located on a parcel within the Downtown Casino Overlay District;
 - b. In accordance with the applicable provisions of the "Town Center Development Standards Manual" for any establishment which is proposed to be located within the T-C (Town Center) Zoning District and which is designated MS-TC (Main Street Mixed Use) in the Town Center Land Use Plan; or

- c. In connection with a retail establishment having less than twenty thousand square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or right-of-way with a width of at least one hundred feet.

FINDINGS

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

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

While the proposed project is compatible with the General Plan land-use designation for the area and satisfies the requirements of the Zoning Code with respect to minimum separation distance requirements, the intensity of a Beer/Wine/Cooler Off-sale Establishment use on this site in combination with an approved tavern is too intense to be harmonious and compatible with the surrounding area.

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

The intensity of the Beer/Wine/Cooler Off-Sale Establishment use, particularly in combination with the other proposed uses on this site are too intense in scope and number for the surrounding residential neighborhoods.

- 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 Beer/Wine/Cooler Off-Sale Establishment use will be accessed from Durango Drive and Grand Teton Drive, identified on the Master Plan of Streets and Highways as a 100-foot Primary Arterials and a 120-Foot Parkway Arterial, respectively. While these roads have adequate capacity, the proposed uses are too intense for this intersection.

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 Beer/Wine/Cooler Off-Sale Establishment use in combination with the other proposed and approved uses is too intense for the location; and therefore, staff finds that approval of the Special Use Permit will be inconsistent with the public health, safety, and welfare as well as the overall objectives of the General Plan.

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

The subject site meets all applicable conditions for a Beer/Wine/Cooler Off-Sale Establishment as per the requirements of Title 19.04; however, for the aforementioned reasons, this use is not appropriate for the subject site.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

16

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 882 by City Clerk

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-18630** APN: 125-09-401-031Name of Property Owner: Grand Teton Lodge Land, LLCName of Applicant: Grand Teton Lodge Land, LLC - Stuart ApolloName of Representative: Pacific Design Concepts, LLC

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

☐ Yes☒ No

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

City Official: _____

Partner(s): _____

APN: _____

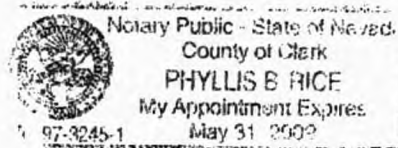
Signature of Property Owner: _____

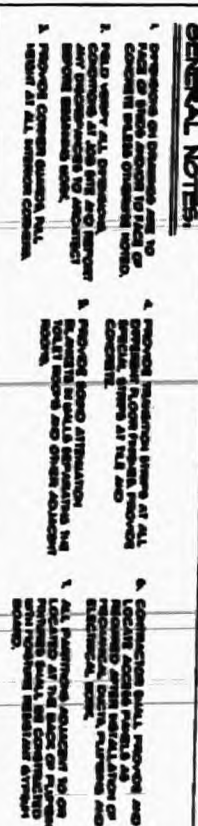
Print Name: STUART APOLLO

Subscribed and sworn before me

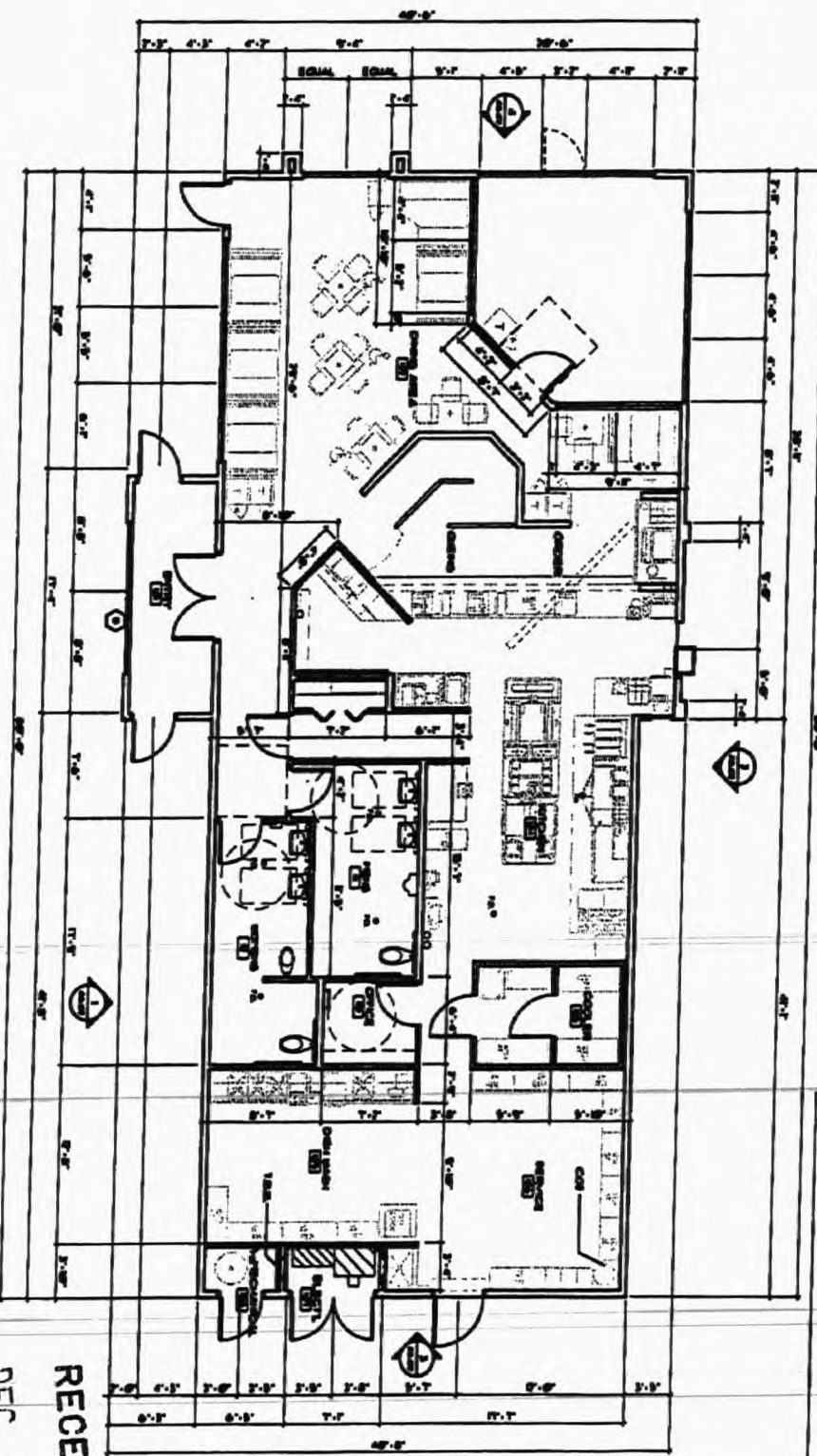
This 6th day of DEC, 2006

Phyllis B. Rice
Notary Public in and for said County and State





pacific design concepts, llc
3005 w. horizon ridge parkway, suite 200
henderson, nevada 89052
(702) 454-5842 fax (702) 454-7842



1 FLOOR PLAN
SCALE: 1/8" = 1'-0"

NORTH

- GENERAL NOTES**
1. ALL DIMENSIONS ARE TO FACE OF WALLS AND CENTER LINE OF DRIVE AND DRIVEWAY, UNLESS NOTED OTHERWISE.
 2. ROOM SIZES ARE APPROXIMATE AND SHOULD BE VERIFIED BY THE OWNER.
 3. ROOM SIZES ARE APPROXIMATE AND SHOULD BE VERIFIED BY THE OWNER.
 4. SEE DETAILS ALSO FOR INTERIOR WALL, FLOORING DETAILS, AND LIGHTING.
 5. PROVIDE SOUND BARRIER WALLS AT ALL FULL HEIGHT WALLS.
 6. PROVIDE SOUND BARRIER WALLS AT ALL FULL HEIGHT WALLS.
 7. PROVIDE SOUND BARRIER WALLS AT ALL FULL HEIGHT WALLS.
 8. PROVIDE SOUND BARRIER WALLS AT ALL FULL HEIGHT WALLS.
 9. PROVIDE SOUND BARRIER WALLS AT ALL FULL HEIGHT WALLS.

SUP-18347
SDR-18349 SUP-18630
02/08/07 PC

RECEIVED
DEC 7 2006

FAST FOOD FLOOR PLAN LAND USE SUBMITTAL	PRELIMINARY NOT FOR CONSTRUCTION	PROJECT INFO C-STORE AT GRAND TETON ADDRESS LAS VEGAS, NEVADA	pacific design concepts, llc 3005 W. HORIZON RIDGE PARKWAY, SUITE 200 HENDERSON, NEVADA 89052 (702) 454-5842 FAX (702) 454-7842
--	---	---	--

pacific design concepts, llc

3005 w. horizon ridge pkwy., #200, henderson, nv 89052 (702) 454-5842 fax (702) 454-7842

PDC

December 1, 2006

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

Attn: Planner

**RE: C-STORE AT GRAND TETON
APN: 125-09-401-031
JUSTIFICATION LETTER**

PROJECT NO: 06-182

Dear Staff,

We respectfully request favorable consideration for the above referenced project for a Special Use Permit.

The proposed special use permit is to allow the sale of beer/wine/cooler off sale establishment in conjunction with a convenience store.

The proposed special use permit is appropriate based on the following findings of facts;

- A. The proposed use can be conducted in a manner. That is harmonious and compatible with existing surrounding land uses, and with future surrounding land use as projected by the General Plan;
- B. The subject site is physically suitable for the type and intensity of land use being proposed;
- C. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use;
- D. Approval of the Special Use Permit at the site in question will be consistent with or not compromise the public health, safety and welfare or the overall objectives of the General Plan.
- E. This use is common with a convenience store and all separation distances have been met.

Should you have any questions or require additional information please contact our office.

Sincerely,



Richard C. Gallegos
Principal

RCG/mt

Cc: 06-182.js.ll.sup.clv.cstore.grand.teton

**SUP-18630
02/08/07 PC**

NOTICE OF PUBLIC HEARING

FEB. 24, 07

SPECIAL USE PERMIT

I VOTE NO FOR

PERMIT SUP-18630

Mary R. Kronenberg
GARY R. KRONENBERG
8316 BLUSHING HTS. AVE,
LAS VEGAS, NV, 89131-4610

MEETING: CITY COUNCIL
DATE: MARCH 7, 2007
TIME: 1:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-18630

APPLICANT/OWNER: GRAND TETON LODGE LAND LLC - REQUEST FOR A SPECIAL USE PERMIT FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT IN A PROPOSED SERVICE STATION WITHOUT AUTOMOTIVE REPAIR ON 2.71 ACRES ON THE NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE (APN 125-09-401-031), U [(UNDEVELOPED) ZONE, SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL), WARD 6 (ROSS).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S $\frac{1}{2}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION 09, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada, 89101. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>



SEE LOCATION MAP ON REVERSE SIDE

Protest

BEVERLY BRIDGES
ACTING CITY CLERK

2007 FEB 26 A 11:06
RECEIVED
CITY CLERK
2007 FEB 26 A 11:06
RECEIVED
CITY CLERK

**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**

NOTICE OF PUBLIC HEARING

Dec. 29, 06

SPECIAL USE PERMIT

1 note NO on

SUP-18630.

GARY R. KRONENBERG
GARY R. KRONENBERG
8316 BLUSHING HTS. AVE.
LAS VEGAS, NV. 89131

MEETING: PLANNING COMMISSION
DATE: JANUARY 11, 2007
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SUP-18630

APPLICANT/OWNER: GRAND TETON LODGE LAND LLC - REQUEST FOR A SPECIAL USE PERMIT FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT IN A PROPOSED SERVICE STATION WITHOUT AUTOMOTIVE REPAIR ON 2.71 ACRES ON THE NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE (APN 125-09-401-031), U [(UNDEVELOPED) ZONE, SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL), WARD 6 (ROSS).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S½) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 09, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objection thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. This request may be deemed Final Action by the Planning Commission or forwarded to the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after discussion of the item. You will receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>.



JOHN KORKOSZ, PLANNING SUPERVISOR
PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

SEE LOCATION MAP ON REVERSE SIDE

ITEM # 35

CASE # SUP-18630

PC MTG 1-11-07

2

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: APRIL 4, 2007**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-18347 AND SUP-18630

SDR-18349 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: GRAND TETON LODGE LLC - Request for a Major Amendment to an approved Site Development Plan Review FOR A PROPOSED 4,056 SQUARE-FOOT SERVICE STATION WITHOUT AUTOMOTIVE REPAIR, AN 800 SQUARE FOOT CAR WASH, FULL SERVICE, AND A 2,700 SQUARE FOOT RESTAURANT WITH DRIVE-THROUGH on 2.71 acres on the northeast corner of Grand Teton Drive and Durango Drive (APN 125-09-401-031), U [(Undeveloped) Zone, SC (Service Commercial) General Plan Designation] Under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) 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:

Staff recommends DENIAL. The Planning Commission (5-1-1 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 02-08-07 Planning Commission Meeting Item 17

Motion made by GARY REESE to Hold in Abeyance Items 84, 85-89, 90-92, and 98 to 4/18/2007

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 0

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

Minutes:

See Item 90 for related backup.

U (UNDEVELOPED) ZONE [SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER
RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

AGENDA MEMO

CITY COUNCIL MEETING DATE: APRIL 4, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - SDR-18349 - APPLICANT/OWNER: GRAND TETON LODGE LLC

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

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-1-1/gt, sd vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-18347) and Special Use Permit (SUP-18630), if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 11/28/06, except as amended by conditions herein.
4. A revised landscape plan shall be submitted prior to the time an application is made for a building permit depicting a total of twenty-one 24-inch box trees spaced 20 feet on center in the landscape perimeter buffer along the north side of the property, fourteen 24-inch box trees spaced 20 feet on center in the landscape perimeter buffer along the east property line, and one parking lot landscape finger for every six parking spaces.
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 utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. 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.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

12. If not already constructed at time of development, construct half-street improvements on Durango Drive and Grand Teton Drive, including the widened median island on Grand Teton Drive, concurrent with development of this site. If applicable, extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
13. The required equestrian trail along the north side of this site shall be deeded to the City of Las Vegas within one year of completion of construction. The trail shall be privately maintained prior to conveyance. Coordinate with the right-of-way section of the Department of Public Works regarding the appropriate method to convey the trail to the City of Las Vegas; a parcel map or other map may be required to create the legal trail parcel.
14. The required multi-use transportation trail along Durango Drive shall be granted to the City of Las Vegas prior to the issuance of any permits and shall be designated as a multi-use transportation trail easement over its entirety to be privately maintained; coordinate the right-of-way section of the Department of Public Works regarding document preparation.

15. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
16. 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.
17. An update to the previously approved 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.
18. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the submittal of a map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
19. Site development to comply with all applicable conditions of approval for ZON-3509 and all other applicable site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is for a Site Development Plan Review for a proposed 4,056 square-foot Service Station without Automotive Repair, an 800 square-foot Car Wash, and a 2,700 square-foot Restaurant with Drive-Through on 2.71 acres on the northeast corner of Grand Teton Drive and Durango Drive.

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
3/17/99	The Board of County Commissioners approved the rezoning (ZC-1702-98) of the northeast corner of Durango Drive and Grand Teton Drive.
6/08/99	The City Council approved the annexation [A-28-99(A)] of the subject site. The effective date of the annexation was September 24, 1999.
6/21/00	The City Council approved a Special use Permit (U-0011-00) for a tavern at the subject site. The Planning Commission and staff recommended approval.
7/17/02	The City Council approved of an Extension of Time [U-0011-00(1)] for the approved Tavern. The Planning Commission and staff recommended approval.
03/17/04	The City Council approved a General Plan Amendment application (GPA-3483) from PCD (Planned Community Development) to SC (Service Commercial), a Rezoning (ZON-3509) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) and U (Undeveloped) [PCD (Planned Community Development) General Plan Designation], and a Review of Condition (ROC-2671) to remove a condition that restricted commercial development to the western portion of the subject site. The Planning Commission recommended approval of the GPA, ZON and ROC on 1/22/04 and tabled requests for a Special Use Permit (SUP-3513) for a proposed mini-warehouse facility, and a Site Development Plan Review application (SDR-3511) for a proposed 71,570 square foot office, tavern, mini-storage development. Staff recommended approval for all five applications.

04/06/05	The City Council approved a Special Use Permit (SUP-5691) for a Tavern and a Waiver from the distance separation requirements from an existing park, a Variance (VAR-5694) to allow a 24-foot setback where residential adjacency standards require a minimum of 73 feet, a Variance (VAR-5693) a Variance to allow 132 parking spaces where 148 spaces are the minimum required, and a Site Development Plan Review (SDR-5689) for a 6,115 square-foot tavern and a Waiver of trash enclosure separation. The Planning Commission recommended approval on 03/10/05 and staff recommended denial.
01/11/07	The Planning Commission held in abeyance a Special Use Permit (SUP-18347) for a proposed 800 square foot Car Wash, Full Service; a Special Use Permit (18630) for a proposed Beer/Wine/Cooler Off-sale Establishment and a Site Development Plan Review (SDR-18349) for the Car Wash, a Service Station without automotive repair and a fast-food restaurant with a drive-through. Staff recommended denial.
02/08/07	The Planning Commission recommended approval of companion items SU-18347 and SUP-18630 concurrently with this application. The Planning Commission voted 5-1-1/gt, sd to recommend APPROVAL (PC Agenda Item #17/rl).

Related Relevant City Actions by P&D, Fire, Bldg., etc.

12/09/05	Business License L16-266-4-1214 issued for a Tavern issued to Tomfoolery, inactive effective 06/07/06.
06/07/06	Pending Business License requests created for The Lodge at Grand Teton including C05-96168-0-107791 for Tobacco Retailer, C08-96164-0-107791 for Coin Operated Amusements, C20-96167-7-850 for Convention Hall Gaming Tax, G01-96166-4-850 for Gaming-Restricted, and R09-96163-0-107791 for a Restaurant.
08/18/06	Building Permit C-0189-05 issued for a trash enclosure, on-site improvements and a Certificate of Occupancy for a tavern on the subject site.

Pre-Application Meeting

11/13/06	At a Pre-application meeting, the applicant was told of the requirements for a site development plan review and the requirements for a special use permit. Additional detail was given regarding landscaping and parking requirements particular to the subject site.
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Neighborhood Meeting	
01/02/06	A neighborhood meeting was held at the Silverstone Golf Club 8600 Cupp Drive at 6:00 p.m. Attendance included three members of the development team, nine members of the public and one member of the Planning & Development staff. The following concerns were brought up by members of the public: • Concerns about the speaker box of the fast food pad • Area over saturated by alcohol uses • Request for a family restaurant • No 24 hrs uses Concerns about Day Care use at 7955 Quail Heaven being too close to uses.

Details of Application Request			
Site Area			
Gross Acres	2.71		
Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Tavern, Undeveloped	SC (Service Commercial)	U(SC) Undeveloped (Service Commercial) under Resolution of Intent to C-1 (Limited Commercial)
North	Single Family	PCD (Planned Community Development)	R-PD6 (Residential Planned Community – 6 Units per Acre)
South	Single Family (under construction)	PCD (Planned Community Development)	R-PD7 (Residential Planned Community – 7 Units per Acre)
East	Single Family (under construction)	PCD (Planned Community Development)	U(PCD) Undeveloped (Planned Community Development)under Resolution of Intent to R-PD7 (Residential Planned Community – 7 Units per Acre)
West	Undeveloped (proposed retail)	PCD (Planned Community Development)	U(PCD) Undeveloped (Planned Community Development)under Resolution of Intent to C-1 (Limited Commercial)

<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		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A

DEVELOPMENT STANDARDS

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>	
Min. Lot Size	N/A	115,730 Square Feet	Y	
Min. Lot Width	100 Feet	220 Feet	Y	
Min. Setbacks • Front • Side • Corner • Rear	20 Feet 10 Feet 15 Feet 20 Feet	25 Feet 16 Feet 24 Feet 80 Feet	Y Y Y Y	
Max. Lot Coverage	50%	12%	Y	
Max. Building Height	N/A	32.75 Feet	Y	
Trash Enclosure	50 Feet from residential uses	62 Feet	Y	
Mech. Equipment	Screened	Screened	Y	
<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>	
3:1 proximity slope	79.5 Feet	105 Feet	Y	
Adjacent development matching setback	10 Feet	80 Feet	Y	
Trash Enclosure	50 Feet from residential uses	73 Feet	Y	
<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/6 Spaces 1 Finger/6 Spaces	22	23	Y N*
Buffer:				
Min. Trees				
North	1 Tree/20 Feet	21	20	N*
East	1 Tree/20 Feet	14	12	N*
South	1 Tree/30 Feet	13	18	Y
West	1 Tree/30 Feet	9	9	Y

TOTAL				
Min. Zone Width				
• East	15 Foot Buffer		15 Foot	Y
• North	8 Foot Buffer		10 Foot	Y
• West	8 Foot Buffer		8 Feet	Y
• South	15 Foot Buffer		20 Feet	Y
Wall Standards	Required	Provided	Compliance	
Wall Height				
East Property Line				
North Property	Minimum 6 Feet, Maximum 8 Feet		8 Foot Block Wall	Y
Line	Minimum 6 Feet, Maximum 8 Feet		8 Foot Block wall	Y

** Additional trees to be required by Condition 4.

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi- capped	Regular	Handi- capped	
Tavern (Existing)	3,171 SF	1:50 SF	64				
	Public seating						
	3,204 SF	1:200 SF	16				
	Remainder						
Car Wash*	800 SF	NA	NA				
Service Station	4,056	1:250 SF	16				
Restaurant*	650 SF	1:50 SF	13				
	Public seating						
	2,050 SF Remainder	1:200 SF	10				
Sub-Total			114	5	122	5	
TOTAL –Including Handicapped			119		127		Y

* The Restaurant Drive-Through and the Car Wash each provide six stacking spaces in addition to the above parking spaces provided.

Waivers		
Request	Requirement	Staff Recommendation
Landscape Island at end of 100 Foot Aisle.	1 Landscape Finger every 6 parking spaces.	Denial

ANALYSIS

The subject site is located in a C-1 (Limited Commercial) zone in the SC (Service Commercial) Land Use designation area within the Centennial Hills Sector of the Las Vegas 2020 Master Plan. The C-1 zone is intended to provide most retail shopping and personal services. This district should be on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors, such as Grand Teton Drive and Durango Drive. The property is not located within any special plan areas or overlay districts. The proposed restaurant and convenience store is appropriate and conforming to C-1 zone and the SC designation; however the proposed site plan is too intense for the specific location. The proposed site plan includes a full service car wash and a fast food restaurant with a drive through; however, a previously approved Site Development Plan Review (SDR-5689) on the site was approved with a condition "no roll-up doors or drive-thru windows shall be allowed on this site."

The proposed site plan depicts a proposed 2,700 square-foot fast food restaurant, a proposed 4,056 service station without automotive repair with an attached 800 square-foot full-service car wash, and an existing 6,375 square-foot tavern on a 115,730 square foot parcel. 127 parking spaces are provided where 125 are required. The site plan conforms to all Title 19 development standards including building setbacks, lot coverage, building height and screening. The proposed structures conform to the residential adjacency standards as required in Title 19 including proximity slope and residential equivalent setbacks. Both the tavern and the service station are oriented to the setback line at Grand Teton Drive, with the restaurant set behind the service station. Sufficient stacking for six vehicles is provided for both the car wash and for the restaurant drive-through. However, the combination of uses on this site is deemed too intense for the surrounding neighborhood, and staff; therefore, recommends denial.

A multi-use transportation trail runs along the west property line of the subject site along the Durango Drive right-of-way. Also, a multi-use equestrian trail runs along the north property line of the subject site. The latter is contained entirely in the subject site. The proposed site plan and landscape plan depict that the trails will be built to the standards as required by the Las Vegas 2020 Master Plan, as previously required by previously approved Site Development Plan Review (SDR-5689).

The perimeter landscape buffer widths comply with the Title 19 requirements; however, the plan shows a deficiency of one tree in the north buffer and two trees in the east buffer. The south buffer has five trees more than are required and a condition of approval has been added to require sufficient trees spaced 20 feet on center. The parking lot has a sufficient number of trees, but there are several spaces in which there are more than six spaces without a landscape finger or island. A condition has been added to provide a revised landscape plan prior to the issuance of building permits.

The elevations and floor plans depict structures which are consistent with Title 19 standards, and the colors and materials would be appropriate to the surrounding community at a more appropriate site.

FINDINGS

The following findings must be made for an SDR:

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

While the proposed project is compatible with the General Plan land-use designation for the area and satisfies the requirements of the Zoning Code with respect to minimum separation distance requirements, the intensity of a Car Wash, Full Service use on this site in combination with an approved tavern and other proposed development is too intense to be harmonious and compatible with the surrounding 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;**

While the proposed uses are permitted under the General Plan, the proposed development on this lot, and the necessary Waiver of Parking Lot landscape standards, indicate that this request exceeds the intensity that is appropriate for the site and cannot be supported.

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

The site will be accessed from Durango Drive a (100-foot) Primary Arterial and Grand Teton Drive a (120-foot) Parkway Arterial as designated on the Master Plan of Streets and Highways. The on-site circulation is limited as a parking lot landscape waiver is necessary in order to accommodate the required number of parking spaces.

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

The intensity of the uses, including a drive-through adjacent to Grand Teton Drive, indicates an attempt to exceed the intensity appropriate for the site that cannot be overlooked even though the materials and architectural features may be of appropriate quality for the area.

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

The building elevations depict design characteristics and other architectural and aesthetic features which are attractive and conducive to the locality, but the buildings themselves are inappropriate for the subject site.

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

While, the proposed development will be subject to the Uniform Building Code, the intensity of the proposed development may compromise the public health, safety or welfare.

PLANNING COMMISSION ACTION

The Planning Commission requested a re-design prior to City Council to which the applicant agreed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 867 by Planning Department

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-18349** APN: 125-09-401-031

Name of Property Owner: GRAND TETON LODGE LAND, LLC

Name of Applicant: GRAND TETON LODGE LAND, LLC

Name of Representative: PACIFIC DESIGN CONCEPTS

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: _____

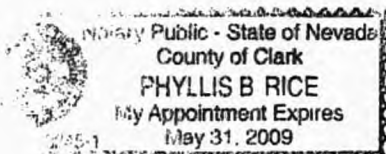
Print Name: STUART APOLLO

Subscribed and sworn before me

This 21st day of NOV, 2006

Phyllis B. Rice

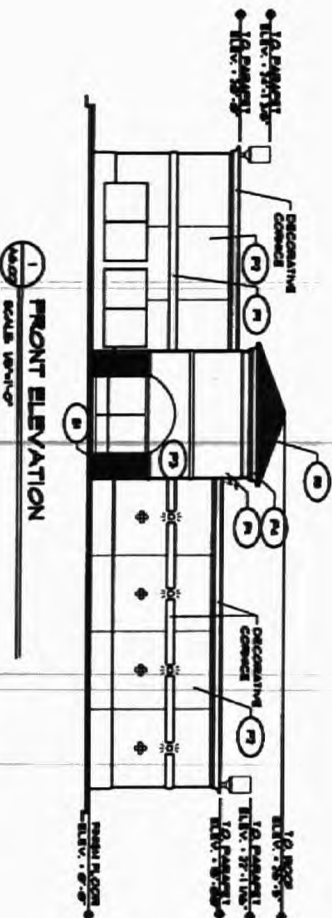
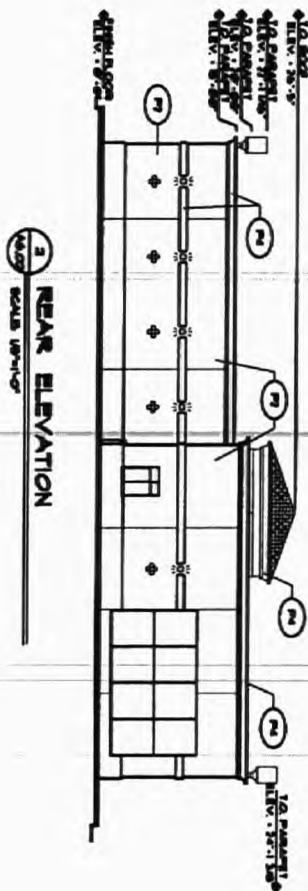
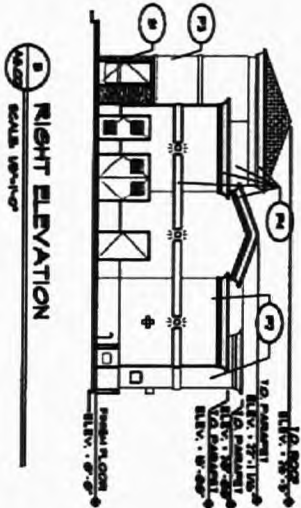
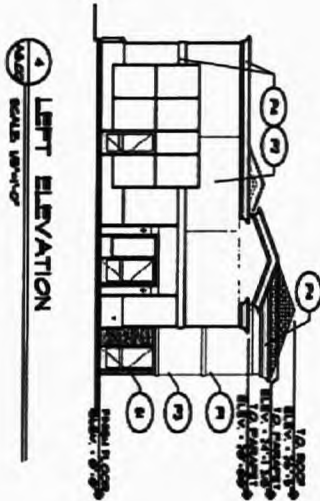
Notary Public in and for said County and State



pacific design concepts, llc
3005 w. horizon ridge parkway, suite 200
henderson, nevada 89052
(702) 454-5842 fax (702) 454-7842

PAINT LEGEND

- 1 PRIMARY COLOR
PAINTER: WHITE - STAINLESS STEEL ON EQUAL
- 2 SECONDARY COLOR
PAINTER: WHITE - TUSCAN CLAY ON EQUAL
- 3 ACCENT COLOR
PAINTER: WHITE - TERRAZZO ON EQUAL
- 4 DECORATING PAINT COLOR
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- 100 COLOR: WHITE - TERRAZZO ON EQUAL



SUP-18347
SDR-18349
02/08/07 PC

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NOV 28 2006

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FALLEN WHITE + STRATA LIGHT ON SOIL.
2. SECONDARY COLOM
FALLEN WHITE + BROWN CLAY ON SOIL.
3. ACCENT COLOM
FALLEN WHITE + VIOLET ON SOIL.
4. DECOGNITIVE PALLA COLOM
FALLEN WHITE + MOVING LEAF ON SOIL.
5. ASHED COLOM
FALLEN WHITE + VIOLET ON SOIL.
6. CALYPSO TONG + POP WALKY SEABROOD
LEAFBROOD (CAY + WET) ON SOIL.
7. POPPY LITTLE + CAMELO, BROWN BLIND
ON SOIL.



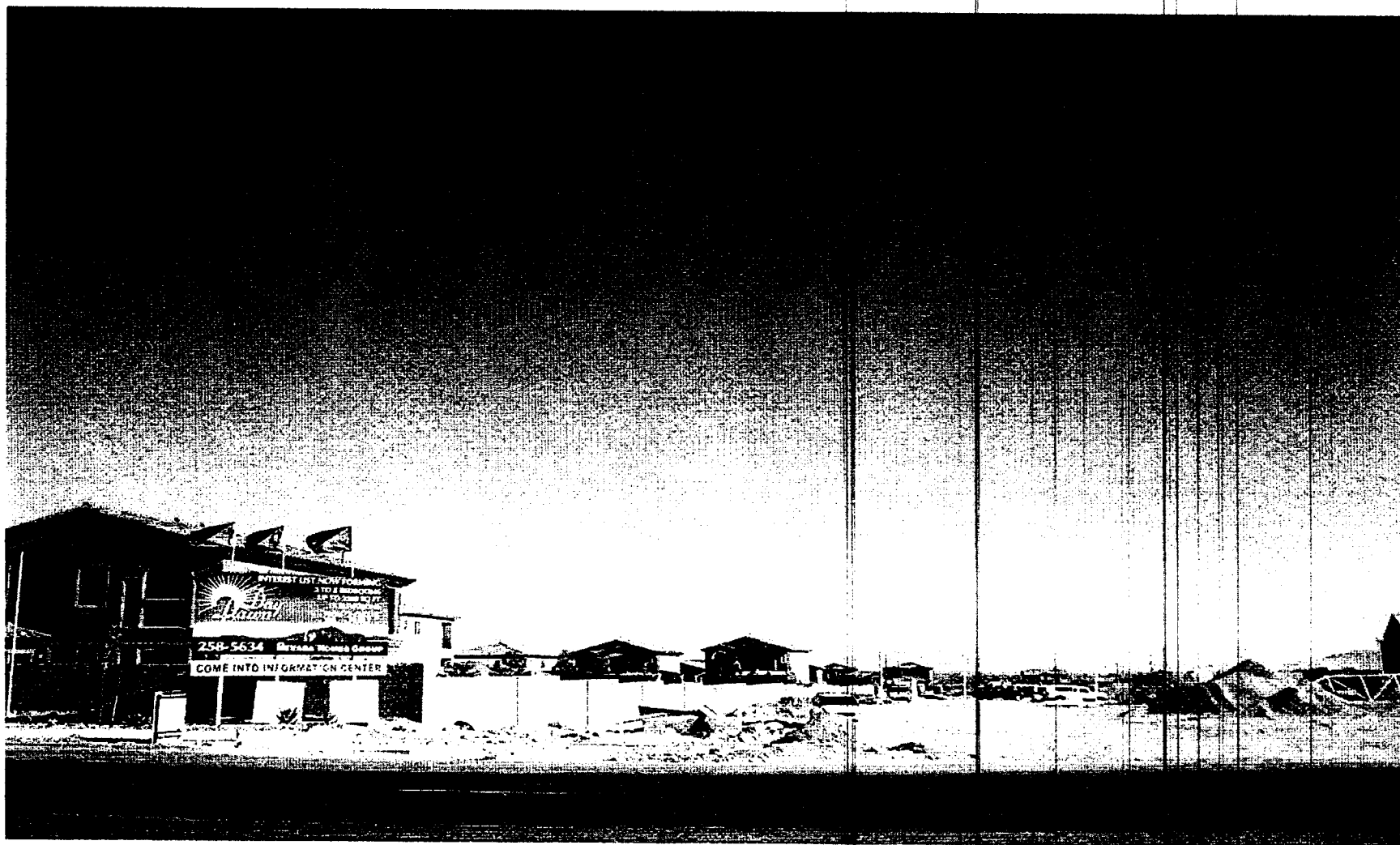
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SDR 18349				
Grand Teton Lodge LLC				
NEC Grand Teton & Durango				
Proposed 7.556 thousand square foot expansion of a commercial development.				
Traffic produced by proposed development:				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	CONVENIENCE MARKET W/GAS [1000 SF]	4.856	845.60	4,106
AM Peak Hour			45.58	221
PM Peak Hour			60.61	294
(heaviest 60 minutes)				
	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	FAST-FOOD W/ DRIVE THRU [1000 SF]	2.7	496.12	1,340
AM Peak Hour			53.11	143
PM Peak Hour			34.64	94
(heaviest 60 minutes)				
Project Total	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	SHOPPING CENTER [1000 SF]	7.556		5,446
AM Peak Hour				365
PM Peak Hour				388
(heaviest 60 minutes)				
Existing traffic on all nearby streets:				
Grand Teton Parkway				
Average Daily Traffic (ADT)	3,904			
PM Peak Hour	312			
(heaviest 60 minutes)				
Durango Drive				
Average Daily Traffic (ADT)	9,755			
PM Peak Hour	780			
(heaviest 60 minutes)				
Traffic Capacity of adjacent streets:				
	Adjacent street ADT			

	Capacity			
Grand Teton Parkway	51700			
Durango Drive	51700			
This project will add approximately 5,446 trips per day on Grand Teton and Durango. This will increase expected volumes by about one hundred fifty four percent on Grand Teton and about sixty two percent on Durango. Grand Teton is at about 8 percent of capacity and Durango is at about 19 percent of capacity.				
Based on Peak Hour use, this development will add roughly 388 additional cars into the area; which works out to about one every five minutes.				
Note that this report assumes all traffic from this development uses all named streets.				



SUP-18347, SUP-18630 AND SDR-18349 - APPLICANT/OWNER: GRAND TETON LODGE LAND LLC
NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE
FEBRUARY 8, 2007 PLANNING COMMISSION

12/08/06



SUP-18347, SUP-18630 AND SDR-18349 - APPLICANT/OWNER: GRAND TETON LODGE LAND LLC
NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE
FEBRUARY 8, 2007 PLANNING COMMISSION

12/08/06



SUP-18347, SUP-18630 AND SDR-18349 - APPLICANT/OWNER: GRAND TETON LODGE LAND LLC
NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE
FEBRUARY 8, 2007 PLANNING COMMISSION

12/08/06



SUP-18347, SUP-18630 AND SDR-18349 - APPLICANT/OWNER: GRAND TETON LODGE LAND LLC
NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE
FEBRUARY 8, 2007 PLANNING COMMISSION

12/08/06

pacific design concepts, llc

3005 w. horizon ridge pkwy., #200, henderson, nv 89052 (702) 454-5842 fax (702) 454-7842

PDC

November 21, 2006

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

Attn: Planner

RE: **C-STORE AT GRAND TETON**
APN: 125-09-401-031
JUSTIFICATION LETTER

PROJECT NO: 06-182

Dear Planner,

We respectfully request favorable consideration for the above referenced project for a Site Development Review.

The proposed special use permit is to allow a single story 2,700 sq. ft. fast food convenience restaurant with a drive-thru lane and a single story 4,000 sq. ft. convenience store with gas pumps and a car wash.

This request is appropriate based on the following finding of the facts;

1. The proposed development is compatible with adjacent development and development in the area.
2. The proposed development is consistent with the General Plan, Title 19 and 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.

Should you have any questions or require additional information please contact our office.

Sincerely,



Richard C. Gallegos
Principal

RCG/mt

Cc: 06-182.js.lt.sdr.clv.cstore.grand.teton

SUP-18347
SDR-18349
02/08/07 PC

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

NOTICE OF PUBLIC HEARING

Dec 29, 06

SITE DEVELOPMENT PLAN REVIEW

I vote NO on

SDR-18349.

Mary R. Kronenberg
GARY R. KRONENBERG
8316 Blushing Hts. Ave.
Las Vegas, NV 89131

MEETING: PLANNING COMMISSION
DATE: JANUARY 11, 2007
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

SDR-18349

APPLICANT/OWNER: GRAND TETON LODGE LLC - REQUEST FOR A MAJOR AMENDMENT TO AN APPROVED SITE DEVELOPMENT PLAN REVIEW FOR A PROPOSED 4,056 SQUARE-FOOT SERVICE STATION WITHOUT AUTOMOTIVE REPAIR, AN 800 SQUARE FOOT CAR WASH, FULL SERVICE, AND A 2,700 SQUARE FOOT RESTAURANT WITH DRIVE-THROUGH ON 2.71 ACRES ON THE NORTHEAST CORNER OF GRAND TETON DRIVE AND DURANGO DRIVE (APN 125-09-401-031), U [(UNDEVELOPED) ZONE, SC (SERVICE COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL), WARD 6 (ROSS).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTH HALF (S $\frac{1}{2}$) OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION 09, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objections thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on this request may be determined by the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. You may not receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>.



JOHN KORKOSZ, PLANNING SUPERVISOR
PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

SEE LOCATION MAP ON REVERSE SIDE

ITEM# 36
CASE # SDR-18349
PC MTG 1-11-07

P